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# The Council of State Governments

## Council Offices

### *Headquarters:*

Daniel M. Sprague, Executive Director  
2760 Research Park Drive, P.O. Box 11910  
Lexington, KY 40578-1910  
Phone: (859) 244-8000  
Internet: [www.csg.org](http://www.csg.org)

### *Southern:*

Colleen Cousineau, Director  
3355 Lenox Road, NE, Suite 1050  
Atlanta, GA 30326  
Phone: (404) 266-1271  
Internet: [www.slcatlanta.org](http://www.slcatlanta.org)

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170 Broadway, 18th Floor  
New York, NY 10038  
Phone: (212) 912-0128  
Internet: [www.csgeast.org](http://www.csgeast.org)

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Sacramento, CA 95814  
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Internet: [www.csgwest.org](http://www.csgwest.org)

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### *Washington, D.C.:*

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Hall of the States  
444 N. Capitol Street, NW, Suite 401  
Washington, D.C. 20001  
Phone: (202) 624-5460  
Internet: [www.csg-dc.org](http://www.csg-dc.org)

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## Foreword

It is with great pleasure that we bring you this new edition of *The Book of the States*, the premier reference work on state government. Recently, The Council of State Governments adopted a new mission to assist state leaders and managers in tracking emerging trends and issues. This particular volume, with more than 20 articles and almost 200 tables and figures, is designed to reflect our new trends mission and to help state policy-makers and others make more informed decisions.

Beginning with this edition, we are planning to publish the book annually, ending our 70-year tradition of biennial editions. Now more than ever, we believe it is important to compile timely and accurate data and information as soon as it is available. Our goal is to help readers understand and deal with rapidly changing trends and issues, especially during this time of the war on terrorism and financial crises in the states. We trust this volume will serve these vital purposes.

May 2002

Daniel M. Sprague  
Executive Director  
The Council of State Governments

## *The Book of the States: 2002 Project Staff*

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Associate Editor	Audrey S. Curry
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# Emerging Trends and Issues in State Government: 2002 and Beyond

By Keon S. Chi

The year 2002 should be seen as an unusual year for the states. The terrorist attacks on September 11, 2001 appear to have changed the way we look at governance, set policy priorities and manage resources. To be sure, there are countless laws, policies and programs that will remain unchanged for many years to come, no matter how many terrorist attacks we endure. Yet, it is undeniable that state policy-makers are now faced with new challenges and problems that could not have been foreseen before the war on terrorism was launched. Although it is difficult to expect a sudden change in the mindsets of policy-makers in a short period of time, it is important to keep in mind that the public's expectations of them seem higher today than ever before. After all, as most gubernatorial state-of-the-state addresses delivered in early 2002 indicate, homeland security has become the utmost concern for the public and state policy-makers.

This year is also unusual because of the financial crisis many states face. In fiscal year 2002, for the first time since the early 1990s, more than 40 states experienced budget shortfalls, and many states are forecasting deficits in the next year's budgets. The most recent economic downturn began well before the terrorist attacks, but the horrible attacks made the states' financial conditions even worse. Unlike during the previous recession, to cope with the financial crisis, governors and legislative leaders in most states have resisted tax increases in favor of program and service cuts or delays. In the meantime, they are asking for additional federal aid, especially for anti-terrorism efforts and Medicaid. They also are asking Congress to reauthorize the 1996 Welfare Reform Act, which expires in 2002, with more discretion and flexibility for states. Although the economy appeared to be improving somewhat by the second quarter of the year, state policy-makers are under heavy pressure to do more with less.

In November 2002, the states will hold the first congressional and legislative elections under new redistricting plans drawn based on the 2000 census. In most states, 2002 is also the first election year since the Florida debacle during the 2000 presidential election. In addition to election-reform measures already in place in many states, congressional passage of new election-reform legislation is expected to help states and localities improve voting equipment and ensure equal and fair election opportunities for all voters.

Thus, 2002 offers an opportunity for voters throughout the nation to experiment with some of the reformed voting systems and procedures and to express their trust and confidence in their elected representatives. According to recent polls, for the first time in three or four decades, a majority of Americans now say they trust what the federal government is doing, especially in handling the war on terrorism. One interesting question for state leaders and managers is, do Americans now also have a higher level of confidence in their state governments than they did in the past?

This edition of *The Book of the States* begins with a lead article on state constitutional revisions by Janice May of the University of Texas at Austin, who contributed similar pieces to the reference book in the past. May's analysis in Chapter 1 shows a downward trend in the number of states with constitutional amendments or revisions in the past two years. In particular, she notes that the number of constitutional amendments to state Bills of Rights was the lowest in 30 years and, interestingly, there was not a single amendment relating to criminal justice. Of the methods of constitutional revisions, legislative proposal is still the most common method used to initiate amendments, with an 85 percent adoption rate in 2000-2001. The constitutional convention method was used in Alabama, where the Legislature referred a constitutional amendment to voters in 2001. It is noteworthy that about one-third of statewide constitutional amendment proposals dealt with the three branches of state government, although there were very few proposals affecting state legislatures. As for future developments, one can anticipate more constitutional revisions in the areas of state finance, as more states are considering gambling as an alternative to traditional taxation. Among the most recent developments in the area of constitutional revision was the first national conference on state constitutions, sponsored by the Center for State Constitutional Studies at Rutgers University in 2000, which was designed to produce a framework for effective and responsive state government in the 21st century. Thanks to the center's activities, we might be able to debate a new model state constitution in the next several years. Incidentally, the National League of Cities recently initiated a new model municipal-charter project to improve the workings of city government, especially for cities under the council-manager form.

## INTRODUCTION

Federalism is one of the major forces shaping the future of state government. In this time of the war on terrorism, the national government is not likely to devolve its powers to states and local governments. In Chapter 2, John Kincaid, a federalism scholar and former director of the now defunct Advisory Commission on Intergovernmental Relations, characterizes recent state-federal relations as “coercive regulatory federalism” and “waiver federalism” because of federal pre-emptions, mandates and strings attached to federal aid. On the other hand, he regards the U.S. Supreme Court as a defender of state sovereignty because of its decisions to protect state autonomy in certain areas while limiting federal powers in other areas. Regarding counter-terrorism, he argues that homeland security measures can be more effective “as a cooperative intergovernmental response, not as a centralized national response.” Since his inauguration, President Bush has been planning to restore the balance of the federal system and make the federal government “a better partner” with state and local governments. In fact, the administration established a new Office of Intergovernmental Affairs, set up a Working Group on Federalism to identify initiatives to promote new principles of federalism, and, prior to September 11th, worked in consultation with national organizations of state and local officials on an executive order to implement such principles. Whether a new version of cooperative federalism will emerge in the near future remains to be seen.

As states want more flexibility and discretion from the federal government, cities and counties also ask for more flexibility and resources from their state governments. The second article in Chapter 2, by Joseph Zimmerman of the State University of New York at Albany, is on recent developments in state-local relations. Based on his survey of 22 state municipal leagues and associations conducted in 2001, Zimmerman makes several proposals to improve states’ relations with their local governments through incentive grants and re-codification of state statutes. In the future, he argues, state legislatures should help counties promote organizational change and organize “administrative federations” with professional managers. He also proposes alternative approaches to traditional service delivery. Zimmerman argues that “state paternalism” should be abandoned and replaced by state elected officers welcoming new policy suggestions by local-government officers. According to him, an interstate-partnership approach has been used frequently in purchasing, criminal identification, intelligent transportation systems, motor-vehicle law-enforcement and tax-information exchange, but most

of these arrangements have been made in the form of administrative agreements, not the traditional interstate compact. The proliferation of such agreements is due to the growth of interstate commerce, increased citizen mobility and the widespread use of technology. Zimmerman predicts that in the years to come the electronic information revolution will continue to promote multi-state cooperation.

State legislatures are becoming more competitive as more legislative chambers become almost evenly split along the party lineups. When the 2002 legislative sessions began, for example, nine state senates had a two-seat or less split between the political parties, and six seats or less separated the two parties in seven state houses. Currently, approximately 51 percent of the total number of state legislators are Democrats and 48 percent are Republicans. This trend is discussed in detail in Chapter 3 by Alan Rosenthal of Rutgers University and Rich Jones of the National Conference of State Legislatures. They look at changing patterns in key areas of state legislatures, which they call “the engines of representative democracy in the American states.” To cite a few examples, although the trend toward professionalization has slowed in recent years, legislators now spend more time in their legislative roles, with the help of professional staff. One issue the authors raise is whether citizen legislatures can be justified any longer. As for direct democracy, the initiative process is used in 24 states, with Mississippi as the most recent state to adopt the direct citizen-control method in 1992. Most of these states with the initiative have adopted legislative term limits. In 2002, however, Idaho, one of the 19 states with term limits, became the first state to repeal the measure. The number of states with term limits is not likely to increase in view of ongoing court battles on the measure in several states. (In 2001, NCSL, The Council of State Governments and the Legislative Leadership Forum began a five-year study of the effects of term limits in the states.) The number of minorities elected to state legislatures has been on the increase. When the 2002 sessions began, 22 percent of the nearly 7,500 legislators were women, and 8 percent were African Americans. Rosenthal and Jones regard balancing the powers of the executive and legislative branches as an issue to deal with in the future. The authors express their concern over the well-being of the legislature by concluding, “The contemporary environment is especially hard on legislatures. The result is a public that is anti-politics, anti-politician, anti-process and anti-institution.” To counteract this trend, they propose civic education for the public about the workings of the legislature in representative democracy. According to the authors,

the top issue in most of the 2002 legislative sessions was the budget, and the other major issues included homeland security, reapportionment and streamlining sales and use taxes, in addition to perennial issues such as education, transportation, growth management and welfare.

In recent years, governors have continued to strengthen their institutional powers by vetoing more bills, but their budgetary powers have not expanded as much, perhaps due to strengthened legislatures. Their power has actually decreased in budgetary matters, according to Thad Beyle of the University of North Carolina at Chapel Hill. This finding might be of interest to researchers who are engaged in studies on the effect of legislative term limits on the relationship between the legislative and executive branches. The lead article in Chapter 4 by Beyle focuses on the governors' powers, campaign financing, elections and transitions of governors. Beyle is known for his indices to measure the formal powers of governors: the number of elected executive officials, the governors' terms of office and their appointive, budgetary and veto powers. Based on his analysis of 320 gubernatorial elections between 1977 and 2001, he finds that most governors' positions have been filled by former lieutenant governors, attorneys general, secretaries of state and state treasurers. Currently, there are six women and one Asian American serving as governors. The picture for minorities in other elected offices is rather bleak, he says. Nationwide, only 15 of the offices of lieutenant governor, attorney general, auditor and comptroller, secretary of state and treasurer are nonwhite – eight African Americans and seven Hispanics. Beyle offers the most recent comparative data on gubernatorial campaign finance. Finally, he touches on governors' priorities in 2002 based on their state-of-the-state addresses, citing budget shortfalls, homeland security and Medicaid as being among the top of their concerns.

The emerging trend in justice reform in the new century is toward more public-focused reforms, rather than traditional organizational and institutional changes, according to Mary Grace Hune, formerly of the National Center for State Courts. She describes a number of court-reform proposals in Chapter 5. Unlike in the late 20th century, she contends, "The public's trust and confidence in the judicial system is seen as the fundamental issue facing the courts today." To improve the public's trust in the justice system, she says, state courts should look at case-processing delays and backlogs; racial, ethnic, income and gender bias; customer service; accountability; methods of judicial selection and performance evaluation; political intrusion; attorneys' manipulation of the system; and barriers

to access to the judicial system. She points out that judicial leaders in the states are working on a new vision of court reform, and "the new reform issues go directly to the heart of the fairness and integrity of the justice system, the relationship of the judiciary to lawyers and other branches of government, and the role of judges in serving specific needs of their communities." According to Hune, more judges are predicting improvement of dispute resolution processes. Following the September 11th attacks and the recent recession, courts have added and continue to address issues relevant to facility and personal security, command center, staffing and public relations. Other issues that must be dealt with include funding for courts by state legislatures, especially for the top appellate court, the intermediate appellate courts and courts of general jurisdiction.

Chapter 6 consists of articles on election reform, redistricting, and initiatives and referenda in the states. Doug Lewis of the Election Center offers a number of reform proposals and foresees emerging trends in two broad areas. First, he says that technological changes are likely to force more changes in elections in the next two decades or so. He predicts government will be far more dependent on computers and the Internet will transform the way we conduct elections. "Smart card" technology is likely to develop, and technical employees are likely to be in demand. Lewis says, "Such an evolution means shifting the mindset of policy-makers from what they have viewed as a clerical function to an increasingly technical understanding and competence." A challenge for state policy-makers is how to find sufficient funds to afford the kinds of equipment and technical expertise state and local election officials will need. Second, Lewis predicts that state policy-makers might have to anticipate an increase in legal challenges in the field of elections for the next decade. Americans with disabilities are likely to bring lawsuits to have greater access to the electoral process, and civil rights groups are likely to push such lawsuits. His conclusion is that "the most effective states will be those that look ahead and anticipate some of the planning that must begin, as well as acting on the immediate concerns. Elections are very likely to be a focus of the news media, academia, the court system and Congress for the next several years."

In the first half of 2002, most state legislatures worked on plans to redraw election districts based on 2000 census data. While a complete picture is still not clear, Ronald Weber of the University of Wisconsin at Milwaukee believes some noticeable trends have already emerged. First, unlike the redistricting plans in the 1990s, racial and ethnic minority interests are not

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likely to prevail in the current round. In the states where the Voting Rights Act applies, the concept of retrogression will limit an increase in minority representation, especially for African Americans. Second, the current reapportionment trend has more to do with partisan considerations. “The technology of redistricting now makes it easy to construct districts based on the partisan predispositions of the voters,” Weber says. Third, there will be a series of court battles because of partisan impasses in settling redistricting plans in several states. However, such legal challenges are not likely to succeed because the state legislatures can justify their new district boundaries that will be employed for the next decade.

The third article in Chapter 6, by Dane Waters of the Initiative and Referendum Institute, focuses on trends in state initiatives and referenda. Overall, the number of initiatives and referenda voted on various issues in recent years has decreased substantially. The drop in the number of initiatives may be attributed to factors such as increased judicial action against them on technical grounds and rising costs of using the initiative process. Yet, he says most of the initiatives that will be on the ballot in 2002 will be those supported by national groups with ample funding. Examples of such initiatives include legislative term limits, drug-policy reform, campaign finance reform, animal protection and tax reform. Waters concludes, “in the upcoming election cycles, there will be numerous initiatives that will have a tremendous impact on our daily lives. ... Regardless of which political party or philosophy is behind them, one thing that you will see is an increase in the amount of money being spent on initiatives. ... The impact on state governments will be substantial.” Between 50 and 60 initiatives are likely to appear on the 2002 ballots, he predicts.

In Chapter 7, two authors from the U.S. Census Bureau discuss state financial issues. According to Henry Wulf, the most important issue facing the states in 2002 is coping with the economic downturn and revenue shortfalls. Unless the economy improves, Wulf warns, there is the threat of reduced federal funding. “In the competition for federal funds, the programs that directly benefit state and local governments are likely to be constricted, putting even more pressure on state funds and programs,” he predicts. “The states will also feel stress from their own subordinate governments, especially in the area of elementary and secondary education.” One emerging issue relates to government accounting methods in the wake of the bankruptcy of the Enron Corporation and the debacle at the Arthur Anderson accounting firm. It is likely that the Government Accounting Standards Board will be at

the forefront of improving accounting methods. In a separate article, Benjamin Shelak describes recent developments in state-administered employee retirement systems and raises challenging issues for state policy-makers. The number of state retirement systems grew from 190 to 218 between 1993 and 2000. Among public and private pension plans, state-run plans are among the largest in terms of membership. In the future, however, these retirement plans need to be carefully analyzed because of the economic downturn and an aging workforce. The ratio of employees to retirees in 2001 was 3-to-4. The question is not necessarily whether future retirees will be adequately compensated, but rather, what shape the pension plan of tomorrow will adopt to maintain the quality of its predecessors, according to Shelak.

Also in Chapter 7, demographers William Frey and Bill Abresch of the University of Michigan describe demographic dynamics and population profiles based on their analysis of Census 2000. “The trend is toward declining demographic heterogeneity across the ‘borders’ of cities, suburbs and their environs and, consequently, toward greater demographic homogeneity within the states,” they say. “Census 2000 data reveal a new set of patterns,” they maintain, which appear to be in contrast to the popular demographic divisions found between central cities, suburbs and rural areas throughout much of the 20th century. The demographers divide the states into three broad categories: Melting Pot states, New Sunbelt states and Heartland states. According to their analysis, the Melting Pot states tend to have substantial immigrant-driven growth, a growing multi-ethnic population and a youthful age structure. The New Sunbelt states are characterized by high domestic in-migration, a native-born population and a suburban, middle class ethos. And the Heartland states tend to have an aging white population with a “boomer domination of culture and politics.” Frey and Abresch conclude: “Policy-makers will need to respond to their states’ particular sources of growth, whether it be integrating new immigrants, keeping pace with domestic influxes and sprawl or looking after their aging populations. Political actors will need to anticipate racial overtones to conflicting interests within and between the states and remain mindful of new questions of fairness in representing their constituencies.”

Chapter 8 includes articles on performance measurement and improvement, changing characteristics of top-level state administrators and emerging trends in electronic government. To improve the way state governments work, state policy-makers will need to pay closer attention to results-oriented quality management. Performance measurement is likely to remain a

priority for policy-makers, especially governors and agency directors. Marc Holzer of Rutgers University at Newark outlines practical strategies to improve performance in state agencies, saying that innovative agencies integrate various management techniques into a comprehensive approach, rather than executing one particular program. He describes how productive state agencies measure their performance in terms of internal capacities, outputs produced and outcomes achieved. Internal capacities or services include maintenance, training and auditing. Outputs are measured by quantity and quality. And outcomes can be measured by “what services result in, such as improvements in a client’s quality of life or ability to maintain employment.” A variety of guidelines and tools are available now to measure performance in state government – tools developed by organizations such as the Urban Institute, the National Center for Public Productivity and the Center for Accountability and Performance of the American Society for Public Administration. Holzer outlines a step-by-step strategy and offers five key concepts for future productivity improvement in state agencies: 1) To maximize productivity, agencies should clearly define goals and measure results, using multiple measures of internal capacity, outputs and outcomes. 2) Top management should support managing for quality. 3) Recruit, train and support the best and brightest workers. 4) Use technology and automation to enhance productivity. 5) Form partnerships with other public, private and non-profit organizations and citizens. At the end of his article, Holzer includes examples of effective productivity improvement by state agencies in Arizona, Iowa, Illinois, Louisiana, Oregon and Texas.

Performance improvement in state agencies cannot be implemented without a strong commitment and support from governors, agency directors and other top-level administrators. Who are those administrators? What personal and educational backgrounds do they have? What are their career paths? These are some of the questions dealt with by the American State Administrators Project conducted by Deil Wright and his associates at the University of North Carolina at Chapel Hill, covering the past four decades. In their most recent article, Wright, Chung-Lae Cho and Yoo Sung Choi highlight major findings of the surveys conducted in 1964, 1994 and 1998. These data sets show trends in changing characteristics of state administrators. They note that the “youth movement” evident among state administrators from the 1960s through the 1980s has shifted toward an “aging out” pattern. How to groom future administrators is a challenging issue. The 20 to 25 percent of female agency heads in state

government constitutes the highest share of an executive cohort. Yet, the proportion of nonwhite top state executives has remained constant at about 1 percent. Six or seven out of 10 top executives hold a graduate degree, and one out of 10 state administrators hold law degrees. As for career patterns, the authors find that the primary prior position held by state administrators was a subordinate post within the same agency, approximately half the administrators have spent their administrative careers in one state agency, and these administrators have significant experience in state government – between 10 and 15 years. The authors present five informative tables on top-level state administrators compiled from several national surveys over the years. In conclusion, they remind state policy-makers that more attention should be given to the administrative arena of state government.

Electronic government is the wave of the future. The emerging trend is toward putting more government services online. Since the first e-government Web site was created nearly nine years ago, state agencies have undergone a revolutionary change in the use of information technology. Ed Janairo of The Council of State Governments reviews past developments in state information-technology systems and describes the second phase of e-government. In this phase, he says, “government agencies use the Web to bring government services directly to citizens and business.” Some states provide online services to the public, such as renewing a driver’s license, voter registration, making park reservations and paying taxes, while other states have improved their Web sites so that citizens can be engaged in one-stop shopping through a single Web site, rather than multiple sites maintained by different agencies. Government Web sites are becoming popular. States are heading to the third phase of e-government, Janairo observes. In this new phase, he says, “the concern is not only with the implementation of online services, but with the creation of a full-service, citizen-centric online presence that integrates the resources and functions of many agencies.” In order for the third phase of e-government to be successfully implemented, he suggests, state agencies must share data and skills and break down bureaucratic barriers. According to Janairo, examples of third-phase e-government include the “Access Washington” site, North Carolina’s “NC@Your Service” and the “MY California” state portal.

Chapter 9 deals with five selected policy issues in state government in 2002: emergency management, Medicaid, welfare, environmental protection and education. Trina Hembree of the National Emergency Management Association describes some of the most



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recent developments in state emergency preparedness. Disaster-response structures have been augmented by new entities or new functions to better prepare for terrorist threats, Hembree reports. By early 2002, 35 states had established a terrorism task force to provide a coordinated approach to terrorism, and 18 states maintained an office or position for homeland security, several of which are cabinet-level offices. These officers promote awareness and coordinate state activities to enhance the state's ability to respond to terrorism. Hembree brings up two major issues regarding future developments in state emergency management. One issue is whether states need to create a separate response mechanism for terrorist events, and the other issue is funding for emergency management programs. In her opinion, terrorism should be dealt with by the existing state management agencies in cooperation with other existing structures, rather than by new response mechanisms, and state and local jurisdictions should receive federal disaster assistance not only for large-scale disasters but also for other emergency situations. She cites the Emergency Management Assistance Compact, an interstate mutual aid agreement to share resources during emergencies, as an example of how states are trying to meet their emergency management needs with limited funds.

States are expected to come up with creative ways of financing for Medicaid, the second largest program after education in state government in terms of expenditures. Currently, spending for the joint federal-state health care program accounts for about 20 percent of total state expenditures and is likely to continue to increase unless checked. According to Diane Rowland of the Kaiser Commission on Medicaid and the Uninsured, major reasons for the growth in spending on Medicaid in recent years include rapidly rising pharmacy costs, provider rate increases, enrollment increases and increased costs for long-term care. She warns that the continuing economic downturn is likely to exacerbate this situation and predicts that balancing the states' responsibilities for Medicaid recipients with limited fiscal abilities will be a major challenge in the future. By the first half of 2002, some states had considered reductions in provider payments, enrollment caps or changing eligibility and benefits. States will need more creative financing mechanisms to cope with rising Medicaid costs, she says. Policy-makers in some states were considering other cost-containment measures, such as home and community-based care, private pharmacy contracts, reducing reimbursements for prescription drugs and nursing homes, managed care, copayments and eliminating coverage of optional services, according to a

recent survey by the National Association of State Budget Officers.

The direction of federal legislation on welfare reform remains uncertain, according to Barry Van Lare of The Finance Project and Welfare Information Network. But he predicts that Congress will add incremental changes to the 1996 Welfare Reform Act that is due to expire this year. Van Lare believes that radical policy changes will not be made immediately because the issue will be affected by the recession's impact on federal revenues and welfare caseload numbers, as well as by other demands for spending on the war on terrorism, Social Security and health care reform. In the meantime, he says, states need to improve their own policies regarding the Temporary Assistance to Needy Families program. He raises a number of challenging issues regarding welfare reform in this era of fiscal austerity, such as finding stable employment for former welfare recipients, long-term welfare recipients, marriage and family formation to reduce poverty and dependency, children born out of wedlock, the roles of religious, nonprofit and community organizations promoted by the Bush Administration and the well-being of children on welfare. He concludes, "Welfare reform in 2002 and beyond will break new ground in developing more effective strategies for meeting the needs of welfare recipients and the working poor. It will also provide a critical testing ground for the shape of federalism and domestic policy over the next decade. States can play a critical role in shaping the decision-making process and by taking the lead in developing new, more effective approaches to addressing these complex challenges."

Also in Chapter 9, Steven Brown of the Environmental Council of the States describes the increasing role of the states in environmental protection since the 1970s. Brown argues that states have proven to be serious about their responsibilities as stewards of the environment and have more than fulfilled the expectations of Congress in the area of environmental protection. He bases his conclusion on state progress in five measurable areas. First, the number of federal programs that states implement has steadily increased, and states now administer nearly 80 percent of the delegable federal programs. Second, the funding states commit has increased, and, in 2000, states budgeted more than \$13.5 billion for environmental and natural-resources programs. Third, states have committed to enforce environmental laws and have made routine compliance inspections and off-site compliance evaluations. Fourth, states have replicated innovative problem-solving strategies and techniques. And, fifth, states have improved information systems designed to

measure the quality of the environment. Brown concludes, “Cleary, states are not only significant contributors to national information about our environment, without state efforts, the nation would have very little information at all.”

Education is the number one issue in most states, and 2002 marks a turning point in a new round of education reform. Chapter 9 includes a copy of the U.S. Department of Education’s executive summary of the No Child Left Behind Act (NCLB) signed by President Bush on Jan. 8, 2002. The act changes the federal government’s role in K-12 education in the United States by incorporating the president’s education-reform principles: stronger accountability for results, flexibility and local control, more options for parents, and an emphasis on teaching methods. States and localities are expected to work closely with the U.S. Department of Education to implement NCLB. One question state policy-makers raise is whether this will become another unfunded federal mandate, which some believe may happen, unless sufficient money is available to them to achieve the state goals. Another question is whether this reform will be implemented more effectively in the next few years than previous reform efforts, such as the National Education Goals project.

In a separate article, Sam Watts and Ran Coble of the North Carolina Center for Public Policy identify recent and future trends in higher education in the 50 states. They argue that currently, a new wave of changes in higher-education governance is taking place, especially in restructuring governing bodies, focusing on accountability through specific performance measures, and reallocating resources and cutting budgets in the midst of an enrollment boom. Based on a recent national survey of state higher-education governing bodies, the authors conclude, “State officials seem willing to put more money into higher education, but they are demanding increased accountability, just as they did in the drive for public-school reform. However, rising enrollment is going to put pressure on state-university budgets and in 2002, an economic downturn is causing state revenues to decline, putting further pressure on state budgets.”

The 22 articles highlighted in this volume of *The Book of the States* indicate some new trends and challenging issues for state policy-makers in 2002 and beyond. Policy-makers in all branches of state government are likely to struggle with retrenchment and cut-back management for the rest of this year and 2003, even if the economy improves. They will need to consider another round of reinventing, as terms such as accountability and performance measurement will continue to dictate how policies and programs should be managed. State policy-makers will be expected to look forward and make more informed decisions, rather than clinging to the past. We live in a rapidly changing world. What was adequate yesterday might not be sufficient today or in the future. Now more than ever, state policy-makers need to track the major forces that have the potential to change state priorities and operations – such as demographic shifts, the changing nature of the economy, rapid development of science and technology and volatile world conditions – in order to meet citizen expectations and demands. While state leaders and managers need to consider such forces in the entire environment within which state governments operate, they should pay particular attention to changing domestic political conditions, including governance, policies, programs and management. They need to be better prepared to deal with tomorrow’s problems today with a systematic method of foresight. Foresight, not just hindsight, can help state policy-makers better prepare for changes and make more informed decisions.

Finally, it should be noted that, due to limited space, we have not included articles in some other significant policy areas in state government, such as agriculture, economic development, trade and tourism, corrections or transportation, to mention just a few. We intend to cover these and other policies and programs in the next edition.

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### About the Author

**Keon S. Chi**, editor-in-chief of *The Book of the States*, 2002, is a senior fellow for The Council of State Governments and professor of political science at Georgetown College. His research areas include state politics, policy and administration.





## Chapter One

# STATE CONSTITUTIONS

“In 2000-2001, as the 20th century ended and the 21st century began, the level of state constitutional activity continued to decline. The number of states engaged in amending and revising their constitutions was the lowest in thirty years.”

— Janice C. May



# State Constitutions and Constitutional Revision, 2000-2001

By Janice C. May

*The number of states engaged in amending and revising their constitutions in 2000-2001 was the lowest in 30 years. Legislative and constitutional initiatives were the only methods used to amend state constitutions during the biennium, and three states accounted for almost half of the proposed amendments. While some constitutional trends continued from the 1990s, there were also notable differences.*

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In 2000-2001, as the 20th century ended and the 21st century began, the level of state constitutional activity continued to decline. The number of states engaged in amending and revising their constitutions was the lowest in 30 years. The use of the constitutional initiative remained relatively high, however, following usage records set in the 1990s. But there were differences from the past. The number of amendments to state Bills of Rights was the lowest in 30 years and none concerned criminal justice, which generally dominated the rights agenda in the 1990s. This development may represent a shift in public priorities or simply a temporary saturation factor, at least with respect to crime victims' rights. Another change was the failure to adopt any amendments that severely limit the capacity of state and local governments to levy taxes. As states grapple with revenue shortfalls, fiscal restrictions may no longer be viable. Also, legislative term limits and congressional term limits may have reached their nadir, unable to leap the hurdles of unconstitutionality and the absence of the constitutional initiative in 32 states. Another development of the biennium was the first national conference on state constitutions in several years. Sponsored by the Center for State Constitutional Studies with a grant from the Ford Foundation, it led to a new project to prepare a model state constitution. No comparable effort has been made since the revision of the National Municipal League's Model State Constitution, which was last revised in 1968.

## General Overview: Use of Authorized Methods

As Table A shows, the number of constitutional changes in 2000-2001 by all methods was considerably lower than in the preceding biennia of the 1990s. The average in the 1990s was 245 proposals per biennium and 176 adoptions. In contrast, there were only 212 proposals and 154 adoptions in 2000-2001. The approval rate of over 70 percent was the same in both periods. Of particular interest is the fact that constitutional changes were proposed in only 40 states, the lowest number in 30 years. An indication of the low

levels of activity in most states was the fact that only three states – Alabama, Oregon and Texas – accounted for almost half of the proposals (96 of 212).

The only methods used to change constitutions in 2000-2001 were the legislative and the constitutional initiative. No constitutional convention of the traditional kind has been held since 1986, when the Rhode Island constitutional convention convened. The constitutional commission in Table A refers to the Florida Constitution Revision Commission, the only one empowered to propose amendments directly to the electorate. As required by the Florida constitution, two commissions were established in the 1990s, but none was authorized in 2000-2001.

(For information on the legislative initiative, constitutional initiative and convention methods, see Tables A, 1.2, 1.3, 1.4, and 1.6. For more information on the use of initiatives, see also M. Dane Waters' essay on state initiatives and referenda and the table titled "State Initiatives and Referenda, 2000 and 2001" in Chapter 6 and Rich Jones and Alan Rosenthal's essay on state legislatures in Chapter 3).

## Legislative Proposal

The most common method for initiating constitutional amendments is proposal by the legislature, a method that is available in all the states. In every state but Delaware, the legislature refers the proposals to the voters for adoption. In 2000-2001, state legislatures referred 85 percent of the proposed amendments (180 of 212) and 91.5 percent of those adopted (141 of 154). The approval rate was 78.3 percent, which was similar to the average rate of approval during the 1990s. (See Table A.)

## Constitutional Initiative

The constitutional initiative, the only other method used for amendments in 2000-2001, allows citizens to propose amendments by direct or indirect petition to the electorate. The constitutional initiative is authorized in 18 states, all but two of which (Massachusetts and Mississippi) have the direct initiative. The power of the initiative was exercised in only 10 of these states

**Table A**  
**STATE CONSTITUTIONAL CHANGES BY METHOD OF INITIATION: 1994-95, 1996-97, 1998-99 and 2000-01**

Method of installation	Number of states involved				Total proposals				Total adopted				Percentage adopted			
	1994-95	1996-97	1998-99	2000-01	1994-95	1996-97	1998-99	2000-01	1994-95	1996-97	1998-99	2000-01	1994-95	1996-97	1998-99	2000-01
All methods	43	42	46	40	233	233	296	212	168	178	229 (b)	154	70.3 (a)	76.3 (a)	77.2 (a)(b)	72.0 (a)
Legislative proposal	41	42	46	38	202	193	266	180	158	159	210 (b)	141	76.2 (a)	82.4 (a)	78.8 (a)(b)	78.0 (a)
Constitutional initiative	13	12	12	10	31	40	21	32	10	19	11	13	32.2	47.5	52.4	40.0 (a)
Constitutional convention	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Constitutional commission	...	...	1	...	...	...	9	...	...	...	8	...	...	...	88.9	...

Source: Janice May, University of Texas at Austin, March 2002.

Key:

... — Not applicable.

(a) — In calculating these percentages, the amendments adopted in Delaware (where

proposals are not submitted to the voters) are excluded.

(b) — One Alabama amendment is excluded from adoptions because the election results are in dispute.

during the biennium. This was the lowest number of states since 1990-1991. However, the number proposed (32) compares favorably with the average of 31 per biennium during the 1990s, as does the number passed (13 compared to an average of 14 per biennium during the 1990s.) The figures for 2000-2001 and the 1990s are large compared to those of previous years. More constitutional initiative measures were introduced and adopted in the 1990s than in any other decade since the method was authorized in 1902. The record of the most recent biennium suggests that the constitutional initiative is likely to retain its popularity in the future, even though it was used in fewer states than usual.

Also noteworthy is the fact that in Arizona and California, the courts removed initiative measures from the ballot, and in Oregon, the courts prohibited canvassing of the vote. The courts have also reined in the exercise of the initiative in other recent years and may be expected to do so in the future as high levels of initiative use continue.

(See Tables A, 1.3 and 1.6 for more on constitutional initiatives.)

### Constitutional Convention

The constitutional convention is the traditional method for replacing or extensively revising a state constitution, but none has been held since 1986, except for a “convention” in Louisiana in 1992, where the legislature designated itself as a convention for a special session devoted exclusively to finance. To facilitate calling a convention, 14 states require a periodic vote on the question of a convention call. (See Table 1.4). Eight states mandate a vote on the question every 20 years; one state, every 16 years; four states, every 10 years; and one state, every nine years. In recent years these calls have been turned down regularly. Among the defeats was a referendum in New York in 1997. In 2000-2001, Iowa voters rejected the 20-year call.

In Rhode Island, however, the voters approved a non-binding referendum referred by Gov. Lincoln Almond to call a convention limited to one subject. Arising from a dispute over legislative powers of appointment, the convention was to “establish” that Rhode Island, in common with other states and the United States, “consists of separate and co-equal legislative, executive and judicial branches.” The controversy over separation of powers is historically one of long-standing in the state, where the legislature dominates. A 1999 advisory opinion of the Rhode Island Supreme Court added fuel to the fire by supporting legislative powers (*In Re Advisory Opinion*, 732 A2d 55 [R.I. 1999]). To date, no convention has been called.

The most promise of a convention happening in the near future comes from Alabama, where efforts for constitutional reform were well underway in the 1990s. Alabama Citizens for Constitutional Reform, a 1000-member citizens group, has been actively pushing for a convention. Gov. Don Siegelman has declared his strong support of a convention, and two Republican candidates for governor have pledged support for constitutional reform. Colleges and universities are holding courses on the Alabama constitution. In a special session in 2001, the state legislature referred a constitutional amendment to the voters to clarify that convention proposals must be ratified by the people.

(See Table 1.4 for more information on constitutional conventions.)

### Constitutional Commissions

Constitutional commissions have played an important role in state constitutional change over the years. With the exception of Florida, they are advisory bodies established to assist the legislature or the governor through study and recommendations and may make preparations for a convention. Only in Florida is the commission independent and able to submit proposi-

tions directly to the electorate.

In 2000-2001 there was only one commission, the Utah Constitutional Revision Commission. This is the only permanent commission, having acquired that status in 1977. In the 1990s, there were commissions in seven states: New York, Florida, New Mexico, Nebraska, Utah, Oklahoma and Arkansas. That number was far lower than the peak reached in the 1960s, when 51 commissions were in place.

The 1997-1998 Florida Constitution Revision Commission was the most successful of the commissions during the 1990s. Described as a “mini-convention,” it reached out to the public by a variety of means. Its proposals revised all the articles and made some major substantive changes. The voters approved eight of the nine separate amendments. The Florida Commission originated with the 1968 Florida constitution, which requires a commission to be created every 20 years with an exception for the first one. In 1988, a second commission limited to budget and taxation topics was also established on a periodic basis – every 10 years after the first organization in 1992.

In 2000-2001, the Utah commission presented its annual reports to the legislature as required. Its major accomplishment was voter approval of its recommendations for revision of the local-government article in the 2000 election.

(See Table 1.5 for more information on constitutional commissions.)

### Substantive Changes

No new constitution was on the ballot in 2000-2001,

as has been true since 1982, when a new constitution was ratified in Georgia. There was also no extensive revision comparable to the Florida experience in 1997-1998. However, there were proposals in Nebraska and New York to render the constitutions gender-neutral, which would affect the entire documents. The New York proposal was successful, but the proposed Nebraska amendment failed. Revision of the Arkansas constitution’s judicial article and the local-government article of Utah’s constitution were approved. In Arizona and Texas, editorial revision applicable to several articles and sections was accomplished.

An unusual development concerned civil rights. The number of amendments proposed to the state Bills of Rights was the lowest in 30 years. The absence of proposals on criminal justice was also significant. In the 1990s, measures on crime-related rights outnumbered other rights-related measures, and their purposes were frequently to reduce rights of persons accused of crime, increase the state’s role and add victims’ rights. Another difference from the 1990s was the lack of interest in legislative term limits, which were only on the Nebraska ballot. Congressional term limits disappeared altogether.

On the other hand, major changes were made to the articles concerning all three branches of government. In Arkansas, the judicial article was revised to provide for nonpartisan elections. In Nebraska, the joint-ticket method of selecting the governor and lieutenant governor was approved. In Kentucky, voters approved annual legislative sessions, and in Arizona, an independent citizens reapportionment commission was established.

**Table B**

#### **SUBSTANTIVE CHANGES IN STATE CONSTITUTIONS: PROPOSED AND ADOPTED 1994-95, 1996-97, 1998-99 and 2000-01**

Subject matter	Total proposed				Total adopted				Percentage adopted			
	1994-95	1996-97	1998-99	2000-01	1994-95	1996-97	1998-99	2000-01	1994-95	1996-97	1998-99	2000-01
Proposals of statewide applicability	199 (a)	194 (a)	250 (a)	162 (a)	141 (b)	146 (b)	188 (b)	114 (b)	68.8 (a)	75.2 (a)	74.8 (a)	70.3 (a)(e)
Bill of Rights	26	22	34	4	19	17	31	1	73	77.2	91.1	25.0
Suffrage & elections	9	13	7	6	6	12	7	4	66.6	92.3	100	66.6
Legislative branch	30	27	40	37	23	12	29	27	76.6	44.4	72.5	72.9
Executive branch	16	15	17	9	12	10	10	7	75	66.6	58.8	77.7
Judicial branch	22	15 (a)	19	7 (a)	19	17	16	8	77.2	93.3	84.2	100.0
Local government	9	7	15	9	7	5	10	6	77.7	71.4	66.6	66.6
Finance & taxation	49	41	61	38	30	31	46	25	61.2	75.6	75.4	65.5
State & local debt	5	9	6	5	2	8	4	5	40	88.8	66.6	100.0
State functions	17	21	24	24	11	17	14	17	52.9	80.9	58.3	70.8
Amendment & revision	6	4	3	3	4	3	3	0	66.6	75	100	0
General revision proposals	0	0	1	0	0	0	1	0	0	0	100	0
Miscellaneous proposals	10	20	23 (c)	20 (c)	8	14	17 (c)	14	80	70	77.2	70.0
Local amendments	34	39	46	50	27	32	41 (d)	40	79.4	82	91.1 (d)	80.0

Source: Janice May, University of Texas at Austin, March 2002.

Key:

(a) — Excludes Delaware where proposals are not submitted to voters.

(b) — Includes Delaware.

(c) — Includes amendments that contain substantial editorial revision.

(d) — Excludes one Alabama amendment in a legal dispute at the time.

(e) — Excludes one Oregon amendment not canvassed by court order.

A rare event in local government was the approval in New Mexico of a proposal to allow Bernallillo County, in which Albuquerque is located, to become an urban county with full powers of self government and to merge with Albuquerque to form a new entity.

Among various policy amendments, voters in California and Michigan turned down school vouchers. Voters in Colorado and Nebraska approved measures legalizing marijuana for medical use, and in Nebraska and Nevada, measures passed defining marriage as a union between a man and a woman. The Nevada measure requires a second popular vote to become final. Both measures were on ballots of other states in the previous decade.

Table B offers an overview of constitutional change by articles common to the design of state constitutions. Local amendments that apply to only one political subdivision are excluded, unless they are of general interest. Alabama is the source of virtually all local amendments because of its unique constitutional requirements.

Typically, the finance article attracts the most amendments. This was true in 2000-2001 (38 amendments proposed and 25 adopted). In addition, many provisions of other articles, particularly the legislative articles, include fiscal subjects. It seems clear that raising and spending money are dominant concerns in state constitutional change. Like the finance article, the legislative article is also a frequent target of change. The lowest number of amendments were proposed to the amendment and revision articles, with three proposals and no adoptions. The Bill of Rights articles were next, with four proposals and one adoption. The highest rate of approval of ballot measures (100 percent) was of amendments to the articles on the judicial branch and on public debt. The overall approval rate of all amendments of statewide applicability was 70 percent, which is close to that of the average per biennium during the 1990s.

### **Bill of Rights, Suffrage and Elections**

In 2000-2001, only four amendments were proposed to the state Bill of Rights articles and only one was adopted. These were the lowest numbers in 30 years. By contrast, in 1998-1999, 34 propositions were on the ballot and 31 were adopted, the most of any biennium in 30 years. The decade of the 1990s as a whole also set a similar record of proposals and adoptions compared to the 1980s and 1970s.

The absence of measures on criminal justice, which have been so common in the past, was also significant. In 1998-1999, proposed amendments concerning crime-related rights outnumbered the other rights pro-

posals. In 2000-2001, few amendments located in other articles bore on criminal justice. In Massachusetts, voters approved limiting the right of incarcerated felons to vote; in New Jersey, the legislature was authorized to disclose the identity of sex offenders. Also of relevance was an Oregon measure that required conviction of a crime before civil forfeiture proceedings. All of the above were approved.

One of the four measures relating to state Bill of Rights articles in 2000-2001 concerned free speech in Oregon, where another attempt to limit the scope of free-speech protection was defeated. The measure would have permitted regulation of the location of sexually oriented businesses through zoning. A second Oregon measure, also defeated, would have restricted the right to a jury trial by authorizing the legislature to limit the amount of damages that can be awarded in civil suits, which had previously been left for the jury to determine.

There were several measures on the ballots in 2000 and 2001 related to gender and marriage. Propositions adopted in Nebraska and Nevada defining marriage as a union between a man and a woman were representative of recent concerns about gay marriages. The Nevada amendment is not final until approved in a second election. In Alabama, a provision that prohibited interracial marriages was repealed. In Arizona and Wyoming, voters approved changes to remove the language "able-bodied males" from sections of the constitutions regarding the composition of the state militia. Among other provisions concerning rights were a right-to-work measure in Oklahoma and the right to hunt and fish in Virginia, both of which passed.

In 2000-2001, six propositions and four adoptions concerned changes to the suffrage and elections articles. This was only slightly lower than the average per biennium in the 1990s (8 proposals and 7 adoptions). These numbers do not include six of seven measures addressed to the constitutional initiative that sought to amend other articles but will be considered here as proposals related to elections.

The suffrage measures included the Massachusetts ballot proposal to limit the right of incarcerated felons to vote. Massachusetts is one of the only three states that allow felons to retain the right to vote while in jail or prison. Felons will no longer be able to vote for members of Congress or a selected list of state officers. Local offices were not mentioned. Maine voters rejected for the second time (the first in 1996) a measure to strike language prohibiting persons under guardianship for mental illness from voting. Although not a substantive change, Arizona voters and the Delaware legislature agreed to delete offensive language, e.g. "idiots,"

from the suffrage article. In Utah and Arizona, certain inoperative suffrage provisions were removed. A Wyoming measure was approved to reduce the number of military offices that are limited to qualified electors. A Texas amendment was passed to cancel uncontested elections to fill a legislative vacancy when there is only one declared candidate.

Seven measures applied to the use of initiatives and referenda. Only one of them extended the use of those methods. In South Dakota, the constitution was amended to allow local initiatives “to provide for the cooperation and organization of local government.” Voters in Oregon approved a measure to lengthen the period during which the secretary of state must verify signatures on state initiative and referendum petitions. In Nebraska, an editorial revision and definition of the power of the initiative were adopted. All other proposals failed, including an Oregon proposition that embraced an all-out attempt to prevent making it “harder” to use the initiative, unless the changes were initiated through the initiative process itself. The amendment also would have repealed all such measures adopted during the previous two years. The “harder to use” proposal would have forbidden another proposed Oregon amendment, which would have increased the percentage of votes necessary to propose an initiative measure. Two proposals were designed to make it difficult or impossible to regulate wildlife through initiatives. An Arizona measure would have required a two-thirds vote to adopt any initiative pertaining to wildlife. In Alaska, a proposed amendment would have prohibited all initiatives permitting, regulating or prohibiting the taking of wildlife.

### **The Three Branches**

Amendments to the articles on the legislative, executive and judicial branches of government accounted for 53 of the statewide proposals and 42 of the amendments adopted in 2000 and 2001, or about one-third in each case. In 1998-1999, these numbers were much higher (76 proposed and 55 adopted), although the proportion of measures on the ballot relating to these articles compared to the total number of proposals of statewide applicability was about the same (30 percent). Overall, the average number of amendments proposed to these articles per biennium during the 1990s was high (67 proposals and 48 adoptions).

### **The Legislative Branch**

The legislative article has always been the target of more proposals than the articles relating to the other two branches. One reason is that many policies – particularly fiscal policies – require legislative authority.

Another reason is that the initiative and referendum provisions reduce legislative authority. The number of proposals in 2000-2001 (37) matched the average number of proposals per biennium during the 1990s. The number adopted was somewhat higher in 2000-2001 (27 compared to 25). The approval rate of 73 percent was about the same.

There were very few proposals affecting the basic structure and procedures of state legislatures in 2000-2001. The most noteworthy was a voter-approved change in Kentucky from biennial regular sessions to annual sessions. A 30-day session was added to the odd-numbered year, not to extend beyond March 30, in addition to the session during the even-numbered year. Approval of revenue and appropriation bills during the new session requires a three-fifths vote. The Kentucky legislature had been meeting in the odd-numbered years only for organization sessions preceding the regular session.

There was only one legislative term limit proposal on the ballot in 2000-2001. In Nebraska, where two earlier term limits measures were declared unconstitutional by the state courts, a measure passed that prohibits any legislator from serving for four years after the expiration of two consecutive legislative terms. No congressional term limits were proposed as amendments during the biennium. Even though the U.S. Supreme Court ruled in 1995 that limiting congressional terms was beyond the power of state legislatures, many attempts to get around the decision were made in the 1990s. Presumably, proponents have given up insofar as state constitutional amendments are concerned, at least for the time being.

Not surprisingly, since 2000 was a federal census year, five amendments concerning apportionment were on the ballot during the biennium, the largest number for a single legislative issue. All of them passed. Two of the five amendments were designed to speed up the reapportionment process. A Massachusetts amendment did so by requiring reapportionment plans to become effective two years earlier than before, and a Colorado amendment required an earlier start to the process. In Hawaii and Pennsylvania, where only the Senate was affected, changes were made with respect to staggered terms. The Hawaii amendment also included editorial changes.

Of particular interest was an Arizona initiative that established a five-member, independent reapportionment commission to undertake the task of redistricting, rather than having the legislature do it. To encourage independence, members are nominated by the Commission on Appellate Court Appointments.



To promote bipartisanship, four appointments are made by legislative leaders of the major parties, one each by the presiding officer of each house and one by the minority leader of each house. The other four members select the fifth member, who must not be a member of a party already represented on the commission. The five members then choose a chairman. The commission draws districts for the state legislative districts and congressional districts. Guidelines for redistricting include equally populated districts (required by law) and compact and contiguous districts. The League of Women Voters, Common Cause and the Arizona attorney general were among the amendment's sponsors. (See Ronald Weber's essay in Chapter 6 for more information on apportionment and redistricting.)

Several other amendments on the ballot concerned legislators and legislative powers. North Dakota voters approved new legislative authority to fill legislative vacancies, replacing the governor's power to call elections for that purpose. Once again, Oregon voters rejected a proposal to give to the legislature power to review administrative rules. A Nebraska amendment passed that will force legislators to resign when elected to another state or local office, except as provided by law. A Georgia amendment now requires the removal of legislators convicted of a felony. Voters rejected an attempt by the California legislature to rejoin the state retirement and pension system, from which legislators had been excluded by the adoption of the term limits amendment in 1990 (Proposition 140).

### **The Executive Branch**

Fewer propositions were on the ballot in 2000-2001 to amend executive articles than during the average biennium of the past decade (nine proposed and seven adopted for a 78 percent approval rate, compared to 14.4 proposed and 10.6 approved for a 73 percent adoption rate). The only major substantive change was the approval in Nebraska of the joint-ticket method for selecting the governor and lieutenant governor. Gubernatorial candidates who win their parties' primaries are to select running mates for lieutenant governor in the general election. Voters will cast one vote for the two officers.

Executive officers and agencies were the subject of several amendments. North Dakota voters approved temporary two-year terms in 2004 for four elective executive officers (attorney general, secretary of state, agricultural commissioner and tax commissioner), so that in 2006, their four-year terms will begin in the off-presidential election year. North Dakota voters rejected

a call to abolish the office of state treasurer. Kentucky voters, on the other hand, eliminated the elective Railroad Commission. The Delaware legislature adopted a change in the residence requirement for the secretary of state. The officer must become a bona fide resident of the state six months after appointment, although the governor can grant an extension. Missouri voters rejected a change concerning compensation of statewide elected officials. Had it passed, the amendment would have prohibited compensation that exceeded certain proposals by the Citizens Commission on Compensation, and it would have ended the commission's authority over mileage and expenses.

Another proposition was obviously inspired by Florida's election problems in the 2000 presidential election. Texas voters approved a provision that requires the governor to call a special legislative session for the sole purpose of appointing presidential electors if the governor believes the state might otherwise lose its presidential electoral votes.

In Hawaii, an amendment was rejected that would have required the Hawaii Tax Review Commission to be appointed every ten years instead of every five years. In Georgia, three amendments passed that authorize the legislature to provide compensation to public employees who become permanently disabled or die in the line of duty. Law enforcement officers, firemen, highway personnel and public school teachers and administrators were all specifically mentioned.

### **The Judicial Branch**

The number of amendments proposed to the judicial articles in 2000-2001 was less than half the number proposed during the average biennium of the 1990s (eight compared to 16) and the number of amendments adopted was not as high (eight compared to 13). However, the approval rate was 100 percent, compared to 84 percent during the previous decade.

A major development occurred in Arkansas, where the voters approved a substantial revision of the judicial article based on reforms that failed in previous efforts at state constitutional revision. One of the Arkansas provisions replaced the partisan election of judges with nonpartisan elections. New courts were established in three states: West Virginia, where the legislature was authorized to establish family courts for the first time; Washington, where new temporary judges (judges pro tempore) were created; and Delaware, where the position of senior judge was established, as was a new court officer, chief register in chancery.

A change was approved in the jurisdiction of the



Indiana Supreme Court. The amendment retains the provision that death-penalty sentences are appealed directly to the high court, but it deletes direct appeal of life-imprisonment sentences and imprisonment for more than 50 years.

Three provisions pertaining to judicial compensation, retirement and qualifications were adopted. In Nebraska, compensation changes will go into effect at the beginning of the full term of all judges. In Pennsylvania, the date of retirement is on December 31 of the year the judge reaches 70. In Georgia, an individual must have practiced law in the state for seven years instead of five years in order to qualify for the office of state-court judge.

In Texas, an amendment was approved to provide impetus for a new system of collecting court fees. Under the amendment, criminal- and civil-court fees can be invalidated if new procedures for collecting the fees are not observed.

### Local Governments

The number of amendments proposed to local-government articles in 2000-2001 (nine) and the number of amendments adopted (six) were close to the average numbers proposed and adopted per biennium during the 1990s, as was the approval rate of 66.6 percent. Several local-government measures proposed to amend other articles will be considered in the following discussion.

The major development was the approval by the New Mexico electorate of an amendment to allow Bernalillo County, in which Albuquerque is located, to become an urban county with full powers of self-government and also to allow the county and city to merge into one entity. This kind of substantial local governmental reorganization is rare in recent state constitutional history. Bernalillo County is not required to merge with the city, but it is an option. Local voter approval is required through one election to establish the urban county and a second election to allow the merger. The proposition is self-executing; no legislative action is necessary. On the negative side to local-government reform, New Hampshire voters turned down a municipal home-rule provision.

A second important development was the substantial revision of the Utah constitution's local-government provisions approved by the voters in 2000.

Two amendments concerned state-local government relationships. In Michigan, a proposed amendment supported by the Michigan Municipal League would have required a two-thirds majority of the legislature to enact laws that "intervene or increase the scope of intervention" in local governments, except for

school districts. Described as "Let Local Votes Count," it was defeated. However, Oregon voters approved the retention of laws requiring the state to pay local costs of state mandates.

Two changes concerning county officers were defeated. New Mexico voters refused to repeal term limits for county officers, and Colorado voters declined to change the election of county surveyors to optional appointment. A proposed Oregon amendment was also defeated, which would have altered requirements for forming new counties by reducing the minimum area and population standards.

In other action, the Alabama constitution was amended to provide for the election of boards of education in larger municipalities (exceeding 125,000 people), subject to voter approval. An attempt to require voter participation in the growth plans of local governments was defeated in Colorado. The amendment would have required voters to vote on "growth area maps," among other provisions. And in Louisiana, an amendment allowing parishes to give donations for economic development was rejected.

### Finance

Although numerous constitutional amendments to the finance articles were proposed and adopted in 2000-2001, the numbers were lower than those for the average two-year period during the 1990s, when an average of 53 proposals and 34 adoptions were recorded, compared to 38 proposals and 25 adoptions in 2000-2001. The approval rates were somewhat comparable, with an average of 64 percent for the 1990s and 66 percent in 2000-2001. The numbers are somewhat different for the public-debt articles. The average in the 1990s was six proposed with four adoptions; in 2000-2001, five amendments were proposed and all were adopted. Approval rates were high – 90 and 100 percent respectively.

A significant shift from the 1990s was the failure to adopt measures that severely restrict the collection of taxes and fees. Voters were faced with such propositions in three states, but unlike in the past, none were adopted. The most novel of these was a Colorado measure, which might be called "the son of TABOR" (the Tax Payers Bill of Rights, adopted in 1992). It would have cut a family's property, income, vehicle and utility taxes by \$25 the first year, \$50 the second and so on, until the tax was eliminated or the services financed by the taxes were funded by other means. Taxes could be increased upon voter approval. It was estimated that by 2003, state and local governments would have lost \$1.3 billion. An Oregon ballot measure would have mandated a popular vote on taxes and fees before they could be

enacted, with some exceptions. It also would have required a refund of certain past collections. In California, a somewhat less drastic measure would have defined regulatory fees used to redress certain health, environmental and other problems as taxes. Designating the fees as taxes would make it more difficult to impose them. For example, state taxes generally require a two-thirds vote of the state legislature, rather than a majority vote for fees. Opponents called the proposition the “Polluter Protection Act.” Also of interest was a measure removed from the ballot by the Arizona Supreme Court. It would have prohibited state and local income taxes. The Arizona state income tax provides about 40 percent of state-government revenues. The proposal also included a “voluntary federal income elimination pledge” to be filed with the secretary of state, if desired, by candidates for federal office, including candidates for president.

As was true of past decades, the property tax was the target of most tax measures. A total of 14 propositions appeared on the ballot in 10 states. A common approach was to provide exemptions from the tax, ranging from cemeteries (Arizona) to green coffee and raw cocoa (Texas). Another approach was to freeze or otherwise reduce the valuation or assessment of property for tax purposes. A third method was to classify property to allow it to be taxed differently from other types of property. All but two measures were adopted (Georgia and Kentucky), both of which used the classification method. Oklahoma was the only state to propose an increase in the property tax, which was rejected. It would have allowed the more populated counties (over 500,000) to increase the property tax to support county health departments. South Carolina was the only state with a proposed amendment to allow counties to replace by local vote all or a portion of the property tax with the sales or use tax on motor vehicles. The amendment passed.

A few ballot measures concerned taxes other than the property tax. In South Dakota, voters terminated the inheritance tax. Alabama voters approved an increase in the state corporate-income tax rate (from 5 percent to 6.5 percent) and changed the tax base from net income to taxable income. Louisiana voters refused to exchange exemptions from the sales tax, including exemptions for food, for changes in the income tax. Only one of two measures dedicating taxes to a specific purpose passed. New Jersey voters approved dedication of the petroleum product gross-receipts tax and a percentage of the sales tax for the transportation system, but Oregon voters declined to use fuel taxes and vehicle fees for highway policing.

A measure passed in Oregon to authorize by the

constitution “revenue rebates” to taxpayers. When revenue from the General Revenue Fund exceeds estimated revenues, the “excess” is returned to taxpayers. The rebates were previously authorized by statute.

Only one ballot measure in 2000-2001 sought to limit overall state spending. A measure rejected in Oregon would have limited state spending to 15 percent of state personal income during the preceding two years.

Many state constitutional amendments on the ballot during the biennium authorized the issuance of new or additional bonds. In Texas alone, five bond proposals were on the ballot and all passed. Among them was one that will assist the “colonias” (underdeveloped rural areas along the Texas-Mexico border) and another authorized bonds for a new “Mobility Fund” supported by the governor to improve highways and roads. The use of bonds for highways in Texas was a departure from the traditional pay-as-you-go policy. Bonds were approved in Ohio to protect the environment and in Arkansas to promote development projects. In Idaho, a bond bank was created to buy municipal bonds and to make loans for municipal projects. In Oregon and Texas, changes in existing bonds for veterans programs were approved.

In California, two propositions would have changed the percentage of votes necessary to approve school bonds. A proposal reducing the percentage from two-thirds to a majority failed, but a measure reducing it to 55 percent passed. Its passage was regarded as the first retreat from Proposition 13, the property-tax reduction initiative of 1978.

At least nine new constitutional funds were established by constitutional amendment during the biennium. Montana, Oklahoma and Utah used Tobacco Litigation Settlement moneys for funds. In Utah, the tobacco money was one of several funds deposited in a new Permanent State Trust Fund. Purposes of funds in other states included assisting municipal governments with capital projects (Alabama), health care and education (South Dakota) and highways (Texas). A budget reserve fund was created in Missouri, and a lottery proceeds fund was created in Virginia.

With respect to administration of funds, Alaska voters refused to adopt a constitutional amendment to require the Alaska Permanent Fund to be managed by a public corporation, preferring to leave this to the statutes. In Washington, a proposal was approved to allow the legislature to exercise its discretion in the investment of funds held in trust for persons with developmental disabilities, but the same discretion was not approved for state funds under the state investment board’s authority.

## Functions, Amendments and Revision

Twenty-four ballot propositions in 2000-2001 concerned articles on governmental functions or policies, one less than the average per biennium during the 1990s. But the 17 adoptions were more than the 1990s average of 14 per biennium. The 2000-2001 adoption rate of 71 percent also surpassed the 59 percent rate of the 1990s.

Propositions concerning education accounted for more than half of the policy measures. The two school-voucher amendments were of particular interest, one in California and the other in Michigan. Both were defeated by wide margins (approximately 70 percent opposed). This was the second voucher initiative defeated in California. Under the measure, students could have received a voucher worth \$4,000 to use toward tuition at religious as well as other private schools. The proposed amendment also addressed public education by requiring the level of spending per pupil to be raised to the national average. The Michigan counterpart would have deleted the current constitutional language that prohibits “indirect support” of children attending private schools. The amount of the voucher was to be determined by calculations based on one-half of the state average of per pupil revenues. Two other provisions included a guaranteed level of spending for schools and testing of public school teachers and teachers in private schools that redeem vouchers. As in California, children attending religious schools would be eligible for vouchers.

In two states, voters approved funding increases for public schools. In Colorado, total state funding is to increase at least by the rate of inflation plus 1 percent for the next 10 years. In Oregon, a measure passed requiring the legislature to allot enough money to meet public education “quality goals” that it has established and to provide certain grants to poor districts. Oregon voters rejected a measure that would have based teacher pay on “student learning” and would have eliminated automatic pay raises and seniority in determining teacher retention. Other public-school proposals pertained mostly to school taxes and school lands.

Three propositions directed at higher education passed. Two dealt with higher-education boards. In North Dakota, a provision regarding the membership of the State Board of Higher Education was revised to allow two members with degrees from the same institution to serve on the board, instead of one. In Alabama, extensive modification of the Board of Trustees of Auburn University was proposed, including a change in term and membership. In Hawaii, where the University of Hawaii is self-governing, an amendment stated that the legislature is to determine what is

an internal matter under the control of the university and what is a statewide matter over which the legislature has authority.

During the biennium, Arizona voters approved a significant amendment to the corporations article by altering the membership and term of office of the Corporation Commission, an important administrative agency that regulates utilities. The number of members was increased from three to five, and the term of office was extended from one six-year term to two consecutive four-year terms. A second amendment, which failed, would have reduced the powers of the Corporation Commission by deregulating local telephone rates in localities where competition was present.

Other business and economic amendments included a proposition adopted in Oklahoma to allow wineries to sell directly to retail package stores and restaurants. Nevada voters refused to make an exception to the constitutional prohibition of gifts and loans to corporations to allow investment of state money to stimulate economic development. Louisiana voters rejected an amendment to restructure the Department of Economic Development as a quasi-public corporation. In Kansas, voters accepted an amendment to allow state retirement and pension plans to hold stock in banking institutions.

Several propositions concerned conservation and hunting and fishing. In Arizona, voters defeated a measure that permitted the designation of 3 percent of state trust lands for conservation. Supported by Gov. Jane Hull, it was described as the cornerstone of a growth-management plan called “Growing Smarter.” North Dakota and Virginia voters approved protection of hunting and fishing. The North Dakota amendment referred to “the state heritage that should be forever preserved and managed for the public good.” The Virginia amendment was added to the conservation article. Wildlife management was the subject of amendments in Arizona and Alaska. Both were defeated.

Articles on the amendment and revision of state constitutions are typically among those attracting few amendments. Averages for the preceding decade were three proposals and two adoptions per biennium. In 2000-2001, there were three proposals and no adoptions. An Alaskan measure was an attempt to clarify the difference between an amendment, which the legislature may propose, and a revision, which only a constitutional convention is authorized to make. In contrast to a revision, an amendment would be limited to one subject, although the subject could affect more than one constitutional provision. The proposal also would have prohibited the courts from altering the language of an amendment or revision. (There was some criticism that the courts had deleted certain words from

amendments.) A Nebraska proposal would have required two separate votes by the electorate to amend the constitution. No other state has this requirement for amendments referred by the legislature. In Arizona, the proposed change was to require constitutional initiatives concerning wildlife to be adopted by a two-thirds vote rather a simple majority, the present requirement. These proposals, none of which was adopted, could have made a difference in the states involved, particularly in Nebraska.

Two Oregon amendments mentioned previously would have made changes in the amendment process as it pertains to the initiative. However, both of them failed. One would have made it more difficult to qualify an initiative for proposed amendments; the other was an attempt to preserve the initiative process by prohibiting efforts to make it harder for citizens to use.

Although in 2000-2001 there was no general revision of state constitutions (defined as a new or extensively revised constitution), voters in Nebraska and New York had the opportunity to vote on revising the entire constitution to make it gender-neutral. The measure passed in New York but was defeated in Nebraska. A proposal that passed in Arizona revised five articles and seven sections to modernize language dealing with suffrage and other topics and to remove inoperative provisions. The revision included a change in the definition of the militia, exchanging the words “able-bodied male citizens” with “capable citizens,” much to the consternation of some voters who thought it might even repeal the right to bear arms. In Texas, a second successful effort was made to eliminate obsolete, archaic and redundant provisions of the lengthy charter. Over 30 sections were affected. Voters approved a more ambitious revision in 1999. The revision of the Utah local-government article spilled over to other sections and articles and constituted a reasonably extensive revision, which was mostly editorial but was also substantive. More limited editorial changes were made in single articles such as the local-government article in Colorado and the initiative provision in Nebraska.

### Miscellaneous

Most state charters contain a miscellaneous or general-provisions article for propositions that apply to more than one article or do not fit elsewhere. As already noted, there were several editorial revisions that either extended to the entire constitution or affected a number of sections and articles. These do not qualify as “general revisions.” For convenience, they will be counted under the “miscellaneous” articles in Table B.

Excluding editorial and gender revisions, the num-

ber of amendments to the miscellaneous articles compares favorably with activity in the preceding biennia. The average per biennium in the 1990s was 18 proposals and 13 adoptions; the numbers in 2000-2001 were 20 and 14, respectively.

The largest single group of measures pertained to lotteries and other forms of gaming. Of seven proposals, all but one passed. The lone dissenting vote was in Arkansas, where the electorate defeated a proposal for a state-operated lottery to be run by the Casino Public Corporation. In contrast, South Carolina voters approved an amendment to allow a state lottery by rewriting the article that had banned it. Net revenues from the state lottery, the only one permitted by the amendment, are to be deposited in a special account to be spent only on education. Additionally, bingo is not defined as a lottery when it is operated by charitable, religious or fraternal organizations.

In South Dakota, the electorate showed its support for lotteries by turning down a proposal to abolish the video lottery. In Virginia, which has a lottery, the voters approved reserving all the net proceeds for education. In Missouri, a minor change applied to the eligibility of a member of a group to participate in the management of bingo games.

A California gaming proposal generated considerable controversy but was adopted. It allows Indian tribes to run casinos, provided the necessary compacts are approved. (Compacts negotiated by the governor with the tribes and approved by the legislature were in place before the 2000 election.) Permission to engage in casino operations was a much sought after goal of tribes, but it met with resistance. One argument was that it would turn California into “Nevada West.” Voters also approved a second California amendment that allows various charitable groups to conduct raffles as a funding mechanism.

There were a variety of other propositions on the 2000-2001 ballots in addition to those already mentioned. An amendment in Florida, which passed, directed the legislature, the governor and the cabinet to develop a high-speed transportation system. In California, private engineers won the right to participate in public-works projects, primarily highway construction. A commission to provide quality home care for the elderly and disabled was approved in Oregon. In Texas, active and retired schoolteachers and retired school administrators may now serve for pay on local government boards. Also in Texas, homestead laws applying to manufactured homes passed. Oklahoma voters adopted a right-to-work law. And in Oregon, two political amendments were defeated: one prohibiting payroll deductions for political purposes without

specific authorization and another using public resources for political purposes.

## Notes

The premier source of information on state constitutions is the Center for State Constitutional Studies at Rutgers University in Camden, New Jersey. An interdisciplinary institute, it seeks to initiate, sponsor and conduct research and educational programs on American state constitutions and on subnational constitutions of federal systems of other nations. In May 2000, the center sponsored a national conference on "The State of the State Constitution," with the support of a major grant from the Ford Foundation. Arising from the conference is a new project, "State Constitutions for the 21st Century," also supported by the Ford Foundation. Its major purpose is to provide guidelines for the revision of state constitutions to enable them to provide the framework for effective and responsive state government in the new century. Experts on various state constitutional subjects have been enlisted to prepare model articles for a model constitution, on the order of the now outdated Model State Constitution prepared by the National Municipal League in the 20th century. See the center's Website at <http://www-camlaw.rutgers.edu/stateconf/> for more details and for information about the center's various publications.

For more information on state constitutions in addition to the sources listed below, see: the annual issues on state constitutions of the *Rutgers Law Journal*, the *Temple Law Review* and the *Albany Law Review*; and the National Association of Attorneys General's *State Constitutional Law Bulletin* (available at <http://www.naag.org/publications/Bulletin.cfm>). For more comprehensive bibliographies on state constitutions and constitutional law, see *The Book of the States, 1994-1995*, pp. 15-18 and the 2000 edition of the annual issue on state constitutions in the *Rutgers Law Journal*.

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## About the Author

**Janice C. May** is a professor of government at the University of Texas at Austin, where she specializes in state government and politics. A regular contributor to *The Book of the States*, she is the author of numerous publications on the Texas constitution and government, including *The Texas State Constitution: A Reference Guide*, and on state constitutional developments nationwide. She has served on two Texas constitutional revision commissions and on the board of directors of the Texas State Bar.



# CONSTITUTIONS

**Table 1.1**  
**GENERAL INFORMATION ON STATE CONSTITUTIONS**  
**(As of January 1, 2002)**

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 voters	Adopted
Alabama .....	6	1819, 1861, 1865, 1868, 1875, 1901	Nov. 28, 1901	310,296 (a) (b)	986	711 (c)
Alaska .....	1	1956	Jan. 3, 1959	15,988 (b)	40	28
Arizona .....	1	1911	Feb. 14, 1912	28,876	235	130
Arkansas .....	5	1836, 1861, 1864, 1868, 1874	Oct. 30, 1874	59,500 (b)	183	88 (d)
California .....	2	1849, 1879	July 4, 1879	54,645	842	504
Colorado .....	1	1876	Aug. 1, 1876	45,679	290	140
Connecticut .....	4	1818 (f), 1965	Dec. 30, 1965	16,608 (b)	30	29
Delaware .....	4	1776, 1792, 1831, 1897	June 10, 1897	19,000	(e)	136
Florida .....	6	1839, 1861, 1865, 1868, 1886, 1968	Jan. 7, 1969	52,421 (b)	117	87
Georgia .....	10	1777, 1789, 1798, 1861, 1865, 1868, 1877, 1945, 1976, 1982	July 1, 1983	37,849 (b)	75 (g)	57 (g)
Hawaii .....	1 (h)	1950	Aug. 21, 1959	20,774 (b)	116	97
Idaho .....	1	1889	July 3, 1890	24,232 (b)	204	117
Illinois .....	4	1818, 1848, 1870, 1970	July 1, 1971	13,700	17	11
Indiana .....	2	1816, 1851	Nov. 1, 1851	10,315 (b)	75	43
Iowa .....	2	1846, 1857	Sept. 3, 1857	12,616 (b)	57	52 (i)
Kansas .....	1	1859	Jan. 29, 1861	12,246 (b)	122	92 (i)
Kentucky .....	4	1792, 1799, 1850, 1891	Sept. 28, 1891	23,911 (b)	72	38
Louisiana .....	11	1812, 1845, 1852, 1861, 1864, 1868, 1879, 1898, 1913, 1921, 1974	Jan. 1, 1975	54,112 (b)	157	107
Maine .....	1	1819	March 15, 1820	13,500	200	168 (j)
Maryland .....	4	1776, 1851, 1864, 1867	Oct. 5, 1867	46,600 (b)	251	215 (k)
Massachusetts .....	1	1780	Oct. 25, 1780	36,700 (l)	148	120
Michigan .....	4	1835, 1850, 1908, 1963	Jan. 1, 1964	27,649 (b)	59	23
Minnesota .....	1	1857	May 11, 1858	11,547 (b)	213	118
Mississippi .....	4	1817, 1832, 1869, 1890	Nov. 1, 1890	24,323 (b)	155	121
Missouri .....	4	1820, 1865, 1875, 1945	March 30, 1945	42,600 (b)	158	100
Montana .....	2	1889, 1972	July 1, 1973	13,145 (b)	45	25
Nebraska .....	2	1866, 1875	Oct. 12, 1875	20,048	328 (m)	219 (m)
Nevada .....	1	1864	Oct. 31, 1864	31,377 (b)	208	129
New Hampshire .....	2	1776, 1784	June 2, 1784	9,200	283 (n)	143
New Jersey .....	3	1776, 1844, 1947	Jan. 1, 1948	22,956 (b)	67	54
New Mexico .....	1	1911	Jan. 6, 1912	27,200	266	140
New York .....	4	1777, 1822, 1846, 1894	Jan. 1, 1895	51,700	288	215
North Carolina .....	3	1776, 1868, 1970	July 1, 1971	11,000	38	30
North Dakota .....	1	1889	Nov. 2, 1889	20,564	254	141 (o)
Ohio .....	2	1802, 1851	Sept. 1, 1851	36,900	264	160
Oklahoma .....	1	1907	Nov. 16, 1907	79,133 (b)	321 (p)	161 (p)
Oregon .....	1	1857	Feb. 14, 1859	63,372 (b)	456 (q)	227 (q)
Pennsylvania .....	5	1776, 1790, 1838, 1873, 1968 (r)	1968 (r)	27,503 (b)	34 (r)	28 (r)
Rhode Island .....	2	1842 (f)	May 2, 1843	10,908 (b)	105	59
South Carolina .....	7	1776, 1778, 1790, 1861, 1865, 1868, 1895	Jan. 1, 1896	22,300	668 (s)	483 (s)
South Dakota .....	1	1889	Nov. 2, 1889	27,703 (b)	213	111
Tennessee .....	3	1796, 1835, 1870	Feb. 23, 1870	13,300	57	34
Texas .....	5 (t)	1845, 1861, 1866, 1869, 1876	Feb. 15, 1876	93,000	583 (u)	409
Utah .....	1	1895	Jan. 4, 1896	11,000	148	98
Vermont .....	3	1777, 1786, 1793	July 9, 1793	8,295 (b)	210	52
Virginia .....	6	1776, 1830, 1851, 1869, 1902, 1970	July 1, 1971	21,319 (b)	44	36
Washington .....	1	1889	Nov. 11, 1889	50,237 (b)	166	94
West Virginia .....	2	1863, 1872	April 9, 1872	26,000	117	68
Wisconsin .....	1	1848	May 29, 1848	14,392 (b)	181	133 (i)
Wyoming .....	1	1889	July 10, 1890	31,800	112	69
American Samoa .....	2	1960, 1967	July 1, 1967	6,000	14	7
No. Mariana Islands .....	1	1977	Jan. 9, 1978	11,000	55	51 (v)(w)
Puerto Rico .....	1	1952	July 25, 1952	9,281	6	6

See footnotes at end of table.

## GENERAL INFORMATION ON STATE CONSTITUTIONS (As of January 1, 2002) — Continued

*Source:* Survey conducted by Janice May, The University of Texas at Austin, March 2002.

\*The constitutions referred to in this table include those Civil War documents customarily listed by the individual states.

(a) The Alabama constitution includes numerous local amendments that apply to only one county. An estimated 70 percent of all amendments are local. A 1982 amendment provides that after proposal by the legislature to which special procedures apply, only a local vote (with exceptions) is necessary to add them to the constitution.

(b) Computer word count.

(c) One Alabama amendment not counted in 1998 has been added to the total of proposals because the legal dispute has been resolved.

(d) 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 proposed and adopted since statehood.

(e) Proposed amendments are not submitted to the voters in Delaware.

(f) Colonial charters with some alterations served as the first constitutions in Connecticut (1638, 1662) and in Rhode Island (1663).

(g) The Georgia constitution requires amendments to be of "general and uniform application throughout the state," thus eliminating local amendments that accounted for most of the amendments before 1982.

(h) As a kingdom and republic, Hawaii had five constitutions.

(i) The figure includes amendments approved by the voters and later nullified by the state supreme court in Iowa (three), Kansas (one), Nevada (six) and Wisconsin (two).

(j) The figure does not include one amendment approved by the voters in 1967 that is inoperative until implemented by legislation.

(k) Two sets of identical amendments were on the ballot and adopted in the 1992 Maryland election. The four amendments are counted as two in the table.

(l) The printed constitution includes many provisions that have been annulled.

The length of effective provisions is an estimated 24, 122 words (12,400 annulled in Massachusetts, and in Rhode Island before the "rewrite" of the constitution in 1986, it was 11,399 words (7,627 annulled).

(m) The 1998 and 2000 Nebraska ballots allowed the voters to vote separately on "parts" of propositions. In 1998, 10 of 18 separate propositions were adopted; in 2000, 6 of 9.

(n) The constitution of 1784 was extensively revised in 1792. Figure show proposals and adoptions since the constitution was adopted in 1784.

(o) The figures do not include submission and approval of the constitution of 1889 itself and of Article XX; these are constitutional questions included in some counts of constitutional amendments and would add two to the figure in each column.

(p) The figures include five amendments submitted to and approved by the voters which were, by decisions of the Oklahoma or U.S. Supreme Courts, rendered inoperative or ruled invalid, unconstitutional, or illegally submitted.

(q) One Oregon amendment on the 2000 ballot was not counted as approved because canvassing was enjoined by the courts.

(r) Certain sections of the constitution were revised by the limited convention of 1967-68. Amendments proposed and adopted are since 1968.

(s) In 1981 approximately two-thirds of 626 proposed and four-fifths of the adopted amendments were local. Since then the amendments have been statewide propositions.

(t) The Constitution of the Republic of Texas preceded five state constitutions.

(u) The number of proposed amendments to the Texas Constitution excludes three proposed by the legislature but not placed on the ballot.

(v) By 1992 49 amendments had been proposed and 47 adopted. Since then, one was proposed but rejected in 1994, all three proposals were ratified in 1996 and in 1998, of two proposals one was adopted.

(w) The total excludes one amendment ruled void by a federal district court.

**Table 1.2**

## CONSTITUTIONAL AMENDMENT PROCEDURE: BY THE LEGISLATURE

### Constitutional Provisions

<i>State or other jurisdiction</i>	<i>Legislative vote required for proposal (a)</i>	<i>Consideration by two sessions required</i>	<i>Vote required for ratification</i>	<i>Limitation on the number of amendments submitted at one election</i>
Alabama .....	3/5	No	Majority vote on amendment	None
Alaska .....	2/3	No	Majority vote on amendment	None
Arizona .....	Majority	No	Majority vote on amendment	None
Arkansas .....	Majority	No	Majority vote on amendment	3
California .....	2/3	No	Majority vote on amendment	None
Colorado .....	2/3	No	Majority vote on amendment	None (b)
Connecticut .....	(c)	(c)	Majority vote on amendment	None
Delaware .....	2/3	Yes	Not required	No referendum
Florida .....	3/5	No	Majority vote on amendment (d)	None
Georgia .....	2/3	No	Majority vote on amendment	None
Hawaii .....	(e)	(e)	Majority vote on amendment (f)	None
Idaho .....	2/3	No	Majority vote on amendment	None
Illinois .....	3/5	No	(g)	3 articles
Indiana .....	Majority	Yes	Majority vote on amendment	None
Iowa .....	Majority	Yes	Majority vote on amendment	None
Kansas .....	2/3	No	Majority vote on amendment	5
Kentucky .....	3/5	No	Majority vote on amendment	4
Louisiana .....	2/3	No	Majority vote on amendment (h)	None
Maine .....	2/3 (i)	No	Majority vote on amendment	None
Maryland .....	3/5	No	Majority vote on amendment	None
Massachusetts .....	Majority (j)	Yes	Majority vote on amendment	None
Michigan .....	2/3	No	Majority vote on amendment	None
Minnesota .....	Majority	No	Majority vote in election	None
Mississippi .....	2/3 (k)	No	Majority vote on amendment	None
Missouri .....	Majority	No	Majority vote on amendment	None
Montana .....	2/3 (i)	No	Majority vote on amendment	None
Nebraska .....	3/5	No	Majority vote on amendment (f)	None
Nevada .....	Majority	Yes	Majority vote on amendment	None
New Hampshire .....	3/5	No	2/3 vote on amendment	None
New Jersey .....	(l)	(l)	Majority vote on amendment	None (m)
New Mexico .....	Majority (n)	No	Majority vote on amendment (n)	None
New York .....	Majority	Yes	Majority vote on amendment	None
North Carolina .....	3/5	No	Majority vote on amendment	None
North Dakota .....	Majority	No	Majority vote on amendment	None
Ohio .....	3/5	No	Majority vote on amendment	None
Oklahoma .....	Majority	No	Majority vote on amendment	None
Oregon .....	(o)	No	Majority vote on amendment (p)	None
Pennsylvania .....	Majority (p)	Yes (p)	Majority vote on amendment	None
Rhode Island .....	Majority	No	Majority vote on amendment	None
South Carolina .....	2/3 (q)	Yes (q)	Majority vote on amendment	None
South Dakota .....	Majority	No	Majority vote on amendment	None
Tennessee .....	(r)	Yes (r)	Majority vote in election (s)	None
Texas .....	2/3	No	Majority vote on amendment	None
Utah .....	2/3	No	Majority vote on amendment	None
Vermont .....	(t)	Yes	Majority vote on amendment	None
Virginia .....	Majority	Yes	Majority vote on amendment	None
Washington .....	2/3	No	Majority vote on amendment	None
West Virginia .....	2/3	No	Majority vote on amendment	None
Wisconsin .....	Majority	Yes	Majority vote on amendment	None
Wyoming .....	2/3	No	Majority vote in election	None
American Samoa .....	2/3	No	Majority vote on amendment (u)	None
No. Mariana Islands .....	3/4	No	Majority vote on amendment	None
Puerto Rico .....	2/3 (v)	No	Majority vote on amendment	3

See footnotes at end of table.



## CONSTITUTIONAL AMENDMENT PROCEDURE: BY THE LEGISLATURE — Continued

*Source:* Survey conducted by Janice May, University of Texas at Austin, March 2002.

*Key:*

- (a) In all states not otherwise noted, the figure shown in the column refers to the proportion of elected members in each house required for approval of proposed constitutional amendments.
- (b) Legislature may not propose amendments to more than six articles of the constitution in the same legislative session.
- (c) Three-fourths vote in each house at one session, or majority vote in each house in two sessions between which an election has intervened.
- (d) Majority vote on amendment except amendment for “new state tax or fee” not in effect on Nov. 7, 1994 requires two-thirds of voters in the election.
- (e) Two-thirds vote in each house at one session, or majority vote in each house in two sessions.
- (f) Majority vote on amendment must be at least 50 percent of the total votes cast at the election (at least 35 percent in Nebraska); or, at a special election, a majority of the votes tallied which must be at least 30 percent of the total number of registered voters.
- (g) Majority voting in election or three-fifths voting on amendment.
- (h) If five or fewer political subdivisions of the state are affected, majority in state as a whole and also in affected subdivision(s) is required.
- (i) Two-thirds of both houses.
- (j) Majority of members elected sitting in joint session.
- (k) The two-thirds must include not less than a majority elected to each house.
- (l) Three-fifths of all members of each house at one session, or majority of all members of each house for two successive sessions.
- (m) 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 for the constitution may be again submitted to the people before the third general election thereafter.
- (n) Amendments concerning certain elective franchise and education matters require three-fourths vote of members elected and approval by three-fourths of electors voting in state and two-thirds of those voting in each county.
- (o) Majority vote to amend constitution, two-thirds to revise (“revise” includes all or a part of the constitution).
- (p) Emergency amendments may be passed by two-thirds vote of each house, followed by ratification by majority vote of electors in election held at least one month after legislative approval. There is an exception for an amendment containing a supermajority voting requirement, which must be ratified by an equal supermajority.
- (q) Two-thirds of members of each house, first passage; majority of members of each house after popular ratification.
- (r) Majority of members elected to both houses, first passage; two-thirds of members elected to both houses, second passage.
- (s) Majority of all citizens voting for governor.
- (t) 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.
- (u) Within 30 days after voter approval, governor must submit amendment(s) to U.S. Secretary of the Interior for approval.
- (v) If approved by two-thirds of members of each house, amendment(s) submitted to voters at special referendum; if approved by not less than three-fourths of total members of each house, referendum may be held at next general election.

**Table 1.3**  
**CONSTITUTIONAL AMENDMENT PROCEDURE: BY INITIATIVE**  
**Constitutional Provisions**

<i>State or other jurisdiction</i>	<i>Number of signatures required on initiative petition</i>	<i>Distribution of signatures</i>	<i>Referendum vote</i>
<b>Arizona</b> .....	15% of total votes cast for all candidates for governor at last election.	None specified.	Majority vote on amendment.
<b>Arkansas</b> .....	10% of voters for governor at last election.	Must include 5% of voters for governor in each of 15 counties.	Majority vote on amendment.
<b>California</b> .....	8% of total voters for all candidates for governor at last election.	None specified.	Majority vote on amendment.
<b>Colorado</b> .....	5% of total legal votes for all candidates for secretary of state at last general election.	None specified.	Majority vote on amendment.
<b>Florida</b> .....	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 except amendment for "new state tax or fee" not in effect Nov. 7, 1994 requires 2/3 of voters voting in election.
<b>Illinois (a)</b> .....	8% of total votes cast for candidates for governor at last election.	None specified.	Majority voting in election or 3/5 voting on amendment.
<b>Massachusetts (b)</b> .....	3% of total votes cast for governor at preceding biennial state election (not less than 25,000 qualified voters).	No more than 1/4 from any one county.	Majority vote on amendment which must be 30% of total ballots cast at election.
<b>Michigan</b> .....	10% of total voters for all candidates at last gubernatorial election.	None specified.	Majority vote on amendment.
<b>Mississippi</b> .....	12% of total votes for all candidates for governor in last election.	No more than 20% from any one congressional district.	Majority vote on amendment and not less than 40% of total vote cast at election.
<b>Missouri</b> .....	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.
<b>Montana</b> .....	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.
<b>Nebraska</b> .....	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.
<b>Nevada</b> .....	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.
<b>North Dakota</b> .....	4% of population of the state.	None specified.	Majority vote on amendment.
<b>Ohio</b> .....	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.
<b>Oklahoma</b> .....	15% of legal voters for state office receiving highest number of voters at last general state election.	None specified.	Majority vote on amendment.
<b>Oregon</b> .....	8% of total votes for all candidates for governor at last election at which governor was elected for four-year term.	None specified.	Majority vote on amendment except for supermajority equal to supermajority voting requirement contained in proposed amendment.
<b>South Dakota</b> .....	10% of total votes for governor in last election.	None specified.	Majority vote on amendment.
<b>No. Mariana Islands</b> .....	50% of qualified voters of commonwealth.	In addition, 25% of qualified voters in each senatorial district.	Majority vote on amendment if legislature approved it by majority vote; if not, at least 2/3 vote in each of two senatorial districts in addition to a majority vote.

*Source:* Survey conducted by Janice May, University of Texas at Austin, March 2002.

*Key:*

(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 at two sessions of a successively elected legislature by not less than one-fourth of all members elected, sitting in joint session.

**Table 1.4**  
**PROCEDURES FOR CALLING CONSTITUTIONAL CONVENTIONS**  
**Constitutional Provisions**

<i>State or other jurisdiction</i>	<i>Provision for convention</i>	<i>Legislative vote for submission of convention question (a)</i>	<i>Popular vote to authorize convention</i>	<i>Periodic submission of convention question required (b)</i>	<i>Popular vote required for ratification of convention proposals</i>
Alabama .....	Yes	Majority	M	No	Not specified
Alaska .....	Yes	No provision (c)(d)	(c)	10 years (c)	Not specified (c)
Arizona .....	Yes	Majority	(e)	No	MP
Arkansas .....	No	No			
California .....	Yes	2/3	MP	No	MP
Colorado .....	Yes	2/3	MP	No	M
Connecticut .....	Yes	2/3	MP	20 years (f)	MP
Delaware .....	Yes	2/3	MP	No	No provision
Florida .....	Yes	(g)	MP	No	Not specified
Georgia .....	Yes	(d)	No	No	MP
Hawaii .....	Yes	Not specified	MP	9 years	MP (h)
Idaho .....	Yes	2/3	MP	No	Not specified
Illinois .....	Yes	3/4	(i)	20 years; 1988	MP
Indiana .....	No	No			
Iowa .....	Yes	Majority	MP	10 years; 1970	MP
Kansas .....	Yes	2/3	MP	No	MP
Kentucky .....	Yes	Majority (j)	MP (k)	No	No provision
Louisiana .....	Yes	(d)	No	No	MP
Maine .....	Yes	(d)	No	No	No provision
Maryland .....	Yes	Majority	M	20 years; 1970	MP
Massachusetts .....	No		No	Not specified	
Michigan .....	Yes	Majority	MP	16 years; 1978	MP
Minnesota .....	Yes	2/3	M	No	3/5 voting on proposal
Mississippi .....	No	No			
Missouri .....	Yes	Majority	MP	20 years; 1962	Not specified (l)
Montana .....	Yes (m)	2/3	MP	20 years	MP
Nebraska .....	Yes	3/4	MP (o)	No	MP
Nevada .....	Yes	2/3	M	No	No provision
New Hampshire .....	Yes	Majority	MP	10 years	2/3 voting on proposal
New Jersey .....	No	No			
New Mexico .....	Yes	2/3	MP	No	Not specified
New York .....	Yes	Majority	MP	20 years; 1957	MP
North Carolina .....	Yes	2/3	MP	No	MP
North Dakota .....	No	No			
Ohio .....	Yes	2/3	MP	20 years; 1932	MP
Oklahoma .....	Yes	Majority	(e)	20 years	MP
Oregon .....	Yes	Majority	(e)	No	No provision
Pennsylvania .....	No	No			
Rhode Island .....	Yes	Majority	MP	10 years	MP
South Carolina .....	Yes	(d)	M	No	No provision
South Dakota .....	Yes	(d)	(d)	No	(p)
Tennessee .....	Yes (q)	Majority	MP	No	MP
Texas .....	No	No			
Utah .....	Yes	2/3	M	No	MP
Vermont .....	No	No			
Virginia .....	Yes	(d)	No	No	MP
Washington .....	Yes	2/3	M	No	Not specified
West Virginia .....	Yes	Majority	MP	No	Not specified
Wisconsin .....	Yes	Majority	MP	No	No provision
Wyoming .....	Yes	2/3	M	No	Not specified
American Samoa .....	Yes	(r)	No	No	ME (s)
No. Mariana Islands .....	Yes	Majority (t)	3-Feb	No (u)	MP and at least 2/3 in in each of 2 senatorial districts
Puerto Rico .....	Yes	2/3	MP	No	MP

See footnotes at end of table.

## PROCEDURES FOR CALLING CONSTITUTIONAL CONVENTIONS — Continued

*Source:* Survey conducted by Janice May, University of Texas at Austin, March 2002.

*Key:*

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 proportion 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 on 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) In these states, the legislature may call a convention without submitting the question to the people. The legislative vote required is two-thirds of the members elected to each house in Georgia, Louisiana, South Carolina and Virginia; two-thirds concurrent vote of both branches in Maine; three-fourths of all members of each house in South Dakota; and not specified in Alaska, but bills require majority vote of membership in each house. In South Dakota, the question of calling a convention may be initiated by the people in the same manner as an amendment to the constitution (see Table 1.3) and requires a majority vote on the question for approval.

(e) The law calling a convention must be approved by the people.

(f) 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.

(g) The power to call a convention is reserved to the people by petition.

(h) The majority must be 50 percent of the total voted cast at a general election or at a special election, a majority of the votes tallied which must be at least 30 percent of the total number of registered voters.

(i) Majority voting in the election, or three-fifths voting on the question.

(j) Must be approved during two legislative sessions.

(k) Majority must equal one-fourth 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 1.3).

(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. Ratification by a majority of votes cast.

(q) Conventions may not be held more often than once in six years.

(r) Five years after effective date of constitutions, 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. A convention was held in 1972.

(s) If proposed amendments are approved by the voters, they must be submitted to the U.S. Secretary of the Interior for approval.

(t) The initiative may also be used to place a referendum convention call on the ballot. The petition must be signed by 25 percent of the qualified voters or at least 75 percent in a senatorial district.

(u) The legislature was required to submit the referendum no later than seven years after the effective date of the constitution. The convention was held in 1985; 45 amendments were submitted to the voters.

**Table 1.5**  
**STATE CONSTITUTIONAL COMMISSIONS**  
**(Operative during January 1, 2000 to January 1, 2002)**

<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>
Utah .....	Utah Constitutional Revision Commission	Statutory: Ch. 89, <i>Laws of Utah</i> , 1969; amended by Ch. 107, <i>Laws</i> 1977; which made the commission permanent as of July 1 1977. (Codified as Ch. 54, Title 63, <i>Utah Code Annotated</i> , 1953.)	16: 1 ex officio, 9 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 party; and 6 additional members appointed by the 9 previously appointed members.	Appropriations through 1995 totaled \$1,023,000. In recent years, annual appropriations have been \$55,000.	Study constitution and recommend desirable changes including proposed drafts.	Mandated to report recommendations at least 60 days before legislature convenes. Voter action on commission recommendations through 2000 include: approval of revised articles on legislature, executive, judiciary, elections and rights of suffrage, revenue and taxation, education, and corporations. At 2000 election voters approved an amendment to revise state and local government provisions recommended by the commission and referred by the legislature. Following consideration of the method of apportionment of taxable value of commercial aircraft, the commission was expected to study the Revenue and Taxation article in 2000-2001.

*Source:* Survey conducted by Janice May, University of Texas at Austin, March 2002.  
*Note:* No constitutional conventions were held from January 1, 2000 through January 1, 2002.

## CONSTITUTIONS

**Table 1.6**

### **STATE CONSTITUTIONAL CHANGES BY CONSTITUTIONAL INITIATIVE (2000-01)**

<i>State</i>	<i>Number of proposals</i>	<i>Number of adoptions</i>	<i>Percentage adopted</i>
Arizona .....	2	1	50.0
Arkansas .....	1	0	0.0
California .....	5	2	40.0
Colorado .....	4	2	50.0
Florida .....	1	1	100.0
Illinois .....	0	0	0.0
Massachusetts .....	0	0	0.0
Michigan .....	2	0	0.0
Mississippi .....	0	0	0.0
Missouri .....	0	0	0.0
Montana .....	0	0	0.0
Nebraska .....	2	2	100.0
Nevada .....	1*	1*	100.0
North Dakota .....	0	0	0.0
Ohio .....	0	0	0.0
Oklahoma .....	0	0	0.0
Oregon .....	12	3	25.0
South Dakota .....	2	1	50.0
<b>Total</b> .....	<b>32</b>	<b>13</b>	<b>40.0</b>

*Source:* Survey conducted by Janice May, University of Texas at Austin, March 2002.

\* Nevada voters approved for the second time one initiative and for the first time one initiative. To become effective, constitutional initiatives require voter approval in two elections. The new initiative was not counted in the table.

## Chapter Two

# FEDERALISM and INTERGOVERNMENTAL RELATIONS

“The contemporary era has been one of coercive or regulatory federalism, marked by historically unprecedented levels of federal preemptions, mandates, conditions of aid and other extensions of federal power into state affairs.”

— John Kincaid

“Innovative state programs reveal the desirability of each state establishing a genuine partnership with its political subdivisions, with the state playing a major leadership role.”

— Joseph F. Zimmerman

“The sharp increase in the number of formal and informal extraconstitutional interstate administrative agreements... is attributable primarily to the growth of interstate commerce, increased mobility of citizens and technological developments.”

— Joseph F. Zimmerman





## State-Federal Relations: Continuing Regulatory Federalism

By John Kincaid

*American federalism demonstrated remarkable continuity and responsiveness throughout the horrific events associated with the 2000 presidential election and the terrorist attacks of 2001. Yet, the contemporary era has also been one of coercive or regulatory federalism, marked by historically unprecedented levels of federal preemptions, mandates, conditions of aid and other extensions of federal power into state affairs. The U.S. Supreme Court has pursued a countervailing state-friendly federalism jurisprudence since 1991, but in the political realm, there is substantial bipartisan and even intergovernmental support for coercive or regulatory federalism.*

The most momentous events of the past year were the terrorist attacks of September 11, 2001. The attacks shook the foundations of American society but did not fracture the foundations of American federalism. Despite the utter surprise and devastation caused by the attacks, the federal system performed remarkably well. Local, state and federal officials responded immediately in ways consistent with the division and sharing of powers in the federal system. States and localities across the country reacted to the crises quickly and cooperatively in concert with the covenantal foundation of American federalism. Citizens aboard the doomed flight that crashed in Pennsylvania decided democratically to overwhelm their hijackers, choosing to die as defenders of the union rather than as unwilling weapons against it, and the people of New York City and the Washington, D.C. area responded with extraordinary civility and mutual aid. The values of democracy and local self-government far outshone the fireballs of that day. Thus, despite the terrible loss of life and structural devastation, September 11th showed American federalism at its best.

### Federalism and Counterterrorism

Whatever the partisan bickering and intergovernmental wrangling that will arise as Americans debate how best to prevent terrorism, the federal system can respond to the threat. Indeed, this threat suggests a need to restore certain basics of American federalism, especially the federal government's key responsibility to prevent terrorism under its national-defense and foreign-affairs powers, while states and local governments backstop the federal government in these areas domestically and focus on their responsibilities for infrastructure and for the health, welfare and safety of their citizens. Counterterrorism will be most effective as a cooperative intergovernmental response, not as a centralized national response. The possibility of cooperation is perhaps enhanced by the fact that former governors are in key leadership positions, including George Bush of Texas, Tom Ridge of Pennsylvania, Tommy Thompson of Wisconsin and Christine Todd

Whitman of New Jersey.

There is a need to improve intergovernmental and interagency coordination, beginning with the federal government. The U.S. General Accounting Office has reported repeatedly on the absence of effective coordination among the approximately 150 federal agencies with counterterrorism duties. How much improvement can be achieved by the president's new Office of Homeland Security remains uncertain. There is a paramount need for federal agencies to share intelligence with state and local officials to prevent attacks and to reduce casualties by identifying the attack agent (e.g., biological, chemical or radiological) and providing appropriate assistance. There is an imperative need to train and equip local police, firefighters and emergency personnel to respond more safely and effectively. There is need, as well, for intergovernmental and public-private coordination to ensure communication among all responders.

President Bush has proposed counterterrorism aid for states and localities, though debates will ensue over how to allocate funds, whether to channel funds through block or categorical grants, and how much aid should go through state capitols and how much should go directly to local governments. A proposed U.S. Senate bioterrorism bill, for instance, would employ a block grant. To date, anti-terrorism measures have not broadly preempted state laws, although some proposals would do so, and Congress did federalize airport passenger and baggage screening. However, the new aviation-security law permits states to use grant funds for airport security and authorizes five demonstration projects for state and local governments or private firms to manage security.

Combating terrorism will comingle military institutions, domestic police agencies, civilian regulatory institutions and the private sector in ways that will strain the separation of military and civilian affairs. Private security forces will increase, posing new challenges of regulation and coordination for state and local officials, and states will need to strike new balances between public and private security for critical infrastructure.

Making counterterrorism a substantial component of national defense and domestic governance will pose challenges to the protection of individual rights and liberties. It may also possibly challenge state legislatures' and high courts' ability to grant higher rights protections under their state constitutions than are available federally, especially in criminal procedures such as search and seizure, where most states impose some rules that are stricter than those governing federal officials. Counterterrorism will generate pressure to blur distinctions between citizens, legal immigrants and illegal aliens, and persons believed to be associated with suspected terrorists will be snared by law-enforcement nets. In addition, states must consider draconian but necessary questions, such as who can quarantine animals or human beings in the event of contagion. Security measures will hamper citizens' free and easy access to their governments' buildings. Life has changed, and therefore federalism will change, too; but it can do so in principled ways.

### Federalism and Voting Reform

Terrorism overshadowed the years' other momentous event – the controversial 2000 presidential election, which included an unprecedented U.S. Supreme Court intervention into a state's (i.e., Florida's) election process. This intervention allowed George Bush to enter the White House via one of the U.S. Constitution's key federalist institutions – the electoral college. Federal democracy prevailed over national democracy, leading critics immediately to call for abolition of the electoral college. Abolition, however, is unlikely, although more states might award their electoral votes proportionally, as do Nebraska and Maine, and prohibit faithless electors.

Yet, even before September 11, voting reform plodded slowly through Congress, while some states, such as Florida, acted quickly, and most states debated reform. The major intergovernmental issue is whether the federal government will intervene substantially in state control of elections. Although Article I, Section 4 of the federal Constitution gives Congress broad authority to regulate elections, Congress has, for the most part, never done so. States have sought federal aid for voting reform, while also retaining principal authority over elections, a position largely supported by the National Commission on Federal Election Reform, which was co-chaired by former presidents Jimmy Carter and Gerald Ford. Bills introduced in Congress range from those that endorse this approach to those that would impose uniform standards and numerous conditions on the states.

### Continuing Coercive-Regulatory Federalism

The mandate approach to voting reform is consistent with the era of coercive or regulatory federalism, which emerged in the late 1960s to displace cooperative federalism. Although cooperation continues to be the hallmark of daily intergovernmental relations, that cooperation occurs within a highly federalized environment, under conditions often dictated by Congress and presidents, rather than forged by cooperative agreements among federal, state and local elected officials.

This era has a number of distinctive characteristics. For one, Congress has preempted far more state laws since 1969 than it did during the previous 180 years of U.S. history. Consequently, preemption is one of the states' leading federalism concerns. A recurring issue in every proposed preemption is whether Congress should totally or partially preempt state law. Under partial preemption, Congress allows states to retain or enact state laws stricter than federal laws.

A current example is the debate over protecting personal privacy on the Internet. A key federalism issue is whether federal legislation should preempt state privacy laws, especially stricter laws. A number of states have privacy laws that are tougher and more comprehensive than those enacted in Congress's 1999 overhaul of financial services, which did not preempt stricter state laws. Consumer advocates oppose total federal preemption because they fear it will displace stronger state laws with a weaker national law. Many Internet businesses support federal preemption on the ground that they cannot comply with 50 different state privacy laws.

Another variation is the Electronic Signatures in Global and National Commerce Act (E-SIGN) of 2000, which preempted about 40 state laws that already authorized digital signatures. States, however, can resuscitate their jurisdiction by adopting the standards of the Uniform Electronic Signatures Act proposed by the National Conference of Commissioners on Uniform State Laws.

Second, nearly all mandates enacted in U.S. history have been enacted since 1969. Although the number of unfunded mandates has declined since enactment of the Unfunded Mandates Reform Act (UMRA) of 1995, it is unclear as to how much of the decline is due to UMRA and how much is due to Republican control of the U.S. House and U.S. Senate from 1995 to 2001. Furthermore, while the number of unfunded mandates has declined, the total cost of unfunded mandates has not clearly done so. The Internet Tax Freedom Act of 2001, for example, is an unfunded mandate having a multibillion-dollar fiscal impact on the states.

The National Conference of State Legislatures termed the 2001 reauthorization of the Elementary and Secondary Education Act (ESEA) a \$16 billion unfunded mandate. This “No Child Left Behind” law entails unprecedented federal interventions into core areas of state responsibilities for education and pre-empt many state laws governing testing, data collection and education standards.

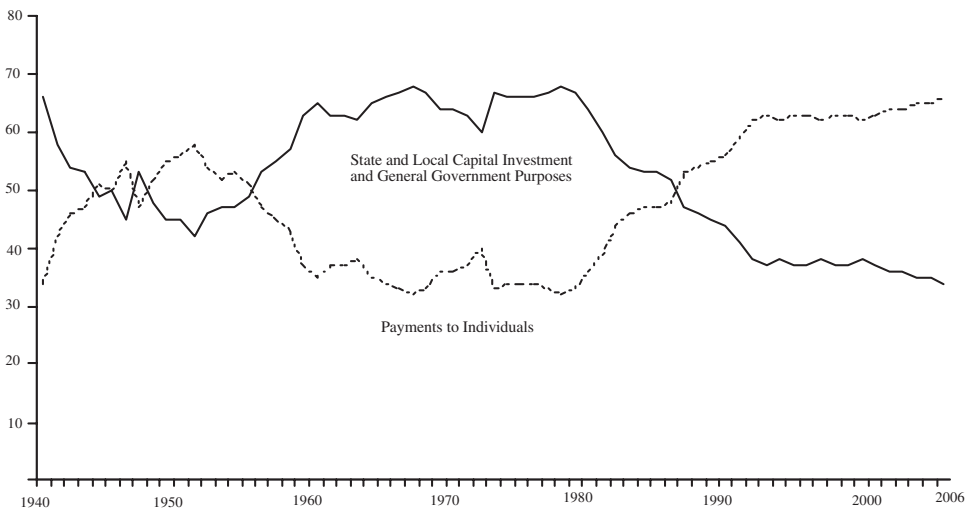
Third, there has been an unprecedented increase in conditions attached to federal aid since the late 1960s. Enactment in 2001 of the 0.08 percent blood-alcohol standard as a condition of federal highway-aid is a recent example. Some members of Congress are proposing a new highway-aid condition that would require states to ban the use of cell phones in moving vehicles.

Fourth, the composition of federal aid has shifted from places to persons. In 1978, the historic high point of federal aid, 32 percent of federal aid to state and local governments was dedicated for payments to individuals (e.g., health and welfare). By 2001, 63 percent of the federal government’s \$316.3 billion in aid was dedicated for payments to individuals, leaving 17 percent for capital investment and 20 percent for all other programs, as well as state and local government operations (see Figure A).

This transformation has enduring fiscal consequences for state and local governments. Reduced federal aid for capital investment and other purposes has increased state-local fiscal responsibility for education, economic development, infrastructure and the like. Simultaneously, because most aid-to-person programs, such as Medicaid, which accounts for more than 40 percent of all federal aid, involve state matching funds, state spending is driven up by inflation and federal policies, further decreasing funds available for other state and local purposes and capital investment. Medicaid is again the fastest growing portion of many state budgets. After cost increases of about 5 percent a year from 1995 to 1999, Medicaid costs increased by 9 percent in 2000 and might rise at the same rate for the rest of the decade. In turn, given that most aid-to-persons programs are administered by the states, direct federal aid to local governments has declined steeply since 1978.

Fifth, this era has been marked by increasing federal pressures on state taxes and borrowing, beginning especially with enactment of limits on tax-exempt private-activity bonds in 1984. The Economic Growth and Tax Relief Reconciliation Act of 2001, especially its phasing out of the federal estate tax (or death tax) by

**Figure A: Federal Grants-in-Aid to State and Local Governments for Payments to Individuals and for Capital Investment and General Government Purposes as a percentage of Total Grants, 1940-2006**



2000-2006 are estimated.

Source: John Kincaid, *The State of U.S. Federalism, 2000-2001: Continuity in Crisis*, *Publius: The Journal of Federalism* 31 (Summer 2001): 23.

Data Source: Executive Office of the President, *Fiscal Year 2002 Budget of the United States Government: Historical Tables* (Washington, DC: U.S. Government Printing Office, 2001), pp. 216-217.

2010, will cost states well over \$65 billion. The Internet Tax Freedom Act, renewed in 2001 over the objections of more than 40 governors, could cost states \$20 billion in sales-tax revenue by 2003. Although states have developed a Streamlined Sales and Use Tax plan for the Internet era, only about 35 states have signed on to the idea, and Congress, for the foreseeable future, is unlikely to approve an Interstate Sales and Use Tax Compact to implement it. Other tax bills, if enacted, will have significant negative consequences for state revenues, and during the 2001-2002 recession, Congress even considered declaring a national sales-tax holiday.

Sixth, the era of coercive or regulatory federalism has been accompanied by the demise of executive and congressional intergovernmental institutions established during the era of cooperative federalism to enhance cooperation. Most notable was the demise of the independent U.S. Advisory Commission on Intergovernmental Relations (ACIR) in 1996 after 37 years of operation. Although some advocates are urging revival of the ACIR, there is little enthusiasm for it in Congress, and President Bush is an unlikely advocate because he vetoed a bill to revive the Texas ACIR during his governorship. Although Bush has proposed establishing a federalism watchdog via executive order, experience since President Ronald Reagan's 1987 federalism executive order suggests that state-friendly federalism takes a backseat to policy considerations in Washington, D.C.

Seventh, there has been a decline in federal-state cooperation in major grant programs such as Medicaid and surface transportation, with Congress altering programs more in response to interest groups than state and local governments, which are now viewed as little more than interest groups. Congress also declines to honor agreements. During ESEA's 2001 reauthorization, for example, states were disappointed that House conferees killed an attempt to increase the federal contribution for special education under the Individuals with Disabilities Education Act from 15 percent to the 40 percent promised in 1975.

Eighth, this era has been marked also by an extraordinary federalization of criminal law, with federal offenses increasing from four specified in the U.S. Constitution to more than 3,000 today. The era has also been marked by continuing federal pressure on states to get tough on criminals. For example, Aimee's Law, enacted in October 2000, and which is retroactive, holds states accountable for new crimes committed in another state if the felon did not serve at least 85 percent of his sentence or if the average sentence for his crime in the state fell below the national average. A

state is penalized by having some of its criminal-justice grant funds cut off and given to the other state where the felon committed a new crime. Such policies have driven up state prison populations and corrections costs, posing long-term fiscal challenges, too, as aging inmates convert prisons into nursing homes.

Ninth, the era has been characterized by unprecedented numbers of federal court orders and other judicial interventions into state affairs. Although the U.S. Supreme Court became more state friendly during the 1990s, expanded access to federal courts produces continual legal challenges to state policymaking. The much-heralded "resurgence of the states" has been accompanied by frequent needs for states to defend their policy innovations in federal courtrooms. For example, immediately after Maine enacted a prescription-drug plan, the Maine Rx Program, in 2000, the pharmaceutical industry sued the Pine Tree State in federal court. In 1999, when New Jersey became the first state to confine non-local trucks to interstate highways and the National Network, the American Trucking Association filed suit against the Garden State. In 2000, the U.S. Supreme Court let stand an appeals-court ruling overturning Iowa's ATM law.

In summary, recent developments, overall, suggest continuation of coercive or regulatory federalism, despite claims, for example, of a devolution revolution. The principal, and usually only, example offered for devolution is the Temporary Assistance for Needy Families (TANF) block grant. Yet, TANF is not true devolution because while states are accorded considerable administrative discretion, they are mandated to achieve specific performance objectives and to reform welfare in only one way, namely, moving at least 50 percent of their welfare recipients into workplaces by 2002. States can achieve that objective in different ways, but they must achieve it in order to avoid federal penalties. Congress also retains authority to alter TANF, and it likely will amend it during TANF's reauthorization in 2002. In addition, block grants remain Congress's least preferred way to distribute federal aid, preferring instead the control and targeting that can be achieved through categorical grants. Efforts to block grant major programs, such as Medicaid, have failed in Congress. Furthermore, congressional earmarking of federal funds for specific projects in members' states and districts, regardless of the preferences and priorities of elected state and local officials, has increased significantly since the late 1980s.

### **Waiver Federalism**

Pressure from state officials for more discretion in implementing federal programs has built up, however.

One increasing response to this pressure has been executive waivers of federal law to allow states to experiment with new implementation strategies. TANF, for instance, was based on welfare-reform experiments conducted by states under waivers. However, waivers reflect unintended consequences of coercive or regulatory federalism.

Waivers have become a presidential tool of inter-governmental relations for several reasons. Federal statutes and regulations became more complex and restrictive as New Deal and Great Society programs were expanded, amended and encrusted with new rules over the decades. In addition, federal social legislation and regulation have long emphasized procedural rules rather than performance outcomes; an ethic of doing things properly prevailed over an ethic of doing things effectively. Success was frequently measured by how much money was spent, under the assumption that bigger inputs produce better outputs. By the 1980s, there was growing criticism of federal social programs and growing pressure to allow states more discretion to improve outcomes. The states' matching costs of federal social programs, especially Medicaid, skyrocketed, as well, during the 1980s, creating pressure to constrain costs without sacrificing services. By the 1990s, the shift of federal aid from places (i.e., state and local capital investment and general government purposes) to persons (i.e., payments to individuals) also locked states into programs that involve continual cost increases and pose complex outcome issues.

Yet, obtaining legislative relief by the 1980s had become difficult for the states because of divided government in Washington, partisan polarization in Congress and thick interest-group conflict. Governors, therefore, bypassed the legislative gridlock by pressing presidents for waiver relief, a strategy that proved most fruitful by the mid-1990s with the Clinton White House and Republican Congress. The only major change in federal-state social programs during the 1990s was the 1996 welfare reform, which affected the fiscally small AFDC program that served a politically weak clientele vulnerable to criticism for not working. Otherwise, efforts to enact a major overhaul of Medicaid were politically impossible. Hence, states still must rely on waivers to alter Medicaid – a process that state officials often find onerous and inhibiting of innovation.

Waivers are not without criticism. They jeopardize the integrity of the rule of law and potentially enhance executive power over legislative power in both Washington and state capitals. They also pose issues of democratic accountability insofar as they are negotiated and implemented by executive officials outside of

floodlit legislative processes. They raise questions of equity, as well, because they introduce variability in the implementation of law and, thus, equal-protection concerns, and they politicize law enforcement and inter-governmental programs.

### **The U.S. Supreme Court's State-Friendly Federalism**

The one federal dissenter from coercive or regulatory federalism has been the U.S. Supreme Court. Consistent with a trend that began in 1991, the Court's "Federalism Five" – Anthony Kennedy, Sandra Day O'Connor, William Rehnquist, Antonin Scalia and Clarence Thomas – continued their state-friendly jurisprudence during 2000-2001 by restraining federal power in important, though not revolutionary, ways. The Court has not overturned its 1985 *Garcia* decision in which it held that Congress can regulate the states through laws of general applicability and that states should rely on the national political process rather than on judicial enforcement of the 10th Amendment to protect their powers against federal encroachments. But the Court has increasingly skirted *Garcia* by limiting federal authority and protecting or restoring state authority in seven basic ways:

1. *Protecting the Republican Autonomy of State Politics.* Justice O'Connor has articulated a "state autonomy" defense of federalism based on the 10th Amendment and the Constitution's republican-guarantee clause (Art. IV, Sec. 4). In O'Connor's view, the federal government cannot deprive citizens of their essential republican (i.e., democratic) right to make fundamental decisions about their state polity. She advanced this argument in *Gregory v. Ashcroft* in 1991, which upheld a provision of the Missouri Constitution requiring state judges to retire at age 70, despite the federal Age Discrimination in Employment Act. O'Connor also recast the 10th Amendment as not so much a protector of traditional states' rights as of individuals' dual citizenship rights.

2. *Prohibiting Federal Conscription of State Officials.* A second strategy is to prohibit Congress from conscripting or commandeering state and local officials to execute federal laws. This doctrine was articulated in *New York v. United States* (1992), which declared unconstitutional the take-title provision of the Low-Level Radioactive Waste Disposal Act. The Court held that Congress violated the 10th Amendment by compelling states to enact such regulations. This doctrine was reaffirmed in *Printz v. United States* (1997) wherein the Court voided the interim provision in the Brady Handgun Control Act that required local law-enforcement officers to conduct background checks of



handgun buyers. Justice Scalia delivered an opinion upholding dual sovereignty and protecting state sovereignty against congressional encroachments through liberal interpretations of the necessary-and-proper clause of the federal Constitution. However, the Court narrowed this doctrine somewhat in *Reno v. Condon* in 2000 by holding that the doctrine prohibits only federal laws that “require the States in their sovereign capacity to regulate their own citizens.”

3. *Limiting the Federal Commerce Power.* A new strategy not seen since 1936 emerged in *United States v. Lopez* (1995), in which the Court struck down the Gun-Free School Zones Act of 1990 as an unconstitutional exercise of Congress’s interstate commerce power. Reversing 60 years of precedent, the majority opined: “To uphold the Government’s contentions here, we would have to pile inference upon inference in a manner that would bid fair to convert congressional authority under the Commerce Clause to a general police power of the sort retained by the States.” Although the Court is unlikely to roll back federal economic regulation significantly, *Lopez* signaled the Court’s readiness to prohibit regulation that unduly restricts state and local powers in areas not substantially related to interstate commerce.

Again, in *United States v. Morrison* (2000), the Court struck down a provision of the Violence Against Women Act as an overreaching of Congress’s commerce power. In a 2001 case raising a similar commerce issue, *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, the Court narrowed the interstate reach of federal environmental law by opining that in the absence of clear congressional intent, the U.S. Clean Water Act does not allow federal officials to regulate self-contained ponds and wetlands located within one state and not clearly tied to the nation’s interstate streams, lakes and other wetlands. However, the Court did not directly decide whether the applicable provision of the Clean Air Act exceeded the commerce power.

4. *Reasserting States’ Sovereign Immunity.* Equally striking has been the Court’s reassertion of states’ sovereign immunity under the 11th Amendment, which states: “The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.” In *Seminole Tribe v. Florida* (1996), the Court ruled that Congress cannot abrogate the states’ sovereign immunity through laws enacted under the Congress’s Article I powers. The Court strengthened this doctrine in *Alden v. Maine* (1999) by asserting that the states’ sovereign immunity

in any tribunal, including state courts, is an essential attribute of their sovereignty, which they retained when they entered the union, regardless of the federal Constitution’s delegations of power to the Congress in Article I and to the federal courts in Article III.

The Court reached similar results in two 2001 cases. In *Board of Trustees of the University of Alabama v. Garrett*, the Court ruled that private parties cannot sue states for monetary damages for alleged violations of the Americans with Disabilities Act. In *Alexander v. Sandoval*, the Court held that private parties may not sue federally funded state agencies to enforce the “disparate-impact regulations” issued under Title VI of the Civil Rights Act of 1964. Such regulations prohibit activities that have a disparate impact on racial minorities, even if there is no demonstration of intentional discrimination. Martha Sandoval had sued Alabama for failing to offer her a driver’s license exam in Spanish. The question was not the authority of the federal government to enforce such regulations; the Court simply limited private suits against the states. In the *Sandoval* case, moreover, Alabama had begun offering its driver’s license test in Spanish, French and five other languages after Sandoval won a trial-court victory in 1998. Following the Supreme Court’s ruling reversing Sandoval’s lower court victories, Governor Don Siegelman said that Alabama would continue offering the test in multiple languages.

5. *Limiting Section 5 of the 14th Amendment.* In *City of Boerne v. Flores* (1997), the Court struck down the federal Religious Freedom Restoration Act (RFRA). The case involved a church challenge under RFRA to the authority of Boerne to use its zoning power to prohibit the church to enlarge the size of its historic structure in a historic-preservation zone. “The power to interpret the Constitution in a case or controversy remains in the judiciary,” opined the Court. Congress cannot expand the scope of its enforcement power under Section 5 of the 14th Amendment beyond the “congruence and proportionality between the injury to be prevented and remedied and the means adopted to that end” in legislation. Justice Kennedy termed RFRA a “considerable intrusion into the states’ traditional prerogatives and general authority to regulate for the health and welfare of their citizens.”

The Court reached similar conclusions in three later cases. In *Florida Prepaid Postsecondary Education Expense Board v. College Savings Bank* (1999), the Court held that the Patent Remedy Act was not valid under Section 5. The Court ruled similarly on the Age Discrimination in Employment Act in 2000. In *Board of Trustees of the University of Alabama v. Garrett*, the Court also held that Titles I and II of the Americans

with Disabilities Act exceeded the Congress's Section 5 enforcement power.

6. *Requiring Plain Statements by Congress.* A sixth strategy requires "express" or "plain statements" in statutes of Congress's intent to preempt state authority (e.g., *Gregory v. Ashcroft* in 1991); to abrogate states' 11th Amendment immunity (*Atascadero State Hospital v. Scanlon* in 1985); to permit civil-rights suits against state and local governments under 42 U.S.C. Section 1983 (*Will v. Michigan Department of State Police* in 1989); and to attach conditions to grants-in-aid (*Suter v. Artist* in 1992). These rules are limited in their constraints on Congress, however, because Congress can expand its power simply by "expressly" stating its intent.

7. *Allowing States to be Laboratories of Democracy.* Another strategy is a laboratories-of-democracy view of state powers, derived from Justice Louis D. Brandeis's famous 1932 opinion that "a single courageous state may, if its citizens choose, serve as a laboratory, and try social and economic experiments without risk to the rest of the country." This strategy was well reflected in *Vacco v. Quill* and *Washington v. Glucksberg* in 1997, in which the Court declined to recognize physician-assisted suicide as a fundamental right under the 14th Amendment, thus upholding 49 state prohibitions of physician-assisted suicide. The Court did not deny that such a right might exist; it held instead that hitherto unrecognized 14th Amendment rights must be deeply rooted in the nation's history, legal traditions and moral practices, not in "the policy preferences of the members of this Court." The Court reserved to the 50 states the tasks of deciding whether physician-assisted suicide is to be recognized as a fundamental right and of experimenting with approaches to such a right. There is "no reason to think the democratic process will not strike the proper balance," wrote the majority in *Glucksberg*.

The above lines of jurisprudence, however, do not mean that the Court always or mostly favors state powers. In many areas of commerce, as well as civil rights, the Court still frequently limits state powers. For example, in 2000-2001, the Court struck down Massachusetts' Burma-sanctions law on the ground that it was preempted by federal law. The Court ruled that police roadblocks set up to check drivers for drugs at random are unconstitutional; police use of a thermal-imaging machine on the home of a suspected marijuana grower without a warrant is an unreasonable search in violation of the 4th Amendment; and the U.S. Controlled Substances Act contains no exception for private medical use of marijuana. The Court struck down a Missouri law that directed the state's congres-

sional delegation to support a constitutional amendment to limit congressional terms, and required ballots to label candidates for Congress as supporters or opponents of term limits. Nine other states had a similar law. In *Apprendi v. New Jersey*, the Court struck down a New Jersey hate-crimes law that allowed a judge to increase a felon's prison sentence for conduct not reviewed by the jury. The decision could trigger thousands of appeals by state prisoners because its broader holding is that a judge cannot exceed the statutory maximum sentence stipulated for a particular crime by considering extra evidence such as motive, weapon used or volume of drugs sold by the felon.

Whether the Court's state-friendly federalism rulings augur a new era of federalism is uncertain. Virtually all of these rulings have been 5-4 decisions, and the Court has been much criticized for the rulings. Critics have declared that the unelected Court is assaulting the powers of the people and substituting itself for the people's elected representatives in Congress. The states themselves were divided on many of these federalism cases. In *Garrett*, 14 states filed *amicus* briefs opposing Alabama. Consequently, the future composition of the Court was a major issue in the 2000 presidential election, with most observers assuming that Bush will nominate justices likely to align with the "Federalism Five."

Some critics have also urged the Court to retreat from its state-friendly jurisprudence in the face of terrorism. This is no time, they argue, for the Court to emphasize "states' rights" over national power. Justice John Paul Stevens had raised this issue in his 1997 *Printz* dissent, arguing that international terrorism might "require a national response before federal personnel can be made available ... Is there anything [in the U.S. Constitution] that forbids the enlistment of state officials to make that response effective?" Justice Stephen Breyer raised the same concern in a speech in October 2001, suggesting that enlisting state and local officials to combat terrorism could "help both the cause of effective security coordination and the cause of federalism." However, there are means short of conscription to ensure state and local cooperation, and the most common complaint of state and local officials has been of insufficient cooperation from federal officials. A policy of commandeering state and local officials could hamper cooperation by putting the federal government in the position of simply commanding rather than cooperating.

### Continuing Trends

Coercive or regulatory federalism emerged in the late 1960s from a confluence of developments, includ-

ing one-person, one-vote reapportionment; the spreading of television; and the proliferation of primary elections, all of which loosed members of Congress and presidents from their historic moorings to state and local governments and party organizations. As a result, the era has been bipartisanly coercive. Each party in Washington, D.C. champions “states’ rights” when it suits its policy preferences, but expands federal power to meet most of its policy preferences. In debates over a Patients’ Bill of Rights, for instance, most Democrats, asserting states’ rights, have sought to allow patients to sue health-care providers in state courts. President Bush and most Republicans have sought to contain such lawsuits in federal courts.

Although state and local officials and critics often view coercive or regulatory federalism as an unwelcome federal intrusion, this era of federalism also emerged with, and is partly sustained by, substantial state and local government support. Virtually all of the U.S. Supreme Court’s state-friendly rulings, for example, were opposed by some states, while other states declined to support the cases with *amici* briefs. While most governors support state sales-taxation of Internet transactions, a few governors oppose it. Nearly all federal preemptions, mandates, conditions of aid, and other coercive or regulatory federal policies have attracted support from some or many state and local officials. Frequently, state and local support falls along partisan policy lines paralleling those in Congress and the White House. If a Democratic president and congressional Democrats support a federal mandate, many Democratic state and local officials do so as well. If a Republican president and congressional Republicans support a preemption, many Republican state and local officials do so too. As a result, while discrete federal actions are supported by various state and local officials, the cumulative effect of those actions is unwelcomed by state and local officials.

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### About the Author

**John Kincaid** is the Robert B. and Helen S. Meyner Professor of Government and Public Service and director of the Meyner Center for the Study of State and Local Government at Lafayette College in Easton, Pennsylvania. He is also editor of *Publius: The Journal of Federalism*.



## Evolving State-Local Relations

By Joseph F. Zimmerman

*This article describes the division of political powers between state and local governments, the emergence of innovative state programs assisting substate governments, state initiatives to improve the coordination and effectiveness of state and local government service-delivery and regulatory programs, and the desirability of broadening the powers of general-purpose local governments to allow them to achieve their goals in the most economical, efficient and effective manner.*

*The fact that most governmental services in the United States are provided directly to citizens by local governments is testimony to their importance. Nevertheless, these substate units, although they may be termed “home-rule” municipalities, are not autonomous. In all states, local governments are subject to various controls by their respective state governments, including costly state mandates, which are the principal irritant in state-local relations in a significant number of states.*

### Power Division

An examination of state constitutions and statutes reveals that there are three spheres of power – a sphere generally controlled by local governments, a sphere generally controlled by the state government, and a shared local and state sphere. A brief review of the three methods by which powers are distributed between the state and its local governments will help to identify these spheres, the principal irritants in state-local relations and the need for state constitutional changes to enhance the effectiveness of general-purpose local governments.

Under the English common-law *Ultra Vires* Rule, the state legislature historically possessed complete power over local governments and could grant whatever powers it wished to individual local governments or classes of such governments. This rule became known popularly as Dillon’s Rule after Judge John F. Dillon included two of his 1868 decisions based on the *Ultra Vires* Rule in his *Commentaries on the Law of Municipal Corporations*, published in 1911.<sup>1</sup>

The U.S. Constitution offers no protection to local governments against state legislative interference. In 1923, the United States Supreme Court opined, “[a] municipality is merely a department of the State, and the State may withhold, grant, or withdraw powers and privileges as it sees fit. However great or small its sphere of action, it remains the creature of the State exercising and holding powers and privileges subject to the sovereign will.”<sup>2</sup>

Political commentators often conclude that local governments in a Dillon’s Rule state possess little discretionary authority. They fail, however, to recognize that the state legislature is free to devolve important powers, as illustrated by the Virginia General Assembly granting relatively broad discretionary authority to cities with respect to finance, personnel

and functions that can be performed.

Nineteenth-century state legislatures abused their plenary powers by enacting “ripper laws,” which generated a movement to amend state constitutions in order to restrict the powers of state legislatures, including prohibiting the enactment of special acts. Forty-one constitutions currently prohibit enactment of a special law, unless the local government concerned requests it. Continuing local government unhappiness with legislative interference resulted in a proposal to establish within states a federal system known as an *Imperium in Imperio*. In 1921, the National Municipal League, now the National Civic League, recommended that each state constitution be amended to grant specified powers to general-purpose local governments. Sixteen state constitutions contain an *Imperium in Imperio* provision, limited typically to governmental structure, property and “local affairs.” The Illinois electorate in 1970 ratified a proposed constitution containing a section that declares counties with an elected chief executive and a municipality with a population exceeding 25,000 to be “home-rule” units, which are granted constitutional protection relative to their authority to determine the form of local government and the terms of office for elected officials.<sup>3</sup> “Home rule” is protected by the following stipulation: “[a] home-rule unit by referendum may elect not to be a home-rule unit.”<sup>4</sup>

Constitutional *Imperium in Imperio* provisions generally have ensured that covered municipalities have complete discretion to determine their organizational structure and to control their property without legislative intrusion. The “local affairs” grant of power has resulted in clashes with state legislatures and decisions by state courts that typically uphold statutes alleged to encroach on local affairs. Courts tend to follow a 1929 New York Court of Appeals opinion that developed the “state-concern” doctrine. The court specifically held

that the state legislature may enact a special law, provided there is a substantial state concern, even “though intermingled with it are concerns of the locality.”<sup>5</sup>

Municipal officers were not completely satisfied with the protection offered by the constitutional *Imperium in Imperio* guarantee. In 1952, the American Municipal Association, now the National League of Cities, engaged Dean Jefferson B. Fordham of the University of Pennsylvania Law School to develop proposals to increase the legal competence of municipalities and to protect them against legislative interference. His 1953 report recommended amending the state constitution to direct the state legislature, upon a municipality adopting a new charter, to devolve to the municipality all powers capable of devolution except two: civil relations, and the definition and punishment of a felony.<sup>6</sup> Several state constitutions have been amended to devolve powers to general-purpose local governments regardless of whether they adopt new charters. In addition, a number of devolution provisions withhold powers from local governments beyond the two powers Fordham recommended.

Surprisingly, the Fordham approach is a legislative supremacy approach, yet it grants the broadest powers to general-purpose local governments and removes the need for courts to delineate the scope of municipal powers. Although the state legislature can enact a general law removing powers from all or classes of local governments, experience reveals it is politically difficult for a state legislature to remove a power.

### State-Local Government Irritants

State legislatures have provided financial assistance to local governments for decades in the form of general revenue sharing and/or conditional grants-in-aid. While welcoming such aid, local governments complain about certain attached conditions. A greater irritant is traceable to the 19th century, when state legislatures commenced to mandate that all or specified local governments must initiate a specific action that usually necessitates expenditures. Local government officials often agree with the purpose of a mandate, but resent that there is no reimbursement for mandated costs and may view a mandate as a device to shift expenses from the state government to them. Several so-called state mandates are “pass through” federal mandates contained in congressional minimum standards preemption acts. To obtain regulatory primacy, a state must enact or adopt by regulations standards that meet the federal ones pertaining to matters such as air and water pollution.<sup>7</sup>

States impose 15 types of state mandates, ranging from due process and entitlement ones to tax-base and

training ones.<sup>8</sup> Currently, complaints from local governments have resulted in the amendment of 16 state constitutions and enactment of statutes in 19 states to provide mandate relief. From the standpoint of local governments, the most effective provisions are the California and New Hampshire ones that require full funding of mandated costs, and the Maine provision requiring the state to reimburse 90 percent of mandated costs, unless the mandate is approved by a two-thirds vote of the members of each house.<sup>9</sup>

A late 2001 survey of 22 state municipal leagues and associations of counties suggests the constitutional and statutory relief statutes have been effective in defusing state mandates as a major irritant in several states. Only nine surveyed leagues and associations reported state mandates were still a major problem, while 13 leagues and associations viewed mandates as a minor problem. One municipal league reported: “Legislative unfunded mandates are not as much of a problem as in the past. Rules and regulations now appear to be the Trojan horse for state and federal unfunded mandates.” A second municipal league is convinced that the “state tends to micromanage local government; for example, rights-of-way management restrictions, mandatory police-discipline procedures, etc.” A third league complained, “the state is slowly eroding the authority of cities to control development” by means of land-development standards and procedures.

The 1999 Minnesota Legislature responded to complaints directed at administrative rules and regulations by enacting a statute that allows cities and counties to challenge rules and regulations by demonstrating they no longer are needed, no longer reasonable, or there is a less costly or less intrusive method of achieving the rule’s goal. The statute contains a 2006 sunset clause.<sup>10</sup>

The North Carolina Association of County Commissioners included in its 2001-2002 Legislative Goals the following suggested division of responsibilities for financing mandated programs:<sup>11</sup>

- Where the state has mandated county financing in broad terms, permitting county commissioners discretion as to the level of service to be provided, counties should have the primary responsibility for finance.
- In those cases where the General Assembly has deemed that a minimum or basic service should be equally available to all state residents, the state should have the financial responsibility. County financial participation should be limited to sharing the administrative costs of the program.
- The federal government should finance those services initiated by the federal government to provide income maintenance for all citizens.

Six leagues and associations reported that state tax limits were a major problem, five cited them as a minor problem, and the remainder reported that such limits were not a problem. Only two associations listed state debt limits as a major problem. Not surprisingly, 19 associations cited as a major problem the inadequacy of state financial aid and 15 cited inadequate state education aid. Eight associations indicated the lack of home-rule powers was a major problem, and 11 associations reported the lack of home-rule powers was a minor problem. Three associations were satisfied with the grant of home-rule powers. Employment of the initiative process to put a lid on spending was viewed as a major problem by seven associations and a minor problem by three other associations.

### State-Sponsored Resource Pools

States have provided indirect financial assistance to local governments by state-authorized mechanisms that permit the aggregation of the resources of local governments. These mechanisms include municipal bond banks and municipal infrastructure, investment, insurance and purchasing pools.

Nine states have established bond banks to facilitate municipal borrowing and to lower premium and transaction costs. Each local governing body determines whether to participate in a bank. Small local governments with low credit ratings find the banks to be particularly valuable. However, a unit can be excluded from benefiting from a bond issue if its participation would lower the issue's credit rating and result in a higher interest rate. Funds obtained from a bond issue are utilized by a bank to purchase the general obligation bonds of participating municipalities, with any surplus invested in U.S. securities. There are no annual trustee, paying agent, or disclosure fees, but there is a low bank fee that includes the cost of bond insurance. The 2000 Minnesota Legislature took a different approach to assisting counties by authorizing a state guarantee of payment of certain county debt obligations, thereby enabling counties to borrow funds at a lower interest rate.<sup>12</sup>

Bond pools are similar to bond banks and have been established for particular purposes, such as financing the construction of wastewater-treatment plants or rehabilitating public-works systems. It should be noted that associations of local government officers have organized similar pools. The Association of County Commissioners of Georgia has a tax anticipation note (TAN) pool, and the Kentucky Municipal League operates a bond pool.

The 1991 Louisiana Legislature created a Local Government Environmental Facilities Authority, now

the Local Governmental Environmental Facilities and Community Development Authority, to assist local governments to improve landfills and wastewater systems. The authority was intended to help local governments fund the estimated \$1 billion it would take to improve wastewater systems and landfills in order to comply with federal and state standards.<sup>13</sup> A 1997 amendment authorizes special districts to join the pool and general-purpose local governments to finance economic-development projects through the authority.

Twenty-eight state governments have organized investment pools to provide professional management of idle local government funds, generate a higher rate of interest on invested funds, reduce risks through a diversified investment portfolio, improve local government liquidity by allowing daily withdrawal of funds, and reduce the cash management activities of the participants.

The state treasurer is responsible for investing the funds and is assisted by a state investment board authorized to promulgate rules governing the pool, including its investment portfolio and operations. A pool may invest in the same obligations in which individual municipalities legally may invest. Two municipal associations operate similar pools. The League of Minnesota Cities operates such a pool for its members and the Illinois Municipal League has a Local Government Investment Trust, which offers members short-term investment opportunities.

Municipalities in 37 states need to secure insurance coverage because courts have ruled that municipalities no longer have immunity from suit. Twenty-one state legislatures have established municipal insurance pools, and two or more California municipalities are authorized by joint-exercise-of-powers statutes to organize insurance pools. Local governments benefit from group risk protection in terms of premium savings, with each participating unit responsible for a deductible minimum, usually \$1,000, with the loss remainder covered by the pool up to a specified amount.

The Texas Municipal League operates a Workmen's Compensation Joint Insurance Fund, and its premium is 25 percent less than the commercial insurance premium for the same coverage. The fund also pays an annual four-percent dividend on premiums. The League of Minnesota similarly has an insurance trust that provides dental, group health, property/casualty and workers' compensation coverage. The Michigan Association of Counties Service Corporation provides health insurance, automobile and homeowners insurance, Ameritech telephone revenue, workers' compensation and inmate health care programs for its members. And the New Hampshire Municipal Association is the sponsor of a Health Insurance Trust, which offers

benefit packages for county, municipal and school district employees.

Some state legislatures have established a central purchasing agency to use its buying power to obtain quantity discounts on products and raw materials. Local governments are authorized to purchase supplies from the state purchasing agency, such as the Minnesota Department of Administration, which passes along its savings to the local governments. The Michigan Association of Counties Service Corporation operates a discount office-supplies and computer-purchasing program for its members. In 2000, the International City/County Management Association and The Council of State Governments created a web site, <http://www.govstoreusa.com>, to improve the purchasing power of smaller governmental jurisdictions and to provide a wider variety of quality products to all governmental bodies.

To avoid the need to obtain the approval of the state bond commission or voters, the Louisiana Municipal Association inaugurated a government tax-exempt equipment-acquisition program, which, in conjunction with banks affiliated with the First Commerce Corporation, provides municipalities with low-cost loans.

### Improvement of Coordination

The fact that there are 50 state governments and more than 86,000 local governments presents numerous opportunities for uncoordinated regulatory activities and delivery of services. Where two or more governments have overlapping responsibilities, conflicts may erupt and problem solving may become more difficult and expensive. In consequence, state legislatures have enacted innovative statutes designed to improve coordination of regulatory and service-delivery programs, to ensure a service-delivery strategy is adopted by local governments, and to authorize substate units to enter into intergovernmental service agreements and to transfer responsibility for specified functions.

For example, rapid economic development and population growth have created numerous problems in Florida, where citizens desire to protect the environment. The state's intergovernmental system has been modified during the past quarter century, yet in the mid-1990's, there was general agreement that the system did not ensure adequate home rule, appropriate state oversight, or economical and efficient delivery of services.

In 1995, a Summit on Intergovernmental Challenges in Florida was held in the state capitol to address weaknesses in the system. Participants included state officers and local government associa-

tions' officers. The summit examined the unfunded state-mandate problem, major functional and structural problems, and the unclear assignment of functional responsibilities. Attendees at the summit agreed that the associations and the Advisory Council on Intergovernmental Relations should prepare strategies to address the identified problems.

Similarly, the 1997 Georgia Legislature enacted the Georgia Service Delivery Act on the premise that service delivery could be improved if all local governments in each county were required to meet at a specified place on a date set by the county to commence preparing a service-delivery strategy.<sup>14</sup>

The mandated strategy must: identify all services provided by the county, cities, and public authorities; assign each unit responsibility for listed services in specified areas of the county; explain the funding of each service; and identify existing and potential intergovernmental service agreements. Each county was required to submit its service-delivery-strategy agreement to the state Department of Community Affairs. A local government not included in a department-verified strategy is ineligible to receive state financial assistance, grants, loans or permits.

The Association of County Commissioners of Georgia concluded that the Georgia Service Delivery Act has been successful in providing municipal tax equity, but in its 2002 County Platform, the group urged the General Assembly to amend the act to ensure equitable treatment for taxpayers, regardless of whether they live in a municipality or an unincorporated area.<sup>15</sup> The association specifically recommended enactment of a statute "which would prevent subsidization of city operations by counties and unincorporated taxpayers through utility franchise fees, through county property-tax exemptions on municipal profit-making enterprise and through 'double-dip' distributions of sales-tax revenues that provide inequitable benefits to municipal residents."

In New Mexico, the Local Government Division of Department of Finance and Administration discovered that 10 cabinet-level agencies administered 25 infrastructure programs, and federal agencies also administered other such programs. The discovery led to the creation of the Intergovernmental Infrastructure Group to assist local governments to overcome obstacles encountered in obtaining state and federal funds. The group established two objectives: streamlining the application and funding procedures, and ensuring public funds are invested in the most efficient and rational manner. One of the group's initial achievements was preparation of a single pre-application form containing information to be shared with potential funding agencies. The group

recommended that councils of governments be funded by state and local governments to allow them to assist local units to apply for funds and ensure the plans are based upon adequate population and tax-revenue projections, economic development goals, etc.

The 1993 North Dakota Legislature enacted a Tool Chest for Local Government Act to encourage coordination of local government activities. The act authorizes new and revised tools that allow substate units to change their functional responsibilities and structure.<sup>16</sup> Local governments may execute a joint-powers agreement, enter into service agreements with private and public partners, share appointive and elective officers with other governmental units, establish a consolidation study commission, and transfer a function to another unit. A city may initiate a multicounty home-rule charter process, including adoption of a multicounty home-rule charter or consolidation with another city. In addition, a city may disincorporate.

### Proposals for State Actions

The solutions to statewide problems require state government leadership. The need for such leadership is particularly acute relative to those local governments with small professional staffs and that lack resources that are essential for eliminating problems. The needed leadership can assume many forms: 1) incentive grants to promote specified types of activities, 2) authorization for new interjurisdictional organizational arrangements, 3) grant of broader local government discretionary authority, 4) recodification of state statutes relating to local governments, 5) establishment of a procedure for the transfer of municipal functions to counties or the state government, 6) creation of a default system for the performance of critical functions, and 7) a directive requiring each general-purpose local government to establish a governmental-structure review commission.

The Georgia Greenspace Program is a good example of a state providing incentives to local governments to promote certain activities. Rampant urban development in many metropolitan areas has generated a popular movement to preserve open space, because many local governments, desiring to expand their tax base and to accommodate residential growth, have failed to initiate action to protect green spaces. In 2000, the Georgia Legislature provided leadership in addressing this problem by establishing a Greenspace Program that provides incentives for counties and municipalities to preserve a minimum of 20 percent of their undeveloped land.<sup>17</sup> The enabling statute created a Georgia Greenspace Trust Fund, with a fiscal 2001 appropriation of \$30 million, and a Greenspace Commission,

which receives each county's application and its greenspace-protection plan. If the plan is approved, the county receives grants to help defray the costs of acquiring real property or conservation easements.

Eligibility criteria for a county to participate in the program include: a population exceeding 60,000, or an average annual population growth of 800 persons between 1990 and the most recent U.S. Census Bureau population estimate. The greenspace funds can be utilized to: 1) acquire new land, land in fee simple and conservation easements; 2) permanently protect local government-owned land; 3) place easements on conservation and recreational lands not permanently protected; 4) create a restrictive covenant in favor of a federal government agency; and 5) initiate any other action to further the goals of the Greenspace Program.

Innovative approaches can be used to solve a variety of local government problems. For example, professional educators in the 19th century were aware that small school districts could not afford to hire a full-time superintendent, and so they promoted the formation of a school superintendency union, under which one superintendent would serve several small districts. This approach has been used to a very limited extent by groups of two small towns in Maine and Vermont, which have hired a common town manager. In addition, several small New Hampshire towns have hired the same consulting firm to provide professional management services.

State legislatures should consider offering incentives to small general-purpose local governments, particularly ones in rural areas, and their respective counties, in order to organize an administrative federation, with a professional county manager also serving as manager of the subcounty units. Policy-making would remain decentralized, with each governing body continuing to make decisions, and policy implementation would be the responsibility of the county manager. This system has operated successfully since 1942 in the Republic of Ireland, where the county manager is the manager of all other local governments in the county, except cities.<sup>18</sup>

Broadening the authority of local governments to contract with private firms for service and infrastructure provision merits consideration by state legislatures. Since 1934, Dallas, Texas has been authorized to accept bids from banks and credit unions that desire to act as city treasurer.<sup>19</sup> The city council appoints the highest bidder as city treasurer, at an annual salary of five dollars for a two-year term, with an option to extend the contract for an additional two years without competitive bidding. This arrangement produces revenue for the city and also avoids the costs of employ-



ing a treasurer and staff, and of furnishing office space, equipment and supplies.

Many local governments lack capital to construct and operate new infrastructure facilities. The solution to this problem is legislative authorization for local governments to enter into lease-purchase contracts with private firms. Under these arrangements, a firm agrees to construct and operate a facility for a stipulated annual fee, with the ownership of the facility to be transferred to the local government at the termination of the contract. This type of authorization also would avoid excessively restrictive constitutional municipal-debt limits in certain states.

In a number of states, all or certain classes of local governments are hindered by statutes that have not been recodified for many decades. These statutes often contain archaic and unnecessary prohibitions and restrictions inhibiting political subdivisions' ability to solve problems and deliver services in the most cost effective and efficient manner. A policy of periodic recodification of pertinent statutes would benefit these state governments, local governments and taxpayers.

Service delivery also could be improved if legislatures passed statutes authorizing subcounty governments to voluntarily transfer functional responsibility to the county. Such provisions exist in 10 states, but the required voter referendum in five of these states often prohibits transfers. In New York, for example, the constitution does not allow a city or town to transfer a function to the county unless city voters as a unit and town voters as a unit approve the proposed transfer.<sup>20</sup> A proposal to transfer a village function to the county requires a triple concurrent vote of approval: city voters, town voters and village voters.

State legislatures also should give consideration to assuming responsibility for a local government function that has not been administered effectively by substate governments or has placed a major financial burden on them. The Rhode Island Legislature, for example, abolished city and town health departments and transferred their functions to the state health department.<sup>21</sup> Similarly, Delaware, Massachusetts and Vermont transferred responsibility for social welfare from local governments to the state, thereby providing substantial financial relief for the local units.<sup>22</sup>

Another approach worthy of consideration by the state legislatures is a default system for local government performance of critical functions. The New York Freshwater Wetlands Act, for example, authorizes each local government to enact a local freshwater-wetlands-protection law or ordinance meeting minimum state standards.<sup>23</sup> If a local government fails to adopt a plan meeting state standards, the local government is

deemed to have transferred the function to the county. Should a county fail within a 90-day period to adopt a local freshwater-wetlands-protection law, the county is deemed to have transferred the function to the state Department of Environmental Conservation.

Numerous cities have charters granted by the state legislature in the 19th century that have had piecemeal amendments over the years. An examination of such charters reveals that the prescribed organizational structure is not the ideal one for the 21st century. Similarly, state statutes relating to nonchartered general-purpose local governments also may prescribe an outmoded organizational structure, as illustrated by the New York Town Law that established a parliamentary-like system for towns, with no separation of executive and legislative powers.

Although numerous local governments possess constitutional and or statutory "home-rule" powers that allow them to supersede statutorily prescribed organizational forms, inertia typically results in no organizational structural changes. The state legislature could provide leadership in promoting organizational change by enacting a statute providing incentive grants to local governments to establish organizational study committees and authorizing the state to provide technical assistance.

### Conclusions

Innovative state programs described here reveal the desirability of each state establishing a genuine partnership with its political subdivisions, with the state playing a major leadership role. In particular, state paternalism, where it exists, should be abandoned. Instead, state elected officers should welcome new policy suggestions by local government officers and accord a sympathetic hearing to their views on proposed state policy initiatives.

It is critically important for states to grant broad discretionary authority to general-purpose local governments in order to establish harmonious state-local relations. States can and should take actions to facilitate and support the work of political subdivisions, to enable them to fully mobilize public and private resources, to ensure coordination of their activities, and to encourage local governmental organizational changes that promote the most economical and efficient delivery of services.

### Notes

<sup>1</sup> John F. Dillon, *Commentaries on the Law of Municipal Corporations* (Boston: Little Brown and Company, 1911).

<sup>2</sup> *City of Trenton v. State of New Jersey*, 262 U.S. 182 at 187.

<sup>3</sup> Ill. Const. art. VII, § 6(a).

<sup>4</sup> Ill. Const. art. VII, § 6.

<sup>5</sup> *Adler v. Deegan*, 251 N.Y. 467 at 473, 167 N.E. 705 at 707 (1929).

<sup>6</sup> Jefferson B. Fordham, *Model Constitutional Provisions for Municipal Home Rule* (Chicago: American Municipal Association, 1953).

<sup>7</sup> Joseph F. Zimmerman, *Federal Preemption: The Silent Revolution* (Ames: Iowa State University Press, 1991).

<sup>8</sup> Joseph F. Zimmerman, *State-Local Relations: A Partnership Approach*, 2nd ed. (Westport, CT: Praeger Publishers, 1995), 87-88.

<sup>9</sup> Zimmerman, *State-Local Relations*, 85-115.

<sup>10</sup> Minn. Stat. § 14.091.

<sup>11</sup> North Carolina Association of County Commissioners, *2001-2002 Legislative Goals*, 18-19.

<sup>12</sup> Minn. Stat. § 375.45.

<sup>13</sup> *Louisiana Act of 1991*, Act 813; *Louisiana Acts of 1997*, Act 1151; and *Louisiana Revised Statutes*, §§ 4518.1-4518.16.

<sup>14</sup> Ga. Code § 36-70-22.

<sup>15</sup> Association of County Commissioners of Georgia, *2002 County Platform*, 5.

<sup>16</sup> N. D. Cen. Code § 40-01-1.04.

<sup>17</sup> Ga. Code § 36-22-1.

<sup>18</sup> Joseph F. Zimmerman, "The Irish City and County Management System," *Home Rule & Civil Society*, no. 11 (2000): 21-36.

<sup>19</sup> Dallas, Texas, City Charter, chap. 3, § 20.

<sup>20</sup> N.Y. Const. art. IX § 1(h)(1).

<sup>21</sup> R. I. Laws of 1964, ch. 176 and R. I. Gen. Laws §§ 23-1-17 through 23-1-29.

<sup>22</sup> Del. Code Ann. tit. 29, § 7901; Mass. Gen. Laws, ch. 117-19; and Vt. Stat. Ann. tit. 33, §§ 2501-307.

<sup>23</sup> N. Y. Environmental Conservation Law, art. 24, §§ 24-0101 through 24-1301.

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## About the Author

**Joseph F. Zimmerman** is a professor of political science at Rockefeller College of the State University of New York at Albany. He is the author of more than 25 books and articles published in more than three dozen journals and periodicals.

## Trends in Interstate Relations: Political and Administrative Cooperation

By Joseph F. Zimmerman

*This article examines recent developments involving a sample of interstate compacts and formal interstate administrative agreements, the purpose of which is to promote harmonious relations between sister states by resolving disputes and encouraging interstate cooperation.*

The U.S. Constitution contains three interstate relations clauses based upon the overarching principle of legal reciprocity: full faith and credit, privileges and immunities, and rendition. It also contains one clause authorizing interstate compacts, which allows a state to enter into "any agreement or compact with another state" only with the consent of Congress (U.S. Const. art 1, § 10).<sup>1</sup> The constitution is silent relative to the considerably larger number of interstate administrative agreements that state government officers enter into with their counterparts in sister states.

### Interstate Compacts

Based on favorable experience with intercolony compacts, the Articles of Confederation and Perpetual Union, effective in 1781, authorized states to enter into interstate compacts with the consent of Congress. A generally similar provision is included in the U.S. Constitution (art. 1, § 10). During the confederacy, Congress consented to the first regulatory interstate compact, which was between Maryland and Virginia, and three compacts establishing state boundaries.

Congress can grant consent to a compact prior to or subsequent to its enactment by the concerned state legislatures. In 1893, the U.S. Supreme Court opined in *Virginia v. Tennessee* (148 U.S. 503 at 520) that only "political compacts" require the consent of Congress, and a number of compacts subsequently were not submitted to Congress. Nevertheless, nonpolitical compacts have been submitted to Congress for its consent commencing with the 1921 Port of New York Authority Compact, because bond counsels advised that such consent would facilitate sale of the bonds the authority planned to issue. The Court initially held that congressional consent does not make a compact federal law in addition to state law, but in 1981, it overruled the precedent in *Cuyler v. Adams* (449 U.S. 433).

Congressional consent can be unlimited or limited in time. The Interstate Oil and Gas Compact and the Atlantic States Marine Fisheries Compact were subject to sunset provisions that subsequently were removed by Congress. Currently, each of the 10 low-level radioactive-waste compacts has a five-year consent provision. The Northeast Interstate Dairy Compact received congressional consent in 1996 for three years,

at the end of which consent was extended for two years. However, the compact became dormant on October 1, 2001, because Congress failed to extend its consent.

Does the 11th Amendment to the U.S. Constitution extend immunity from suits to states that enter into an interstate compact? In 1999, the U.S. District Court for the District of Nebraska (68 F. Supp.2d 1093 at 1100) ruled the State of Nebraska waived its 11th Amendment immunity when it joined the Central Low-Level Radioactive Waste Compact, and the U.S. Court of Appeals affirmed the decision in 2001 for the Eighth Circuit (241 F.3d 979 at 991-92).

The U.S. Supreme Court occasionally is called upon to settle a dispute between compact members. Kansas filed an original jurisdiction suit against Colorado, alleging Colorado had violated provisions of the Arkansas River Compact. The High Court ruled in 1995 in favor of Colorado (514 U.S. 669). Kansas subsequently filed a new suit again against Colorado, and in 2001, the Court (121 S.Ct. 2023) rejected Colorado's argument that the 11th Amendment barred a special master's recommendation for a damage award against the state.

An interstate compact may be bilateral, multilateral, sectional or national in terms of membership. There are 26 types of compacts, including federal-state ones, classified by subject matter ranging from advisory to taxation.<sup>2</sup> They may be administered by a commission or by regular departments of member states. The best mode of administration is determined in part by the subject matter of a compact. Unified administrative direction is essential if the purpose of a compact is construction and operation of infrastructure facilities, such as bridges and tunnels. Regulatory compacts also can function successfully if an interstate commission administers them. On the other hand, member state departments readily administer service-provision compacts, such as the Interstate Compact on Juveniles, and regulatory compacts such as the Driver's License Compact.

### Recent Developments

The 1920 Port of New York Compact, entered into by New Jersey and New York, was the first one to establish a commission. The authority currently is



responsible for six container port and marine terminals, three industrial parks, a rapid-transit system used by 70 million passengers annually, the Holland and Lincoln Tunnels, four transportation centers and a teleport, the world's first satellite communication center. In addition, the authority leases LaGuardia Airport and Kennedy Airport from New York City, leases Newark Airport from the City of Newark and also operates Teterboro Airport and the Downtown Manhattan and West 30th Street Heliports.

The self-financing authority has a relatively long list of accomplishments, but has been criticized for decades for failing to solve the rail-freight problem in the metropolitan area. In 2001, long-time student of the authority Jameson W. Doig noted that between 1972 and 2000, the authority was characterized by "drift, patronage, and favoritism, and the search for new goals."<sup>3</sup> In his judgment, the commissioners' independence "declined in the '90s and they were not strong and were taking their marching orders from the governors when the governors cared about the agency."<sup>4</sup> This criticism was echoed by executive director Robert Yaro of the Regional Plan Association, who maintained that in the 1990s, the authority "became 'a cookie jar' for pet projects of the two governors." But he added, "We feel that they have gotten back on track and are a leaner, meaner, and more focused place than they have been in 40 years."<sup>5</sup>

The Dresden Interstate School Compact is the first of two compacts establishing an interstate school district. This New Hampshire-Vermont compact, which unites the towns of Hanover, New Hampshire and Norwich, Vermont, dates to 1963 and has been considered a model for such compacts. Currently, the compact faces the possibility of becoming dormant because of an unanticipated consequence of Vermont's Act 60 of 1997, which imposed a statewide property tax and required school districts spending more than the state education block and categorical grants to contribute part of their school property-tax revenues to a state educational-sharing pool to be used for equalization purposes. Norwich is a donor to the pool.

The school district is facing an enrollment bubble that will peak in 2004 and must expand its facilities to accommodate additional students. If the district decides to increase capital spending, Norwich will carry a considerably heavier burden than Hanover, since the former has to contribute approximately 30 percent of its property-tax revenues to the state pool. The Norwich members of the school-district board suggested a capital-financing program that would place a smaller burden on Norwich, but Hanover residents are in agreement they should not subsidize the Act 60 program,

because they have no voice in determining Vermont educational policies. "No taxation without representation" has become a popular phrase in Hanover.

The Connecticut River Basin Atlantic Salmon Restoration Compact dates to a 1967 interstate-federal administrative agreement between Connecticut, Massachusetts, New Hampshire, Vermont, the U. S. Fish and Wildlife Service and the National Marine Fisheries Service designed to restore anadromous fish to the river. Subsequently, the legislature of each of the four states enacted the compact, and Congress granted consent in 1983 (97 Stat. 866). To date, compact commission programs have resulted in: an annual return of hundreds of sea-run salmon; development of a river-specific egg source; in-stream production of smolts; installation of fist ladders at the first five river dams; removal of one Ashuelot River dam; production of approximately 13.6 million Atlantic salmon eggs; and the release of approximately 9.3 million salmon as of September 30, 2000.

The Northeast Interstate Dairy Compact was controversial since it received congressional consent in 1996 (110 Stat. 919) and was viewed by consumer advocates as a cartel that raised the price of fluid milk. Midwest dairy farmers and large milk processors also opposed the compact. Academic studies revealed that the compact resulted in higher milk prices, but one study suggested part of the price increase was attributable to milk processors and retailers enlarging their profit margins. The compact became dormant on October 1, 2001, when its congressional consent expired.

In 1982, Congress granted its consent (96 Stat. 1207) to the New Hampshire-Vermont Interstate Solid Waste Compact. This compact is unique in that it did not create a commission, but authorized one or more municipalities in each state to enter into an administrative agreement with one or more counterparts in the other state in order to construct and operate – with the approval of the U.S. EPA – a resource-recovery facility, a sanitary landfill or both. A group of Vermont towns formed the Southern Windsor-Windham Counties Solid Waste Management District, and several New Hampshire municipalities formed the Sullivan County Regional Refuse District.

In 1989, the two districts signed the New Hampshire-Vermont Solid Waste Project Cooperative Agreement providing that the project would be under the control of joint meetings of the governing bodies of the two districts. A decision was made to construct an incinerator and an ash landfill in New Hampshire. Vermont towns appear to be satisfied with the project, but residents of Claremont and neighboring participating New Hampshire towns are highly critical of pollu-

tion emitted by the incinerator and alleged resulting health problems.

The project entered into a contract with Wheelabrator Claremont Company to operate the incinerator. The interstate agreement probably will be terminated when the Wheelabrator contract expires in 2007, due to the 2005 deadline the EPA has established for reducing incinerator emissions of mercury, which would necessitate the installation of equipment costing over \$1 million. All New Hampshire municipalities desire to withdraw from the agreement.

### **Interstate Administrative Agreements**

Broad discretionary authority has been granted by state legislatures to the heads of specific departments and agencies to enter into formal cooperative administrative agreements with their counterparts in sister states and/or Canadian provinces, Mexican states and occasionally other nations.

A formal covenant may authorize exchange of information, a study and/or cooperative administrative action. Agreements involve nearly all governmental functions and may be entered into by all states, a majority of states, or – most commonly – two or more states in a region. The number of new formal agreements varies from year to year. Unfortunately, there is no single depository for written agreements in any state.

Informal, verbal cooperation is considerably more common than formal cooperation and may be ad hoc or continuing in nature. Department and agency heads in each state often informally agree upon cooperative arrangements relating to consumer fraud, forest fires, “hot-pursuit” chases of fleeing motor vehicles, loans of personnel and equipment, the use of a specialized state-laboratory facility by a department or agency of another state and other activities. Such agreements most often relate to emergency situations.

National and regional associations of state government officials encourage members to enter into formal and informal cooperative endeavors. The personal contacts established by state administrative officers attending professional meetings also facilitate entrance into cooperative agreements. National and regional associations of governors have been especially successful in promoting interstate cooperation in a wide variety of functional fields.

### ***Recent Developments***

Criminal-justice agreements primarily involve state attorneys general and police agencies, but state welfare officers also cooperate with each other to detect welfare fraud and refer such cases to prosecuting attorneys. The attorney general is a state’s chief legal offi-

cer, possesses broad prosecutorial discretionary authority and works closely with his or her counterparts in other states and criminal-justice agencies.

State attorneys general frequently engage in cooperative interstate projects, primarily through the National Association of Attorneys General (NAAG), which encourages joint state law-enforcement efforts, adopts positions on legal issues, conducts research and provides information to members. The organization also supports attorneys general who have cases before the U.S. Supreme Court, advocates enactment of uniform state laws and amendment of federal laws, and facilitates interaction among members. Attorneys general in 40 states and Puerto Rico received national and international publicity when they sued five major tobacco companies. They achieved a major out-of-court settlement with the companies to recover Medicaid costs totaling \$246 billion incurred in treating residents for tobacco-induced illnesses. Similar successful lawsuits have been brought by groups of attorneys general relative to a variety of subjects, such as false claims made for building siding and a conspiracy by contact-lenses manufacturers to restrict availability of lenses through retail stores.

Administratively, since 1985, NAAG has performed a quasi-legislative function by issuing guidelines containing uniform standards for the exercise of prosecutorial discretion. The guidelines are similar to uniform state laws, but do not require statutory enactment. Guidelines issued to date pertain to: air-travel industry enforcement, electricity marketing, environmental-marketing claims, horizontal mergers, pre-merger disclosure and vertical restraints. The merger guidelines were NAAG’s response to perceived lax enforcement of federal antitrust statutes.

Six regional criminal-justice-intelligence agreements have been signed by groups of states to apprehend highly mobile criminals and members of organized-crime groups that have proliferated in the United States. Most cooperative programs involve major crimes, manhunts, terrorist groups and development of coordinated strategies. Criminal-data depositories in the 50 states, the District of Columbia and Puerto Rico hold approximately 60 million criminal-history records, including offenders with a record in more than one state.

The regional criminal-intelligence programs are: the Regional Organized Crime Information Center in the South; the Quad State Project in the Southwest, which has been renamed the Rocky Mountain Information Network; the New England State Police Administrators Conference; the Middle Atlantic Great Lakes Organized Crime Law Enforcement Network;

the Mid-States Organized Crime Information Center; and the Western States Information Network.

Each project operates a regional information sharing system (RISS), all of which are linked together by the RISS nationwide intelligence network, <http://www.iir.com/riss/>. The network has four components: the RISS Secure Intranet, the Intelligence Database Pointer System, the National Gang Database and the Investigative Leads Bulletin Board. The databases contain information on approximately 700,000 individuals.

Forty-two states currently exchange criminal-justice information through the Interstate Identification Index, which contains data on individuals arrested for federal and state felonies and serious misdemeanors. Each state assigns an identification number to the arrest card containing the person's fingerprints, and the information is sent to the FBI for a criminal-history check. The index includes the person's name, date of birth, race and sex, along with FBI and state identification numbers from each participating state holding records relating to the person. The FBI assigns an identification number to the individual and forwards the information to the index's data bank, which is accessible by all states. A state is notified if a record pertains to it. Police agencies make inquiries via state telecommunications systems and the FBI's National Crime Information Center's telecommunications lines. The search process can be completed within five seconds, with data retrieved automatically from each state repository that holds information on the person and transmitted to the requesting agency.

The New York State Office of Temporary Disability Assistance has entered into written agreements with neighboring states for the detection and prevention of welfare fraud. It is relatively common for a person to register and collect welfare in two states. As a consequence of high incidences of such fraud in certain jurisdictions, the office exchanges computer tapes containing the names of all welfare recipients with Florida, Virginia, Washington, D.C. and Puerto Rico. New York also signed an agreement for the exchange of welfare data with Massachusetts and Rhode Island to identify individuals whose names appear on two data lists. New York State officers are in constant telephone contact with their counterparts in other states in efforts to build joint cases and pursue welfare fraud.

The New York State attorney general's Organized Crime Task Force, in conjunction with the state police, cooperates informally with other states primarily by telephone and has signed only one formal memorandum of understanding. The task force concentrates its operations on the members of five New York City

crime families, who also operate in New Jersey. Relations between the task force and the New Jersey attorney general's office and its investigators are excellent. Members of the task force and New Jersey investigators share intelligence information, and the task force facilitates the issuance of New York search warrants when New Jersey investigators need them. The latter similarly facilitate issuance of New Jersey search warrants at the request of New York investigators.

The task force also has a working relationship with the Nevada attorney general, because criminals visit Nevada, where book-making is legal. In addition, intelligence on criminal activities is shared with other attorneys general when pertinent. For example, the task force in 1998 intercepted information on a wire tap that led to other wire taps and an 800 telephone number used by bookies to place bets through Costa Rica. Investigators analyzed between 800,000 and 900,000 telephone calls and notified the attorney generals in 20 states of the information collected that could be used as a basis for search warrants in their respective states.

The New York State Legislature has not enacted the Interstate Agreement on Qualifications of Educational Personnel covering teacher accreditation, but in 2000, the state Department of Education signed a five-year interstate administrative contract. The contract was developed by the National Association of State Directors of Teacher Education and Certification, with all states except Nebraska, the Canadian provinces, the Department of Defense schools, Guam and Puerto Rico, which have comparable accreditation and teacher-education standards.

The New York State Board of Regents adopted more stringent teacher-certification requirements effective in 2004, one year before the contract expires. These requirements differ from the ones contained in the interstate contract. In consequence, the education commissioner will notify other party states in 2003 that the state will withdraw from the contract with other states not meeting its new standards. The withdrawal will make it more difficult to attract teachers, particularly black and Hispanic ones, from sister states to New York, which is experiencing a teacher shortage.

New York did not enact the Emergency Management Assistance Compact until six days after the September 11, 2001 terrorist attacks that demolished the twin towers of the World Trade Center in New York City. Previously, the state had no written administrative agreements with other states, and all interactions were verbal. The frequency with which New York requested assistance from sister states prior to enactment of the compact depended upon the adequacy of the state's resources. No aid was requested in 2000, but a major

ice storm in 1998 resulted in the state borrowing equipment from other states. New York clearly will benefit from compact membership in terms of facilitation of the loan of equipment and personnel, and resolution of the liability issue. Thirteen states provided assistance to New York City subsequent to the attacks by terrorists.

New England State Public Health Commissioners in 1967 formally organized the New England Staff for Coordinated Air Use Management, which was designated by the governors as the official regional interstate air-management planning agency. New York and New Jersey subsequently joined the consortium, and it was renamed the Northeastern States for Coordinated Air Use Management, which deals with all types of air pollution sources. There are four similar regional consortia: the Mid-Atlantic Regional Air Pollution Task Force; Southeastern States Air Resources Managers; Metro-Four, a group of eight southeastern states; and Western States Air Resources.

The Merrimack River Anadromous Fish Restoration Interstate Administrative Agreement was signed in 1969 by representatives of five agencies: the Massachusetts Division of Fisheries and Game; the Massachusetts Division of Marine Fisheries; the New Hampshire Fish and Game Department; the U.S. Bureau of Commercial Fisheries, now the National Marine Fisheries Service; and the U.S. Bureau of Sport Fisheries and Wildlife. The goal of the agreement is to restore fish – particularly the Atlantic salmon, shad, and river herrings – that were common in the Merrimack River basin during the pre-colonial period.

Representatives of the Rhode Island Division of Fish and Wildlife, the Connecticut Division of Fisheries, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service signed a similar memorandum of understanding in 2001 for restoration of Atlantic salmon to the Pawcatuck River.

These two interstate administrative agreements demonstrate that either an interstate compact, such as the Connecticut River Basin Atlantic Salmon Restoration Compact, or an interstate administrative agreement can be utilized by states to solve a problem or achieve a goal on a cooperative basis. The Merrimack River interstate administrative agreement differs only in minor details, including lack of direct congressional consent, from the Connecticut River interstate compact.

In 1989, the Eastern Regional Conference of The Council of State Governments organized the Northeast Recycling Council, which signed a memorandum of understanding with departments in 10 states. In 2000, the council was incorporated as an independent non-profit organization under Vermont law. Voting mem-

bers are representatives of state departments and state legislators. Nonvoting advisory members are state and regional recycling organizations, individual companies, trade associations and utilities. Membership dues and grants finance the council's activities. The council's primary mission is minimization of the amount of materials requiring disposal.

The council does the following: 1) promotes the linkage between recycling, source reduction and economic development; 2) supports state and trade associations' recycling and source-reduction efforts; 3) provides a regional forum for communication, cooperation and participation in research and policy development; 4) advocates regional recycling and source-reduction approaches; and 5) encourages the use of recycled content and other environmentally-preferable products.

The nonprofit Northeast Waste Management Officials' Association was established by an interstate agreement. Members are hazardous waste, solid-waste site cleanup and pollution-program directors of environmental departments in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont. The association is the official organization responsible for coordinating interstate hazardous and solid waste and pollution-prevention activities, and it is funded by member states and U.S. EPA grants. In 2000, New England state governors signed a resolution recommending each state legislature enact sections of the association's Mercury Education and Reduction Model Legislation.

Used electronic products are a major and growing contributor to the flow of waste materials and contain a significant amount of toxic materials, such as cadmium, chromium, lead and mercury. State directors of solid and hazardous waste programs agreed in 2000 to coordinate their respective regulatory policies for used electronic products through the association.

The Connecticut River Joint Commissions is a product of the 1999 decisions of the Connecticut River Valley Resource Commission, established by the New Hampshire General Court, and the Connecticut River Watershed Advisory Commission, established by the Vermont General Assembly, to hold joint meetings. The Vermont enabling statute includes an unusual authorization provision: "In a manner consistent with New Hampshire law, the advisory commission may designate citizens from Vermont municipalities bordering the Connecticut River, to serve on, or coordinate with, local river management advisory groups established pursuant to New Hampshire Law" (10 VSA §§ 1191 and 1193).

Each commission meets separately only to act on matters affecting its membership and to respond to requests for advice on issues by its parent state govern-

ment. The joint commissions' annual budget ranges between \$225,000 and \$500,000, including \$100,000 to \$120,000 provided by the two states. The remaining funds come from the federal government and foundations. As of 2001, the interstate body made 283 awards, ranging from \$500 to \$5,000, supporting community-generated projects that address economic and conservation challenges in ways compatible with the historic, scenic and natural resources of the valley.

The U.S. Supreme Court in 1868 specifically opined that insurance was not interstate commerce and hence was exempt from regulation by Congress (*Paul v. Virginia*, 75 U.S. 1). This decision contributed to the lack of uniformity in state insurance-regulatory policies. The Court in 1944 reversed this decision, and Congress, under pressure from states fearing the loss of revenue, overturned the decision the following year by enacting the McCarran-Ferguson Act (59 Stat. 33). The act exempted states from the interstate commerce clause and delegated to them authority to regulate the insurance industry.

In 1985, the U.S. Supreme Court held in *Metropolitan Life Insurance Company v. Ward* (470 U.S. 869) that the act does not exempt the industry from the Equal Protection of the Laws clause of the 14th Amendment to the constitution. Discrimination against foreign corporations chartered in a sister state, and conflicting provisions in the insurance statutes of the states generated strong pressures for congressional preemption of state regulation of the insurance industry.

Congress enacted in 1999 a comprehensive financial institutions act (113 Stat. 1353), which partially preempted state insurance-regulatory powers by establishing minimum standards in 13 regulatory areas. In addition, states face the threat that a federal system of licensing insurance agents will be established if 26 states do not adopt a uniform licensing system for insurance agents by November 12, 2002, as determined by the National Association of Insurance Commissioners (NAIC) after consulting the state insurance commissioners.

NAIC provides a forum for commissioners to meet quarterly to discuss issues and promote enactment of common policies. In 1989, it adopted uniform financial regulation standards as requirements for certification of an effective regulatory system in each state. Under the accreditation program, an independent team reviews each state insurance department to determine its compliance with the standards. In 2001, 46 states and the Puerto Rican insurance department were accredited. New York, Nevada, Washington and West Virginia are seeking re-accreditation.

The U.S. General Accounting Office has issued four

reports assessing the association's accreditation program. The 1991 report concluded the program would be successful if adopted by all states. The following year GAO observed: 1) the standards are general and have been interpreted permissively by the review teams, 2) implementation of standards is not reviewed, and 3) documentation of accreditation decisions by the review teams does not always support their compliance determinations. In 1993, GAO noted the association had made a number of improvements in its accreditation program, but lacked adequate documentation for decisions to accredit departments. GAO conducted another review of the program and reported in 2001 that its success remains uncertain.<sup>6</sup>

The New York Commissioner of Motor Vehicles in 1988 entered into administrative-reciprocity agreements with Ontario and Quebec, providing that truck drivers licensed in the state or one of the provinces who fail to pay a traffic-violation fine automatically will have their licenses suspended. Data released in 2001 reveals that Canadian truckers are paying their New York speeding fines. New York sends more information to the Ontario and Quebec licensing authorities than the provinces send to New York. The state is considering entering into agreements with the remaining eight Canadian provinces and Mexican states in the future. The commissioner also is empowered to execute a reciprocal agreement with the motor-vehicle administrator of any other state. The purpose of this provision is to allow the commissioner to enter into such agreements with states that are not members of the driver's license interstate compact.

Western state and Canadian provincial agencies responsible for conducting commercial-vehicle enforcement held a meeting in 1980 focusing on the need for uniform methods, procedures and standards. Out of this meeting came the Commercial Vehicle Safety Alliance, a nonprofit organization, and the Critical Item Truck and Bus Inspection Procedure, which concentrates on vehicle cargo, driver requirements and equipment most often found to be a cause of or a factor contributing to accidents.

The alliance is composed of representatives of the 50 states, American Samoa, Guam, 12 Canadian provinces and territories, and Mexican states that have signed a memorandum of understanding to utilize common inspection procedures. The result is uniformity and reciprocity in commercial-vehicle regulation. In 2001, the alliance released a report of a two-year study of safety inspections of radioactive-waste shipments to a waste isolation pilot plant disposal site in Carlsbad, New Mexico. The report revealed only 17 violations were found when enforcement officers conducted 313



inspections on 124 truck shipments.

Traffic congestion at bridge, tunnel and turnpike toll plazas contributes to air pollution, wastes fuel, delays motorists and truckers, and necessitates construction of additional toll plazas and employment of toll collectors and their supervisors. Electronic toll-collection systems were developed in response to these problems and to permit quicker toll collection. The current 20 systems increase the number of vehicles accommodated by facilitating traffic flow, without construction of additional toll-collection facilities. They also reduce the number of toll collectors.

State transportation authorities in seven northeastern states, including the Port Authority of New York and New Jersey, signed a 1993 interagency agreement organizing the E-Z Pass Regional Consortium to develop electronic toll collection. The consortium, comprised of Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania and West Virginia, is the largest one in the United States. In 2001, Maine converted its "Transpass system" into the "E-Z Pass" system. By joining the consortium, an authority can purchase the necessary lane equipment at a lower price because of the group's purchasing power.

A related transportation agreement is the I-95 Corridor Coalition, composed of private and public transportation executives in the District of Columbia and 12 northeastern states from Maine to Virginia, who coordinate traffic-incidents management. Traffic is extremely congested in many sections of the corridor where it is difficult to expand the interstate highway. The coalition was formally organized in 1993 to employ intelligent-transportation systems to promote mobility and safety in all modes of transportation in the region.

"Emall" is an internet-procurement program sponsored by the Operational Services Division and the Information Technology Division of the Massachusetts Office of the State Comptroller. Established in 1998, it allows Idaho, Massachusetts, New York, Texas and Utah to pool their purchasing power to obtain the lowest prices on a wide variety of items from suppliers, who place their products and negotiated prices in Internet catalogues.

Tax evasion always has been a major governmental problem, and states have signed bilateral administrative-reciprocity agreements to exchange information to curb sales- and use-tax evasion. The Federation of Tax Administrators, a group composed of representatives of the 50 states, District of Columbia and New York City, has served as a clearinghouse for the exchange of tax information since 1937. It drafted a Uniform

Exchange of Information Agreement, effective in 1993, that has been signed by 44 states, the District of Columbia and New York City. This agreement supersedes the bilateral agreements.

The International Fuel Agreement, signed by 48 states and all Canadian provinces, provides that a motor carrier's home jurisdiction issues credentials allowing the licensee to travel in all member jurisdictions. The base jurisdiction assesses and collects taxes owed by a motor carrier for all of its fuel use in members' jurisdictions and distributes part of the revenues to other jurisdictions in accordance with the amount of travel in each. The carrier pays a net amount to the base jurisdiction; i.e., credits owed to the carrier by certain jurisdictions are deducted from the liability owed to other jurisdictions. Carriers benefit from the plan by only having to have one license, one set of credentials, one quarterly fuel-tax report and one audit.

The International Registration Plan Agreement was established by a cooperative commercial-motor-carrier registration-reciprocity agreement signed by all states and Canadian provinces. It allows carriers to travel in two or more jurisdictions, with licensing fees shared based on fleet miles operated in each jurisdiction, which determines the carriers' specific registration schedules and associated fees. The base jurisdiction collects the applicable fees for apportionment to all jurisdictions according to: 1) percentage of mileage traveled in each jurisdiction; 2) vehicle identification information and maximum weight; and 3) value, age, unladen weight and other factors in certain jurisdictions. An increasing number of member jurisdictions are using the plan's electronic clearinghouse to transfer the commercial-carrier fees.

The Streamlined Sales and Use Tax Agreement is the outgrowth of a proposal submitted to the Advisory Commission on Electronic Commerce by the National Governors' Association, the National Conference of State Legislatures, The Council of State Governments and local government associations. Twenty-nine states participate in the agreement and 10 states are observers. Approved in 2000, it established a system encompassing uniform definitions within tax bases, rate simplification, uniform sourcing rules, uniform audit procedures, and state assumption of responsibility for implementing the system.

Four interstate-lottery agreements are in effect. The fact that the sale of tickets is correlated positively with the size of the jackpot induced groups of states to form multistate lotteries and to lobby Congress to repeal the ban on the interstate sale of tickets and interstate transportation of lottery equipment. Congress amended the ban by adding a clause exempting such tickets and

authorizing a state legislature to opt out of the prohibition on interstate transportation of gaming devices (15 U.S.C. § 1172(a) and 18 U.S.C. § 1301).

Twenty states and the District of Columbia signed an administrative agreement forming the Multi-State Powerball Lottery. Seven states operate the Big Game Lottery under an administrative agreement; Maine, New Hampshire and Vermont participate in the Tri-State Megabucks Lottery via an administrative concordat; and Georgia, Kentucky and Virginia entered into an administrative agreement in 2001 forming Lotto South.

### Summary and Conclusions

With one exception, in the period between 1789 and 1920, interstate compacts established state boundary lines. The Port of New York Authority Compact of 1920 set the pace for the expanded use of compacts, which today cover a relatively wide variety of topics and play important roles in the U.S. governance system.

Two major interstate trends are noteworthy: the decline in the number of interstate compacts enacted annually in recent years and the sharp increase in the number of formal and informal extraconstitutional interstate administrative agreements entered into by state officers with their counterparts in sister states. The increased use of such agreements is attributable primarily to the growth of interstate commerce, increased mobility of citizens, and technological developments. The agreements cover a wide spectrum of important subjects, but unfortunately cannot be utilized to resolve divisive interstate disputes that can be solved only by interstate compacts or congressional-preemption statutes.

Credit for promoting multistate administrative agreements must be given to associations of state administrative officials, Congress and federal-government administrators. The associations draft interstate administrative agreements and hold periodic meetings that enable state officials to become acquainted on a personal basis with their counterparts in other states, thereby facilitating interstate cooperation. In addition, Congress has enacted statutes creating interstate administrative bodies and has provided funding for

interstate cooperative activities. And a significant number of federal-government administrators work closely with their state counterparts and encourage interstate cooperation.

The electronic age has facilitated an interstate-partnership approach, particularly in several functional fields, such as purchasing, criminal identification, intelligent-transportation systems, motor-vehicle-law enforcement, tax-information exchange and toll collection. The continuing electronic-information revolution doubtless will play a more significant role in promoting multistate cooperation in the future.

Interstate compacts and interstate administrative agreements, both formal and informal, have helped make the union more perfect. The successes of the Connecticut River Interstate Salmon Compact and the Merrimack River Interstate Salmon Agreement reveal that a compact or an agreement can be employed successfully for the same purpose. This finding suggests that a future trend may be greater reliance on interstate administrative agreements, since they are easier to negotiate and do not require enactment by the concerned state legislatures or the grant of congressional consent.

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### Notes

<sup>1</sup> Joseph F. Zimmerman, *Interstate Relations: The Neglected Dimension of Federalism* (Westport, CT: Praeger Publishers, 1996).

<sup>2</sup> For additional information, consult Joseph F. Zimmerman, *Interstate Cooperation: Compacts and Administrative Agreements* (Westport, CT: Praeger Publishers, 2002).

<sup>3</sup> Jameson W. Doig, *Empire on the Hudson: Entrepreneurial Vision and Political Power at the Port of New York Authority* (New York: Columbia University Press, 2001), 391.

<sup>4</sup> Ronald Smothers, "As It Turns 80, the Port Authority Looks to Its Roots to Find Its Future," *The New York Times*, April 30, 2001, sec. B, p. 5.

<sup>5</sup> Smothers, sec. B, p. 5.

<sup>6</sup> U.S. General Accounting Office, *Regulatory Initiatives of the National Association of Insurance Commissioners* (Washington, DC: U.S. Government Accounting Office, 2001).

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### About the Author

**Joseph F. Zimmerman** is a professor of political science at Rockefeller College of The State University of New York at Albany. He is the author of more than 25 books and articles published in more than three dozen journals and periodicals.

# FEDERAL AID

**Table 2.1**

## TOTAL FEDERAL GRANTS TO STATE AND LOCAL GOVERNMENTS, BY STATE AND REGION: 1991-2000 (In thousands of dollars)

<i>State or other jurisdiction</i>	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991
<b>United States .....</b>	\$308,530	\$294,469	\$269,128	\$229,778	\$227,542	\$228,936	\$214,239	\$195,201	\$178,000	\$153,350
<b>Eastern Region</b>										
Connecticut .....	\$4,033	\$3,846	\$3,653	\$2,905	\$3,080	\$3,195	\$3,028	\$2,691	\$2,593	\$2,393
Delaware .....	838	825	678	629	600	560	472	455	425	386
Maine .....	1,770	1,664	1,602	1,378	1,389	1,315	3,637	3,310	2,940	2,557
Massachusetts .....	9,070	8,838	8,019	6,365	6,813	6,829	7,117	6,654	6,004	5,426
New Hampshire .....	1,238	1,120	1,042	842	890	866	6,163	6,189	5,217	4,517
New Jersey .....	7,876	7,262	7,108	6,602	6,506	6,639	1,714	1,534	1,379	1,118
New York .....	31,564	28,870	28,066	24,384	24,560	24,348	4,862	4,498	3,971	3,447
Pennsylvania .....	13,940	13,141	12,381	10,268	10,117	10,354	1,100	1,107	986	908
Rhode Island .....	1,574	1,411	1,368	1,144	1,176	1,276	2,726	2,521	2,393	2,078
Vermont .....	929	883	803	601	641	625	3,180	2,945	2,773	2,432
Regional Total .....	72,832	67,860	64,720	55,118	55,772	56,007	33,999	31,904	28,681	25,262
<b>Midwest Region</b>										
Illinois .....	\$11,228	\$10,586	\$10,156	\$9,296	\$9,229	\$9,487	\$3,553	\$3,732	\$3,242	\$2,767
Indiana .....	5,108	4,706	4,152	3,539	3,657	3,546	2,015	1,737	1,660	1,475
Iowa .....	2,714	2,595	2,424	1,977	2,030	2,074	1,666	1,608	1,376	1,165
Kansas .....	2,323	2,183	1,934	1,620	1,700	1,649	3,096	3,041	2,951	2,493
Michigan .....	10,107	9,764	8,618	7,237	7,194	7,589	3,515	3,297	2,894	2,559
Minnesota .....	4,753	4,499	4,199	3,952	3,535	3,685	2,507	2,285	2,193	1,822
Nebraska .....	1,720	1,651	1,511	1,227	1,232	1,440	797	767	669	544
North Dakota .....	1,101	1,009	1,067	1,074	734	768	8,366	7,716	7,064	6,220
Ohio .....	10,665	10,254	9,733	8,327	8,776	9,115	2,359	2,111	2,066	1,788
South Dakota .....	1,088	1,056	1,007	982	867	813	3,940	3,925	3,658	3,129
Wisconsin .....	5,254	4,842	4,697	3,617	3,679	3,729	714	645	593	597
Regional Total .....	56,061	53,145	49,498	42,848	42,633	43,895	32,528	30,864	28,366	24,559
<b>Southern Region</b>										
Alabama .....	\$4,833	\$4,632	\$4,161	\$3,483	\$3,325	\$3,419	\$3,209	\$3,081	\$2,795	\$2,347
Arkansas .....	2,778	2,614	2,440	2,283	2,131	2,019	1,966	1,855	1,691	1,439
Florida .....	12,149	11,191	10,320	8,504	8,442	9,078	5,028	4,408	4,028	3,553
Georgia .....	7,520	6,752	6,233	5,469	5,359	5,461	1,088	984	839	739
Kentucky .....	4,687	4,395	4,236	3,702	3,355	3,437	5,233	4,817	4,417	3,249
Louisiana .....	5,300	5,228	4,708	4,457	4,734	5,291	1,269	1,166	1,047	926
Maryland .....	6,911	5,744	5,022	3,950	3,544	3,594	6,261	5,520	5,218	4,709
Mississippi .....	3,517	3,387	3,025	2,626	2,754	2,738	3,971	3,566	3,498	2,827
Missouri .....	5,939	5,478	5,065	4,231	4,091	4,159	906	831	765	687
North Carolina .....	8,518	7,608	7,133	6,284	5,227	5,487	702	640	603	533
Oklahoma .....	3,583	3,231	3,059	2,510	2,435	2,472	2,355	2,099	2,050	1,694
South Carolina .....	4,163	3,879	3,525	2,987	3,032	3,027	724	654	601	539
Tennessee .....	6,372	5,900	5,510	4,555	4,476	4,531	12,669	11,035	9,645	7,837
Texas .....	18,346	18,370	15,809	13,184	13,287	13,338	1,209	1,173	1,042	839
Virginia .....	5,163	4,749	4,423	3,518	3,403	3,504	3,924	3,722	3,374	2,832
West Virginia .....	2,729	2,490	2,480	2,100	2,088	2,074	3,450	3,397	3,127	2,799
Regional Total .....	102,508	95,648	87,149	73,843	71,683	73,629	53,964	48,948	44,740	37,549
<b>Western Region</b>										
Alaska .....	\$2,174	\$1,929	\$1,427	\$1,303	\$1,051	\$1,125	\$1,063	\$948	\$837	\$738
Arizona .....	4,704	4,537	4,147	3,355	3,095	3,150	2,996	2,640	2,235	1,810
California .....	36,080	36,370	32,090	27,014	26,413	26,934	26,219	21,635	19,738	16,885
Colorado .....	3,591	3,446	3,048	2,444	2,410	2,391	2,102	2,109	1,905	1,707
Hawaii .....	1,348	1,335	1,190	1,184	1,126	1,162	778	712	694	590
Idaho .....	1,270	1,177	1,055	936	887	849	8,506	7,845	6,937	5,954
Montana .....	1,474	1,399	1,139	991	964	933	1,114	1,108	997	868
Nevada .....	1,340	1,249	1,081	983	876	882	956	652	935	540
New Mexico .....	3,032	2,750	2,547	2,152	1,942	1,866	22,445	21,166	19,305	17,226
Oregon .....	3,684	3,518	3,275	2,853	2,797	2,763	9,705	8,517	8,293	6,870
Utah .....	2,065	1,994	1,727	1,355	1,446	1,318	546	557	503	409
Washington .....	6,345	5,720	5,422	4,496	4,152	4,351	2,166	1,884	1,668	1,284
Wyoming .....	1,022	5,293	850	762	708	748	2,222	1,961	1,951	1,847
Regional Total .....	68,129	70,717	58,998	49,828	47,867	48,472	80,818	71,734	65,998	56,728
Regional Total without California .....	32,049	34,347	26,908	22,814	21,454	21,538	54,599	50,099	46,260	39,843
Dist. of Columbia .....	4,675	933	4,101	2,740	2,578	2,238	8,018	7,579	6,187	5,209
American Samoa .....	59	131	91	121	71	73	67	59	107	51
Guam .....	138	188	266	125	134	162	154	161	139	116
No. Marianas Islands .....	47	54	39	35	31	41	52	47	65	75
Puerto Rico .....	3,842	5,284	3,895	3,719	3,387	3,535	3,388	3,132	3,084	2,916
U.S. Virgin Islands .....	195	216	256	371	373	217	191	181	158	175
Undistributed .....	10	248	116	1,032	3,009	592	1,059	592	475	711

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.



Table 2.2

## SUMMARY OF STATE INTERGOVERNMENTAL PAYMENTS: 1944-1999

(Amounts are in thousands of dollars and per capita are in dollars)

To local governments									
Fiscal year	Total		To federal government (a)	Total	For specified purposes				
	Amount	Per capita			For general local government support	Education	Public welfare	Highways	All other
1944 .....	\$1,842,000	\$13.95	...	\$1,842,000	\$274,000	\$861,000	\$368,000	\$298,000	\$41,000
1946 .....	2,092,000	15.03	...	2,092,000	357,000	953,000	376,000	339,000	67,000
1948 .....	3,283,000	22.60	...	3,283,000	428,000	1,554,000	648,000	507,000	146,000
1950 .....	4,217,000	28.13	...	4,217,000	482,000	2,054,000	792,000	610,000	279,000
1952 .....	5,044,000	32.57	...	5,044,000	549,000	2,523,000	976,000	728,000	268,000
1953 .....	5,384,000	34.20	...	5,384,000	592,000	2,737,000	981,000	803,000	271,000
1954 .....	5,679,000	35.41	...	5,679,000	600,000	2,930,000	1,004,000	871,000	274,000
1955 .....	5,986,000	36.61	...	5,986,000	591,000	3,150,000	1,046,000	911,000	288,000
1956 .....	6,538,000	39.26	...	6,538,000	631,000	3,541,000	1,069,000	984,000	313,000
1957 .....	7,440,000	43.87	...	7,440,000	668,000	4,212,000	1,136,000	1,082,000	342,000
1958 .....	8,089,000	46.65	...	8,089,000	687,000	4,598,000	1,247,000	1,167,000	390,000
1959 .....	8,689,000	49.26	...	8,689,000	725,000	4,957,000	1,409,000	1,207,000	391,000
1960 .....	9,443,000	52.88	...	9,443,000	806,000	5,461,000	1,483,000	1,247,000	446,000
1962 .....	10,906,000	58.97	...	10,906,000	839,000	6,474,000	1,777,000	1,327,000	489,000
1963 .....	11,885,000	63.34	...	11,885,000	1,012,000	6,993,000	1,919,000	1,416,000	545,000
1964 .....	12,968,000	68.15	...	12,968,000	1,053,000	7,664,000	2,108,000	1,524,000	619,000
1965 .....	14,174,000	73.57	...	14,174,000	1,102,000	8,351,000	2,436,000	1,630,000	655,000
1966 .....	16,928,000	86.94	...	16,928,000	1,361,000	10,177,000	2,882,000	1,725,000	783,000
1967 .....	19,056,000	96.94	...	19,056,000	1,585,000	11,845,000	2,897,000	1,861,000	868,000
1968 .....	21,950,000	110.56	...	21,950,000	1,993,000	13,321,000	3,527,000	2,029,000	1,080,000
1969 .....	24,779,000	123.56	...	24,779,000	2,135,000	14,858,000	4,402,000	2,109,000	1,275,000
1970 .....	28,892,000	142.64	...	28,892,000	2,958,000	17,085,000	5,003,000	2,439,000	1,407,000
1971 .....	32,640,000	158.39	...	32,640,000	3,258,000	19,292,000	5,760,000	2,507,000	1,823,000
1972 .....	36,759,246	176.27	...	36,759,246	3,752,327	21,195,345	6,943,634	2,633,417	2,234,523
1973 .....	40,822,135	193.81	...	40,822,135	4,279,646	23,315,651	7,531,738	2,953,424	2,741,676
1974 .....	45,941,111	216.07	\$341,194	45,999,917	4,803,875	27,106,812	7,028,750	3,211,455	3,449,025
1975 .....	51,978,324	242.03	974,780	51,003,544	5,129,333	31,110,237	7,136,104	3,224,861	4,403,009
1976 .....	57,858,242	266.79	1,179,580	56,678,662	5,673,843	34,083,711	8,307,411	3,240,806	5,372,891
1977 .....	62,459,903	285.10	1,386,237	61,073,666	6,372,543	36,964,306	8,756,717	3,631,108	5,348,992
1978 .....	67,287,260	303.88	1,472,378	65,814,882	6,819,438	40,125,488	8,585,558	3,821,135	6,463,263
1979 .....	75,962,980	339.25	1,493,215	74,469,765	8,224,338	46,195,698	8,675,473	4,148,573	7,225,683
1980 .....	84,504,451	374.07	1,746,301	82,758,150	8,643,789	52,688,101	9,241,551	4,382,716	7,801,993
1981 .....	93,179,549	406.89	1,872,980	91,306,569	9,570,248	57,257,373	11,025,445	4,751,449	8,702,054
1982 .....	98,742,976	426.78	1,793,284	96,949,692	10,044,372	60,683,583	11,965,123	5,028,072	9,228,542
1983 .....	100,886,902	431.77	1,764,821	99,122,081	10,364,144	63,118,351	10,919,847	5,277,447	9,442,292
1984 .....	108,373,188	459.49	1,722,115	106,651,073	10,744,740	67,484,926	11,923,430	5,686,834	10,811,143
1985 .....	121,571,151	510.56	1,963,468	119,607,683	12,319,623	74,936,970	12,673,123	6,019,069	13,658,898
1986 .....	131,966,258	548.76	2,105,831	129,860,427	13,383,912	81,929,467	14,214,613	6,470,049	13,862,386
1987 .....	141,278,672	581.88	2,455,362	138,823,310	14,245,089	88,253,298	14,753,727	6,784,699	14,786,497
1988 .....	151,661,866	618.55	2,652,981	149,008,885	14,896,991	95,390,536	15,032,315	6,949,190	16,739,853
1989 .....	165,415,415	667.98	2,929,622	162,485,793	15,749,681	104,601,291	16,697,915	7,376,173	18,060,733
1990 .....	175,027,632	705.46	3,243,634	171,783,998	16,565,106	109,438,131	18,403,149	7,784,316	19,593,296
1991 .....	186,398,234	740.91	3,464,364	182,933,870	16,977,032	116,179,860	20,903,400	8,126,477	20,747,101
1992 .....	201,313,434	791.04	3,608,911	197,704,523	16,368,139	124,919,686	25,942,234	8,480,871	21,993,593
1993 .....	214,094,882	832.00	3,625,051	210,469,831	17,690,986	131,179,517	31,339,777	9,298,624	20,960,927
1994 .....	225,635,410	868.50	3,603,447	222,031,963	18,044,015	135,861,024	30,624,514	9,622,849	27,879,561
1995 .....	240,978,128	919.10	3,616,831	237,361,297	18,996,435	148,160,436	30,772,525	10,481,616	28,926,886
1996 .....	252,102,458	952.30	3,896,667	248,205,791	20,019,771	156,954,115	31,180,345	10,707,338	29,321,099
1997 .....	264,207,209	989.10	3,839,942	260,367,267	21,808,828	164,147,715	35,754,024	11,431,270	27,225,430
1998 .....	278,853,409	1,031.60	3,515,734	275,337,675	22,693,158	176,250,998	32,327,025	11,648,853	32,417,341
1999 .....	304,933,250	1,120.40	3,801,667	301,131,583	25,495,396	192,416,987	35,161,151	12,075,195	39,784,521

Source : U.S. Department of Commerce, Bureau of the Census, Jan. 2002

Key :

... — Not available.

(a) Represents primarily state reimbursements for the supplemental security income program. This column also duplicates some funds listed under "Public welfare" and "All other" columns.

# INTERGOVERNMENTAL PAYMENTS

**Table 2.3**  
**STATE INTERGOVERNMENTAL EXPENDITURE, BY STATE: 1996-1999**  
**(Amounts are in thousands of dollars and per capita are in whole dollars)**

State	Amount (in thousands)				Per capita amounts				Percentage change in per capita amounts		
	1999	1998	1997	1996	1999	1998	1997	1996	1998 to 1997	1997 to 1996	1996 to 1995
United States .....	\$304,933,250	\$278,853,409	\$265,082,829	\$252,004,998	\$1,120.4	\$1,033.8	\$991.9	\$952.1	9.4	5.2	10.7
Alabama .....	3,631,426	3,419,845	3,292,491	3,076,820	831.0	786.0	762.2	717.2	6.2	3.9	11.1
Alaska .....	1,028,890	983,153	1,015,071	1,057,577	1,659.5	1,598.6	1,666.8	1,748.1	4.7	-3.1	-7.0
Arizona .....	5,944,003	5,023,261	4,528,382	4,255,135	1,244.0	1,076.3	994.8	960.1	18.3	10.9	18.1
Arkansas .....	2,649,550	2,109,996	1,967,398	1,636,037	1,038.6	831.4	779.5	653.1	25.6	7.2	29.0
California .....	58,350,134	51,053,075	49,635,672	48,758,607	1,760.5	1,562.1	1,540.6	1,534.2	14.3	2.9	4.7
Colorado .....	3,519,783	3,159,458	3,017,473	2,849,915	867.8	796.0	775.5	747.4	11.4	4.7	10.9
Connecticut .....	2,810,990	2,627,781	2,480,762	2,424,347	856.5	802.9	758.9	742.1	7.0	5.9	8.4
Delaware .....	720,975	591,279	575,892	511,314	956.2	794.7	783.5	703.3	21.9	2.7	15.6
Florida .....	13,437,789	12,537,431	11,899,912	11,139,772	889.3	841.0	810.5	772.1	7.2	5.4	12.5
Georgia .....	6,677,041	6,310,697	6,141,128	5,285,164	857.3	826.3	820.3	720.8	5.8	2.8	19.4
Hawaii .....	153,220	147,059	156,055	144,333	129.3	123.6	131.2	121.9	4.2	-5.8	1.9
Idaho .....	1,213,378	1,104,201	1,067,190	999,289	969.2	897.0	881.2	841.2	9.9	3.5	10.5
Illinois .....	10,802,562	9,862,059	9,148,129	8,549,064	890.7	817.1	761.6	715.2	9.5	7.8	15.4
Indiana .....	6,247,767	5,883,074	5,569,653	5,091,091	1,051.3	995.8	948.5	872.5	6.2	5.6	15.6
Iowa .....	2,872,879	2,794,519	2,869,259	2,672,320	1,001.4	976.8	1,005.3	938.3	2.8	-2.6	4.6
Kansas .....	2,806,135	2,508,870	2,325,562	2,262,900	1,057.3	950.7	889.0	871.0	11.8	7.9	10.9
Kentucky .....	3,249,308	3,006,904	2,918,190	2,825,097	820.3	764.3	746.7	727.9	8.1	3.0	6.4
Louisiana .....	3,644,823	3,451,053	3,170,676	3,025,800	833.7	791.0	728.7	697.3	5.6	8.8	14.1
Maine .....	858,131	851,942	772,724	743,190	684.9	682.6	620.7	598.9	0.7	10.3	14.6
Maryland .....	4,063,814	3,710,641	3,536,070	3,238,258	785.7	723.3	694.3	640.4	9.5	4.9	14.6
Massachusetts .....	6,751,995	6,215,380	5,636,518	5,159,973	1,093.4	1,011.6	921.8	848.0	8.6	10.3	20.5
Michigan .....	16,030,447	15,430,418	14,145,451	13,299,101	1,625.1	1,571.3	1,445.6	1,365.6	3.9	9.1	16.0
Minnesota .....	7,004,803	6,022,123	6,942,130	6,068,273	1,466.7	1,274.3	1,480.8	1,305.6	16.3	-13.3	-0.8
Mississippi .....	3,018,675	2,876,187	2,685,689	2,506,429	1,090.2	1,045.5	983.0	924.9	5.0	7.1	14.8
Missouri .....	4,441,636	4,176,567	3,944,195	3,434,437	812.3	768.0	729.5	639.8	6.3	5.9	21.6
Montana .....	708,248	712,620	714,924	699,428	802.1	809.8	813.3	797.5	-0.6	-0.3	1.9
Nebraska .....	1,487,295	1,291,135	1,210,235	1,175,780	892.7	777.3	730.8	713.5	15.2	6.7	9.8
Nevada .....	2,088,730	1,915,179	1,771,680	1,624,270	1,154.6	1,098.2	1,057.1	1,017.7	9.1	8.1	17.9
New Hampshire .....	477,913	454,682	413,800	392,423	397.9	383.4	352.8	338.0	5.1	9.9	15.9
New Jersey .....	7,798,959	7,176,343	6,382,582	7,771,309	957.8	886.4	792.5	970.2	8.7	12.4	-7.7
New Mexico .....	2,366,077	2,186,948	2,075,053	2,055,309	1,359.8	1,261.2	1,204.3	1,204.8	8.2	5.4	6.4
New York .....	30,383,315	27,271,351	26,446,184	25,417,231	1,669.7	1,501.8	1,457.7	1,400.9	11.4	3.1	7.3
North Carolina .....	8,542,460	7,928,480	7,314,766	6,653,195	1,116.5	1,050.7	984.6	910.4	7.7	8.4	19.2
North Dakota .....	557,238	541,455	540,154	411,331	878.9	848.7	842.7	639.7	2.9	0.2	31.6
Ohio .....	12,015,358	11,214,371	10,441,531	10,053,551	1,067.4	997.9	931.3	898.7	7.1	7.4	11.5
Oklahoma .....	2,981,699	2,802,808	2,625,134	2,536,908	887.9	839.4	792.1	771.1	6.4	6.8	10.5
Oregon .....	3,672,493	3,706,815	3,207,793	3,109,619	1,107.5	1,129.4	989.1	973.3	-0.9	15.6	19.2
Pennsylvania .....	10,947,652	10,157,714	9,844,265	9,675,928	912.8	846.3	819.3	803.8	7.8	3.2	5.0
Rhode Island .....	594,894	548,018	506,349	505,323	600.3	554.7	513.0	511.5	8.6	8.2	8.4
South Carolina .....	3,355,056	3,142,089	2,934,650	2,720,441	863.4	818.3	774.3	727.6	6.8	7.1	15.5
South Dakota .....	471,786	493,167	435,456	378,234	643.6	674.6	595.7	517.4	-4.3	13.3	30.4
Tennessee .....	4,175,192	3,923,819	3,645,098	3,411,093	761.3	722.2	677.8	641.9	6.4	7.6	15.0
Texas .....	15,023,666	14,026,888	12,805,943	12,364,495	749.5	711.6	661.6	650.6	7.1	9.5	13.4
Utah .....	1,811,906	1,716,976	1,673,127	1,526,766	850.7	817.2	810.2	755.1	5.5	2.6	12.5
Vermont .....	699,231	355,608	312,333	313,167	1,177.2	601.7	530.3	534.4	96.6	13.9	13.6
Virginia .....	6,499,840	5,660,133	5,337,239	4,462,682	945.7	833.7	792.7	669.6	14.8	6.0	26.8
Washington .....	6,117,069	6,048,013	5,681,708	5,429,938	1,062.7	1,063.3	1,013.9	985.5	1.1	6.4	11.4
West Virginia .....	1,577,358	1,530,110	1,625,623	1,325,430	872.9	844.4	895.2	728.7	3.1	-5.9	15.4
Wisconsin .....	7,887,652	7,481,155	6,993,213	6,290,232	1,502.4	1,432.6	1,344.8	1,215.7	5.4	7.0	18.9
Wyoming .....	762,009	710,559	702,317	686,672	1,587.5	1,480.3	1,463.2	1,430.6	7.2	1.2	3.5

Source: U.S. Department of Commerce, Bureau of the Census, January, 2002.

Note: Includes payments to the federal government, primarily state reimbursements for the supplemental security income program.

**Table 2.4**  
**PER CAPITA STATE INTERGOVERNMENTAL EXPENDITURE, BY FUNCTION AND BY STATE: 1999**  
**(Per capita amounts in dollars)**

State	Total	General local government support	Specified functions				
			Education	Public welfare	Highways	Health	Miscellaneous and combined
United States .....	\$1,120.4	\$93.7	\$707.0	\$143.0	\$44.4	\$48.3	\$84.0
Alabama .....	831.0	24.6	718.2	0.0	43.1	3.1	41.9
Alaska .....	1,659.5	35.7	1,066.7	172.2	38.9	89.6	256.3
Arizona .....	1,244.0	220.6	607.7	220.2	101.7	49.3	44.4
Arkansas .....	1,038.6	48.9	873.6	0.0	53.0	0.4	62.6
California .....	1,760.5	106.0	926.7	496.8	50.9	112.5	67.5
Colorado .....	867.8	2.6	552.2	168.2	66.8	8.4	69.6
Connecticut .....	856.5	54.1	578.2	59.0	9.1	43.7	112.4
Delaware .....	956.2	0.0	827.0	1.2	11.0	13.5	103.5
Florida .....	889.3	168.6	643.2	0.0	16.1	0.8	60.4
Georgia .....	857.3	0.0	757.6	0.0	1.0	59.8	38.9
Hawaii .....	129.3	85.7	0.0	11.7	0.0	14.0	17.8
Idaho .....	969.2	79.9	772.4	0.0	87.3	8.6	20.9
Illinois .....	890.7	109.8	546.3	95.1	46.1	7.9	85.6
Indiana .....	1,051.3	260.8	577.1	45.9	114.1	12.2	41.3
Iowa .....	1,001.4	50.1	711.5	15.6	131.5	33.1	59.5
Kansas .....	1,057.3	42.4	880.5	3.7	54.9	32.1	43.7
Kentucky .....	820.3	0.0	683.4	6.7	27.9	34.3	68.0
Louisiana .....	833.7	33.9	663.4	17.1	12.1	0.6	106.5
Maine .....	684.9	76.8	537.8	10.5	16.7	0.0	43.1
Maryland .....	785.7	8.8	541.6	0.1	78.2	57.9	99.1
Massachusetts .....	1,093.4	240.4	547.9	48.7	30.2	0.9	225.3
Michigan .....	1,625.1	142.5	1,070.4	36.4	114.1	182.1	79.6
Minnesota .....	1,466.7	246.5	877.5	117.5	99.4	25.0	100.7
Mississippi .....	1,090.2	203.3	687.8	61.8	64.7	15.5	57.1
Missouri .....	812.3	1.0	670.8	7.2	52.3	3.3	77.6
Montana .....	802.1	54.9	607.8	9.5	19.2	15.4	95.4
Nebraska .....	892.7	59.3	575.1	9.5	96.5	89.4	62.9
Nevada .....	1,154.6	358.4	722.8	15.4	30.5	3.8	23.8
New Hampshire .....	397.9	37.7	191.4	74.7	21.7	22.3	50.1
New Jersey .....	957.8	194.4	575.1	103.3	26.6	3.1	55.3
New Mexico .....	1,359.8	347.6	976.0	0.0	7.7	0.0	28.5
New York .....	1,669.7	40.5	705.3	592.4	4.9	95.0	231.5
North Carolina .....	1,116.5	80.6	872.7	52.0	7.7	57.9	45.7
North Dakota .....	878.9	81.1	586.2	3.1	88.5	18.3	101.7
Ohio .....	1,067.4	142.3	631.8	104.5	73.4	65.5	49.9
Oklahoma .....	887.9	14.6	714.3	14.1	68.1	19.7	57.2
Oregon .....	1,107.5	33.2	819.3	16.0	106.6	76.2	56.1
Pennsylvania .....	912.8	14.1	499.2	153.5	39.9	74.0	132.1
Rhode Island .....	600.3	41.8	531.0	26.0	0.0	0.0	1.5
South Carolina .....	863.4	180.2	581.0	2.6	29.5	19.2	50.9
South Dakota .....	643.6	16.7	499.4	0.2	40.7	0.1	86.5
Tennessee .....	761.3	66.1	499.6	72.6	57.0	0.1	66.1
Texas .....	749.5	3.4	632.5	37.8	3.6	27.0	45.3
Utah .....	850.7	0.0	805.3	6.7	7.9	19.3	11.4
Vermont .....	1,177.2	9.3	1,075.6	17.1	55.0	0.0	20.2
Virginia .....	945.7	5.5	677.1	65.7	29.3	26.9	141.2
Washington .....	1,062.7	21.3	820.0	1.3	87.0	16.6	116.6
West Virginia .....	872.9	10.6	811.2	0.0	0.0	6.8	44.3
Wisconsin .....	1,502.4	342.7	840.9	81.2	79.6	63.5	94.5
Wyoming .....	1,587.5	288.9	1,068.0	4.3	10.2	52.2	163.8

Source: U.S. Department of Commerce, Bureau of the Census, Jan. 2002.

Note: Includes payments to the federal government, primarily state reimbursements for the supplemental security income program (under "public welfare").

# INTERGOVERNMENTAL PAYMENTS

**Table 2.5**  
**STATE INTERGOVERNMENTAL EXPENDITURE, BY FUNCTION AND BY STATE: 1999**  
**(Amounts are in thousands of dollars)**

State	Total	General local government support	Special Function				
			Education	Public welfare	Highways	Health	Miscellaneous and combined
<b>United States</b> .....	\$304,933,250	\$25,495,396	\$192,416,987	\$38,928,752	\$12,075,195	\$13,151,555	\$22,865,365
Alabama .....	3,631,426	107,467	3,138,573	0	188,486	13,587	183,313
Alaska .....	1,028,890	22,131	661,364	106,769	24,111	55,580	158,935
Arizona .....	5,944,003	1,054,114	2,903,696	1,052,170	486,086	235,702	212,235
Arkansas .....	2,649,550	124,827	2,228,621	0	135,262	1,077	159,763
California .....	58,350,134	3,514,275	30,715,186	16,467,185	1,686,843	3,728,350	2,238,295
Colorado .....	3,519,783	10,475	2,239,790	682,261	270,884	33,902	282,471
Connecticut .....	2,810,990	177,586	1,897,787	193,594	29,881	143,376	368,766
Delaware .....	720,975	0	623,538	941	8,294	10,152	78,050
Florida .....	13,437,789	2,547,936	9,719,681	612	243,914	12,660	912,986
Georgia .....	6,677,041	0	5,900,571	0	7,887	465,349	303,234
Hawaii .....	153,220	101,608	0	13,889	0	16,643	21,080
Idaho .....	1,213,378	100,014	967,094	0	109,306	10,752	26,212
Illinois .....	10,802,562	1,332,061	6,625,477	1,152,857	558,707	95,469	1,037,991
Indiana .....	6,247,767	1,550,019	3,429,532	272,508	677,850	72,415	245,443
Iowa .....	2,872,879	143,858	2,041,222	44,673	377,324	94,999	170,803
Kansas .....	2,806,135	112,531	2,336,784	9,827	145,708	85,253	116,032
Kentucky .....	3,249,308	0	2,707,075	26,686	110,527	135,667	269,353
Louisiana .....	3,644,823	148,421	2,900,492	74,679	52,778	2,819	465,634
Maine .....	858,131	96,174	673,884	13,215	20,903	0	53,955
Maryland .....	4,063,814	45,414	2,801,341	272	404,683	299,571	512,533
Massachusetts .....	6,751,995	1,484,736	3,383,029	300,636	186,735	5,558	1,391,301
Michigan .....	16,030,447	1,406,038	10,558,731	358,578	1,125,095	1,796,448	785,557
Minnesota .....	7,004,803	1,177,178	4,191,052	561,415	474,694	119,491	480,973
Mississippi .....	3,018,675	562,877	1,904,475	171,123	179,234	42,792	158,174
Missouri .....	4,441,636	5,699	3,668,028	39,492	286,162	18,035	424,220
Montana .....	708,248	48,502	536,690	8,351	16,941	13,555	84,209
Nebraska .....	1,487,295	98,828	958,072	15,907	160,791	148,932	104,765
Nevada .....	2,088,730	648,358	1,307,545	27,882	55,104	6,858	42,983
New Hampshire .....	477,913	45,249	229,908	89,771	26,039	26,818	60,128
New Jersey .....	7,798,959	1,583,008	4,682,664	840,877	216,885	25,366	450,159
New Mexico .....	2,366,077	604,744	1,698,285	0	13,422	0	49,626
New York .....	30,383,315	736,655	12,835,097	10,780,581	89,690	1,728,905	4,212,387
North Carolina .....	8,542,460	616,767	6,676,654	397,507	58,947	442,942	349,643
North Dakota .....	557,238	51,439	371,633	1,950	56,095	11,614	64,507
Ohio .....	12,015,358	1,602,037	7,112,272	1,176,888	825,893	736,811	561,457
Oklahoma .....	2,981,699	48,970	2,398,469	47,349	228,700	66,253	191,958
Oregon .....	3,672,493	110,211	2,716,784	52,994	353,532	252,805	186,167
Pennsylvania .....	10,947,652	168,526	5,987,543	1,841,283	478,557	887,229	1,584,514
Rhode Island .....	594,894	41,467	526,227	25,718	0	0	1,482
South Carolina .....	3,355,056	700,368	2,257,727	10,243	114,494	74,613	197,611
South Dakota .....	471,786	12,244	366,043	136	29,833	103	63,427
Tennessee .....	4,175,192	362,346	2,739,648	398,114	312,323	493	362,268
Texas .....	15,023,666	67,275	12,677,319	758,188	72,045	540,639	908,200
Utah .....	1,811,906	0	1,715,328	14,330	16,859	41,138	24,251
Vermont .....	699,231	5,536	638,889	10,150	32,647	0	12,009
Virginia .....	6,499,840	38,033	4,653,897	451,367	201,463	184,824	970,256
Washington .....	6,117,069	122,415	4,719,930	7,666	500,586	95,262	671,210
West Virginia .....	1,577,358	19,197	1,465,773	0	0	12,323	80,065
Wisconsin .....	7,887,652	1,799,088	4,414,923	426,046	418,093	333,360	496,142
Wyoming .....	762,009	138,694	512,644	2,072	4,902	25,065	78,632

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Detail may not add to totals due to rounding.

**Table 2.6**  
**STATE INTERGOVERNMENTAL EXPENDITURE, BY TYPE OF RECEIVING**  
**GOVERNMENT AND BY STATE: 1999**  
**(In thousands of dollars)**

State	Total intergovernmental expenditure	Type of receiving government				
		Federal	School districts	Counties, municipalities, and townships	Special districts	Combined and unallocable
United States .....	\$304,933,250	\$3,801,667	\$159,191,942	\$128,917,652	\$2,759,167	\$10,262,822
Alabama .....	3,631,426	0	3,138,573	490,009	0	2,844
Alaska .....	1,028,890	106,769	0	853,296	0	68,825
Arizona .....	5,944,003	0	2,766,668	2,930,864	0	246,471
Arkansas .....	2,649,550	2,306	2,227,327	304,084	6,455	109,378
California .....	58,350,134	2,256,037	28,853,559	25,891,763	550,386	798,389
Colorado .....	3,519,783	4,064	2,239,190	1,249,516	27,013	0
Connecticut .....	2,810,990	0	18,751	2,562,564	0	229,675
Delaware .....	720,975	939	623,176	96,860	0	0
Florida .....	13,437,789	365	9,719,681	3,717,743	0	0
Georgia .....	6,677,041	0	5,900,571	699,002	14,533	62,935
Hawaii .....	153,220	13,889	0	121,722	0	17,609
Idaho .....	1,213,378	0	967,094	134,247	1,068	110,969
Illinois .....	10,802,562	2,612	6,604,194	3,251,812	458,124	485,820
Indiana .....	6,247,767	21,347	3,429,532	1,832,968	7,111	956,809
Iowa .....	2,872,879	35,556	2,041,222	666,361	0	129,740
Kansas .....	2,806,135	60	2,336,784	376,027	3,995	89,269
Kentucky .....	3,249,308	0	2,707,075	518,068	0	24,165
Louisiana .....	3,644,823	0	2,899,400	563,215	0	182,208
Maine .....	858,131	8,471	0	171,884	0	677,776
Maryland .....	4,063,814	0	0	4,029,837	0	33,977
Massachusetts .....	6,751,995	177,763	491,191	5,116,442	786,501	180,098
Michigan .....	16,030,447	58,569	10,558,731	5,100,721	1,201	311,225
Minnesota .....	7,004,803	0	4,118,853	2,715,021	51,351	119,578
Mississippi .....	3,018,675	0	1,894,501	1,096,228	0	27,946
Missouri .....	4,441,636	0	3,668,026	475,664	8,144	289,802
Montana .....	708,248	0	536,690	146,080	0	25,478
Nebraska .....	1,487,295	9,627	952,332	197,433	42,324	285,579
Nevada .....	2,088,730	6,194	1,307,545	773,775	0	1,216
New Hampshire .....	477,913	0	21,053	172,313	796	283,751
New Jersey .....	7,798,959	63,907	3,722,469	3,941,429	0	71,154
New Mexico .....	2,366,077	0	1,698,285	648,678	0	19,114
New York .....	30,383,315	621,000	6,233,764	23,471,721	0	56,830
North Carolina .....	8,542,460	0	0	8,499,278	43,182	0
North Dakota .....	557,238	0	371,527	181,931	3,185	595
Ohio .....	12,015,358	5,142	7,110,817	2,943,277	21,959	1,934,163
Oklahoma .....	2,981,699	41,179	2,392,294	464,734	6,178	77,314
Oregon .....	3,672,493	0	2,708,026	930,119	30,820	3,528
Pennsylvania .....	10,947,652	153,432	5,987,543	4,291,702	425,276	89,699
Rhode Island .....	594,894	24,244	28,581	536,008	0	6,061
South Carolina .....	3,355,056	0	2,248,936	1,102,687	1,299	2,134
South Dakota .....	471,786	0	366,043	104,616	465	662
Tennessee .....	4,175,192	0	164,304	3,970,414	31,203	9,271
Texas .....	15,023,666	0	12,676,700	948,192	11,863	1,386,911
Utah .....	1,811,906	438	1,715,328	96,140	0	0
Vermont .....	699,231	10,150	638,889	50,192	0	0
Virginia .....	6,499,840	206	0	6,499,634	0	0
Washington .....	6,117,069	3,522	4,716,516	1,162,185	217,987	16,859
West Virginia .....	1,577,358	0	1,465,773	91,704	267	19,614
Wisconsin .....	7,887,652	172,807	4,414,507	2,487,570	0	812,768
Wyoming .....	762,009	1,072	509,921	239,922	6,481	4,613

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Detail may not add to totals due to rounding.

**Table 2.7**  
**STATE INTERGOVERNMENTAL REVENUE FROM FEDERAL AND LOCAL GOVERNMENTS: 1999**  
**(In thousands of dollars)**

State	Total intergovernmental revenue	From federal government				From local government					
		Total	Education	Public welfare	Health & hospitals	Highways	Total	Education	Public welfare	Health & hospitals	Highways
United States .....	\$253,691,979	\$238,940,986	\$38,737,952	\$135,274,188	\$13,205,304	\$20,874,468	\$14,750,993	\$11,171,426	\$9,084,433	\$529,914	\$893,391
Alabama .....	4,281,715	4,240,349	816,147	2,391,321	160,140	395,333	41,366	11,443	0	8,355	9,762
Alaska .....	1,222,794	1,219,718	150,107	471,794	35,003	195,233	3,076	3,031	0	0	0
Arizona .....	3,662,296	3,393,482	713,831	1,827,409	155,349	392,466	268,814	17,701	222,839	2,652	16,346
Arkansas .....	2,470,733	2,456,500	344,261	1,535,345	52,631	264,354	14,233	8,090	0	661	1,957
California .....	33,720,628	31,149,968	5,666,411	16,884,744	1,214,569	1,819,097	2,570,660	100,056	1,853,107	3,824	307,866
Colorado .....	2,959,108	2,941,008	753,464	1,316,453	246,040	337,588	18,100	5,357	1,699	416	5,470
Connecticut .....	3,146,893	3,141,429	315,011	1,989,196	186,356	396,127	5,464	3	0	0	0
Delaware .....	763,836	738,287	86,587	330,597	41,882	123,048	25,549	23,181	0	0	0
Florida .....	9,090,699	8,722,880	1,665,528	4,250,848	989,283	725,465	367,819	0	233,509	67,822	30
Georgia .....	5,870,748	5,822,099	1,156,812	3,056,364	312,031	742,201	48,649	24,084	0	0	4,344
Hawaii .....	1,265,044	1,253,363	254,128	599,241	78,209	92,978	11,681	1,127	0	0	0
Idaho .....	960,799	957,488	145,176	434,304	83,103	140,499	3,311	146	385	1,427	1,291
Illinois .....	9,364,928	8,548,140	1,537,133	5,174,292	406,781	644,470	816,788	16,480	712,579	0	55,557
Indiana .....	4,480,507	4,327,166	675,813	2,461,235	156,762	604,774	153,341	5,375	93,173	6,705	22,772
Iowa .....	2,467,487	2,377,788	491,750	1,118,110	246,924	273,597	89,699	2,067	49,475	28,852	7,526
Kansas .....	1,885,254	1,853,761	430,121	787,089	118,662	292,228	31,493	4,637	0	0	26,856
Kentucky .....	3,859,606	3,847,378	611,142	2,375,165	142,236	363,773	12,228	8,904	0	0	0
Louisiana .....	4,588,811	4,529,930	961,171	2,886,545	211,048	28,442	58,881	7,681	0	8,094	5
Maine .....	1,439,937	1,430,158	139,106	942,869	44,429	128,776	9,779	108	0	0	8,271
Maryland .....	3,798,047	3,669,059	752,550	1,751,442	350,639	319,142	128,988	26,676	0	44,167	14,037
Massachusetts .....	5,454,495	5,102,545	549,206	2,539,000	639,280	0	351,950	7,471	8,349	442	342
Michigan .....	8,769,848	8,361,384	1,581,084	4,347,047	900,690	633,949	408,464	18,484	73,724	208,998	79,106
Minnesota .....	4,044,605	3,989,612	786,217	2,295,234	154,987	301,501	54,993	6,130	12,811	16,504	11,351
Mississippi .....	2,098,579	2,983,006	536,808	1,813,515	219,109	115,157	115,573	5,120	95,119	18	3,637
Missouri .....	4,733,323	4,689,848	615,237	2,935,715	260,476	481,740	43,475	987	26	218	28,687
Montana .....	1,151,940	1,134,012	168,691	488,398	63,344	216,904	17,928	274	14,040	0	3,300
Nebraska .....	1,420,373	1,400,002	231,742	796,994	82,320	157,664	20,371	3,570	2,206	1,612	10,951
Nevada .....	984,246	932,731	169,199	422,074	54,412	167,424	51,515	9,659	26,081	554	6,344
New Hampshire .....	1,112,328	947,578	109,362	433,135	19,413	109,961	164,750	3,875	150,894	0	4,700
New Jersey .....	7,120,257	6,748,019	821,475	3,878,440	367,570	758,884	372,238	234,391	30,000	622	4,725
New Mexico .....	2,071,418	2,018,699	415,086	1,113,605	112,382	240,254	52,719	14,786	0	33,244	0
New York .....	31,479,109	25,519,240	2,092,113	18,198,912	1,009,029	1,115,268	5,959,869	108,782	4,399,723	4,215	4,455
North Carolina .....	7,613,432	7,118,302	933,415	4,378,113	268,424	1,019,847	495,130	7,793	439,584	1,635	22,325
North Dakota .....	873,392	850,938	138,917	325,943	23,510	155,402	22,454	117	3,660	0	13,603
Ohio .....	9,308,842	9,072,426	1,181,528	5,721,232	451,053	678,355	236,416	28,203	10,419	20,245	36,433

## STATE INTERGOVERNMENTAL REVENUE FROM FEDERAL AND LOCAL GOVERNMENTS: 1999 — Continued

State	Total intergovernmental revenue	From federal government					From local government				
		Total	Education	Public welfare	Health & hospitals	Highways	Total	Education	Public welfare	Health & hospitals	Highways
Oklahoma .....	2,795,879	2,717,283	538,216	1,548,996	94,317	265,801	78,596	10,965	994	411	12,024
Oregon .....	3,526,027	3,469,463	546,220	1,534,025	381,278	301,507	56,564	6,544	29,431	0	17,435
Pennsylvania .....	10,260,843	10,183,718	1,575,036	6,238,365	506,582	868,275	77,125	45,810	0	903	6,191
Rhode Island .....	1,302,530	1,228,747	148,944	746,485	55,545	135,441	73,783	76	0	0	4
South Carolina .....	3,882,061	3,579,633	578,230	2,219,339	181,729	300,734	302,428	35,669	230,516	2,867	0
South Dakota .....	807,020	794,668	101,327	327,958	29,565	170,127	12,352	0	0	6,229	4,516
Tennessee .....	5,568,436	5,495,256	658,168	3,594,070	170,073	478,713	73,180	19,887	0	2,230	21,322
Texas .....	16,309,713	15,664,553	3,038,282	8,315,188	843,366	1,698,268	645,160	253,887	390,070	840	8
Utah .....	1,827,037	1,809,105	421,040	650,246	118,816	210,003	17,932	2,339	0	180	8,001
Vermont .....	832,679	802,147	113,131	378,647	57,903	99,801	30,532	1,044	0	0	29,488
Virginia .....	4,046,733	3,928,512	812,659	1,864,202	168,798	534,580	118,221	15,200	0	45,389	24,587
Washington .....	4,695,072	4,620,350	971,169	2,118,783	599,553	467,529	74,722	39,290	0	0	8,038
West Virginia .....	2,123,358	2,082,234	312,722	1,156,955	63,657	279,473	41,124	2,234	0	0	0
Wisconsin .....	4,270,716	4,197,393	746,044	2,138,125	156,710	378,919	73,323	2,922	20	8,756	43,550
Wyoming .....	907,818	879,631	180,435	171,084	17,288	149,444	28,187	19,770	0	827	6,178

Source : U.S. Department of Commerce, Bureau of the Census, January 2002.

Note : Detail may not add to total due to rounding.





## Chapter Three

# STATE LEGISLATIVE BRANCH

“An overriding issue for legislatures is whether they are taking steps to educate members and citizens alike about the importance and workings of the legislature in representative democracy. Building member and public support for the legislature as an institution and representative democracy as a system is a most important and most challenging part of the legislator’s job.”

— Alan Rosenthal and Rich Jones



## Trends in State Legislatures

By Alan Rosenthal and Rich Jones

*Legislatures are the engines of representative democracy in the American states. They are the arenas in which the processes for choosing policies, setting priorities and reaching settlements among conflicting values and interests take place. This essay points out trends and directions in which state legislatures are moving, the significant issues confronting them and offers a framework for thinking about the current condition of state legislatures.*

Legislatures are the engines of representative democracy in the American states. They are the arenas in which the processes for choosing policies, setting priorities and reaching settlements among conflicting values and interests take place. As political institutions, legislatures are not at all separate from their environments; quite the contrary, they are the most accessible and permeable of all the political institutions in American democracy.

This essay introduces, refers to and makes use of data collected from the 50 states by The Council of State Governments. It also points out trends and directions in which state legislatures are moving and the significant issues confronting them. Finally, it offers a framework for thinking about the current condition of state legislatures and describes some of the major issues facing state legislatures during the 2002 sessions.

The 50 state legislatures can be characterized and differentiated in various ways. They can be grouped by region of the country, by size of the state or length of legislative session. For present purposes, we will examine state legislatures according to their most distinguishing features: first, the extent of their professionalization; second, the degree of their political partisanship; third, the use of direct democracy in the states and how it restricts legislatures; fourth, limits on legislators' terms and the effects of term limits in 17 states; fifth, structural elements, such as legislative rules and procedures; and sixth, performance in terms of how legislatures carry out their major functions.

### Professionalization

American legislatures can be distinguished from one another in terms of the professionalization of both institutions and members. Various political scientists have operationalized the concept, relying on factors such as the number of staff professionals, the compensation legislators receive, and the time the legislature and its members devote to the job. By most measures, California, Illinois, Massachusetts, Michigan, New Jersey, New York, Pennsylvania and Wisconsin lie at the professionalized end of the continuum, while

Montana, New Mexico, North Dakota, South Dakota and Wyoming lie at the least professionalized end. Roughly half the states can be found in the middle, gradually becoming more professionalized.

In the 1960s, perhaps only one or two legislatures could be considered professional. In the 1970s and 1980s, professional staff for leaders, committees, and individual members increased practically everywhere. In most states, staff remained relatively centralized in legislative councils or legislative service agencies. The number of legislative staff remained fairly constant throughout the 1990s at about 36,000. Over three-fourths of these staff were full-time professionals. The trend toward decentralization continued as more legislatures assigned staff to individual members, caucuses and committees. Through the 1970s and 1980s, legislators' salaries rose, as did expense allowances and special stipends for leadership positions. The time spent in session, meetings during the interim period and working in the constituency also increased. The result was that many bodies that were once considered "citizen legislatures" became hybrids, if not professional.

The trend toward professionalization slowed in the 1990s, but the time members spent on their job appeared to increase, if only gradually. Today's legislatures face several issues involving professionalization. First, are staffing levels adequate to do the job required? Some legislatures have large staffs, but many still lack the staff resources they need. Moreover, the recruitment and especially the retention of qualified staff present problems. Second, do low legislative salaries discourage able men and women from running for the legislature or continuing to serve? Do low salaries result in a legislative body that is composed disproportionately of the elderly, who are retired; the wealthy, who need not be concerned about the level of compensation; and the young and inexperienced, for whom a legislative salary may be competitive to what they could earn elsewhere? Third, do time demands make legislative service impossible for people who are engaged in the professions? The paramount issue generally is whether so-called citizen legislatures can any longer be justified or whether most legislatures will

have to become bodies in which members are expected to be full time.

The tabular data reported here neither fully describes professionalization nor addresses the issues raised above. But it provides a base for analysis. The presentations that are especially relevant to the issues raised above are: legislative compensation (see Tables 3.9 through 3.12) and length of legislative sessions (see Table 3.2).

### *Legislative Compensation*

Legislative compensation is an important factor in attracting legislators from a broad cross section of society. If it is set too low, only the wealthy or those just beginning their careers will be attracted to legislative service. Set it too high and the citizens reject it as unreasonable. In the 1960s, legislative reformers asserted that raising legislative salaries would help attract and retain more qualified members. In the mid-1960s, 26 states set legislative salaries in their constitutions. Today, only five states – Alabama, Arkansas, Nebraska, New Hampshire and New Mexico – set the specific amount of legislative compensation in the constitution. These states tend to pay relatively low salaries, such as Alabama's \$10 per day for the 105-calendar-day regular session, New Hampshire's \$100 per year and New Mexico's per-diem reimbursement of \$136 and no salary. Because these amounts are set in the constitution it is hard to change salaries to keep pace with changes in the economy. (See Table 3.8.)

In 2001, salaries ranged from a low of \$100 per year in New Hampshire to a high of \$99,000 per year in California. Seventeen states paid lawmakers \$30,000 or more per year in 2001, compared to 11 states that paid this much in 1994. Eight of these states pay in excess of \$40,000. All but six states pay legislators a per diem to cover living expenses. In at least 39 houses and 34 senates, presiding officers receive additional compensation. Majority leaders receive additional compensation in 23 houses and 21 senates, while minority leaders receive additional compensation in 24 houses and 23 senates. Other leaders, such as speaker pro tem, majority and minority whip and caucus chair, receive additional compensation in 24 states. Nine states provide additional compensation for all committee chairs, and in 10 states chairs of specific committees, such as appropriations, get extra pay. (See tables 3.9 through 3.12.)

Legislators in 40 states, the District of Columbia, Guam, Puerto Rico and the Virgin Islands are eligible for state retirement benefits. These benefits are optional in 23 states, Puerto Rico, Guam and the Virgin Islands. All but three states make health-, dental- and

optical- insurance benefits available to legislators. In some states, insurance is optional at the lawmaker's expense, while other states pay the entire premium. In most states, insurance benefits are the same as those provided to other state employees. California, the Florida Senate, Pennsylvania, Puerto Rico and the Virgin Islands provide allowances for automobiles. Leaders in Arkansas, Georgia, New Jersey and New York are provided with automobiles. (See Tables 3.9 through 3.13.)

Thirty states provide lawmakers with office expenses, staff allowances or both. Some states provide minimal allowances, such as Idaho's \$500 per year and Oklahoma's \$350 per year for unvouchered office supplies, plus seven rolls of stamps. Other states, such as California, Michigan and Texas, provide staffing allowances of more than \$100,000 to pay for district office employees. (See Table 3.10.)

### *Length of Legislative Sessions*

Since the 1960s, states have relaxed limitations on the length of legislative sessions and restrictions on the legislatures' ability to call special sessions. Currently, 12 states place no limit on the length of regular legislative sessions, and 28 states have constitutional limits. Three states set session limits by chamber rule, and three states set indirect limits by cutting off legislators' compensation, per diem and mileage reimbursements after a certain date. (See table 3.2.)

All but six states – Arkansas, Montana, Nevada, North Dakota, Oregon and Texas – meet annually. The six that meet biennially hold their sessions in the odd-numbered year. Kentucky, New Hampshire and Washington are the most recent states to switch to annual sessions, doing so in 2001, 1985 and 1981 respectively. Following World War II, only four states met annually. This number grew to 20 states in 1966, and 41 held annual sessions in 1974. In addition, in six states – Connecticut, Louisiana, Maine, New Mexico, North Carolina and Wyoming – the subjects that the legislature can consider are limited during one year of the biennium. For the most part, the session is limited to budget, tax and fiscal bills, but these legislatures broadly interpret the types of bills that meet the criteria and the restricted sessions often are very similar to regular legislative sessions.

In the late 1980s and early 1990s, there was increased public sentiment in favor of limiting the length of sessions. Alaska, Colorado, Louisiana, Nevada and Oklahoma voters all approved constitutional amendments that resulted in shorter legislative sessions. However, as workloads grew, legislatures have used special sessions to address emergencies and

issues left unresolved in the regular session. There were 21 special sessions held in 1999, 18 in 2000 and 44 in 2001. (See table 3.20.)

### Political Competitiveness and Political Partisanship

With the exception of the Nebraska Unicameral, legislatures are partisan bodies – organized and controlled either by Democrats or Republicans, or occasionally, when there is a tie, by a power-sharing agreement between the two major parties. Party affiliation and partisanship are among the defining characteristics of legislative bodies in the states and play a significant role in the legislative process in most places.

During recent decades, the nation's legislatures have been becoming more competitive bodies. This is largely because of the Republican upsurge in the 1990s. While only two or three out of every five legislative districts are competitive, depending on the state, roughly two-thirds of state senates and houses are competitive. That is, either party has a chance of winning a majority of seats and each party has had control for some time during the past decade or so. Still, some legislatures remain dominated by one party or the other – Utah, South Dakota and Wyoming by Republicans, and Hawaii, Louisiana, Massachusetts, Mississippi and Rhode Island by Democrats. But in most states, the margins are narrower, and the minority party has at least a chance in the future, if not at the very next election. For example, in 2002, nine senates have a two-seat or less split between the parties, and in seven of the houses, six seats or less separate the two parties.

Currently, as Table 3.3 shows, state legislatures are equally split between Democrats and Republicans. In 2002, following off-year elections in New Jersey and Virginia and special elections to fill two vacant seats in the Washington House of Representatives, Republicans hold a majority of seats in both chambers in 17 states, Democrats hold a majority in both chambers in 17 states, and in 15 states each party holds a majority of seats in one chamber. At the start of the 2002 sessions three legislative chambers were equally divided between the parties. (Nebraska legislators are elected on a nonpartisan basis.)

In terms of total seats held, the parties are almost tied. As sessions opened in 2002, 3,813 legislators (51 percent) were Democrats and 3,535 (48 percent) were Republicans. A combination of independents, members of other parties and vacant seats accounts for the other one percent. The parties have become dramatically more competitive in legislative elections over the past four decades. In 1960, 65 percent of all state legislators were Democrats and 35 percent were Republicans. Most of the increased competition has occurred in the

South, where Republicans increased their share of legislative seats from 10 percent in 1960 to 40 percent today. An example of their growing strength in the South took place in 2000, when Republicans held a majority of the seats in the South Carolina Senate for the first time since Reconstruction.

Three legislative chambers were tied following the 2000 election – Arizona Senate, Maine Senate and Washington House of Representatives. In Arizona, Democrats and a handful of Republicans coalesced to organize the Senate, electing a Republican Senate president and splitting committee chairs among the Democratic and Republican members of the coalition.<sup>1</sup> The tie in Maine occurred when voters elected 17 Democrats, 17 Republicans and one independent to the Senate. The members opted for a power-sharing arrangement that gave the Democrats the Senate presidency and control of the staff in the secretary of the Senate's office during the first year of the biennium and the Republicans the same positions during the second year. The independent senator served as Senate chair of the Joint Standing Committee on Appropriations and Financial Affairs both years. Chairs and membership of the other committees were divided equally between the two parties, as were office space and staffing.<sup>2</sup> Washington voters elected an equal number of Democrats and Republicans to the House of Representatives in 1998 and again in 2000. The parties crafted a power-sharing agreement with co-speakers, co-chairs of committees, co-clerks and an equal balance between the parties in all other functions within the House. Although the House was able to conduct its business and meet its responsibilities, operating with a tie for more than one session was frustrating for many members.<sup>3</sup> Democrats won two special elections in 2001, which gave them a 50 to 48 majority and ended one of the longest continuous periods that a legislative chamber was tied.

The New Jersey Senate was evenly split with 20 Democrats and 20 Republicans following the 2001 election. The parties negotiated a power-sharing agreement in which the Senate president and chairs of the committees will rotate between the parties at specific intervals throughout the session.

Along with competition has come greater partisanship, reflecting a number of factors. First, most Americans still affiliate with or lean toward one party or the other. Second, in most places, the two parties take opposing positions on some key matters of public policy and on questions of taxation and state spending. Third, in over half the states, the legislative parties run campaigns for incumbents and challengers. And fourth, with high stakes and competitive politics, mem-

bers of the two parties are inclined to stick together much of the time.

It is possible that partisan competition and partisanship will increase further, although there are no indications that substantial change will take place in the near future. Party politics raise a number of issues for legislative bodies. One issue relates to the politicization of the legislative process as a consequence of campaigns being run out of the legislature. Increasingly, lawmaking and the reelection campaign have become intertwined. Another issue pertains to the influence of staffing, particularly whether the influence of partisan staff will continue to grow while that of nonpartisan staff will diminish. This has already happened in a number of states. As important as any other issue is that of the lawmaking process itself and whether, as a result of partisan rancor, consensus building becomes an even more difficult process and deadlock increases. In some states today, Democrats have little to do with Republicans and vice versa, which diminishes civility and makes consensus building tougher than it would be otherwise. The overriding question is: just what role should parties and partisanship, through leaders and caucuses, play in the legislative process? Is there a productive way to balance partisanship and bipartisanship?

### Direct Democracy

Institutionally, the relative autonomy of the legislature is as important as anything else. As representative and responsive bodies, legislatures are hardly autonomous; they have to react to environmental forces and various publics. But increasingly, as Alan Rosenthal's *The Decline of Representative Democracy* suggests, the constitutional and statutory initiative and other manifestations of direct democracy are working to further reduce legislative discretion. Public opinion polls, call-in radio and television, grass-roots lobbying and issue campaigns constrain deliberative processes and decision-making in the legislature. Shorter legislative terms, more demanding interest groups, new technology and the permeability of legislative boundaries all facilitate direct democracy. The issue facing legislatures today is how they will adapt and to what extent their strengths and independence will suffer under such pressure.

Of course, the most glaring manifestation of direct democracy is the initiative, a way to bypass the legislature and the legislative process, which is operative in 24 states. The initiative process allows amendments to the state constitution as well as state laws to be placed on the ballot, if a required number of citizens sign a petition. The electorate then votes on the initiative.

This device has been used most frequently in the West – in California, Oregon, Washington, Colorado, and Arizona – with substantial effects on state policy-making and state policy. Such effects have been especially pronounced in the areas of revenue and expenditure policy, severely limiting the legislature's authority. For example, voters in Colorado used the initiative process to set specific limits on the legislature's authority to spend revenues and to raise taxes by requiring a vote of the people on all tax and fee increases. A California initiative not only enacted limits on legislators' terms but set a ceiling on legislative expenditures that resulted in a 38 percent cut in the legislature's budget and eliminated lawmakers' pension benefits.

No states have adopted the initiative process since 1992, when Mississippi did so. Legislatures in states without the initiative are not inclined to put such a proposition on the ballot, but if voters had a choice, there is little question that they would adopt the use of initiatives for their own states. The issue that legislatures in states that allow initiatives face is whether and how their authority will be further curtailed by the voters. The issue that legislatures in states without the initiative process face is whether public pressure will build to the point that legislators are unable to resist letting the voters decide.

(See M. Dane Waters' essay on initiatives and referenda in Chapter Six and Janice May's essay on state constitutions and constitutional revision in Chapter 1 for more information on initiatives.)

### Term Limits

Without the initiative in place, the term-limits movement would not have succeeded. Since term limits were first adopted in 1990 by voters in California, Colorado, and Oklahoma, they have been adopted by voters in 16 other states. Legislatures had a direct role in adopting term limits in two states. In Utah, the legislature enacted a 12-year term limit in order to preempt a shorter term that was about to be placed on the ballot as a popular initiative. In Louisiana, where there is no initiative, the Legislature placed a term-limits provision on the ballot that was approved by the state's voters in a 1995 referendum. Courts in Massachusetts, Oregon and Washington have invalidated their states' term-limits laws and the legislature in Idaho repealed its law. In most states term limits are part of the constitution, so any repeal would have to be approved by a vote of the people. Only Maine, Utah and Wyoming have statutory term limits that can be changed by the legislature. Several legislatures have considered legislation to amend them generally by increasing the number of terms allowed before the limits take effect.

States without the initiative process are not likely to enact term limits, although it is always possible that a concerted campaign could persuade legislators to put term limits on the ballot for the voters to decide, as they did in Louisiana.

The initial effects of term limits include high turnover rates, which have already hit a number of states. Other effects are impending and legislative scholars have begun studying just how legislatures are adapting to term limits. In states that have already enacted term limits, the issues are how well they adapt and what the effects on the legislative institution and the legislative process will be.

(See Table A on page 66 for more information on term limits.)

### **Structural Elements**

Much of the data reported in this volume describes structural elements of legislatures in the 50 states. These elements differ from place to place, but all contribute to the institution and the process.

### ***Legislative Operations and Procedures***

As state legislatures have expanded their capacities and have taken a more active role in policy-making, their workloads have increased. Although there is great pressure to evolve into more professionalized bodies that spend more time in session, most legislatures want to remain part-time institutions, populated by members who hold other jobs outside of the legislature. As a result, legislatures spend considerable attention on streamlining and improving their operations and procedures. They are using technology to speed up bill processing and to increase public access to the legislative process. Many have adopted limitations on the number of bills each member may introduce as a way of reducing workloads. They are also using the interim between sessions to study issues in greater detail than they can during the session.

In recent years, legislatures have conducted formal studies of their operations, rules and procedures. The Florida House significantly restructured its committee system and process for considering legislation in the late 1990s. It also rewrote its rules to make them more understandable for new members elected under term limits. The Pennsylvania House has an ongoing committee that reviews its rules and processes, with the goal of making them more efficient and effective. In 2000, the Virginia General Assembly conducted a detailed study of its legislative process and procedures, with the goal of eliminating those that were unnecessary and time consuming. The legislature was struggling to keep up with an increasing workload while

remaining a part-time legislature with relatively short sessions. As a result of this study, the House reduced the number of committees and the number of members assigned to them. It also adopted a schedule for subcommittee meetings to avoid overlap and conflicts. Both chambers adopted incentives for prefiling bills, which results in bills being ready for consideration at the start of session and the workload being spread out throughout the session.

A major restructuring of the Rhode Island General Assembly is currently under way. A constitutional amendment approved by the voters in 1994 will reduce the House from 100 to 75 members and the Senate from 50 to 38 members effective with the 2002 election. The amendment was part of a series of changes recommended by a blue-ribbon citizens commission in 1992, which also included raising legislators' salaries from \$5 per session day to \$10,000 per year (the 2002 salary is \$11,236 per year), giving lawmakers shared office space and adding research staff to committees.

In 2001, the Wyoming Legislature assessed its need for additional research and legal staff and its procedures governing interim work. This study recommended adding more staff to the Legislative Service Office, improving interim committee scheduling, including a deadline for finishing interim work, and establishing deadlines and limits on bill introductions.

### ***Bills and Bill Processing***

As legislatures struggle to handle an increasing workload in a limited amount of time, they have adopted several strategies to limit the number of bills and better manage how they process them during the session. Currently, almost a quarter of all legislative chambers limit the number of bills that a member may introduce or request be drafted. This is almost double the number of chambers that had similar provisions in 1991. For example, lawmakers are limited to 50 bills during a regular two-year session in the California Assembly, five bills per year in Colorado and 50 bills during a session in New Jersey.

Other strategies to manage legislative workloads more effectively include the imposition of deadlines for introducing bills and allowing bills to be prefiled before the start of the legislative session. In many cases, legislatures that limit the number of bills a member may introduce during the session will allow an unlimited number of prefiled bills. In addition, 13 chambers use short-form or skeleton bills that can be turned into full bills if there is interest in the legislation. Forty-three chambers allow bills to carry over from the first year of the biennium to the second. Carryover bills do not need to be redrafted, and they often retain their



place on the floor or in committee. These techniques are intended to get bills introduced earlier in the legislative session so committees can begin considering legislation upon convening. They also help spread out the workflow for bill drafters over a longer period of time, generally before the start of the session. (See tables 3.14 and 3.15.)

Probably the major issue of legislative structure relates to the power of leadership in bodies that are becoming more diverse and more democratically constituted. Will leaders be able to build the consensus necessary to reach settlements on issues and to balance the power of the governor?

Legislative leaders play a critical role in the operation of state legislatures. They set agendas, appoint committees, formulate policy, rule on parliamentary questions, preside over legislative sessions, maintain decorum and serve as the official spokespersons for their chambers. In essence, they are instrumental in making the legislative process work. To do their jobs effectively, they must understand their members' strengths, weaknesses and political goals. They must balance support for the members while leading them to reach desired outcomes on often difficult and controversial issues.

The leader's job has grown more complex as the demands on state legislatures have increased. This is exacerbated by turnover among leaders. About one in five presiding officers, majority and minority leaders are new to their position at the start of each biennium. Although many of them have considerable legislative experience, they are relatively new to their leadership roles. This is a particular problem in the term-limited states, where turnover among the entire membership is high, and members begin their leadership positions with limited legislative experience. In some term-limited states, members have become leaders after four years in the legislature and are termed out after two years as leader. This puts a premium on identifying potential leaders early in their careers and training the new leaders upon their election to their leadership position. (Tables 3.6 and 3.7 list the leadership positions in each legislature and how they are selected.)

### Legislative Performance

A way of measuring legislatures' performance has yet to be devised (and probably cannot be devised), but there are essentially four significant functions that legislatures have to fulfill, and by which their performance can be assessed: 1) representing constituencies; 2) lawmaking; 3) balancing the power of the executive; and 4) maintaining the well-being of the legislature as an institution.

### *Representing Constituencies*

Legislatures represent their constituencies and constituents by various means. Indeed, constituency is probably a more powerful influence on their behavior than any other factor.

One issue is just how representative legislators are of the people in their states. While they do not have to mirror the population in every demographic group, there is agreement that no major groups should be excluded from serving in the legislature. And none is, although those who serve are generally better educated and more secure financially than the population at large. But there has been substantial change in the demographic composition of legislatures. Legislatures include more minorities than they did before. The number of women serving in state legislatures increased from 301 (4 percent) in 1969 to 1,666 (22 percent) in 2002.<sup>4</sup> Likewise, the number of African-American state legislators grew from 168 (about 2 percent) in 1970 to 567 (almost 8 percent) today.<sup>5</sup> Hispanic legislators have also made gains in state legislatures, holding 198 (almost 3 percent) of legislative seats nationwide.<sup>6</sup> Given the projected future growth of Hispanics in the overall population, the number of Hispanic lawmakers is likely to increase.

The majority of state legislators are baby boomers, with about six in 10 having been born between 1946 and 1965. The second largest block of lawmakers – about three in 10 – are those in the “silent generation” born between 1928 and 1945. Approximately five percent of lawmakers are under 35 and about four percent are 75 or older.

Another issue pertains to the representational role of legislators and how they serve their constituencies, while also taking into account the interests of the entire state. They are expected to provide some connection between their constituents and government and, by virtue of their activity in the district, they surely do. They are also expected to help their districts with state-budget allocations and appropriations for special projects. Their efforts in this domain are often criticized as parochial, but legislators believe that one of their jobs is to bring home the bacon. They are also expected to express the views of their constituency on policy and budgetary priorities, and this is the most problematic part of their representational role. On many issues, constituents have little concern; on others, small groups compete against one another; on a few, constituents divide sharply; and on even fewer, something resembling a constituency mandate can be said to exist.

The nature of representation varies enormously from state to state and even from district to district. The number of people in a district is an important factor in



determining the nature of representation. The populations of districts in the large states range in the hundreds of thousands, while those in the smaller states are under 10,000. The geographical shape of a district is also important.

### ***Lawmaking***

The introduction, processing and enactment of laws and the adoption of a state budget constitute a second major function of legislative bodies. The debate, deliberation and negotiation that take place from one stage of the legislative process to the next are critical. The important issues involve the nature of the discussion and how – and how fairly – issues get resolved.

### ***Balancing the Power of the Executive***

In the American system of separated powers, one legislative function is to balance the power of the executive. Whereas governors are elected statewide, legislators are elected by district. Whereas governors are individuals, speaking with a single voice, legislatures are a collection of individuals, speaking with many voices. While governors stand at the top of a governmental hierarchy, legislators are essentially equal to one another. Moreover, governors have the power not only to initiate policies and shape budgets, but also to veto – usually to item veto, and sometimes to conditionally veto, as well. Provisions regarding the governor's veto and the legislature's override are shown in Table 3.16. Ordinarily, governors have the upper hand in their dealings with the legislature. The issues for legislatures are those of independence, co-equality and the maintenance of a reasonable balance with the governor.

One way that legislatures maintain the balance of power with the executive branch is through the oversight process. While an important legislative function, it is one that legislatures find hard to perform effectively. Legislatures use several formal approaches for overseeing executive-branch operations. The first and most consistently applied is the budget process, where legislatures independently assess and adopt a budget for the executive branch. Every legislature has specific staff assigned to analyze the budget and fiscal issues. Legislative budget committees hold hearings and generally scrutinize the executive's budget request. Through this process, the legislature can monitor the operations of state agencies and exert its influence over the executive branch. A second approach is through program evaluation and auditing. Forty-four legislatures have a formal process for conducting program evaluations or performance audits of state agencies and programs. This process generates detailed information about how the laws the legislature passes are being

implemented by the executive branch. Some states use sunset laws that automatically terminate agencies and programs unless a review demonstrates that they should be continued as part of their program-evaluation process. Table 3.27 describes the provisions of the states' sunset laws. A third approach to oversight is legislative rules review. In this process, legislatures review the rules and regulations promulgated by state agencies to determine whether they are consistent with the legislature's intent when it gave the agencies rule-making authority, and whether the agency has the authority to do what is embodied in the rules. The legislatures vary in the actions they can take when they find that the rules and regulations do not meet these criteria. Forty legislatures have a formal rules review process. (See Tables 3.25 and 3.26.)

### ***Maintaining the Well Being of the Legislature***

The legislature and the legislative process are the engines of representative democracy. They drive the system. The legislature as an institution is not only a means to an end (that of public-policy decisions), it is an end itself. Thus, the well-being of the legislature is more important than any particular policies that it enacts.

The contemporary environment is especially hard on legislatures. The result is a public that is anti-politics, anti-politician, anti-process, and anti-institution. It is difficult for legislatures not to be affected by the cynicism they constantly encounter. In some respects, legislators themselves are to blame, such as when they make accusations against "the system" in political campaigns. In some respects, many legislators suffer because of the conduct of very few.

An overriding issue for legislatures today is whether they are taking steps to educate members and citizens alike about the importance and workings of the legislature in representative democracy. Building member and public support for the legislature as an institution and representative democracy as a system is a most important and most challenging part of a legislator's job.

### ***Major Issues in the 2001-2002 Legislative Sessions***

State legislatures considered a number of perennial issues during the 2001 and 2002 sessions, such as education policy and funding, transportation, growth management and welfare reform. In many respects, the usual business took place. However, state legislators also faced challenges and issues they did not have to address in other recent sessions.

To paraphrase the old line about the importance of location in the real estate business, the top three issues facing state legislatures in the 2002 legislative sessions were budgets, budgets and budgets. After a decade of

**Table A: Basic Provisions of State Term Limits Laws**

State	Year enacted	Length of limits		Consecutive terms	Lifetime limit
		Senate	House/Assembly		
Arizona	1992	8	8	Yes	No
Arkansas	1992	8	6	No	Yes
California	1990	8	6	No	Yes
Colorado	1990	8	8	Yes	No
Florida	1992	8	8	Yes	No
Idaho (a)	1994	8	8	Yes	No
Louisiana	1995	12	12	Yes	No
Maine	1993	8	8	Yes	No
Massachusetts (b)	1994	8	8	Yes	No
Michigan	1992	8	6	No	Yes
Missouri	1992	8	8	No	Yes
Montana	1992	8	8	Yes	No
Nebraska (c)	2000	8	N.A.	Yes	No
Nevada	1996	12	12	No	Yes
Ohio	1992	8	8	Yes	No
Oklahoma (d)	1990	12	12	No	Yes
Oregon (e)	1992	8	6	No	Yes
South Dakota	1992	8	8	Yes	No
Utah	1994	12	12	Yes	No
Washington (f)	1992	8	6	Yes	No
Wyoming	1992	12	12	Yes	No

*Note:*

(a) The Idaho legislature repealed its term limits law in 2002.

(b) The Massachusetts Supreme Court overturned the term limits law in 1997, ruling that constitutionally established qualifications for office could not be changed via statute.

(c) An initiative limiting legislative terms was passed in 1992 but was overturned by the Nebraska Supreme Court in 1994 because there were not enough signatures to place the initiative on the ballot. An initiative limiting legislative and congressional terms was passed in 1994 but was overturned by the state Supreme Court in 1996 because the legislative limits were so intertwined with

the unconstitutional congressional limits as to be unconstitutional themselves. An initiative setting the current limits on legislative terms was passed in 2000.

(d) Oklahoma limits legislators to 12 total years of legislative service.

(e) Oregon limited legislators to eight years in the Senate, six years in the House and 12 total years of legislative service. The state Supreme Court invalidated the term limits law in 2002.

(f) The Washington Supreme Court overturned the term limits law in 1998, ruling that constitutionally established qualifications for office could not be changed via statute.

strong economic growth, the national recession took a toll on state revenues and drove up costs in several areas. After seven straight years of enacting tax cuts totaling \$35 billion, state legislatures had to find ways to reduce their budgets.<sup>7</sup>

Going into the sessions, more than 40 legislatures reported revenues below projections. Nearly half of the states revised their fiscal year 2002 revenue forecasts downward and in eight of these states, revenue collections were failing to meet the revised levels. Twenty-eight states and the District of Columbia reported that spending was above budgeted levels, with Medicaid expenses running over budget in at least 23 states. At

least 30 states implemented budget cuts or holdbacks and at least 15 states and the District of Columbia tapped reserve funds to balance their fiscal year 2002 budgets. States took some drastic measures to address these fiscal problems, such as delaying or canceling capital projects, placing a freeze on hiring, redirecting special funds into the general fund, delaying scheduled tax cuts and increasing state-employee contributions to health care plans. Arizona, California and Oregon held special sessions to address problems with the fiscal year 2002 budgets. Tax proposals to help balance the fiscal year 2003 budgets were being considered in 19 states.<sup>8</sup>

The terrorist attacks of September 11 and the result-

ing war on terrorism pushed security issues to the top of legislative agendas. Legislatures considered a number of measures to define terrorism and impose new criminal penalties. Florida, Michigan and Minnesota were among the states with legislation that defined acts of terrorism and assigned criminal penalties to them. Many of the states considered legislation that imposed penalties for terrorist hoaxes and false reports. Legislatures also considered bills to update and enhance the public health system's capacity to deal with bioterrorism and address issues such as administering antidotes, vaccines and antibiotics in crises. All of the states have created a mechanism – either an office of homeland security, commission or task force – to address security and terrorism issues. Legislatures tightened security in and around state capitols and legislative office buildings and took measures, such as installing metal detectors and x-ray machines, screening bags and briefcases and restricting access to a single entrance.<sup>9</sup>

Legislatures in most states undertook the process of redrawing district lines for themselves and members of Congress. Sometimes described as a “political bloodsport,” redistricting can be a highly political and technical process that consumes the time and attention of lawmakers. It drew added attention in the 2001 and 2002 sessions because, given the narrow partisan split in the U.S. House, decisions made by state legislatures in drawing congressional boundaries could determine which party controls the U.S. House of Representatives in 2003. In many states however, the courts will have the final say, either because legislatures were unable to agree on a plan by the deadlines for the 2002 elections or the legislative plan failed to meet the necessary legal requirements.<sup>10</sup> (See Ronald Weber's essay on redistricting in Chapter 6 for more information.)

Shopping on the Internet continued to increase, because it is convenient, economical and many people assume “sales tax free.”<sup>11</sup> Studies show that states will lose a total of \$10.8 billion in 2003 alone as a result of uncollected sales and use tax on sales from remote locations. The states are currently working on a plan to remove the burden on remote sellers by simplifying the state sales- and use-tax structure. In 2001, Congress passed a two-year extension of the Internet tax morato-

rium, giving states a window of opportunity to accomplish this and convince the Congress and/or the federal courts to require merchants to collect sales and use taxes on their remote sales. During the 2001 and 2002 sessions over 25 states and the District of Columbia adopted legislation to simplify their sales taxes and representatives from these states are participating in a working group to develop an interstate agreement that will embody the details of a simplified sales tax system.

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## Notes

<sup>1</sup> Howard Fischer, “Equity's Hot in Arizona,” *State Legislatures* (National Conference of State Legislatures) 27, no.7 (July/August 2001): 21-23.

<sup>2</sup> Francis Quinn, “Mellow (Mostly) in Maine,” *State Legislatures* 27, no.7 (July/August 2001): 24-26.

<sup>3</sup> David Ammons, “Fit to be Tied in Washington,” *State Legislatures* 27, no.7 (July/August 2001): 16-20.

<sup>4</sup> “Women of Color in Elective Office 2001” Fact Sheet (New Brunswick, NJ: Center for American Women in Politics, December 2001).

<sup>5</sup> Steve Manas, “Political Influence: African Americans and the Legislative Process,” *Rutgers Focus*, Rutgers University, October 19, 2001, <[http://ur.rutgers.edu/focus/index.phtml?Article\\_ID=825&Issue\\_ID=102](http://ur.rutgers.edu/focus/index.phtml?Article_ID=825&Issue_ID=102)>.

<sup>6</sup> “Latinos Grab Seats in State Houses Nationwide,” NALEO News, National Association of Latino Elected and Appointed Officials Educational Fund, November 9, 2000, <<http://www.naleo.org/PressReleases/latinosgrab.htm>>.

<sup>7</sup> Gene Rose, “A Fog of Uncertainty,” *State Legislatures* 28, no.1 (January 2002): 12-16.

<sup>8</sup> National Conference of State Legislatures, *State Fiscal Outlook for FY 2002: January Update*, (Denver, CO: National Conference of State Legislatures, 2002), 1-2.

<sup>9</sup> National Conference of State Legislatures, *States Respond to Terrorism*, March 2002, <<http://www.ncsl.org/programs/press/2002/t-briefs.htm>>.

<sup>10</sup> National Conference of State Legislatures, *Redistricting*, March 2002, <<http://www.ncsl.org/programs/legman/elect/redist.htm>>.

<sup>11</sup> Rose, “A Fog of Uncertainty,” 15-16.

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## About the Authors

**Rich Jones** is the director of Legislative Programs at the National Conference of State Legislatures (NCSL). He has written extensively about state legislatures and legislative operations and has consulted with a large number of state legislatures on issues relating to legislative procedures and staff structure. **Alan Rosenthal** is a professor of public policy and political science at the Eagleton Institute of Politics at Rutgers University. He has written extensively about state legislatures, including *The Decline of Representative Democracy*. Currently, he is working on a book that focuses on the job of the state legislature.

**Table 3.1**  
**NAMES OF STATE LEGISLATIVE BODIES AND CONVENING PLACES**

<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 House
Alaska .....	Legislature	Senate	House of Representatives	State Capitol
Arizona .....	Legislature	Senate	House of Representatives	State Capitol
Arkansas .....	General Assembly	Senate	House of Representatives	State Capitol
California .....	Legislature	Senate	Assembly	State Capitol
Colorado .....	General Assembly	Senate	House of Representatives	State Capitol
Connecticut .....	General Assembly	Senate	House of Representatives	State Capitol
Delaware .....	General Assembly	Senate	House of Representatives	Legislative Hall
Florida .....	Legislature	Senate	House of Representatives	The Capitol
Georgia .....	General Assembly	Senate	House of Representatives	State Capitol
Hawaii .....	Legislature	Senate	House of Representatives	State Capitol
Idaho .....	Legislature	Senate	House of Representatives	State Capitol
Illinois .....	General Assembly	Senate	House of Representatives	State House
Indiana .....	General Assembly	Senate	House of Representatives	State House
Iowa .....	General Assembly	Senate	House of Representatives	State Capitol
Kansas .....	Legislature	Senate	House of Representatives	State Capitol
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	State Capitol
Missouri .....	General Assembly	Senate	House of Representatives	State Capitol
Montana .....	Legislature	Senate	House of Representatives	State Capitol
Nebraska .....	Legislature	(a)		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
Texas .....	Legislature	Senate	House of Representatives	State Capitol
Utah .....	Legislature	Senate	House of Representatives	State Capitol
Vermont .....	General Assembly	Senate	House of Representatives	State House
Virginia .....	General Assembly	Senate	House of Delegates	State Capitol
Washington .....	Legislature	Senate	House of Representatives	State Capitol
West Virginia .....	Legislature	Senate	House of Delegates	State Capitol
Wisconsin .....	Legislature	Senate	Assembly (b)	State Capitol
Wyoming .....	Legislature	Senate	House of Representatives	State Capitol
Dist. of Columbia .....	Council of the District	(a)		Council Chamber
American Samoa .....	Legislature	Senate	House of Representatives	Maota Fono
Guam .....	Legislature	(a)		Congress Building
No. Mariana Islands .....	Legislature	Senate	House of Representatives	Civic Center Building
Puerto Rico .....	Legislative Assembly	Senate	House of Representatives	The Capitol
U.S. Virgin Islands .....	Legislature	(a)		Capitol Building

Source: The Council of State Governments, *Directory I - Elective Officials 2002*.

(a) Unicameral legislature. Except in Dist. of Columbia, members go by the title Senator.

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

**Table 3.2**  
**LEGISLATIVE SESSIONS: LEGAL PROVISIONS**

State or other jurisdiction	Regular sessions			Special sessions		
	Year	Legislature convenes		Limitation on length of session (a)	Legislature may call	Legislature may determine subject
		Month	Day			
Alabama .....	Annual	Jan.	2nd Tues. (b)	30 L in 105 C	No	Yes (f)
		Mar.	1st Tues. (c)(d)			
		Feb.	1st Tues. (e)			
Alaska .....	Annual	Jan.	2nd Mon.	121 C (h)	By 2/3 vote of members	Yes (i)
		Jan.	3rd Mon. (g)			
Arizona .....	Annual	Jan.	2nd Mon.	(j)	By petition, 2/3 members, each house	Yes (i)
Arkansas .....	Biennial-odd year	Jan.	2nd Mon.	60 C (h)	No	Yes (f,k)
		Jan.	2nd Mon.			
California .....	(l)	Jan.	1st Mon. (d)	None	No	None
Colorado .....	Annual	Jan.	No later than 2nd Wed.	120 C	By request, 2/3 members, each house	Yes (i)
Connecticut .....	Annual (m)	Jan.	Wed. after 1st Mon. (n)	(p)	Yes (q)	None (r)
		Feb.	Wed. after 1st Mon. (o)			
Delaware .....	Annual	Jan.	2nd Tues.	June 30	Joint call, presiding officers, both houses	Yes
Florida .....	Annual	Mar.	1st Tues. after 1st Mon. (d)	60 C (h)	Joint call, presiding officers, both houses or by petition through Dept. of State, 3/5 members, both houses	Yes (f)
						20 C (h)
Georgia .....	Annual	Jan.	2nd Mon.	40 L	By petition, 3/5 members, each house	Yes (i)
Hawaii .....	Annual	Jan.	3rd Wed.	60 L (h)	By petition, 2/3 members, each house	Yes
Idaho .....	Annual	Jan.	Mon. on or nearest 9th day	None	No	No
Illinois .....	Annual	Jan.	2nd Wed.	None	Joint call, presiding officers, both houses	Yes (i)
Indiana .....	Annual	Jan.	2nd Mon. (d)(t)	odd-61 C or Apr. 29; even-30 C or Mar. 14	No	Yes
				(u)		30 L or 40 C
Iowa .....	Annual	Jan.	2nd Mon.	odd-None; even-90 C (h)	By petition, 2/3 members, each house	Yes
Kansas .....	Annual	Jan.	2nd Mon.	odd-30L (v)	Petition to governor of 2/3 members, each house	Yes
Kentucky .....	Annual	Jan.	Tues after 1st Mon. (d)	even-60L	No	No
						None
Louisiana .....	Annual	Mar.	last Mon. (d)(n)	odd-60 L in 85 C;	By petition, majority, each house	Yes (i)
		Apr.	last Mon. (m)(o)	even-30 L in 45 C		30 C
		Dec.	1st Wed. (b)	3rd Wed. of June (h)	Joint call, presiding officers, with consent of	None
Maine .....	(l, m)	Jan.	Wed. after 1st Tues. (o)	3rd Wed. of April (h)	of majority of members of each political party, each house	Yes (i)
						None
Maryland .....	Annual	Jan.	2nd Wed.	90 C (h)	By petition, majority, each house	Yes
Massachusetts .....	Annual	Jan.	1st Wed.	(w)	By petition, majority, each house	30 C
Michigan .....	Annual	Jan.	2nd Wed.	None	By petition (x)	None
Minnesota .....	(y)	Jan.	Tues. after 1st Mon. (n)	120 L or 1st Mon. after 3rd Sat. in May (y)	No	Yes

## LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

State or other jurisdiction	Regular sessions			Special sessions		
	Year	Month	Legislature convenes Day	Limitation on length of session (a)	Legislature may call	Legislature may determine subject
Mississippi .....	Annual	Jan.	Tues. after 1st Mon.	125 C (h, z); 90C (h, z)	No	No
Missouri .....	Annual	Jan.	Wed. after 1st Mon.	May 30	By petition, 3/4 members, each house	Yes
Montana .....	Biennial- odd year	Jan.	1st Mon.	90 L	By petition, majority, each house	Yes
Nebraska .....	Annual	Jan.	Wed. after 1st Mon.	odd-90 L (h); even-60 L (h)	By petition, 2/3 members	Yes
Nevada .....	Biennial- odd year	Feb.	1st Mon.	120 C	No	No
New Hampshire .....	Annual	Jan.	Wed. after 1st Tues. (d)	45 L	By 2/3 vote of members, each house	Yes
New Jersey .....	Annual	Jan.	2nd Tues.	None	By petition, majority, each house	Yes
New Mexico .....	Annual (m)	Jan.	3rd Tues.	odd-60 C; even-30 C	By petition, 3/5 members, each house	Yes (i)
New York .....	Annual	Jan.	Wed. after 1st Mon.	None	By petition, 2/3 members, each house	Yes (i)
North Carolina .....	(y)	Jan.	3rd Wed. after 2nd Mon. (n)	None	By petition, 3/5 members, each house	Yes
North Dakota .....	Biennial- odd year	Jan.	Tues. after Jan. 3, but not later than Jan. 11 (d)	80 L (bb)	Yes (kk)	Yes
Ohio .....	Annual	Jan.	1st Mon. (mm)	None	Joint call, presiding officers, both houses	Yes
Oklahoma .....	Annual	Feb.	1st Mon. (cc)	160 C	By vote, 2/3 members, each house	Yes (i)
Oregon .....	Biennial- odd year	Jan.	2nd Mon.	None	By petition, majority, each house	Yes
Pennsylvania .....	Annual (ll)	Jan.	1st Tues.	None	By petition, majority each house	No
Rhode Island .....	Annual	Jan.	1st Tues.	60 L (u)	No	No
South Carolina .....	Annual	Jan.	2nd Tues. (d)	1st Thurs. in June (h)	No	Yes
South Dakota .....	Annual	Jan.	2nd Tues.	odd-40 L; even-35 L	No	Yes
Tennessee .....	Annual	Jan.	(dd)	90 L (u)	By petition, 2/3 members, each house	Yes
Texas .....	Biennial- odd year	Jan.	2nd Tues.	140 C	No	No
Utah .....	Annual	Jan.	3rd Mon.	45 C	No	No
Vermont .....	(y)	Jan.	Wed. after 1st Mon. (n)	None	No	Yes
Virginia .....	Annual	Jan.	2nd Wed.	odd-30 C (h); even-60 C (h)	By petition, 2/3 members, each house	Yes
Washington .....	Annual	Jan.	2nd Mon.	odd-105 C; even-60 C	By vote, 2/3 members, each house	Yes
West Virginia .....	Annual	Feb.	2nd Wed. (c, d)	60 C (h)	By petition, 3/5 members, each house	Yes (ff)
Wisconsin .....	Annual (gg)	Jan.	2nd Wed. (e)	None	By petition, vote, majority members each house, vote by majority, organization committee each house	No
Wyoming .....	Annual (m)	Jan.	2nd Tues. (n)	odd-40 L; even-20 L	Yes	Yes
		Feb.	3rd Mon. (o)			

LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued

State or other jurisdiction	Regular sessions			Special sessions		
	Year	Month	Legislature convenes	Limitation on length of session (a)	Legislature may call	Legislature may determine subject
Dist. of Columbia .....	(hh)	Jan.	2nd day	None	No	No
American Samoa .....	Annual	Jan.	2nd Mon.	45 L	No	No
		July	2nd Mon.	45 L		
Guam .....	Annual	Jan.	2nd Mon. (ii)	None	No	No
No. Mariana Islands .....	Annual	(jj)	(d, jj)	90 L (jj)	Upon request of presiding officers, both houses	Yes (i)
Puerto Rico .....	Annual	Jan.	2nd Mon.	None	No	No
U.S. Virgin Islands .....	Annual	Jan.	2nd Mon.	None	No	No

Source: The Council of State Governments' survey, January 2002 and state web sites.

Note: Some legislatures will also reconvene after normal session to consider bills vetoed by governor. Connecticut—if governor vetoes any bill, secretary of state must reconvene General Assembly on second Monday after the last day on which governor is either authorized to transmit or has transmitted every bill with his objections, whichever occurs first; General Assembly must adjourn sine die not later than three days after its reconvening. Hawaii—legislature may reconvene on 45th day after adjournment sine die, in special session, without call. Louisiana—legislature meets in a maximum five-day veto session on the 40th day after final adjournment. Missouri—if governor returns any bill on or after the fifth day before the last day on which legislature may consider bills (in even-numbered years), legislature automatically reconvenes on first Wednesday following the second Monday in September for a maximum 10 C sessions. New Jersey—legislature meets in special session (without call or petition) to act on bills returned by governor on 45th day after sine die adjournment of the regular session; if the second year expires before the 45th day, the day preceding the end of the legislative year. Utah—if 2/3 of the members of each house favor reconvening to consider vetoed bills, a maximum five-day session is set by the presiding officers. Virginia—legislature reconvenes on sixth Wednesday after adjournment for a maximum three-day session (may be extended to seven days upon vote of majority of members elected to each house). Washington—upon petition of 2/3 of the members of each house, legislature meets 45 days after adjournment for a maximum five-day session.

Key:

- C — Calendar day
- L — Legislative day (in some states called a session day or workday; definition may vary slightly, however, generally refers to any day on which either house of legislature is in session).
- (a) Applies to each year unless otherwise indicated.
- (b) General election year (quadrennial election year).
- (c) Year after quadrennial election.
- (d) Legal provision for organizational session prior to stated convening date. Alabama—in the year after quadrennial election, second Tuesday in January for 10 C. California—in the even-numbered general election year, first Monday in December for an organizational session, recess until the first Monday in January of the odd-numbered year. Florida—in general election year, 14th day after election. Indiana—third Tuesday after first Monday in November. Kentucky—in odd-numbered year, Tuesday after first Monday—in January for 10 L. Louisiana—in year after general election, second Monday in January, not to exceed 3 L. New Hampshire—in even-numbered year, first Wednesday in December. North Dakota—in December. South Carolina—in even-numbered year, Tuesday after certification of election of its members for a maximum three-day session. West Virginia—in year after general

election, on second Wednesday in January. No. Mariana Islands—in year after general election, second Monday in January.

- (e) Other years.
- (f) By 2/3 vote each house.
- (g) Following a gubernatorial election year.
- (h) Session may be extended by vote of members in both houses, Alaska—2/3 vote for 10-day extension. Arkansas—2/3 vote, Florida—3/5 vote, session may be extended by vote of members in each house Hawaii—petition of 2/3 membership for maximum 15-day extension. Kansas—2/3 vote. Maine—2/3 vote for maximum 10 L. Maryland—3/5 vote for maximum 30 C. Mississippi—2/3 vote for 30 C extension, no limit on number of extensions. Nebraska—4/5 vote. South Carolina—2/3 vote. Virginia—2/3 vote for 30 C extension. West Virginia—2/3 vote (or if budget bill has not been acted upon three days before session ends, governor issues proclamation extending session). Puerto Rico—joint resolution.
- (i) Only if legislature convenes itself. Special sessions called by the legislature are unlimited in scope in Arizona, Georgia, Maine, and New Mexico.
- (j) No constitutional or statutory provision; however, legislative rules require that regular sessions adjourn no later than Saturday of the week during which the 100th day of the session falls.
- (k) After governor's business has been disposed of, members may remain in session up to 15 C by a 2/3 vote of both houses.
- (l) Regular sessions begin after general election, in December of even-numbered year. In California, legislature meets in December for an organizational session, recesses until the first Monday in January of the odd-numbered year and continues in session until Nov. 30 of next even-numbered year. In Maine, session which begins in December of general election year runs into the following year (odd-numbered); second session begins in next even-numbered year.
- (m) Second session limited to consideration of specific types of legislation. Connecticut—individual legislators may only introduce bills of a fiscal nature, emergency legislation and bills raised by committees. Louisiana—fiscal matters. Maine—budgetary matters; legislation in the governor's call; emergency legislation; legislation referred to committees for study. New Mexico—budgets, appropriations and revenue bills; bills drawn pursuant to governor's message; vetoed bills. Wyoming—budget bills, other bills require a 2/3 vote for introduction.
- (n) Odd-numbered years.
- (o) Even-numbered years.
- (p) Odd-numbered years—not later than Wednesday after first Monday in June; even-numbered—years not later than Wednesday after first Monday in May.



**LEGISLATIVE SESSIONS: LEGAL PROVISIONS — Continued**

- (q) Constitution provides for regular session convening dates and allows that sessions may also be held "... at such other times as the General Assembly shall judge necessary." Call by majority of legislators is implied.
- (r) Upon completion of business.
- (s) Limited to 40 L unless extended by 3/5 vote and approved by the governor, except in cases of impeachment proceedings.
- (t) Legislators may reconvene at any time after organizational meeting; however, second Monday in January is the final date by which regular session must be in process.
- (u) Indirect limitation; usually restrictions on legislator's pay, per diem, or daily allowance.
- (v) In even-numbered years, sessions may not extend beyond April 15 and in odd numbered years may not extend beyond March 30.
- (w) Legislative rules say formal business must be concluded by Nov. 15th of the 1st session in the biennium, or by July 31st of the 2nd session for the biennium.
- (x) Joint rules provide for the submission of a written statement requesting special session by a specified number of members of each chamber.
- (y) Legal provision for session in odd-numbered year; however, legislature may divide, and in practice has divided, to meet in even-numbered years as well.
- (z) 90 C sessions every year, except the first year of a gubernatorial administration during which the legislative session runs for 125 C.
- (aa) 30 C if called by legislature; 60 C if called by governor.
- (bb) No legislative day is shorter than a natural day.
- (cc) Odd number years will include a regular session commencing on the first Tuesday after the first Monday in January and recessing not later than the first Monday in February of that year. Limited constitutional duties can be performed.
- (dd) Commencement of regular session depends on concluding date of organizational session. Legislature meets, in odd-numbered year, on second Tuesday in January for a maximum 15 C organizational session, then returns on the Tuesday following the conclusion of the organizational session.
- (ee) Except in cases of impeachment.
- (ff) According to a 1955 attorney general's opinion, when the legislature has petitioned to the governor to be called into session, it may then act on any matter.
- (gg) The legislature, by joint resolution, establishes the session schedule of activity for the remainder of the biennium at the beginning of the odd-numbered year.
- (hh) Each Council period begins on January 2 of each odd-numbered year and ends on January 1 of the following odd-numbered year.
- (ii) Legislature meets on the first Monday of each month following its initial session in January.
- (jj) 60 L before April 1 and 30 L after July 31.
- (kk) Legislative Council may reconvene the Legislature assembly. However, a reconvened session may not exceed the number of days available (80) but not used by the last regular session.
- (ll) Sessions are 2 years and begin on the 1st Tuesday of January of the odd numbered year. Session ends on November 30 of the even numbered year. Each calendar year receives its own legislative number.
- (mm) Unless Monday is a legal holiday, in second year, the General Assembly convenes on the same date.



**Table 3.3**  
**THE LEGISLATORS: NUMBERS, TERMS, AND PARTY AFFILIATIONS: 2001**

State or other jurisdiction	Senate						House						Senate and House totals
	Democrats	Republicans	Other	Vacancies	Total	Term	Democrats	Republicans	Other	Vacancies	Total	Term	
All states .....	1,025	966	13	13	2,081	...	2,831	2,650	15	13	5,529	...	7,610
Alabama .....	24	11	...	...	35	4	67	38	...	...	105	4	140
Alaska .....	6	14	...	...	20	4	13	27	...	...	40	2	60
Arizona .....	15	15	...	...	30	2	24	36	...	...	60	2	90
Arkansas .....	27	8	...	...	35	4	70	30	...	...	100	2	135
California .....	26	14	...	...	40	4	50	30	...	...	80	2	120
Colorado .....	18	17	...	...	35	4	28	37	...	...	65	2	100
Connecticut .....	21	15	...	...	36	2	100	51	...	...	151	2	187
Delaware .....	13	8	...	...	21	4	15	26	...	...	41	2	62
Florida .....	15	25	...	...	40	4	43	77	...	...	120	2	160
Georgia .....	32	24	...	...	56	2	105	74	1	...	180	2	236
Hawaii .....	22	3	...	...	25	4	32	19	...	...	51	2	76
Idaho .....	3	31	...	1	35	2	9	61	...	...	70	2	105
Illinois .....	27	32	...	...	59	(b)	62	56	...	...	118	2	177
Indiana .....	18	32	...	...	50	4	52	46	...	2	100	2	150
Iowa .....	20	30	...	...	50	4	44	56	...	...	100	2	150
Kansas .....	10	30	...	...	40	4	46	79	...	...	125	2	165
Kentucky .....	18	20	...	...	38	4	66	34	...	...	100	2	138
Louisiana .....	25	14	...	...	39	4	71	34	...	...	105	4	144
Maine .....	17	16	1 (a)	1	35	2	81	69	1 (a)	...	151	2	186
Maryland .....	33	14	...	...	47	4	106	35	...	...	141	4	188
Massachusetts .....	32	6	...	2	40	2	136	22	...	2	160	2	200
Michigan .....	15	23	...	...	38	4	52	57	...	1	110	2	148
Minnesota .....	37 (c)	27 (d)	1 (a)	2	67	4	64 (c)	70 (d)	...	...	134	2	201
Mississippi .....	34	18	...	...	52	4	86	33	3 (a)	...	122	4	174
Missouri .....	14	18	...	2	34	4	87	76	...	...	163	2	197
Montana .....	19	31	...	...	50	4	42	58	...	...	100	2	150
Nebraska .....	-----Nonpartisan election-----				49	4	-----Unicameral-----						
Nevada .....	9	12	...	...	21	4	27	15	...	...	42	2	63
New Hampshire .....	11	13	...	...	24	2	142	255	1 (l)	2	400	2	424
New Jersey .....	20	20	...	...	40	4 (e)	44	36	...	...	80	2	120
New Mexico .....	24	18	...	...	42	4	42	28	...	...	70	2	112
New York .....	25	36	...	...	61	2	99	51	...	...	150	2	211
North Carolina .....	35	15	...	...	50	2	62	58	...	...	120	2	170
North Dakota .....	17	32	...	...	49	4	29	69	...	...	98	4	147
Ohio .....	11	21	...	1	33	4	39	59	...	1	99	2	132
Oklahoma .....	30	18	...	...	48	4	52	48	...	1	101	2	149
Oregon .....	14	16	...	...	30	4	28	32	...	...	60	2	90
Pennsylvania .....	21	29	...	...	50	4	98	104	...	1	203	2	253
Rhode Island .....	43	7	...	...	50	2	87	13	...	...	100	2	150
South Carolina .....	21	25	...	...	46	4	53	71	...	...	124	2	170
South Dakota .....	11	24	...	...	35	2	20	50	...	...	70	2	105
Tennessee .....	18	15	...	...	33	4	57	41	...	1	99	2	132
Texas .....	15	15	...	1	31	4	78	71	...	1	150	2	181
Utah .....	9	20	...	...	29	4	24	51	...	...	75	2	104
Vermont .....	16	13	...	1	30	2	62	82	5 (f)	1	150	2	180
Virginia .....	18	22	...	...	40	4	34	64	2 (a)	...	100	2	140
Washington .....	25	24	...	...	49	4	50	48	...	...	98	2	147
West Virginia .....	28	6	...	...	34	4	75	25	...	...	100	2	134
Wisconsin .....	18	15	...	...	33	4	43	56	...	...	99	2	132
Wyoming .....	10	20	...	...	30	4	14	46	...	...	60	2	90
Dist. of Columbia (g) .....	11	2	...	...	13	4	-----Unicameral-----						
American Samoa .....	-----Nonpartisan election-----				17	4	-----Nonpartisan election-----				20	2	37
Guam .....	7	8	...	...	15	2	-----Unicameral-----						
No. Mariana Islands .....	2	5	2 (m)	...	9	4	1	16	1 (n)	...	18	2	27
Puerto Rico .....	8 (h)	19 (i)	1 (j)	...	28	4	20 (h)	30 (i)	1 (j)	...	51	4	79
U.S. Virgin Islands .....	7	...	8 (k)	...	15	2	-----Unicameral-----						

See footnotes on next page.

THE LEGISLATORS: NUMBERS, TERMS, AND PARTY AFFILIATIONS: 2001 — Continued

Source: The Council of State Governments, *Directory I - Elective Officials* 2002

Note: Senate and combined body (Senate and House) totals include Unicameral legislatures.

Key:

. . . - Does not apply

(a) Independent.

(b) The entire Senate is up for election every 10 years, beginning in 1972. Senate districts are divided into three groups. One group elects senators for terms of four years, four years and two years; the second group for terms of four years, two years and four years; the third group for terms of two years, four years, and four years.

(c) Democratic-Farmer-Labor.

(d) Independent-Republican.

(e) The first senatorial term at the beginning of each decade is 2 years.

(f) Independent (1); Progressive (4).

(g) Council of the District of Columbia.

(h) New Progressive Party.

(i) Popular Democratic Party.

(j) Puerto Rico Independent Party.

(k) Independent (6); Independent Citizens Movement (2).

(l) Libertarian.

(m) Reform (1); Covenant (1).

(n) Covenant.

**Table 3.4**  
**MEMBERSHIP TURNOVER IN THE LEGISLATURES: 2001**

State or other jurisdiction	Senate			House		
	Total number of members	Number of membership changes	Percentage change of total	Total number of members	Number of membership changes	Percentage change of total
Alabama .....	35	2	6	105	2	2
Alaska .....	20	0	0	40	0	0
Arizona .....	30	0	0	60	0	0
Arkansas .....	35	0	0	100	0	0
California .....	40	1	3	80	1	1
Colorado .....	35	0	0	65	1	2
Connecticut .....	36	0	0	151	0	0
Delaware .....	21	0	0	41	0	0
Florida .....	40	0	0	120	0	0
Georgia .....	56	0	0	180	2	1
Hawaii .....	25	0	0	51	0	0
Idaho .....	35	1	3	70	0	0
Illinois .....	59	0	0	118	0	0
Indiana .....	50	0	0	100	2	2
Iowa .....	50	0	0	100	0	0
Kansas .....	40	0	0	125	0	0
Kentucky .....	38	0	0	100	0	0
Louisiana .....	39	2	5	105	2	2
Maine .....	35	1	3	151	0	0
Maryland .....	47	0	0	141	0	0
Massachusetts .....	40	6	15	160	2	1
Michigan .....	38	2	5	110	2	2
Minnesota .....	67	4	6	134	2	1
Mississippi .....	52	0	0	122	0	0
Missouri .....	34	2	6	163	2	1
Montana .....	50	0	0	100	0	0
Nebraska .....	49	0	0	..... Unicameral .....		
Nevada .....	21	0	0	42	0	0
New Hampshire .....	24	0	0	400	2	1
New Jersey .....	40	8	20	80	18	23
New Mexico .....	42	0	0	70	0	0
New York .....	61	0	0	150	0	0
North Carolina .....	50	0	0	120	0	0
North Dakota .....	49	0	0	98	0	0
Ohio .....	33	2	6	99	1	1
Oklahoma .....	48	0	0	101	1	1
Oregon .....	30	0	0	60	2	3
Pennsylvania .....	50	2	4	203	1	0
Rhode Island .....	50	2	4	100	5	5
South Carolina .....	46	2	4	124	3	2
South Dakota .....	35	0	0	70	0	0
Tennessee .....	33	0	0	99	7	7
Texas .....	31	1	3	150	2	1
Utah .....	29	0	0	75	2	3
Vermont .....	30	1	3	150	1	1
Virginia .....	40	0	0	100	26	26
Washington .....	49	0	0	98	2	2
West Virginia .....	34	0	0	100	0	0
Wisconsin .....	33	0	0	99	0	0
Wyoming .....	30	0	0	60	0	0
Dist. of Columbia .....	13	0	0	..... Unicameral .....		
American Samoa .....	17	1	6	20	0	0
Guam .....	15	2	13	..... Unicameral .....		
No. Mariana Islands .....	9	2	22	18	10	56
Puerto Rico .....	28	1	4	54	0	0
U.S. Virgin Islands .....	15	0	0	..... Unicameral .....		

Source: The Council of State Governments, *Directory I Elective Officials* 2002.

Note: Turnover calculated after 2001 legislative elections.

**Table 3.5**  
**THE LEGISLATORS: QUALIFICATIONS FOR ELECTION**

State or other jurisdiction	House				Senate			
	Minimum age	U.S. citizen (years)	State resident (years)	District resident (years)	Qualified voter (years)	Minimum age	U.S. citizen (years)	State resident (years)
Alabama	21	...	3 (a)	1	...	25	...	3 (a)
Alaska	21	...	3	1	★	25	...	3
Arizona	25	★	3	1	...	25	★	3
Arkansas	21	★	2	1	...	25	...	2
California	18	3	3	1	★	18	3	3
Colorado	25	★	...	1	...	25	★	...
Connecticut	18	...	...	★	★	18	...	...
Delaware	24	...	3 (a)	1	...	27	...	3 (a)
Florida	21	...	2	★	...	21	...	2
Georgia	21	★	2 (a)	1	...	25	★	2 (a)
Hawaii	18	...	3	(b)	★	18	...	3
Idaho	18	★	...	1	★	18	★	1
Illinois	21	★	...	2 (c)	...	21	★	...
Indiana	21	★	2	1	...	25	★	2
Iowa	21	★	1	60 days	...	25	★	1
Kansas	18	...	...	★	★	18	...	...
Kentucky	24	...	2 (a)	1	...	30	...	6 (a)
Louisiana	18	...	2	1	★	18	...	2
Maine	21	5	1	3 mo.	...	25	5	1
Maryland	21	...	1 (a)	6 mo. (d)	...	25	...	1 (a)
Massachusetts	18	...	...	1	...	18	...	5
Michigan	21	★	...	(b)	★	21	★	...
Minnesota	18	...	1	6 mo.	★	18	...	1
Mississippi	21	...	4 (a)	2	★	25	...	6 mo.
Missouri	24	...	...	1 (e)	2	30	...	2
Montana	18	...	1	6 mo. (f)	...	18	...	1 (e)
Nebraska	U	U	U	U	U	1	...	6 mo. (f)
Nevada	21	...	1 (a)	30 days (m)	★	21	...	1
New Hampshire	18	...	2	★	...	30	...	30 days (m)
New Jersey	21	...	2 (a)	1	★	30	...	★
New Mexico	21	...	...	★	...	25	...	...
New York	18	★	5	1 (g)	...	18	★	★
North Carolina	(h)	...	...	1	★	25	...	1 (g)
North Dakota	18	...	1	(b)	★	18	...	1
Ohio	18	...	30 days	1	...	18	...	1
Oklahoma	21	...	...	(b)	★	25	...	(b)
Oregon	21	★	...	1	...	21	...	1
Pennsylvania	21	...	...	1	...	25	...	...
Rhode Island	18	...	...	...	★	18	...	...
South Carolina	21	...	...	(b)	★	25	...	(b)

See footnotes at end of table.

## THE LEGISLATORS: QUALIFICATIONS FOR ELECTION — Continued

State or other jurisdiction	House				Senate					
	Minimum age	U.S. citizen (years)	State resident (years)	District resident (years)	Qualified voter (years)	Minimum age	U.S. citizen (years)	State resident (years)	District resident (years)	Qualified voter (years)
South Dakota	21	★	2	(b)	★	21	★	2	(b)	★
Tennessee	21	★	3 (a)	1 (b)	★	30	★	3	1 (b)	★
Texas	21	★	2	1	★	26	★	5	1	★
Utah	25	★	3	6 mo. (b)	★	25	★	3	6 mo. (b)	★
Vermont	18	...	2	1	...	18	...	2	1	...
Virginia	21	...	...	★	★	21	...	...	★	★
Washington	18	★	...	(b)	★	18	★	...	(b)	★
West Virginia	18	...	5 (a)	1	★	25	...	5 (a)	1	★
Wisconsin	18	...	1	(b)	★	18	...	1	(b)	★
Wyoming	21	★	(a)	1	...	25	★	(a)	1	...
Dist. of Columbia	U	U	U	U	U	18	...	1	★	★
American Samoa	25	★(i)	5	1	...	30 (j)	★(i)	5	1	...
Guam	U	U	U	U	U	25	★	5	...	...
No. Mariana Islands	21	...	3	...	★	25	...	5	...	★
Puerto Rico (k)	25	★	2	1 (l)	...	30	★	2	1 (l)	...
U.S. Virgin Islands	21	★	...	3	★	21	★	...	3	★

Sources: The Council of State Governments' survey, January 2002 and state web sites.

Note: Many state constitutions have additional provisions disqualifying persons from holding office if they are convicted of a felony, bribery, perjury or other infamous crimes.

Key:

U — Unicameral legislature; members are called senators, except in District of Columbia.

★ — Formal provision; number of years not specified.

... — No formal provision.

(a) State citizenship requirement.

(b) Must be a qualified voter of the district; number of years not specified.

(c) Following redistricting, a candidate may be elected from any district that contains a part of the district in which he resided at the time of redistricting, and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) If the district was established for less than six months, residency is length of establishment of district.

(e) Only if the district has been in existence for one year; if not, then legislator must have been a one year res-

ident of the district(s) from which the new district was created.

(f) 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.

(g) After redistricting, must have been a resident of the county in which the district is contained for one year immediately preceding election.

(h) A conflict exists between two articles of the constitution, one specifying age for House members (i.e., "qualified voter of the state") and the other related to general eligibility for elective office (i.e., "every qualified voter ... who is 21 years of age ... shall be eligible for election").

(i) Or U.S. national.

(j) Must be registered mail.

(k) Read and write the Spanish or English language.

(l) When there is more than one representative district in a municipality, residence in the municipality shall satisfy this requirement.

(m) 30 days prior to close of filing for declaration of candidacy.

**Table 3.6**  
**SENATE LEADERSHIP POSITIONS: METHODS OF SELECTION**

<i>State or other jurisdiction</i>	<i>President</i>	<i>President pro tem</i>	<i>Majority leader</i>	<i>Assistant majority leader</i>	<i>Majority floor leader</i>	<i>Assistant majority floor leader</i>	<i>Majority whip</i>	<i>Majority caucus chair</i>	<i>Minority leader</i>	<i>Assistant minority leader</i>	<i>Minority whip</i>	<i>Minority caucus chair</i>
Alabama	(a)	ES	AT	...	...	...	...	...	...	...	...	EC
Alaska	ES	EC	EC	...	...	...	EC	...	...	...	...	...
Arizona	ES	AP	EC	...	...	...	EC	...	...	...	EC	...
Arkansas	(a)	ES	EC	...	...	...	EC	EC	EC	...	EC	...
California	(a)	ES	...	...	EC	...	...	...	...	...	...	...
Colorado	ES	ES	EC	EC	...	...	...	EC	...	...	...	EC
Connecticut (b)	(a)	ES	AT	AT/5	...	...	AL/2	...	...	...	AL/2	...
Delaware	(a)	EC (c)	EC	...	...	...	EC	...	...	...	EC	...
Florida	ES	ES	EC	...	...	...	EC/2	...	...	...	EC/2	...
Georgia	(a)	ES	EC	...	...	...	EC	EC	...	...	EC	...
Hawaii	ES	ES (f)	EC	...	EC	...	...	...	EC	...	...	...
Idaho	(a)	ES	...	...	EC	...	...	EC	...	...	...	...
Illinois	ES	...	AP (g)	AP/6	...	...	...	AP	EC	...	...	EC
Indiana	(a)	ES	...	EC	AT	...	...	EC	EC	EC	...	AL
Iowa	ES	ES	EC	EC	...	...	...	...	...	...	...	...
Kansas (h)	ES	ES (f)	EC	EC (i)	...	...	EC (j)	(i)	...	...	EC	EC
Kentucky	ES	ES	...	...	EC	...	EC	EC	...	...	EC	EC
Louisiana	ES	ES	...	...	...	...	...	...	...	...	...	...
Maine	ES	AP (k)	EC (l)	EC (l)	(l)	(l)	...	...	(l)	...	...	...
Maryland (m)	ES	ES	AP (n)	AP,AL (o)	...	...	AP,AL	...	...	...	...	...
Massachusetts	EC (p)	...	AP	AP/2	...	...	...	(p)	...	...	...	(p)
Michigan (mm)	(a)	ES	EC	EC	EC	...	EC	EC	EC (p)	EC	...	EC
Minnesota	ES	ES	EC	EC	...	...	AL/6	...	...	...	EC (q)	...
Mississippi	(a)	ES	...	...	EC	...	...	...	...	...	...	...
Missouri	(a)	ES	...	...	EC	...	...	EC	...	...	...	EC
Montana	ES	ES	...	...	ES	...	ES	...	ES	...	ES	...
Nebraska (U)	(a)	ES (r)	...	...	EC	...	EC	...	EC	...	EC	...
Nevada	(a)	ES	...	...	EC	...	...	...	...	...	...	...
New Hampshire (s)	ES	...	...	...	...	...	...	...	...	...	...	...
New Jersey (t)	ES	ES	EC	EC/3	...	...	EC	EC	...	...	EC	EC
New Mexico	(a)	ES	EC (u)	...	EC (u)	...	EC	EC	EC	...	EC	EC
New York (v)	(a)	ES (w)	...	AT/2	...	...	AT	AT (x)	...	...	AL	AL (x)
North Carolina (y)	(a)	ES	EC	...	...	...	EC	...	...	...	EC	...
North Dakota	(a)	ES	EC	EC	...	...	...	EC	...	...	...	...
Ohio (z)	ES (p)	ES	...	...	...	...	ES	(p)	...	...	ES	(p)
Oklahoma	(a)	ES	EC	EC	EC	...	EC	EC	EC	EC	EC	EC
Oregon	ES	ES	EC	AL/3	...	...	EC/1	(p)	...	...	EC/1	(p)
Pennsylvania	(a)	ES	EC	...	EC	...	...	EC	...	...	EC (aa)	EC
Rhode Island (y)	(a)	ES	EC	AL/6 (bb)	...	...	AL	EC	...	...	AL	...
South Carolina	(a)	ES	...	...	...	...	...	...	...	...	...	...

See footnotes at end of table.

## SENATE LEADERSHIP POSITIONS: METHODS OF SELECTION — Continued

State or other jurisdiction	President	President pro tem	Majority leader	Assistant majority leader	Majority floor leader	Majority whip	Majority caucus chair	Minority leader	Assistant minority leader	Minority floor leader	Assistant minority floor leader	Minority whip	Minority caucus chair
South Dakota .....	(a)	ES	EC/2	EC	...	EC/2	...	EC	EC	...	...	EC/2	...
Tennessee .....	ES (s)	AP (cc)	EC (cc)	...	...	...	EC (cc)	EC (cc)	...	...	...	...	EC (cc)
Texas .....	(a)	ES	...	...	...	...	...	...	...	...	...	...	...
Utah (dd) .....	ES (ee)	...	EC	...	...	EC	...	EC	...	...	...	EC	...
Vermont .....	(a)	ES	EC	EC (ff)	...	(ff)	...	EC	EC (ff)	...	...	(ff)	...
Virginia .....	(a)	ES	EC	...	...	...	EC	EC (m)	...	...	...	...	...
Washington (gg) .....	(a)	ES	EC	...	EC	...	EC	EC (hh)	EC (hh)	EC (hh)	EC (hh)	...	EC (hh)
West Virginia .....	ES	AP	AP	...	...	AP	...	EC	...	...	...	AL	...
Wisconsin .....	ES	ES	EC	EC	...	...	EC	EC	EC	...	...	...	EC
Wyoming .....	ES	ES (f)	...	...	EC	EC	EC	...	...	EC	...	EC	EC
Dist. of Columbia (U) .....	(ii)	(ii)	...	...	...	...	...	...	...	...	...	...	...
American Samoa .....	ES	ES	...	...	...	...	...	...	...	...	...	...	...
Guam (U) .....	ES (r)	ES (f)	EC	EC	...	EC	...	EC	EC	...	...	EC	...
No. Mariana Islands .....	ES (h)	...	(h)	...	...	...	...	EC	...	...	...	...	...
Puerto Rico .....	ES (p)	ES (f)	EC	...	EC (ll)	...	(p)	EC/2 (p)	...	EC (ll)	...	...	(p)
U.S. Virgin Islands (U) .....	ES	ES (f)	ES	...	(n)	...	(n)	...	...	...	...	...	...

Sources: The Council of State Governments' survey, January 2002 and state web sites.

Note: In some states, the leadership positions in the Senate are not empowered by the law or by the rules of the chamber, but rather by the party members themselves. Entry following slash indicates number of individuals holding specified position.

Key:

ES — Elected or confirmed by all members of the Senate.

EC — Elected by party caucus.

AP — Appointed by president.

AT — Appointed by president pro tempore.

AL — Appointed by party leader.

(U) — Unicameral legislative body.

... — Position does not exist or is not selected on a regular basis.

(a) Lieutenant governor is president of the Senate by virtue of the office.

(b) Additional positions include chief deputy president pro tem, two deputy presidents pro tem, a chief assistant president pro tem, three assistant presidents pro tem, three deputy majority leaders (AT); a minority leader pro

tem, two chief deputy minority leaders, a deputy minority leader-at-large, and three deputy minority leaders (AL).

(c) Approved by Senate members.

(d) Preferred title is Democratic leader.

(e) Official title is Democratic leader pro tempore.

(f) Official title is vice president. In Guam, vice speaker.

(g) The president can, at his or her discretion, serve as majority leader and usually does.

(h) Additional positions include minority agenda chair (EC).

(i) Assistant majority leader also serves as majority party caucus chairperson.

(j) Official title is assistant majority leader/whip.

(k) Appointed only in the president's absence.

(l) Majority leader also serves as majority floor leader; assistant majority leader also serves as assistant majority floor leader; minority leader also serves as minority floor leader; assistant minority leader also serves as assistant minority floor leader.

(m) Other positions include deputy majority leader, deputy majority whip and assistant deputy majority whip; these positions are appointed by president and majority leader.

(n) Majority leader also serves as majority floor leader.

(o) Official title is deputy majority leader. Also serves as assistant majority floor leader.

(p) President and minority floor leader are also caucus chairmen. In Ohio and Puerto Rico, president and minority leader. In Oregon, majority leader and minority leader.

(q) Official title is assistant minority leader/minority whip.

(r) Official title is speaker. In Tennessee, official also has the statutory title of "lieutenant governor."

(s) Additional positions include a Republican leader and a Democratic leader.

(t) Additional positions include deputy majority leader (EC), two deputy assistant minority leaders (EC), and minority leader pro tem (EC).

(u) Majority leader also serves as majority floor leader. Minority leader also serves as minority floor leader.

(v) Additional positions include vice president pro tem (AT), deputy majority leader (AT), majority program development chair (AT), deputy minority leader (AL), senior assistant majority leader (AT), majority conference vice chair, (AT), minority conference vice chair (AL), majority conference secretary (AT), deputy majority whip (AT), majority steering committee chair (AT), minority conference secretary (AL), assistant majority whip (AT), and assistant minority whip (AL).

(w) President pro tempore is also majority leader.

(x) Majority caucus chair: official title is majority conference chair. Minority caucus chair: official title is minority conference chair.

(y) Additional positions include deputy president pro tempore.

(z) Additional positions include assistant president pro tempore (ES) and assistant minority whip (ES).



**SENATE LEADERSHIP POSITIONS: METHODS OF SELECTION — Continued**

- (aa) Customary title of minority party leaders is the party designation (Democratic).
- (bb) Assistant majority leader: official title is deputy majority leader. Assistant minority leader: official title is deputy minority leader.
- (cc) President pro tem: official title is speaker pro tem. Official titles of majority party leaders: Democratic; official titles of minority party leaders: Republican.
- (dd) Additional positions include assistant majority whip (EC) and assistant minority whip (EC).
- (ee) The president is elected in caucus but is formally and officially nominated and elected by acclamation on the 1st day of session by the entire body of Senate.
- (ff) Assistant majority leader also serves as majority whip. Assistant minority whip also serves as minority whip.
- (gg) Additional positions include vice president pro tem (ES), majority assistant whip (EC), and Republican assistant whip (EC).
- (hh) Customary title of minority party leaders is the party designation (Republican).
- (ii) Chairman of the Council, which is an elected position.
- (jj) Appointed by the chair; official title is chair pro tem.
- (kk) Official title is floor leader.
- (ll) Office title is alternate floor leader.
- (mm) Additional positions include assistant president, associate president pro tempore, assistant majority caucus chair, assistant minority caucus chair.
- (nn) Served as minority floor leaders.

**Table 3.7**  
**HOUSE LEADERSHIP POSITIONS: METHODS OF SELECTION**

<i>State or other jurisdiction</i>	<i>Speaker</i>	<i>Speaker pro tem</i>	<i>Majority leader</i>	<i>Assistant majority leader</i>	<i>Majority whip</i>	<i>Majority caucus chair</i>	<i>Minority leader</i>	<i>Assistant minority floor leader</i>	<i>Minority whip</i>	<i>Minority caucus chair</i>
Alabama	EH	EH	EC	...	...	...	EC	...	...	...
Alaska	EH	EC	EC	...	EC	...	EC	...	EC	...
Arizona	EH	AS	EC	...	EC	...	EC	...	EC	...
Arkansas	EH	AS	EC	...	EC	...	EC	...	EC	...
California	EH	AS	...	AS	...	EC	...	...	AL (a)	EC
Colorado	EH	AS	EC	...	EC	EC	EC	...	EC	EC
Connecticut	EH	AS/3 (b)	EC	...	AS (e)	...	AL/11 (d)	...	AL/4	...
Delaware	EC (e)	EC	EC	...	EC	...	EC	...	EC	...
Florida	EH	EH	AS	...	AS	AS (y)	EC	...	AL	EC
Georgia	EH	EH	EC	...	EC	EC	...	...	EC	EC
Hawaii	EH	EH (b)	EC	EC	EC	...	EC	EC	EC	...
Idaho	EH	EH	EC	...	...	EC	EC	...	...	EC
Illinois	EH	...	AS	AS/6	...	AS (f)	AL/2 (f)	...	...	AL (f)
Indiana	EH	AS	AS	AS	AS	EC	EC	...	(g)	EC
Iowa	EH	EH	EC	...	...	...	EC	...	...	...
Kansas (h)	EH	EH	EC	...	EC	EC	EC	...	EC	EC
Kentucky	EH	EH	...	...	EC	EC	...	...	EC	EC
Louisiana	EH	EH	...	...	...	...	...	...	...	...
Maine	EH	AS (i)	EC (j)	(j)	...	...	EC (j)	...	...	...
Maryland (k)	EH	EH	AS (l)	AS	AS	(o)	...	...	EC	(o)
Massachusetts	EC (p)	...	AS	AS/2	...	(p)	AL	...	...	(p)
Michigan	EH	EH	...	...	EC	EC	EC	EC	EC	EC
Minnesota	EH	AS	EC	EC/7	...	...	AL/8	...	...	...
Mississippi	EH	EH	...	...	...	...	...	...	...	...
Missouri	EH	EH	...	...	EC	EC	...	EC	EC	EC
Montana	EH	EH	...	...	EH	...	EH	...	EH	...
Nebraska	EH (q)	EH	...	...	EC	...	EC	EC	EC	...
Nevada	EH	EH	...	AS	AS	...	AL (f)	...	AL	...
New Hampshire	EH	AS (b)	EC	EC/3	EC	EC (t)	EC/4	...	EC	EC (t)
New Jersey (s)	EH	EH	...	...	...	...	...	...	...	...
New Mexico	EH	...	EC (p)	...	EC	EC	EC (p)	...	EC	EC
New York (u)	EH	AS	AS	AS	AS	AS (v)	AL/2	...	AL	AL (v)
North Carolina	EH	EH	EC	...	EC	...	EC	...	EC	...
North Dakota	EH	EH	EC	...	...	EC	EC	...	...	...
Ohio (w)	EH (o)	EH	...	EH	EH	(o)	EH (o)	...	EH	(o)
Oklahoma (x)	EH	EH	...	AS	AS/2	EC	...	EC/3	EC/2	EC
Oregon	EH	EH	EC (y)	AL/7	EC	(y)	AL/5	...	EC/3	(y)

See footnotes at end of table.

## HOUSE LEADERSHIP POSITIONS: METHODS OF SELECTION — Continued

<i>State or other jurisdiction</i>	<i>Speaker</i>	<i>Speaker pro tem</i>	<i>Majority leader</i>	<i>Assistant majority leader</i>	<i>Majority floor leader</i>	<i>Assistant majority floor leader</i>	<i>Majority whip</i>	<i>Majority caucus chair</i>	<i>Minority leader</i>	<i>Assistant minority leader</i>	<i>Minority floor leader</i>	<i>Minority whip</i>	<i>Minority caucus chair</i>
Pennsylvania .....	EH	...	EC	...	EC	EC	EC	EC	EC (z)	...	...	EC (z)	EC
Rhode Island (aa) .....	EH	AS (ob)	EC	EC/11 (m)	EC	EC	EC	...	EC	EC/3 (cc)	...	EC	...
South Carolina (dd) .....	EH	EH	EC	EC	EC	EC	EC	...	EC	EC	...	EC	...
South Dakota (ff) .....	EH	EH	EC	EC	...	EC/4	EC	...	EC	EC	...	EC/2	...
Tennessee .....	EH	EH	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC
Texas .....	EH	AS	...	...	...	EC	EC	...	...	...	...	...	...
Utah (gg) .....	EH (hh)	...	EC	...	...	EC	EC	...	EC	...	...	EC	...
Vermont .....	EH	...	EC	EC (h)	...	(ii)	EC	...	EC	EC (ii)	...	(ii)	...
Virginia .....	EH	...	EC (p)	...	EC	EC	EC	EC	EC (p)	...	(p)	...	EC
Washington (jj) .....	EH	EH	EC	...	EC/2	EC	EC	EC (kk)	EC	...	EC	(EC)	EC
West Virginia .....	EH	AS	AS	...	...	AS	AS	EC	EC	AL	...	...	AL
Wisconsin .....	EH	EH	EC	EC	...	EC	EC	EC	EC	EC	...	...	EC
Wyoming .....	EH	EH	...	...	EC	EC	EC	EC	...	...	EC	EC	EC
Dist. of Columbia .....	(q)	...	...	...	...	...	...	...	...	...	...	...	...
American Samoa .....	EH	EH (b)	...	...	...	...	...	...	...	...	...	...	...
Guam .....	(q)	...	...	...	EH (mm)	...	...	...	...	...	...	...	...
No. Mariana Islands .....	EH (ll)	...	(ll)	...	EC (nn)	...	...	...	EC	...	EC (nn)	...	...
Puerto Rico .....	EH (o)	EH (b)	EC	...	...	...	...	(n)	(o)	...	...	...	(o)
U.S. Virgin Islands .....	(q)	...	...	...	...	...	...	...	...	...	...	...	...

Sources: The Council of State Governments' legislative survey, January 2002 and state web sites.

Note: In some states, the leadership positions in the house are not empowered by the law or by the rules of the chamber, but rather by the party members themselves. Entry following slash indicates number of individuals holding specified position.

Key:

EH — Elected or confirmed by all members of the house.

EC — Elected by party caucus.

AS — Appointed by speaker.

AL — Appointed by party leader.

... — Position does not exist or is not selected on a regular basis.

(a) Appointed by minority floor leader.

(b) Official title is deputy speaker. In Hawaii, American Samoa and Puerto Rico, vice speaker.

(c) Five deputy majority leaders (AL); 14 assistant majority leaders appointed by the speaker in consultation with the majority leader; a majority whip-at-large, a deputy majority whip and three assistant majority whips appointed by the speaker in consultation with the majority leader.

(d) Minority leader-at-large and two deputy minority leaders (AL).

(e) Approved by house members.

(f) Official titles: majority floor leader is deputy majority leader, majority caucus chair is majority conference chair, minority floor leader is deputy minority leader, and minority caucus chair is minority conference chair.

(g) Appointed by minority floor leader.

(h) Additional positions include minority agenda chair (EC) and minority policy chair (EC).

(i) Appointed only in the speaker's absence.

(j) Majority leader also serves as majority floor leader; assistant majority leader also serves as assistant majority floor leader; minority leader also serves as minority floor leader; assistant minority leader also serves as assistant minority floor leader.

(k) Additional positions include deputy speaker pro tem, parliamentarian, deputy majority leader, 13 deputy majority whips and 3 deputy minority whips.

(l) Majority leader also serves as majority floor leader.

(m) Official title is assistant majority leader.

(n) Official title is assistant minority whip.

(o) Speaker and minority leader are also caucus chair.

(p) Majority leader also serves as majority floor leader; minority leader also serves as minority floor leader.

(q) Unicameral legislature; see entries in Table 3.6, "Senate Leadership Positions — Methods of Selection."

(r) Official titles: minority leader is Democratic leader and assistant minority leader is deputy Democratic leader.

(s) Additional positions include four deputy speakers (EC), three assistant majority whips (EC), majority budget officer (EC), minority leader pro tem (EC), and three deputy minority leaders (EC).

(t) Official titles: majority caucus chair is majority conference leader and minority caucus chair is conference chair.

(u) Additional positions: deputy speaker (AS), assistant speaker (AS), assistant speaker pro tem (AS), minority leader pro tem (AL), assistant minority leader pro tem (AL), deputy majority leader (AS), deputy minority leader (AL), deputy majority whip (AS), deputy minority whip (AL), assistant majority whip (AS), assistant minority whip (AL), majority conference vice-chair (AS), minority conference vice-chair (AL), majority conference sec-

## HOUSE LEADERSHIP POSITIONS: METHODS OF SELECTION — Continued

retary (AS), minority conference secretary (AL), majority steering committee chairman (AS), majority steering committee vice-chairman (AS), minority steering committee chair (AL), minority steering committee vice-chair (AL), majority program committee chairman (AS), and minority program committee chair (AL).

(v) Official titles; majority caucus chairman is majority conference chairman; minority caucus chair is minority conference chair.

(w) Additional positions include assistant majority whip (EH) and assistant minority whip (EH).

(x) Additional positions include assistant majority whip and minority caucus secretary.

(y) Majority leader also serves as majority caucus chair; minority leader also serves as minority caucus chair.

(z) Official titles; minority leader is Republican leader and minority whip is Republican whip.

(aa) Additional positions include first deputy speaker (AS).

(bb) Official title is senior speaker pro tem.

(cc) Official title is deputy minority leader.

(dd) Additional positions include two deputy majority whips, three assistant majority whips, and two freshman whips.

(ee) Official title is chief deputy majority whip.

(ff) Additional positions include three assistant majority whips (EC).

(gg) Additional positions include assistant majority whip and assistant minority whip (EC).

(hh) Speaker is elected in caucus but the formal nomination and election by acclamation take place the first day of the session by the entire body of house.

(ii) Assistant majority leader also serves as majority whip; assistant minority leader also serves as minority whip.

(jj) Additional positions include three assistant minority whips, all positions are established by caucus rule and can change each biennium.

(kk) Additional position is caucus vice chair (EC).

(ll) Speaker also serves as majority leader.

(mm) Official title is floor leader.

(nn) Official title is alternate floor leader.

(oo) Appointed by Minority Leader, but approved by Minority Caucus.

**Table 3.8**  
**METHOD OF SETTING LEGISLATIVE COMPENSATION**  
**(As of March 29, 2001)**

<i>State or other jurisdiction</i>	<i>Constitution</i>	<i>Statute</i>	<i>Compensation commission</i>	<i>Legislators' salaries tied or related to state employees' salaries</i>
Alabama .....	★	...	...	...
Alaska .....	...	★	★	...
Arizona .....	...	...	★ (a)	...
Arkansas .....	★	★	...	...
California .....	★	...	★	...
Colorado .....	...	★	...	...
Connecticut .....	...	...	★ (b)	...
Delaware .....	...	★	★ (c)	...
Florida .....	...	★	...	Statute provides members same percentage increase as state employees.
Georgia .....	...	★	...	...
Hawaii .....	...	...	★ (d)	...
Idaho .....	...	...	★	...
Illinois .....	...	★	★	Salaries are tied to employment cost index, wages and salaries for state and local government workers.
Indiana .....	...	★	...	...
Iowa .....	...	★	★	...
Kansas .....	...	★	...	...
Kentucky .....	...	...	★ (e)	...
Louisiana .....	...	★	...	...
Maine .....	★	★ (f)	★	...
Maryland .....	...	...	★ (g)	...
Massachusetts .....	...	★ (h)	...	...
Michigan .....	...	...	★ (i)	...
Minnesota .....	...	★	★ (j)	...
Mississippi .....	...	★	...	...
Missouri .....	★	★ (k)	...	...
Montana .....	...	★	...	Tied to executive branch pay matrix.
Nebraska .....	★	★	...	...
Nevada .....	...	★	...	...
New Hampshire .....	★	...	...	...
New Jersey .....	★	★	★	...
New Mexico .....	★	★	...	...
New York .....	★	★	...	...
North Carolina .....	...	★	...	...
North Dakota .....	...	★	★	...
Ohio .....	★	★	...	...
Oklahoma .....	...	★	★	...
Oregon .....	...	★	...	...
Pennsylvania .....	...	★ (l)	...	...
Rhode Island .....	★	...	...	...
South Carolina .....	...	★	...	...
South Dakota .....	★	★	...	...
Tennessee .....	★	★	...	...
Texas .....	★ (m)	...	...	...
Utah .....	...	...	★	...
Vermont .....	...	★	...	...
Virginia .....	★	★ (n)	...	...
Washington .....	★	★	★	...
West Virginia .....	...	...	★ (o)	...
Wisconsin .....	...	★ (p)	...	...
Wyoming .....	...	★	...	...
Dist. of Columbia .....	...	★	...	...

See footnotes at end of table.

## METHOD OF SETTING LEGISLATIVE COMPENSATION — Continued

Source: National Conference of State Legislatures, March 29, 2001.

Key:

★ — Method used to set compensation.

... — Method not used to set compensation.

(a) Arizona commission recommendations are put on ballot for a vote of the people.

(b) The Connecticut General Assembly takes independent action pursuant to recommendations of a Compensation Committee.

(c) Are implemented automatically if not rejected by resolution.

(d) Hawaii commission recommendations take effect unless rejected by concurrent resolution or the governor. Any change in salary that becomes effective does not apply to the legislature to which the recommendation was submitted.

(e) The Kentucky committee has not met since 1995. The most recent pay raise was initiated and passed by the General Assembly.

(f) Presented to the Legislature in the form of legislation, the legislature must enact and the Governor must sign into law.

(g) Maryland commission meets before each four-year term of office and presents recommendations to General Assembly for its action.

Recommendations may be reduced or rejected, not increased.

(h) In 1998, the voters passed a legislative referendum starting with the 2001 session, members will receive an automatic increase or decrease

according to the median household income for the commonwealth for the preceding 2 year period.

(i) If resolution is offered, it is put to legislative vote; if legislature does not vote recommendations down, the new salaries take effect January 1 of the new year.

(j) By May 1 in odd numbered years the Council submits salary recommendations to the presiding officers.

(k) Recommendations are adjusted by legislature or governor if necessary.

(l) Each chamber receives a cost of living increase that is tied to the Consumer Price Index

(m) In 1991 a constitutional amendment was approved by voters to allow Ethics Commission to recommend the salaries of members. Any recommendations must be approved by voters to be effective. This provision has yet to be used.

(n) In 1998 the Joint Rules Committee created a Legislative Compensation Commission. It was composed of 2 former governors and citizens that made recommendations regarding salary, per diem, & office expenses.

(o) Submits, by resolution and must be concurred by at least four members of the commission. The Legislature must enact the resolution into law and may reduce, but shall not increase, any item established in such resolution.

(p) The Commission plan is approved by Joint Committee on Employment Relations and the governor. It is tied to state employer compensation.

**Table 3.9**  
**LEGISLATIVE COMPENSATION: REGULAR SESSIONS (As of March 29, 2001)**

State or other jurisdiction	Salaries			Travel allowance (as of March 29, 2001)		Per diem living expenses
	Regular sessions		Annual salary	Cents per mile	Round trips home to capital during session	
	Per diem salary (a)	Limit on days				
Alabama .....	\$10 C	...	...	(b)	One	\$2,280/m plus \$50/d for three days each week that the legislature actually meets during any session (U).
Alaska .....	...	...	\$24,012	32.5	...	\$161/day (U) tied to federal rate. Legislators who reside in the capitol area receive 75% of federal rate.
Arizona .....	...	...	\$24,000	32.5	...	\$35/d for the 1st 120 days of regular session and for special session and \$10/d thereafter; members residing outside Maricopa County receive an additional \$25/d for the 1st 120 days of regular session and for special session and an additional \$10/d thereafter (V). Set by statute.
Arkansas* .....	...	...	\$12,796	31/House	...	\$95/d (V) plus mileage tied to federal rate.
California .....	...	...	\$99,000	(c)	...	\$121/d (V) by roll call. Maximum allowable per diem is paid regardless of actual expenses.
Colorado .....	...	...	\$30,000	28	...	\$45/d for members living in the Denver metro area.
				32/4wd		\$99/d for members living outside Denver (V).
						Per diem is determined by the legislature.
Connecticut .....	...	...	\$28,000	30	...	No per diem is paid.
Delaware .....	...	...	\$33,400	31	...	No per diem is paid.
Florida .....	...	...	\$27,900	29	...	\$99/d (V) tied to the federal rate. Earned based on the number of days in session. Travel vouchers are filed to substantiate.
Georgia .....	...	...	\$16,200	28	...	\$128/d (U) set by the legislature.
Hawaii .....	...	...	\$32,000	...	...	\$80 for members living outside Oahu; \$10/d for members living on Oahu (V) set by the legislature.
Idaho .....	...	...	\$15,646	...	One	\$99/d for members establishing second residence in Boise; \$38/day if no second residence is established and up to \$25/d travel (U) set by Compensation Commission.
Illinois .....	...	...	\$55,788	32.5	...	\$85 (U) tied to federal rate.
Indiana .....	...	...	\$11,600	28	...	\$112 (U) tied to federal rate.
Iowa .....	...	...	\$20,758	29	...	\$86/d (U). \$65/d for Polk County legislators (U) set by the legislature.
Kansas .....	\$76.44 C	...	...	32.5	...	\$85 (U) tied to federal rate.
Kentucky .....	\$158.18 C	...	...	(V)	...	\$93.50/d (U) tied to federal rate. (110% federal per diem rate).
Louisiana .....	...	...	\$16,800	34.5	...	\$103/d (U) tied to federal rate. Additional \$6,000/yr (U) expense allowance.
Maine .....	...	...	\$10,815 - 1st	28	...	\$38/d housing or reimbursement for mileage in lieu of housing at the rate of .28/mile up to \$38/d. \$32/d meals (V) set by the legislature.
Maryland .....	...	...	\$31,509	31 (d)	...	Lodging \$96/d; meals \$30/d (V) tied to federal rate and compensation commission.
Massachusetts .....	...	...	\$50,123	(e)	...	From \$10/d-\$100/d, depending on distance from State House (V) set by the legislature.
Michigan .....	...	...	\$77,400	32.5	...	\$12,000 yearly expense allowances for session and interim (V) set by compensation commission.
Minnesota .....	...	...	\$31,140	(f)	...	Senators receive \$66/d and Representatives receive \$56/L (U) set by the legislature.
Mississippi .....	...	...	\$10,000	34.5	...	\$85/d (U) tied to federal rate.
Missouri .....	...	...	\$31,561	29.5	...	\$68/d tied to federal rate. Verification of per diem is by roll call.
Montana .....	\$71.823 L	...	...	(g)	...	\$87.25/d (U) tied to rates in adjoining states.
Nebraska .....	...	...	\$12,000	(h)	One	\$85/d outside 50-mile radius from Capitol; \$30/d if member resides within 50 miles of Capitol (V) tied to federal rate.
Nevada .....	\$130	120	...	(i)		Federal rate for capitol area (V). Legislators who live more than 50 miles from the capitol, if requiring lodging, will be paid HUD single room rate for Carson City area for each month of session.
New Hampshire .....	...	2 yr. term	\$200	38 for first	...	No per diem is paid.
New Jersey .....	...	...	\$35,000	...	...	No per diem is paid.
New Mexico .....	...	...	...	34.5 (j)	...	\$136 (V) tied to federal rate and the constitution.
New York .....	...	...	\$79,500	34.5	...	Varies (V) tied to federal rate.
North Carolina .....	...	...	\$13,951	29	Weekly	\$104/d (U) set by statute.
North Dakota .....	\$111 C	...	...	25	Weekly	Lodging reimbursement up to \$650/m (V). \$250/m additional compensation by statute.
Ohio .....	...	...	\$51,674	30	Weekly (k)	None.
Oklahoma .....	...	...	\$38,400	32.5 (j)	...	\$103/d (U) tied to federal rate.
Oregon* .....	...	...	\$15,396	34.5	...	\$85/d (U) tied to federal rate.
Pennsylvania .....	...	...	\$61,889	32.5 (j)	...	\$124/d (V) tied to federal rate. Can receive actual expenses or per diem.

See footnotes at end of table.



## LEGISLATIVE COMPENSATION: REGULAR SESSIONS — Continued

State or other jurisdiction	Salaries			Travel allowance (as of March 29, 2001)		
	Regular sessions		Annual salary	Cents per mile	Round trips home to capital during session	Per diem living expenses
	Per diem salary (a)	Limit on days				
<b>Rhode Island</b> .....	...	...	\$11,236	32.5	...	No per diem is paid.
<b>South Carolina</b> .....	...	...	\$10,400	34.5	...	\$95/d for meals and housing, for each statewide session day and cmte. meeting (V) tied to federal rate.
<b>South Dakota</b> .....	...	2 yr. term	\$12,000	29 (l)	...	\$110/L (U) set by the legislature.
<b>Tennessee</b> .....	...	...	\$16,500	32	...	\$124/L (U), Session attendance is verified by roll calls submitted by the House and Senate Chief Clerks. Committee attendance is verified by roll calls submitted by each standing committee's office.
<b>Texas*</b> .....	...	...	\$7,200	28(m)	...	\$124/d (U) set by Ethics Commission.
<b>Utah</b> .....	\$120 C	...	...	31	...	\$75/d (U) lodging allotment for each calendar day, tied to federal rate. \$42/d (U) per diem for each calendar day.
<b>Vermont</b> .....	...	...	\$536/week	32.5	...	\$50/d for lodging and \$37/d for meals for non-commuters; commuters receive \$32/d for meals (U) set by legislature.
<b>Virginia</b> .....	...	...	Senate-\$18,000 House-\$17,640	27	...	\$115 (U) tied to federal rate.
<b>Washington</b> .....	...	...	\$32,064	Federal rate	One	\$82/d (U) tied to federal rate (85% Olympia area).
<b>West Virginia</b> .....	...	...	\$15,000	32.5	Weekly	\$85/d (U) set by compensation commission.
<b>Wisconsin</b> .....	...	...	\$44,333	29	Weekly	\$88/d maximum (U) set by compensation commission (90% of federal rate).
<b>Wyoming</b> .....	\$125 L	...	...	35	...	\$80/d (V) set by the legislature, includes travel days for those outside of Cheyenne.
<b>Dist. of Columbia</b> .....	...	...	\$92,500	...	...	No per diem is paid.
<b>Guam</b> .....	...	...	N.R.	(n)	...	N.R.
<b>Puerto Rico</b> .....	...	...	\$60,000	...	...	\$93/d within 35 miles of capitol; \$103 if outside 35 miles (U) tied to CPI.
<b>U.S. Virgin Islands</b> .....	...	...	\$65,000	...	...	\$30/d (U) set by the legislature.

Source: National Conference of State Legislatures, March 2001.

Note: In many states, legislators who receive an annual salary or per diem salary also receive an additional per diem amount for living expenses. Consult appropriate columns for a more complete picture of legislative compensation during sessions. For information on interim compensation and other direct payments and services to legislators, see table entitled "Legislative Compensation: Interim Payments and Other Direct Payments."

\* — Biennial session. In Arkansas, Oregon and Texas, legislators receive an annual salary.

Key:

C — Calendar day

L — Legislative day

(U) — Unvouchered

(V) — Vouchered

d — day

w — week

m — month

y — year

... — Not applicable

N.R. — Not reported

(a) Legislators paid on a per diem basis receive the same rate during a special session.

(b) 10 cents for a single roundtrip per session; 32.5 cents interim committee attendance.

(c) If legislator uses personal vehicle, mileage is reimbursed.

(d) \$400 allowance for in district travel as taxable income, members may decline the allowance.

(e) Between \$10-100 determined by distance from State House.

(f) House: range of \$75-650 for in district mileage. Senate: a reasonable allowance.

(g) Rate is based on IRS rate. Reimbursement for actual mileage traveled in connection with Legislative Business.

(h) \$0.31 a mile for those who live more than 50 miles from the capitol; for those who live within 50 miles, a daily mileage is authorized for days in session.

(i) Equal to the federal mileage rate with upper limit of \$6,800 during session.

(j) Tied to the federal rate.

(k) For legislators outside of Franklin Co. only.

(l) \$0.29/mile for one round trip from Pierre to home each weekend. One trip is paid at .05/mile. During the interim, .29/mile for scheduled committee meetings.

(m) An allowance in Texas for single, twin and turbo engines from .40 - \$1/mile is also given.

(n) Reimbursed for fuel purchase receipts.

**Table 3.10**  
**LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS**

<i>State or other jurisdiction</i>	<i>Per diem compensation and living expenses for committee or official business during interim (as of March 29, 2001)</i>	<i>Other direct payments or services to legislators (as of March 29, 2001)</i>
<b>Alabama</b> .....	\$2280/m (U); \$50/d for committee meetings and \$75/day attendance other legislative business. Not restricted to meals and lodging.	None.
<b>Alaska</b> .....	\$65/d (V)	Senators received \$10,000/y and Representatives receive \$8,000/y for postage, stationery and other legislative expenses. Staffing allowance determined by rules and presiding officers.
<b>Arizona</b> .....	\$35/d with prior approval of presiding officer (V) set by statute.	None.
<b>Arkansas</b> .....	\$95/d with mileage (V) tied to federal rate.	Legislators are entitled to receive a maximum reimbursement of \$9,600/y for legislative expenses.
<b>California</b> .....	\$121/d (V) tied to federal rate.	Senators are allowed staff according to the size of their districts. Assemblymen receive \$260,000/y to cover non-specified salary expenses, travel costs, publications, printing, postage, etc.
<b>Colorado</b> .....	\$99/d per diem plus actual expenses (V).	\$3,355/y
<b>Connecticut</b> .....	None.	Senators receive \$5,500/y and Representatives receive \$4,500/y (U) expense allowance.
<b>Delaware</b> .....	None.	\$6,728/y for office expenses.
<b>Florida</b> .....	\$50/d per diem or actual hotel plus \$3 breakfast; \$6 lunch; \$12 dinner for authorized travel during committee weeks (V) set by Florida statutes.	\$1,650/m for office expenses.
<b>Georgia</b> .....	\$128/d (V) set by the Legislature. A committee roster is submitted with the members who attended the meeting. Those that did not attend do not get paid.	\$7,000/y reimbursable expense account. If the member requests and provides receipts, the member is reimbursed for personal services, office equipment, rent, supplies, transportation, telecommunications, etc.
<b>Hawaii</b> .....	\$10/d for official business on island of legal residence; \$80/d for business on another island (V) set by the legislature.	House \$4,500/m for Jan.-April staffing. Senate varies between \$350-500/d for staffing allowance.
<b>Idaho</b> .....	Members are reimbursed for actual expenses (V).	\$1,700/y for unvouchered constituent expense. No staffing allowance.
<b>Illinois</b> .....	None.	Senators receive \$67,000/y and Representatives \$57,000/y for office expenses, including district offices and staffing.
<b>Indiana</b> .....	\$112/d (V) tied to federal rate.	\$25/d, 7 days a week during interim only. No staffing allowance.
<b>Iowa</b> .....	\$86/d (U) set by the legislature. In addition, legislators may request reimbursement for meals, hotel/motel and air fare.	\$200/m to cover district constituency postage, travel, telephone and other expenses. No staffing allowance.
<b>Kansas</b> .....	During interim committee meetings, members receive \$85/d tied to federal rate, plus round trip polls and mileage reimbursement at \$2.5¢. All legislators receive \$270 (U) for 20 pay periods (\$5,400) considered taxable income.	\$5,400/y which is taxable income to the legislators. Staffing allowances vary for leadership who have their own budget. Legislators provided with secretaries during the session only.
<b>Kentucky</b> .....	\$158.18 for committee meetings (U). Legislators are reimbursed for actual expenses.	\$1,503.19 for district expenses.
<b>Louisiana</b> .....	\$103/d (U) tied to federal rate.	\$500/m. Representatives receive an additional \$1,500 supplemental allowance for vouchered office expenses, rent, travel mileage in district. Senators and Representatives staff allowance \$2,000/m starting salary up to \$3,000 with annual increases paid directly to staff person.
<b>Maine</b> .....	Actual attendance reimbursed at: \$55 per diem; actual meals and mileage/housing expense. Chair of committee or presiding officer has to review and approve.	None.

See footnotes at end of table.

## LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS — Continued

<i>State or other Jurisdiction</i>	<i>Per diem compensation and living expenses for committee or official business during interim (as of March 29, 2001)</i>	<i>Other direct payments or services to legislators (as of March 29, 2001)</i>
<b>Maryland</b> .....	\$96/d lodging; \$30/d meals related to official business (V) tied to federal rate and compensation commission.	Members, \$18,265/y for normal expenses of an office with limits on postage, telephone and publications. Members must document expenses. Legislators must use \$5,800 for clerical services. Senators receive one administrative assistant & session secretary. Delegates receive one benefited employee and a session secretary.
<b>Massachusetts</b> .....	None.	\$7,200/y for office expenses.
<b>Michigan</b> .....	None.	\$30,900/y for printing, mailings, travel, furniture and district offices. Senate Majority party receives \$233,918; Senate Minority party receives \$136,536 for staffing.
<b>Minnesota</b> .....	Senators receive \$66/d and Representatives receive \$56/d per approval of committee chair or leadership (U) set by the legislature.	None.
<b>Mississippi</b> .....	\$85/d for committee meetings (U) tied to federal rate. \$1,500 allowance (U).	None.
<b>Missouri</b> .....	None.	\$1,000/m to cover all reasonable and necessary business expenses.
<b>Montana</b> .....	In state rate for meals, receipt not required. In state rate for lodging and mileage receipt required (V). Claim form required.	None.
<b>Nebraska</b> .....	None. Actual expense reimbursed with expense vouchers provided.	No allowance; however, each member is provided with two full-time capitol staff year-round.
<b>Nevada</b> .....	Statutory amount (V) maximum allowable per diem is paid regardless of actual expenses.	None.
<b>New Hampshire</b> .....	None.	\$750 for supplies, equipment and furnishings supplied through a district office program.
<b>New Jersey</b> .....	None.	\$100,000/y for district office personnel.
<b>New Mexico</b> .....	\$136/d (V) tied to federal rate.	None.
<b>New York</b> .....	Varies (V) tied to federal rate.	Staff allowance set by majority leader for majority members and by minority leader for minority members. Staff allowance covers both district and capitol; geographic location; seniority and leadership responsibilities will cause variations.
<b>North Carolina</b> .....	\$104/d (V) set by statute.	Non-leaders receive \$6,708/y for any legislative expenses not otherwise provided. Full-time secretarial assistance is provided during session.
<b>North Dakota</b> .....	During interim committee meetings, members receive \$75/d, \$20/d meals (U); \$42 plus tax/d lodging (V) plus round trip mileage reimbursement at 25¢. All members receive a \$250/m allowance for expenses.	None.
<b>Ohio</b> .....	None.	None.
<b>Oklahoma</b> .....	\$25/d (U) set by the legislature.	\$350/y for unvouchered office supplies plus seven rolls of stamps.
<b>Oregon</b> .....	\$85/d committee and task force meetings (U) tied to federal rate.	\$2,635/session; interim allowance is \$400-\$500/m depending on geographic size of district. Staffing allowance of \$3,908/m during session; \$1,846/m during interim.

See footnotes at end of table.

## LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS — Continued

<i>State or other jurisdiction</i>	<i>Per diem compensation and living expenses for committee or official business during interim (as of March 29, 2001)</i>	<i>Other direct payments or services to legislators (as of March 29, 2001)</i>
<b>Pennsylvania</b> .....	\$124 (V) tied to federal rate. Can receive actual expenses or per diem.	Staffing is determined by the Senate Floor Leader.
<b>Rhode Island</b> .....	None.	None.
<b>South Carolina</b> .....	Member attending official meetings is eligible for \$95/d subsistence and \$35/d per diem (V) tied to the federal rate.	Senate \$3,400/yr for postage, stationery and telephone. House \$1,800/yr for telephone and \$1,100/yr for postage. Legislators also receive \$1,000/m for in district expenses that is treated as income.
<b>South Dakota</b> .....	\$95 per diem for each day of a committee meeting (U). Meals and housing expenses are paid at state rate.	None.
<b>Tennessee</b> .....	\$114/d (U) tied to federal rate.	\$525/m for expenses in district and staff intrastate travel (U).
<b>Texas</b> .....	Senators receive \$124/d for legislative business in Travis County, not to exceed 10 d/m (V). Representatives receive \$124/d in Travis County, not to exceed 12 d/m (V). Per diem amount is determined by the Ethics Commission, number of days determined by Senate Caucus and the Committee on House Administration.	Senate: \$25,000/m for staff salaries. House \$10,750/m for staff salaries, supplies, stationery, postage, district office rental, telephone expense, etc. \$32,000/m for committee chairs and \$35,000/m for non-chairs for staff salaries.
<b>Utah</b> .....	\$42/d meals (U); \$76/d for lodging (V).	None.
<b>Vermont</b> .....	Actual cost plus mileage (U) set by the legislature.	None.
<b>Virginia</b> .....	\$200/d additional compensation for committee meeting attendance. No per diem is paid.	Legislators receive \$1,250/m; leadership receives \$1,750/m office expense allowance. Legislators receive a staffing allowance of \$31,844/yr; leadership receives \$47,765/yr.
<b>Washington</b> .....	\$82/d (V) tied to federal rate (85% Olympia area). Maximum allowable per diem is paid regardless of actual expenses.	\$1,350/quarter for legislative expenses, for which the legislator has not been otherwise entitled to reimbursement. No staffing allowance.
<b>West Virginia</b> .....	\$85/d (U) set by compensation commission.	None.
<b>Wisconsin</b> .....	Per diem is paid year round up to \$88/d (U) set by compensation commission (90% of federal rate)	Senate receives \$66,000/two-year session plus a mailing for the district each year. Covers district mileage, copying and special documents; capital expenses include printing, postage, subscriptions, phone etc. Senators receive \$186,000/two-year session for staffing. Assembly members receive \$12,500 plus an allowance for district size—min. \$870, max. \$2,900 that covers printing and postage. Staff salary paid by state. Up to \$450 per quarter.
<b>Wyoming</b> .....	\$80/d (V) set by the legislature. Includes travel for those where meetings are not in "hometown."	None.
<b>Dist. of Columbia</b> .....	None.	None.
<b>Guam</b> .....	N.R.	None.
<b>Puerto Rico</b> .....	\$93/d within 35 miles of the capitol; \$103/d beyond the 35 miles limit (U) tied to CPI.	Senate receives \$10,833/m for staffing. House members receive \$17,000/m for staffing.
<b>U.S. Virgin Islands</b> .....	None.	Senators receive an allowance that covers day-to-day operations. Staffing allowances vary with staffing requests.

*Source:* National Conference of State Legislatures, March 2001.

*Notes:*

- i) For more information on legislative compensation, see the Chapter 3 table entitled "Legislative Compensation: Regular Sessions."
- ii) Although the official definition of "per diem" is daily expense allowance, it is also used in some states to refer to an interim salary that is taxed and reported as separate income from the annual salary.

*Key:*  
 (U) — Unvouchered.  
 (V) — Vouchered.  
 d — day.  
 m — month.  
 w — week.  
 y — year.  
 N.R. — not reported.

**Table 3.11**  
**ADDITIONAL COMPENSATION FOR SENATE LEADERS**  
**(As of March 29, 2001)**

<i>State</i>	<i>Presiding Officer</i>	<i>Majority Leader</i>	<i>Minority Leader</i>	<i>Other Leaders</i>
<b>Alabama</b> .....	\$2/day plus \$1,500/mo expense allowance	None	None	None
<b>Alaska</b> .....	\$500	None	None	None
<b>Arizona</b> .....	None	None	None	None
<b>Arkansas</b> .....	None	None	None	None
<b>California</b> .....	Base plus \$14,850	Base plus \$7,425	Base plus \$14,850	Second ranking minority leader; base plus \$7,425.
<b>Colorado</b> .....	All leaders receive \$99/day salary during interim when in attendance at committee or leadership meetings and committee meetings.			
<b>Connecticut</b> .....	\$10,689	\$8,835	\$8,835	Deputy min. and maj. ldrs., \$6,446/year; asst. maj. And min. ldrs. and maj. and min. whips \$4,241/yr
<b>Delaware</b> .....	\$16,600	\$9,913	\$9,913	Maj. and min. whips \$6,243
<b>Florida</b> .....	\$10,800	None	None	None
<b>Georgia</b> .....	\$6694.68/mo	\$200/mo	\$200/mo	President pro tem, \$400/mo; admin. flr. ldr., \$100/mo; asst. admin. flr. ldr., \$100/mo
<b>Hawaii</b> .....	\$37,000	None	None	None
<b>Idaho</b> .....	\$3,000	None	None	None
<b>Illinois</b> .....	\$22,641	None	\$22,641	Asst. maj. and min. ldr., \$16,979; maj. and min. caucus chair, \$16,979
<b>Indiana</b> .....	\$6,500	\$5,000	\$5,500	Asst. pres. pro tem \$2,500; asst. maj. flr. ldr. and maj. caucus chair, \$1,000; maj. caucus chair, \$5,000; min. asst. flr. ldr. and min. caucus chair, \$4,500; maj. and min. whips, \$1,500; asst. min. caucus chair, \$500
<b>Iowa</b> .....	\$11,593	\$11,593	\$11,593	Pres. Pro Tem \$1,243
<b>Kansas</b> .....	\$12,103.78/yr	\$10,919.74/yr	\$10,919.74/yr	Asst. maj., min. ldrs., vice pres., \$6177.86/yr
<b>Kentucky</b> .....	\$38.90/day	\$31.43/day	\$31.43/day	Maj., min. caucus chairs and whips, \$24.09/day elected in 1998; \$16.13/day for members not up for re-election.
<b>Louisiana</b> .....	\$32,000	None	None	Pres. Pro Tem \$24,500
<b>Maine</b> .....	150% of base salary	125% of base salary	112.5% of base salary	Pres. Pro Tem., 100% of base salary
<b>Maryland</b> .....	\$10000/year	None	None	None
<b>Massachusetts</b> .....	\$35,000	\$22,500	\$22,500	Asst. maj. and min. ldr., \$15,000
<b>Michigan</b> .....	\$5,513	\$26,000	\$22,000	Maj. flr. ldr., \$12,000; min. flr. ldr., \$10,000
<b>Minnesota</b> .....	None	\$43,596 (a)	\$43,596 (a)	Asst. maj. ldr., \$35,291 (a)
<b>Mississippi</b> .....	None	None	None	Pro tem resolution, \$15,000/yr
<b>Missouri</b> .....	None	None	None	None
<b>Montana</b> .....	\$5/day during session	None	None	None
<b>Nebraska</b> .....	None	None	None	None
<b>Nevada</b> .....	\$900	\$900	\$900	Pres. Pro Tem, \$900
<b>New Hampshire</b> ....	\$50/two-yr term	None	None	None
<b>New Jersey</b> .....	1/3 above annual salary	None	None	None
<b>New Mexico</b> .....	None	None	None	None
<b>New York</b> .....	\$41,500	None	\$34,500	22 other leaders with compensation ranging from \$13,000 to \$34,000
<b>North Carolina</b> .....	\$38,151 (a) and \$16,956 expense allowance	\$17,048 (a) and \$7,992 expense allowance	\$17,048 (a) and \$7,992 expense allowance	Dep. pro tem: \$21,739 (a) and \$10,032 expense allowance
<b>North Dakota (b)</b> ...	None	\$10/day	\$10/day	Asst. ldrs., \$5/day
<b>Ohio</b> .....	\$80,549 base salary	President pro tem	\$73,493 salary	Asst. pres. pro tem, \$69,227; maj. whip, \$64,967; maj. whip, \$64,967; asst. min. ldr., \$67,099; min. whip, \$60,706; asst. min. whip, \$54,060

See footnotes at end of table.

**ADDITIONAL COMPENSATION FOR SENATE LEADERS — Continued**

<i>State</i>	<i>Presiding Officer</i>	<i>Majority Leader</i>	<i>Minority Leader</i>	<i>Other Leaders</i>
<b>Oklahoma</b> .....	\$17,932	\$12,364	\$12,364	None
<b>Oregon</b> .....	\$1,283/month	None	None	None
<b>Pennsylvania</b> .....	\$34,724.08	\$27,780.58	\$27,780.58	Maj. and min. whip, \$21,083; maj. and min. caucus chair, \$13,145; maj. and min. policy chairs, maj. and min. caucus admin., \$8,681
<b>Rhode Island</b> .....	None	None	None	None
<b>South Carolina</b> .....	Lt. gov. holds this position	None	None	President pro tem, \$11,000
<b>South Dakota</b> .....	None	None	None	None
<b>Tennessee</b> .....	\$49,500 (a) plus \$5,700 home office allowance. Add'l \$750/yr of ex officio duties	None	None	None
<b>Texas</b> .....	None	None	None	None
<b>Utah</b> .....	\$2,500	\$1,500	\$1,500	Maj. whip, asst. maj. whip, min. whip and asst. min. whip, \$1,500
<b>Texas</b> .....	None	None	None	None
<b>Utah</b> .....	\$2,500	\$1,500	\$1,500	Maj. whip, asst. maj. whip, min. whip and asst. min. whip, \$1,500
<b>Vermont</b> .....	\$593/week during session. No add'l salary	None	None	None
<b>Virginia</b> .....	None	None	None	None
<b>Washington</b> .....	Lt. gov. holds this position	\$36,064	\$36,064	None
<b>West Virginia</b> .....	\$50/day during session	\$25/day during session	\$25/day during session	Up to 4 add'l people named by presiding officer receive \$100 for a maximum of 30 days.
<b>Wisconsin</b> .....	None	None	None	None
<b>Wyoming</b> .....	\$3/day	None	None	None
<b>District of Columbia</b> .....	\$10,000 (council chair)	Not applicable	Not applicable	Not applicable
<b>Guam</b> .....	None	None	None	None
<b>Puerto Rico</b> .....	\$90,000/yr	\$69,000/yr	\$69,000/yr	President Pro Tem, \$69,000
<b>U.S. Virgin Islands</b> ...	\$10,000	None	None	None

*Source:* National Conference of State Legislatures, March 2001.

(a) Total annual salary for this leadership position.

(b) House and Senate majority and minority leaders each receive additional compensation of \$250.00 per month during their term of office, pursuant to NDCC Section 54-03-20, in addition to other compensation amounts provided by law during legislative sessions.

**Table 3.12**  
**ADDITIONAL COMPENSATION FOR HOUSE LEADERS**  
**(As of March 29, 2001)**

<i>State</i>	<i>Presiding Officer</i>	<i>Majority Leader</i>	<i>Minority Leader</i>	<i>Other Leaders</i>
<b>Alabama</b> .....	\$2/day plus \$1,500/mo. expense allowance	None	None	None
<b>Alaska</b> .....	\$500	None	None	None
<b>Arizona</b> .....	None	None	None	None
<b>Arkansas</b> .....	None	None	None	\$2,400 Spkr. designate
<b>California</b> .....	Base plus \$14,850	Base plus \$7,425	Base plus \$14,850	Second ranking minority ldr., \$7,425
<b>Colorado</b> .....	All leaders receive \$99/day during interim when in attendance at committee or leadership matters.			
<b>Connecticut</b> .....	\$10,689	\$8,835	\$8,835	Dep. spkr., dep. maj. and min. ldrs., \$6,446/yr; asst. maj. and min. ldrs.; maj. and min whips, \$4,241/yr
<b>Delaware</b> .....	\$16,600	\$9,913	\$9,913	Maj. and min. whips, \$6,243
<b>Florida</b> .....	\$10,800	None	None	None
<b>Georgia</b> .....	\$6,094.68/mo.	\$200/mo.	\$200/mo.	Governor's flr. ldr., \$200/mo; asst. flr. ldr., \$100/mo.; spkr. pro tem, \$400/mo.
<b>Hawaii</b> .....	\$37,000	None	None	None
<b>Idaho</b> .....	\$3,000	None	None	None
<b>Illinois</b> .....	\$22,641	\$19,101	\$22,641	Dpty. maj. and min., \$16,273; asst. maj. and asst. min., \$14,856; maj. and min. conference chair, \$14,856
<b>Indiana</b> .....	\$6,500	\$5,000	\$5,500	Speaker pro tem, \$5,000; maj. caucus chair, \$5,000; min. caucus chair, \$4,500; asst. min. flr. leader, \$3,500; asst. maj. flr. ldr., \$1,000; maj. whip, \$3,500; min. whip, \$1,500
<b>Iowa</b> .....	\$11,593	\$11,593	\$11,593	Speaker pro tem, \$1,243
<b>Kansas</b> .....	\$12,103.78/yr.	\$10,919.74/yr.	\$10,919.74/yr.	Asst. maj. and min. ldrs., spkr. pro tem, \$6,177.68/yr.
<b>Kentucky</b> .....	\$39.80/day	\$31.43/day	\$31.43/day	Maj. and min. caucus chairs & whips, \$24.09/day
<b>Louisiana</b> .....	\$32,000 (a)	None	None	Speaker pro tem, \$24,500 (a)
<b>Maine</b> .....	150% of base salary	125% of base salary	112.5% of base salary	None
<b>Maryland</b> .....	\$10,000/year	None	None	None
<b>Massachusetts</b> .....	\$35,000	\$22,500	\$22,500	Asst. maj. and min. ldr., \$15,000
<b>Michigan</b> .....	\$27,000	None	\$22,000	Spkr. pro tem, \$5,513; min. flr. ldr., \$10,000; maj. flr. ldr., \$12,000
<b>Minnesota</b> .....	\$43,596 (a)	\$43,596 (a)	\$43,596 (a)	None
<b>Mississippi</b> .....	None	None	None	None
<b>Missouri</b> .....	\$208.33/mo.	\$125/mo.	\$125/mo.	None
<b>Montana</b> .....	\$5/day during session	None	None	None
<b>Nebraska</b> .....	None	None	None	None
<b>Nevada</b> .....	\$900	\$900	\$900	Speaker pro tem, \$900
<b>New Hampshire</b> .....	\$50/two-year term	None	None	None
<b>New Jersey</b> .....	1/3 above annual salary	None	None	None
<b>New Mexico</b> .....	None	None	None	None
<b>New York</b> .....	\$41,500	\$34,500	\$34,500	31 leaders with compensation ranging from \$9,000 to \$25,000
<b>North Carolina</b> .....	\$38,151 (a) and \$16,956 expense allowance	\$17,048 (a) and \$7,992 expense allowance	\$17,048 (a) and \$7,992 expense allowance	Speaker pro tem, \$21,739 and \$10,032 expense allowance
<b>North Dakota (b)</b> .....	\$10/day	\$10/day	\$10/day	Asst. ldrs., \$5/day
<b>Ohio</b> .....	\$80,549 base salary	\$69,227 base salary	\$73,493 base salary	Spkr. pro tem, \$73,493; asst. maj. ldr., \$64,967; asst. min. ldr., \$67,099; maj. whip, \$60,706; min. whip, \$60,706; asst. maj. whip, \$56,443; asst. min. whip, \$54,060
<b>Oklahoma</b> .....	\$17,932	\$12,364	\$12,364	Speaker pro tem, \$12,364
<b>Oregon</b> .....	\$1,283/month	None	None	None
<b>Pennsylvania</b> .....	\$34,724.08	\$27,780.58	\$27,780.59	Maj. and min. whips, \$21,083; maj. and min. caucus chairs, \$13,145; maj. and min. policy chairs, \$8,681; maj. and min. caucus admin., \$8,681; maj. and min. caucus secretaries, \$8,681
<b>Rhode Island</b> .....	None	None	None	None
<b>South Carolina</b> .....	\$11,000/yr	None	None	Speaker pro tem, \$3,600/yr
<b>South Dakota</b> .....	None	None	None	None
<b>Tennessee</b> .....	\$49,500 (a) plus \$5,700/yr home office for allowance. Add'l \$750/yr. for ex-officio duties	None	None	None
<b>Texas</b> .....	None	None	None	None
<b>Utah</b> .....	\$2,500	\$1,500	\$1,500	Whips and asst. whips, \$1,500
<b>Vermont</b> .....	\$593/week during session plus an additional \$9,172 in salary	None	None	None

See footnotes at end of table.



ADDITIONAL COMPENSATION FOR HOUSE LEADERS — Continued

<i>State</i>	<i>Presiding Officer</i>	<i>Majority Leader</i>	<i>Minority Leader</i>	<i>Other Leaders</i>
<b>Virginia</b> .....	\$18,681	None	None	None
<b>Washington</b> .....	\$40,064 (a)	None	\$36,064(a)	None
<b>West Virginia</b> .....	\$50/day during session	\$25/day during session	\$25/day during session	Up to four add'l people named by presiding officer receive \$100 for a maximum of 30 days
<b>Wisconsin</b> .....	None	None	None	None
<b>Wyoming</b> .....	\$3/day	None	None	None
<b>District of Columbia</b> .....	\$10,000 (chair of council)	Not applicable	Not applicable	Not applicable
<b>Puerto Rico</b> .....	\$90,000/yr.	\$69,000/yr.	\$69,000/yr.	Speaker pro tem, \$12,364
<b>Guam</b> .....	None	None	None	None
<b>U.S. Virgin Islands</b> .....	None	None	None	None

*Source:* National Conference of State Legislatures, March 2001.

(a) Total annual salary for this leadership position.

(b) House and Senate majority and minority leaders each receive additional compensation of \$250/mo. during their term of office, pursuant to NDCC Section 54-03-20, in addition to other compensation amounts provided by law during legislative sessions.

**Table 3.13**  
**STATE LEGISLATIVE RETIREMENT BENEFITS**  
**(As of March 29, 2001)**

State or other jurisdiction	Participation	Requirements for regular retirement	Contribution rate	Monthly benefit estimates			Benefit formula	Same as state employee
				4 yrs.	12 yrs.	20 yrs.		
Alabama .....	N.A.							
Alaska .....	Optional	Age 60 with 10 yrs.	Employee 6.75%; employer 8.13%	Vested at 5 yrs.	\$490 (a)	\$850 (b)	2% (first 10 yrs.); or 2.25% (second 10 yrs.); or 2.5% (third 10 yrs.) x average over highest consecutive yrs. x yrs. of service	Yes
Arizona .....	Optional	Age 65, 5+ yrs. service; age 62, 10+ yrs. service; or 20 yrs. service	Varies	Varies	Varies	Varies	4%/yr. of credited service x highest 3 yr. average in the past 10 yrs.	No
Arkansas .....	Optional	Age 65, 10 yrs. service; or age 55, 12 yrs. service; or any age, 30 yrs. service	Non-contributory	Not eligible	\$420(c)	\$700(d)	\$35/mo. x yrs. Service. If ever served as Speaker or president pro tem receive \$40/mo. x yrs. of service.	No
California .....	N.A.							
Colorado .....	Mandatory	PERA: age 65, 5 yrs. service; age 50, 30 yrs. service; when age + service equals 80 or more (min. age of 55). DCP: no age requirement & vested immediately	PERA: 8% of gross salary	PERA: Not yet vested	PERA: 30% of highest average salary	PERA: 50% of highest average salary	2.5% x HAS x yrs. of service (e)	No
Connecticut .....	Mandatory	Age 65, 5 yrs. service; age 55, 10 yrs. Service	Members prior to 7/1/97-0 after 1/1/97 -2%	Not yet vested	\$341	\$569	(.0133 x avg. annual salary) + (.005 x avg. annual salary in excess of "breakpoint" [specified dollar amount for each yr.] x yrs. credited service	Yes
Delaware .....	Mandatory	Age 62, 5 yrs. service	3% of total monthly compensation in excess of \$500	N.A.	N.A.	N.A.	Years of service x highest rate of payment being paid to any retired member of the General Assembly	No
Florida .....	Optional	Age 62, 10 yrs. service; 30 yrs. at any age	15.19%	None	\$837	\$2,325.05	Yrs. creditable service x percent value x average final compensation = annual average of highest 5 yrs.	No
Georgia .....	Optional	Vested after 8 yrs.; age 62 of age with no age penalty taken; age 60, 8 yrs. service	Employee rate 3.75%+.025%+\$7	None	\$336	\$560	\$28 x yrs. service x yrs. of service x reduction factor = monthly benefit. \$28 per month for each year of service	No
Hawaii .....	Optional	55 yrs. if less than 10 yrs. of service, no minimum age	7.8%	0	Varies	Varies	3.5 x yrs. of service as legislator x highest average salary plus annuity based on contributions as an elected official	No
Idaho .....	Mandatory	5 yrs. service minimum; age 65 unreduced; age 55 reduced	6.97%	\$101/m at age 65	\$305/m at age 65	\$508/m at age 65	Avg. monthly salary for highest 42 consecutive months x .02000 x months of credited service	Yes
Illinois .....	Optional	Age 55, 8 yrs. service; or age 62, 4 yrs. service	8.5% for retirement; 2% for survivors; 1% for automatic increases; 11.5% total	12% of final salary	45% of final salary	85% of final salary	3% of each of 1st 4 yrs.; 3.5% for each of next 2 yrs.; 4% for each of next 2 yrs.; 4.5% for each of the next 4 yrs.; 5% for each yr. above 12	No
Indiana .....	Mandatory	No service requirement	Employee 5% .20% state (of taxable income)	Varies	Varies	Varies	Yrs. of service x 1.1% x highest one-year salary	No

See footnotes at end of table.

## STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

State or other jurisdiction	Participation	Requirements for regular retirement	Contribution rate	Monthly benefit estimates			Benefit formula	Same as state employee
				4 yrs.	12 yrs.	20 yrs.		
Iowa .....	Optional	Age 65, less than 30 yrs. service; age 62, 30 yrs. service; age 55, 33 yrs. service	3.7% individual; 5.75% state	\$133/mo.	\$400/mo.	\$667/mo.	60% x avg of highest 3 yrs. x yrs. of service divided by 30 (maximum no. of yrs.) service divided by 30 (maximum no. of yrs.)	Yes
Kansas .....	Optional	Age 65, age 62 with 10 yrs. of service or age plus yrs. of service equals 85 yrs.	4	N.A.	N.A.	N.A.	3 highest yrs. x 1.75% x yrs. service divided by 12	No
Kentucky .....	Mandatory	N.A.	\$114.58/month for both plans	N.A.	N.A.	N.A.	N.A.	Yes
Louisiana .....	N.A.							
Maine .....	Mandatory (f)	Age 60 (if 10 yrs of service on 7/1/93) and age 62 (if less than 10 yrs of service on 7/1/93). 5 yr. Minimum creditable service requirement for eligibility	Employee 7.65%; legislative retirement system 6.24%; ME State Retirement System 21.05%	\$68	\$230	\$383	1/50 average final compensation x number of years of creditable service	No
Maryland .....	Optional	Age 60, with 8 yrs; age 50, 8-yr's creditable service (early reduced retirement)	5% of annual salary	None	\$891	\$1,485	3% of legislative salary for each yr of service up to a max. of 22 yrs. 3 months	No
Massachusetts .....	Optional	Age 55, 6 yrs. Service	9	Varies	Varies	N.A.	N.A.	No
Michigan .....	Optional	Age 55, 5 yrs. or age plus service equals 70	7%-13%	Varies	Varies	Varies	Depends on when service started	No (g)
Minnesota (h) .....	Mandatory	LRP: Age 62, 6 yrs. service and fully vested. DCP: no age requirement and vested immediately	LRP: 9% DCP: 4%	\$11,210.40 refund legislator's contribution (LRP)	\$840.78/mo. (LRP)	\$1401.29/mo. (LRP)	2.7% x high 5 yr. avg. salary x length of service (yrs.)	No
Mississippi .....	Mandatory	55 yrs. or 25 yrs. of service	Regular: 7.25% Legislator: 9.75%; State: supplemental 3%/6.33%	Varies	Varies	Varies	N.A.	Yes
Missouri .....	Mandatory	Age 55 + 4 yrs. or 2 sessions	11.50%	Varies	Varies	Varies	Monthly pay divided by 24 x service	No
Montana .....	Optional	Age 60, at least 5 yrs. service; age 65 regardless of yrs. of service; or 30 yrs. of service regardless of age	6.9%	Varies	Varies	Varies	1/56 x yrs. service credits x final avg. salary	Yes
Nebraska .....	N.A.							
Nevada .....	Mandatory	Age 60, 10 yrs. service	15% of session salary	0	\$300/mo.	\$500/mo.	Minimum service = 10 years; number of years x \$25 = monthly allowance	No
New Hampshire .....	N.A.							
New Jersey .....	Mandatory	Age 60, 8 yrs. service; age 55 (early retirement), 25 yrs.	5% of salary	N.A.	N.A.	N.A.	Effective 1/74 all legislators received 3% per yr. pension allowance; before 1974, members received 1/60th	No

See footnotes at end of table.

## STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

State or other jurisdiction	Participation	Requirements for regular retirement	Monthly benefit estimates				Benefit formula	Same as state employee
			Contribution rate	4 yrs.	12 yrs.	20 yrs.		
New Mexico .....	Optional	Age 65, 5+ yrs.; 64, 8+ yrs., 63, 11+ yrs., 60, 12+ yrs. or any age with 14+ yrs. of credited service	\$100 per year for service after 1959	\$83.33/mo.	\$250/mo.	\$416.66/mo.	\$250 x yrs. of service (after 1959)	No
New York .....	Mandatory	Depends on tier set by date of initial membership; Minimum 10 yrs. service	Based on length of service	Varies	Varies	Varies	Depends on tier set by initial membership	Yes
North Carolina .....	Mandatory	Age 65, 5 yrs. service	24.58%	N.A.	N.A.	N.A.	N.A.	No
North Dakota .....	N.A.							
Ohio .....	Optional	Age 60, 5 yrs. service; or age 55, 25 yrs. service; any age, 30 yrs. service	State 13.31% Legislator 8.5% of gross salary	No benefits	Varies	Varies	2.2% of final avg. salary (FAS) x yrs. Of service	Yes
Oklahoma .....	Optional	Age 60, 6 yrs. service	Optional contribution of 4.5%, 6%, 7.5%, 8.5%, 9%, or 10%	\$426.68 at 10%	\$1280.04 at 10%	\$2133.40 at 10%	Avg. participating salary x length of service x computation factor depending on optional contributions ranging from .019 x .040	No
Oregon .....	Optional	Age 55, 30+ yrs. service	16.317% of subject wages	N.A.	N.A.	N.A.	1.67% x yrs. service and final avg. monthly salary	Yes
Pennsylvania .....	Optional	Age 50, 3 yrs. service	5	N.A.	N.A.	N.A.	2% x final avg. salary x credited yrs. service x withdrawal factor if under regular retirement age (50 for legislators)	Yes
Rhode Island (I) .....	No							No
South Carolina .....	Mandatory	Age 60, 8 yrs. service; 30 yrs. of service regardless of age	10%	\$359.89	\$1,079.68	\$1,799.47	4.82% of annual compensation x yrs. service	No
South Dakota .....	N.A.							No
Tennessee .....	Optional	Age 55, 4 yrs. service	5.43%	\$280/mo.	\$840/mo.	\$1375/mo.	\$70 per month x yrs. service with a \$1,375 monthly cap	No
Texas .....	Optional	Age 60, 8 yrs. service; age 50, 12 yrs. service	8	Not eligible	\$2,288.25	\$3,813.75	2.25% x district judges salary (currently \$8,475) x length of service	No
Utah .....	Mandatory	Age 62, 10 yrs. service; age 65, 4 yrs. Service	Non-contributory	Varies	Varies	Varies	\$10/mo. x yrs. service; adjusted semi-annually according to consumer price index lid. to max of 2% (current rate is \$22.80)	No
Vermont .....	N.A.							
Virginia .....	Mandatory	Age 50, 30 yrs. service (unreduced); age 55, 5 yrs. service; age 50, 10 yrs. service (reduced)	10.22% of credible comp	Varies	Varies	Varies	1.7% of average final compensation x yrs. of service	Yes
Washington .....	Optional	Age 65, 5 yrs. service credit yrs. age 55, 20 yrs. service credit yrs.	2.43%	N.A.	N.A.	N.A.	2% x service credit yrs. X avg. final compensation	Yes

See footnotes at end of table.

## STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

State or other jurisdiction	Participation	Requirements for regular retirement	Contribution rate	Monthly benefit estimates			Same as state employee
				4 yrs.	12 yrs.	20 yrs.	
West Virginia .....	Optional	Age 55, if yrs. of service+age equal 80	4.5% gross income	Not eligible	\$300/mo.	\$500/mo.	Yes
Wisconsin .....	Mandatory	Age 55, 5 yrs. service	5.5% of salary	\$300/mo.	\$900/mo.	\$1500/mo.	Yes
Wyoming .....	N.A.						
Dist. of Columbia .....	Mandatory	Age 62, 5 yrs. service; age 55, 30 yrs service; age 60, 20 yrs service	Before 10/1/87, 7%; after 10/1/87, 5%	0	Varies	Varies	Yes
Puerto Rico .....	Optional	Age 55 with 30 yrs. service	Approximately 9%	0	18% of average 3 salaries	30% of average 3 salaries	Yes
Guam .....	Optional	Age 60, 30 yrs. service; age 55, 15 yrs. service	5% or 8.5%	Varies	Varies	Varies	Yes
U.S. Virgin Islands .....	Optional	Age 60, 10 yrs. service	8	0	Varies	Varies	Yes

Source: National Conference of State Legislatures, March 2001.

Note: The following states do not have legislative retirement benefits: Alabama, Nebraska, New Hampshire, North Dakota, South Dakota, Vermont and Wyoming.

Key:

N.A. — Not available

(a) \$540 for those within Alaska.

(b) \$935 for those within Alaska.

(c) \$480 for leadership.

(d) \$800 for leadership.

(e) Colorado has two plans - a defined benefit plan (PERA) and a defined contribution plan (DCP). HAS = 1/12 x

average three highest annual salaries earned during calendar year periods on which PERA contributions were paid; 15% limit applies to annual salary increases during three years before retirement; and partial year salaries can be combined.

(f) Members may request a waiver if they can document that participation would increase their total tax liability.

(g) Prior to 1998. Two plans are offered.

(h) Minnesota has two plans. Prior to 7/1/97 all legislators participated in the Legislators Retirement Plan (LRP). All new members must participate in the Defined Contribution Plan (DCP).

(i) Constitution has been amended effective 1/95. Any legislator elected after this date is not eligible to join the State Retirement System, but will be compensated for \$10,000/yr. with cost of living increases to be adjusted annually.

**Table 3.14**  
**BILL PRE-FILING, REFERENCE AND CARRYOVER**

State	Pre-filing of bills allowed (b)	Bills referred to committee by:		Bill referral restricted by rule (a)		Bill carryover allowed (c)
		Senate	House	Senate	House	
Alabama .....	★ (d)	(e) (f)	Speaker	L	L	...
Alaska .....	★ (g)	President	Speaker	L (w)	L (w)	★
Arizona .....	★	President	Speaker	...	L	...
Arkansas .....	★	President	Speaker	L	L	...
California .....	★	Rules Cmte.	Rules Cmte.	L	...	★ (h)
Colorado .....	★	President	Speaker	...	...	...
Connecticut .....	★	Pres. Pro Tempore	Speaker	L	L	...
Delaware .....	★	Pres. Pro Tempore	Speaker	...	L	★
Florida .....	★	President	Speaker	L	M (u)	...
Georgia .....	★ (i)	President (e)	Speaker	L	L	★
Hawaii .....	(j)	President	Speaker	...	...	★
Idaho .....	(k)	President (e)	Speaker	...	...	...
Illinois .....	★	Rules Cmte.	Rules Cmte.	...	...	★
Indiana .....	★ (y)	Pres. Pro Tempore	Speaker	... (z)	...	...
Iowa .....	★	President	Speaker	M	M	★
Kansas .....	★	President	Speaker	L	L	★
Kentucky .....	★	Cmte. on Cmtes.	Cmte. on Cmtes.	L	L	...
Louisiana .....	★	President (l)	Speaker (l)	L	L	...
Maine .....	★ (m)	Secy. of Senate and Clerk of House (n)	...	...	...	★
Maryland .....	★	President	Speaker	L	L	...
Massachusetts .....	★	Clerk (l)	Clerk (l)	M	M	★
Michigan .....	...	Majority Ldr.	Speaker	...	...	★
Minnesota .....	★ (o)	President	Speaker	M	M	★
Mississippi .....	★	President (e)	Speaker	...	...	...
Missouri .....	★	Pres. Pro Tempore	Speaker	...	...	...
Montana .....	★	President	Speaker	...	...	...
Nebraska .....	★	Reference Cmte.	U	L	U	★(p)
Nevada .....	★	(q)	(q)	L (t)	...	...
New Hampshire .....	★	President	Speaker	...	L	★
New Jersey .....	★ (m)	President	Speaker	...	...	★
New Mexico .....	★ (aa)	(r)	Speaker	M	M	...
New York .....	★	Pres. Pro Tempore (s)	Speaker	M	M	★
North Carolina .....	...	Rules Chairman	Speaker	M	L	★
North Dakota .....	★	President (e)	Speaker	M	M	...
Ohio .....	...	Rules and Reference Cmte.	Reference Cmte.	...	M	★
Oklahoma .....	★	Pres. Pro Tempore	Speaker	M	...	★
Oregon .....	★	President	Speaker	L	H	...
Pennsylvania .....	★	President (e)	Speaker	M	M	... (x)
Rhode Island .....	★	President (e)	Speaker	L	M	★
South Carolina .....	★	President	Speaker	...	M	★
South Dakota .....	★	President (e)	Speaker	...	...	...
Tennessee .....	★	Speaker	Speaker	...	...	★
Texas .....	★	President (e)	Speaker	...	L	...
Utah .....	★	President	Speaker	...	...	...
Vermont .....	★	President (e)	Speaker	L	L	★
Virginia .....	★	Clerk	Clerk (u)	L	L	★
Washington .....	★	(v)	(v)	...	...	★
West Virginia .....	★	President	Speaker	...	...	★
Wisconsin .....	...	President	Speaker	...	...	★ (p)
Wyoming .....	★ (m)	President	Speaker	M	M	...

See footnotes at end of table.

## BILL PRE-FILING, REFERENCE AND CARRYOVER — Continued

Source: The Council of State Governments' survey, January 2002 and state web sites.

Key:

★ — Yes

... — No

L — Rules generally require all bills be referred to the appropriate committee of jurisdiction.

M — Rules require specific types of bills be referred to specific committees (e.g., appropriations, local bills).

U — Unicameral legislature.

(a) Legislative rules specify all or certain bills go to committees of jurisdiction.

(b) Unless otherwise indicated by footnote, bills may be introduced prior to convening each session of the legislature. In this column only: ★ —pre-filing is allowed in both chambers (or in the case of Nebraska, in the unicameral legislature); ... — pre-filing is not allowed in either chamber.

(c) Bills carry over from the first year of the legislature to the second (does not apply in Alabama, Arkansas, Kentucky, Montana, Nevada, North Dakota, Oregon and Texas, where legislatures meet biennially). Bills generally do not carry over after an intervening legislative election.

(d) Except between the end of the last regular session of the legislature in any quadrennium and the organizational session following the general election and special session.

(e) Lieutenant governor is the president of the Senate.

(f) Senate bills by president with concurrence of president pro tem, if no concurrence by rules committee. House bills by president pro tem with concurrence of president, if no concurrence, by rules committee.

(g) Maximum 10 bills per member.

(h) Bills introduced in the first year of the regular session and passed by the house of origin on or before the January 31st constitutional deadline are carry-over bills.

(i) Pre-filing of bills allowed; however, must formally file again when the ses-

sions starts.

(j) House only in even-numbered years.

(k) House members may prefile bills during the first 10 days in December before the next regular legislative session.

(l) Subject to approval or disapproval. Louisiana—majority members present. Massachusetts—by presiding officer and Committee on Steering and Policy.

(m) Prior to convening of first regular session only.

(n) For the joint standing committee system. Secretary of the Senate and clerk of House, after conferring, suggest an appropriate committee reference for every bill, resolve and petition offered in either house. If they are unable to agree, the question of reference is referred to a conference of the president of the Senate and speaker of the House. If the presiding officers cannot agree, the question is resolved by the Legislative Council.

(o) Prior to convening of second regular session only.

(p) Any bill, joint resolution on which final action has not been taken at the conclusion of the last general-business floor period in the odd-numbered year shall be carried forward to the even-numbered year.

(q) Motion for referral can be made by any member.

(r) Senator introducing the bill endorses the name of the committee to which the bill is referred. If an objection is made, the Senate determines the committee to which the bill is referred.

(s) Also serves as majority leader.

(t) Suspension of rule - Majority of elected members.

(u) Under the direction of the speaker.

(v) By the membership of the chamber.

(w) Some bills must be referred to Finance Committee.

(x) Carries over until November 30 of even numbered years.

(y) Only in the Senate.

(z) The only exception is redistricting every 10 years.

(aa) In the House only. House rules allow prefilings of bills, resolutions and memorials prepared by an interim committee or at the request of an executive agency, in practice no legislation has been prefiled for more than 10 years.

**Table 3.15**  
**TIME LIMITS ON BILL INTRODUCTION**

<i>State</i>	<i>Time limit on introduction of bills</i>	<i>Procedures for granting exception to time limits</i>
<b>Alabama</b> .....	Senate: 24th day of regular session (a). House: no limit.	Unanimous vote to suspend rules
<b>Alaska</b> .....	35th C day of 2nd regular session (b).	2/3 vote of membership (concurrent resolution).
<b>Arizona</b> .....	House: 29th day of regular session; 10th day of special session. Senate: 22nd day of regular session; 10th day of special session.	Permission of Rules Committee.
<b>Arkansas</b> .....	55th day of regular session (50th day for appropriations bills).	2/3 vote of membership of each house.
<b>California</b> .....	Deadlines may be set during session.	Approval of Committee on Rules and 2/3 vote of membership.
<b>Colorado</b> .....	House: 22nd C day of regular session. Senate: 17th C day of regular session (c).	House, Senate Committees on Delayed Bills may extend deadline.
<b>Connecticut</b> .....	Depends on schedule set out by joint rules adopted for biennium (d).	2/3 vote of members present.
<b>Delaware</b> .....	House: no limit. Senate: no limit.	
<b>Florida</b> .....	House: noon of the 14th day of regular session (a)(c)(e). Senate: noon first day of regular session (c)(f).	Procedural & Redistricting Council determines whether existence of emergency compels bill's consideration.
<b>Georgia</b> .....	House: 30th L day of regular session because of Senate ruling. Senate: 33rd L day of regular session.	House: unanimous vote. Senate: 2/3 vote of membership.
<b>Hawaii</b> .....	Actual dates established during session.	Majority vote of membership.
<b>Idaho</b> .....	House: 20th day of session (e); 36th day of session (g). Senate: 12th day of session (e); 36th day of session (g).	
<b>Illinois</b> .....	House: determined by speaker (c)(e). Senate: determined by president.	House: rules governing limitations may not be suspended except for bills determined by a majority of members of the Rules Comm. to be an emergency bill, & appropriations bills implementing the budget.
<b>Indiana</b> .....	House: Jan. 11, 2001 of 1st regular session; Jan. 10, 2002 of 2nd regular session. Senate: Jan. 22, 2001 of 1st regular session; Jan. 10, 2002 of 2nd regular session.	Senate: rules may be suspended by affirmative vote of majority of members; suspensions approved by Rules Committee, adopted by majority of members present. House: 2/3 vote of membership. Senate: consent of Rules and Legislative Procedures Committee.
<b>Iowa</b> .....	House: Friday of 6th week of 1st regular session (e)(h)(i); Friday of 2nd week of 2nd regular session (e)(h)(i). Senate: Friday of 7th week of 1st regular session (e)(h); Friday of 2nd week of 2nd regular session (e)(h).	Constitutional majority.
<b>Kansas</b> .....	33rd day of regular session for committees (j).	Resolution adopted by majority of members of either house may make specific exceptions to deadlines.
<b>Kentucky</b> .....	House: 38th L day of regular session. Senate: no introductions during last 20 L days of session.	Majority vote of membership of each house.
<b>Louisiana</b> .....	30th C day of odd-year session; 10th C day of even-year session.	2/3 vote of elected members of each house.
<b>Maine</b> .....	1st Wednesday in December of 1st regular session; deadlines for 2nd regular session established by Legislative Council.	Approval of majority of members of Legislative Council.
<b>Maryland</b> .....	No introductions during last 35 C days of regular session.	2/3 vote of elected members of each house.
<b>Massachusetts</b> .....	1st Wednesday in December even-numbered years, preceding regular session (k). 1st Wednesday in November odd-numbered years, preceding regular session (k).	2/3 vote of members present and voting.
<b>Michigan</b> .....	No limit.	
<b>Minnesota</b> .....	House: Actual date established during session (e)(l). Senate: no limit.	2/3 vote of members.
<b>Mississippi</b> .....	No introductions after 21st day of session (c)(m).	2/3 vote of members present and voting.
<b>Missouri</b> .....	60th L day of regular session (c).	Majority vote of elected members each house; governor's request for consideration of bill by special message.
<b>Montana</b> .....	General bills & resolutions: 10th L day; revenue bills: 17th L day; committee bills and resolutions: 36th L day; committee bills implementing provisions of a general appropriation act: 75th L day; committee revenue bills: 62nd L day interim study resolutions: 75th L day (c, n).	2/3 vote of members.

See footnotes at end of table.



**TIME LIMITS ON BILL INTRODUCTION — Continued**

<i>State</i>	<i>Time limit on introduction of bills</i>	<i>Procedures for granting exception to time limits</i>
<b>Nebraska</b> .....	10th L day of any session (c, o).	3/5 vote of elected membership for standing or special committees to introduce bills after 10th L day.
<b>Nevada</b> .....	Actual dates established at start of session.	Waiver granted by Senate Majority Floor Leader or Assembly Speaker.
<b>New Hampshire</b> .....	Actual dates established during session.	2/3 vote of members present.
<b>New Jersey</b> .....	Assembly: No printing of bills after September 1 during 2nd session. Senate: no limit.	Majority vote of members.
<b>New Mexico</b> .....	30 L day of odd-year session (c)(q); 15 L day of even-year session (c)(q).	2/3 vote of membership of each house.
<b>New York</b> .....	Assembly: for unlimited introduction of bills, 1st Tuesday in March; for introduction of 10 or fewer bills, last Tuesday in March (r)(s). Senate: 1st Tuesday in March (s)(t).	Unanimous vote.
<b>North Carolina</b> .....	House: Local-March 28, 2001/ Public non-money-April 11, 2001 (n). Senate: Local-March 21, 2001/ Public non-money-April 4, 2001.	House: 2/3 vote of members present and voting. Senate: 2/3 vote of the membership present and voting.
<b>North Dakota</b> .....	House: 10th L day (o). Senate: 15th L day (o); resolutions: 18th L day (p); bills requested by executive agency or Supreme Court: Dec. 10 prior to regular session.	2/3 vote or approval of majority of Committee on Delayed Bills.
<b>Ohio</b> .....	No limit.	
<b>Oklahoma</b> .....	January 30 for house of origin in 1st session (q).	2/3 vote of membership.
<b>Oregon</b> .....	House: 36th C day of session (r). Senate: 36th C day of session.	2/3 vote of membership.
<b>Pennsylvania</b> .....	No limit (s).	
<b>Rhode Island</b> .....	House: First Tuesday in February. Senate: February 7.	House: 2/3 vote of members present. Senate: majority present and voting.
<b>South Carolina</b> .....	House: Prior to April 15 of the 2nd yr. of a two-yr. legislative session; May 1 for bills first introduced in Senate (c). Senate: May 1 of regular session for bills originating in House (c).	House: 2/3 vote of members present and voting. Senate: 2/3 vote of membership.
<b>South Dakota</b> .....	40-day session: 15th L day; committee bills and joint resolutions, 16th L day. 35-day session: 10th L day; committee bills and joint resolutions, 11th L day; bills introduced at request of department, board, commission or state agency: 1st L day (c, x).	2/3 vote of membership.
<b>Tennessee</b> .....	House: general bills, 10th L day of regular session (t). Senate: general bills, 10th L day or regular session; resolutions, 40th L day (t).	Unanimous consent of Committee on Delayed Bills, or upon motion approved by 2/3 vote of members present.
<b>Texas</b> .....	60th C day of regular session (u).	4/5 vote of members present and voting.
<b>Utah</b> .....	42nd day of regular session (c).	2/3 vote of members.
<b>Vermont</b> .....	House, individual introductions: 1st session, March 1; 2nd session, Feb. 1. Committees: 10 days after 1st Tue. in March (v). Senate, individual and comm: 1st session, 53rd C day; 2nd session, sponsor requests bill drafting 25th C day before session (w).	Approval by Rules Committee.
<b>Virginia</b> .....	Deadlines may be set during session.	
<b>Washington</b> .....	(Constitutional limit) No introductions during final 10 days of regular session (y).	2/3 vote of elected members of each house.
<b>West Virginia</b> .....	House: 50th day of regular session (c). Senate: 41st day of regular session (c, f).	2/3 vote of members present.
<b>Wisconsin</b> .....	No limit.	
<b>Wyoming</b> .....	House: 15th L day of session. Senate: 12th L day of session (c).	2/3 vote of elected members of either house.

See footnotes at end of table.

## TIME LIMITS ON BILL INTRODUCTION — Continued

*Source:* The Council of State Governments' survey, January 2002 and state web sites.

*Key:*

C — Calendar

L — Legislative

- (a) Not applicable to local bills, advertised or otherwise.
- (b) Not applicable to bills sponsored by any standing committees.
- (c) Not applicable to appropriations bills. In West Virginia, supplementary appropriations bills or budget bills.
- (d) Not applicable to (1) bills providing for current government expenditures; (2) bills the presiding officers certify are of an emergency nature; (3) bills the governor requests because of emergency or necessity; and (4) the legislative commissioners' revisor's bills and omnibus validating act.
- (e) Not applicable to standing committee bills.
- (f) Not applicable to local bills and joint resolutions. Florida: Not applicable to local bills (which have no deadline) or claim bills (deadline is August 1)
- (g) Not applicable to House State Affairs, Appropriations, Education, Revenue and Taxation, or Ways and Means committees, nor to Senate State Affairs, Finance, or Judiciary and Rules committees.
- (h) Unless written request for drafting bill has been filed before deadline.
- (i) Not applicable to bills co-sponsored by majority and minority floor leaders.
- (j) Not applicable to Senate Ways and Means; House Appropriations; Calendar and Printing; Taxation; Federal and State Affairs; and the select committees of either house; or House committees on Calendar and Printing, Appropriations and Taxation.
- (k) Not applicable to messages from governor, reports required or authorized to be made to legislature, petitions filed or approved by voters of cities or towns (or by mayors and city councils) for enactment of special legislation and which do not affect the powers and duties of state departments, boards, or commissions.
- (l) Not applicable to bills recommended by conference committee reports, Rules and Legislative Administration Committee, the Senate, or the governor.
- (m) Not applicable to revenue, local and private bills.
- (n) Not applicable to local and public bills or bills establishing districts for Congress or state or local entities.
- (o) No member other than majority and minority leaders may introduce more than five bills in House after the 5th L day; three bills in Senate after 10th L day.
- (p) Not applicable to resolutions proposing amendments to North Dakota Constitution or directing legislative council to carry out a study 31 L day deadline for introducing amendments to North Dakota Constitution and study resolutions).
- (q) Final date for consideration on floor in house of origin during first session. Bills introduced after date are not placed on calendar for consideration until second session.
- (r) Not applicable to measures approved by Committee on Legislative Rules and Reorganization or by speaker; appropriation or fiscal measures sponsored by committees on Appropriations; true substitute measures sponsored by standing, special or joint committees; or measures drafted by legislative counsel.
- (s) Resolutions fixing the last day for introduction of bills in the House are referred to the Rules Committee before consideration by the full House.
- (t) Not applicable to certain local bills.
- (u) Not applicable to local bills, resolutions, emergency appropriations or all emergency matters submitted by governor in special messages to the legislature.
- (v) Not applicable to Appropriations or Ways and Means committees.
- (w) Not applicable to Appropriations or Finance committees.
- (x) Not applicable to governor's bills
- (y) Not applicable to substitute bills reported by standing committees for bills pending before such committees.

Table 3.16

## ENACTING LEGISLATION: VETO, VETO OVERRIDE AND EFFECTIVE DATE

State or other jurisdiction	Governor may item veto appropriation bills		Days allowed governor to consider bill (a)		Bill becomes law unless vetoed	Bill becomes law unless vetoed	Bill dies unless signed	Votes required in each house to pass bills or items over veto (c)	Effective date of enacted legislation (d)
	Amount	Other (b)	During session	After session					
Alabama	...	...	6	15P(a)	20P(a)	10A	Majority elected	Majority elected (c)	Immediately (c)
Alaska	★ (f)	...	5P	5P(a)	10A	...	2/3 elected (g)	90 days after enactment	90 days after enactment
Arizona	★	...	5	5	20A (h)	...	2/3 elected	90 days after adjournment	90 days after adjournment
Arkansas	★	★	12 (i)	12 (i)	...	...	Majority elected	90 days after adjournment	90 days after adjournment (i)
California	...	...	...	...	...	...	2/3 elected	...	...
Colorado	★	★	10 (h)	30A (h)	30A (h)	...	2/3 elected	Immediately (k)	Immediately (k)
Connecticut	★	...	5	15P (h)	15P (h)	...	2/3 elected	Oct. 1	Oct. 1
Delaware	★	...	10	...	...	30A (h)	3/5 elected	Immediately	Immediately
Florida	★	★	7 (h)(p)	15P (h)	15P (h)	...	2/3 present	60 days after adjournment	60 days after adjournment
Georgia (l)	★	...	6 (h)	40A (h)(m)	40A (h)(m)	...	2/3 elected	July 1 (n)	July 1 (n)
Hawaii (l)	★ (f)	...	10 (o)(p)	45A (o)(p)	45A (o)(p)	(p)	2/3 elected	Immediately	Immediately
Idaho	★	★	5	10A	10A	...	2/3 elected	60 days after adjournment	60 days after adjournment
Illinois	★ (f)	...	60 (h)	60P (h)	60P (h)	...	3/5 elected (g)	(n)	(n)
Indiana	...	...	7	7P (h)	7P (h)	...	Majority elected	(q)	(q)
Iowa	...	...	3	(r)	(r)	...	2/3 elected	July 1 (n)	July 1 (n)
Kansas	★	...	10 (h)	10P	10P	...	2/3 membership	Upon publication	Upon publication
Kentucky	★	...	10	10A	10A	...	Majority elected	90 days after adjournment	90 days after adjournment
Louisiana (l)	★	★	10 (h)	20P (h)	20P (h)	...	2/3 elected	Aug. 15	Aug. 15
Maine	...	...	10	(m)	(m)	...	2/3 present	90 days after adjournment	90 days after adjournment
Maryland (l)	★	★	6	30P (m)	30P (m)	...	3/5 elected	June 1 (s)	June 1 (s)
Massachusetts	★ (f)	★	10	...	...	...	2/3 present	90 days after enactment	90 days after enactment
Michigan	★	★	14 (h)	14P (h)	14P (h)	...	2/3 elected and serving	90 days after adjournment	90 days after adjournment
Minnesota	★	...	3	...	...	14A	2/3 elected	Aug. 1 (t)	Aug. 1 (t)
Mississippi	★	★	5	15P (m)	15P (m)	...	2/3 elected	60 days after enactment	60 days after enactment
Missouri	★	...	15 (h)	45P (h)(m)	45P (h)(m)	...	2/3 elected	90 days after adjournment (u)	90 days after adjournment (u)
Montana (l)	★	★	10 (h)	25A (h)	25A (h)	...	2/3 present	Oct. 1 (t)	Oct. 1 (t)
Nebraska	★ (v)	...	5	5A	5A	...	3/5 elected	3 months after adjournment	3 months after adjournment
Nevada	...	...	5	10A	10A	...	2/3 elected	Oct. 1	Oct. 1
New Hampshire	...	...	5	...	...	5P	2/3 elected	60 days after enactment	60 days after enactment
New Jersey	★ (f)	...	45 (h)(w)	...	(w)	(w)	2/3 elected	July 4; other dates usually specified	July 4; other dates usually specified
New Mexico	★	★ (gg)	3	...	...	20A	2/3 present	90 days after adjournment (l)	90 days after adjournment (l)
New York	★	...	10	10 (ff)	30A (ff)	30A	2/3 elected	20 days after enactment	20 days after enactment
North Carolina (l) (ff)	...	...	10	...	15A	...	3/5 elected	60 days after adjournment (ff)	60 days after adjournment (ff)
North Dakota	★	★	3	10P	10P	...	2/3 elected	(x)	(x)
Ohio	★	★	10	...	...	15A	3/5 elected	90 days after filed with secretary of state	90 days after filed with secretary of state
Oklahoma	★	★	5	...	...	...	2/3 elected (g)	90 days after adjournment	90 days after adjournment
Oregon	★	★	5 (o)	30A (o)	30A (o)	...	2/3 present	90 days after adjournment	90 days after adjournment
Pennsylvania	★	★	10 (h)	30A (h)	30A (h)	...	2/3 elected	60 days after adjournment	60 days after adjournment
Rhode Island	...	...	6	10A (h)	10A (h)	...	3/5 present	Immediately	Immediately
South Carolina	★	★	5	(m)	(m)	...	2/3 present	20 days after enactment	20 days after enactment

See footnotes at end of table.

## ENACTING LEGISLATION: VETO, VETO OVERRIDE AND EFFECTIVE DATE — Continued

State or other jurisdiction	Governor may item veto appropriation bills		Days allowed governor to consider bill (a)				Votes required in each house to pass bills or items over veto (c)	Effective date of enacted legislation (d)
	Amount	Other (b)	During session		After session			
			Bill becomes law unless vetoed	Bill becomes law unless vetoed	Bill dies unless signed			
South Dakota	★	★	5 (h)	15A (h)			2/3 elected	90 days after adjournment (n)
Tennessee	★	...	10	10A			Majority elected	40 days after enactment
Texas	★	...	10 (a)	20A			2/3 present (ee)	90 days after adjournment
Utah	★	...	10	20A (h)			2/3 elected	60 days after adjournment
Vermont	...	...	5			3A	2/3 present	July 1
Virginia	...	★	7 (h)			30A (h)	2/3 present (y)	July 1 (z)
Washington	★	★	5 (a)	20A (a)			2/3 present	90 days after adjournment
West Virginia	★ (f)	★	5	15A (aa)			Majority elected (g)	90 days after enactment
Wisconsin	★	(f)	6P (a)	6P (a)		...	2/3 present	Day after publication date unless otherwise specified
Wyoming	★	★	3	15A (h)			2/3 elected	Immediately
American Samoa*	★	...	10			30A	2/3 elected	60 days after adjournment (bb)
Guam*	★	★	10			30P	2/3 elected	Immediately (cc)
No. Mariana Islands	...	...	40 (h,dd)				2/3 elected	Immediately
Puerto Rico	(f)	★	10			30P (h)	2/3 elected	Specified in act
U.S. Virgin Islands*	★	★	10			30P (h)	2/3 elected	Immediately

See footnotes at end of table.

## ENACTING LEGISLATION: VETO, VETO OVERRIDE AND EFFECTIVE DATE — Continued

Source: The Council of State Governments' survey of state legislative agencies, January 2002 and state web sites. Information noted by an \* is from *The Book of the States*, 2000-2001.

Note: Some legislatures reconvene after normal session to consider bills vetoed by governor. Connecticut—if governor vetoes any bill, secretary of state must reconvene General Assembly on second Monday after the last day on which governor is either authorized to transmit or has transmitted every bill with his objections, whichever occurs first. General Assembly must adjourn sine die not later than three days after its reconvening. Hawaii—legislature may reconvene on 45th day after adjournment sine die, in special session, without call. Louisiana—legislature meets in a maximum five-day veto session on the 40th day after final adjournment. Missouri—if governor returns any bill on or after the fifth day before the last day on which legislature may consider bills (in even-numbered years), legislature automatically reconvenes on first Wednesday following the second Monday in September for a maximum 10-calendar day session. New Jersey—legislature meets in special session (without call or petition) to act on bills returned by governor on 45th day after sine die adjournment of the regular session; if the second year expires before the 45th day, the day preceding the end of the legislative year. Utah—if two-thirds of the members of each house favor reconvening to consider vetoed bills, a maximum five-day session is set by the presiding officers. Virginia—legislature reconvenes on sixth Wednesday after adjournment for a maximum three-day session (may be extended to seven days upon vote of majority of members elected to each house). Washington—upon petition of two-thirds of the members of each house, legislature meets 45 days after adjournment for a maximum five-day session.

Key:

\* — Yes

... — No

A — Days after adjournment of legislature.

P — Days after presentation to governor.

(a) Sundays excluded, unless otherwise indicated.

(b) Includes language in appropriations bill.

(c) Bill returned to house of origin with governor's objections.

(d) Effective date may be established by the law itself or may be otherwise changed by vote of the legislature. Special or emergency acts are usually effective immediately.

(e) Penal acts, 60 days.

(f) Governor can also reduce amounts in appropriations bills. In Hawaii, governor can reduce items in executive appropriations measures, but cannot reduce nor item veto amounts appropriated for the judicial or legislative branches.

(g) Different number of votes required for revenue and appropriations bills. Alaska—three-fourths elected. Illinois—appropriations reductions, majority elected. Oklahoma—emergency bills, three-fourths vote. West Virginia—budget and supplemental appropriations, two-thirds elected.

(h) Sundays included.

(i) A bill presented to the governor that is not returned within 12 days (excluding Saturdays, Sundays and holidays) becomes a law; provided that any bill passed before Sept. 1 of the second calendar year of the biennium of the legislative session and in the possession of the governor on or after Sept. 1 that is not returned by the governor on or before Sept. 30 of that year becomes law. The legislature may not present to the governor any bill after Nov. 15 of the second calendar year of the biennium of the session. If the legislature, by adjournment of a special session prevents the return of a bill with the veto message, the bill becomes law unless the governor vetoes within 12 days by depositing it and the veto message in the office of the secretary of state.

(j) For legislation enacted in regular sessions: Jan. 1 next following 90-day period from date of enactment. For legislation enacted in special sessions: 91 days after adjournment. Does not apply to statutes calling elections, statutes providing for tax levies or appropriations for the usual current state expenses or urgency statutes, all of which take effect immediately.

(k) An act takes effect on the date stated in the act, or if no date is stated in the act, then on its passage.

(l) Constitution withholds right to veto constitutional amendments.

(m) Bills vetoed after adjournment are returned to the legislature for reconsideration. Georgia—bills vetoed during last three days of session and not considered for overriding, and all bills vetoed after sine die adjournment

may be considered at next session. Maine—returned within three days after the next meeting of the same legislature which enacted the bill or resolution. Maryland—reconsidered at the next meeting of the same General Assembly. Mississippi—returned within three days after the beginning of the next session. Missouri—bills returned on or after the 5th day before the last day to consider bills legislature automatically reconvenes on the first Wednesday following the second Wednesday in September not to exceed 10 calendar days. South Carolina—with-in two days after the next meeting.

(n) Effective date for bills which become law on or after July 1. Georgia—Jan. 1, unless a specific date has been provided for in legislation. Illinois—a bill passed after June 30 does not become effective prior to July 1 of the next calendar year unless legislature by a three-fifths vote provides for an earlier effective date. Iowa—if governor signs bill after July 1, bill becomes law on Aug. 15; for special sessions, 90 days after adjournment. South Dakota—91 days after adjournment.

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

(p) The governor must notify the legislature 10 days before the 45th day of his intent to veto a measure on that day. The legislature may convene on the 45th day after adjournment to consider the vetoed measures. If the legislature fails to reconvene, the bill does not become law. If the legislature reconvenes, it may pass the measure over the governor's veto or it may amend the law to meet the governor's objections. If the law is amended, the governor must sign the bill within 10 days after it is presented to him in order for it to become law.

(q) No act takes effect until it has been published and circulated in the counties, by authority, except in cases of emergency.

(r) Governor must sign or veto all bills presented to him. Any bill submitted to the governor for his approval during the last three days of a session must be deposited by him in the secretary of state's office within 30 days after adjournment with his approval or objections.

(s) Bills passed over governor's veto are effective in 30 days or on date specified in bill, whichever is later.

(t) Different date for fiscal legislation. Minnesota, Montana—July 1. Missouri, New Mexico—immediately.

(u) In event of a recess of 30 days or more, legislature may prescribe, by joint resolution, that laws previously passed and not effective shall take effect 90 days from beginning of recess.

(v) No appropriation can be made in excess of the recommendations contained in the governor's budget except by a three-fifths vote. The excess is subject to veto by the governor.

(w) On the 45th day after the date of presentation, a bill becomes law unless the governor returns it with his objections, except that (1) if the legislature is in adjournment sine die on the 45th day, a special session is convened (without petition or call) for the sole purpose of acting upon bills returned by the governor; (2) any bill passed between the 45th day and the 10th day preceding the end of the second legislative year must be returned by the governor by the day preceding the end of the second legislative year; (3) any bill passed or reenacted within 10 days preceding the expiration of the second legislative year becomes law if signed prior to the seventh day following such expiration, or the governor returns it to the house of origin and two-thirds elected members agree to pass the bill prior to such expiration.

(x) August 1 after filed with secretary of state; if filed on or after August 1 and January 1 of following year, 90 days after its filing. Appropriations and tax bills; July 1 after filing.

(y) Must include majority of elected members.

(z) Special sessions—first day of fourth month after adjournment.

(aa) Five days for appropriations bills.

(bb) Laws required to be approved only by the governor. An act required to be approved by the U.S. Secretary of the Interior only after it is vetoed by the governor and so approved takes effect 40 days after it is returned to the governor by the secretary.

(cc) U.S. Congress may annul.

(dd) Twenty days for appropriations bills.

(ee) Both chambers agree that vote requirement is 2/3 present in originating house. Senate rule requires 2/3 membership for Senate vote to override on a House bill, based on an anomaly in constitutional language. House precedent is 2/3 present for House to vote on a Senate bill.

(ff) Sundays and Holidays included.

**Table 3.17**  
**LEGISLATIVE APPROPRIATIONS PROCESS: BUDGET DOCUMENTS AND BILLS**

State or other jurisdiction	Budget document submission							Budget bill introduction		
	Legal source of deadline		Submission date relative to convening					Same time as budget document	Another time	Not until committee review of budget document
	Constitutional	Statutory	Prior to session	Within one week	Within two weeks	Within one month	Over one month			
Alabama .....	★	★	...	★	...	...	...	★	...	...
Alaska .....	...	★	Dec. 15	★	...	...	...	...	★ (a)	...
Arizona .....	...	★	★	...	...	...	...	...	...	★
Arkansas .....	...	★	...	...	...	...	★	...	...	★
California .....	★	...	...	...	★	...	...	★	...	...
Colorado .....	...	★	★ (b)	...	...	...	...	...	76th day by rule	★
Connecticut .....	...	...	...	(a)	...	...	...	★	...	...
Delaware .....	...	★	...	...	...	by Feb. 1	...	★ (c)	...	...
Florida .....	★	★	45 days	...	...	...	...	...	...	★ (c)
Georgia .....	★	...	...	★	...	...	...	★	...	...
Hawaii .....	...	★	30 days	...	...	...	...	...	★	...
Idaho .....	...	★	...	★	...	...	...	...	...	★
Illinois .....	...	★	...	...	...	...	★	...	★	...
Indiana .....	...	★	...	...	...	...	...	...	...	★
Iowa .....	...	★	...	...	...	★ (a)	...	...	...	★ (c)
Kansas .....	...	★	...	...	★ (e)	...	...	...	★	...
Kentucky .....	...	★	...	...	★ (a)(e)	...	...	...	...	...
Louisiana .....	...	...	(f)	(f)	...	...	...	(g)	...	...
Maine .....	...	★	...	★ (a)(e)	...	...	...	...	...	...
Maryland .....	★	...	...	★ (e)	...	...	...	★ (h)	...	...
Massachusetts .....	...	★	...	...	...	★	...	★ (i)	...	...
Michigan .....	...	★	...	...	...	★ (e)	...	★	...	...
Minnesota .....	...	...	...	...	...	★ (a)	...	...	...	★ (j)
Mississippi .....	...	★	...	1st day	...	...	...	...	...	...
Missouri .....	★	...	...	...	...	★	...	...	★	...
Montana .....	...	★	★	...	...	...	...	...	★	...
Nebraska .....	...	★	...	...	...	★ (a,e)	...	★ (c)	...	...
Nevada .....	★	...	★	...	...	...	...	...	...	★
New Hampshire .....	...	★	...	...	...	...	★ (a)	★	...	...
New Jersey .....	...	★	...	...	...	★ (e)	...	...	...	★ (k)
New Mexico .....	...	★	...	...	...	★ (l)	...	...	...	...
New York .....	★	...	...	...	★ (e)	...	...	★ (m)	(d)	...
North Carolina .....	...	...	...	...	...	(k)	...	★	...	...
North Dakota .....	...	★	(n)	...	...	...	...	...	...	★
Ohio .....	...	★	...	...	...	★ (e)	...	★	...	...
Oklahoma .....	...	★	Oct. 1	★	...	...	...	★	...	...
Oregon .....	...	...	Dec. 1 (e)	...	...	...	...	...	★ (a)	...
Pennsylvania .....	...	★	...	...	...	...	★ (e)(o)	...	...	★
Rhode Island .....	...	★	...	...	...	...	★	★	...	...
South Carolina .....	...	★	(a)(b)	...	...	...	...	...	...	★
South Dakota .....	...	★	★ (a)	...	...	...	...	...	★ (p)	...
Tennessee .....	...	★	...	...	...	★ (a)(e)	★ (a)(e)	...	...	...
Texas .....	...	...	...	6th day (t)	...	...	...	★	...	...
Utah .....	...	★	(q)	★ (r)	...	...	...	...	★ (s)	...
Vermont .....	...	★	...	...	...	★	...	...	...	★
Virginia .....	...	★	Dec. 20	...	...	...	...	★	(a)	...
Washington .....	...	★	Dec. 2 (u)	...	...	...	...	★	(v)	...
West Virginia .....	★	...	...	1st day (e)	...	...	...	★	...	...
Wisconsin .....	...	★	...	...	...	★ (w)	...	★	...	...
Wyoming .....	...	★	Dec. 1	...	...	...	...	...	...	★
No. Mariana Islands .....	...	★	(a)	...	...	...	...	...	(w)	★
Puerto Rico .....	...	★	...	...	...	★	...	...	...	★
U.S. Virgin Islands* .....	...	★	30-May	...	...	★ (x)	...	★	...	(y)

See footnotes at end of table.

## LEGISLATIVE APPROPRIATIONS PROCESS: BUDGET DOCUMENTS AND BILLS — Continued

Source: The Council of State Governments' legislative survey, January 2002 and state web sites. Information noted by an \* is from *The Book of the States*, 2000-2001.

Key:

★ - Yes

... - No

(a) Specific time limitations: Alaska-4th legislative day; Connecticut-odd numbered years no later than the first session day following the third day in February, in even numbered years on the day the General Assembly convenes; Iowa-no later than February 1; Kentucky-10th legislative day; Maine-by Friday following the first Monday in January; Minnesota-fourth Monday in January during biennial session; Nebraska-by January 15; New Hampshire-by February 15; Oregon-Dec. 15 in even-numbered years; South Carolina-first Tuesday in January; South Dakota-first Tuesday after the first Monday in December; Tennessee-on or before February 1; No. Mariana Islands-no later than 6 months before the beginning of the fiscal year.

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

(c) Executive budget bill is introduced and used as a working tool for committee. Delaware-after hearings on executive bill, a new bill is then introduced; the committee bill is considered by the legislature.

(d) New Mexico repealed a statutory deadline in 1999. The deadline for budget bill introduction now relies on joint rules regarding third reading and final passage in house of origin.

(e) Later for first session of a new governor; Kansas-21 days; Kentucky-15th legislative day; Maine-by Friday following first Monday in February; Maryland-10 days after convening; Michigan-within 60 days; Nebraska-February 1; New Jersey-February 15; New York-February 1; Ohio-by March 15; Oregon-February 1; Pennsylvania-first full week in March; Tennessee-March 1; West Virginia-10 days, in odd-numbered years.

(f) The governor shall submit his executive budget to the Joint Legislative Committee on the budget no later than 45 days prior to each regular session; except that in the first year of each term, the executive budget shall be submitted no later than 30 days prior to the regular session. Copies shall be made available to the entire legislature on the first day of each regular session.

(g) Bills appropriating monies for the general operating budget and ancillary

appropriations, bills appropriating funds for the expenses of the legislature and the judiciary must be submitted to the legislature for introduction no later than 45 days prior to each regular session, except that in the first year of each term, such appropriation bills shall be submitted no later than 30 days prior to the regular session.

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

(i) General appropriations bills only.

(j) The executive branch usually submits budget bills shortly after the budget is submitted. There is no statutory requirement that this occur.

(k) By custom only. No statutory or constitutional provisions.

(l) January 1.

(m) Governor has 30 days to amend or supplement the budget; he may submit any amendments to any bills or submit supplemental bills.

(n) For whole legislature. Legislative Council's Budget Section receives budget during legislature's December organizational session.

(o) Submitted by governor as soon as possible after General Assembly organizes, but not later than the first full week in February.

(p) No later than the 16th legislative day by rule.

(q) Governor must submit budget to Legislative Fiscal Analyst 34 days before official submission to legislature.

(r) Must submit to the legislature no later than 3 days after session begins.

(s) Joint legislative rules require budget bill to be introduced 3 days prior to the constitutionally mandated end of the session.

(t) Governor's submission of a bill is due not later than the 30th day, except submission for a new governor is not later than 20th day after inauguration. Date noted refers to submission by the governor of a budget to the legislature. The Legislative Budget Board must also submit a bill not later than the seventh day.

(u) For fiscal period other than biennium, 20 days prior to first day of session.

(v) Even-numbered years.

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

(x) By enacting annual appropriations legislation.

(y) Prior to September 30.

**Table 3.18**  
**FISCAL NOTES: CONTENT AND DISTRIBUTION**

State or other jurisdiction	Content						Distribution						
	Intent or purpose of bill	Cost involved	Projected future cost	Proposed source of revenue	Fiscal impact on local government	Other	Legislators						
							Available on request	Bill sponsor	Appropriations committee		Fiscal staff	Executive budget staff	
							All			Members	Chair only		
Alabama .....	...	★	...	★	★	★ (a)	...	★	★	...	...	...	...
Alaska .....	...	★	★	★ (b)	★	★ (d)	...	★	...	...	...	...	...
Arizona .....	★	★	★	...	★	★ (e)	★	★	...	...	...	★	★
Arkansas (f) .....	...	★	★	...	★	★	★	★	...	...	...	...	...
California .....	★	★	★	★	★	★	...	★	★	★	...	★	★
Colorado .....	★	★	★	★	★	★	...	...	★ (gg)	...	...	...	...
Connecticut .....	★ (g)	★	★	★ (b)	★	★ (h)	...	...	...	★ (i)	...	★	★
Delaware .....	...	★	★	...	★	★ (j)	...	★	...	★	...	★	★
Florida .....	...	★	★	★	★	★ (k)	★	...	...	...	...	...	...
Georgia .....	...	★	★	★	★	★ (k)	★	★	...	...	...	...	...
Hawaii .....	...	...	...	...	...	★	...	...	...	...	★	★	★
Idaho .....	★	★	★	...	★	★	...	...	...	...	...	...	...
Illinois .....	...	★	★	★	★	...	★ (l)	★ (l)	...	...	...	...	...
Indiana .....	★	★	★	★	★	★	...	...	...	...	★	★	★
Iowa .....	...	★	★	★	★	★	...	...	...	...	...	...	...
Kansas .....	★	★	★	★	★	...	...	★	★	...	★ (m)	★	★
Kentucky .....	★	★	★	...	★	★ (n)	...	★	★	★ (m)	...	★	...
Louisiana .....	...	★	★	...	★	...	★	★	...	...	★ (o)	...	...
Maine .....	...	★	★	★	★	(p)	...	...	...	...	...	...	...
Maryland .....	...	★	★	★	★	★	(c, gg)	★	★ (y)	...	...	...	...
Massachusetts .....	...	★ (q)	★	...	...	★	★	...	...	...	★	...	...
Michigan .....	★	★	★	★	★	★ (r)	★ (s)	★	...	...	...	★	...
Minnesota .....	★	★	★	★	★	★ (k)	...	...	★	...	★	★	★
Mississippi .....	★	★	...	...	★	...	★	...	...	★	...	...	...
Missouri .....	...	★	★	★	★	★	...	...	...	...	...	...	...
Montana .....	...	★	★	...	★	★ (k)	...	...	...	...	...	★	★
Nebraska .....	...	★	★	...	...	★ (k)	★	...	...	...	...	★	...
Nevada .....	...	★	★	★	★	★	★	...	...	...	...	...	...
New Hampshire .....	★	★	★	★	★	★	...	...	...	...	★	★	★
New Jersey .....	★	★	★	★	★	★ (r)	★	...	...	...	...	...	...
New Mexico .....	★	★	...	...	(t)	★ (u)	...	★	★	★	...	(v)	(v)
New York .....	...	★	★	...	★	★ (n)	...	★	★	★	...	★	...
North Carolina .....	...	★	★	...	★	★ (k)	...	...	...	...	...	...	...
North Dakota (w) .....	...	★	★ (x)	★	★	★ (n)	...	★	...	...	...	★ (z)	...
Ohio .....	★	★	★	★	★	★	★	★ (hh)	★	(aa)	(aa)	...	...
Oklahoma (bb) .....	★	★	...	★	...	★ (j)	...	★	★	...	★	★	...
Oregon .....	...	★	★	★	...	★ (e)	...	...	...	...	...	...	...
Pennsylvania .....	★	★	★	★	★	★ (n)	...	...	...	★	...	★	...
Rhode Island .....	...	★	★	...	★	★ (cc)	...	★	...	...	★	★	★
South Carolina .....	...	★	★	★	★	...	★	★	...	★	...	★	★
South Dakota .....	...	★	★	★	★	★ (n)	...	★	...	...	...	...	...
Tennessee .....	★	★	★	★	★	★	★	★	★	...	...	★	★
Texas .....	...	★	★	★	★	★ (n)	★	★	★	★ (m)	...	...	★
Utah .....	...	★	★	★	★	★ (ii)	...	★	★	...	...	★	★
Vermont .....	★	★	★	★	...	...	...	★	...	★	...	...	...
Virginia .....	★	★	★	★ (dd)	★	★	...	★	★	★	...	...	...
Washington .....	★	★	★	★	★	...	...	★	...	★ (m)	...	★ (ee)	...
West Virginia .....	★	★	★	★	★	...	...	...	★ (m)	...	...	...	...
Wisconsin .....	★	★	★	★	★	★	...	★	★	...	...	★	★
Wyoming .....	...	★	★	★	...	...	(ff)	...	...	...	...	...	...
No. Mariana Islands* .....	★	★	★	★	★	★	...	...	...	...	★	★	★
U.S. Virgin Islands* .....	★	★	...	★	★	...	★	...	★	★	...	★	...

See footnotes at end of table.



## FISCAL NOTES: CONTENT AND DISTRIBUTION — Continued

*Sources:* The Council of State Governments' survey, January 2002 and state web sites. Information noted by an \* is from *The Book of the States, 2000-2001*.

*Note:* A fiscal note is a summary of the fiscal effects of a bill on government revenues, expenditures and liabilities.

*Key:*

★ - Yes

. . . - No

- (a) Fiscal notes are included in bills for final passage calendar.
- (b) Contained in the bill and in the fiscal note.
- (c) Fiscal note is posted on the internet and sent electronically to the floor system and available to all members via laptop computers
- (d) Fiscal notes are attached to the bill before it is reported from the first committee of referral. Governor's bills must have fiscal note before introduction. Once fiscal notes are submitted, they are copied and available to all.
- (e) Assumptions (methodology/explanation of fiscal figures).
- (f) Only retirement, corrections, and local government bills require fiscal notes.
  - (g) May be included but not required.
- (h) Fiscal notes may also reflect: savings, positions and estimated impact on revenues; assumptions (methodology/explanation of fiscal figures); bill proposing changes in retirement system of state or local government must have an actuarial note; other relevant data; technical or mechanical defects may be noted.
- (i) For the both the Appropriations and the Finance, Revenue and Bonding Committees, preliminary notes are prepared for committee meetings.
- (j) Relevant data and prior fiscal year cost information.
- (k) Mechanical defects in bill.
- (l) A summary of the fiscal note is attached to the summary of the relevant bill in the Legislative Synopsis and Digest. Fiscal notes are prepared for the sponsor of the bill and are attached to the bill on file in either the office of the clerk of the House or the Secretary of the Senate.
- (m) Or to the committee to which referred.
- (n) In North Dakota a bill that impacts workers' compensation benefits or premiums must have an actuarial impact statement. A bill proposing changes in the retirement system of state or local government must have an actuarial note. In Kentucky, a bill which fiscally affects state or local correction services must have a fiscal impact statement.
- (o) Prepared by the Legislative Fiscal Office when a state agency is involved and prepared by Legislative Auditor's office when a local board or commission is involved; copies sent to House and Senate staff offices respectively.
- (p) Distributed to chairs of committee to which bill was referred; the sponsor;

the presiding officers of the Senate and the House; the non-partisan staff of the committee to which the bill was referred; and the State Budget officer (Executive).

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

(r) Other relevant data.

(s) Analyses prepared by the Senate Fiscal Agency are distributed to Senate members only; Fiscal notes prepared by the House Fiscal Agency are prepared for bills being voted on in any standing committee and are distributed to the chairperson and all committee members.

(t) Occasionally.

(u) The impact of revenue bills is reviewed by the Legislative Finance Committee and executive agencies.

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

(w) Notes required only if impact is \$5,000 or more.

(x) A four-year projection.

(y) And to the committee to which referred.

(z) Only select fiscal staff.

(aa) Fiscal notes are prepared for bills before being voted on in any standing committee and are given to the chairman and all committee members.

(bb) Fiscal notes are prepared only in the House.

(cc) Technical or mechanical defects may be noted.

(dd) The Dept. of Planning and Budget and other relevant state agencies, including the Dept. of Taxation, prepare impact statements, The Joint Legislative Audit And Review Commission (JLARC) prepares review statements as requested by committee chairpersons.

(ee) Distributed to appropriate fiscal and policy staff.

(ff) Fiscal notes are included with the bill upon introduction

(gg) A copy of the fiscal note is initially provided to the bill sponsor and to the chairman of the committee of reference to which the bill is assigned. A copy is then provided to every legislator.

(hh) After distribution to committee members, fiscal notes are made available to the public, including posting the notes on the Internet.

(ii) Fiscal notes are to include cost estimates on all proposed bills that anticipate direct expenditures by any Utah resident and the cost to the overall Utah resident population.

**Table 3.19**  
**BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS:**  
**2000 AND 2001 REGULAR SESSIONS**

State or other jurisdiction	Duration of session**	Introductions		Enactments		Measures vetoed by governor	Length of session
		Bills	Resolutions	Bills	Resolutions		
<b>Alabama</b> .....	Feb. 1 - May 15, 2000	1,571	763	514	298	2	30L
	Feb. 6 - May 21, 2001	1,589	837	273	425	0	30L
<b>Alaska (o)</b> .....	Jan. 10-May 3, 2000	768	166	243	64	7 (a)	N.A.
	Jan. 8-May 8, 2001	830	148	111	48	2	N.A.
<b>Arizona (o)</b> .....	Jan. 10-April 18, 2000	1,280	93	405	26	N.A.	100C
	Jan. 8-May 10, 2001	1,221	40	388	16	N.A.	123C
<b>Arkansas</b> .....	No regular session in 2000						
	Jan. 8-May 14, 2001 (b)	2,643	200	1,843	116	4	97C
<b>California (i)</b> .....	Dec. 7, 1998-Nov. 30, 2000	4,089	341	1,868	244	397	372L
	Dec. 12, 2000 (h)	2,991	248	1117	176	169	(h)
<b>Colorado</b> .....	Jan. 5-May 3, 2000	725	116	412	90	13	120C
	Jan. 10-May 9, 2001	652	128	363	108	14	120C
<b>Connecticut</b> .....	Feb. 9-May 3, 2000	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	Jan. 3-June 6, 2001	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
<b>Delaware</b> .....	Jan. 12-June 30, 2000	449	127	169	91	0	50L
	Jan. 10-June 30, 2001	624	83	212	92	2	45L
<b>Florida</b> .....	Mar. 7-May 5, 2000	2,547	490	143	142	12(d)	60C
	Mar. 6-May 4, 2001	2,148	97	351	94	16(d)	60C
<b>Georgia</b> .....	Jan. 12-Mar. 22, 2000	1,836	1,357	503	1112	10	40L
	Jan. 1 - Mar. 21, 2001	1,290	1,248	396	1105	7	40L
<b>Hawaii</b> .....	Jan. 19-May 2, 2000	2,472	720	297	215	41	60L
	Jan. 17-May 3, 2001	3,331	679	316	228	33 (a)	60L
<b>Idaho</b> .....	Jan. 10-April 5, 2000	737	83	484	47	3	87L
	Jan. 8-March 30, 2001	662	80	394	55	1	82L
<b>Illinois</b> .....	Jan. 5-April 15, 2000	2,389	794	258	705	5	(c)
	Jan. 10-May 31, 2001	5,153	949	504	586	44 (a)	(c)
<b>Indiana</b> .....	Nov. 16, 1999-Mar. 3, 2000	965	336	143	336	11 (a)	(c)
	Nov. 21, 2000-April 29, 2001	1,756	449	291	449	11	(c)
<b>Iowa</b> .....	Jan. 10-April 26, 2000	1,045	20	232	2	16 (d)	108C
	Jan. 8-May 8, 2001	1,302	29	192	6	25	121C
<b>Kansas</b> .....	Jan. 10-May 24, 2000	785	82	184	11	2 (d)	66L
	Jan. 8-May 31, 2001	969	83	216	11	1 (d)	73L
<b>Kentucky</b> .....	Jan. 4-April 14, 2000	1,441	378	486	297	12(a)	60L
	Jan. 2-March 22, 2001	579	333	128	37	0	L
<b>Louisiana</b> .....	April 24-June 7, 2000	422	274	50	238	0	25L
	March 26-June 18, 2001	3,185	630	1,251	547	15	50L
<b>Maine</b> .....	Jan. 5-May 12, 2000	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	Dec. 6, 2000-June 22, 2001	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
<b>Maryland</b> .....	Jan. 12-April 10, 2000	2,347	40	700	17	184	90C
	Jan. 10-April 9, 2001	2,365	43	737	14	190	90C
<b>Massachusetts</b> .....	Jan. 5-Dec. 2000	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	Jan. 3- Dec. 2001	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
<b>Michigan (i)</b> .....	Jan. 1-Dec. 27, 2000	1,477	16	516	0	10	80L
	Jan. 10-Dec. 21, 2001	2,553	41	0	0	0	91L
<b>Minnesota</b> .....	Feb. 1-May 18, 2000	3,256	117	245	5	8 (a)	51L
	Jan. 3-May 21, 2001	4,972	163	208	5	10	59L
<b>Mississippi</b> .....	Jan. 4-April 3, 2000	3,106	413	628	277	1	90C
	Jan. 2-April 1, 2001	2,926	370	662	255	58 (a)	90C
<b>Missouri</b> .....	Jan. 5-May 12, 2000	1,650	62	82	2	5	77L
	Jan. 3-May 18, 2001	1,657	44	201	1	8	77L
<b>Montana</b> .....	No regular session in 2000						
	Jan. 3-April 21, 2001	1,172	93	594	78	3	90L
<b>Nebraska</b> .....	Jan. 5-April 12, 2000	621	227	152	55	20 (a)	60L
	Jan. 3-May 31, 2001	939	275	254	73	3 (a)	90L
<b>Nevada</b> .....	No regular session in 2000						
	Feb. 5-June 5, 2001	1,262	156	604	125	4	120C
<b>New Hampshire</b> .....	Jan. 5-July 12, 2000	755	56	346	0	0	20L
	Jan. 3-Dec. 12, 2001	920	60	317	1	8 (a)	23L
<b>New Jersey</b> .....	Jan. 12, 1999-Jan 10, 2000	1917 (m)	234 (n)	457	9	21 (d)	(c)
	Jan. 11, 2000-Jan. 9, 2001	4884 (m)	497 (n)	179	2	40 (d)	(c)
<b>New Mexico</b> .....	Jan. 18-Feb. 17, 2000	947	45	135	2	28	30C
	Jan. 16-March 17, 2001	1,788	78	483	16	131	60C
<b>New York</b> .....	Jan. 5-Dec. 2000	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	Jan. 3-Dec. 2001	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
<b>North Carolina (j)(i)</b> ...	May 8-July 13, 2000	760	0	190	6	0	67C
	Jan. 24-Dec. 6, 2001	2,587	0	544	36	0	317C
<b>North Dakota</b> .....	No regular session in 2000						
	Jan. 9-April 29, 2001	934	127	584	95	5	77C

See footnotes at end of table.

## BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS: 2000 AND 2001 REGULAR SESSIONS — Continued

State or other jurisdiction	Duration of session**	Introductions		Enactments		Measures vetoed by governor	Length of session
		Bills	Resolutions	Bills	Resolutions		
<b>Ohio (f)</b> .....	(g) (k)	399 668	51 67	196 84	26 28	0 1 (d)	(c) (c)
<b>Oklahoma</b> .....	Feb. 7-May 26, 2000 Feb. 5-May 24, 2001	800 814	106 97 (l)	207 218	70 55	23 14	64L 65L
<b>Oregon</b> .....	No regular session in 2000 Jan. 8-July 7, 2001	3,106 3,509	191 ...	1,005 114	70 ...	16 (d) 0	181C (c)
<b>Pennsylvania (i)</b> .....	Jan. 2, 2001-Nov. 30, 2002	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
<b>Rhode Island</b> .....	Jan. 4-June 30 2000 Jan. 2-June 28, 2001	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.
<b>South Carolina</b> .....	Jan. 11-June 22, 2000 Jan. 9-June 7, 2001	1,335 1,386	N.A. 783	761 132	N.A. 607	19(a) 48(a)	67L 66L
<b>South Dakota</b> .....	Jan. 11-March 14, 2000 Jan. 9-March 21, 2001	527 553	38 48	253 292	21 23	4 12 (a)	35L 40L
<b>Tennessee</b> .....	Jan. 11-June 28, 2000 Jan. 11-Aug. 6, 2001	1,368 2,044	1259 1,374	559 465	1,200(e) 1300(e)	7(a) 2(a)	(c) (c)
<b>Texas</b> .....	No regular session in 2000 Jan. 9-May 28, 2001	5,544	3303	1,601	3030	82	140C
<b>Utah</b> .....	Jan. 17-March 1, 2000 Jan. 15-Feb. 28, 2001	700 664	54 62	355 377	33 44	5 3	33L 33L
<b>Vermont</b> .....	Jan. 4-May 5, 2000 Jan. 3-June 5, 2001	409 711	196 236	105 79	181 210	1 0	130C 151C
<b>Virginia</b> .....	Jan. 12-March 10, 2000 Jan. 10-Feb. 24, 2001	2,333 1,965	840 680	1,070 873	596 500	19 (a) 11 (a)	59C 46C
<b>Washington</b> .....	Jan. 10-March 9, 2000 Jan. 8-April 22, 2001	1,599 2,439	69 88	158 342	12 26	14 26	60C 105C
<b>West Virginia</b> .....	Jan. 12-March 19, 2000 Feb. 14-April 15, 2001	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.
<b>Wisconsin</b> .....	Jan. 4, 1999-Jan. 3, 2001 Jan. 3, 2001-Jan. 6, 2003	1,498 1030 (i)	221 175 (i)	196 42 (i)	N.A. 60 (i)	5 0 (i)	731C 734C
<b>Wyoming</b> .....	Feb. 14-March 14, 2000 Jan. 9-March 1, 2001	320 522	16 17	102 209	2 6	3 1 (a)	22L 37L
<b>Puerto Rico</b> .....	Jan. 10-June 30, 2000 Jan. 8-June 30, 2001	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.
<b>U.S. Virgin Islands</b> .....	Jan. 10-Dec. 2000 Jan. 8-Dec. 2001	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.	N.A. N.A.

*Source:* The Council of State Governments legislative survey, January 2002 except where noted by \* where data are from *The Book of the States*, 2000-2001  
 \*\* Actual adjournment dates are listed regardless of constitutional or statutory limitations. For more information on provisions, see Table 3.2, "Legislative Sessions: Legal Provisions."

**Key:**

C - Calendar day.

L - Legislative day (in some states, called a session or workday; definition may vary slightly; however, it general refers to any day on which either chamber of the legislature is in session.)

N.A. - Not available.

(a) Number of vetoes overridden: Alaska 2000-4; Hawaii 2001-1; Illinois: 2001-1; Indiana: 2000-3; Kentucky: 2000-3; Minnesota: 2000-1; Mississippi: 2001-48; Nebraska: 2000-2, 2001-4; New Hampshire 2001-2 South Carolina: 2000-3, 2001-7; South Dakota: 2001-1, 1997-1; Tennessee: 2000-2, 2001-1; Virginia: 2000-1, 2001-2; Wyoming 2001-1;

(b) Includes recess from April 13 through May 14, 2001.

(c) Length of session: Illinois: 2000 Senate 42L and House 51L, 2001 Senate 52L and House 69L; Indiana: 2000 Senate 56L and House 57L, 2001 Senate 54L and House 55L; New Jersey: 2000 Senate 33L and General Assembly 40L; 2001 Senate 31L and General Assembly 34L; Ohio: 2000 Senate 121L and

House 97; 2001 Senate 131L and House 128L; Pennsylvania: 2000-2001 Senate 64L and House 73L; Tennessee: 2000 Senate 60L and 61L, 2001 Senate 64L and House 66L.

(d) Line item or partial vetoes. Florida 2000: 5 line item vetoes. 2001: 3 line item vetoes. Iowa - includes 8 item vetoes; Kansas 2000: 1 line item veto and 2 bills. 2001: 34 line item vetos and 1 bill. New Jersey 2000: 4 line item vetos. 2001: 20 line item vetos and 3 pocket vetos. New York - includes line item vetoes in appropriation bills. Ohio: 2001 - some bills contain partial vetos. Oregon: 2001- 2 line item vetos.

(e) Estimated

(f) Preliminary information.

(g) Senate: Jan. 4-Dec. 29, 2000, House: Jan. 4-Dec. 27, 2000.

(h) Currently in session, ending date not provided.

(i) Data as of December 2001.

(j) Bills and resolutions are not counted separately.

(k) Senate: Jan. 1-Dec. 28, 2001, House: Jan. 2-Dec. 27, 2001.

(l) Resolutions introduced includes join, concurrent and simple.

(m) 2000: Assembly-2990, Senate-1894; 2001: Assembly-1041, Senate-886.

(n) 2000: Assembly-311, Senate-186; 2001: Assembly-133, Senate-101.

(o) Includes carryovers.

**Table 3.20**  
**BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS:**  
**2000 AND 2001 SPECIAL SESSIONS**

State or other jurisdiction	Duration of session**	Introductions		Enactments		Measures vetoed by governor	Length of session
		Bills	Resolutions	Bills	Resolutions		
<b>Alabama</b> .....	No special session in 2000						
	Feb. 22-Mar. 5, 2001	84	12	0	8	0	9L
	June 25 - July 2, 2001	169	79	4	44	0	5L
	Aug. 28 - Sept. 19, 2001	370	204	87	137	0	12L
<b>Alaska</b> .....	June 7, 2001			N.A.			
<b>Arizona</b> .....	Sept. 24-Sept. 26, 2001			N.A.			
<b>Arkansas</b> .....	No special session in 2000/2001						
<b>California (a)</b> .....	Jan. 1, 2001 (c)	212	17	13	3	1	(c)
	May 14, 2001(c)	177	12	19	2	1	(c)
<b>Colorado</b> .....	No special session in 2000						
	May 10-May 21, 2001	31	4	0	4	0	12C
	Sept. 20-Oct. 9, 2001	58	24	9	19	0	20C
<b>Connecticut</b> .....	June 7-June 29, 2001			N.A.			
	July 23, 2001			N.A.			
<b>Delaware</b> .....	July 1, Aug. 22, Oct. 10, 2000	1	2	1	0	0	3L
	July 1, Nov. 1, 2001	6	0	0	9	0	2L
<b>Florida</b> .....	Jan. 5-Jan. 7, 2000	10	0	3	0	0	3C
	Dec. 8-Dec. 18, 2000	0	4	0	1	0	11C
	Oct. 22-Nov. 11, 2001	125	2	7	2	0	11C
	Nov. 27-Dec. 6, 2001	91	3	11	3	0	10C
<b>Georgia</b> .....	Aug. 1-Aug. 17, 2001	38	112	22	112	1	11L
	Aug. 22-Sept. 28, 2001	51	230	34	219	0	25L
<b>Hawaii</b> .....	Aug. 3-Aug. 4, 2000	0	1	0	1	0	2L
	Aug. 7-Aug 22, 2000	5	7	1	7	0	5L
	June 4-June 8, 2001	8	4	3	4	0	5L
	July 10-July 10, 2001	0	4	0	4	0	1L
	Oct. 22-Nov. 2, 2001	50	38	15	33	0	7L
<b>Idaho</b> .....	Dec. 8, 2000	1	0	0	0	0	1L
<b>Illinois</b> .....	No special session in 2001						
	June 28-June 29, 2000	1	6	1	5	0	2L
<b>Indiana</b> .....	No special sessions in 2000/2001						
<b>Iowa</b> .....	No special sessions in 2000						
	June 19, 2001	2	5	5	1	0	1C
	Nov. 8, 2001	14	5	5	1	0	1C
<b>Kansas</b> .....	No special sessions in 2000/2001						
<b>Kentucky</b> .....	No special sessions in 2000/2001						
<b>Louisiana</b> .....	March 19-April 7, 2000	350	156	154	153	1	14L
	March 11-March 22, 2001	28	7	39	38	0	9L
<b>Maine</b> .....	No special session in 2001						
<b>Maryland</b> .....	No special sessions in 2000/2001						
<b>Massachusetts</b> .....	No special session in 2001						
<b>Michigan</b> .....	No special sessions in 2000/2001						
<b>Minnesota</b> .....	No special session in 2000						
	June 11-June 30, 2001	71	11	12	0	5	9L
<b>Mississippi</b> .....	June 29, 2000	9	0	1	0	0	1C
	Aug. 28-Aug. 30, 2000	4	20	1	14	0	3C
	Nov. 6, 2000	3	5	1	4	0	1C
	July 23, 2001	3	2	2	2	0	1C
	Nov. 1-Nov.7, 2001	3	16	0	6	0	7C
<b>Missouri</b> .....	No special session in 2000						
	Sept. 5-Sept. 14, 2001	14	0	5	0	0	8L
<b>Montana</b> .....	May 8-May 11, 2000	23	6	11	6	0	4L
<b>Nebraska</b> .....	No special session in 2001						
	No special session in 2000						
	Oct. 25-Nov. 8, 2001	20	4	4	4	0	9L
<b>Nevada</b> .....	No special sessions in 2000						
	June 14-June 15, 2001	26	12	23	12	0	1L
<b>New Hampshire</b> .....	No special sessions in 2000/2001						
<b>New Jersey</b> .....	No special session in 2000/2001						
<b>New Mexico</b> .....	March 28-April 4, 2000	85	2	28	0	5	8C
	Sept. 4-Sept. 20, 2001	60	0	9	0	6	17C
<b>New York</b> .....	Sept. 13, 2001			N.A.			
<b>North Carolina</b> .....	Mar. 24-April 30, 1998	8	2	1	1	0	23L
	Dec. 15-16, 1999	6	2	1	1	0	2L
<b>North Dakota</b> .....	No special sessions in 2000						
	Nov. 26-Nov. 30, 2001	2	0	2	0	0	5C
<b>Ohio</b> .....	No special sessions in 2000/2001						
<b>Oklahoma</b> .....	Jan. 20, 1999-Nov. 21, 2000	12	8	4	7	0	1L
	May 21, 2001-none	11	5	2	4	0	7L

See footnotes at end of table.

**BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS:  
2000 AND 2001 SPECIAL SESSIONS — Continued**

<i>State or other jurisdiction</i>	<i>Duration of session**</i>	<i>Introductions</i>		<i>Enactments</i>		<i>Measures vetoed by governor</i>	<i>Length of session</i>
		<i>Bills</i>	<i>Resolutions</i>	<i>Bills</i>	<i>Resolutions</i>		
<b>Oregon</b> .....	No special sessions in 2000/2001						
<b>Pennsylvania</b> .....	No special sessions in 2000/2001						
<b>Rhode Island</b> .....	Sept. 27, 2001						
<b>South Carolina</b> .....	No special sessions in 2000						
	June 20-Sept. 19, 2001	N.A.	N.A.	N.A.	N.A.	N.A.	14L
<b>South Dakota</b> .....	Dec. 28-Dec. 29, 2000	4	0	3	0	0	2L
	Oct. 23-Oct. 25, 2001	2	0	2	0	0	3L
<b>Tennessee</b> .....	No special session in 2000/2001						
<b>Texas</b> .....	No special sessions in 2000/2001						
<b>Utah</b> .....	No special session in 2000						
	June 20-June 20, 2001	15	3	13	3	0	1L
	Sept. 25-Oct. 1, 2001	17	4	11	4	0	3L
<b>Vermont</b> .....	No special sessions in						
<b>Virginia</b> .....	No special sessions in 2000						
	April 5-July 10, 2001	32	124	9	122	1	(b)
<b>Washington</b> .....	March 10-April 7, 2000	30	5	7	0	3	33C
	April 24-April 27, 2000						
	April 25-May 24, 2001	74	8	37	1	10	58C
	June 4-June 21, 2001						
	July 16-July 25, 2001						
<b>West Virginia</b> .....	April 15-April 23, 2001						
	May 7, 2001						
	June 10, 2001						
	Aug. 8, 2001						
<b>Wisconsin</b> .....	May 4-May 9, 2000	2	3	1	1	0	3C
	No special session in 2001						
<b>Wyoming</b> .....	No special sessions in 2000/2001						
<b>Puerto Rico</b> .....	No special session in 2001						
<b>U.S. Virgin Islands</b> .....	No special session in 2001						

*Source:* The Council of State Governments' survey of state legislative agencies, January 2002.

\*\* Actual adjournment dates are listed regardless of constitutional or statutory limitations. For more information on provisions, see Table 3.2, "Legislative Sessions: Legal Provisions."

*Key:*

N.A. — Not Available.

C — Calendar day.

L — Legislative day (in some states, called a session or workday; definition may vary slightly; however, it generally refers to any day on which either chamber of the legislature is in session)..

(a) Current data as of December 2001.

(b) Met as called during this redistricting session; no specified time.

(c) Session still in progress, no adjournment date provided.

**Table 3.21**  
**STAFF FOR INDIVIDUAL LEGISLATORS**

State or other jurisdiction	Senate			House		
	Capitol			Capitol		
	Personal	Shared	District	Personal	Shared	District
Alabama .....	YR	YR/2	...	...	YR/10	...
Alaska .....	SO	SO	...	SO	SO	...
Arizona .....	...	YR/2 (b)	...	...	YR/2 (b)	...
Arkansas .....	...	YR	...	...	YR	...
California .....	YR	...	YR	YR	...	YR
Colorado .....	(c) (d)	YR (e)	...	(c)(d)	YR (e)	...
Connecticut .....	YR	YR (f)	...	...	YR/4 (f)	...
Delaware .....	SO	YR/2	...	SO	YR/2	...
Florida .....	YR (g)	...	(g)	YR (g)	(h)	YR (g)
Georgia .....	...	YR/3 (e)	...	...	YR/5 (e)	...
Hawaii .....	YR	...	...	YR	...	...
Idaho .....	...	SO/.75	...	...	SO/1.5	...
Illinois .....	YR	YR/1 (h)	YR (i)	YR	YR/2 (h)	YR (i)
Indiana .....	...	YR/2	...	...	YR/3	...
Iowa .....	SO	...	...	SO	...	...
Kansas .....	SO (e)	...	...	...	SO/3 (e)	...
Kentucky .....	...	YR (j)	...	...	YR (j)	...
Louisiana .....	(k)	YR (l)	YR (k)	(k)	YR (l)	YR (k)
Maine .....	...	SO/15 (m)	...	...	SO/45 (n)	...
Maryland (x) .....	YR (a) (c)	...	(u)	YR (a) (c)	SO (x)	(u)
Massachusetts .....	YR	...	...	YR	...	...
Michigan .....	YR	...	...	YR	...	...
Minnesota .....	YR (o)	IO/2 (o)	...	...	YR/3	...
Mississippi .....	...	YR	...	...	YR	...
Missouri .....	YR	...	YR	YR	IO/1	...
Montana .....	...	SO	...	...	SO	...
Nebraska .....	YR	...	...	-----Unicameral-----		
Nevada .....	SO (e)	YR	...	SO (e)	YR	...
New Hampshire .....	...	SO	...	...	YR	(g)
New Jersey .....	YR (g)	...	(g)	YR (g)	...	...
New Mexico .....	SO	SO	...	SO	SO	...
New York .....	YR	...	YR	YR	YR	...
North Carolina .....	SO (e)	YR	...	SO (e)	YR	...
North Dakota .....	...	SO/(e)	...	...	SO/(e)	...
Ohio .....	YR	YR	(p)	YR	YR	...
Oklahoma .....	YR	...	...	SO (c) (e)	IO/7	...
Oregon .....	YR	...	...	YR	...	YR
Pennsylvania .....	YR	YR	YR	YR	YR	...
Rhode Island .....	...	YR/8	...	...	YR/7	...
South Carolina .....	YR	YR/(r)	...	SO	SO/1	...
South Dakota .....	...	...	...	...	...	...
Tennessee .....	YR	...	...	YR	...	YR
Texas .....	YR (y)	...	YR (y)	YR (y)	...	YR (y)
Utah .....	(s)	SO (c)	...	(s)	SO (c)	...
Vermont .....	...	YR/15 (e)	...	...	YR/90 (e)	(q)
Virginia .....	SO (g)	...	(g)	SO (g)	SO/2	(u)
Washington .....	YR (t)	...	(u)	YR	...	...
West Virginia .....	SO	...	...	...	SO/17	...
Wisconsin .....	YR (v)	YR (v)	(v)	YR	YR (v)	(u)
Wyoming .....	...	...	...	...	...	...
No. Mariana Islands* .....	YR (w)	(w)	...	YR (w)	(w)	(v)
Puerto Rico .....	YR (w)	...	(v)	YR (w)	...	...
U.S. Virgin Islands* .....	YR (w)	...	...	-----Unicameral-----		

## STAFF FOR INDIVIDUAL LEGISLATORS — Continued

*Source:* The Council of State Governments' legislative survey January 2002 and state web sites. Information noted by an \* is from *The Book of the States*, 2000-2001.

*Note:* For entries under column heading "Shared," figures after slash indicate approximate number of legislators per staff person, where available.

*Key:*

. . . — Staff not provided for individual legislators.

YR — Year-round.

SO — Session only.

IO — Interim only.

(a) Varies from year-to-year; it is up to legislator whether to have staff in capitol, district office, or elsewhere. Staff can move around as well as work part-year.

(b) Includes only majority and minority policy and research staff, not secretarial staff.

(c) Majority and minority leadership have a year-round secretarial staff.

(d) Legislators are allocated \$1,000 during the session for personal staff assistance.

(e) Secretarial staff; in North Dakota contracted with a professional secretarial service to provide a joint steno pool of 4 people for 2001 session.

(f) Each senator is provided with one constituent case worker; all Senate and House members receive support from a centralized caucus staff.

(g) Personal and district staff are the same.

(h) Majority and minority offices provide staff year-round.

(i) District office expenses allocated per year from which staff may be hired.

(j) Leadership offices provide staff support year-round. Individual legislators have access to clerical support year-round, augmented during a session.

(k) Each legislator may hire as many assistants as desired, but pay from public funds ranges from \$2,000 to \$3,000 per month per legislator. Assistant(s) generally work in the district office but may also work at the capitol during the session.

(l) The six caucuses are assigned one full-time position each (potentially 24 legislators per one staff person).

(m) Majority and minority offices provide staff support year-round. Legislators have access to limited secretarial support during the session through the office of the Secretary of the Senate.

(n) Majority and minority offices provide staff support year-round and additional secretarial support during the session.

(o) Each majority party senator has one year-round secretary; some minority party senators share secretarial staff (YR/2).

(p) Some legislators have established district offices at their own expense.

(q) One secretary per house member. Members in the minority caucus share constituent aides and legislative research assistants. Speaker has executive assistant, administrative aide, and a legislative aide. Minority leader has an executive assistant and an administrative aide. Other leadership positions, both majority and minority, have administrative assistants and legislative aides as do committee chairs and vice chairs. Some members have chosen fewer staff; other members have an administrative aide.

(r) One secretary per two senators for 32 of the members; one secretary for each of the committee chairs.

(s) Legislators are provided student interns during session.

(t) Leadership, caucus chair, and Ways and Means Committee chair have two full-time staff each. All other legislators have one full-time staff year round and one additional staff session only.

(u) Full-time staff may move to the district office during interim period.

(v) Some of personal staff may work in the district office. Total of all staff salaries for each senator must be within limits established by the Senate.

(w) Individual staffing and staff pool arrangements are at the discretion of the individual legislator.

(x) Maryland Senators can hire an administrative aide on a year round basis. This is a regular employee with benefits. The Senators may also hire a session secretary for the annual legislative session. This is a temporary non-benefited employee. Salaries are limited to amounts listed in the annual budget. Delegates may hire an administrative aid on a year round basis. This is a regular employee with benefits. Since each legislative district includes one senator and three delegates, the amount included in the House budget for a delegate's aide is limited to 1/3 of the amount provided for a senator. The budget provides funding so that three delegates may share one session secretary of the annual legislative session. This is a temporary non-benefited employee.

(y) A member may employ, within the limits of the budget, staff as the member considers necessary. Salary limit of \$3500 a month applies in the House.

**Table 3.22**  
**STAFF FOR LEGISLATIVE STANDING COMMITTEES**

Source of staff services**												
State or other jurisdiction	Committee staff assistance				Joint central agency (a)		Chamber agency (b)		Caucus or leadership		Committee or committee chair	
	Senate		House									
	Prof.	Cler.	Prof.	Cler.	Prof.	Cler.	Prof.	Cler.	Prof.	Cler.	Prof.	Cler.
Alabama .....	...	★	★	★	B	B	...	B	★	★	★	★
Alaska .....	★	★	★	★	★	★	...	B	★	★	★	★
Arizona .....	★	★	★	★	B	...	...	B	B	...	B	B
Arkansas .....	★	★	★	★	B	B	...	...	...	...	...	...
California .....	★	★	★	★	B	B	...	...	...	...	B	B
Colorado .....	★	...	★	...	B	...	...	...	...	...	...	...
Connecticut .....	★(c)	★(c)	★(c)	★(c)	B (c)	...	...	...	...	B (c)	...	...
Delaware .....	●	★	●	★	B	...	B	...	...	B	B	B
Florida .....	★	★	★	★	...	...	...	...	...	...	...	...
Georgia .....	...	★(d)	...	★(d)	B	...	B	...	...	...	...	...
Hawaii .....	●	★	★	★	B	B	B	B	B	B	B	B
Idaho .....	★	★	★	★	B	B	...	...	...	...	B	B
Illinois .....	★	★	★	★	...	...	B	B	B	B	...	...
Indiana (q).....	★	●	(e)	(e)	B	...	(q)	...	(q)	...	...	...
Iowa .....	★	...	★	...	B	...	...	B (f)	B	...	...	B (f)
Kansas .....	★	★	★	★	B	B (g)	...	...	...	...	...	...
Kentucky .....	★	★	★	★	B	B	...	...	...	...	...	...
Louisiana .....	★(r)	★	★(r)	★	B	B	B	B	B	B	B (i)	B (i)
Maine .....	★(c)	★(c,j)	★(c)	★(c,j)	B	...	...	...	...	...	...	...
Maryland .....	★(k)	★(k)	★(k)	★(k)	B	...	...	...	...	...	...	...
Massachusetts .....	★	★	★	★	...	...	...	...	...	...	...	...
Michigan .....	★	★	★	★	B	...	...	H	B	...	B	S
Minnesota .....	★	★	★	★	...	...	B	...	H	H	B	B
Mississippi .....	●	★	●	★	...	...	B	B	...	...	B	B
Missouri .....	★	★	★	...	B	...	B	B	...	...	...	B
Montana .....	★	★	★	★	B	...	...	B	...	...	...	...
Nebraska .....	★	★	U	U	...	...	...	...	...	...	U	U
Nevada .....	★	★(j)	★	★(j)	B	...	...	B	...	...	...	...
New Hampshire .....	●	★	★	★	B	...	...	...	B	...	...	...
New Jersey .....	★	★	★	★	B	B	...	...	...	...	...	...
New Mexico .....	★	★	★	★	...	...	B(i)(s)	B(i)(j)	...	...	...	...
New York .....	★	★	★	★	B	B	B	B	B	B	B	B
North Carolina .....	★	★(l)	★	★(l)	B	...	...	...	...	...	...	★(l)
North Dakota .....	(h)	★	(h)	★	B	...	...	B	...	...	...	...
Ohio .....	★	★	★	★	B	...	...	...	...	...	B (m)	B (m)
Oklahoma .....	★	★	★	★(l)	...	...	B	B	B	B	...	H
Oregon .....	★	★	★	★	B	B	...	...	...	...	B	B
Pennsylvania .....	★	★	★	★	B	B	B	B	B	B	B	B
Rhode Island .....	★	★	★	★	B	B	B	B	B	B	B	B
South Carolina .....	★	★	★	★	...	...	B	B	H	H	B	B
South Dakota .....	★	★	★	★	B	...	...	...	...	B	...	...
Tennessee .....	★	★	★	★	B	...	...	B (n)	...	...	S	B
Texas .....	★	★	★	★	B	...	...	B	...	...	B	B
Utah .....	★	★	★	★	B	B	...	B	...	...	...	...
Vermont .....	★	★	★	★	B	B	...	...	...	...	B	B
Virginia .....	★	★	★	★	B	...	B	B	...	...	(i)	(i)
Washington .....	★	★	★	★	...	...	...	...	B	B	B (o)	B (o)
West Virginia .....	★	★	★	★	B	B	B	B	B	B	B	B
Wisconsin .....	★	★	★	★	B	...	B	...	...	...	B	B
Wyoming .....	★	★	★	★	B	...	...	B	...	B	...	B
No. Mariana Islands*	★	★	★	★	B (p)	B (p)	(p)	B (p)	B (p)	B (p)	B (p)	B (p)
Puerto Rico*	★	★	★	★	B (p)	B (p)	B (p)	B (p)	B (p)	B (p)	B (p)	B (p)
U.S. Virgin Islands*	★	★	U	U	S (p)	S (p)	S (p)	S (p)	S (p)	S (p)	S (p)	S (p)

Source: The Council of State Governments' legislative survey January 2002 and state web sites. Information noted by an \* is from *The Book of the States*, 2000-2001.

\*\* — Multiple entries reflect a combination of organizations and location of services.

Key:

★ — All committees

● — Some committees

... — Services not provided

B — Both chambers

H — House

S — Senate

U — Unicameral

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

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

(c) Standing committees are joint House and Senate committees.

(d) Provided on a pool basis.

(e) Provided on an ad hoc basis.



### STAFF FOR LEGISLATIVE STANDING COMMITTEES — Continued

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(f) The Senate secretary and House clerk maintain supervision of committee clerks. During the session each committee selects its own clerk.

(g) Senators select their secretaries and notify the central administrative services agency; all administrative employee matters handled by the agency.

(h) House and Senate Appropriations Committees have Legislative Council fiscal staff at their hearings.

(i) Staff is assigned to each committee but work under the direction of the chair.

(j) Clerical staff hired during session only.

(k) Committees hire additional staff on a contractual basis during session only under direction of chair.

(l) Member's personal secretary serves as a clerk to the committee or subcommittee that the member chairs.

(m) Member's personal legislative aide and secretary or administrative assistant serve as staff to the committee that the member chairs. The Majority

Caucus Director of Finance also works with the House Finance and Appropriations Committee, but not exclusively. The chair of the Senate Finance Committee has one additional aide to assist with committee work.

(n) Bill clerks during session only.

(o) Each chamber has a non-partisan research staff which provides support services to committees (including chairmen).

(p) In general, the legislative service agency provides legal and staff assistance for legislative meetings and provides associated materials. Individual legislators hire personal or committee staff as their budgets provide and at their own discretion.

(q) House and Senate Ways and Means Committee staffed by non-partisan central staff and partisan caucus staff for finance committee only.

(r) House Appropriations and Senate Finance Committees have Legislative Fiscal Office staff at their hearings.

(s) Professional staff hired during session only.

**Table 3.23**  
**STANDING COMMITTEES: APPOINTMENT AND NUMBER**

State or other jurisdiction	Committee members appointed by:		Committee chairpersons appointed by:		Number of standing committees during regular 2001 session (a)	
	Senate	House	Senate	House	Senate	House
Alabama .....	P (b), PT	S	P (b), PT	S	24	23
Alaska .....	CC (c)	CC (c)	CC (c)	CC (c)	9 (d)	9 (d)
Arizona .....	P	S	P	S	11 (d)	25 (d)
Arkansas .....	CC	(e)	CC	S	16	15
California .....	CR	S	CR	S	26	27
Colorado .....	MjL, MnL	S, MnL	MjL	S	8	12
Connecticut .....	PT	S	PT	S	(f)	(f)
Delaware .....	PT	S (g)	PT	S	25	24
Florida .....	P	S	P	S	19 (d)	35 (d)(gg)
Georgia .....	P (b)	S	P (b)	S	23	33
Hawaii .....	P (h)	(i)	P (h)	(i)	12	16
Idaho .....	PT (j)	S	PT	S	10	14
Illinois .....	P, MnL	S, MnL	P	S	17	42
Indiana .....	PT	S	PT	S	19	18
Iowa .....	MjL, MnL (k)	S	MjL (k)	S	15	16
Kansas .....	(l)	S	(l)	S	16 (d)	24 (d)
Kentucky .....	CC	CC	CC	CC	13	19
Louisiana .....	P	S (m)	P	S	17	17
Maine .....	P	S	P	S	4 (f)	6 (f)
Maryland .....	P	S	P	S	6 (d)	8 (d)
Massachusetts .....	P	S, MnL	P	S	8 (f)	11 (f)
Michigan .....	MjL	S	MjL	S	21 (d)	23 (d)
Minnesota .....	(n)	S	(n)	S	23	27
Mississippi .....	P (b)(o)	S (o)	P (b)(o)	S (o)	35	35
Missouri .....	PT (p)	S, MnL	PT	S	21 (d)	46 (d)
Montana .....	CC	S	CC	S	13	13
Nebraska .....	CC	U	E	U	14	U
Nevada .....	MjL (q)	S (q)	MjL (q)	S (q)	9	12
New Hampshire .....	P (r)	S (s)	P (r)	S	18 (d)	24 (d)
New Jersey .....	P	S	P	S	14 (d)	20 (d)
New Mexico .....	CC	S	CC	S	9	15 (ii)
New York .....	PT (t)	S	PT (t)	S	32	37
North Carolina .....	PT	S	PT	S	17 (h)	37 (h)
North Dakota .....	CC	CC	MjL	MjL	11	11
Ohio .....	(u)	S	(u)	S	14 (d)	18 (d)
Oklahoma .....	PT, MnL	S	PT	S	22 (d)	28 (d)
Oregon .....	P	S	P	S	9 (d)	13 (d)
Pennsylvania .....	PT	CC (v)	PT	S	22	25
Rhode Island .....	MjL	S	MjL	S	6 (d)	9 (d)
South Carolina .....	E (w)	S	E	E	15	11
South Dakota .....	(x)	S	(x)	S	13	13
Tennessee .....	S	S	S	S	9	14
Texas .....	P (b)	S (y)	P (b)	S	12	36
Utah .....	P	S	P	S	11	14
Vermont .....	CC	S	CC	S	12	15
Virginia .....	E	S	(z)	S	11	14
Washington .....	P (b)(aa)	S (bb)	CC (b)(aa)	S (cc)	14	23
West Virginia .....	P	S	P	S	18 (d)	15 (d)
Wisconsin .....	(dd)	S	(dd)	S	16 (d)	41 (d)
Wyoming .....	P (ee)	S (ee)	P (ee)	S (ee)	12	12
Dist. of Columbia .....	(ff)	U	(ff)	U	9	U
No. Mariana Islands* .....	P	S	P	S	8	7
U.S. Virgin Islands* .....	P	U	P	U	9	U

Source: The Council of State Governments' survey, January 2002 and state web sites. Information noted by an \* is from *The Book of the States*, 2000-2001.

**Key:**

CC — Committee on Committees

CR — Committee on Rules

E — Election

MjL — Majority Leader

MnL — Minority Leader

P — President

PT — President pro tempore

S — Speaker

U — Unicameral Legislature

(a) According to state Internet sites and Senate and House clerk offices, December 2001.

(b) Lieutenant governor is president of the senate.

(c) Report of Committee on Committees is subject to approval by majority vote of chamber's membership.

(d) Also, joint standing committees. Alaska, 4; Arizona, 1; Colorado, 12; Florida, 6; Kansas, 15; Maryland, 16, (joint statutory); Michigan, 5; Mississippi, 1; Missouri 11; New Hampshire, 5; New Jersey, 3; Ohio, 5; Oklahoma, 3; Oregon, 1; Rhode Island, 7; West Virginia, 8; Wisconsin, 9.

## STANDING COMMITTEES: APPOINTMENT AND NUMBER — Continued

- (e) Members of the standing committees shall be selected by House District Caucuses with each caucus selecting five members for each "A" standing committee and five members for each "B" standing committee.
- (f) Substantive standing committees are joint committees. Connecticut, 25; Maine, 17; Massachusetts, 23.
- (g) Shall include members of both political parties.
- (h) President appoints committee members and chairs; minority members on committees are nominated by minority party caucus.
- (i) By resolution, with members of majority party designating the chair, vice-chairs and majority party members of committees,
- and members of minority party designating minority party members.
- (j) Committee members appointed by the senate leadership under the direction of the president pro tempore, by and with the senate's advice.
- (k) Appointments made after consultation with the president.
- (l) Committee on Organization, Calendar and Rules.
- (m) Speaker appoints only 12 of the 19 members of the Committee on Appropriations.
- (n) Subcommittee on Committees of the Committee on Rules and Administration.
- (o) Senate: except Rules Committee; House: except Rules and Management Committees.
- (p) Membership shall be composed of majority and minority party members in the same proportion as in the total membership of the senate.
- (q) Committee composition and leadership usually determined by party caucus, with final decision by leader.
- (r) Appointments made after consultation with the minority leader.
- (s) Speaker appoints minority members with advice of the minority floor leader.
- (t) President pro tempore is also majority leader.
- (u) Appointed by senate.
- (v) Makes recommendation to the house.
- (w) Seniority system is retained in process.
- (x) Presiding officer announces committee membership after selection by president pro tempore, majority and minority leaders.
- (y) A maximum of one-half of the membership on each standing committee, exclusive of the chair and vice chair, is determined by seniority; the remaining membership is appointed by the speaker.
- (z) Senior members of the majority part on the committee is the chair.
- (aa) Confirmed by the senate.
- (bb) By each party caucus.
- (cc) By majority caucus.
- (dd) Majority leader as chairperson, Organization Committee.
- (ee) With the advice and consent of the Rules and Procedures Committee.
- (ff) Chair of the Council.
- (gg) Committees fall under the direction of 7 Councils.
- (hh) Does not include subcommittees.
- (ii) Includes 12 substantive committees and 3 procedural committees.

**Table 3.24**  
**RULES ADOPTION AND STANDING COMMITTEES: PROCEDURE**

State	Constitution permits each legislative body to determine its own rules	Committee meetings open to public*		Specific, advance notice provisions for committee meetings or hearings	Voting/roll call provisions to report a bill to floor
		Senate	House		
Alabama .....	★	★	★	Senate: none House: 24 hours	Senate: final vote on a bill is recorded. House: recorded vote taken upon request by a member.
Alaska .....	Sec. 12, Art. II "The houses of each legislature shall adopt uniform rules of procedure."	★(a)	★(a)	For meetings, by 4:00 p.m. on the on the preceding Thurs.; for first hearings on bills, 5 days	Roll call vote on any measure taken upon request by any member of either house.
Arizona .....	★	★	★	Senate: agenda submitted to secretary 5 days prior to meeting House: agendas available on day prior to meeting	Senate: roll call vote taken upon request. House: roll call vote required for final action on any bill.
Arkansas .....	★	★	★	Senate: 2 days House: 24 hours	Senate: roll call votes are recorded. House: each member's vote is recorded upon request by a member.
California .....	★	★(a)	★(a)	1st Cmte. Reference: 4 days 2nd Cmte. Reference: 2 days	Senate: disposition of bills by roll call vote only. House: committee action on bills recorded by roll call vote.
Colorado .....	★	★(a)	★(a)	Senate: final action on a measure is prohibited unless notice is posted 1 calendar day prior to its consideration (g) House: none ** 1 day	Senate: final action by recorded roll call vote. House: final action by recorded roll call vote.
Connecticut .....	★	★	★		** Votes on favorable or unfavorable report recorded to show the names of members voting.
Delaware .....	★	★	★(a)	Senate: agenda released the day before meetings House: agenda for meetings released on last legislative day of preceding week	Senate: results of any committee vote are recorded. House: results of any committee vote are recorded.
Florida .....	★	★	★	Senate: during session—3 hours notice for first 50 days, 4 hours thereafter House: during session—4 days notice for first 45 calendar days, 24 hours thereafter	Senate: vote on final passage is recorded. House: vote on final passage is recorded.
Georgia .....	★	★	★	Senate: a list of committee meetings shall be posted by 10:00 a.m. the preceding Friday House: none	Senate: recorded roll call taken if one-third members sustain the call for yeas and nays. House: recorded roll call taken if one-fifth members sustain the call for yeas and nays.
Hawaii .....	★	★(a)	★(a)	Senate: 72 hours before 1st referral committee meetings, 48 hours before subsequent referral committee meetings House: 48 hours	Senate: final vote is recorded. House: a record is made of a committee quorum and votes to report a bill out.
Idaho .....	★	★(a)	★(a)	Senate: none House: none	Senate: bills can be voted out by voice vote or roll call. House: bills can be voted out by voice vote or roll call.
Illinois .....	★	★(a)	★(a)	Senate: 6 days House: 6 days	Senate: votes on all legislative measures acted upon are recorded. House: votes on all legislative matters acted upon are recorded.
Indiana .....	★	★	★	Senate: 48 hours House: prior to adjournment or the meeting day next preceeding the meeting or announced during session	Senate: all final votes are recorded. House: all final votes are recorded.
Iowa .....	★	★	★	Senate: none House: none	Senate: final action on any bill or resolution is by roll call. House: committee reports include the roll call vote on final disposition.
Kansas .....	★	★	★	Senate: none House: none	Senate: vote recorded for any action on a bill upon request by a member. House: the total for and against actions are recorded.
Kentucky .....	★	★	★	Senate: none House: none	Senate: each member's vote recorded on the disposition of each bill. House: each member's vote recorded on the disposition of each bill.
Louisiana .....	★	★(a)	★(a)	Senate: no later than 1:00 p.m. the preceding day House: no later than 4:00 p.m. the preceding day	Senate: any motion to report an instrument is decided by a roll call vote. House: any motion to report an instrument is decided by a roll call vote.
Maine .....	**Implied as part of organizational session.	★	★	**Public hearings must be advertised 2 weekends in advance	**Recorded vote is required to report a bill out of committee.
Maryland .....	★	★	★	Senate: none House: none	Senate: the final vote on any bill is recorded. House: the final vote on any bill is recorded.
Massachusetts .....	★	★	★(a)	Senate: 48 hours for public hearings House: 48 hours for public hearings	Senate: voice vote or recorded roll call vote at the request of 2 committee members. House: recorded vote upon request by a member.

See footnotes at end of table.

**RULES ADOPTION AND STANDING COMMITTEES: PROCEDURE — Continued**

<i>State</i>	<i>Constitution permits each legislative body to determine its own rules</i>	<i>Committee meetings open to public*</i>		<i>Specific, advance notice provisions for committee meetings or hearings</i>	<i>Voting/roll call provisions to report a bill to floor</i>
		<i>Senate</i>	<i>House</i>		
Michigan .....	★	★	★	Senate: none House: none	Senate: committee reports include the vote of each member on any bill. House: the daily journal reports the roll call on all motions to report bills.
Minnesota .....	★	★	★(a)	Senate: 3 days House: 3 days	Senate: recorded vote upon request of one member. Upon the request of 3 members, the record of a roll call vote and committee report are printed in the journal. House: recorded roll call vote upon request by a member.
Mississippi .....	★	★	★(a)	Senate: none House: none	Senate: bills are reported out by voice vote or recorded roll call vote. House: bills are reported out by voice vote or recorded roll call vote.
Missouri .....	★	★	★	Senate: none House: 1 day	Senate: yeas and nays are reported in journal.
Montana .....	★	★	★	Senate: 3 legislative days House: none	House: bills are reported out by a recorded roll call vote. Senate: every vote of each member is recorded and made public. House: every vote of each member is recorded and made public.
Nebraska .....	U	★(a)	★	Public hearings, 7 calendar days	Roll call votes are taken on final action.
Nevada .....	★	★	★	Senate: by rule - adequate notice House: by rule - adequate notice	Senate: recorded vote is taken upon final committee action on bills. House: recorded vote is taken upon final committee action on bills.
New Hampshire .....	★	★	★	Senate: 5 days House: 4 days	Senate: committees may report a bill out by voice or recorded roll call vote. House: committees may report a bill out by voice or recorded roll call vote.
New Jersey .....	★	★	★(a)	Senate: 5 days House: 5 days	Senate: the chair reports the vote of each member present on a motion to report a bill. House: the chair reports the vote of each member present on motions with respect to bills.
New Mexico .....	★	★	★	Senate: none House: none	Senate: the vote on the final report of the committee taken by yeas and nays. Reported roll call upon request when voice vote is uncertain. House: the vote on the final report of the committee taken by yeas and nays. Reported roll call upon request when voice vote is uncertain.
New York .....	(b)	★(a)	★(a)	Senate: 1 week House: 1 week	Senate: each report records the vote of each Senator. House: at the conclusion of a committee meeting a roll call vote is taken on each of the bills considered.
North Carolina .....	(c)	★(a)	★	Senate: none (h) House: none (h)	Senate: no roll call vote may be taken in any committee. House: roll call vote taken on any question when requested by member & sustained by one-fifth of members present.
North Dakota .....	★	★	★	Senate: notice posted the preceding Wed. or Thurs., depending on the committee House: notice posted the preceding Wed. or Thurs., depending on the committee	Senate: minutes include recorded roll call vote on each bill referred out. House: minutes include recorded roll call vote on each bill referred out.
Ohio .....	★	★	★	Senate: 2 days House: 5 days	Senate: bills are reported out by recorded roll call vote. House: every member present must vote, all votes are recorded.
Oklahoma .....	★	★	★	Senate: none House: 3 legislative days for public hearings that are requested by members	Senate: recommendations to the Senate of legislative measures are by recorded roll call vote. House: bills may be reported out by voice vote or by signing a written report.
Oregon .....	★	★	★	Senate: 24 hours House: 24 hours (e)	Senate: the vote on all official actions is recorded. House: motions on measures before a committee are by recorded roll call vote.
Pennsylvania .....	★	★(a)	★(a)	Senate: none House: none	Senate: every member, unless excused, must attend and vote on each question: absentee members may vote in writing. Votes and results are open to the public. House: all votes are recorded.
Rhode Island .....	★	★(a)	★(a)	Senate: 2 days House: 3 days	Senate: "public bills" are decided by a recorded roll call vote; other bills by yeas and nays.
South Carolina .....	★	★(b)	★(b)	Senate: 24 hours House: 24 hours	House: bills are reported out by recorded roll call vote. Senate: no bill may be polled out unless at least 2/3 of the members are polled. Poll results are certified and published in journal.
South Dakota .....	★	★	★	**1 legislative day	House: generally, bills can be reported out by voice vote or roll call vote.
Tennessee .....	★	★	★	Senate: 6 days House: 72 hours when House is recessed or adjourned	**Final disposition of a bill requires a majority vote of the members by roll call. Senate: aye and no votes cast by name on each question are recorded. House: bills are reported out by recorded roll call vote.

See footnotes at end of table.

**RULES ADOPTION AND STANDING COMMITTEES: PROCEDURE — Continued**

State	Constitution permits each legislative body to determine its own rules	Committee meetings open to public*		Specific, advance notice provisions for committee meetings or hearings	Voting/roll call provisions to report a bill to floor
		Senate	House		
<b>Texas</b> .....	★	★(a)	★(a)	Senate: 24 hours House: (f)	Senate: bills are reported by recorded roll call vote. House: committee reports include the record vote by which the report was adopted, including the vote of each member.
<b>Utah</b> .....	★		★	Senate: 24 hours House: 24 hours	Senate: each member present votes on every question and all votes are recorded. House: each member present votes on every question and all votes are recorded.
<b>Vermont</b> .....	(d)	★	★	Senate: none House: none	Senate: vote is recorded for each committee member for every bill considered. House: vote is recorded for each committee member for every bill considered.
<b>Virginia</b> .....	★	★(a)	★	Senate: none House: none	Senate: generally, a recorded vote is taken for each measure. House: vote of each member is taken and recorded for each measure.
<b>Washington</b> .....	★	★	★	Senate: 5 days House: 5 days	Senate: bills reported from a committee carry a majority report which must be signed by a majority of the committee. House: every vote to report a bill out of committee is by yeas and nays; the names of the members voting are recorded in the report.
<b>West Virginia</b> .....	★	★(a)	★(a)	Senate: none House: none	Senate: each member of the committee when a yeas or nay vote is taken. House: recorded vote taken on motions to report a bill.
<b>Wisconsin</b> .....	★	★	★	Senate: a list of public hearings is filed Monday of the preceding week House: a list of public hearings is filed Monday of the preceding week	Senate: number of ayes and noes, and members absent or not voting are reported. House: number of ayes and nays recorded.
<b>Wyoming</b> .....	★	★	★	Senate: by 3:00 p.m. of previous day House: by 3:00 p.m. of previous day	House: number of ayes and noes, and members absent or not voting are reported. House: number of yeas and nays recorded. Senate: bills are reported out by recorded roll call vote. House: bills are reported out by recorded roll call vote.

Source: The Council of State Governments' survey, January 2002 and state web sites.

Key:

★ — Yes

\* — Notice of committee meetings may also be subject to state open meetings laws; in some cases, listed times may be subject to suspension or enforceable only to the extent "feasible" or "whenever possible."

\*\* — Joint rules/committees.

U — Unicameral.

(a) Certain matters may be discussed in executive session. (Other states permit meetings to be closed for various reasons, but their rules do not specifically mention "executive session.")

(b) Not referenced specifically, but each body publishes rules and there are

joint rules.

(c) Not referenced specifically, but each body publishes rules.

(d) The Senate is referenced specifically as empowered to "make its own rules."

(e) May go to one hour notice when president and speaker proclaim sine die imminent.

(f) The House requires 5 calendar days notice before a public hearing at which testimony will be taken, and two hours notice or an announcement from the floor before a formal meeting (testimony cannot be taken at a formal meeting).

(g) The prohibition does not apply if the action receives a majority vote of the committee.

(h) If public hearing, 5 calendar days.

**Table 3.25****LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS: STRUCTURES AND PROCEDURES**

<i>State</i>	<i>Type of reviewing committee</i>	<i>Rules reviewed</i>	<i>Time limits in review process</i>
<b>Alabama</b> .....	Mbrs. Legislative Council	P	35 days for action by committee.
<b>Alaska</b> .....	Joint bipartisan	PE	...
<b>Arizona</b> .....	Joint bipartisan	PE	...
<b>Arkansas</b> .....	Joint bipartisan	PE	...
<b>California</b> .....		PE	Regulation review conducted by independent executive branch agency.
<b>Colorado (b)</b> .....	Joint bipartisan	E	Every newly adopted or amended rule expires on May 15 of the following year. Each year the committee sponsors a bill before the General Assembly which extends the adopted or amended rules due to expire.
<b>Connecticut</b> .....	Joint bipartisan	PE	65 days for action by committee.
<b>Delaware</b> .....		P	The Attorney General shall review any rule or regulation promulgated by any state agency and inform the issuing agency in writing as to the potential of the rule or regulation to result in a taking of private property before the rule or regulation may become effective.
<b>Florida</b> .....	Joint bipartisan	PE	...
<b>Georgia</b> .....	Standing committee	P	The agency notifies the Legislative Counsel 30 days prior to the effective dates of proposed rules.
<b>Hawaii</b> .....	Legislative agency (c)	PE	...
<b>Idaho</b> .....	Germane joint subcommittees	P	All rules expire one year after adoption and must be reauthorized through legislative action. All pending rules reviewed by standing committees of the legislature. Rules imposing fees must be approved or are deemed rejected. Other pending rules are deemed approved unless rejected.
<b>Illinois</b> .....	Joint bipartisan	PE	If the committee objects to a proposed rulemaking, the agency can modify, adopt or withdraw the rulemaking within 90 days. If the agency does not act within 90 days, the rulemaking is automatically withdrawn. If the committee determines a proposed rulemaking is objectionable and constitutes a threat to public interest, safety or welfare, it may prohibit adoption of the rulemaking for 180 days.
<b>Indiana</b> .....	Joint bipartisan	E	The Administrative Rules Oversight Committee conducts hearings on complaints about the rules. It issues non-binding advisory recommendations.
<b>Iowa</b> .....	Joint bipartisan	PE	The committee meets monthly and can delay the effective date of a proposed rule until the adjournment of the next legislative session, giving the legislature an opportunity to review the rule. The legislature can rescind any rule by joint action of the two houses.
<b>Kansas</b> .....	Joint bipartisan	PE	Agencies must give a 60-day notice to the public and the Joint Committee of their intent to adopt or amend specific rules and regulations, a copy of which must be provided to the committee. Within the 60-day comment period, the Joint Committee must review and comment, if it feels necessary, on the proposals. Final rules and regulations are resubmitted to the committee to determine whether further expression of concern is necessary.
<b>Kentucky</b> .....	Joint bipartisan subcommittee	PE	Within 45 days after publication of an administrative regulation in "The Administrative Register," or within 45 days of the receipt of a statement of consideration by the subcommittee.
<b>Louisiana (b)</b> .....	Standing committee	P	All proposed rules and fees are submitted to designated standing committees of the legislature. If a rule or fee is unacceptable, the committee sends a written report to the governor. The governor has 10 days to disapprove the committee report. If both Senate and House committees fail to find the rule unacceptable, or if the governor disapproves the action of a committee within 10 days, the agency may adopt the rule change. (d)
<b>Maine</b> .....	Jt. standing policy cmtes.	PE	Proposed rules identified as major substantive must be reviewed by the legislature before they are finally adopted. The legislature may approve, approve with changes or disapprove final adoption of major substantive rules. Failure of the legislature to act permits the agency to finally adopt the rule. Any group of 100 or more registered voters, or any person directly, substantially, or adversely affected by an existing rule may file an application for review with the executive director of the Legislative Council. One-third or more of the appropriate standing committee must request a review within 15 days of receipt of the application.
<b>Maryland (b)</b> .....	Joint bipartisan	PE	The committee has 45 days from the date the regulation is published to comment or object to the regulation.
<b>Massachusetts (b)</b> .....	Public hearing by agency	P	In Massachusetts, the General Court (Legislature) may by statute authorize an administrative agency to promulgate regulations. The promulgation of such regulations are then governed by Chapter 30A of the Massachusetts General Laws. Chapter 30A requires 21 day notice to the public of a public hearing on a proposed regulation. After public hearing the proposed regulation is filed with the State Secretary who approves it if it is in conformity with Chapter 30A. The State Secretary maintains a register entitled "Massachusetts Register" and the regulation does not become effective until published in the register. The agency may promulgate amendments to the regulations following the same process.

See footnotes at end of table.

**LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS: STRUCTURES AND PROCEDURES — Continued**

<i>State</i>	<i>Type of reviewing committee</i>	<i>Rules reviewed</i>	<i>Time limits in review process</i>
Michigan .....	Joint bipartisan	P	Joint Committee on Administrative Rules (JCAR) has 21 days to approve a formal notice of objection. If no objection is made, the rules may be filed and go into effect. If JCAR does formally object, bills to block the rules are introduced in both houses of the legislature simultaneously by the committee chair, the alternate chair, or any member of the committee, and placed directly on the Senate and House calendars for action. If the bills are not enacted within 21 days, the rules may be filed and go into effect. Also, as specified in the Michigan Constitution, the committee, acting between legislative sessions, can meet and suspend rules promulgated during the interim between sessions.
Minnesota .....	-----	-----	(e) -----
Mississippi .....	-----	-----	(a) -----
Missouri .....	Joint bipartisan	PE	The committee must disapprove a final order of rulemaking within 30 days upon receipt or the order of rulemaking is deemed approved.
Montana .....	Germane joint bipartisan committees	PE	...
Nebraska .....	Standing committee	P	If an agency proposes to repeal, adopt or amend a rule or regulation, it is required to provide the Executive Board Chairperson with the proposal at least 30 days prior to the Public Hearing, as required by law. The Executive Board Chairperson shall provide to the appropriate standing committee of the Legislature, the agency proposal for comment. If the committee objects to a rule, it is returned to the agency for revision in accordance with legislative intent and statutory authority.
Nevada .....	Joint bipartisan	E	If the committee objects to a rule, it is returned to the agency for revision in accordance with legislative intent and statutory authority.
New Hampshire .....	Joint bipartisan	P	Preliminary objections must be filed within 45 days of agency filing of final proposal. Otherwise, final proposal is automatically approved. A vote to sponsor joint resolutions must be filed within 50 days of the objection response deadline, but a final objection may be filed at any time after objection response is received.
New Jersey .....	The legislature	PE	...
New Mexico .....	-----	-----	(g) -----
New York .....	Joint bipartisan commission	PE	Agencies must give at least 45 days notice of proposed rule making to the public and the joint commission. While there is no statutory time limit for the commission's review, any commission comments or objections are typically submitted prior to agency adoption. Agency adoption may occur until expiration of the notice of proposed rule making, which is 180 days after its publication in the "State Register," unless extended for an additional 185 days by the agency upon public notice. Whenever a proposed rule is substantially revised, the agency must give at least 30 days notice of revised rule making to the public and the joint commission.
North Carolina .....	Public membership appointed by legislature	PE	The Rules Review Commission must review a permanent rule submitted to it on or before the 20th of the month by the last day of the next month. The commission must review a permanent rule submitted to it after the 20th of the month by the last day of the second subsequent month.
North Dakota .....	Interim committee	E	The committee has 90 days from the time a rule is published to initially consider a rule and may carry over for one additional meeting its decision on whether to declare the rule void.
Ohio .....	Joint bipartisan	PE	Proposed rules are submitted to the committee 65 days prior to adoption. The committee has 30 days to review re-filed rules. The committee has 90 days to review rules submitted without change.
Oklahoma (b) .....	Standing cmte. or cmte. appointed by leadership of both houses	PE	The legislature has 30 legislative days to disapprove a permanent rule. The legislature may disapprove any rule at any time by joint resolution.
Oregon (h) .....	Joint bipartisan	E	...
Pennsylvania .....	Standing committees and an independent commission	PE	Standing committees have 20 days to review the final form regulation. The independent commission has 30 days to review the final form regulation. (f)
Rhode Island .....	-----	-----	(a) -----
South Carolina .....	Standing committees	P	120 days for action by committee or legislature.
South Dakota .....	Joint bipartisan	P	A proposed or provisional rule can be suspended until July 1 following the next legislative session if five of the committee's six members agree.
Tennessee .....	Joint standing committee	P	All permanent rules take effect 75 days after filing with the secretary of state. Rules filed in a calendar year expire on June 30 of the following year unless extended by the General Assembly.
Texas .....	-----	-----	(a) -----
Utah .....	Joint bipartisan	PE	Each rule in effect on February 28 of each year expires May 1 of that year unless reauthorized by the legislature in annual legislation.
Vermont .....	Joint bipartisan	PE	All final proposed rules must be submitted to the committee, which has 45 days to review them. Within 14 days of receiving an objection the agency must respond in writing. If the committee still objects it may file its objections with the secretary of state.

See footnotes at end of table.



LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS: STRUCTURES AND PROCEDURES — Continued

State	Type of reviewing committee	Rules reviewed	Time limits in review process
Virginia (b) .....	Standing committee	PE	Legislative review is optional. Within 21 days after the receipt of an objection, the agency shall file a response with the registrar, the objecting legislative committee and the governor. After an objection is filed, the regulation unless withdrawn by the agency shall become effective on a date specified by the agency which shall be after the 21-day extension period.
Washington (b) .....	Joint bipartisan	PE	If the committee determines that a proposed rule does not comply with legislative intent, it notifies the agency, which must schedule a public hearing within 30 days of notification. The agency notifies the committee of its action within seven days after the hearing. If a hearing is not held or the agency does not amend the rule, the objection may be filed in the state register and referenced in the state code. The committee's powers, other than publication of its objections, are advisory.
West Virginia .....	Joint bipartisan	P	Committee reports and bills authorizing reviewed rules must be filed with the full legislature no later than 40 days before the 60th day of each regular legislative session.
Wisconsin .....	Joint bipartisan	PE	The standing committee has 30 days to conduct its review for a proposed rule. The time limit can be extended in various ways. If a standing committee objects to a proposed rule, the joint committee also must object before legislation is introduced to sustain the objection. The joint committee may suspend an existing rule at any time. The suspension is followed by legislation to sustain that action.
Wyoming .....	Joint bipartisan	PE	Agency must submit rules to legislature for review within 10 days after the day of the agency's final action adopting, amending or repealing rules. Legislature makes its recommendations to the governor who has 10 days following the recommendation to either order the rule to be amended or rescinded or file with the council his written objections to the recommendation.

Source: The Council of State Governments survey, January 2002.

Key:

P — Proposed rules

E — Existing rules

. . . — No formal time limits

(a) No formal rule review is performed by both legislative and executive branches.

(b) Review of rules is performed by both legislative and executive branches.

(c) In Hawaii, the legislative reference bureau assists agencies to comply with a uniform format of style. This does not affect the status of rules.

(d) If the committees of both houses fail to find a fee unacceptable, it can be adopted. Committee action on proposed rules must be taken within 5 to 30 days after the agency reports to the committee on its public hearing (if any) and whether it is making changes on proposed rules.

(e) The Legislative Commission to Review Administrative Rules (LCRAR) ceased operating on June 30, 1996. The Legislative Coordinating Commission (LCC) may perform the statutory functions of the LCRAR as it deems necessary.

Contact the LCC for more information.

(f) Proposed regulations - standing committee may submit comments to the agency within 20 days of the close of the public comment period. Independent Regulatory Review Commission (IRRC) may submit comments to the agency within 10 days after the expiration of the standing committees' review period. Final regulations - standing committees have 20 days to approve or disapprove a final rule. The IRRC has within 10 days after the expiration of the standing committees' review period or at its next regular scheduled meeting, whichever is later, to approve or disapprove a final regulation. The independent commission may review existing regulations and make recommendations to the agency.

(g) No formal review is performed by legislature. Periodic review and report to legislative finance committee is required of certain agencies.

(h) Oregon created a second kind of review. An executive department agency must submit a proposed rule to a member or committee of the legislative assembly (the recipient differs depending upon the rule) and then, if requested, a standing or interim committee must review the rule and return its comments to the adopting agency.

**Table 3.26**  
**LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS: POWERS**

State	Advisory powers only (a)	Reviewing committee's powers:		Legislative powers:
		No objection constitutes approval of proposed rule	Committee may suspend rule	
				Method of legislative veto of rules
Alabama .....	...	★	★	Joint resolution (b)
Alaska .....	(c)	(c)	...	Statute (c)
Arizona .....	★	N.A.	N.A.	Statute
Arkansas .....	(d)	N.A.	N.A.	(d)
California .....	-----	-----	(e)	-----
Colorado .....	...	★	...	Statute (f)
Connecticut .....	...	★	...	Statute (g)
Delaware .....	(h)	N.A.	N.A.	N.A.
Florida .....	★	...	(i)	Statute
Georgia .....	...	★	...	Resolution (j)
Hawaii .....	★	...	...	...
Idaho .....	...	★	...	Concurrent resolution (k)
Illinois .....	...	...	★	Joint resolution
Indiana .....	★ (l)	...	N.A.	(m)
Iowa .....	...	★	★	Joint resolution
			proposed rules	
Kansas .....	...	N.A.	...	Statute
Kentucky .....	...	★	...	(oo)
Louisiana .....	...	★	(n)	Concurrent resolution to suspend, amend or repeal adopted rules or fees. For proposed rules and emergency rules, see footnote (n).
Maine .....	...	★	N.A.	(o)
Maryland .....	(p)	...	...	Majority vote of committee. Governor can override.
Massachusetts .....	...	...	...	The legislature may pass a bill which would supersede a regulation if signed into law by the governor.
Michigan .....	...	...	(q)	Statute (r)
Minnesota .....	-----	-----	(s)	-----
Mississippi .....	-----	-----	(e)	-----
Missouri .....	...	★	★	Statute, concurrent resolutions (t)
Montana .....	...	...	★ (b)	Statute
Nebraska .....	-----	-----	(e)	-----
Nevada .....	...	★	★	Vote of committee suspends regulation until the final day of next regular legislative session. Concurrent resolution of legislature required to extend suspension indefinitely.
New Hampshire .....	★	(u)	N.A.	Statute (v)
New Jersey .....	-----	-----	(w)	-----
New Mexico .....	-----	-----	(e)	-----
New York .....	★	N.A.	N.A.	The legislature may pass a bill which would supersede a regulation if signed into law by the governor.
North Carolina .....	★	...	...	Any member of the General Assembly may introduce a bill to disapprove a rule that has been approved by the commission and that has not become effective or has become effective by executive order. (x)
North Dakota .....	...	★ (y)	...	(z)
Ohio .....	...	(aa)	★	Concurrent resolution. Adopt within jurisdiction of committee or extended until House and Senate have held five voting sessions.
Oklahoma .....	★	★	...	Joint resolution or concurrent resolution if within review period.
Oregon .....	★	N.A.	N.A.	(bb)
Pennsylvania .....	Standing committees Independent commission	★	N.A.	Concurrent resolution (cc)
Rhode Island .....	-----	-----	(e)	-----
South Carolina .....	...	★	...	Joint resolution (dd)
South Dakota .....	...	★	★	Statute
Tennessee .....	...	★	★	Statute (ee)
Texas .....	-----	-----	(e)	-----
Utah .....	★ (ee)	...	...	Statute
Vermont .....	★ (ff)	★	N.A.	Statute (ee)
Virginia (e) .....	★ (gg)	N.A.	(hh)	Statute
Washington .....	★ (ii)	N.A.	(jj)	N.A.

See footnotes at end of table.

## LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS: POWERS — Continued

State	Advisory powers only (a)	Reviewing committee's powers: No objection constitutes approval of proposed rule	Committee may suspend rule	Legislative powers:
				Method of legislative veto of rules
West Virginia .....	★	...	...	(kk)
Wisconsin .....	...	★	★	Statute (ll)
Wyoming .....	(mm)	N.A.	...	Statute (mm)

Source: The Council of State Governments survey, January 2002.

Key:

★ — Yes

... — No

N.A. — Not applicable

(a) This column is defined by those legislatures or legislative committees that can only recommend changes to rules but have no power to enforce a change.

(b) A rule disapproved by the reviewing committee is reinstated at the end of the next session if a joint resolution in the legislature fails to sustain committee action.

(c) Committee powers are advisory. Veto authority of the committee was ruled unconstitutional. However, the legislature can pass legislation for presentment to the executive to annul a rule.

(d) A legislative council subcommittee reviews the rules and regulations, makes recommendations to the full Legislative Council (a committee of the General Assembly). Members of the General Assembly may submit legislation that addresses agency authority to enact or modify rules or regulations. These powers are granted by statute.

(e) No formal mechanism for legislative review of administrative rules. In Virginia, legislative review is optional.

(f) All newly adopted or amended rules expire on May 15 of the year following adoption or amendment. The legislature exercises sunset control over rules. Each year a bill is filed that extends all rules promulgated the previous year, except for those rules specifically designated by the committee.

(g) By February 15 of each regular session, the committee submits for study to the General Assembly a copy of all disapproved regulations. The General Assembly may by resolution sustain or reverse a vote of disapproval.

(h) During the legislative interim, July 1 and the second Tuesday in January, the chairperson of a standing committee of either house may, by majority vote, draft a committee report setting forth its suggestions and recommendations and to request the president pro tempore of the Senate or the speaker of the House to call a special session to consider the committee's recommendations. Each committee report shall be forwarded to the Sunset Committee.

(i) Committee may submit recommendation for suspension to full legislature, which may enact a statute suspending a rule.

(j) The reviewing committee must introduce a resolution to override a rule within the first 30 days of the next regular session of the General Assembly. If the resolution passes by less than a two-thirds majority of either house, the governor has final authority to affirm or veto the resolution.

(k) All rules are terminated one year after adoption unless the legislature reauthorizes the rule.

(l) Governor can veto rules with or without cause.

(m) Legislature has authority to intervene only after a rule is adopted. The committee meets during the interim but can affect a rule only through recommending a change in statute.

(n) If the committee determines that a proposed rule is unacceptable, it submits a report to the governor who then has 10 days to accept or reject the report. If the governor rejects the report, the rule change may be adopted by the agency. If the governor accepts the report, the agency may not adopt the rule. Emergency rules become effective upon adoption or up to 60 days after adoption as provided in the rule, but a standing committee or governor may void the rule by finding it unacceptable within 2 to 61 days after adoption and reporting such finding to agency within four days.

(o) Certain proposed rules must be reviewed by the legislature before they may be adopted. The legislature must enact legislation to approve, approve with changes or disapprove final adoption. If the legislature determines an existing rule is inappropriate or unnecessary, it may direct the Office of Policy and Legal Analysis to draft legislation to amend the statutory authority of the agency to amend the rule.

(p) The committee can delay regulations for a limited time before the regulations are adopted.

(q) Committee can suspend rules during interim.

(r) JCAR has 21 days to approve a formal notice of objection. The formal notice of objection states a 21-day time period that stays the rules and causes committee members to introduce legislation in both houses of the legislature for enactment and presentment to the Governor within 21 days. Any member of the legislature can introduce a bill at a session, which in effect amends or rescinds a rule.

(s) The Legislative Commission to Review Administrative Rules (LCRAR)

ceased operating, effective July 1, 1996. The Legislative Coordinating Commission (LCC) may perform the statutory functions of the LCRAR as it deems necessary. Contact the LCC for more information.

(t) The General Assembly may revoke or suspend rules or portions thereof. Missouri uses a concurrent resolution which must be presented to the governor, but the legislature has 30 days in which to act on a resolution regardless of when it is heard by JCAR.

(u) Failure to object or approve within 45 days of agency filing of final proposal constitutes approval.

(v) The committee can temporarily suspend adoption of a rule via voting to sponsor a joint resolution. The legislature may permanently block regulation via legislation.

(w) Article V, Section IV of the Constitution, as amended in 1992, says the legislature may review any rule or regulation to determine whether the rule or regulation is consistent with legislative intent. The legislature transmits its objections to existing or proposed rules or regulations to the governor and relevant agency via concurrent resolutions. The legislature may invalidate or prohibit an existing or proposed rule from taking effect by a majority vote of the authorized membership of each house.

(x) If an agency does not amend a rule to address an objection of the commission, the commission may send written notice to leadership in both houses. The General Assembly may enact legislation disapproving the rule.

(y) Unless formal objections are made or the rule is declared void, rules are considered approved.

(z) The committee can void a rule.

(aa) Committee does not approve rules. Committee can recommend invalidation of all or part of a rule. Inaction on a rule is not considered approval or consent of legality of a rule.

(bb) The committee reports to the legislature during each regular session on the review of rules by the committee.

(cc) The committee has 14 days to introduce a concurrent resolution, which then must be passed by both chambers within 10 legislative days or 30 calendar days, followed by presentment to the governor.

(dd) Must be passed within 120-day review period and presented to the governor for signature.

(ee) The legislature exercises sunset control over rules. Each year a bill is filed that extends all rules promulgated the previous year, except for those rules specifically designated by the committee. In Tennessee, standing committees may suspend effectiveness of proposed rules. In Utah, each rule in effect on Feb. 28 of each year expires May 1 of that year unless reauthorized by the legislature in annual legislation.

(ff) LCRAR cannot veto or delay adoption of rule, but can object. Objection has the effect of removing the presumption of validity that normally attached to rules.

(gg) The agency must respond to a legislative objection within 21 days of receipt. The regulation may become effective on a date specified by the agency, which must be after the expiration of the applicable 21-day extension period.

(hh) Standing committee of both houses in concurrence with governor may suspend effective date until the end of the next General Assembly session.

(ii) Objections are published in the Washington State Register.

(jj) By a majority vote of the committee members, the committee may request the governor to approve suspension of a rule. If the governor approves, the suspension is effective until 90 days after the end of the next regular session.

(kk) State agencies have no power to promulgate rules without first submitting proposed rules to the legislature which must enact a statute authorizing the agency to promulgate the rule. If the legislature during a regular session disapproves all or part of any legislative rule, the agency may not issue the rule nor take action to implement all or part of the rule unless authorized to do so. However, the agency may resubmit the same or a similar proposed rule to the committee.

(ll) Bills are introduced simultaneously in both houses.

(mm) Legislative Management Council can recommend action be taken by the full legislature.

(nn) Action must be taken by legislative order adopted by both houses before the end of the next succeeding legislative session to nullify a rule.

(oo) The legislature's veto power was ruled unconstitutional in January, 2002. In mid-January, when this survey was conducted, a bill had been introduced in the Senate to restore legislative veto power, but no final action had been taken.

**Table 3.27**  
**SUMMARY OF SUNSET LEGISLATION**

<i>State</i>	<i>Scope</i>	<i>Preliminary evaluation conducted by</i>	<i>Other legislative review</i>	<i>Other oversight mechanisms in bill</i>	<i>Phase-out period</i>	<i>Life of each agency (in years)</i>	<i>Other provisions</i>
<b>Alabama</b> .....	C	Dept. of Examiners of Public Accounts	Standing Cmte.	Perf. audit	No later than Oct. 1 of the year following the regular session or a time as may be specified in the Sunset bill.	(usually 4)	Schedules of licensing boards and other enumerated agencies are repealed according to specified time tables.
<b>Alaska</b> .....	C	Legis. Auditor	Standing Cmte.	Perf. audit	1/y	Varies (usually 4)	...
<b>Arizona</b> .....	S	Off. of the Auditor General	Legis. Cmtes. of reference	Perf. audit	6m	10	Jt. Legis. Audit Cmte. selects agencies for review and assigns responsibilities for hearings to the legis. cmtes. of reference.
<b>Arkansas</b> .....	(b)	...	...	...	...	...	...
<b>California</b> .....	S	St. Legis. Sunset Review Cmte. (c)	...	...	...	Varies	Automatic repeal of professional and vocational licensing boards if legislature does not extend the operation of the board by a specified date.
<b>Colorado</b> .....	R	Dept. of Regulatory Agencies	Legis. Cmtes. of reference	(d)	1/y	up to 10	Advisory cmtes. are reviewed at least once after establishment; all regulatory functions of the state are reviewed.
<b>Connecticut</b> .....	(e)	...	...	...	...	...	...
<b>Delaware</b> .....	C	Agencies under review submit reports to Del. Sunset Comm. based on criteria for review and set forth in statute. Comm. staff conducts separate review.	...	Per. audit	Dec. 31 of next succeeding calendar year	4	Yearly sunset review schedules must include at least nine agencies. If the number automatically scheduled for review or added by the General Assembly is less than a full schedule, additional agencies shall be added in order of their appearance in the Del. Code to complete the review schedule.
<b>Florida</b> .....	R (o)	...	Subject area committees handle some sunset review.	Perf. audit, progress review	...	10	Automatic repeal if legislature fails to reenact legislation by a specific date.
<b>Georgia</b> .....	R	Dept. of Audits	Standing Cmtes.	Perf. audit	...	...	A performance audit of each regulatory agency must be conducted upon the request of the Senate or House standing committee to which an agency has been assigned for oversight and review. (f)
<b>Hawaii</b> .....	R	Legis. Auditor	Standing Cmtes.	Perf. eval.	None	Established by the legislature	Schedules various professional and vocational licensing programs for repeal.
<b>Idaho</b> .....	(g)	...	...	...	...	...	Proposed new regulatory measures must be referred to the Auditor for sunrise analysis.
<b>Illinois</b> .....	R	Bur. of the Budget	Standing Cmte.	...	...	10 (max.)	...
<b>Indiana</b> .....	S	Off. of Fiscal and Management Analysis	...	Perf. audit, Perf. eval.	...	(p)	Automatic repeal if legislature fails to reenact legislation by a specific date.
<b>Iowa</b> .....	-----	-----	-----	-----	No program	-----	...
<b>Kansas</b> .....	(h)	...	...	...	...	...	...
<b>Kentucky</b> .....	R	Administrative Regulation Review Subcommittee	Joint committee with subject matter jurisdiction.	...	...	...	Executive reorganization orders which are not enacted into law at next regular session expire and previous organization is reinstated.

See footnotes at end of table.

## SUMMARY OF SUNSET LEGISLATION — Continued

State	Scope	Preliminary evaluation conducted by	Other legislative review	Other oversight mechanisms in bill	Phase-out period	Life of each agency (in years)	Other provisions
Louisiana	C	Standing cmtes. of the two houses with subject matter jurisdiction.	...	Perf. eval.	1/y	Up to 6	Act provides for termination of a department and all offices in a department. Also permits committees to select particular agencies or offices for more extensive evaluation. Provides for review by Jr. Legis. Cmte. on Budget of programs that were not funded during the prior fiscal year for possible repeal.
Maine	C	Legislative Committee having jurisdiction over relevant policy area.	Selective review of major substantive rules of agencies.	...	...	Subject to review at least every 10/yrs. with provisions for selected earlier reviews.	...
Maryland	R	Dept. of Legislative Services	Standing Cmtes.	Perf. eval.	1-2 y	Varies (usually 10)	...
Massachusetts					No program		
Michigan	(g)	...	...	...	...	...	...
Minnesota	(g)	...	...	...	...	...	...
Mississippi	(i)	...	...	...	...	...	...
Missouri					No program		
Montana	(g)	...	...	...	...	...	...
Nebraska	(g)	...	...	...	...	...	...
Nevada	(g)	...	...	...	...	...	...
New Hampshire	(i)	...	...	...	...	...	...
New Jersey	(g)	...	...	...	...	...	...
New Mexico	R	Legis. Finance Cmte.	...	Perf. eval., Progress	(k)	May 7	Legis. Finance Cmte. is responsible for introducing legislation to continue any agency reviewed.
New York	(g)	...	...	...	...	...	...
North Carolina	(l)	...	...	...	...	...	...
North Dakota					No program		
Ohio	S	Standing Cmtes.	...	...	(m)	Up to 4	...
Oklahoma	R, C	Jr. Cmte. on Sunset Review	Appropriations and Budget Cmte.	Prog. review	1/y	6	...
Oregon	(n)	...	(n)	...	...	...	...
Pennsylvania	(g)	...	...	...	...	...	...
Rhode Island	(q)	...	...	...	...	...	...
South Carolina	R	...	...	...	...	...	Law Repealed by 1998 Act 419
South Dakota	(r)	...	...	...	...	...	...
Tennessee	C	Jr. Govt. Operations Cmte.	...	Perf. audit	1/y	Jan 8	Sunrise review provision 2/y after creation of entity. The Sunset Advisory Comm. chair and vice-chair rotate
Texas	S	Sunset Advisory Comm.	...	Perf. eval.	1/y	12	Legis. Audit Cmte. may at its discretion coordinate the audit of state agencies with the Interim Cmte.
Utah	D	Interim Study Cmte.	...	...	...	Up to maximum of 10/y	reappointment.

See footnotes at end of table.

## SUMMARY OF SUNSET LEGISLATION — Continued

State	Scope	Preliminary evaluation conducted by	Other legislative review	Other oversight mechanisms in bill	Phase-out period	Life of each agency (in years)	Other provisions
<b>Vermont</b> .....	S	Legis. Council staff	Senate and House Government Operations Cmtes.	...	None	...	Reviews only focus on the need for regulation of professions and occupations. Statutory preference is for the least restrictive form of regulation necessary to protect the public.
<b>Virginia</b> .....	S (g)	...	Standing Cmtes.	...	...	...	General assembly places sunset on selective programs and acts. The duration varies as does the subject of the legislation.
<b>Washington</b> .....	C	Jr. Legis. Audit and Review Cmte.	Standing Cmtes.	...	1/y	Varies	...
<b>West Virginia</b> .....	S	Jr. Cmte. on Govt. Operations	Performance Evaluation and Research Division	Perf. audit	1/y	6	Jr. Cmte. on Govt. Operations composed of five House members, five Senate members and five citizens appointed by governor. Agencies may be reviewed more frequently.
<b>Wisconsin</b> .....	(g)	...	...	...	...	...	...
<b>Wyoming</b> .....	(s)	...	...	...	...	...	...

Source: The Council of State Governments' survey, January 2002.

Key:

C - Comprehensive

R - Regulatory

S - Selective

D - Discretionary

d - day

m - month

y - year

... - Not applicable

(a) Sunset activity terminated.

(b) A one-time review of selected programs ended in 1983.

(c) Review by the Jr. Legislative Sunset Review Cmte. of professional and vocational licensing boards terminates on January 1, 2004. Sunset clauses are included in other selected programs and legislation.

(d) Bills need adoption by the legislature.

(e) Sunset legislation suspended in 1983. Next review cycle is scheduled for 2008.

(f) The automatic sunset of an agency every six years was eliminated in 1992. The legislature must pass a bill in order to sunset a specific agency.

(g) While they have not enacted sunset legislation in the same sense as the other states with detailed information in this table, the legislatures in Idaho, Michigan, Minnesota, Montana, Nebraska, Nevada, New Jersey,

New York, Pennsylvania, Virginia and Wisconsin have included sunset clauses in selected programs or legislation.

(h) Sunset legislation terminated July 1992. Legislative oversight of designated state agencies, consisting of audit, review and evaluation, continues.

(i) Sunset Act terminated December 31, 1984.

(j) New Hampshire's Sunset Committee was repealed July 1, 1986.

(k) Agency termination is scheduled on July 1 of the year prior to the scheduled termination of statutory authority for that agency.

(l) North Carolina's sunset law terminated on July 30, 1981. Successor vehicle, the Legislative Committee on Agency Review, operated until June 30, 1983.

(m) Agencies subject to 101.84 of the Ohio Revised Code must be renewed or duties transferred by the General Assembly as they expire.

(n) Sunset legislation was repealed in 1993. Joint Legislative Audit Committee still serves as legislative review body.

(o) Comprehensive relating to public records and meetings.

(p) No longer automatic repeal, but retain 10 year cycle.

(q) Sunset activity is currently inactive.

(r) South Dakota suspended sunset legislation in 1979.

(s) Wyoming repealed sunset legislation in 1988.



## Chapter Four

# STATE EXECUTIVE BRANCH

“Currently, governors have moved from a half-decade of an economic boom, in which they could propose tax cuts and program increases, to a period in which there is more demand for program support and less income to use. Easy times have switched to hard times.”

— Thad Beyle





## Governors: Elections, Powers and Priorities

By Thad Beyle

*This article traces the governorship in recent decades. It examines who the governors are, how they became governors and some of their recent political history. The author discusses the timing and costs of gubernatorial elections, as well as the powers these officials have and the priorities of our current governors. Finally, the article points out the need for continuing efforts to reorganize state executive branches across the country, especially as states continue to maintain a myriad of other separately elected executive-branch officials.*

The governors continue to be in the forefront of activity as we enter the 21st century. With the Republican governors across the states serving as his major supporters and guides, Texas Gov. George W. Bush sought and won the presidency in the 2000 election. He became the fourth of the last five presidents who had served as governor just prior to seeking and winning the presidency.<sup>1</sup> When George H. W. Bush, a nongovernor, won the presidential election in 1988, he beat a governor, Michael Dukakis (D-Mass.), who served from 1975-1979 and 1983-1991. Clearly, presidential politics in the last quarter century following the Watergate scandal finds governors as major actors.

Additionally, the demands on the governors to propose state budgets and then to keep them in balance during the two separate recessions of the early 1990s and early 2000s has made that governor's chair a "hot seat" in more ways than one.<sup>2</sup> Currently, governors have moved from a half-decade of an economic boom, in which they could propose tax cuts and program increases, to a period in which there is more demand for program support and less income to use. Easy times have switched to hard times.<sup>3</sup>

### Gubernatorial Elections

Only 13 governorships were contested and decided by the elections of 2000 and 2001. In seven of these states, incumbents were eligible to seek re-election, and six of them did run for another term, all in 2000.<sup>4</sup> The five winning incumbents were Frank O'Bannon (D-Indiana), Jeanne Shaheen (D-New Hampshire), Mike Leavitt (R-Utah), Howard Dean (D-Vermont), and Gary Locke (D-Washington). Their average winning margin was just less than 13 points, with margins ranging from nearly 19 points for Locke to a tight 5-point win for Shaheen.

The one incumbent who lost in 2000 was Cecil Underwood (R-West Virginia), who was defeated by Congressman Bob Wise (D). In 1956, Underwood had the distinction of being the youngest person ever elected governor of West Virginia at the age of 34, and in 1996 he was the oldest person ever elected governor in

the state at age 74. Clearly, he was also the oldest incumbent governor to be defeated for re-election in the state, if not in the country.

As can be seen in Table A, in the 427 gubernatorial elections held between 1970 and 2001, incumbents were eligible to seek another term in 328 (77 percent) of the contests; 256 eligible incumbents sought re-election (78 percent) and 193 of them succeeded (75 percent). Those who were defeated for re-election were more likely to lose in the general election than in their own party primary by slightly more than a three-to-one ratio (See Table A).

Between 1970 and 1993, Democrats won 202 of the 326 races for governor (62 percent). Then between 1994 – when the Republicans won races up and down the ballots across the states – and 1998, Republicans won 55 of the 88 races (63 percent). In the three most recent election years, 1999-2001, Democrats moved back into the lead by winning 12 of the 16 races (75 percent). Democratic candidates even won eight of the 11 races in 2000, when Gov. Bush won the presidency in a very close race.

Another factor in determining how many governors have served in the states is how many of the newly elected governors are truly new to the office, and how many are returning after complying with constitutional term limits or holding other positions. Looking at the number of actual new governors taking office over a decade, the average number of new governors in the states dropped from 2.3 new governors per state in the 1950s to 1.9 in the 1970s and 1.1 in the 1980s. In the 1990s, the rate began to move up a bit to 1.4 new governors per state.

And now as we enter the first decade of the 21st century, we find that eight of the 12 states with elections in 2000 and 2001 elected new governors (67 percent), so these states are starting the new century out with new leadership at the top. With 15 incumbent governors term limited and three others retiring or seeking a seat in the U.S. Senate, there will be at least 18 new governors elected in 2002. Thus, in the first three election years at the beginning of this century, over half of the states will have elected new governors. We should

**Table A: Gubernatorial Elections: 1970 - 2001**

Year	Number of races	Democratic Winner		Eligible to run		Actually ran		Won		Lost		In general election	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	In primary	In general election
1970	35	22	63	29	83	24	83	16	64	8	36	1 (a)	7 (b)
1971	3	3	100	0	...	...	...	...	...	...	...	...	...
1972	18	11	61	15	83	11	73	7	64	4	36	2 (c)	2 (d)
1973	2	1	50	1	50	1	100	...	...	1	100	1 (e)	...
1974	35	28 (f)	80	29	83	22	76	17	77	5	24	1 (g)	4 (h)
1975	3	3	100	2	66	2	100	2	100	...	...	...	...
1976	14	9	64	12	86	8	67	5	63	3	33	1 (i)	2 (j)
1977	2	1	50	1	50	1	100	1	100	...	...	...	...
1978	36	21	58	29	81	22	76	16	73	6	27	1 (k)	5 (l)
1979	3	2	67	0	0	...	...	...	...	...	...	...	...
1980	13	6	46	12	92	12	100	7	58	5	42	2 (m)	3 (n)
1981	2	1	50	0	0	...	...	...	...	...	...	...	...
1982	36	27	75	33	92	25	76	19	76	6	24	1 (o)	5 (p)
1983	3	3	100	0	0	...	...	...	...	...	...	...	...
1984	13	5	38	9	69	6	67	4	67	2	33	...	2 (q)
1985	2	1	50	1	50	1	100	1	100	...	...	...	...
1986	36	19	53	24	67	18	75	15	83	3	18	1 (r)	2 (s)
1987	3	3	100	2	67	1	50	0	0	1	100	1 (t)	...
1988	12	5	42	9	75	9	100	8	89	1	11	...	1 (u)
1989	2	2	100	0	0	...	...	...	...	...	...	...	...
1990	36	19 (v)	53	33	92	23	70	17	74	6	26	...	6 (w)
1991	3	2	67	2	67	2	100	0	0	2	100	1 (x)	1 (y)
1992	12	8	67	9	75	4	44	4	100	0	0	...	...
1993	2	0	0	1	50	1	100	0	0	1	100	...	1 (z)
1994	36	11 (aa)	31	30	83	23	77	17	74	6	26	2 (bb)	4 (cc)
1995	3	1	33	2	67	1	50	1	100	0	0	...	...
1996	11	7	36	9	82	7	78	7	100	0	0	...	...
1997	2	0	0	1	50	1	100	1	100	0	0	...	...
1998	36	11 (dd)	31	27	75	25	93	23	92	2	8	...	2 (ee)
1999	3	2	67	2	67	2	100	2	100	0	0	...	...
2000	11	8	73	7	88	6	86	5	83	1	17	...	1 (ff)
2001	2	2	100	0	...	...	...	...	...	...	...	...	...
<b>Totals:</b>													
Number	427.0	242.0		328.0		256.0		193.0		63.0		15.0	48.0
Percent	100.0	56.7		76.8		78.0		75.4		24.6		23.8	76.2

Source: Thad Beyle, using information from *The Book of the States, 1994-1995*, selected issues of *CQ Weekly Report*, 1970-date and *Campaign Insider*, 1999-2001. See <http://www.unc.edu/~beyle>.

Notes:

- (a) Albert Brewer, D-Alabama.
- (b) Keith Miller, R-Alaska; Winthrop Rockefeller, R-Ark.; Claude Kirk, R-Fla.; Don Samuelson, R-Idaho; Norbert Tieman, R-Neb.; Dewey Bartlett, R-Okla.; Frank Rarrar, R-S.D.
- (c) Walter Peterson, R-N.H.; Preston Smith, D-Texas.
- (d) Russell Peterson, R-N.H.; Richard Ogilvie, R-Ill.
- (e) William Cahill, R-N.J.
- (f) One independent candidate won: James Longley of Maine.
- (g) David Hall, D-Okla.
- (h) John Vanderhoof, R-Colo.; Francis Sargent, R-Mass.; Malcolm Wilson, R-N.Y.; John Gilligan, D-Ohio.
- (i) Dan Walker, D-Ill.
- (j) Sherman Tribbitt, D-Del.; Christopher 'Kit' Bond, R-Mo.
- (k) Michael Dukakis, D-Mass.
- (l) Robert F. Bennett, R-Kan.; Rudolph G. Perpich, D-Minn.; Meldrim Thompson, R-N.H.; Robert Straub, D-Oreg.; Martin J. Schreiber, D-Wis.
- (m) Thomas L. Judge, D-Mont.; Dixy Lee Ray, D-Wash.
- (n) Bill Clinton, D-Ark.; Joseph P. Teasdale, D-Mo.; Arthur A. Link, D-N.D.
- (o) Edward J. King, D-Mass.

(p) Frank D. White, R-Ark.; Charles Thone, R-Neb.; Robert F. List, R-Nev.; Hugh J. Gallen, D-N.H.; William P. Clements, R-Texas.

(q) Allen I. Olson, R-N.D.; John D. Spellman, R-Wash.

(r) Bill Sheffield, D-Alaska

(s) Mark White, D-Texas; Anthony S. Earl, D-Wis.

(t) Edwin Edwards, D-La.

(u) Arch A. Moore, R-W. Va.

(v) Two Independent candidates won: Walter Hickel (Alaska) and Lowell Weiker (Conn.). Both were former statewide Republican office holders.

(w) Bob Martinez, R-Fla.; Mike Hayden, R-Kan.; James Blanchard, D-Mich.; Rudy Perpich, DFL-Minn.; Kay Orr, R-Neb.; Edward DiPrete, R-R.I.

(x) Buddy Roemer, R-La.

(y) Ray Mabus, D-Miss.

(z) James Florio, D-N.J.

(aa) One Independent candidate won: Angus King of Maine.

(bb) Bruce Sundlun, D-R.I.; Walter Dean Miller, R-S.D.

(cc) James E. Folsom, Jr., D-Ala.; Bruce King, D-N.M.; Mario Cuomo, D-N.Y.; Ann Richards, D-Texas.

(dd) Two Independent candidates won: Angus King of Maine and Jesse Ventura of Minnesota.

(ee) Fob James, R-Ala.; David Beasley, R-S.C.

(ff) Cecil Underwood, R-W. Va.

also note that in the 1998 and 1999 elections, 14 of the 39 winners were also new governors. The years around the turn of the 21st century are certainly proving to be a time of change in the governors' offices across the 50 states.

### The New Governors

Over the past cycle of gubernatorial elections, 1998-2001, there were five different routes to the governor's chair by the 22 newly elected governors. First were the 10 new governors who had previously held statewide office. These included: five lieutenant governors – Don Siegelman (D-Alabama), Gray Davis (D-California), Ruth Ann Minner (D-Delaware), Ronnie Musgrove (D-Mississippi) and Judy Martz (R-Montana); two attorneys general – Mike Easley (D-North Carolina) and Bob Taft (R-Ohio); two state treasurers – Bill Owens (R-Colorado) and Bob Holden (D-Missouri); and one secretary of state – George Ryan (R-Illinois).

Second were four from the business sector: Jeb Bush (R-Florida), Kenny Guinn (R-Nevada), John Hoeven (R-North Dakota) and Mark Warner (D-Virginia). Third were three mayors of cities within the state who won: Jesse Ventura (Ref.-Minnesota), Mike Johanns (R-Lincoln, Nebraska) and Jim McGreevey (D-Woodbridge, New Jersey). Fourth were the three state legislators who won: Roy Barnes (D-from the Georgia State House), Jim Hodges (D-from the South Carolina State House), and Tom Vilsack (D-from the Iowa State Senate). Finally were the two members of Congress who returned to work within the state: Senator Dirk Kempthorne (R-Idaho) and Congressman Bob Wise (D-West Virginia).

Looking at the 320 gubernatorial races between 1977 and 2001, among the candidates, there were 86 lieutenant governors (26 won), 70 attorneys general (17 won), 21 secretaries of state (5 won), 15 state treasurers (5 won), and 11 state auditors or auditors general (3 won). Looking at these numbers from a bettor's point of view, the odds of a lieutenant governor winning were 3.3-to-1, an attorney general 4.1-to-1, a secretary of state 4.2-to-1, a state treasurer 3-to-1, and a state auditor 3.7-to-1.

### Accidental Governors

There is one other route to the governor's chair that is quite prevalent at this time. When a governor dies, resigns or moves on to a higher office, the individual on the next step of the succession ladder becomes governor. What is interesting is that eight of the governors serving at the beginning of 2002 were "accidental governors."<sup>5</sup>

When Texas Gov. George W. Bush won the presidential election in 2000, he resigned the governorship and was succeeded by Lt. Gov. Rick Perry (R). Bush then selected Wisconsin Gov. Tommy Thompson (R) to be Secretary of the Department of Health and Human Services, and Lt. Gov. Scott McCallum (R) moved into the governor's office. When Bush appointed New Jersey Gov. Christie Whitman (R) to be head of the Environmental Protection Agency, she was succeeded by State Senate Majority Leader Don DiFrancesco (R). When Bush named Massachusetts Gov. Paul Cellucci (R) as ambassador to Canada, he was succeeded as governor by Lt. Gov. Jane Swift (R).<sup>6</sup> Then, following the tragedy of September 11, Bush named Pennsylvania Gov. Tom Ridge (R) as head of Homeland Security, and Lt. Gov. Mark Schweiker (R) moved up to become governor.

The New Jersey succession situation has been particularly interesting and complex. Having no other statewide executive-branch elected official, the line of succession goes to the majority leader of the state Senate. So, DiFrancesco became acting governor while still maintaining his leadership role in the state Senate – sort of a "prime minister" type governor. Then, when his term as a state senator ended on January 8, 2002, so did his role as acting governor. He was replaced by Attorney General John Farmer, Jr. (R), who served one hour on January 8th, when he was to step aside and let the newly selected majority leader of the state become acting governor. Unfortunately, the state senate was evenly split between Democrats and Republicans, so the two party leaders – John Bennett (R) and Richard Codey (D) – split the role of acting governor until January 15, 2002, when newly elected Gov. James McGreevey (D) was sworn in. It should be no surprise if New Jersey seriously studies the need to have an elected lieutenant governor, so such a situation won't happen again.

Three other governors originally took the position when the former governor left the office. Each has since been elected in their own right as governor. Vermont Gov. Howard Dean (D) succeeded to the governor's chair upon the death of Gov. Richard Snelling in August 1991. Dean has since won five elections to the office and is retiring after his current two-year term ends. Arkansas Gov. Mike Huckabee (R) succeeded to the governor's chair in July 1996 upon the resignation of Gov. Jim Guy Tucker (D), who had been convicted of two counts of illegal land deals he conducted prior to serving as governor.<sup>7</sup> Huckabee was elected governor on his own in 1998 and is seeking a second full term in 2002. Arizona Gov. Jane Dee Hull (R) suc-

**Table B: Total Cost of Gubernatorial Elections: 1977-2001**  
(in thousands of dollars)

Year	Number of races	Total campaign costs		Average cost per state (2001 \$)	Percent change in similar elections (a)
		Actual dollars (\$)	2001 dollars \$(b)		
1977	2	\$12,312	\$36,106	\$18,053	N.A.
1978	36	99,981	272,428	7,567	N.A. (c)
1979	3	32,744	80,059	26,686	N.A.
1980	13	35,623	76,774	5,906	N.A.
1981	2	24,648	48,141	24,070	+33
1982	36	181,306	333,283	9,258	+22 (d)
1983	3	39,966	71,241	23,747	-11
1984	13	47,156	80,609	6,201	+5
1985	2	21,450	35,396	17,698	+26
1986	36	270,383	438,222	12,173	+31
1987	3	40,212	62,831	20,944	-12
1988	12 (e)	52,161	78,320	6,527	-3
1989	2	47,902	68,529	34,265	+94
1990	36	345,511	469,444	13,040	+7
1991	3	34,612	45,126	15,042	-28
1992	12	60,268	76,289	6,357	-3
1993	2	35,966	44,184	22,092	+36
1994	36	417,849	500,418	13,900	+7
1995	3	35,692	41,551	13,850	-8
1996	11 (f)	68,603	79,036	7,185	+4
1997	2	44,823	49,310	24,655	+12
1998	36	468,326	507,396	14,094	+1
1999	3	16,276	17,333	5,778	-58
2000	11	97,097	99,079	9,007	+25
2001	2	70,400	70,400	35,200	+43

Source: Thad Beyle.

Notes:

N.A. - Not available.

(a) This represents the percent increase or decrease in 2001 dollars over the last bank of similar elections, i.e., 1977 vs. 1981, 1978 vs. 1982, 1979 vs. 1983, etc.

(b) Developed from the table "Historical Consumer Price Index for All Urban Consumers (CPI-U)," Bureau of Labor Statistics, U.S. Department of Labor. Each year's actual expenditures are converted to the 2001 dollar value to control for the effect of inflation over the period.

(c) The data for 1978 are a particular problem, as the two sources compiling data on this year's elections did so in differing ways that excluded some

candidates. The result of this is that the numbers for 1978 under-represent the actual costs of these elections by some unknown amount. The sources for the 1978 data are: Rhodes Cook and Stacy West, "1978 Advantage," *CQ Weekly Report* (1979): 1757-1758 and *The Great Louisiana Spendathon* (Baton Rouge, Public Affairs Research Council, March 1980).

(d) This particular comparison with 1978 is not what it would appear to be for the reasons given in note (c). The amount spent in 1978 was more than indicated here, so the increase was really not as great as it appears.

(e) As of the 1986 election, Arkansas switched to a four-year term for the governor, hence the drop from 13 to 12 for this off-year.

(f) As of the 1994 election, Rhode Island switched to a four-year term for the governor, hence the drop from 12 to 11 for this off-year.

**Cost of Gubernatorial Elections, 1977-2001(in thousands of dollars)**

Years	Total campaign costs in 2001\$
1977-1980	\$465,367
1978-1981	477,402
1979-1982	538,257
1980-1983	529,439
1981-1984	533,274
1982-1985	520,529
1983-1986	625,468
1984-1987	617,058
1985-1988	614,769
1986-1989	647,902
1987-1990	679,124
1988-1991	661,419
1989-1992	659,388
1990-1993	635,043
1991-1994	666,017
1992-1995	662,442
1993-1996	665,189
1994-1997	670,315
1995-1998	677,293
1996-1999	653,075
1997-2000	673,118
1998-2001	694,208

ceeded to the governor's chair in 1997 upon the resignation of Gov. Fife Symington (R), who had been convicted of seven counts of bank and wire fraud committed prior to serving as governor. Hull was elected governor on her own in 1998 and is seeking a second term in 2002.

So eight of the 50 incumbent governors serving in late 2001 and early January 2002 arrived at that position as "accidental governors." That is nearly one out of every six governors.

Finally, in looking at the current incumbent governors, we have to note that while there is some diversity in who they are, there remains a white-male cast to the group picture they provide.<sup>8</sup> Including Puerto Rico, there are currently six women serving as governor,<sup>9</sup> and one Asian American.<sup>10</sup> And if one looks at the other statewide elective state officials as "the farm team," the picture for minorities is rather bleak. Of those holding the offices of lieutenant governor, attorney general, auditor and comptroller, secretary of state and state treasurer, only 15 are not white: eight are black and seven are Hispanic.<sup>11</sup>

### Timing of Gubernatorial Elections

The election cycle for governors has settled into a regular pattern. Over the past few decades, many of the states have moved their elections to the off-presidential years in order to decouple the state and national level campaigns. Now only 11 states hold their gubernatorial elections in the same year as a presidential election.<sup>12</sup>

As can be seen in Table B, the year following a presidential election has only two states with gubernatorial elections.<sup>13</sup> Interestingly, since the 1988 election, the winners in these two states' races have been of the opposite party of the president who won the year before.<sup>14</sup> Then in the even year between the presidential elections, 36 states hold their gubernatorial elections, and in the year just before a presidential election, three southern states hold their gubernatorial elections.<sup>15</sup>

### Cost of Gubernatorial Elections

Table C presents data on the costs of the most recent gubernatorial elections across the 50 states. There is a great range in how much these races cost, from the all-time most expensive race recorded in California in 1998 (\$134.9 million) to the low-cost 1998 race in Wyoming (\$ 0.8 million). The California race was for an open seat and the Wyoming race saw an incumbent successfully win re-election.

But if we look at how much was spent by all the candidates per general-election vote, a different picture evolves. Here, the Nevada 1998 race was the most

expensive at \$24.89 per vote, followed by the Georgia 1998 race at \$21.51 per vote, the Hawaii 1998 race at \$19.27 per vote, the Alaska 1998 race at \$18.35 per vote, the Virginia 2001 race at \$17.93 per vote, the Nebraska 1998 race at \$16.89 per vote and then the California 1998 race at \$16.09 per vote. The Nevada, Georgia, Virginia, Nebraska and California races were for open seats. The Hawaii and Alaska races saw incumbents successfully win re-election.

In Table B, we show how the cost of these elections has increased over time by converting the actual dollars spent each year into the equivalent 2001 dollars. Since 1981, we have been able to compare the costs of each cycle of elections with the previous cycle of elections.

In the 54 elections held between 1977 and 1980, the total expenditures were just over \$465 million. In the 52 elections held between 1998 and 2001 – two decades later – the total expenditures were just over \$694 million, an increase of over 49 percent. The greatest increases in expenditures were actually between the 1977-1980 cycle and the 1987-1990 cycle, when there was a 45.9 percent increase.

However, after this period in which it appeared that the cost of becoming a governor was going to continue escalating, both in terms of expenditures by individual candidates and the total expenditures by all candidates in a race, there was a leveling off of these expenditures in the 1990s. Between the 1987-1990 cycle and the 1998-2001 cycle, there was only a 2.2 percent increase in overall expenditures. This suggests that these costs have stabilized somewhat. Why?

One reason is that the new style of campaigning – with the candidates developing their own personal political party by using outside consultants, opinion polls, media ads and buys, and extensive money-raising efforts to pay for all this – has reached into most all of the states. Few states will be surprised by a high-price, high-tech campaign; they are commonplace now. The "air-war" campaigns have replaced the "ground-war" campaigns across the states. This suggests there may be some limits to just how much can be spent in gubernatorial campaigns – until the next costly innovations or changes appear.

Another possible change has been the increasing number of candidates who are either wealthy or who have access to wealth and are willing to spend some of this money to become governor. For example, in the 1998 gubernatorial election in California, three candidates spent more than \$34 million each in 2001 dollars in their campaigns.<sup>16</sup> Two of these candidates won their party's nomination and faced off in November, with Gray Davis (D) the winner. The largest spender, Al Checchi (D), wasn't able to win the Democratic nomi-

**Table C: Cost of gubernatorial campaigns, most recent elections**

State	Year	Winner	Point margin	All candidates (2001\$)	Cost per vote (2001\$)	Total campaign expenditures		
						Winner		
						Spent (2001\$)	Percent of all expenditures	Vote percent
Alabama	1998	D ★ ★ ★	+16.00	\$24,182,533	\$18.35	\$8,344,602	34.5	58.0
Alaska	1998	D ★	+34.00	2,650,850	12.04	1,053,516	39.7	51.0
Arizona	1998	R ★	+25.00	3,729,911	3.67	2,017,381	54.1	61.0
Arkansas	1998	R ★	+21.00	3,471,819	4.92	2,364,650	68.1	60.0
California	1998	D #	+20.00	134,881,397	16.09	40,770,866	30.2	58.0
Colorado	1998	R #	+0.07	3,893,080	2.95	1,805,412	46.4	49.1
Connecticut	1998	R ★	+28.00	9,139,986	9.14	6,538,726	71.5	63.0
Delaware	2000	D #	+19.00	3,163,525	9.78	1,365,318	43.2	59.0
Florida	1998	R #	+10.00	13,023,824	3.29	7,695,327	59.1	55.0
Georgia	1998	D #	+9.00	38,552,618	21.51	11,873,854	30.8	53.0
Hawaii	1998	D ★	+1.00	7,854,665	19.27	3,977,137	50.6	49.5
Idaho	1998	R #	+39.00	1,810,862	4.75	1,511,758	83.5	68.0
Illinois	1998	R #	+4.00	26,279,402	7.82	14,434,311	54.9	51.0
Indiana	2000	D ★	+14.00	18,424,244	8.45	9,855,057	53.5	57.0
Iowa	1998	D #	+5.00	8,446,837	8.84	3,101,452	36.7	52.0
Kansas	1998	R ★	+50.00	2,934,326	3.95	2,777,183	94.6	73.0
Kentucky	1999	D ★	+39.00	1,435,308	2.49	1,361,527	94.9	61.0
Louisiana	1999	R ★	+32.00	7,133,214	5.51	3,792,095	53.2	62.0
Maine	1998	I ★	+40.00	1,088,823	2.59	827,355	76.0	59.0
Maryland	1998	D ★	+12.00	11,123,740	7.24	2,620,649	23.6	56.0
Massachusetts	1998	R ★	+4.00	20,174,874	10.42	7,615,326	37.7	51.0
Michigan	1998	R ★	+24.00	14,203,525	4.69	3,859,147	27.2	62.0
Minnesota	1998	I #	+3.00	9,515,580	4.55	678,296	7.1	37.0
Mississippi	1999	D #	+1.00	8,764,481	11.47	2,930,946	33.4	49.6
Missouri	2000	D #	+1.00	19,112,531	8.37	10,175,747	53.2	50.5
Montana	2000	R #	+4.00	4,702,802	11.46	984,473	20.9	51.0
Nebraska	1998	R #	+8.00	9,222,169	16.93	2,927,873	31.7	54.0
Nevada	1998	R #	+10.00	10,791,556	24.89	6,396,911	59.3	52.0
New Hampshire	2000	D ★	+5.00	4,678,472	8.29	1,182,955	25.3	48.7
New Jersey	2001	D #	+15.00	36,572,642	16.42	15,216,167	41.6	56.4
New Mexico	1998	R ★	+10.00	6,251,322	12.77	3,040,716	48.6	55.0
New York	1998	R ★	+23.00	43,895,835	8.80	19,711,544	44.9	55.0
North Carolina	2000	D #	+6.00	28,754,695	9.77	11,244,928	39.1	52.0
North Dakota	2000	R #	+10.00	2,356,842	8.12	1,146,753	48.7	55.0
Ohio	1998	R #	+5.00	25,328,649	7.55	11,705,277	46.2	50.0
Oklahoma	1998	R ★	+17.00	3,199,899	3.66	2,484,898	77.7	58.0
Oregon	1998	D ★	+33.00	1,941,059	4.90	1,289,380	66.4	64.0
Pennsylvania	1998	R ★	+27.00	13,682,212	4.52	12,077,551	88.3	58.0
Rhode Island	1998	R ★	+9.00	3,153,018	10.29	1,477,117	46.8	51.0
South Carolina	1998	D ★ ★ ★	+8.00	9,939,202	9.28	4,162,761	41.9	53.0
South Dakota	1998	R ★	+31.00	1,477,193	5.68	896,146	60.7	64.0
Tennessee	1998	R ★	+40.00	5,491,700	5.63	5,368,842	97.8	69.0
Texas	1998	R ★	+38.00	25,355,319	6.78	21,328,030	84.1	69.0
Utah	2000	R ★	+14.00	2,223,276	2.92	1,989,117	89.5	56.0
Vermont	2000	D ★	+12.00	2,305,095	7.85	965,759	41.9	50.4
Virginia	2001	D #	+5.00	33,827,538	17.93	19,981,899	59.1	52.0
Washington	2000	D ★	+19.00	6,698,391	2.71	3,860,736	57.6	58.0
West Virginia	2000	D ★ ★ ★	+3.00	6,659,868	10.28	2,872,109	43.1	50.1
Wisconsin	1998	R ★	+21.00	7,495,581	4.27	6,320,118	84.3	60.0
Wyoming	1998	R ★	+16.00	822,349	4.70	621,135	75.5	56.0

Source: Thad Beyle.

Key:  
 D - Democrat.  
 I - Independent.  
 R - Republican.

★ - Incumbent ran and won.  
 ★ ★ - Incumbent ran and lost in party primary.  
 ★ ★ ★ - Incumbent ran and lost in general election.  
 # - Open seat.



nation. And the recent 2001 gubernatorial elections in New Jersey and Virginia, which cost \$36.6 million and \$33.8 million, respectively, were the most expensive races ever seen in those two states since campaign-expenditure reports and data have been collected.<sup>17</sup>

### Gubernatorial Powers

One way to view what has been happening to gubernatorial powers is to look at the “Index of Formal Powers of the Governorship” first developed by Joseph Schlesinger in the 1960s,<sup>18</sup> which this author has continued to update.<sup>19</sup> The index used here consists of five different indices of gubernatorial power as seen in 1960 and in 2002.<sup>20</sup> These indices include the number and importance of separately elected executive-branch officials, the tenure potential for governors, the appointment power of governors for administrative and board positions in the executive branch, the governor’s budgetary power, and the governor’s veto power. Each of the individual indices is set in a five-point scale, with five being the most power and one being the least. (See the notes to Table D for details on how each of these indices and the overall index were developed.)

Over the four decades involved in the comparison of 1960 and 2002 indices, the overall institutional powers of the governors in the 50 states increased by 20 percent. The greatest increase among the individual gubernatorial powers was in their veto power (plus 61 percent) as more governors gained an item veto. Further, in 1996, North Carolina voters were finally able to vote on a constitutional amendment giving their governor veto power. For over two centuries, the state legislature had refused to allow such an amendment to go to the voters, as it would have been a possible curb on their power. It was approved by a 3-to-1 ratio. To date, no veto has been cast by a North Carolina governor, and it still remains the “shotgun behind the door.”

The indices measuring the tenure potential of the governor (length of term and ability to seek an additional term or terms) and the number of separately elected executive-branch officials showed identical 28 percent increases in favor of the governor. The governors’ appointment power over specific functional area executive-branch officials did not increase very much.<sup>21</sup> In fact, there are still a considerable number of separately elected executive-branch officials, in addition to the governors across the 50 states.

The gubernatorial budgetary power actually showed a decline over the period (minus 14 percent). However, we must remember that during this same period, state legislatures were also undergoing considerable reform, and gaining more power to work on the governor’s proposed budget was one of those reforms

sought. Hence, while some states’ governors may have seen increased budgetary powers, there were also increased legislative powers over the budget that more than balanced out those increases in gubernatorial budgetary power.

### Governors’ Priorities

Looking at the priorities set by the governors in their own 2002 “state of the state” addresses, there are several significant issues facing the states from the governors’ points of view. At the top of their lists are the state budget shortfalls brought on by the faltering economy and the resulting negative impact on state revenues. They are trying to stay away from the “T word” of raising taxes to cope with these shortfalls. Rather, they are trying to bring forward ways to reduce the costs of some programs. While they may try to cut back on some of the major programmatic responsibilities of the states, demands for the states to do more in the areas of education and health are mounting. And the increasing concerns and potential costs of homeland security appear as a wild card in the current state-budgetary administrative and planning processes. The governors are also pointing a finger at the sky-rocketing costs of the Medicaid program as a culprit in the states’ budgetary crisis. These arguments are always encased in general laments over the condition of the economy, with some suggestions as to how their individual states might seek some relief.

These state-of-the-state speeches give governors a “widely publicized opportunity” to paint a picture of the current state of things from their perspective and then to set an agenda for the state to follow.<sup>22</sup> They have the attention of a wide audience of state legislators, state administrators and employees, interest groups, the media and the public. But some question just how good a vision they are presenting, and then just how successful they are in getting their suggested remedies adopted. A recent study of the 2001 gubernatorial state-of-the-state addresses looked at how well the governors fared in one specific area of gubernatorial interest: teacher-quality proposals. In those 2001 addresses, 29 governors made 63 proposals to enhance teacher quality in their states. The results were not heartening for them: they “pushed through 24 of their 63 teaching quality initiatives, scored a partial success on 12 others, and failed outright on the remaining 27.”<sup>23</sup> So it takes more than giving an outstanding state-of-the-state address to achieve success in their goals.

### Separately Elected Officials

The states continue to hold to the concept of the



**Table D: Governors' Institutional Powers, 1960 vs. 2002**

Specific power	Scores		Percent change (%)
	1960	2002	
Separately elected executive branch officials (SEP)	2.3	2.9	+28
Tenure Potential (TP)	3.2	4.1	+28
Appointment Powers (AP)	2.9	3.1	+7
Budget Power (BP)	3.6	3.1	-14
Veto Power (VP)	2.8	4.5	+61
Totals	14.8	17.7	+20

**Key and Notes:**

SEP - Separately elected executive branch officials;

5 = only governor or governor/lieutenant governor team elected;

4.5 = governor or governor/lieutenant governor team, with one other elected official;

4 = governor/lieutenant governor team with some process officials (attorney general, secretary of state, treasurer, auditor) elected;

3 = governor/lieutenant governor team with process officials, and some major and minor policy officials elected;

2.5 = governor (no team) with six or fewer officials elected, but none are major policy officials;

2 = governor (no team) with six or fewer officials elected, including one major policy official;

1.5 = governor (no team) with six or fewer officials elected, but two are major policy officials;

1 = governor (no team) with seven or more process and several major policy officials elected.

*Sources: The Book of the States, 1960-1961, 124-125 and The Book of the States 2000-2001, 33-38.*

TP - Tenure potential of governors:

5 = 4-year term, no restraint on reelection;

4.5 = 4-year term, only three terms permitted;

4 = 4-year term, only two terms permitted;

3 = 4-year term, no consecutive election permitted;

2 = 2-year term, no restraint on reelection;

1 = 2-year term, only two terms permitted.

*Sources: Joseph A. Schlesinger, "The Politics of the Executive," in Politics in the American States, edited by Herbert Jacob and Kenneth N. Vines (Boston: Little, Brown, 1965) and The Book of the States, 2000-2001, 31-32.*

AP - Governor's appointment powers in six major functional areas: corrections, K-12 education, health, highways/transportation, public utilities regulation and welfare. The six individual office scores are totaled and then averaged and rounded to the nearest 0.5 for the state score.

5 = governor appoints, no other approval needed;

4 = governor appoints, a board, council or legislature approves;

3 = someone else appoints, governor approves or shares appointment;

2 = someone else appoints, governor and others approve;

1 = someone else appoints, no approval or confirmation needed.

*Sources: Schlesinger (1965) and The Book of the States, 2000-2001, 34-37.*

BP - Governor's budget power:

5 = governor has full responsibility, legislature may not increase executive budget;

4 = governor has full responsibility, legislature can increase by special majority vote or subject to item veto;

3 = governor has full responsibility, legislature has unlimited power to change executive budget;

2 = governor shares responsibility, legislature has unlimited power to change executive budget;

1 = governor shares responsibility with other elected official, legislature has unlimited power to change executive budget.

*Sources: Schlesinger (1965), The Book of the States, 2000-2001, 20-21 and Limits on Authority of Legislature to Change Budget, The National Conference of State Legislatures, 1998.*

VP - Governor's veto power:

5 = has item veto and a special majority vote of the legislature is needed to override a veto (3/5 of legislators elected or 2/3 of legislators present);

4 = has item veto with a majority of the legislators elected needed to override;

3 = has item veto with only a majority of the legislators present needed to override;

2 = no item veto, with a special legislative majority needed to override it;

1 = no item veto, only a simple legislative majority needed to override.

*Sources: Schlesinger (1965) and The Book of the States, 2000-2001, 101-103.**Total = sum of the scores on the five individual indices. Score = total divided by five to keep 5-point scale.*

multiple executive in terms of how many statewide elected officials there are. In 2000, there were 300 separately elected executive-branch officials covering 12 major offices in the states.<sup>24</sup> This compares to 306 elected officials in 1972. There were also 10 multi-member boards, commissions or councils that had their members selected by election from districts within the state. These included governor's councils in Massachusetts and New Hampshire, public service commissions in Montana and Nebraska, state boards of election in Michigan and Nebraska, and university boards in Michigan (three) and Nebraska (one).

For a period in which there was much state governmental reform, including major executive-branch reorganizations, the stability in the number of separately elected officials is noteworthy.<sup>25</sup> In the 2000 elections, voters in Kentucky abolished their elected three-member railroad commission, while voters in Arizona increased the size of their elected corporation commis-

sion from three to five members.

Only Maine, New Hampshire and New Jersey have a single statewide elective official, the governor. North Dakota has the most (12), followed by North Carolina and Florida with 10 each and Alabama, Georgia, Illinois, South Carolina and Washington with nine each. Southern states tend to have more elected officials than states in other parts of the country.<sup>26</sup>

Each of these offices, as well as each incumbent in that office, has a continuing clientele and sufficient support, so that proposals to reduce the number of separately elected officials do not fare well. In effect, these incumbents have a political death-grip on that office until they retire, seek another office, or die. For example, in the last eight statewide elections in North Carolina (1972-2000) for the 10 council-of-state offices, including the governor, only one of the 45 incumbents seeking re-election was beaten. These are indeed lifetime offices.<sup>27</sup>

### Executive-Branch Reorganization<sup>28</sup>

State government reorganization is often a suggested remedy to some of the problems a state may face. Born of the “Good Government” movement in the early 20th century, executive-branch reorganization would seem to be a rather antiseptic and boring subject. But, like trying to reduce the number of separately elected executive officials, it is an intensely political issue to those with a direct interest in state government.

The rationales for a reorganization range from enhancing the power of the governor to the need to bring a range of agencies with similar subject matter into a more rational structure, and, obviously, for economic and efficiency reasons. As states muddle through the current downturn in the economy and subsequent reduction of revenues, reorganizing states for economic and efficiency reasons may become an agenda item in some states.

There are four basic options states can consider in terms of reorganization:

1. *No reorganization.* This is often the preferred option, as it does not stir up unnecessary politics and indicates that the organizational structure is basically satisfactory or can be worked with.

2. *Partial reorganization,* where a few agencies’ units are targeted for change into new departments, consolidated into existing departments or abolished as outdated. This often flows from a governor’s specific agenda or a realization that the state is ill-structured for a particular situation or responsibility.

3. *Reorganization affecting separately elected executive officials,* where the method of separately electing other executive officials is curtailed in favor of providing the governor with more power. An ongoing debate in many states, the fact is that such reorganizations occur only occasionally for the “typical” elected-branch officials noted earlier.

4. *Comprehensive reorganization,* where an attempt is made to completely overhaul the executive branch in order to bring it up-to-date and to provide the governor with more control and power over it. Of the more than 170 comprehensive efforts undertaken, implementation has been successful in only one-third of them. These efforts have been successful in a series of four waves over the 20th century, with about half of the states undertaking such endeavors since the mid-1960s.<sup>29</sup> States are currently between waves, but as noted, there may be some suggestions that it is time to do this, considering the negative impact of the faltering economy on state budgets.

### Concluding Note

One curiosity is that there are four states that con-

tinue to walk to a different drummer than other states: Nebraska, with its unicameral legislature; Virginia, as the only state to restrict its governor to one term; and New Hampshire and Vermont, the only two states restricting their governors to two-year terms. These states will continue to be noted in textbooks, governmental reports and news stories for their persistence in hewing to a singular direction.

### Notes

<sup>1</sup> The former governors winning the presidency over the past three decades were Ronald Reagan (R-California, 1967-1975), Jimmy Carter (D-Georgia, 1971-1975), Bill Clinton (D-Arkansas, 1979-1981 and 1983-1992) and Bush.

<sup>2</sup> For an analysis of governors trying to handle the impact of the early 1990s economic downturn, see Thad Beyle, *Governors in Hard Times* (Washington, D.C.: CQ Press, 1994).

<sup>3</sup> For a tough, critical view on this change see Jonathan Chait, “What Ever Happened to the GOP Governors?” *The New Republic* (January 14, 2002).

<sup>4</sup> The incumbent governors in the two 2001 elections, Christie Whitman (R-New Jersey) and Jim Gilmore (R-Virginia), were both term limited and could not seek re-election.

<sup>5</sup> Portions of this section appeared in Thad Beyle, “Accidental Governors,” *Chapel Hill News*, March 3, 2002, sec. 1, p. 12.

<sup>6</sup> Cellucci was also an accidental governor, moving up from being lieutenant governor when President Bill Clinton appointed Governor William Weld ambassador to Mexico. However, U.S. Senator Jesse Helms (R-North Carolina) blocked this appointment from his position as chairman of the Senate Foreign Relations Committee.

<sup>7</sup> Tucker was also an accidental governor, moving up from lieutenant governor when Governor Bill Clinton resigned after being elected president in 1992.

<sup>8</sup> See front page pictures accompanying Kathy Kiely, “These are America’s governors. No blacks. No Hispanics,” *USA Today*, January 21, 2002, pp. 1A-2A.

<sup>9</sup> Jane Dee Hull (R-Arizona), Ruth Ann Minner (D-Delaware), Jane Swift (R-Massachusetts), Judy Martz (R-Montana), Jeanne Shaheen (D-New Hampshire), and Sila Maria Calderon (PDP-Puerto Rico).

<sup>10</sup> Gary Locke (D-Washington).

<sup>11</sup> Kiely, p. 2A.

<sup>12</sup> In two of these states, New Hampshire and Vermont, the governors only have two-year terms, so their elections alternate between a presidential and a nonpresidential year.

<sup>13</sup> New Jersey and Virginia.

<sup>14</sup> Thad Beyle, “A Political Pattern or Happenstance?” *South Now* No. 2 (January 2002): 2.

<sup>15</sup> Kentucky, Louisiana and Mississippi.

<sup>16</sup> These candidates were Al Checchi (D) (\$42.2 million), Gray Davis (D) (\$40.8 million) and Dan Lundgren (R) (\$34.2 million). All dollar figures are converted to 2001 dollars to control for the effect of inflation.

<sup>17</sup> To see the gubernatorial campaign expenditures across the 50 states since 1997, check the author’s website at <http://www.unc.edu/~beyle>.

<sup>18</sup> Joseph A. Schlesinger, “The Politics of the Executive,” *Politics in the American States*, 1st and 2nd ed., ed. Herbert Jacob and Kenneth N. Vines, (Boston: Little Brown, 1965 and 1971).

<sup>19</sup> Thad L. Beyle, “The Governors,” *Politics in the American States*, 7th ed., ed. Virginia Gray, Russell L. Hanson and Herbert Jacob, (Washington, D.C.: CQ Press, 1999). Earlier versions of this index by the author appeared in the 4th edition (1983), the 5th edition (1990), and the 6th edition (1996).

<sup>20</sup> The 2002 data can be found in Kendra Hovey and Harold A. Hovey, *CQ's State Fact Finder, 2002* (Washington, D.C.: CQ Press, 2002): 106.

<sup>21</sup> The specific functional officers were those directing the following departments or agencies: corrections, K-12 education, health, highways/transportation, public-utility regulation and welfare/social services.

<sup>22</sup> Dan DiLeo in John Nagy, "Governors Batted Just Under .500 in 2001," *Stateline.org*, January 29, 2002, <<http://www1.stateline.org/story.do?storyId=219774>>.

<sup>23</sup> Nagy.

<sup>24</sup> Kendra Hovey and Harold A. Hovey, "D-12 – Number of Statewide Elected Officials, 2000," *CQ's State Fact Finder, 2002* (Washington, D.C.: CQ Press, 2002): 107.

<sup>25</sup> Keon S. Chi, "Trends in Executive Reorganization," *Spectrum: The Journal of State Government* 65:2 (Spring 1992): 37.

<sup>26</sup> Chi, 37.

<sup>27</sup> Thad Beyle, "North Carolina's Majority Party," *North Carolina DataNet*, No. 4 (May 1994), updated to include the 1996 and 2000 elections. Those 28 incumbents who did not run for re-election were either constitutionally restricted to a single term, retired from office or ran for another office.

<sup>28</sup> Much of the following is taken from Keon S. Chi, "Trends in Executive Reorganization."

<sup>29</sup> Chi, 11-14.

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### About the Author

**Thad Beyle** is Pearsall Professor of Political Science at the University of North Carolina at Chapel Hill. A Syracuse University AB and AM, he received his Ph.D. at the University of Illinois. He spent a year in the North Carolina Governor's Office in the mid-1960s and worked with the National Governors' Association in several capacities on gubernatorial transitions.

**Table 4.1**  
**THE GOVERNORS, 2002**

<i>State or other jurisdiction</i>	<i>Name and party</i>	<i>Length of regular term in years</i>	<i>Date of first service</i>	<i>Present term ends</i>	<i>Number of previous terms</i>	<i>Maximum consecutive terms allowed by constitution</i>	<i>Joint election of governor and lieutenant governor (a)</i>	<i>Official who succeeds governor</i>	<i>Birthdate</i>	<i>Birthplace</i>
Alabama	Don Siegelman (D)	4	1/99	1/03	...	2	No	LG	2/24/46	AL
Alaska	Tony Knowles (D)	4	12/94	12/02	1	2	Yes	LG	1/1/43	OK
Arizona	Jane Dee Hull (R)	4	9/97 (b)	1/03	1 (b)	2	(q)	SS	8/8/35	MO
Arkansas	Mike Huckabee (R)	4	7/96 (c)	1/03	1 (c)	2 (c)	No	LG	8/24/55	AR
California	Gray Davis (D)	4	1/99	1/03	...	2	No	LG	12/26/42	NY
Colorado	Bill Owens (R)	4	1/98	1/03	...	2	Yes	LG	10/22/50	TX
Connecticut	John G. Rowland (R)	4	1/95	1/03	1	...	Yes	LG	5/24/57	CT
Delaware	Ruth Ann Minner (D)	4	1/01	1/05	...	2 (f)	No	LG	1/17/35	DE
Florida	Jeb Bush (R)	4	1/99	1/03	...	2	Yes	LG	2/11/53	TX
Georgia	Roy Barnes (D)	4	1/99	1/03	...	2	No	LG	3/11/48	GA
Hawaii	Benjamin J. Cayetano (D)	4	1/95	12/02	1	2	Yes	LG	11/14/39	HI
Idaho	Dirk Kempthorne (R)	4	1/99	1/03	...	2	No	LG	10/29/51	CA
Illinois	George H. Ryan (R)	4	1/99	1/03	...	...	Yes	LG	2/24/34	IA
Indiana	Frank O'Bannon (D)	4	1/97	1/05	1	2	Yes	LG	1/30/30	KY
Iowa	Tom Vilsack (D)	4	1/99	1/03	...	...	Yes	LG	12/13/50	PA
Kansas	Bill Graves (R)	4	1/95	1/03	1	2	Yes	LG	1/9/53	KS
Kentucky	Paul E. Patton (D)	4	12/95	12/03	1	2	Yes	LG	5/26/37	KY
Louisiana	Mike Foster (R)	4	1/96	1/04	1	2	No	LG	7/11/30	LA
Maine	Angus S. King Jr. (I)	4	1/95	1/03	1	2	(q)	PS	3/31/44	VA
Maryland	Parris N. Glendening (D)	4	1/95	1/03	1	2	Yes	LG	6/11/42	NY
Massachusetts	Jane Swift (R)	4	4/01 (d)	1/03	0	2	Yes	LG (d)	2/24/65	MA
Michigan	John Engler (R)	4	1/91	1/03	2	2 (k)	Yes	LG	10/12/48	MI
Minnesota	Jesse Ventura (MIP)	4	1/99	1/03	...	...	Yes	LG	7/15/52	MN
Mississippi	Ronnie Musgrove (D)	4	1/00	1/04	...	2	No	LG	7/29/56	MS
Missouri	Bob Holden (D)	4	1/01	1/05	...	2 (j)	No	LG	8/24/49	MO
Montana	Judy Martz (R)	4	1/01	1/05	...	2 (l)	Yes	LG	7/28/43	MT
Nebraska	Mike Johanns (R)	4	1/99	1/03	...	2 (m)	Yes	LG	6/18/50	NE
Nevada	Kenny C. Guinn (R)	4	1/99	1/03	...	2	No	LG	8/24/36	AR
New Hampshire	Jeanne Shaheen (D)	2	1/97	1/03	2	...	(q)	PS	1/28/47	MO
New Jersey	James E. McGreevey (D)	4	1/02	1/06	...	...	(q)	PS	8/6/57	NI
New Mexico	Gary E. Johnson (R)	4	1/95	1/03	1	2	Yes	LG	1/1/53	ND
New York	George E. Pataki (R)	4	1/95	1/03	1	...	Yes	LG	6/24/45	NY
North Carolina	Michael F. Easley (D)	4	1/01	1/05	...	2	No	LG	3/23/50	NC
North Dakota	John Hoeven (R)	4	12/00	12/04	...	...	Yes	LG	3/13/57	ND
Ohio	Bob Taft (R)	4	1/99	1/03	...	2	Yes	LG	1/8/42	OH
Oklahoma	Frank Keating (R)	4	1/95	1/03	1	2	No	LG	2/10/44	MO
Oregon	John A. Kitzhaber (D)	4	1/95	1/03	1	2 (p)	(q)	SS	3/5/47	WA
Pennsylvania	Mark Schweiker (D)	4	10/02 (e)	1/03	1	2	Yes	LG	1/31/53	PA
Rhode Island	Lincoln Almond (R)	4	1/95	1/03	1	2	No	LG	6/16/36	RI
South Carolina	Jim Hodges (D)	4	1/99	1/03	...	2	No	LG	11/19/56	SC

See footnotes at end of table.

## THE GOVERNORS, 2002 — Continued

State or other jurisdiction	Name and party	Length of regular term in years	Date of first service	Present term ends	Number of previous terms	Maximum consecutive terms allowed by constitution	Joint election of governor and lieutenant governor (a)	Official who succeeds governor	Birthdate	Birthplace
South Dakota .....	William J. Janklow (R)	4	1/79	1/03	3 (f)	2	Yes	LG	9/13/39	IL
Tennessee .....	Don Sundquist (R)	4	1/95	1/03	1	2	No	SpS (r)	3/15/36	IL
Texas .....	Rick Perry (R)	4	12/00 (h)	1/03	1	...	No	LG	3/4/50	TX
Utah .....	Michael O. Leavitt (R)	4	1/93	1/05	2	3 (n)	Yes	LG	2/11/51	UT
Vermont .....	Howard Dean (D)	2	8/91 (g)	1/03	4 (g)	...	No	LG	11/17/48	NY
Virginia .....	Mark Warner (D)	4	1/02	1/06	...	(o)	No	LG	12/15/54	IN
Washington .....	Gary Locke (D)	4	1/97	1/05	1	(p)	No	LG	12/1/50	WA
West Virginia .....	Bob Wise (D)	4	1/01	1/05	...	2	(q)	PS	1/6/48	D.C.
Wisconsin .....	Scott McCallum (R)	4	201 (i)	1/03	...	...	Yes	LG	5/2/50	WI
Wyoming .....	Jim Gentger (R)	4	1/95	1/03	1	2	(q)	SS	4/24/44	WY
American Samoa .....	Tauese P. F. Sumia (D)	4	1/97	1/05	1	2	Yes	LG	8/29/41	AS
Guam .....	Carl T.C. Gutierrez (D)	4	1/95	1/03	1	2	Yes	LG	10/15/41	GU
No. Mariana Islands .....	Juan N. Babauta (R)	4	1/02	1/06	...	2 (j)	Yes	LG	9/7/53	CNMI
Puerto Rico .....	Silia M. Calderon (PDP)	4	1/01	1/05	...	...	(q)	SS	9/23/42	PR
U.S. Virgin Islands .....	Charles W. Turnbull (D)	4	1/99	1/03	...	(m)	Yes	LG	2/5/55	VI

Sources: The Council of State Governments' survey, January 2002 and 2001 National Governors' Association.

Key:

D — Democrat

I — Independent

MI — Minnesota Independence Party

PDP — Popular Democratic Party

R — Republican

LG — Lieutenant Governor

SS — Secretary of the Senate

PS — President of the Senate

SpS — Speaker of the Senate

... — Not applicable

(a) The following also choose candidates for governor and lieutenant governor through a joint nomination process: Florida, Kansas, Maryland, Minnesota, Montana, North Dakota, Ohio, Utah, American Samoa, Guam, No. Mariana Islands and U.S. Virgin Islands.

(b) Governor Hull, as secretary of state, became Governor in September 1997 after Governor Fife Symington resigned. She was elected in November 1997 to a full four-year term. She is not eligible to serve another term.

(c) Governor Huckabee, as lieutenant governor, became Governor in July 1996 after Governor Jim Guy Tucker resigned. He was elected to a full four-year term in November 1998. He is eligible to serve one more term.

(d) Governor Swift, as lieutenant governor, became Governor on April 10, 2001 after Governor Paul Cellucci accepted President Bush's appointment as Ambassador to Canada. There is no provision to fill the Lieutenant Governor's position until the 2002 election. Secretary of the Commonwealth William Galvin is next in the line of succession.

(e) Governor Schweiker, as lieutenant governor, became Governor in October 2001 after Governor Tom Ridge

resigned to become head of the nation's Office of Homeland Security.

(f) Served 1979-83 and 1983-87.

(g) Governor Dean, as lieutenant governor, became Governor in August 1991 after the death of Governor Richard A. Snelling. He was elected to full two-year terms in November 1992, November 1994, November 1996, November 1998 and November 2000.

(h) Lt. Gov. Perry was sworn in on December 21, 2000 to complete President George Bush's term as governor of Texas.

(i) Lt. Gov. McCallum was sworn in on February 1, 2001 to complete Governor Tommy Thompson's term as Governor of Wisconsin.

(j) Absolute two-term limitation, but terms need not be consecutive.

(k) The term of office is limited to two four-year terms; however, the law became effective after Governor Engler was first elected in 1990, so he is grandfathered.

(l) Absolute limit of eight years of service out of every sixteen years.

(m) After two consecutive terms as Governor, the candidate must wait four years before becoming eligible to run again.

(n) The term of office is limited to three consecutive four-year terms; however, because this provision was passed during Governor Leavitt's administration, he was grandfathered from the provision and is now eligible to serve one additional term.

(o) Governor cannot serve immediate successive terms.

(p) Absolute limit of eight years of service out of every fourteen years.

(q) No lieutenant governor.

(r) Official bears the additional title of "lieutenant governor."

**Table 4.2**  
**THE GOVERNORS: QUALIFICATIONS FOR OFFICE**

<i>State or other jurisdiction</i>	<i>Minimum age</i>	<i>State citizen (years)</i>	<i>U.S. citizen (years)</i>	<i>State resident (years)</i>	<i>Qualified voter (years)</i>
Alabama .....	30	7	10	7	...
Alaska .....	30	...	7	7	★
Arizona .....	25	5	10	...	...
Arkansas .....	30	...	★	7	...
California .....	18	...	5	5	★
Colorado .....	30	...	★	2	...
Connecticut .....	30	...	★	...	★
Delaware .....	30	...	12	6	...
Florida .....	30	...	...	7	★
Georgia .....	30	...	5	6	...
Hawaii .....	30	★	...	5	★
Idaho .....	30	...	★	2	...
Illinois .....	25	...	★	3	...
Indiana .....	30	...	5	5	...
Iowa .....	30	...	★	2	...
Kansas .....	...	...	...	...	...
Kentucky .....	30	6	★	6	...
Louisiana .....	25	5	5	5	★
Maine .....	30	...	15	5	...
Maryland .....	30	...	(a)	5	5
Massachusetts .....	...	...	...	7	...
Michigan .....	30	...	...	...	4
Minnesota .....	25	...	★	1	...
Mississippi .....	30	...	20	5	...
Missouri .....	30	...	15	10	...
Montana (b) .....	25	★	★	2	...
Nebraska (c) .....	30	5	5	5	...
Nevada .....	25	2	...	2	★
New Hampshire .....	30	...	...	7	...
New Jersey .....	30	...	20	7	...
New Mexico .....	30	...	★	5	★
New York .....	30	...	★	5	★
North Carolina .....	30	...	5	2	...
North Dakota .....	30	...	★	5	★
Ohio .....	18	...	★	★	★
Oklahoma .....	31	...	★	...	10
Oregon .....	30	...	★	3	...
Pennsylvania .....	30	...	★	7	...
Rhode Island (d) .....	18	30 days	★	30 days	...
South Carolina .....	30	5	★	5	★
South Dakota .....	18	...	2	2	...
Tennessee .....	30	7	★	...	...
Texas .....	30	...	★	5	...
Utah .....	30	5	...	5	★
Vermont .....	...	...	...	4	...
Virginia .....	30	...	★	5	5
Washington .....	18	...	★	...	★
West Virginia .....	30	5	...	1	★
Wisconsin .....	18	...	★	...	★
Wyoming .....	30	...	★	5	★
American Samoa .....	35	...	...	5	...
Guam .....	30	...	★	5	★
No. Mariana Islands .....	35	...	...	10	★
Puerto Rico .....	35	5	...	5	...
U.S. Virgin Islands .....	30	...	5	5	★

Sources: The Council of State Governments' survey, January 2002 and state constitutions and statutes.

Key:

★— Formal provision; number of years not specified.

... — No formal provision.

(a) *Crosse v. Board of Supervisors of Elections* 243 Md. 555, 221A.2d431 (1966) — opinion rendered indicated that U.S. citizenship was, by necessity, a requirement for office.

(b) No person convicted of a felony is eligible to hold office until final discharge from state supervision.

(c) No person in default as a collector and custodian of public money or property shall be eligible to public office; no person convicted of a felony shall be eligible unless restored to civil rights.

(d) At the time of an election.

# GOVERNORS

**Table 4.3**  
**THE GOVERNORS: COMPENSATION**

State or other jurisdiction	Salary	Governor's office staff (a)	Access to state transportation			Travel allowance	Official residence
			Automobile	Airplane	Helicopter		
Alabama .....	\$94,655	22	★	★	★	(b)	★
Alaska .....	83,280	67	★	...	...	(b)	★
Arizona .....	95,000	39	★	★	...	(b)	...
Arkansas.....	71,738	55	★	...	...	(c)	★
California .....	175,000	86	★	...	...	(c)	(e)
Colorado .....	90,000	39	★	★	...	(f)	★
Connecticut .....	150,000	38	★	...	...	(f)	★
Delaware .....	114,000	25	★	★	★	(b)	★
Florida .....	120,171	310	★	★	...	(b)	★
Georgia .....	127,303	43	★	★	★	(f)	★
Hawaii .....	94,780	69.5 (g)	★	...	...	(f)	★
Idaho .....	98,500	21	★	...	...	(f)	...
Illinois .....	150,691	125	★	★	★	(b)	★
Indiana .....	95,000	35	★	★	★	(b)	★
Iowa .....	107,482	19	★	★	...	(b)	★
Kansas .....	95,446	25	★	★	...	(f)	★
Kentucky .....	103,018	40	★	★	★	(b)	★
Louisiana .....	95,000	119	★	...	★	(b)	★
Maine .....	70,000	21	★	...	...	(f)	★
Maryland .....	120,000	82	★	★	★	(f)	★
Massachusetts .....	135,000	86	★	...	★	(f)	...
Michigan .....	172,000	87	★	★	...	(f)	★
Minnesota .....	120,303	45	★	★	★	(f)	★
Mississippi .....	101,800	33	★	★	★	(f)	★
Missouri .....	120,087	39	★	★	...	(c)	★
Montana .....	88,190	18	★	★	★	(b)	★
Nebraska .....	65,000	15	★	★	★	(b)	★
Nevada .....	117,000	22	★	★	...	(c)	★
New Hampshire .....	100,690	23	★	...	...	(f)	★ (h)
New Jersey .....	130,000	156	★	...	★	\$61,000	★
New Mexico .....	90,000	27	★	★	★	\$79,200 (c)	★
New York .....	179,000	203	★	★	★	(b)	★
North Carolina .....	118,430	76	★	★	★	\$11,500	★
North Dakota .....	83,013	17	★	★	...	(f)	★
Ohio .....	126,485	66	★	★	★	(f)	★
Oklahoma .....	101,040	34	★	★	...	(f)	★
Oregon .....	93,600	29	★	...	...	(f)	★
Pennsylvania .....	138,316	90	★	...	...	(b)	★
Rhode Island .....	95,000	49	★	...	...	N.A.	...
South Carolina .....	106,078	34	★	★	★	(f)	★
South Dakota .....	95,389	27	★	★	...	(f)	★
Tennessee .....	85,000	39	★	★	★	(f)	★
Texas .....	115,345	198	★	★	★	(b)	★
Utah .....	100,600	17	★	★	...	\$57,100 (d)	★
Vermont .....	88,026	18	★	...	...	(f)	...
Virginia .....	125,000 (i)	36	★	★	★	(b)	★
Washington .....	139,087	36	★	★	...	(f)	★
West Virginia .....	90,000	42	★	★	★	(j)	★
Wisconsin .....	122,407	47	★	★	...	(f)	★
Wyoming .....	95,000	16	★	★	...	(c)	★
American Samoa*.....	50,000	23	★	...	...	\$105,000 (c)	★
Guam*.....	90,000	42	★	...	...	\$218/day	★
No. Mariana Islands .....	70,000	16	★	...	...	(f)(k)	★
Puerto Rico*.....	70,000	22	★	★	★	(f)	★
U.S. Virgin Islands .....	80,000	17	★	...	...	(f)	★

See footnotes at end of table.

## THE GOVERNORS: COMPENSATION — Continued

Sources: The Council of State Governments' survey, January 2002 and 2001 National Governors' Association. Information noted by an \* is from *The Book of the States*, 2000-2001.

Key:

★ — Yes  
... — No

(a) Definitions of "governor's office staff" vary across the states—from general office support to staffing for various operations within the executive office.

(b) Reimbursed for travel expenses. Alabama—reimbursed up to \$40/day in state; actual expenses out of state. Alaska—receives per diem based on location or actual expenses if exceeds per diem. Arizona—receives up to \$38/day for meals based on location; receives per diem for lodging out-of-state; default \$28/day for meals and \$50/day lodging in-state. Delaware—reimbursed for travel expenses, \$30/day for food; actual expenses for travel/lodging. Florida—reimbursed at same rate as other state officials: in state, choice between \$50 per diem or actual expenses; out of state, actual expenses. Indiana—reimbursed for actual expenses for travel/lodging. Illinois—no set allowance. Iowa—limit set in annual office budget. Kentucky—mileage at same rate as other state employees. Louisiana—reimbursed for actual expenses. Montana—reimbursed for actual and necessary expenses in state up to \$55/day, and actual lodging plus meal allowance up to \$30/day out of state (no annual limit). Nebraska—reasonable

and necessary expenses. New York—reimbursed for actual and necessary expenses. Pennsylvania—reimbursed for reasonable expenses. Texas—reimbursed for actual expenses.

(c) Amount includes travel allowance for entire staff. Arkansas, Missouri amount not available. California—\$145,000 in state; \$36,000 out of state.

Nevada—\$31,900 in state; \$16,900 out of state. New Mexico—\$79,200 (in state \$45,600, out of state \$33,600). Wyoming—\$50,804 in state; \$45,531 out of state.

(d) Travel budget for the Governor, not an allowance per se.

(e) In California—provided by Governor's Residence Foundation, a non-profit organization which provides a residence for the governor of California. No rent is charged; maintenance and operational costs are provided by California Department of General Services.

(f) Travel allowance included in office budget.

(g) In Hawaii, does not include offices and commissions attached to governor's office.

(h) Governor does not occupy residence.

(i) Governor returns 10 percent of his salary annually to the State Treasury.

(j) Included in general expense account.

(k) Governor has a "contingency account" that can be used for travel expenses and expenses in other departments or other projects.



**Table 4.4**  
**THE GOVERNORS: POWERS**

State or other jurisdiction	Budget making power			Veto power (a)				Authorization for reorganization through executive order (b)	Other statewide elected officials (c)	
	Full responsibility	Shares responsibility	No item veto	Item veto- 2/3 legislators present to override	Item veto- majority legislators elected to override	Item veto- 3/5 legislators elected to override	Item veto- at least 2/3 legislators elected to override		Number of officials	Number of agencies
Alabama	★	...	...	...	★	...	...	...	9	7
Alaska	C, S	...	...	...	...	...	...	C	1	0 (d)
Arizona	★ (f)	...	...	...	...	...	★	...	9	7
Arkansas	★	...	...	...	★	...	...	...	6	0
California	★	...	...	...	...	...	★	S	7	7
Colorado	...	★	...	...	...	...	★	...	4	4
Connecticut	...	...	...	...	...	...	★	...	5	5
Delaware	★	...	...	...	...	★	...	C	1	1
Florida	...	★	★	(l)	...	...	...	...	7	7
Georgia	★	...	...	...	...	...	★	S	12	8
Hawaii	★	...	...	...	...	...	★	...	14	2
Idaho	★	...	...	★	...	...	...	...	6	6
Illinois	★	...	...	...	...	C	...	C	5	5
Indiana	C, S	...	...	...	...	...	...	...	7	7
Iowa	★	...	★	...	...	...	★	...	7	6
Kansas	★	...	...	★	...	...	...	C	5	5
Kentucky	...	(n)	...	...	★	...	...	S	6	6
Louisiana	...	★ (c)	...	...	...	...	★ (c) (e)	...	7 (g)	20 (g)
Maine	★	...	★	...	...	...	...	...	0	0
Maryland	★	...	...	...	...	★	...	C	3	8
Massachusetts	★	...	...	★	...	...	...	C	5	10
Michigan	★ (f)	...	...	...	...	...	...	C	36	7
Minnesota	...	...	...	...	...	...	...	S	5	5
Mississippi	...	★	...	...	...	...	...	S	8	7
Missouri	★ (f)	...	...	...	...	...	...	C, S, Common Law	5	5
Montana	★	...	...	★	...	...	...	S	5	5
Nebraska	C (f)	...	...	...	...	C	...	...	5	5
Nevada	...	...	...	...	...	...	...	...	5	5
New Hampshire	★ (f)	...	★	...	...	...	...	...	0	0
New Jersey	★	...	...	...	...	...	...	...	0	0
New Mexico	★	...	...	★	...	...	...	...	9	7
New York	★	...	...	★	...	...	...	...	3	20
North Carolina	...	★	...	...	...	...	...	C	9	9
North Dakota	★ (f)	...	(m)	C	...	...	...	...	12	17
Ohio	★ (f)	...	...	...	...	...	...	...	5	5

See footnotes at end of table.

## THE GOVERNORS: POWERS — Continued

Veto power (a)									
Budget making power				Item veto- majority			Item veto- at least 2/3		Other statewide elected officials ( c )
State or other jurisdiction	Full responsibility	Shares responsibility	No item veto	2/3 legislators present to override	legislators elected to override	3/5 legislators elected to override	legislators elected to override	Authorization for reorganization through executive order (b)	
Oklahoma	★ (f)	...	...	...	...	...	★	S	10
Oregon	★ (f)	...	...	★	...	...	...	...	5
Pennsylvania	...	★	...	...	...	...	★	...	4
Rhode Island	★ (f)	...	★	...	...	...	...	...	4
South Carolina	...	★	...	★	...	...	...	...	8
South Dakota	★	...	...	...	...	...	★	C	9
Tennessee	★	...	(h)	...	...	...	...	S	0
Texas	...	★	(i)	★	...	...	...	...	6
Utah	★	...	...	...	...	...	...	...	9
Vermont	★	...	★	...	...	...	...	S	5
Virginia	★	...	...	★	...	...	...	S (j)	2
Washington	★	...	(n)	★	...	...	...	...	8
West Virginia	★	...	...	...	...	...	★	S; Common Law	10
Wisconsin	★	...	...	★ (k)	...	...	...	...	5
Wyoming	★	...	...	...	...	...	★	...	4
American Samoa	...	★	...	...	...	...	...	S	1
Guam <sup>a</sup>	...	...	...	...	...	...	★	...	0
No. Mariana Islands	...	★	(i)	(i)	...	...	...	★	1
Puerto Rico <sup>a</sup>	...	...	...	...	...	...	...	...	0
U.S. Virgin Islands <sup>a</sup>	★ (f)	...	...	...	...	...	★	...	1

Sources: The Council of State Governments' survey, January 2002 and state constitutions and statutes. Information noted by an \* is from *The Book of the States*, 2000-2001.

Key:  
★ — Yes; provision for:  
... — No; not applicable.  
C — Constitutional

S — Statutory

(a) In all states, except North Carolina, governor has the power to veto bills passed by the state legislature. The information presented here refers to the governor's power to item veto within a bill and the votes needed in the state legislature to override the item veto. For additional information on vetoes and veto overrides, as well as the number of days the governor is allowed to consider bills, see the table entitled, "Enacting Legislation: Veto, Veto Overrides and Effective Date."

(b) For additional information on executive orders, see the table entitled, "Gubernatorial Executive Orders: Authorization, Provisions, Procedures."

(c) Includes only executive branch officials who are popularly elected either on a constitutional or statutory basis (elected members of state boards of education, public utilities commissions, university regents, or other state boards or commissions are also included); the number of agencies involving these officials is also listed.

(d) Lieutenant governor's office is part of governor's office.

(e) In New York, governor has item veto over appropriations. In Louisiana, governor has item veto or may use means provided in the appropriations bill so that appropriations for the year do not exceed revenue for the year.

(f) Full responsibility to propose; legislature adopts or revises and governor signs or vetoes.

(g) In January 2004, the number of statewide elected officials, in addition to the governor, will change to 6. Also the number of departments in the executive branch will change to 19.

(h) Line item veto authority over the budget bill. Simple majority override. Veto authority over legislation. Simple majority override.

(i) The governor has an item veto over appropriations only.

(j) For shifting agencies between secretarial offices; all other reorganizations require legislative approval.

(k) In Wisconsin, governor has "partial" veto over appropriation bills. The partial veto is broader than item veto.

(l) Governor may only veto a specific appropriation within a general appropriation bill or an entire bill. 2/3 of both houses can override.

(m) North Dakota has a governor's veto and a line item veto on appropriations bills.

(n) Governor has veto power of sections for nonappropriations and item veto appropriations.

**Table 4.5**  
**GUBERNATORIAL EXECUTIVE ORDERS: AUTHORIZATION, PROVISIONS, PROCEDURES**

State or other jurisdiction		Provisions										Procedures				
		Civil defense disasters, public emergencies	Energy emergencies and conservation	Other emergencies	Executive branch reorganization plans and agency creation	Create advisory, coordinating, study or investigative committees/commissions	Respond to federal programs and requirements	State personnel administration	Other administration	Filing and publication procedures	Subject to administrative procedure act	Subject to legislative review				
Alabama	S,I (a)	...	...	★ (b)	C	...	...	...	...	...	...	...	...	...	...	...
Alaska	C	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arizona	I	★ (a)	...	★ (a)	...	...	...	...	...	...	...	...	...	...	...	...
Arkansas	S,I (e)	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
California	S	...	...	...	★	...	...	...	...	...	...	...	...	...	...	...
Colorado	S,I	★	★	★ (f)	★	...	...	...	...	...	...	...	...	...	...	...
Connecticut	S	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Delaware	C	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Florida	C,S	★	★	★ (h)	...	...	...	...	...	...	...	...	...	...	...	...
Georgia	S,I	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Hawaii	C	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Idaho	S	I	...	I	...	...	...	...	...	...	...	...	...	...	...	...
Illinois	C	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Indiana	S,I	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Iowa	S	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kansas	C,S	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Kentucky	C,S	★	★	★ (o)	...	...	...	...	...	...	...	...	...	...	...	...
Louisiana	S (g)	S	S	S	Limited	★	Yes: S	Yes	...	...	...	...	...	...	...	...
Maine	S	...	...	...	...	...	C,S	...	...	...	...	...	...	...	...	...
Maryland	C,S	★	★	★ (vw)	...	...	...	...	...	...	...	...	...	...	...	...
Massachusetts	C,I	★	★	★ (f,v)	...	...	...	...	...	...	...	...	...	...	...	...
Michigan	C,S	...	...	...	★ (c,s)	...	...	...	...	...	...	...	...	...	...	...
Minnesota	S	★	★ (aa)	...	...	...	...	...	...	...	...	...	...	...	...	...
Mississippi	S	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Missouri	C,S,Common Law	★	I	★	...	...	...	...	...	...	...	...	...	...	...	...
Montana	S,I	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nebraska	I	S	...	S	...	...	...	...	...	...	...	...	...	...	...	...
Nevada	S,I	...	...	I	...	...	...	...	...	...	...	...	...	...	...	...
New Hampshire	S	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New Jersey	C,S,I	★	★ (a)	★ (ff)	(gg)	...	...	...	...	...	...	...	...	...	...	...
New Mexico	C	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New York	I	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
North Carolina	S,I	S	...	S	S,C	...	...	...	...	...	...	...	...	...	...	...
North Dakota	S,I	★	...	...	I	...	...	...	...	...	...	...	...	...	...	...
Ohio	I	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
																★ (y) (j,r,s,t,bb,dd)

See footnotes at end of table.

# GUBERNATORIAL EXECUTIVE ORDERS: AUTHORIZATION, PROVISIONS, PROCEDURES — Continued

State or other jurisdiction		Provisions										Procedures		
		Civil defense disasters, public emergencies	Energy emergencies and conservation	Other emergencies	Executive branch reorganization	Create advisory, coordinating, study or investigative committees/commissions	Respond to federal programs and requirements	State personnel administration	Other administration	Filing and publication procedures	Subject to administrative procedure act	Subject to legislative review		
Oklahoma	S,I	★	★	★ (v)	★	...	...	★	★ (gg)	★ (c)	★	★ (y)		
Oregon	S	★	★	...	...	...	...	...	★ (ii)	★ (c)	...	...		
Pennsylvania	C,S	★	★	★ (n, v, x, ii)	...	★	★	...	★ (m)	★ (c,n)	...	...		
Rhode Island	S (a)	★	★	...	...	...	...	...	...	★ (c, d, ii)	...	...		
South Carolina	I (e)	★	...	★ (j, hh)	...	...	...	...	...	...	...	...		
South Dakota	C	...	...	...	★	...	...	...	★ (t)	...	...	★		
Tennessee	S,I	★	★	...	★ (kk)	...	...	★	...	★ (c)	★	★		
Texas	S,I	★	★	★	...	...	...	...	...	★ (c)	...	...		
Utah	S	★	★	...	...	...	...	...	...	...	...	...		
Vermont	S,I	★	★	...	★	...	...	...	...	★ (ll)	★	★ (mm)		
Virginia	S,I	★	★	★ (g)	★ (nn)	...	...	★	★	★ (c)	...	...		
Washington	S	★	...	...	...	...	...	S,I	S,I (e,i)	★ (c,n)	...	...		
West Virginia	S,I (e)	★	★	...	S,I	...	...	...	★ (q, dd, gg)	★ (c)	...	...		
Wisconsin	S	I	...	...	...	I	...	...	...	...	...	...		
Wyoming	S	...	...	...	★	...	...	...	...	...	...	...		
American Samoa	C,S	★	★	★	★	...	...	★	★	★ (m)	★ (rr)	...		
Guam <sup>8</sup>	C	★	★	...	★ (kk)	...	...	...	...	...	I	...		
No. Mariana Islands	C	★	...	★	C	S,I	...	...	...	S	...	...		
Puerto Rico <sup>9</sup>	I	★	...	★	...	...	...	...	...	...	...	★		
U.S. Virgin Islands <sup>8</sup>	C	★	★	★	★	...	...	...	...	...	...	★		

See footnotes at end of table.

## GUBERNATORIAL EXECUTIVE ORDERS: AUTHORIZATION, PROVISIONS, PROCEDURES — Continued

Source: The Council of State Governments' survey, January 2002 and state constitutions and statutes. Information noted by an \* is from *The Book of the States, 2000-2001*.

Key:

C — Constitutional

S — Statutory

I — Implied

★ — Formal provision

... — No formal provision.

- (a) Broad interpretation of gubernatorial authority.
- (b) To activate or veto environmental improvement authorities.
- (c) Executive orders must be filed with secretary of state or other designated officer. In Idaho, must also be published in state general circulation newspaper.
- (d) Governor required to keep record in office. In Maine, also sends copy to Legislative Counsel, State Law Library, and all county law libraries in state.
- (e) Some or all provisions implied from constitution.
- (f) To regulate distribution of necessities during shortages.
- (g) Broad grant of authority.
- (h) Local financial emergency, shore erosion, polluted discharge and energy shortage.
- (i) To reassign state attorneys and public defenders.
- (j) To suspend certain officials and/or other civil actions.
- (k) Delegation of authority over real property (e.g., to counties for park purposes).
- (l) Only if involves a change in statute.
- (m) To transfer allocated funds.
- (n) Included in state register or code.
- (o) To give immediate effect to state regulation in emergencies.
- (p) To control administration of state contracts and procedures.
- (q) To impound or freeze certain state matching funds.
- (r) To reduce state expenditures in revenue shortfall.
- (s) To designate game and wildlife areas or other public areas.
- (t) Appointive powers.

- (u) Appointments made pursuant to an executive order are subject to Senate confirmation.
- (v) For fire emergencies.
- (w) For financial institution emergencies.
- (x) To control procedures for dealing with public.
- (y) Reorganization plans and agency creation.
- (z) Legislative appropriations committees must approve orders issued to handle a revenue shortfall.
- (aa) If an energy emergency is declared by the state's Executive Council or legislature.
- (bb) To assign duties to lieutenant governor, issue writ of special election.
- (cc) To control prison and pardon administration.
- (dd) To administer and govern the armed forces of the state.
- (ce) For meeting federal program requirements.
- (ff) To declare air pollution emergencies.
- (gg) Relating to local governments.
- (hh) To declare water, crop and refugee emergencies.
- (ii) To transfer funds in an emergency.
- (jj) Must be published in register if they have general applicability and legal effect.
- (kk) Can reorganize, but not create.
- (ll) Filed with legislature.
- (mm) Only executive branch reorganization.
- (nn) To shift agencies between secretarial offices; all other reorganizations require legislative approval.
- (oo) By executive order, governor may also suspend collection of fines and forfeitures, grant reprieves, not exceeding 60 days and with approval of 3 cabinet members, grant full or conditional pardons, restore civil rights, commute punishment and remit fines and forfeiture for offenses.
- (pp) Governor may also delineate an interjurisdictional area to prepare a plan, mitigate or respond to emergency.
- (qq) Governor may also declare an office vacant.
- (rr) If executive order fits definition of rule.

**Table 4.6**  
**STATE CABINET SYSTEMS**

State or other jurisdiction	Authorization for cabinet system				Criteria for membership			Number of members in cabinet (including governor)	Frequency of cabinet meetings	Open cabinet meetings
	State statute	State constitution	Governor created	Tradition in state	Appointed to specific office (a)	Elected to specified office (a)	Gubernatorial appointment regardless of office			
Alabama .....	...	...	★	★	...	...	★	28	Gov.'s discretion (a)	...
Alaska .....	...	...	...	...	★	...	...	18	Regularly	★ (b)
Arizona .....	...	...	★	...	★	...	★	38	Monthly	...
Arkansas .....	★	...	...	...	...	...	...	18	Regularly	...
California .....	★	...	★	...	★	...	★	13	Every two weeks	...
Colorado .....	...	★	...	...	★	...	...	21	Gov.'s discretion	★
Connecticut .....	★	...	...	...	★	...	...	15	Gov.'s discretion	...
Delaware .....	★	...	...	...	...	...	★ (c)	17	Gov.'s discretion	...
Florida .....	...	★	...	...	...	★	...	7	Every two weeks	★
Georgia .....	...	...	...	...	...	...	(d)	...	...	...
Hawaii .....	★	★	...	...	★	...	★	17	Gov.'s discretion	...
Idaho .....	...	...	...	...	...	...	(d)	...	...	...
Illinois .....	...	...	...	...	★	★	...	28	Gov.'s discretion	...
Indiana .....	...	...	...	...	...	...	(d)	...	...	...
Iowa .....	...	...	...	...	...	...	(e)	...	...	...
Kansas .....	...	...	★	...	...	...	★	15	Gov.'s discretion	...
Kentucky .....	★	...	...	...	★	...	...	20	Gov.'s discretion	...
Louisiana .....	...	...	★	★	★	...	...	12 (j)	Gov.'s discretion	...
Maine .....	...	...	...	★	...	...	★ (c)	17	Weekly	...
Maryland .....	★	...	...	...	★ (c)	...	...	23	Weekly	...
Massachusetts .....	★	...	...	...	★	...	...	7	Bi-Weekly	...
Michigan .....	...	...	★	...	...	★	...	25	Gov.'s discretion	...
Minnesota .....	...	...	★	...	★	...	...	26	Regularly	...
Mississippi .....	...	...	...	...	...	...	(d)	...	...	...
Missouri .....	...	★	...	★	★	...	...	17	Gov.'s discretion	...
Montana .....	...	...	★	...	★	...	...	17	Bi-weekly	★
Nebraska .....	★	...	...	...	★	...	...	27	Gov.'s discretion	...
Nevada .....	...	...	...	...	...	...	(d)	...	...	...
New Hampshire .....	...	...	...	...	...	...	(d)	...	...	...
New Jersey .....	★	★	...	...	★	...	...	19	Gov.'s discretion	...
New Mexico .....	★	...	...	★	★	...	...	17	Weekly	...
New York .....	...	...	...	★	★	...	...	25	Gov.'s discretion	...
North Carolina (f) .....	★	★	★	...	...	...	★	10	Monthly	...
North Dakota (g) .....	...	...	...	...	...	...	...	...	...	...
Ohio .....	★	...	...	...	★	...	★	25	Weekly	...
Oklahoma .....	★	...	★	...	...	...	★	16 (h)	Gov.'s discretion	...
Oregon .....	...	...	...	...	...	...	(d)	...	...	...
Pennsylvania .....	★	...	...	...	★ (c)	...	...	19	Weekly	★
Rhode Island .....	...	...	...	...	(i)	...	...	...	Gov.'s discretion	Gov.'s Discretion
South Carolina .....	★	...	...	...	...	...	★ (c)	13	Gov.'s discretion	...
South Dakota .....	...	...	★	...	★	...	★	22	Gov.'s discretion	...
Tennessee .....	★	...	...	★	★	...	...	28	Gov.'s discretion	★
Texas .....	...	...	...	...	...	...	(d)	...	...	...
Utah .....	...	...	★	(i)	★	...	...	19	Monthly	...
Vermont .....	★	...	...	...	★	...	...	6	Gov.'s discretion	...
Virginia .....	★	...	...	...	★	...	...	9	Gov.'s discretion	...
Washington .....	...	...	★	...	...	...	...	28	Bi-weekly, weekly during legislative session	...
West Virginia .....	★	...	...	...	★	...	...	9	Bi-monthly	...
Wisconsin .....	★	...	...	...	★	...	...	16	Gov.'s discretion	★
Wyoming .....	★	...	...	...	★	...	...	15	Gov.'s discretion	★
American Samoa .....	★	★	...	...	★	...	★	16	Gov.'s discretion	★
Guam* .....	...	...	★	...	★	...	...	55	Bi-monthly	...
No. Mariana Islands .....	...	★	...	...	★	...	...	16	Gov.'s discretion	★
Puerto Rico* .....	★	★	...	...	★	...	...	18	Gov.'s discretion	...
U.S. Virgin Islands* .....	★	...	...	...	...	...	★	16	Monthly or as needed	...

See footnotes at end of table.

## STATE CABINET SYSTEMS — Continued

*Sources:* The Council of State Governments' survey January 2002 and state constitutions and statutes. Information noted by an \*is from *The Book of the States*, 2000-2001.

*Key:*

★— Yes

... — No

- (a) Individual is a member by virtue of election or appointment to a cabinet-level position.
- (b) Except when in executive session.
- (c) With the consent of the senate.
- (d) No formal cabinet system. In Idaho, however, sub-cabinets have been formed, by executive order; the chairmen report to the governor when requested.
- (e) Sub-cabinets meet quarterly.
- (f) Constitution provides for a Council of State made up of elective state

administrative officials, which makes policy decisions for the state while the cabinet acts more in an advisory capacity.

(g) Cabinet consists of agencies, created by legislation; directors of agencies appointed by the governor.

(h) Includes secretary of state; most other cabinet members are heads of state agencies.

(i) In Rhode Island, department heads require advice and consent of the Senate. In Utah, department heads serve as cabinet; meets at discretion of governor, but when first appointed, department heads also require advice and consent of Senate.

(j) The Constitution and laws of the state of Louisiana determine the maximum number of departments in the executive branch and their powers and duties. Some of those department heads along with other officials compose the Governor's Cabinet.

Table 4.7

## THE GOVERNORS: PROVISIONS AND PROCEDURES FOR TRANSITION

State or other jurisdiction	Legislation pertaining to gubernatorial transition	Appropriation available to gov-elect	Provision for:					
			Gov-elect's participation in state budget for coming fiscal year	Gov-elect to hire staff to assist during transition	State personnel to be made available to assist gov-elect	Office space in buildings to be made available to gov-elect	Acquainting gov-elect staff with office procedures and routing office functions	Transfer of information (files, records, etc.)
Alabama .....	...	...	●	(a)	●	●	●	...
Alaska .....	...	...	...	...	...	●	●	★
Arizona .....	...	...	★	...	●	●	●	●
Arkansas .....	★	\$ 60,000 (b)	●	●	●	●	●	●
California .....	★	450,000	★	★	★	★	●	●
Colorado .....	★	10,000	...	★	★	★	★	★
Connecticut .....	★	25,000	●	★	...	★	...	★
Delaware .....	★	(c)	(d)	(e)	●	★	●	●
Florida .....	...	300,000	★	★	●	★	●	●
Georgia .....	★	★	●	★	★	★	●	★
Hawaii .....	★	100,000	★(aa)	★	★	★	●	★
Idaho .....	★	15,000	★	★	★	★	★	★
Illinois .....	★	(f)	★	★	★	★	★	★
Indiana .....	...	40,000	★	★	★	★	★	...
Iowa .....	★(h)	10,000	★	★	●(i)	●	●	★(j)
Kansas .....	★	100,000	★	★	★	★	★	★
Kentucky .....	★	Unspecified	...	★	★	...	...	...
Louisiana .....	★	65,000	N.A.(q)	★	...	...	...	...
Maine .....	★	5,000	★	★	★(k)	●	★	●
Maryland .....	★	●	...	★	★	★	★	★
Massachusetts .....	...	★	★	●	●	●	●	★
Michigan .....	★	1,000,000 (m)	●	★	★	●	★	●
Minnesota .....	★	50,000	★	★	★	★	●	★
Mississippi .....	★	60,000	★	★	★	★	★	★
Missouri .....	★	100,000	★	★	●	★	●	●(n)
Montana .....	★	50,000	★	★	★	★	★	★
Nebraska .....	...	●	★	●	●	●	●	●
Nevada .....	★	reasonable amount (aa)	★	...	●	●	●	★(h)
New Hampshire .....	★	75,000	★	★	●	★	★	...
New Jersey .....	★	Unspecified	★	★	★	★	●	★
New Mexico .....	★	(f)	★	★	●	★	●	●
New York .....	...	●	●	●	●	●	●	●
North Carolina .....	★	80,000 (o)	●(p)	★	★	★	●	★
North Dakota .....	●	10,000	(r)	(a)	●	...	●	★
Ohio .....	★	250,000 (z)	...	★	★	...	...	(y)
Oklahoma .....	★	40,000	★	★	...	●	...	...
Oregon .....	★	20,000	★	★	★	★	★	★
Pennsylvania .....	★	100,000	...	★	★	★	●	...
Rhode Island .....	...	●	★	●(a)	★	★	●	●
South Carolina .....	★	50,000 (s)	...	★	★	★	★	★
South Dakota .....	●	10,000 (t)	●	●	●	●	●	●
Tennessee .....	★	★	★	★	★	★	★	★
Texas .....	...	...	★	★	●	...	●	●
Utah .....	...	Unspecified	...	...	...	...	...	...
Vermont .....	...	(c)	★(u)	●	●	●	...	(v)
Virginia .....	...	(c)	...	★(n)	★(n)	★(n)	★(n)	★(n)
Washington .....	★	★	●	★	★	★	★	★
West Virginia .....	...	...	...	...	...	●	●	●
Wisconsin .....	★	Unspecified	★	★	★	★	★	★
Wyoming .....	...	(f)	...	...	●	●	●	●
American Samoa .....	...	Unspecified	★(w)	★	●	●	★	●
Guam* .....	★	(x)	...	...	...	★	★	...
No. Mariana Islands .....	★	Unspecified	...	★	★	★	★	★
Puerto Rico* .....	...	250,000 (o)	...	●	...	...	●	●
U.S. Virgin Islands* .....	...	(x)	...	(e)	...	...	...	...

See footnotes at end of table.



## THE GOVERNORS: PROVISIONS AND PROCEDURES FOR TRANSITION — Continued

*Sources:* The Council of State Governments' survey, January 2002 and state constitutions and statutes. Information noted by an \* is from *The Book of the States*, 2000-2001.

*Key:*

. . . — No provisions or procedures.

★ — Formal provisions or procedures.

● — No formal provisions, occurs informally.

(a) Governor usually hires several incoming key staff during transition.

(b) Made available in 1983.

(c) Determined prior to each election by legislature.

(d) Can participate in budget office hearings before taking office.

(e) Subject to appropriations.

(f) Legislature required to make appropriation; no dollar amount stated in legislation. In New Mexico, \$50,000 was made available in 1990. In Wyoming, \$12,500 for transition following 1994 election. In Illinois, \$200,000 for transition following 1990 election.

(g) In Louisiana - Statute directs the records and associated historical records of any governor to be transferred to the custody of the state archivist.

(h) Pertains only to funds.

(i) Provided on irregular basis.

(j) Arrangement for transfer of criminal files.

(k) Budget personnel.

(l) The \$65,000 may be used to rent space.

(m) Made available in 1990.

(n) Activity is traditional and routine, although there is no specific statutory provision.

(o) Inaugural expenses are paid from this amount.

(p) New governor can submit supplemental budget.

(q) In Louisiana - the governor elect becomes governor during the preparation of the budget.

(r) Responsible for submitting budget for coming biennium.

(s) Governor's executive budget recommendation for FY 94-95 is to increase this appropriation to \$150,000 for transition purposes. This will require legislative approval in the 94-95 Appropriations Bill.

(t) Made available for 1996.

(u) Responsible for the preparation of the budget; staff made available.

(v) Not transferred, but use may be authorized.

(w) Can submit reprogramming or supplemental appropriation measure for current fiscal year.

(x) Appropriations given upon the request of governor-elect.

(y) By discretion of director of budget and management.

(z) Made available in 1998.

(aa) The Governor elect assumes office in the middle of an existing fiscal year. The budget for the coming fiscal year has already been approved as a biennium budget. However, the new Governor may propose amendments to the Legislature in the form of a supplemental budget.

**Table 4.8**  
**IMPEACHMENT PROVISIONS IN THE STATES**

State or other jurisdiction	Governor and other state executive and judicial officers subject to impeachment	Legislative body which holds power of impeachment	Vote required for impeachment	Legislative body which conducts impeachment trial	Chief justice presides at impeachment trial (a)	Vote required for conviction	Official who serves as acting governor if governor impeached (b)	Legislature may call special session for impeachment
Alabama	★	H	...	S	★	...	LG	★
Alaska	★	S	2/3 mbrs.	H	(d)	2/3 mbrs.	LG	★
Arizona	★ (e)	H	maj. mbrs.	S	★ (f)	2/3 mbrs.	SS	★
Arkansas	★	H	maj. Mbrs.	S	★ (f)	2/3 mbrs.	LG	...
California	★	H	...	S	...	2/3 mbrs.	LG	...
Colorado	★	H	maj. mbrs.	S	★	2/3 mbrs.	LG	...
Connecticut	★	H	...	S	★	2/3 mbrs. present	LG	...
Delaware	★	H	2/3 mbrs.	S	★	2/3 mbrs.	LG	...
Florida	★	H	2/3 mbrs.	S	★	2/3 mbrs.	LG	★
Georgia	★	H	...	S	★	2/3 mbrs.	LG	...
Hawaii	★ (g)	H	...	S	★	2/3 mbrs.	LG	★
Idaho	★	H	...	S	★	2/3 mbrs.	LG	...
Illinois	★	H	maj. mbrs.	S	★	2/3 mbrs.	LG	★
Indiana	★	H	...	S	...	2/3 mbrs.	LG	...
Iowa	★	H	...	S	...	2/3 mbrs. present	LG	...
Kansas	★	H	...	S	...	2/3 mbrs.	LG	...
Kentucky	★	H	...	S	...	2/3 mbrs. present	LG	...
Louisiana	★ (u,v)	H	...	S	...	2/3 mbrs.	LG	★ (t)
Maine	★	H	...	S	...	2/3 mbrs. present	PS	★
Maryland	★	H	maj. mbrs.	S	...	2/3 mbrs.	LG	...
Massachusetts	★	H	...	S	...	...	LG	★
Michigan	★	H	maj. mbrs.	S(h)	...	2/3 mbrs.	LG	...
Minnesota	★	H	maj. mbrs.	S	...	2/3 mbrs. present	LG	...
Mississippi	★	H	2/3 mbrs. present	S	...	2/3 mbrs. present	LG	...
Missouri	★	H	...	(i)	(i)	(i)	LG	...
Montana	★	H	2/3 mbrs.	S	★	2/3 mbrs.	LG	...
Nebraska	★	S (i)	maj. mbrs.	(k)	(k)	(k)	LG	★
Nevada	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	LG	...
New Hampshire	★	H	...	S	★	...	PS	...
New Jersey	★ (l)	H	maj. mbrs.	S	★	2/3 mbrs.	PS	★
New Mexico	★	H	maj. mbrs.	S	★	2/3 mbrs.	LG	★
New York	★	H	maj. mbrs.	(m)	...	2/3 mbrs. present	LG	★
North Carolina	★	H	maj. mbrs.	S	★	2/3 mbrs. present	LG	★
North Dakota	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	LG	...
Ohio	★	H	maj. mbrs.	S	...	2/3 mbrs.	LG	...
Oklahoma	★ (c)	H	...	S	★	2/3 mbrs.	LG	★
Oregon	...	...	...	...	...	...	...	...
Pennsylvania	★	H	...	S	...	2/3 mbrs. present	LG	★
Rhode Island	★	H	1/4 mbrs. (o)	S	★	2/3 mbrs.	LG	...
South Carolina	★	H	2/3 mbrs.	S	★	2/3 mbrs.	LG	...

See footnotes at end of table.

## IMPEACHMENT PROVISIONS IN THE STATES — Continued

State or other jurisdiction	Governor and other state executive and judicial officers subject to impeachment	Legislative body which holds power of impeachment	Vote required for impeachment	Legislative body which conducts impeachment trial	Chief justice presides at impeachment trial (a)	Vote required for conviction	Official who serves as acting governor if governor impeached (b)	Legislature may call special session for impeachment
South Dakota .....	★(e)	H	maj. mbrs.	S	★	2/3 mbrs.	LG	...
Tennessee .....	★	H	...	S	★	2/3 mbrs. (p)	PS	★
Texas .....	★	H	...	S	...	2/3 mbrs. present	LG	...
Utah .....	★(e)	H	2/3 mbrs.	S	★	2/3 mbrs.	LG	...
Vermont .....	...	H	2/3 mbrs.	S	...	2/3 mbrs. present	LG	...
Virginia .....	★	H	...	S	...	2/3 mbrs. present	LG	★
Washington .....	★(e)	H	maj. mbrs.	S	...	2/3 mbrs.	LG	★
West Virginia .....	★	H	...	S	★	2/3 mbrs.	PS	★
Wisconsin .....	★	H	maj. mbrs.	S	...	2/3 mbrs.	LG	...
Wyoming .....	★(e)	H	maj. mbrs.	S	★	2/3 mbrs.	SS	...
Dist. of Columbia .....	...	...	...	...	(q)	...	...	...
American Samoa*	(t)	H	2/3 mbrs.	S	★	2/3 mbrs.	...	...
Guam*	...	...	...	...	(q)	...	...	...
No. Mariana Islands .....	★	H	2/3 mbrs.	S	...	2/3 mbrs.	LG	...
Puerto Rico*	(s)	H	2/3 mbrs.	S	★	3/4 mbrs.	SS	★
U.S. Virgin Islands*	...	...	...	...	(q)	...	...	...

Source: The Council of State Governments' survey, January 2002 and state constitutions and statutes. Information noted by an \* is from *The Book of the States*, 2000-2001.

## Key:

★ - Yes; provision for.

... - Not specified, or no provision for.

H - House or Assembly (lower chamber).

S - Senate.

LG - Lieutenant Governor

PS - President or speaker of the Senate

SS - Secretary of state.

(a) Presiding justice of state court of last resort. In many states, provision indicates that chief justice presides only on occasion of impeachment of governor.

(b) For provisions on official next in line on succession if governor is convicted and removed from office, refer to Chapter 4, "The Governors."

(c) Includes justices of Supreme Court. Other judicial officers not subject to impeachment.

(d) A Supreme Court justice designated by the court.

(e) With exception of certain judicial officers. In Arizona and Washington - justices of courts not of record. In Nevada, Utah, and Wyoming - justices of the peace. In North Dakota and South Dakota - county judges, justices of the peace, and police magistrates.

(f) Should the Chief Justice be on trial, or otherwise disqualified, the Senate shall elect a judge of the Supreme Court to preside.

(g) Governor, lieutenant governor, and any appointive officer for whose removal the consent of the Senate is required.

(h) House elects three members to prosecute impeachment.

(i) All impeachments are tried before the state Supreme Court, except that the governor or a member of the Supreme Court is tried by a special commission of seven eminent jurists to be elected by the Senate. A vote of 5/7 of the court of special commission is necessary to convict.

(j) Unicameral legislature; members use the title "senator."

(k) Court of impeachment is composed of chief justice and all district court judges in the state. A vote of 2/3 of the court is necessary to convict.

(l) All state officers while in office and for two years thereafter.

(m) Court for trial of impeachment composed of president of the Senate, senators (or major part of them), and judges of Court of Appeals (or major part of them).

(n) No provision for impeachment. Public officers may be tried for incompetence, corruption, malfeasance, or delinquency in office in same manner as criminal offenses.

(o) Vote of 2/3 members required for an impeachment of the governor.

(p) Vote of 2/3 of members sworn to try the officer impeached.

(q) Removal of elected officials by recall procedure only.

(r) Governor, lieutenant governor.

(s) Governor and Supreme Court justices.

(t) In Louisiana - not specified; both the governor and the legislature appear to have authority to call a special session for impeachment.

(u) In Louisiana - all elected officials, other than judiciary, are also subject to recall.

(v) In Louisiana - Constitution and statutes provide for impeachment of elected or appointed officials for commission or conviction of a felony or malfeasance or gross misconduct in office.

Table 4.9

# **CONSTITUTIONAL AND STATUTORY PROVISIONS FOR LENGTH AND NUMBER OF TERMS OF ELECTED STATE OFFICIALS**

<i>State or other jurisdiction</i>	<i>Governor</i>	<i>Lt. Governor</i>	<i>Secretary of state</i>	<i>Attorney general</i>	<i>Treasurer</i>	<i>Auditor</i>	<i>Comptroller</i>	<i>Education</i>	<i>Agriculture</i>	<i>Labor</i>	<i>Insurance</i>	<i>Other</i>
Alabama .....	4/2	4/2	4/2	4/2	4/2	4/2	...	...	4/2 (a)	...	...	
Alaska .....	4/2 (b)	4/-	(c)	...	(d)	...	...	...	...	...	...	
Arizona .....	4/2 (b)	(e)	4/2 (b)	4/2 (b)	4/2 (b)	...	...	4/2 (b)	...	...	...	Corporation Comm.-4/2 (b); Mine inspector-2/(f) Land Cmsr.-4/2
Arkansas .....	4/2	4/2	4/2	4/2	4/2	4/2	(g)	...	...	...	...	
California .....	4/2	4/2	4/2	4/2	4/2	...	4/2	4/2	...	...	...	
Colorado .....	4/2	4/2	4/2	4/2	4/2	...	...	...	...	...	...	Regents of Univ. of Colo.-6/-; Bd. of Education-6/-
Connecticut .....	4/-	4/-	4/-	...	4/-	...	4/-	...	...	...	...	
Delaware .....	4/2 (h)	4/-	...	4/-	4/-	4/-	...	...	...	...	4/-	
Florida .....	4/2(i)	4/-	4/-	4/-	4/-	...	4/-	4/-	4/-	...	(j)	
Georgia .....	4/2 (b)	4/-	4/-	4/-	...	...	...	4/-	4/-	4/-	4/-	
Hawaii .....	4/2	4/2	(c)	...	(g)	...	...	...	...	...	...	
Idaho .....	4/(b)	4/-	4/-	4/-	4/-	4/-	4/-	4/-	...	...	...	
Illinois .....	4/-	4/-	4/-	4/-	4/-	...	4/-	...	...	...	...	
Indiana .....	4/(l)	4/-	4/(b)	...	4/(l)	4/(l)	(k)	...	(c)	...	...	
Iowa .....	4/-	4/-	4/-	...	4/-	4/-	...	...	...	...	...	
Kansas .....	4/2	4/2	4/-	4/-	...	...	...	...	...	...	...	Bd. of Education-4/- Bd. of Education-4/-; Elections Cmsr.-4/-
Kentucky .....	4/2	4/2	4/2	4/2	4/2	4/2	(g)	...	4/2	4/2	...	
Louisiana .....	4/(b)	4/-	4/-	4/-	4/-	...	(m)	4/-	4/-	...	4/-	
Maine .....	4/2(b)	(n)	...	...	...	...	...	...	...	...	...	
Maryland .....	4/2 (b)	4/-	...	4/-	...	...	4/-	...	...	...	...	
Massachusetts .....	4/-	4/-	4/-	4/-	4/-	4/-	...	...	...	...	...	
Michigan .....	4/2	4/2	4/2	4/2	...	...	(g)	...	...	...	...	Bd. of Education-8/-
Minnesota .....	4/-	4/-	4/-	4/-	4/(aa)	4/-	(g)	...	...	...	(o)	
Mississippi .....	4/2(h)	4/2 (b)	4/-	4/-	4/-	4/-	(g)	...	...	...	...	
Missouri .....	4/2 (h)	4/-	4/-	4/-	4/2 (h)	4/-	...	...	...	...	...	
Montana .....	4/(p)	4/(p)	4/(p)	4/(p)	...	4/(p)	...	4/(p)	...	...	...	
Nebraska .....	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	...	...	...	...	...	Regents of Univ. of Neb.-6/-; Bd. of Education-4/-; Public Service Comm.-6/-
Nevada .....	4/2	4/2	4/2	4/2	4/2	...	4/2	...	...	...	...	
New Hampshire .....	2/-	(n)	...	...	...	...	...	...	...	...	...	Exec. Council-2/-
New Jersey .....	4/2 (b)	(n)	...	...	...	...	...	...	...	...	...	
New Mexico .....	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	(q)	...	...	...	...	Cmsr. of Public Lands-4/2 (b); Bd. of Education-4/-; Corporation Comm.-6/-
New York .....	4/-	4/-	...	4/-	...	(d)	4/-	...	...	...	...	
North Carolina .....	4/(b)	4/(b)	4/-	4/-	4/-	4/-	...	4/-	4/-	4/-	4/-	
North Dakota .....	4/-	4/-	4/- (bb)	4/- (bb)	4/-	4/-	...	4/-	4/(r)(bb)	4/- (r)	4/-	Public Service Comm.-6/-; Tax Cmsr.-4/- (bb)
Ohio .....	4/(b)	4/(i)	4/(i)	4/(i)	4/(i)	4/(i)	(q)	...	...	...	...	
Oklahoma .....	4/2(b)	4/(b)	...	4/(b)	4/(b)	4/(b)	...	4/(b)	...	4/-	4/-	
Oregon .....	4/(l)	(e)	4/(l)	...	4/(l)	...	(q)	...	...	...	...	
Pennsylvania .....	4/2	2	...	4/2 (b)	4/2 (s)	(4/2)	...	...	...	...	...	
Rhode Island .....	4/2	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	...	...	...	...	...	...	
South Carolina .....	4/2 (b)	(4/2)	4/-	4/-	4/-	...	4/-	4/-	4/-	...	...	Adjutant General-4/-
South Dakota .....	4/2 (b)	4/2 (b)	4/(b)	4/(b)	4/(b)	4/(b)	(k)	...	...	...	...	Cmsr. of School & Public Lands-4/- (b)
Tennessee .....	4/2 (b)	(n)	...	...	...	(d)	...	...	...	...	...	
Texas .....	4/-	4/-	...	4/-	(d)	...	4/-	...	...	...	...	Bd. of Education-6/-; Cmsr. of General Land Off.-4/-; Railroad Comm.-6/-
Utah .....	4/-	4/-	(c)	4/-	4/-	4/-	...	...	...	...	...	
Vermont .....	2/-	2/-	2/-	...	2/-	2/-	(g)	...	...	...	...	

See footnotes at end of table.

# CONSTITUTIONAL AND STATUTORY PROVISIONS FOR LENGTH AND NUMBER OF TERMS OF ELECTED STATE OFFICIALS — Continued

<i>State or other jurisdiction</i>	<i>Governor</i>	<i>Lt. Governor</i>	<i>Secretary of state</i>	<i>Attorney general</i>	<i>Treasurer</i>	<i>Auditor</i>	<i>Comptroller</i>	<i>Education</i>	<i>Agriculture</i>	<i>Labor</i>	<i>Insurance</i>	<i>Other</i>
Virginia .....	4/ (z)	4/U	...	4/U	...	...	...	...	...	...	...	
Washington .....	4/-	4/-	4/-	4/-	4/-	4/-	(q)	4/-	...	...	...	Cmsr. of Public Lands—4/-
West Virginia .....	4/2 (t)	(n)	4/-	4/-	4/-	4/-	(k)	...	4/-	...	...	
Wisconsin .....	4/-	4/-	4/-	4/-	4/-	...	...	4/-	...	...	...	
Wyoming .....	4/- (p)	(e)	4/-	...	4/-	4/-	(k)	4/-	...	...	...	
Dist. of Columbia .....	4/- (u)	(4/2)	...	...	...	...	...	...	...	...	...	Chmn. of Council of Dist. of Col.—4/U
American Samoa .....	4/2 (v)	(4/2)	(c)	...	...	...	(q)	...	...	...	...	
Guam .....	4/2 (b)	(4/2)	(c)	...	...	...	(w)	...	...	...	(x)	
No. Mariana Islands .....	4/ (l)	4/-	...	...	...	...	(q)	...	(y)	...	(o)	
Puerto Rico .....	4/-	(e)	...	...	...	...	...	...	...	...	...	
U.S. Virgin Islands .....	4/2 (b)	4/-	(c)	...	(g)	...	(g)	...	...	...	(c)	

*Source:* The Council of State Governments reading of state constitutions and statutes, March 2002.

*Note:* First entry in a column refers to number of years per term. Entry following the slash refers to the maximum number of consecutive terms allowed. Blank cells indicate no specific administrative official performs function. Footnotes specify if a position's functions are performed by an appointed official under a different title. This table reflects a literal reading of the state constitutions and statutes, January 2002.

## Key:

- — No provision specifying number of terms allowed.

0 — Provision specifying officeholder may not succeed self.

U — Provision specifying individual may hold office for an unlimited number of terms.

... — Position is appointed or elected by governmental entity (not chosen by electorate).

(a) Commissioner of agriculture and industries.

(b) After two consecutive terms, must wait four years and/or one full term before being eligible again.

(c) Lieutenant governor performs function.

(d) Comptroller performs function.

(e) Secretary of state is next in line of succession to the governorship.

(f) No Mine Inspector shall serve more than four consecutive terms in that office.

(g) Finance administrator performs function.

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

(i) Eligible for eight consecutive years.

(j) State treasurer also serves as insurance commissioner.

(k) State auditor performs function.

(l) Eligible for eight out of any period of 12 years.

(m) Head of administration performs function.

(n) President or speaker of the Senate is next in line of succession to the governorship. In Tennessee, speaker of the Senate has the statutory title "lieutenant governor."

(o) Commerce administrator performs function.

(p) Eligible for eight out of 16 years.

(q) State treasurer performs function.

(r) Constitution provides for a secretary of agriculture and labor. However, the legislature was given constitutional authority to provide for (and has provided for) a department of labor distinct from agriculture, and a commissioner of labor distinct from the commissioner of agriculture.

(s) Treasurer must wait four years before being eligible to the office of auditor general.

(t) A person who has been elected or who has served as governor during all or any part of two consecutive terms shall be ineligible for the office of governor during any part of the term immediately following the second of the two consecutive terms.

(u) Mayor.

(v) Limit is statutory.

(w) General services administrator performs function.

(x) Taxation administrator performs function.

(y) Natural resources administrator performs function.

(z) Cannot serve consecutive terms, but after 4 year respite can seek re-election.

(aa) Office of the state treasurer will be abolished on the first Monday in January 2003.

(bb) The terms of office of the elected officials are four years, except that in 2004 the agriculture commissioner, attorney general, secretary of state, and tax commissioner are elected to a term of two years.

**Table 4.10**  
**SELECTED STATE ADMINISTRATIVE OFFICIALS: METHODS OF SELECTION**

State or other jurisdiction	Governor	Lieutenant governor	Secretary of state	Attorney general	Treasurer	Adjutant general	Administration	Agriculture	Banking	Budget
Alabama	CE	CE	CE	CE	CE	GS	G	CE	GS	G
Alaska	CE	CE	CE (a-1)	GB	AG	GB	GB	AG	AG	G
Arizona	CE	CE (a-2)	CE	CE	CE	GS	GS	GD	GS	G
Arkansas	CE	CE	CE	CE	CE	G	G	G	GS	A
California	CE	CE	CE	CE	CE	GS	GS (c)	G	GS	G
Colorado	CE	CE	CE	CE	CE	GS*	GS	GS	CS*	G
Connecticut	CE	CE	CE	CE	CE	GE	GE	GE	GE	CS
Delaware	CE	CE	GS	CE	CE	GS	GS	GS	GS	GS
Florida	CE	CE	CE	CE	CE	G	G	CE	CE	G
Georgia	CE	CE	CE	CE	G	G	G	CE	G	G
Hawaii	CE	CE	(a-1)	GS	GS (a-6)	GS	GS (a-9)	GS	AG	GS
Idaho	CE	CE	CE	CE	CE	GS	GS	GS	GS	GS (a-15)
Illinois	CE	CE	CE	CE	CE	GS	GS	GS	B	G
Indiana	CE	CE	CE	SE	CE	G	G	LG	G	G
Iowa	CE	CE	CE	CE	CE	GS	GS (a-16)	CE	GS	A
Kansas	CE	CE	CE	CE	SE	GS	GS	GS	GS	G
Kentucky	CE	CE	CE	CE	CE	G	CG	CE	G	G
Louisiana	CE	CE	CE	CE	CE	GS	GS	CE	GLS	A
Maine	CE	(o)	CL	CL	CL	G	G	G	G	C
Maryland	CE	CE	GS	CE	CL	G	GS (a-16)	GS	AG	GS
Massachusetts	CE	CE	CE	CE	CE	G	G	CG	G	CG
Michigan	CE	CE	CE	CE	GS	GS	GS	B	GS	GS
Minnesota	CE	CE	CE	CE	CE	GS	GS	(u)	A	GS (a-15)
Mississippi	CE	CE	CE	CE	CE	GS	G	SE	GS	CS
Missouri	CE	CE	CE	CE	CE	G	GS	GS	AGS	AGS
Montana	CE	CE	CE	CE	G	G	N.A.	G	A	G
Nebraska	CE	CE	CE	CE	CE	GS	GS	GS	A	A
Nevada	CE	CE	CE	CE	CE	G	G	BA	A	(a-5)
New Hampshire	CE	(o)	CL	GC	CL	GC	GC	GC	GC	(x)
New Jersey	CE	(o)	GS	GS	GS	GS	(a-16)	BG	GS	A
New Mexico	CE	CE	CE	CE	CE	G	(a-16)	B	G	G
New York	CE	CE	GS	CE	A	G	(a-16)	GS	GS	G
North Carolina	CE	CE	SE	CE	CE	A	G	CE	G	G
North Dakota	CE	CE	CE	CE	CE	G	...	CE	GS	G
Ohio	SE	SE	CE	SE	SE	GS	GS	GS	GS	GS
Oklahoma	CE	CE	GS	CE	CE	GS	GS	GS	GS	A
Oregon	CE	CE (a-2)	CE	SE	CE	G	GS	GS	A	A
Pennsylvania	CE	CE	GS	CE	CE	GS	G	GS	GS	G
Rhode Island	SE	SE	CE	SE	SE	GB	GB	CS	CS	AG
South Carolina	CE	CE	CE	CE	CE	CE	B	CE	CE (a-4)	A
South Dakota	CE	CE	CE	CE	CE	GS	GS	GS	CG	GS (a-15)
Tennessee	CE	(o) (y)	CL	CT	CL	G	(a-16)	G	G	A
Texas	CE	CE	G	CE	CE (a-9)	G	A	SE	B	G
Utah	CE	CE	CE (a-1)	CE	CE	G	GS	GS	GS	G
Vermont	CE	CE	CE	CE	CE	CL	G	G	G	G (a-15)
Virginia	CE	CE	GB	CE	GB	GB	GB	GB	B	GB
Washington	CE	CE	CE	CE	CE	GS	GS	GS	GS	GS
West Virginia	CE	(o)	CE	CE	CE	GS	GS	CE	GS	CS
Wisconsin	CE	CE	CE	CE	CE	G	GS	GS	A	A
Wyoming	CE	CE (a-2)	CE	G	CE	G	GS	GS	A	A
American Samoa*	CE	CE	(a-1)	GB	GB	N.A.	GB	GB	N.A.	GB
No. Mariana Islands	CE	CE	...	GS	CS	...	G	G	CS	G
U.S. Virgin Islands	SE	SE	SE (a-1)	GS	GS	GS	GS	GS	SE (a-1)	GS

Sources: The Council of State Governments' survey of state personnel agencies, January 2002, except where noted by \* where data is from *The Book of the States*, 2000-2001.

Note: The chief administrative officials responsible for each function were determined from information given by the states for the same function as listed in *State Administrative Officials Classified by Function*, 2001, published by The Council of State Governments.

Key:

N.A. — Not available.

... — No specific chief administrative official or agency in charge of function.

CE — Constitutional, elected by public.

CL — Constitutional, elected by legislature.

SE — Statutory, elected by public

SL — Statutory, elected by legislature.

L — Selected by legislature or one of its organs

CT — Constitutional, elected by state court of last resort.

Appointed by:

G — Governor

GS — Governor

GB — Governor

GE — Governor

GC — Governor

GD — Governor

GLS — Governor

GOC — Governor & Council or cabinet

LG — Lieutenant Governor

LGS — Lieutenant Governor

AT — Attorney General

Approved by:

Senate (in Nebraska, unicameral legislature)

Both houses

Either house

Council

Departmental board

Appropriate legislative committee & Senate

Senate

# EXECUTIVE BRANCH

## SELECTED OFFICIALS: METHODS OF SELECTION — Continued

State or other jurisdiction	Civil rights	Commerce	Community affairs	Comptroller	Consumer affairs	Corrections	Economic development	Education	Election administration	Emergency management
Alabama .....	...	G	G	CS	N.A.	G	G	B	CS	CS
Alaska .....	GB	GB	GB	AG	N.A.	GB	AG	GB	AG	AG
Arizona .....	AT	GS	GS (a-7)	A	AT	GS	GS (a-7)	CE	CE (a-2)	G
Arkansas .....	...	GS	GS	G	A	B	GS	GB	(b)	GS
California .....	GS	N.A.	GS	CE	G	GS	N.A.	CE	CE	GS
Colorado .....	CS	G	CS	CS	AT	GS	G	B	SS	CS
Connecticut .....	C	...	A	C	AG	GS	G	B	C	C
Delaware .....	CG	GS	...	CG	AT	GS	GS	GS	GS	CG
Florida .....	AB	N.A.	GB	CE	A	GB	N.A.	CE	SS	A
Georgia .....	G	BG	BG	CE	G	GD	N.A.	CE	A	G
Hawaii .....	B	GS	G	GS	A	GS	GS	B	B	G
Idaho .....	GS	GS	A	CE	CE (a-3)	N.A.	A	CE	SS	A
Illinois .....	GS	GS	GS (a-7)	CE	CE (a-3)	GS	GS (a-7)	B	B	GS
Indiana .....	G	LG	G	CE	AT	G	LG	CE	(k)	G
Iowa .....	GS	GS	GS	GS	A	GS	GS	GS	A	GS
Kansas .....	GS	GS	A	C	AT	GS	(m)	B	(n)	CS
Kentucky .....	B	GC (a-11)	G	CG	CE (a-3)	G	GC	B	B	AG
Louisiana .....	A	GS	A	GS	AG	GS	GS	BG	CE	A
Maine .....	BA	G (a-11)	...	C	C	G	G	G	SS	C
Maryland .....	G	GS	A	CE	A	AGS	GS	B	B	AG
Massachusetts .....	G	G (a-11)	G	G	G	CG	G	B	SS	B
Michigan .....	GS	GS	N.A.	CS	N.A.	GS	N.A.	B	(s)	CS
Minnesota .....	GS	GS	A	GS (a-15)	A	GS	GS	GS	(v)	A
Mississippi .....	...	GS	A	GS	A	GS	GS	BS	A	GS
Missouri .....	AGS	(a-11)	N.A.	A	(a-3)	GS	GS	BG	SS	A
Montana .....	A	GS	A	G	A	G	G	CE	SS	A
Nebraska .....	B	GS (a-11)	A	A	A	GS	GS	B	A	A
Nevada .....	G	G	A	CE	A	G	GD	B	(z)	A
New Hampshire .....	CS	GC	G	AGC	AGC	GC	AGC	B	CL (a-2)	G
New Jersey* .....	A	GS	GS	(a-6)	A	GS	A	GS	A	A
New Mexico* .....	G	(a-11)	G	(a-4)	G	GS	GS	B	G	G
New York .....	GS	GS	GS (a-2)	CE	GS	GS	GS	B	B	G
North Carolina .....	A	G	A	G	(a-3)	G	A	CE	G	G
North Dakota .....	G	G	CE	A	AT	G	G (a-7)	CE	SS	A
Ohio .....	(aa)	AG	AG	SE (a-4)	GC	GS	GS	AB	SS	AG
Oklahoma .....	B	G	G (a-7)	A	B	B	G (a-7)	CE	L	GS
Oregon .....	A	GS	G	A	(bb)	GS	GS	SE	A	AG
Pennsylvania .....	B	GS	AG	G	AT	GS	GS	GS	C	G
Rhode Island .....	B	G (a-11)	CS	CS	SE (a-3)	GB	G	B	F	G
South Carolina .....	B	GS	N.A.	CE	B	GS	GS (a-7)	CE	B	A
South Dakota .....	A	GS	GS (a-11)	CE (a-23)	A	GS	GS	GS	SS	CG
Tennessee* .....	BA	(a-11)	(a-11)	A	A	G	G	G	SS	A
Texas .....	B	G	G	CE	CE (a-3)	B	G (a-7)	B	(cc)	A
Utah .....	A	GS	GS	A	A	GS	A	B	A	A
Vermont .....	A	G	G (a-7)	G (a-15)	A	G	G	G	CE (a-2)	A
Virginia* .....	GB	GB	GB	GB	N.A.	GB	(dd)	GB	GB	GB
Washington .....	B	GS	G	CE (a-4)	AT	GS	GS	CE	A	A
West Virginia .....	GS	GS	B	CE	AT	GS	B (a-8)	(ee)	(a-2)	GS
Wisconsin .....	A	GS	A	A	A	GS	CS	CE	B	A
Wyoming .....	A	G	G (a-7)	CE	A	GS	G (a-7)	CE	A	A
American Samoa* .....	N.A.	GB	(a-7)	(a-4)	(a-3)	A	(a-7)	GB	G	G
No. Mariana Islands .....	A	GS	GS	CS	GS	CS	CS	B	B	G
U.S. Virgin Islands .....	GS (a-3)	GS	G	GS (a-15)	GS	GS (a-3)	GS	GS	B	GS

### Appointed by:

SS — Secretary of State  
 C — Cabinet Secretary  
 CG — Cabinet Secretary  
 A — Agency head  
 AB — Agency head  
 AG — Agency head  
 AGC — Agency head  
 AGS — Agency head  
 ALS — Agency head  
 ASH — Agency head  
 B — Board or commission  
 BG — Board  
 BGS — Board  
 BS — Board or commission  
 BA — Board or commission  
 CS — Civil Service

### Approved by:

Governor  
 Board  
 Governor  
 Governor & Council  
 Appropriate legislative committee  
 Senate president & House speaker  
 Governor  
 Governor & Senate  
 Senate  
 Agency head

### Appointed by:

LS — Legislative Committee  
 (a) Chief administrative official or agency in charge of function:  
 (a-1) Lieutenant Governor  
 (a-2) Secretary of state  
 (a-3) Attorney general  
 (a-4) Treasurer  
 (a-5) Administration  
 (a-6) Budget  
 (a-7) Commerce  
 (a-8) Community affairs  
 (a-9) Comptroller  
 (a-10) Consumer affairs  
 (a-11) Economic development  
 (a-12) Education (chief state school officer)  
 (a-13) Energy  
 (a-14) Environmental protection

### Approved by:

Senate

**SELECTED OFFICIALS: METHODS OF SELECTION — Continued**

<i>State of other jurisdiction</i>	<i>Employment services</i>	<i>Energy</i>	<i>Environment protection</i>	<i>Finance</i>	<i>Fish &amp; wildlife</i>	<i>General services</i>	<i>Health</i>	<i>Higher education</i>	<i>Highways</i>	<i>Historic preservation</i>
Alabama .....	CS	CS	B	G	CS	CS	B	B	G	B
Alaska .....	AG	N.A.	GB	AG	GB	N.A.	AG	B	GB	A
Arizona .....	A	N.A.	GS	A	B	A	GS	B	A	A
Arkansas .....	G	A	BG/BS	G	(d)	A	BG	BG	BS	GS
California .....	GS	G	GS	G	G	GS	GS	B	GS	G
Colorado .....	GS	G	CS	C	C	GS	GS	GS	GS	B
Connecticut .....	A	A	GE	GB	A (e)	GE	GE	BG	A	G
Delaware .....	GS (a-18)	A	GS (a-19)	GS	CG	GS	CG	B	GS (a-29)	CG
Florida .....	A	A	GB	C	GB	GB	A	N.A.	GB	SS
Georgia .....	A	G	B	G (a-4)	A	A	A	B	B (a-29)	A
Hawaii .....	CS	CS	G	GS (a-6)	CS	GS (a-25)	GS	B	CS	GS (a-19)
Idaho .....	GS	A	GS	GS	B	N.A.	GS	B	B (a-29)	B
Illinois .....	GS	GS (a-7)	GS	G (a-6)	GS (a-19)	GS (a-5)	GS	B	GS (a-29)	GS
Indiana .....	G	LG	G	G (a-6)	A	G (a-5)	G	G	G (a-29)	A
Iowa .....	GS	A	A	GS	A	GS	GS	BGS	A	A
Kansas .....	GS	B	C	...	CS	GS	C	B	GS	CS
Kentucky .....	AG	AG	G	G	B	CG (a-5)	CG	B	AG	B
Louisiana .....	A	GS	GS	GS	GS	GS	GS	B	GS	A
Maine .....	N.A.	G	G	G (a-5)	G	C	G	B	G (a-29)	B
Maryland .....	A	G	GS	GS	A	GS	GS	G	AG	A
Massachusetts .....	CG	CG	CG	G (a-5)	CG	G (a-5)	CG	B	G	B
Michigan .....	GS	...	GS	(a-6)	GS	CS	GS	CS	(a-29)	GS
Minnesota .....	A	A	A	GS	N.A.	GS (a-5)	GS	A	A	N.A.
Mississippi .....	BS	A	GS	GS	GS	A	BS	BS	B	BS
Missouri .....	A	A	A	(a-5)	(w)	A	GS	B	B (a-29)	N.A.
Montana .....	A	CS	G	G	G	A	G	B	G (a-6)	A
Nebraska .....	A	G	GS	(ff)	(gg)	A	GS	B	GS	B
Nevada .....	A	A	A	(a-9)	A	N.A.	AG	B	(a-29)	A
New Hampshire .....	GC	G	GC	GC (a-5)	BGC	GC	AGC	B	GC (a-29)	AGC
New Jersey* .....	A	GS	GS	(a-6)	B	A	GS	B	(a-29)	A
New Mexico* .....	(a-18)	GS	GS	GS	G	GS	GS	B	GS	G
New York .....	GS (a-18)	B	GS	CE (a-9)	GS	GS	GS	B (a-12)	GS (a-29)	GS (a-20)
North Carolina .....	G	A	G	G (a-6)	G	(a-5)	G	B	A	A
North Dakota .....	G	N.A.	A	A	G	G	G	B	G	B
Ohio .....	GS	AG	GS	GS (a-6)	AG	AG	GS	B	GS (a-29)	N.A.
Oklahoma .....	B	GS	B	GS	B	GS (a-5)	B	B	B (a-29)	B
Oregon .....	GS	G	B	CE (a-4)	B	GS (a-5)	AG	B	A	B
Pennsylvania .....	G	AG	G	G	(hh)	GS	GS	G	G	B
Rhode Island .....	G	CS	GB	AG (a-6)	GB	GB	GB	B	GB	B
South Carolina .....	B	A	B	B	B	A	GS	B	B (a-29)	B
South Dakota .....	CG	A	GS	GS	CG	GS (a-5)	GS	B	GS	CG
Tennessee* .....	A	A	N.A.	G	B	G	(ww)	B	(a-29)	AG
Texas .....	B	B	B	CE (a-9)	B	B	BG	B	B (a-29)	B
Utah .....	GS	A	GS	A	A	A	GS	B	GS	A
Vermont .....	G	G	...	G	G	G	G	N.A.	G (a-29)	A
Virginia* .....	GB	GB	GB	GB	B	GB	GB	B	GB	GB
Washington .....	A	A	GS	GS	B	GS (a-5)	GS	B	B (a-29)	A
West Virginia .....	GS	GS	GS (a-13)	GS (a-5)	CS	C	GS	B	GS (a-29)	A
Wisconsin .....	A	A	A	A	A	GS (a-5)	A	N.A.	A	A
Wyoming .....	GS	A	GS	CE	GS	GS (a-5)	GS	B	GS (a-29)	GS
American Samoa* .....	A	GB	GB	(a-4)	GB	G	GB	(a-12)	(a-29)	A
No. Mariana Islands .....	CS	CS	CS	GS	CS	GS	GS	B	CS	CS
U.S. Virgin Islands .....	GS (a-18)	GS	GS	GS (a-4)	GS (a-14)	GS (a-5)	GS	GS	GS	GS (a-14)

(a-15) Finance

(a-16) General services

(a-17) Highways

(a-18) Labor

(a-19) Natural Resources

(a-20) Parks and recreation

(a-21) Personnel

(a-22) Post-audit

(a-23) Pre-audit

(a-24) Public utility regulation

(a-25) Purchasing

(a-26) Revenue

(a-27) Social services

(a-28) Tourism

(a-29) Transportation

(a-30) Welfare

(b) Responsibilities shared between Commissioner of Health and Social Services (GB) and Director, Division of Public Assistance (AG), both in Dept. of Health and Social Services.

(c) Responsibilities shared between Director, Department of General Services (GS); and Chief Deputy Director, same department (A).

(d) Method not specified.

(e) Responsibilities shared between Director, Fisheries Division (A); and Director, Wildlife Division (A).

(f) Responsibilities shared between Director, Division of Substance Abuse and Mental Health, Department of Health and Social Services; and Director, Division of Mental Retardation, same department

(g) Responsibilities shared between Secretary of Health and Social Services (GS); and Secretary, Department of Services for Children, Youth and their families (GS).



# EXECUTIVE BRANCH

## SELECTED OFFICIALS: METHODS OF SELECTION — Continued

<i>State or other jurisdiction</i>	<i>Information systems</i>	<i>Insurance</i>	<i>Labor</i>	<i>Licensing</i>	<i>Mental health &amp; retardation</i>	<i>Natural resources</i>	<i>Parks &amp; recreation</i>	<i>Personnel</i>	<i>Planning</i>	<i>Post audit</i>
Alabama .....	N.A.	G	G	...	G	G	CS	B	(a-11)	LS
Alaska .....	AG	AG	GB	AG	AG	GB	AG	AG	N.A.	B
Arizona .....	A	GS	B	...	A	GS	B	A	G (a-6)	(d)
Arkansas .....	GS	GS	GS	...	A	A	GS	A	...	L
California .....	GS	CE	GS	G (a-10)	GS	GS	GS	GS	G	(d)
Colorado .....	C	G	GS	GS	CS*	GS	C	GS	G	L
Connecticut .....	GE	GE	GE	N.A.	GE	A	A	A	A	N.A.
Delaware .....	GS	CE	GS	CG	CG (f)	GS	CG	GS	CG	CE
Florida .....	A	CE	BGC	(h)	A	(a-14)	A	A	G	GOC
Georgia .....	G	CE	CE	A	A	B	A	GS	G	(i)
Hawaii .....	CS	AG	GS	GS (a-7)	CS	GS	CS	GS	...	(j)
Idaho .....	(a-5)	GS	GS	A	A	...	B	GS	GS (a-7)	CE (a-9)
Illinois .....	GS (a-5)	GS	GS	GS	GS (a-27)	GS	GS (a-19)	GS (a-5)	...	SL
Indiana .....	A	G	G	(l)	A	G	A	G	...	G
Iowa .....	GS	GS	GS	A	A	GS	A	GS	(a-11)	CE
Kansas .....	C	SE	GS	B	C	GS	CS	C	BG	L
Kentucky .....	AG	G	G	AG	CG	G	G	G	G	CE
Louisiana .....	A	CE	GS	A	GS	GS	LGS	B	A	CL
Maine .....	C	G	G	C	G	G	C	C	G	CL
Maryland .....	A	GS	GS	A	A (p)	GS	A	A	GS	N.A.
Massachusetts .....	C	G	G	G	CG (q)	CG	C	CG	(a-11)	CE
Michigan .....	CS	GS	GS (a-7)	CS	(t)	GS	CS	CS	...	CL
Minnesota .....	A	GS	GS	A	A	GS	A	GS	A	CE
Mississippi .....	BS	SE	...	...	(ii)	GS (a-14)	GS	B	CS	CE
Missouri .....	A	GS	GS	A	A	GS	A	G	(a-6)	CE
Montana .....	A	CE	G	A	A	G	A	A	G (a-6)	L
Nebraska .....	A	GS	GS	A	A	GS	B	A	GS	CE
Nevada .....	G	A	G	...	GD	(a-5)	...	G	(a-5)	ALS
New Hampshire .....	GC (a-5)	GC	GC	...	AGC	QC	AGC	AGC	G	AGC (a-9)
New Jersey* .....	G	GS	GS	A	A	GS	A	GS	A	A
New Mexico* .....	G	G	GS	G	G	GS	G	G	...	CE
New York .....	GS (a-16)	GS	GS	(jj)	(kk)	GS (a-14)	GS	GS	GS (a-11)	CE (a-9)
North Carolina .....	G	CE	CE	...	A	G	A	G	G	CE
North Dakota .....	G	CE	G	CE (a-2)	A	A	G	A	...	(ll)
Ohio .....	A	G	A	AG	GS	GS	AG	AG	GS (a-6)	SE
Oklahoma .....	A	CE	CE	...	B	B (a-28)	B (a-28)	GS	...	CE
Oregon .....	A	GS	SE	GS	AG	GOC	B	A	B	A
Pennsylvania .....	GS	GS	GS	G	(mm)	GS	C	G	G	CE
Rhode Island .....	CS	CS	AGS	CS	GB	GB (a-14)	CS	CS	CS	CS
South Carolina .....	A	GS	GS	GS (a-18)	B	B	GS	A	AB	B
South Dakota .....	GS	GS	GS	CG	GS	GS	CG	GS	(a-15)	L
Tennessee* .....	A	G	G	A	G	G	A	G	N.A.	CL
Texas .....	B	G	B	B	B	B	B	A	G (a-6)	L
Utah .....	A	GS	A	AG	AB	GS	AG	GS	G	CE
Vermont .....	G	G	G	A	G	G	G	G	...	CE
Virginia* .....	GB	SL	GB	GB	GB	GB	GB	GB	(a-6)	SL
Washington .....	GS	CE	GS	GS	A	CE	B	GS	GS (a-15)	CE
West Virginia .....	C	GS	GS	...	GS	GS	GS	C	GS (a-5)	LS
Wisconsin .....	A	GS	GS	GS	A	GS	A	GS	(a-6)	LS
Wyoming .....	A	G	A	GS	A	G	A	A	G	CE
American Samoa* .....	(a-29)	G	N.A.	N.A.	(a-27)	AG	GB	A	(a-7)	G
No. Mariana Islands .....	CS	CS	CS	B	CS	GS	CS	BS	G	GS
U.S. Virgin Islands .....	G	SE (a-1)	GS	GS (a-10)	GS	GS (a-14)	GS	GS	G	G

(h) Responsibilities shared between Director, Division of Licensing, Department of State (SS); and Secretary, Department of Professional Regulation (N.A.).

(i) The State Auditor is appointed by the House and approved by the Senate.

(j) Responsibilities shared between State Auditor (L); and Division Head, Division of Audit (CS).

(k) Responsibilities shared between Co-Directors in Election Commission (G); appointed by the Governor, subject to approval by the Chairs of the State Republican/Democratic parties.

(l) Responsibilities shared between Executive Director, Health Professions Bureau; and Executive Director, Professional Licensing Agency (G).

(m) Responsibilities shared between Secretary, Department of Commerce and Housing (GS); Director, Division of Existing Industry, same department (A); Director, Business Development Division, same department (A); and President Kansas Inc. (B).

(n) Responsibilities shared between Secretary of the State (CE); and Deputy Assistant for Elections (SS).

(o) In Maine, New Hampshire, New Jersey, Tennessee and West Virginia, the Presidents (or Speakers) of the Senate are next in line of succession to the Governorship. In Tennessee, the Speaker of the Senate bears the statutory title of Lieutenant Governor.

(p) Responsibilities shared between Director, Mental Hygiene Administration (A); and Director, Developmental Disabilities Administration, Department of Health and Mental Hygiene (A).

(q) Responsibilities shared between Commissioner, Department of Mental Retardation (CG); and Commissioner, Department of Mental Health, Executive Office of Human Services (CG).

(r) Responsibilities shared between Chair, Director of Telecommunications and Energy (G); Commissioner, Electricity and Energy.

**SELECTED OFFICIALS: METHODS OF SELECTION — Continued**

<i>State or other jurisdiction</i>	<i>Pre-audit</i>	<i>Public library development</i>	<i>Public utility regulation</i>	<i>Purchasing</i>	<i>Revenue</i>	<i>Social services</i>	<i>Solid waste management</i>	<i>State police</i>	<i>Tourism</i>	<i>Transportation</i>	<i>Welfare</i>
Alabama .....	(a-9)	B	SE	CS	G	B	CS	CS	G	(a-17)	B
Alaska .....	N.A.	AG	GB	(a-16)	GB	GB	CS	AG	AG	GB	AB (b)
Arizona .....	A (a-9)	B	B	A	GS	A	A	GS	GS	GS	A
Arkansas .....	A	B	A	A	A	GS	A	G	GS	BS	GS
California .....	CE(a-9)	GS	GS	GS	BS	GS	G	GS	G	GS	GS
Colorado .....	C	A	C	C	GS	GS	CS	C	...	GS	GS*
Connecticut .....	CE (a-9)	A	GB	CS	GE	CE	CS	CE	A	GE	GE
Delaware .....	CE (a-22)	CG	CG	CG	CG	GS (g)	B	CG	CG	GS	CG
Florida .....	(a-26)	SS	L	A	GOC	N.A.	A	A	A	A	A
Georgia .....	(i)	AB	CE	A	G	GD	A	B	A	B	A
Hawaii .....	CS	B	G	GS	GS	GS	CS	...	GS (a-11)	GS	CS
Idaho .....	CE (a-9)	A	GS	A	GS	CE	...	GS	A	B	A
Illinois .....	CE (a-9)	SS	GS	GS (a-5)	GS	GS	GS (a-14)	GS	GS (a-7)	GS	GS
Indiana .....	CE	G	G	A	G	N.A.	A	G	LG	G	A
Iowa .....	GS (a-26)	A	GS	A	GS	A	A	A	A	GS	A
Kansas .....	CS	GS	GS	C	GS	GS	C	GS	A	GS	C
Kentucky .....	G (a-15)	G	G	CG (a-5)	G	CG	A	CG	G	G	CG
Louisiana .....	A	BGS	BS	A	GS	GS	GS	GS	LGS	GS	C
Maine .....	C	B	G	CS	C	G	CS	G	C	G	C
Maryland .....	A	A	GS	A	A	GS	A	GS	A	GS	GS (a-27)
Massachusetts .....	G (a-9)	B	(r)	CG	CG	CG	CG	CG	CG	G	CG
Michigan .....	CL	C	GS	CS	CS	GS	CS	GS	N.A.	GS	GS (a-27)
Minnesota .....	A	A	G	A	GS	A	GS	A	A	GS	GS (a-27)
Mississippi .....	CE (a-22)	B	GS	GS	GS	N.A.	CS	GS	A	B (a-17)	GS
Missouri .....	A	B	GS	A	GS	GS	A	GS	A	B	A
Montana .....	...	B	CE	A	G	G	A	A	A	G	A
Nebraska .....	A	B	B	A	GS	GS	A	GS	A	GS (a-17)	GS
Nevada .....	(a-5)	G	G	A	G	G	(a-14)	A	GD	BG	AG
New Hampshire .....	AGC (a-9)	AGC	GC	CS	GC	GC	AGC	AGC	AGC	GC	AGC
New Jersey* .....	(a-6)	N.A.	GS	A	A	GS	A	GS	A	GS	A
New Mexico* .....	G	G	CE	G	GS	GS	...	GS	GS	(a-17)	GS
New York .....	CE (a-9)	B (a-12)	GS	(a-16)	GS	GS	GS (a-14)	GS	GS (a-11)	GS	GS (a-27)
North Carolina .....	(a-22)	A	G	A	G	A	A	G	A	G	A
North Dakota .....	A	A	CE	A	CE	G	A	G	G	G	G
Ohio .....	SE (a-22)	B	GS	AG	GS	G	CS	GS	AG	GS	GS
Oklahoma .....	(a-9)	B	(nn)	A	GS	GS	A	GS	B	B	(a-30)
Oregon .....	A (a-6)	B	GS	A	GS	GS	B	GS	A	GS	GS
Pennsylvania .....	CE (a-9)	C	GS	C	GS	G	C	GS	C	GS	GS
Rhode Island .....	CS (a-9)	G	G	CS	CS	G	CS	GB	A	GB	CS
South Carolina .....	(a-9)	B	B	A	GS	GS	A	GS	GS	B	GS
South Dakota .....	CE	CG	CE	CG	GS	G	CG	CG	GS	GS	GS (a-27)
Tennessee* .....	(a-9)	SS	SE	A	G	A	A	G	G	G	G
Texas .....	CE (a-9)	A	B	B	CE (a-9)	G	A	B	A	B	BG
Utah .....	A	A	A	A	BS	GS	A	A	A	GS	GS
Vermont .....	G (a-15)	G	G	A	G (a-15)	G	A	A	G	G	G
Virginia* .....	(a-9)	GB	SL	CS	GB	GB	(a-14)	GB	CS	GB	(a-27)
Washington .....	CE (a-4)	B	GS	A	GS	GS	A	GS	A	B	GS (a-27)
West Virginia .....	GS (a-5)	B	GS	CS	GS	C	B	GS	GS	GS	GS
Wisconsin .....	A	A	GS	A	GS	A	A	A	GS	GS	A
Wyoming .....	CE	A	G	A	GS	GS	A	A	A	GS	GS
American Samoa* .....	(a-4)	(a-12)	N.A.	A	(a-4)	GB	GB	GB	(a-7)	GB	N.A.
No. Mariana Islands .....	G	B	B	CS	CS	CS	A	GS	GB	CS	CS
U.S. Virgin Islands .....	GS (a-4)	GS	G	GS (a-5)	GS	G	GS	GS	GS (a-7)	GS (a-5)	GS

(s) Responsibilities shared between Secretary of State (CE); and Director, Bureau of Elections (CS).

(t) Responsibilities shared between Director, Department of Community Health (CS); and Deputy Director, Mental Health and Substance Abuse, same department.

(u) Responsibilities shared between Commissioner, Department of Agriculture (GS); and Director, Dairy and Food Inspection Division, same department (A).

(v) Responsibilities shared between Secretary of State (CE); and Director, Election Division, Office of the Secretary of State (A).

(w) Responsibilities shared between Acting Chief, Division of Fisheries, Department of Conservation; Chief, Division of Wildlife, same department (AB).

(x) Responsibilities shared between Commissioner, Department of Administration Services (GC); and Assistant Commissioner & Budget Office, Budget Office same department (AGC).

(y) Elected to the Senate by the public and elected Lieutenant Governor by the Senate.

(z) Responsibilities shared between Secretary of State (CE); Deputy Secretary of State for Elections, Office of Secretary of State (SS); and Chief Deputy Secretary of State, same office (SS).

(aa) Responsibilities shared between Chair, Ohio Civil Rights Commission (GS) and Acting Executive Director, same commission.

(bb) Responsibilities shared between Manager, Insurance Division, Consumer Protection (A); and Consumer Information Officer, Civil Enforcement Division, Department of Justice (A).

(cc) Responsibilities shared between Secretary of State (G); and Director of Elections, Elections Division, Secretary of State (A).

(dd) Responsibilities shared between Secretary, Commerce and Trade (GB); and Director, Department of Economic Development (GB).

(ee) Responsibilities shared between Cabinet Secretary, Department of Education and the Arts (G); and Superintendent, Department of Education (B).

(ff) Responsibilities shared between State Tax Commissioner, Department of

### SELECTED OFFICIALS: METHODS OF SELECTION — Continued

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Revenue (GS); Administrator, Budget Division,

(gg) Responsibilities shared between Division Administrator, Wildlife Division, Game & Parks Commission (A); and Division Administrator, Fisheries Division, same commission (A).

(hh) Responsibilities shared between Executive Director, Fish Commission (B); and Executive Director, Game Commission (B).

(ii) Responsibilities shared between Bureau Chief, Alcohol and Drug Abuse Division (A), Department of Mental Health; and Director, Department of Mental Health (B).

(jj) Commissioner, State Education Department (B); and Secretary of State (GS).

(kk) Responsibilities shared between Commissioner, Office of Mental Health,

and Commissioner, Office of Mental Retardation and Developmental Disabilities, both (GS).

(ll) Responsibilities shared between Legislative Budget Analyst/Auditor, Legislative Council (A); and State Auditor (CE).

(mm) Responsibilities shared between Deputy Secretary, Mental Health, Department of Public Welfare (G); and Deputy Secretary, Mental Retardation, same department (G).

(nn) Responsibilities shared between Director, Public Utility Division, Corporation Commission (A); and 3 Commissioners, Corporation Commission (CE).

Table 4.11

## SELECTED STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES BY REGION

<i>State or other jurisdiction</i>	<i>Governor</i>	<i>Lieutenant governor</i>	<i>Secretary of state</i>	<i>Attorney general</i>	<i>Treasurer</i>	<i>Adjutant general</i>	<i>Administration</i>	<i>Agriculture</i>	<i>Banking</i>	<i>Budget</i>
<b>Eastern Region</b>										
Connecticut .....	150,000†	\$77,756	\$50,000	\$81,562	\$76,125	\$140,272	\$84,000	\$110,913	\$110,913	\$130,118
Delaware .....	114,000	60,000	103,900	114,400	92,200	86,800	96,900	96,900	93,800	111,200
Maine .....	70,000	(s)	N.A.	78,062	71,032	91,208	91,208	87,692	85,758	80,267
Massachusetts .....	135,000	120,000	120,000	122,500	120,000	...	117,500	89,001	101,499	110,496
New Hampshire .....	100,690	(s)	65,540 (c)	85,753	76,603	81,191	85,753	64,036	81,191	85,753
New Jersey .....	130,000	(s)	100,225*	100,225*	100,225*	100,225*	(a-16)	100,225*	100,225*	95,000*
New York .....	179,000	151,500	120,800	151,500	108,510	120,800	(a-16)	120,800	127,000	161,949
Pennsylvania .....	142,000†	116,185	97,603*	115,041	115,041	99,555	117,500	99,555	99,555	122,500
Rhode Island .....	95,000	80,000	80,000*	85,000	80,000	81,404	105,570	46,379 (b)	64,172 (b)	95,188 (b)
Vermont .....	88,026	50,253	75,317	90,272	75,317	71,136	90,210	74,859	79,747	(a-15)
Regional average .....	120,372	93,671	90,376	102,432	91,505	96,955	98,580	89,036	94,386	110,275
<b>Midwest Region</b>										
Illinois .....	150,691	115,235	123,700	132,963	115,235	98,135	120,861	113,114	115,601	120,500
Indiana .....	95,000	76,000	66,000	79,400	66,000	98,046	99,962	74,431	87,126	93,561
Iowa .....	107,482	76,698	82,940	105,430	87,990	90,123	105,772	87,990	71,768	93,376
Kansas .....	95,446	26,967	74,148	85,267	74,148	88,555	93,884	88,640	78,028	83,989
Michigan .....	177,000	123,000	124,900	124,900	161,000	112,717	120,000	120,000	110,000	125,000
Minnesota .....	120,303	62,980	66,169	93,000	71,129	108,400	108,400	108,400	96,676	(a-15)
Nebraska .....	65,000	47,000	52,000	64,500	49,500	73,588	78,663	80,693	77,292	91,693
North Dakota .....	83,013	64,452	68,000	71,076	62,976	117,936	N.A.	66,509	66,996	96,228
Ohio .....	126,485	73,715 (b)	90,725	93,434	93,434	101,670	73,715 (b)	66,851 (b)	54,974 (b)	73,715 (b)
South Dakota .....	95,389	12,635 (gg)	64,812	80,995	64,813	92,248	89,918	89,918	84,302	(a-15)
Wisconsin .....	122,407	60,182	54,610*	112,274	54,610	88,500	110,000	99,804	86,318	91,417
Regional average .....	112,565	67,169	78,909	94,840	81,894	97,265	99,118	90,577	84,462	96,609
<b>Southern Region</b>										
Alabama .....	94,655	48,620	66,722	124,951	66,722	74,113	\$81,600 (c)	66,258	132,600	74,113
Arkansas .....	71,738	34,673	43,000	59,781	44,836	86,751	115,960	86,587	103,341	95,224
Florida .....	120,171	115,112	116,056	118,957	118,957	112,594	113,877	119,415	118,957	119,982
Georgia .....	127,303	83,148	89,538	125,889	116,093	112,594	116,093	110,247	116,093	126,283
Kentucky .....	103,018	87,580	82,521	87,580	87,580	104,445	84,580	87,580	96,238	185,000
Louisiana .....	95,000	85,008	85,000	85,000	85,000	129,130	153,920	85,000	85,400	104,811
Maryland .....	120,000	100,000	70,000	100,000	100,000	85,594 (b)	99,379 (b)	99,379 (b)	63,020 (b)	115,456 (b)
Mississippi .....	101,800	60,000	75,000	90,800	75,000	80,000	85,000	75,000	85,000	58,876
Missouri .....	120,087	77,184	90,471	104,332	96,455	80,472	111,156	95,846	78,626	N.A.
North Carolina .....	118,430	104,523	94,552	104,523	104,523	87,944	102,119	104,523	104,523	(a-15)
Oklahoma .....	101,040	75,530	65,000*	94,349	82,000	112,593	75,000	80,000	110,000	80,000
South Carolina .....	106,078	44,737	92,007*	92,007	92,007	92,007	148,000	92,007	(a-4)	105,168
Tennessee .....	87,276	49,500 *(s)	120,000*	112,068*	120,000*	84,540*	(a-15)*	84,540*	84,540*	78,864*
Texas .....	115,345	99,122	117,546	92,217	(a-9)	98,625	81,120	92,217	118,427	115,648
Virginia .....	125,000†	32,000*	76,346*	97,500*	93,573*	71,666*	82,417*	73,185*	103,136*	94,778*
West Virginia .....	90,000	(s)	65,000*	75,000	70,000	75,000	75,000	70,000	60,000	72,396
Regional average .....	106,059	73,116	84,297	97,810	88,053	93,569	101,681	89,150	98,240	103,672
<b>Western Region</b>										
Alaska .....	83,280	77,712	(a-1)	88,548	91,668	88,548	88,548	71,604	79,368	99,732
Arizona .....	95,000	(a-2)	70,000	90,000	70,000	100,000	129,224	100,000	100,000	100,000
California .....	175,000	131,250	123,750	148,750	140,000	146,785	123,255	131,412	123,255	131,412
Colorado .....	90,000	68,500	68,500	80,000	68,500	108,000*	108,000*	108,000*	86,628*	108,156*
Hawaii .....	94,780	90,041	(a-1)	85,302	(a-6)	143,879	(a-9)	85,302	74,655	85,302
Idaho .....	98,500	26,000	80,000	88,500	80,000	102,440	82,098	85,072	84,178	(a-15)
Montana .....	88,190	62,471	67,512	75,550	80,704	77,563	(a-4)	80,703	65,112	80,704
Nevada .....	117,000	50,000	80,000	110,000	80,000	87,792	92,914	74,160	77,403	(a-5)
New Mexico .....	90,000	65,000	65,000	72,500	65,000	86,400	(a-16)	70,512	72,471	76,877
Oregon .....	93,600	(a-2)	67,900*	77,200	72,000	99,396	120,876	99,396	84,264	109,620
Utah .....	100,600	78,200	(a-1)	84,600	80,700	80,576	76,000 (b)	64,600 (b)	64,600 (b)	76,000 (b)
Washington .....	139,087	72,705	91,048*	126,443	97,446	112,594	106,130	106,130	106,130	81,723
Wyoming .....	95,000	(a-2)	77,000*	89,067	77,000	87,719	84,067	73,568	64,800	71,294
Regional average .....	104,618	72,188	79,071	93,574	83,585	101,669	101,111	88,497	83,297	92,802
Regional average without California .....	98,753	65,625	74,107	88,976	78,456	97,909	98,651	84,921	79,967	88,941
No. Mariana Islands .....	70,000	65,000	...	70,000	40,800 (b)	...	54,000	40,800 (b)	40,800 (b)	54,000
U.S. Virgin Islands .....	80,000	75,000	(a-1)	85,000	65,000	65,000	65,000	65,000	(a-1)	65,000

Source: The Council of State Governments' survey of state personnel agencies, January 2002. Information noted by an \* is from *The Book of the States*, 2000-2001. Information noted by an † was supplied by The National Governor's Association.

Note: The chief administrative officials responsible for each function were determined from information given by the states for the same function as listed in *State Administrative Officials Classified by Function, 2000*, published by The Council of State Governments.

Key:

N.A. — Not available.

... — No specific chief administrative official or agency in charge of function.

(a-1) Chief administrative official or agency in charge of function:

(a-1) Lieutenant governor.

(a-2) Secretary of state.

(a-3) Attorney general.

(a-4) Treasurer.

(a-5) Administration.

(a-6) Budget.

(a-7) Commerce.

(a-8) Community affairs.

## EXECUTIVE BRANCH

### SELECTED OFFICIALS: ANNUAL SALARIES — Continued

State or other jurisdiction	Civil rights	Commerce	Community affairs	Comptroller	Consumer affairs	Corrections	Economic development	Education	Election administration	Emergency management
<b>Eastern Region</b>										
Connecticut .....	\$110,913	...	\$178,001	\$70,687	N.A.	\$140,272	\$123,961	\$140,272	\$85,117	\$96,904
Delaware .....	61,900	(a-2)	...	90,100	90,878	111,200	103,900	131,000	67,700	65,100
Maine .....	61,672	(a-11)	N.A.	80,267	75,171	91,208	91,208	91,208	67,330	64,667
Massachusetts .....	80,488	(a-11)	86,400	116,016	108,000	116,016	116,016	157,221	(a-2)	77,893
New Hampshire .....	54,932	85,753	69,322	67,473	67,473	83,477	64,036	85,753	(a-2)	66,837
New Jersey .....	\$83,483*	100,225*	100,225*	(a-6)	91,639*	N.A.	78,928*	100,225*	63,000	81,285*
New York .....	109,800	120,800	(a-2)	151,500	101,600	136,000	120,800	170,165	109,800	117,549
Pennsylvania .....	105,096	105,086	79,766	118,300	82,700	108,448	105,086	110,617	69,907	97,291
Rhode Island .....	50,040 (b)	(a-11)	38,304 (b)	81,404 (b)	(a-3)	113,793	57,635 (b)	130,933	86,024	57,635 (b)
Vermont .....	69,534	82,160	(a-15)	69,534	89,694	69,867	97,074	(a-2)	65,229	
Regional average .....	78,786	98,805	90,597	96,968	85,874	110,012	93,144	121,447	78,411	79,039
<b>Midwest Region</b>										
Illinois .....	98,135	120,861	(a-7)	115,235	(a-3)	127,576	(a-7)	190,000	49,641	98,135
Indiana .....	69,147	79,950	77,083	(a-23)	70,000	96,193	73,125	79,400	(m)	90,480
Iowa .....	72,100	71,768	86,590	110,739	93,371	105,772	108,125	126,141	61,797	70,246
Kansas .....	39,354	108,246	63,181	77,254	70,034	96,385	(o)	132,600	(p)	56,243
Michigan .....	120,000	120,000	N.A.	100,246	N.A.	125,000	N.A.	165,000	(a-2)	91,175
Minnesota .....	108,400	108,400	98,650	(a-15)	61,992	108,400	108,400	108,400	66,523	(b)
Nebraska .....	81,199	(a-11)	54,099	86,351	75,381	91,166	83,210	120,000	53,946	64,292
North Dakota .....	(a-18)	115,008	66,509	96,228	60,000	72,720	(a-7)	69,648	25,824	59,184
Ohio .....	60,611 (b)	73,715 (b)	82,326	(a-4)	124,779	73,715 (b)	73,715 (b)	190,008	45,198 (b)	54,974 (b)
South Dakota .....	N.A.	84,760	(a-11)	(a-23)	44,643	81,619	77,250	92,248	51,188	59,987
Wisconsin .....	85,781	94,033	69,501*	94,141	88,968	105,550	73,441	107,432	97,821	80,680
Regional average .....	81,636	97,674	74,742	97,171	76,574	98,554	85,324	125,534	56,492	72,540
<b>Southern Region</b>										
Alabama .....	...	100,000	110,000 (c)	115,458	N.A.	83,699	110,000 (c)	165,780	42,884	73,882
Arkansas .....	...	(a-11)	(a-27)	(a-15)	78,719	110,897	103,761	114,305	(a-2)	66,741
Florida .....	104,553	...	112,797	118,957	80,000	110,639	(a-28)	118,957	88,000	90,000
Georgia .....	94,772	141,755	119,755	110,234	103,978	119,576	(a-7)	112,777	88,506	119,156
Kentucky .....	92,221	(a-11)	89,908	87,664	(a-3)	85,000	162,750	185,000	...	(b)
Louisiana .....	53,000	(a-11)	...	(a-5)	75,000	86,520	114,400	156,525	85,020	69,384
Maryland .....	79,458 (b)	115,456 (b)	79,458 (b)	100,000	71,952 (b)	85,594 (b)	115,456 (b)	135,000	73,777 (b)	55,219 (b)
Mississippi .....	...	152,700	75,000	85,000	68,000	85,000	152,700	144,000	72,835	65,000
Missouri .....	67,068	(a-11)	86,988	85,164	(a-3)	95,844	95,832	147,924	60,330	72,672
North Carolina .....	58,501	92,378	80,916	130,078	(a-3)	102,119	86,285	104,523	90,626	78,603
Oklahoma .....	59,220	105,660	73,000*	77,000	56,316	110,000	N.A.	88,511	73,957	70,000
South Carolina .....	85,000	(c)	N.A.	92,007	90,473	128,598	(a-7)	92,007	72,594	76,886
Tennessee .....	67,740	(a-11)	(a-11)	78,600	40,488*	84,540*	89,976*	89,976*	76,020*	70,476*
Texas .....	56,958	112,352	112,352	92,217	(a-3)	150,000	(a-7)	164,748	(hh)	75,504
Virginia .....	62,318*	104,097*	104,097*	94,241*	...	100,369*	116,113*	116,113*	62,318*	70,984*
West Virginia .....	45,000	70,000	175,000	70,000	75,756	75,000	(a-8)	(ii)	(a-2)	45,000
Regional average .....	71,216	110,489	101,606	95,473	74,068	100,837	114,727	129,076	73,906	73,300
<b>Western Region</b>										
Alaska .....	91,824	88,548	88,548	85,296	N.A.	88,548	85,296	88,548	85,296	76,536
Arizona .....	14,820	115,000	(a-7)	53,179	104,820	129,500	(a-7)	85,000	(a-2)	82,500
California .....	108,753	N.A.	108,753	140,000	123,255	131,412	N.A.	148,750	131,250	108,753
Colorado .....	88,536*	90,000*	108,000*	98,004*	86,148*	108,000*	90,000*	127,200*	61,392*	72,840*
Hawaii .....	78,792	85,302	77,966	85,302	67,752	85,302	85,302	150,000	77,966	77,966
Idaho .....	64,438	88,858	56,971	80,000	(a-3)	N.A.	63,918	80,000	N.A.	69,992
Montana .....	50,328	70,420	57,470	80,704	38,000	77,600	95,000	71,692	43,040	65,042
Nevada .....	68,005	103,301	67,985	80,000	68,449	103,301	82,068	92,914	80,000	59,670
New Mexico .....	57,448	(a-11)	69,364	(a-4)	72,001	86,447	86,466	94,546	57,628	86,447
Oregon .....	77,880	109,620	99,396	94,692	109,620	115,101	109,620	72,000	94,692	81,852
Utah .....	53,540 (b)	64,600 (b)	69,900 (b)	(a-15)	50,710 (b)	76,000 (b)	85,425	138,361	27,600 (b)	63,000 (b)
Washington .....	82,512	106,130	106,128	(a-4)	119,700	106,130	106,130	99,462	84,972	89,352
Wyoming .....	54,746	130,000	130,000	77,000	60,267	81,567	130,000	77,000	51,920	62,443
Regional average .....	68,586	95,616	86,707	87,418	81,884	99,016	93,582	102,758	72,341	77,440
Regional average without California	65,239	95,161	84,703	81,575	77,747	96,136	93,582	98,926	66,451	74,830
No. Mariana Islands .....	49,000	70,000	48,000	40,800 (b)	70,000	40,800 (b)	40,800 (b)	80,000	53,000	45,000
U.S. Virgin Islands .....	(a-3)	65,000	(jj)	(a-4)	65,000	(a-3)	85,000	65,000	55,000	60,000

(a-9) Comptroller.

(a-10) Consumer affairs.

(a-11) Economic development.

(a-12) Education (chief state school officer).

(a-13) Energy.

(a-14) Environmental protection.

(a-15) Finance.

(a-16) General services.

(a-17) Highways.

(a-18) Labor.

(a-19) Natural resources.

(a-20) Parks and recreation.

(a-21) Personnel.

(a-22) Post audit.

(a-23) Pre-audit.

(a-24) Public utility regulation.

(a-25) Purchasing.

(a-26) Revenue.

(a-27) Social services.

(a-28) Tourism.

(a-29) Transportation.

(a-30) Welfare.

**SELECTED OFFICIALS: ANNUAL SALARIES — Continued**

<i>State or other jurisdiction</i>	<i>Employment services</i>	<i>Energy</i>	<i>Environmental protection</i>	<i>Finance</i>	<i>Fish &amp; wildlife</i>	<i>General services</i>	<i>Health</i>	<i>Higher education</i>	<i>Highways</i>	<i>Historic preservation</i>
<b>Eastern Region</b>										
Connecticut .....	\$110,917	\$97,501	\$123,961	\$178,001	(d)	\$140,272	\$140,272	\$135,000	\$140,735	\$75,128
Delaware (h) .....	(a-18)	46,931	(a-19)	111,200	82,600	(a-5)	138,000	70,500	(a-29)	77,800
Maine .....	N.A.	80,267	91,208	(a-5)	91,208	80,267	91,208	N.A.	(a-29)	77,438
Massachusetts .....	91,137	87,991	99,396	(a-5)	93,232	(a-5)	116,016	180,000	96,783	80,000
New Hampshire .....	76,603	58,483	83,477	(a-5)	64,036	85,753	76,603	54,886	(a-29)	50,320
New Jersey .....	79,507*	100,225*	100,225*	(a-6)	75,894*	85,000*	100,225*	95,000*	100,225*	84,349*
New York .....	(a-18)	120,800	136,000	(a-9)	136,000	136,000	136,000	(a-12)	(a-29)	(a-20)
Pennsylvania .....	103,800	93,086	103,200	(a-6)	(dd)	105,086	110,617	91,100	118,800	105,096
Rhode Island .....	96,890	64,172 (b)	103,789	(a-6)	61,024	105,570	126,292	130,086	(a-29)	59,275 (b)
Vermont .....	78,062	77,522	N.A.	81,723	75,029	81,682	99,091	N.A.	(a-29)	66,477
Regional average .....	90,988	82,698	105,157	123,641	84,878	102,454	113,432	108,082	114,136	75,098
<b>Midwest Region</b>										
Illinois .....	120,861	(a-7)	113,114	(a-6)	(a-19)	(a-5)	127,576	183,000	(a-29)	98,380
Indiana .....	84,766	51,831	90,090	(a-6)	74,919	(a-5)	111,286	136,000	(a-29)	49,042
Iowa .....	111,353	93,350	91,790	(a-9)	93,350	(a-5)	126,141	126,141	119,288	N.A.
Kansas .....	(q)	46,387	83,986	...	45,136	(a-5)	126,875	136,814	(a-29)	74,724
Michigan .....	100,000	...	125,000	(a-6)	(w)	100,767	125,000	91,175	(a-29)	120,000
Minnesota .....	88,719	91,558	76,921	108,400	(b)	(a-5)	108,400	197,000	102,207	N.A.
Nebraska .....	64,222	64,292	89,188	(z)	(aa)	59,000	83,640	119,990	90,538	88,032
North Dakota .....	71,076	N.A.	81,600	96,228	71,184	96,228	83,820	156,860	(a-29)	67,740
Ohio .....	73,715 (b)	49,941 (b)	73,715 (b)	(a-6)	54,974 (b)	54,974 (b)	73,715 (b)	190,445	(a-29)	N.A.
South Dakota .....	68,390	38,396	(a-19)	96,445	68,390	(a-5)	89,918	157,869	97,240	55,494
Wisconsin .....	102,038	88,095	99,445	97,687	79,436	(a-5)	102,191	N.A.	101,562	75,732
Regional average .....	88,514	65,481	92,485	99,690	69,627	77,742	105,324	149,529	102,167	78,643
<b>Southern Region</b>										
Alabama .....	75,725	68,628	117,420	74,113	92,407	72,101	177,076	151,372	107,188 (c)	96,500
Arkansas .....	109,493	88,536	96,513	115,960	N.A.	102,863	165,287	117,513	126,865	74,655
Florida .....	112,148	55,123	112,797	(a-9)	113,522	113,877	152,000	N.A.	118,589	79,643
Georgia .....	88,947	108,870	112,865	(a-4)	103,692	88,864	160,490	265,000	(a-29)	88,506
Kentucky .....	(b)	(b)	89,535	104,445	103,041	(a-5)	(b)	233,000	(b)	98,398
Louisiana .....	(b)	79,824	87,402	(a-5)	87,735	(a-5)	103,416	174,241	(a-29)	(b)
Maryland .....	58,988 (b)	67,335 (b)	107,106 (b)	115,456 (b)	58,988 (b)	(a-5)	115,456 (b)	107,106 (b)	99,379 (b)	73,777 (b)
Mississippi .....	70,000	83,900	85,000	85,000	80,000	N.A.	157,000	160,000	85,000	70,000
Missouri .....	88,392	75,672	83,676	93,211	(y)	80,196	122,436	154,330	125,004	51,252
North Carolina .....	96,260	78,603	87,472	121,435	97,667	(a-5)	125,966	299,860	125,966	91,515
Oklahoma .....	83,000	72,000	82,000	90,000	87,000	(a-5)	110,000	215,000	(a-29)	72,000
South Carolina .....	113,000	85,205	132,000	148,000	114,197	102,944	116,199	133,709	(a-29)	67,666
Tennessee .....	89,976*	51,264*	N.A.	120,000*	84,540*	84,540*	128,848*	142,536*	(a-29)*	49,968*
Texas .....	120,000	81,120	132,000	(a-9)	115,000	95,000	112,352	115,000	(a-29)	85,000
Virginia .....	82,417*	95,036*	96,911*	104,097*	85,335*	82,417*	113,558*	113,800*	96,187*	71,666*
West Virginia .....	70,000	85,000	(a-13)	(a-5)	65,760	59,756	90,000	252,500	(a-29)	44,052
Regional average .....	89,882	78,408	101,621	106,520	92,063	88,256	130,006	175,664	110,522	74,307
<b>Western Region</b>										
Alaska .....	88,032	N.A.	88,548	76,536	88,548	N.A.	85,296	104,112	88,548	72,192
Arizona .....	100,940	N.A.	123,500	100,748	119,600	97,690	125,000	76,350	107,369	58,285
California .....	123,255	117,818	131,412	131,412	123,255	123,255	123,255	152,060	131,412	96,672
Colorado .....	(a-18)	85,000	98,088	(a-9)	100,704	89,328	108,000	108,000	108,000	80,148
Hawaii .....	(b)	(b)	77,966	(a-6)	(b)	(a-25)	85,302	442,008	(b)	(a-19)
Idaho .....	86,278	70,054	86,528	80,122	102,003	N.A.	99,029	104,998	(a-29)	75,546
Montana .....	80,704	58,477	80,705	(a-6)	80,667	58,275	90,724	133,501	80,705	47,642
Nevada .....	85,054	64,979	86,084	(a-9)	85,969	N.A.	76,500	202,800	(a-29)	74,521
New Mexico .....	(a-18)	86,447	83,502	86,447	80,000	86,447	86,447	86,447	86,447	63,240
Oregon .....	109,620	90,168	99,396	(a-4)	99,396	(a-5)	129,942	149,000	119,486	95,000
Utah .....	82,800 (b)	44,000 (b)	76,000 (b)	68,350 (b)	63,000 (b)	64,750 (b)	82,800 (b)	58,000 (b)	(a-29)	53,540 (b)
Washington .....	87,228	69,756	106,130	131,246	106,130	(a-5)	112,216	128,942	(a-29)	61,632
Wyoming .....	79,565	75,229	86,570	77,000	86,195	(a-5)	79,567	85,646	(a-29)	71,567
Regional average .....	92,348	76,193	94,187	93,983	94,622	86,624	98,004	140,913	103,138	70,832
without California .....	88,913	71,568	92,326	88,636	92,019	79,298	96,613	139,984	98,426	68,483
No. Mariana Islands .....	40,800 (b)	40,800 (b)	40,800 (b)	54,000	40,800 (b)	54,000	60,000	80,000	40,800 (b)	40,800 (b)
U.S. Virgin Islands .....	(a-18)	65,000	65,000	(a-4)	(a-14)	(a-5)	79,500	65,000	65,000	(a-14)

(b) Salary ranges and top figure in ranges follow:

Alabama: Salary normally at a statutory maximum of \$74,113.

Arkansas: Salary ranges for, Natural Resources: \$33,850 - 66,461; Pre-audit: \$36,030 - 70,767; Public utility regulation: \$38,368-75,396; Solid waste management: \$36,030-70,767.

Florida: Salary range for Information Systems: \$48,539 - 98,912.

Hawaii: Salary ranges for , Employment services: \$62,520-85,512; Energy: \$68,328-93,444; Fish &amp; wildlife: \$59,544 - 81,444; Highways: \$62,520-85,512; Information systems: \$62,520- 85,512; Mental health &amp; retardation: \$54,012- 73,872; Parks &amp; recreation: \$62,520- 85,512; Post audit: \$62,520-85,512; Pre-Audit: \$62,520- 85,512; Solid waste management: \$59-544-81,444; Welfare: \$62,520-85,512.

Idaho: Salary range for Licensing: \$47,377-74,026.

Kentucky: Salary ranges for , Emergency management: \$48,935- 80,728; Employment services: \$53,830- 88,805; Energy: \$48,935- 80,728; Health: \$101,568- 162,504; Highways: \$59,214- 97,683; Licensing: \$48,935- 80,729; Solid waste management: \$36,767- 60,655.

Louisiana: Employment services: \$40,331- 66,581; Historic preservation: \$30,768- 50,794; Licensing: \$48,931 - 83,413; Personnel: \$60,525- 99,920; Planning: \$46,175- 76,228; Pre-audit: \$49,407- 81,564; Welfare: \$52,865 - 87,274.

Maryland: Minimum figure in range: top of range follows: Adjutant general, \$115,014; Administration, \$133,538; Agriculture, \$133,538; Banking, \$98,396; Budget, \$155,141; Civil rights, \$106,769; Commerce, \$155,141; Community affairs, \$106,769; Consumer affairs, \$112,454; Corrections,

# EXECUTIVE BRANCH

## SELECTED OFFICIALS: ANNUAL SALARIES — Continued

State or other jurisdiction	Information systems	Insurance	Labor	Licensing	Mental health & retardation	Natural resources	Parks & recreation	Personnel	Planning	Post audit
<b>Eastern Region</b>										
Connecticut .....	\$123,961	\$110,913	\$123,961	N.A.	\$140,272	\$115,673	\$115,673	\$123,961	\$105,000	N.A.
Delaware (h) .....	112,200 (e)	88,100	93,600	69,400	(f)	N.A.	83,300	103,900	80,000	88,100
Maine .....	82,451	91,208	91,208	75,171	91,208	91,208	40,134	80,267	80,267	82,659
Massachusetts .....	107,591	95,749	108,000	90,367	(u)	99,396	103,254	116,016	(a-11)	120,000
New Hampshire .....	85,753	85,753	64,036	...	81,191	85,753	64,036	76,603	69,322	(a-9)
New Jersey .....	84,500*	100,225*	100,225*	91,639*	87,026*	100,225*	76,688	100,225*	85,000*	95,000*
New York .....	(a-16)	127,000	127,000	(bb)	136,000 (nn)	(a-14)	127,000	120,800	(a-11)	(a-9)
Pennsylvania .....	118,300	99,555	110,617	85,400	(ee)	110,617	99,580	106,400	105,000	115,041
Rhode Island .....	67,624 (b)	64,172 (b)	96,980	51,943 (b)	116,472	103,789	57,635 (b)	81,404 (b)	98,515	51,943 (b)
Vermont .....	82,222	79,747	70,533	70,013	77,106	76,877	76,752	81,682	...	75,317
Regional average .....	96,067	94,242	98,616	76,276	104,182	97,942	84,405	99,126	89,015	89,723
<b>Midwest Region</b>										
Illinois .....	(a-5)	113,114	105,366	105,366	(a-27)	113,114	(a-19)	(a-5)	...	112,533
Indiana .....	81,971	79,852	88,505	(n)	83,187	90,090	74,802	84,142	...	83,070
Iowa .....	114,400	103,618	89,958	67,267	97,843	105,781	81,120	105,772	...	87,990
Kansas .....	92,604	74,148	90,725	63,665	65,714	92,225	49,774	68,074	98,186	95,373
Michigan .....	107,480	110,000	(a-7)	97,224	(x)	120,000	97,223	127,508	...	127,400
Minnesota .....	109,452	108,400	108,400	97,676	102,207	108,400	91,809	108,400	(b)	72,187
Nebraska .....	99,746	75,446	72,521	77,469	90,422	105,398	87,880	77,267	78,663	49,500
North Dakota .....	108,000	64,742	60,600	(a-2)	59,052	66,840	66,158	59,712	...	...
Ohio .....	60,611 (b)	66,851 (b)	101,442	54,974 (b)	73,715 (b)	73,715 (b)	54,974 (b)	73,715 (b)	(a-6)	93,434
South Dakota .....	107,682	84,760	79,602	43,493	80,000	89,918	65,124	82,451	(a-15)	76,889
Wisconsin .....	98,829	89,949	105,043	80,804	63,252	106,181	78,208	90,830	(a-6)	103,164
Regional average .....	98,078	88,262	90,216	76,438	79,488	97,424	74,707	87,787	88,425	90,154
<b>Southern Region</b>										
Alabama .....	N.A.	77,652(c)	74,113	...	122,446	74,113	87,997	133,494	(a-11) (b)	139,499
Arkansas .....	104,898	96,952	95,442	...	89,347	52,399(c)	90,333	81,714	...	118,104
Florida .....	(b)	(a-4)	111,718	96,411	(i)	(a-14)	(j)	85,000	119,982	123,000
Georgia .....	165,000	110,234	110,260	84,616	N.A.	111,753	92,996	116,119	(a-6)	125,000
Kentucky .....	92,342	90,956	104,445	(b)	85,933	88,648	89,341	104,445	121,018	87,530
Louisiana .....	97,944	101,000	102,752	(b)	84,048	96,063	78,840	(b)	(b)	N.A.
Maryland .....	92,220 (b)	99,379 (b)	99,379 (b)	79,458 (b)	(t)	107,106 (b)	63,020 (b)	85,594 (b)	99,379 (b)	N.A.
Mississippi .....	85,000	75,000	...	...	85,000	(a-14)	80,000	75,000	58,876	75,000
Missouri .....	108,144	95,904	92,952	74,256	92,928	95,808	83,676	85,164	(a-6)	96,455
North Carolina .....	130,000	104,523	104,523	...	104,243	102,119	77,722	102,119	75,474	104,523
Oklahoma .....	160,000	94,000	69,000	...	125,000	(a-28)	65,661	...	...	82,004
South Carolina .....	135,000	100,074	104,423	(a-18)	(ff)	114,197	103,000	112,041	85,214	88,496
Tennessee .....	98,472*	84,540*	89,976*	66,300 (yy)*	89,976*	84,540*	65,004*	84,540*	N.A.*	(a-9)*
Texas .....	120,000	163,800	115,000	76,000	135,000	109,200	115,000	93,929	(a-6)	96,200
Virginia .....	94,778*	103,136*	...	48,290 (b)*	94,778*	104,097*	71,666*	82,417*	...	108,944*
West Virginia .....	68,556	60,000	60,000	...	90,000	70,000	70,000	55,000	(a-5)	76,000
Regional average .....	110,882	97,143	95,285	75,047	99,892	93,080	83,471	90,816	93,324	101,597
<b>Western Region</b>										
Alaska .....	88,548	82,344	88,548	85,296	75,036	88,548	85,296	91,824	N.A.	85,296
Arizona .....	95,000	108,200	109,615	...	99,900	107,000	109,948	88,500	(a-6)	N.A.
California .....	123,255	140,000	131,412	(a-10)	123,255	131,412	123,255	123,255	106,440	N.A.
Colorado .....	84,516*	95,000*	108,000*	108,000*	89,556*	108,000*	98,256*	89,556*	(a-6)*	99,745*
Hawaii .....	(b)	74,655	85,302	(a-7)	(b)	85,302	(b)	85,302	...	(b)(k)
Idaho .....	(l)	78,250	86,278	(b)	65,166	...	75,005	82,098	(a-7)	(a-9)
Montana .....	98,000	68,485	80,704	N.A.	78,033	70,420	63,268	64,154	(a-6)	96,178
Nevada .....	103,301	89,326	103,301	...	90,640	103,301	...	78,050	(a-5)	99,050
New Mexico .....	86,449	73,079	86,447	86,447	77,203	86,447	75,352	83,000	...	65,000
Oregon .....	126,912	109,620	72,000	70,692	109,620	85,944	99,396	99,396	84,264	N.A.
Utah .....	64,750 (b)	64,600 (b)	64,600 (b)	55,016 (b)	63,000 (b)	76,000 (b)	63,000 (b)	76,000 (b)	(a-6)	80,700
Washington .....	106,811	90,617	110,015	106,130	98,556	99,462	104,515	100,589	(a-15)	92,500
Wyoming .....	73,126	69,567	64,637	84,067	111,467	71,567	64,000	72,477	71,567	77,000
Regional average .....	95,515	87,980	91,605	85,093	90,119	92,784	87,390	87,246	87,424	86,934
Regional average without California .....	92,741	83,695	88,287	85,093	87,107	89,292	83,804	84,246	77,916	86,934
No. Mariana Islands .....	40,800 (b)	40,800 (b)	40,800 (b)	45,360	40,800 (b)	80,000	40,800 (b)	55,000	45,000	80,000
U.S. Virgin Islands .....	60,000	(a-1)	65,000	(a-10)	79,500	(a-14)	65,000	65,000	55,000	60,000

\$115,014; Economic development, \$155,141; Election administration, \$99,136; Emergency management, \$86,118; Employment services, \$92,049; Energy, \$105,183; Environmental protection, \$143,922; Finance, \$155,141; Fish and Wildlife, \$92,049; Health, \$155,141; Higher education, \$143,922; Highway, \$133,538; Historic preservation, \$99,136; Information systems, \$123,919; Insurance, \$133,538; Labor, \$133,538; Licensing, \$106,769; Natural resources, \$143,922; Parks and recreation, \$98,396; Personnel, \$115,014; Planning, \$133,538; Pre-audit, \$106,769; Public library development, \$106,769; Purchasing, \$99,136; Revenue, \$106,769; Social services, \$143,922; Solid waste management, \$92,069; Police, \$143,922; Tourism, \$106,769; Transportation, \$155,141

Minnesota: Salary range for Emergency management, \$61,972 - 88,719; Fish & wildlife, \$61,972 - 88,719; Planning, \$32,113 - 46,834;

Ohio: Minimum figure in range: top of range follows: Lieutenant Governor, \$132,350; Administration, \$132,350; Agriculture, \$122,574; Banking, \$102,918; Budget, \$132,350; Civil Rights, \$112,320; Commerce, \$132,350; Corrections, \$132,350; Economic development, \$132,350; Elections administration, \$86,258; Emergency Management, \$ 102,918; Employment services, \$132,350; Energy, \$94,182; Environmental protection, \$132,350; Fish and Wildlife, \$102,918; General services, \$102,918; Health, \$132,350; Information systems, \$112,320; Insurance, \$122,574; Licensing, \$102,918; Mental health and retardation, \$132,350; Natural resources, \$132,350; Parks and recreation,



**SELECTED OFFICIALS: ANNUAL SALARIES — Continued**

State or other jurisdiction		Public library	Public utility	Purchasing	Revenue	Social services	Solid waste management	State police	Tourism	Transportation	Welfare
<b>Eastern Region</b>											
Connecticut .....	(a-9)	\$88,647	\$136,635	\$103,873	\$123,962	N.A.	\$115,673	\$140,272	\$106,950	\$140,272	\$140,272
Delaware (h) .....	(a-22)	68,200	76,400	74,100	104,800	(g)	128,900	113,100	65,000	103,900	96,400
Maine .....	(a-9)	77,438	101,420	69,326	85,758	91,208	58,573	80,267	69,326	91,208	73,590
Massachusetts .....	(a-9)	82,099	94,049 (v)	106,323	116,016	104,485	99,396	121,311	75,332	112,500	113,740
New Hampshire .....	(a-9)	64,036	85,753	50,291	85,753	85,753	76,603	76,603	64,036	85,753	83,477
New Jersey .....	(a-22)*	N.A.	100,225*	86,100*	92,247*	100,225*	71,802*	94,461*	84,500*	100,225*	87,000*
New York .....	(a-9)	(a-12)	127,000	(a-16)	127,000	136,000	(a-14)	127,000	(a-11)	136,000	(a-27)
Pennsylvania .....	(a-4)	78,044	107,621	66,876	105,086	97,800	97,291	105,086	61,242	110,617	110,617
Rhode Island .....	(a-9)	95,188 (b)	79,211	84,850 (b)	95,188 (b)	113,901	71,069 (b)	118,769	57,635 (b)	112,284	64,172 (b)
Vermont .....	(a-15)	72,654	97,406	66,144	81,723	91,645	70,429	99,467	65,000	86,466	91,686
Regional average .....	0	78,288	100,572	78,654	101,753	102,627	87,748	107,634	72,113	107,923	95,662
<b>Midwestern Region</b>											
Illinois .....	(a-9)	93,636	113,836	(a-5)	120,861	127,576	(a-14)	112,597	(a-7)	127,576	121,861
Indiana .....	66,000	74,802	88,120	55,246	88,120	82,000	74,724	111,118	74,802	90,636	78,448
Iowa .....	(a-9)	97,843	105,772	89,107	(a-23)	85,571	81,120	93,371	84,386	115,211	82,742
Kansas .....	(r)	75,282	81,149	72,950	95,854	92,073	73,570	79,682	62,100	97,617	62,069
Michigan .....	N.A.	N.A.	105,000	N.A.	100,803	125,000	97,224	120,000	N.A.	120,000	(a-27)
Minnesota .....	N.A.	82,600	88,447	102,207	108,400	108,400	108,400	94,628	98,323	108,400	108,400
Nebraska .....	86,351	72,876	85,864	59,000	83,636	99,111	52,165	75,110	50,597	(a-17)	93,116
North Dakota .....	76,476	51,999	66,509	47,088	68,277	104,472	56,232	69,012	60,696	92,700	104,472
Ohio .....	(a-22)	60,611 (b)	73,715 (b)	54,974	73,715 (b)	106,683	58,968 (b)	73,715 (b)	69,805	73,715 (b)	73,715 (b)
South Dakota .....	64,813	53,518	75,587	49,587	79,602	89,585	58,444	75,026	84,760	97,240	95,035
Wisconsin .....	66,192	74,276	92,500	76,283	98,324	74,845	79,501	88,629	95,338	108,077	102,038
Regional average .....	71,966	73,744	88,773	67,382	91,759	99,574	74,035	90,263	75,645	103,117	92,190
<b>Southern Region</b>											
Alabama .....	(a-9)	N.A.	82,620	72,828	90,186 (c)	135,252	72,101	43,969	74,113	(a-17) (c)	135,252
Arkansas .....	59,596 (c)	80,850	75,396 (c)	81,714	87,588	120,107	49,857(c)	83,870	90,333	126,865	(a-27)
Florida .....	(a-26)	98,911	119,743	88,699	114,800	N.A.	90,079	107,000	95,479	118,589	92,109
Georgia .....	(a-22)	N.A.	106,130	89,932	116,093	148,235	85,493	135,921	112,362	158,000	104,473
Kentucky .....	(a-15)	87,241	98,700	(a-5)	104,445	100,379	(b)	89,250	104,445	104,446	100,379
Louisiana .....	(b)	99,252	75,000	72,072	96,200	77,875	83,015	87,739	75,920	121,501	(b)
Maryland .....	79,458 (b)	79,458 (b)	114,400	73,777 (b)	79,458 (b)	107,106 (b)	68,518 (b)	107,106 (b)	79,458 (b)	115,456 (b)	(a-27)
Mississippi .....	(a-22)	70,000	85,000	55,536	91,000	N.A.	61,900	80,000	85,000	(a-17)	85,000
Missouri .....	(a-9)	90,828	94,029	80,196	102,024	95,086	61,104	80,052	77,496	(a-17)	98,004
North Carolina .....	(a-22)	86,285	116,405	90,299	102,119	99,428	70,195	97,692	71,819	92,378	106,819
Oklahoma .....	(a-9)	72,000	(cc)	71,200	85,000	125,000	65,000	85,000	74,000	110,000	N.A.
South Carolina .....	(a-9)	79,403	88,306	82,281	123,874	116,199	132,000	122,765	103,000	129,780	129,484
Tennessee .....	78,600*	98,800*	84,540*	70,764*	84,540*	69,948*	66,780*	84,540*	84,540*	84,540*	85,540*
Texas .....	(a-9)	85,000	92,000	95,000	(a-9)	95,500	99,952	102,000	112,352	155,000	105,000
Virginia .....	(a-9)	76,024*	103,136*	82,417*	94,778*	94,778*	(a-14)*	99,323*	116,113*	96,187*	94,778*
West Virginia .....	(a-5)	63,252	70,000	75,348	75,000	70,644	66,624	75,000	70,000	90,000	90,000
Regional average .....	72,551	83,379	93,694	78,804	96,474	103,967	76,616	92,577	89,152	115,596	102,237
<b>Western Region</b>											
Alaska .....	N.A.	95,268	79,368	74,028	88,548	88,548	77,376	88,500	75,036	88,548	88,548
Arizona .....	(a-9)	110,575	96,000	78,000	118,000	99,960	85,000	125,000	99,000	125,500	98,298
California .....	(a-9)	108,744	117,818	123,255	123,255	123,255	117,818	131,412	106,440	123,255	123,255
Colorado .....	(a-9)	90,485*	96,794*	98,004*	108,000*	108,000*	89,556*	98,304*	...	108,000*	108,000*
Hawaii .....	(b)	108,483	77,964	72,886	85,302	85,302	(b)	...	(a-11)	85,302	(b)
Idaho .....	(a-9)	56,742	81,120	67,434	70,304	15,646	N.A.	83,075	63,898	121,451	81,182
Montana .....	...	62,911	68,226	40,874	80,704	80,704	56,396	65,506	48,456	80,705	(a-27)
Nevada .....	(a-5)	86,776	95,709	78,049	103,301	103,742	(a-14)	98,574	91,243	92,914	97,338
New Mexico .....	78,363	62,533	72,500	69,231	86,447	83,502	...	86,447	83,502	(a-17)	67,737
Oregon .....	(a-6)	90,168	104,366	85,944	109,620	120,876	99,396	115,101	81,840	120,876	120,876
Utah .....	(a-15)	53,540 (b)	69,900 (b)	64,750 (b)	69,900 (b)	82,800 (b)	82,640 (b)	63,000 (b)	73,632	82,800 (b)	82,800 (b)
Washington .....	(a-4)	98,553	106,130	80,892	112,216	131,246	85,296	111,000	66,060	153,472	(a-27)
Wyoming .....	(a-9)	68,389	75,067	62,221	79,567	79,567	78,062	68,760	81,775	83,563	(a-27)
Regional average .....	78,363	84,090	87,766	76,582	95,013	92,550	85,727	94,557	79,171	105,058	96,448
Regional average without California .....	78,363	82,035	85,262	72,693	92,695	89,991	81,715	91,206	76,444	103,894	93,097
No. Mariana Islands .....	54,000	45,000	80,000	40,800 (b)	40,800 (b)	40,800 (b)	65,000	54,000	70,000	40,800 (b)	40,800 (b)
U.S. Virgin Islands .....	(a-4)	65,000	54,500	(a-5)	65,000	65,000	65,000	65,000	(a-7)	(a-5)	65,000

\$102,918; Personnel, \$102,918; Public library development, \$112,320; Public utility regulation, \$132,350; Purchasing, \$102,918; Revenue, \$132,350; Solid waste management, \$81,598; State police, \$132,350; Transportation, \$132,350; Welfare, \$132,350 Rhode Island: Minimum figure in range: top of range follows: Agriculture, \$52,501; Banking, \$74,514; Budget, \$105,529; Civil rights, \$56,726; Commerce, \$65,369; Community affairs, \$43,149; Comptroller, \$91,745; Economic development, \$65,369; Emergency management, \$65,369; Energy, \$74,514; Finance, \$105,529; Historic preservation, \$67,624; Information systems, \$77,958; Insurance, \$74,514; Licensing, \$58,828; Parks & recreation, \$65,369; Personnel, \$91,745; Post audit, \$58,828; Public library development, \$105,529; Purchasing, \$95,188; Revenue, \$105,529; Solid waste

management, \$81,404; Tourism, \$65,369; Welfare, \$74,514

Utah: Administration, \$102,600; Agriculture, \$87,500; Banking, \$87,500; Budget, \$102,600; Civil rights, \$80,433; Commerce, \$87,500; Community affairs, \$94,300; Consumer affairs, \$76,190; Corrections, \$102,600; Elections administration, \$41,433; Emergency management, \$94,723; Employment services, \$111,800; Energy, \$64,750; Environmental protection, \$102,600; Finance, \$102,670; Fish & wildlife, \$94,723; General services, \$97,260; Health, \$111,800; Higher education, \$160,000; Highways, \$111,800; Historic preservation, \$80,433; Information systems, \$105,500; Insurance, \$87,500; Labor, \$87,500; Licensing, \$82,640; Mental health & retardation, \$94,723; Natural resources, \$102,600; Parks & recreation, \$94,723; Personnel, \$102,600;



**SELECTED OFFICIALS: ANNUAL SALARIES — Continued**

Planning, \$102,600; Pre-audit, \$102,670; Public library development, \$80,433; Public utility regulation, \$94,300; Purchasing, \$97,260; Revenue, \$94,300; Social services, \$111,800; Solid waste management, \$124,155; State police, \$94,723; Transportation, \$111,800; Welfare, \$111,800

Virginia: Minimum figure in range: top of range follows: Licensing, \$76,346; Northern Mariana Islands: \$49,266 top of range applies to the following positions: Treasurer, Banking, Comptroller, Corrections, Economic Development, Employment Services, Energy, Environmental Protection, Fish and Wildlife, Highways, Historic Preservation, Information Systems, Insurance, Labor, Mental Health and Retardation, Parks and Recreation, Purchasing, Revenue, Social/Human Services, Transportation and Welfare

(c) The Present Secretary of Commerce forgoes regular salary and receives \$1 in compensation.

(d) Responsibilities shared between Director, Fisheries Division, \$105,085; and Director, Wildlife Division, \$99,557.

(e) If recommended by Budget Director and approved by Controller General and co-chairs of State's Joint Finance Committee may be adjusted for the CIO of proposed Dept. of Information and Technology.

(f) Responsibilities shared between Director, Division of Substance Abuse and Mental Health, Department of Health and Social Services, \$119,400; and Director, Division of Mental Retardation, same department, \$103,900.

(g) Function split between two cabinet positions: Secretary, Dept. of Health and Social Services ( \$102,000 ; if incumbent holds a medical license, amount is increased by \$12,000; if a Board-certified physician , a supplement of \$3,000 is added.

(h) Salaries represent those reflected for the position in section 10a of FY2002 Budget Act effective 7/21/2001.

(i) Responsibilities shared between, Director of Mental Health, Department of Children and Family Services, \$83,890; and Director, Substance Abuse, same department, \$77,738.

(j) Department of Fish And Wildlife, \$113,522.

(k) Responsibilities shared between State Auditor, Office of the Auditor, \$85,302; and Division Head, Division of Audit, Department of Accounting & General Services, \$62,520.

(l) Responsibilities shared between Director of Dept. of Administration; \$82,098 and Administrator of Information Technology and Communication; \$73,299.

(m) Responsibilities shared between Co-Directors, Election Commission, \$50,500.

(n) Responsibilities shared between Executive Director, Health Professions Bureau, \$54,274; and Executive Director, Professional Licensing Agency, \$61,915.

(o) Responsibilities shared between Secretary, Department of Commerce and Housing, \$108,246; Director, Business Development Division, same department, \$73,328; and President, Kansas Inc., \$98,186

(p) Responsibilities shared between Secretary of State, \$74,148 and Deputy Secretary of State, \$55,102.

(q) Responsibilities shared between Secretary of Department of Human Resources: \$90,724 and Director of Employment and Training: \$71,750.

(r) Responsibilities shared between Central Account Service Manager, Division of Accounts & Reports, Department of Administration, \$68,370; and Team Leader, Audit Services, same division and department, \$56,243.

(s) In Maine, New Hampshire, New Jersey, Tennessee and West Virginia, the presidents (or speakers) of the Senate are next in line of succession to the governorship. In Tennessee, the speaker of the Senate bears the statutory title of lieutenant governor.

(t) Responsibilities shared between Director, Mental Hygiene Administration, \$85,594-\$115,014; and Director, Developmental Disabilities Administration, Department of Health and Mental Hygiene, \$85,594 - \$115,014.

(u) Responsibilities shared between Commissioner, Department of Mental Retardation, \$108,328; and Commissioner, Department of Mental Health, Executive Office of Human Services, \$110,496.

(v) Responsibilities shared between Chair, Dept. of Telecommunications and Energy, \$102,359 and Commissioner , Electricity /Energy \$ 94,506.

(w) Responsibilities shared between Director, Dept. of Natural Resources, \$120,000 and Chief, Fish, \$97,223 and Chief, Wildlife, \$86,660.

(x) Responsibilities shared between Director, Dept. pf Community Health, \$125,000 and Deputy Director , Mental Health and Substance Abuse Services, \$107,438.

(y) Responsibilities shared between Chief, Division of Fisheries, Department of Conservation, \$87,540; Chief, Division of Protection, same department, \$84552; and Chief, Division of Wildlife, same department, \$90,432.

(z) Responsibilities shared between State Tax Commissioner, Department of Revenue, \$83,636; Administrator, Budget Division, Department of Administrative Services, \$91,693; and Auditor of Public Accounts, \$49,500.

(aa) Responsibilities shared between Director, Game & Parks Commission, \$87,880; Administrator, Wildlife Division, same commission, \$60,369; and Assistant Director, Fish & Wildlife, same commission, \$65,322

(bb) Responsibilities shared between Commissioner, State Education Department, \$170,165; Secretary of State, Department of State, \$120,800.

(cc) Responsibilities shared between Commissioners, Corporations Commission, varying salary levels for four commissioners, \$68,000; \$72,000; \$76,000; and \$82,004.

(dd) Responsibilities shared between Executive Director, Fish Commission, \$99,463; and Executive Director, Game Commission, \$97,291

(ee) Responsibilities shared between Deputy Secretary, Mental Health, Department of Public Welfare, \$106,600; and Deputy Secretary, Mental Retardation, same department, \$110,800.

(ff) Responsibilities shared between Director for Mental Retardation , \$138,396 and Director of Mental Health, \$140,000.

(gg) Annual salary for duties as presiding officer of the Senate.

(hh) Responsibilities shared between Secretary of State, \$117,546; and Division Director, \$86,811.

(ii) Responsibilities shared between Secretary, Department of Education and the Arts, \$75,000; and Superintendent, Department of Education, \$146,000.

(jj) Responsibilities for St. Thomas, \$60,000; St. Croix, \$65,000; St. John, \$60,000.

**Table 4.12**  
**LIEUTENANT GOVERNORS: QUALIFICATIONS AND TERMS**

<i>State or other jurisdiction</i>	<i>Minimum age</i>	<i>State citizen (years) (a)</i>	<i>U.S. citizen (years)</i>	<i>State resident (years)</i>	<i>Qualified voter (years)</i>	<i>Length of term (years)</i>	<i>Maximum consecutive terms allowed</i>
Alabama .....	30	7	10	7	...	4	2
Alaska .....	30	7	7	7	★	4	2
Arizona .....	.....(b).....						
Arkansas .....	30	7	★	7	★	4	2
California .....	18	...	5	5	★	4	(c)
Colorado .....	30	...	★	2	...	4	2
Connecticut .....	30	...	...	...	★	4	...
Delaware .....	30	...	12	6	...	4	2
Florida .....	30	...	...	7	★	4	(c)
Georgia .....	30	6	15	6	★	4	...
Hawaii .....	30	...	★	5	★	4	2
Idaho .....	30	...	...	2	...	4	...
Illinois .....	25	...	★	★	...	4	...
Indiana .....	30	...	5	5	...	4	...
Iowa .....	30	...	2	2	...	4	...
Kansas .....	...	...	...	...	...	4	2
Kentucky .....	30	6	★	6	...	4	2
Louisiana .....	25	5	5	...	★	4	...
Maine .....	.....(b).....						
Maryland .....	30	...	(d)	5	5	4	2
Massachusetts .....	18	...	...	7	...	4	2
Michigan .....	30	...	...	...	4	4	2
Minnesota .....	25	★	★	1	...	4	2
Mississippi .....	30	...	20	5	...	«	2
Missouri .....	30	...	15	10	...	4	...
Montana .....	25	...	★	2	...	4	(e)
Nebraska .....	30	5	5	5	...	4	2
Nevada .....	25	2	...	2	★	4	...
New Hampshire .....	.....(b).....						
New Jersey .....	.....(b).....						
New Mexico .....	30	5	★	5	★	4	2
New York .....	30	5	★	5	...	4	...
North Carolina .....	30	...	5	2	...	4	2
North Dakota .....	30	...	★	5	★	4	...
Ohio .....	...	...	8	...	★	4	2
Oklahoma .....	31	...	★	...	10	4	...
Oregon .....	.....(b).....						
Pennsylvania .....	30	...	★	7	...	4	2
Rhode Island .....	18	...	★	★	★	4	2
South Carolina .....	30	5	5	5	...	4	2
South Dakota .....	...	...	2	2	...	4	2
Tennessee .....	.....(b).....						
Texas .....	30	...	★	5	...	4	...
Utah .....	30	5	...	5	★	4	3 (f)
Vermont .....	...	...	...	4	...	2	...
Virginia .....	30	...	★	5	5	4	...
Washington .....	18	★	★	★	★	4	★
West Virginia (g) .....	25	5	5	5	1	2	...
Wisconsin .....	18	...	★	...	★	4	...
Wyoming .....	.....(b).....						
American Samoa .....	35	...	★	5	...	4	...
Guam .....	30	...	5	5	★	4	2
No. Mariana Islands .....	35	...	...	10	★	4	...
Puerto Rico* .....							
U.S. Virgin Islands* .....	30	...	5	5	5	4	2

*Sources:* The Council of State Governments' Survey, January 2002 and state constitutions and statutes. Information noted by an \* indicates information from *The Book of the States*, 2000-2001.

*Note:* This table includes constitutional and statutory qualifications.

*Key:*

★— Formal provision; number of years not specified.

... — No formal provision.

(a) Some state constitutions have requirements for "state citizenship." This may be different from state residency.

(b) No lieutenant governor. In Tennessee, the speaker of the Senate, elected from Senate membership, has statutory title of "lieutenant governor."

(c) Eligible for eight consecutive years.

(d) *Crosse v. Board of Supervisors of Elections* 243 Md. 555, 221 A.2d431 (1966)—opinion rendered indicated that U.S. citizenship was, by necessity, a requirement for office.

(e) Eligible for eight out of 16 years.

(f) Eligible for 12 consecutive years.

(g) In West Virginia, the President of the Senate and the Lieutenant Governor are one in the same. The legislature provided in statute the title of Lieutenant Governor upon the Senate President. The Senate President serves 2 year terms, elected by the Senate on the first day of the first session of each two year legislative term.

# LIEUTENANT GOVERNORS

**Table 4.13**  
**LIEUTENANT GOVERNORS: POWERS AND DUTIES**

<i>State or other jurisdiction</i>	<i>Presides over Senate</i>	<i>Appoints committees</i>	<i>Breaks roll-call ties</i>	<i>Assigns bills</i>	<i>Authority for governor to assign duties</i>	<i>Member of governor's cabinet or advisory body</i>	<i>Serves as acting governor when governor out of state</i>
Alabama .....	★	★ (a)	★	★	...	...	★ (b)
Alaska .....	...	...	...	...	★	★	★ (c)
Arizona .....	...	...	...	...	(d)...	...	...
Arkansas .....	★	...	★	★	...	...	★
California .....	★	...	★	...	★	...	★
Colorado .....	...	...	...	...	★	★	★
Connecticut .....	★	...	★	...	...	...	...
Delaware (e) .....	★	...	★	★	★	★	★
Florida .....	...	...	...	...	★	...	...
Georgia .....	★	★ (a)	...	★	★	...	...
Hawaii .....	...	...	...	...	★	...	★
Idaho .....	★	...	★	...	★	...	★
Illinois .....	...	...	...	...	★	★	(j)
Indiana (f) .....	★	...	★	...	★	★	...
Iowa .....	...	(a)	...	...	★	(l)	(j)
Kansas .....	...	...	...	...	★	★	★
Kentucky .....	...	...	...	...	★	★	...
Louisiana .....	...	...	...	...	★	...	★
Maine .....	...	...	...	...	(g)...	...	...
Maryland .....	...	...	...	...	★	★	★
Massachusetts .....	...	...	★	★	★	★	★
Michigan .....	★	...	★	...	★	★	★
Minnesota .....	...	...	...	...	★	★	★
Mississippi .....	★	★ (a)	★	★	...	...	★
Missouri .....	★	...	★	...	★	...	★
Montana .....	...	...	...	...	★	★	★ (b)
Nebraska .....	★ (h)	...	★ (i)	...	★	...	★
Nevada .....	★	...	★	...	...	★	★ (j)
New Hampshire .....	...	...	...	...	(g)...	...	...
New Jersey .....	...	...	...	...	(g)...	...	...
New Mexico .....	★	...	★	...	★	★	★
New York .....	★	...	...	...	★	★	★
North Carolina .....	★	...	★	...	★	★ (k)	★
North Dakota .....	★	...	★	★	★	...	★
Ohio .....	...	...	...	...	(l)	★	(m)
Oklahoma .....	★	...	★	...	★	★	★
Oregon .....	...	...	...	...	(d)...	...	...
Pennsylvania .....	★	...	★ (i)	★	★	★	...
Rhode Island .....	★	...	★	...	...	...	...
South Carolina .....	★	...	★	★	...	...	★ (j)
South Dakota .....	★	(n)	★	★	★	★	(o)
Tennessee .....	...	...	...	...	(g)...	...	...
Texas .....	★	★ (a)	(a)	★	...	...	★
Utah .....	...	...	...	...	★	★	...
Vermont .....	★	★ (a)	★	★	...	...	★
Virginia .....	★	...	★	...	★	★	...
Washington .....	★	...	...	...	★	...	★
West Virginia (r) .....	★	★	...	★	...	...	...
Wisconsin .....	...	...	...	...	★	★	(p)
Wyoming .....	...	...	...	...	(d)...	...	...
American Samoa .....	...	...	...	...	★	★	★
Guam* .....	(h)	...	...	...	★	★	★
No. Mariana Islands* .....	...	...	...	...	★	(q)	★
Puerto Rico .....	...	...	...	...	(d)...	...	...
U.S. Virgin Islands* .....	...	...	...	...	★ (l)	★	★

Source: The Council of State Governments' survey, January 2002 and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

Key:

★— Provision for responsibility.

... — No provision for responsibility.

(a) Appoints all standing committees. Alabama—appoints some special committees; Georgia—appoints all senate members of conference committees and all senators who serve on interim study committees; Iowa— appoints some special com-

mittees; Mississippi—appoints members of conference, joint and special committees; Texas— Has the authority to appoint all committees and assign all bills, but that authority is pursuant to Senate rules of standing subcommittees, conference, special, joint legislative and temporary committees; Vermont—appoints all committees as a member of the Committee on Committees.

(b) After 20 days absence. In Montana, after 45 days.

(c) Alaska constitution identifies two types of absence from state; (1) temporary absence during which the lieutenant serves as acting governor; and (2) continuous absence during a period of six months, after which the governor's office is

## LIEUTENANT GOVERNORS: POWERS AND DUTIES — Continued

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declared vacant and lieutenant governor succeeds to the office.

(d) No lieutenant governor; secretary of state is next in line of succession to governorship.

(e) Constitutional duty includes President of the Board of Pardons.

(f) By statute, lieutenant governor serves as Director of Department of Commerce and Commissioner of Agriculture.

(g) No lieutenant governor; senate president or speaker is next in line of succession to governorship. In Tennessee, speaker of the senate bears the additional statutory title of "lieutenant governor."

(h) Unicameral legislative body. In Guam, that body elects own presiding officer.

(i) Except on final enactments.

(j) Only in emergency situations.

(k) Member of Council of State per state constitution. Also sits on Governor's

Cabinet, by invitation.

(l) Presides over cabinet meetings in absence of governor.

(m) Only if governor asks the lieutenant to serve in that capacity, in the former's absence.

(n) Conference committees.

(o) Only in event of governor's continuous absence from state.

(p) Only in situations of an absence which prevents governor from discharging duties which need to be undertaken prior to his return.

(q) The Lieutenant Governor is an automatic member of the Governor's cabinet.

(r) In West Virginia, the President of the Senate and the Lieutenant Governor are one in the same. The legislature provided in statute the title of Lieutenant Governor upon the Senate President. The Senate President serves 2 year terms, elected by the Senate on the first day of the first session of each two year legislative term.

Table 4.14

## SECRETARIES OF STATE: QUALIFICATIONS FOR OFFICE

<i>State or other jurisdiction</i>	<i>Minimum age</i>	<i>U.S. citizen (years)</i>	<i>State resident (years)</i>	<i>Qualified voter (years)</i>	<i>Method of selection to office</i>
Alabama .....	25	7	5	★	E
Alaska .....	.....	.....	(a)	.....	.....
Arizona .....	25	10	5	...	E
Arkansas .....	18	...	...	...	E
California .....	18	★	★	★	E
Colorado .....	25	★	2	★	E
Connecticut .....	18	...	...	★	E
Delaware .....	...	...	★	...	A
Florida .....	30	★	7	★	E
Georgia .....	25	10	4	★	E
Hawaii .....	.....	.....	(a)	.....	.....
Idaho .....	25	★	2	...	E
Illinois .....	25	★	3	...	E
Indiana .....	...	...	...	...	E
Iowa .....	...	...	...	...	E
Kansas .....	...	...	...	...	E
Kentucky .....	30	★	2 (b)	★	E
Louisiana .....	25	5	5 (b)	★	E
Maine .....	...	...	...	...	(c)
Maryland .....	...	(d)	(d)	...	A
Massachusetts .....	18	★	5	★	E
Michigan .....	18	★	★	★	E
Minnesota .....	21	★	★	★	E
Mississippi .....	25	5	5 (b)	5	E
Missouri .....	18	★	1	...	E
Montana (e) .....	25	★	2	★	E
Nebraska (f) .....	19	★	...	...	E
Nevada .....	25	★	2	...	E
New Hampshire .....	...	★	★	★	(c)
New Jersey .....	...	★	★	★	A
New Mexico .....	30	★	5	★	E
New York .....	...	18	★	★	A
North Carolina .....	21	★	★	★	E
North Dakota .....	25	★	★	5	E
Ohio .....	18	★	★	★	E
Oklahoma .....	31	★	...	10	A
Oregon .....	18	★	★	★	E
Pennsylvania .....	...	...	...	...	A
Rhode Island .....	18	★	30 days	★	E
South Carolina .....	...	★	★	★	E
South Dakota .....	...	...	★	...	E
Tennessee .....	...	...	...	...	(c)
Texas .....	...	...	...	...	A
Utah .....	.....	.....	(a)	.....	.....
Vermont .....	...	...	...	...	B
Virginia .....	...	...	...	...	A
Washington .....	18	★	★	★	E
West Virginia .....	18	★	30 days	30 days	E
Wisconsin .....	18	★	★	★	E
Wyoming .....	25	★	★	★	E
American Samoa .....	.....	.....	(a)	.....	.....
Guam .....	.....	.....	(a)	.....	.....
No. Mariana Islands* .....	.....	.....	(a)	.....	.....
Puerto Rico .....	...	5	5	...	A
U.S. Virgin Islands* .....	.....	.....	(a)	.....	.....

Source: The Council of State Governments' survey, January 2002, and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

Note: This table contains constitutional and statutory provisions. "Qualified voter" provision may infer additional residency and citizenship requirements.

Key:

★ — Formal provision; number of years not specified.

... — No formal provision.

A — Appointed by governor.

E — Elected by voters.

(a) No secretary of state.

(b) State citizenship requirement.

(c) Chosen by joint ballot of state senators and representatives. In Maine and New Hampshire, every two years. In Tennessee, every four years.

(d) No formal provision but customary and political tradition.

(e) No person convicted of a felony is eligible to hold public office until final discharge from state supervision.

(f) No person in default as a collector and custodian of public money or property shall be eligible to public office; no person convicted of a felony shall be eligible unless restored to civil rights.

**Table 4.15**  
**SECRETARIES OF STATE: ELECTION AND REGISTRATION DUTIES**

State or other jurisdiction	Election								Registration				
	Chief election officer	Determines ballot eligibility of political parties	Receives initiative and/or referendum petition	Files certificate of nomination or election	Supplies election ballots or materials to local officials	Files candidates' expense papers	Files other campaign reports	Conducts voter education programs	Registers charitable organizations	Registers corporations (a)	Processes and/or commissions notaries public	Registers securities	Registers trade names/marks
Alabama .....	★	★	...	★	★	★	★	★	...	★	...	...	★
Alaska (b) .....	★	★	★	★	★	...	...	★	...	...	★	...	...
Arizona .....	★	★	★	★	...	★	...	...	★	...	...	...	...
Arkansas .....	★	★	★	★	★	...	...	★	★	★	★	...	...
California .....	★	★	★	★	★	★	★	★	...	★	★	...	★
Colorado .....	★	★	★	★	...	★	★	...	★	★	★	...	★
Connecticut .....	★	★	...	...	★	★	...	★	...	...	★	...	★
Delaware .....	...	...	...	(c)	...	...	(d)	...	★ (e)	★	★	...	★
Florida .....	★	★	...	★	★	★	★	★	...	★	★	...	★
Georgia .....	★	★	...	★	★	★	★	★	★	★	...	★	★
Hawaii (b) .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Idaho .....	★	★	★	★	★	★	★	★	...	★	★	...	★
Illinois .....	...	...	★	★	...	...	...	...	...	★	★	★	★
Indiana .....	★	...	...	...	...	★	★	★	...	★	★	★	★
Iowa .....	★	★	...	★	★	...	...	...	...	★	★	...	★
Kansas .....	★	★	...	★	★	★	★	★	★	★	★	...	★
Kentucky .....	★	...	...	...	...	...	...	...	...	★	★	...	...
Louisiana .....	★	★	...	★	★	★ (f)	★ (f)	★	...	★	★	★	...
Maine .....	★	★	★	★	★	...	...	★	...	★	★	...	★
Maryland .....	(l)	...	★	★	...	...	★ (g)	...	★	...	★	...	★ (h)
Massachusetts .....	★	★	★	★	★	(d)	(d)	★	...	★	★	★	★
Michigan .....	★	...	★	★	★	★	★	...	...	★	★	...	...
Minnesota .....	★	★	...	★	★	...	...	★	...	★	...	...	...
Mississippi .....	(i)	★	★	★	★	★	★	...	...	★	★	...	...
Missouri .....	★	★	★	★	...	...	...	★	(e)	★	★	★	★
Montana .....	★	★	★	★	★	...	...	★	...	★	★	...	★
Nebraska .....	★	★	★	★	★	...	...	★	...	★	★	...	★
Nevada .....	★	★	★	★	★	★	★	★	★	★	★	★	★
New Hampshire .....	★	★	★	★	★	★	★	★	★	★	★	★	★
New Jersey (j) .....	...	...	...	...	...	...	...	...	...	...	...	...	...
New Mexico .....	★	★	★	★	★	★	★	★	...	...	★	...	★
New York .....	...	...	...	...	...	...	...	...	...	★	★	...	★
North Carolina .....	...	...	...	...	...	...	...	...	★	★	★	★	...
North Dakota .....	★	★	★	★	★	★	★	★	★	★	★	...	★
Ohio .....	★	★	★	★	★	★	★	★	...	★	★	...	★
Oklahoma .....	...	...	★	★ (k)	...	...	...	...	★	★	★	...	★
Oregon .....	★	★	★	★	★	★	★	★	(e)	★	★	...	...
Pennsylvania .....	★	★	...	★	★	...	...	★	★	★	★	...	★
Rhode Island .....	...	...	N.A.	★	★	(d)	(d)	★	★	★	★	...	★
South Carolina .....	...	...	...	...	...	...	...	...	★	★	★	...	★
South Dakota .....	★	★	★	★	★	★	★	★	...	★	★	...	★
Tennessee .....	(m)	...	...	...	...	...	...	...	★	★	★	★	...
Texas .....	★	★	...	★	★	...	...	★	...	...	...	...	...
Utah (b) .....	★	★	★	★	★	★	★	...	N.A.	N.A.	N.A.	N.A.	N.A.
Vermont .....	★	★	N.A.	★ (n)	★	★	★	★	...	★	...	...	★
Virginia .....	...	...	...	...	...	...	...	...	...	...	★	...	(h)
Washington .....	★	★	★	★	...	...	...	★	...	★	...	...	...
West Virginia .....	★	★	N.A.	★	★	★	★	★	★	★	★	...	★
Wisconsin .....	...	...	N.A.	N.A.	...	...	...	...	...	...	★	...	...
Wyoming .....	★	★	★	...	★	★	★	★	★	★	★	★	★
American Samoa* (b) .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Guam (b) .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Puerto Rico* .....	...	...	...	...	...	...	...	...	★	★	★	★	★
U.S. Virgin Islands* (b) .....	...	...	...	...	...	...	...	...	★	★ (o)	★	...	★

See footnotes at end of table.

## SECRETARIES OF STATE: ELECTION AND REGISTRATION DUTIES — Continued

Sources: The Council of State Governments' survey, January 2002, and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

Key:

★ — Responsible for activity.

... — Not responsible for activity.

N.A. — Not applicable.

(a) Unless otherwise indicated, office registers domestic, foreign and non-profit corporations.

(b) No secretary of state. Duties indicated are performed by lieutenant governor. In Hawaii, election related responsibilities have been transferred to an independent Chief Election Officer.

(c) Files certificates of election for publication purposes only; does not file certificates of nomination.

(d) Federal candidates only.

(e) Incorporated organizations only.

(f) Candidates for Congress only.

(g) Accepts disclosures of persons doing business with the state who also make political contributions.

(h) Registers trade/service marks, but trade names are registered at a different agency. In Maryland, the trade name would be registered with the Secretary of State if it were also the trade/service mark of the entity.

(i) State Election Commission composed of governor, secretary of state and attorney general.

(j) Election responsibilities are administered by Attorney General, the Department of Law and Public Safety, Division of Elections. Charitable organizations by same department, Division of Consumer Affairs. Securities registration by same department, Bureau of Securities. The New Jersey Division of Revenue, under the Treasurer's direction is responsible for registering corporations, trade names/marks and notaries public.

(k) Files certificates of national elections only; does not file certificates of nomination.

(l) The Secretary of State is not the chief election officer, but a member of the Board of State Canvassers.

(m) Secretary appoints state coordinator of elections.

(n) Files certificates of election for House of Representatives only.

(o) Both domestic and foreign profit; but only domestic non-profit.

**Table 4.16**  
**SECRETARIES OF STATE: CUSTODIAL, PUBLICATION AND LEGISLATIVE DUTIES**

State or other jurisdiction	Custodial				Publication					Legislative			
	Archives state records and regulations	Files state agency rules and regulations	Administers uniform commercial code provisions	Files other corporate documents	State manual or directory	Session laws	State constitution	Statutes	Administrative rules and regulations	Opens legislative sessions (a)	Enrolls or engrosses bills	Retains copies of bills	Registers lobbyists
Alabama .....	...	...	★	★	...	★	★	★	...	...	...	★	...
Alaska (b) .....	...	★	...	...	...	...	...	...	★	★	...	★	...
Arizona .....	...	★	★	...	★	...	★	★	★	...	...	★	★
Arkansas .....	...	★	★	...	★	★	...	★	★	...	...	...	...
California .....	★	★	★	★	...	...	...	...	...	...	...	★	★
Colorado .....	...	★	★	★	...	...	★	...	...	...	...	★	★
Connecticut .....	★ (c)	★	★	★	★	...	★	...	...	S	...	★	...
Delaware .....	...	★	★	★	...	...	...	...	★	...	...	...	...
Florida .....	★	★	★	★	...	★	★	...	★	...	...	...	...
Georgia .....	★	★	...	★	★	★	★	★	★	...	...	★	...
Hawaii (b) .....	...	★	...	...	...	★	★	★	★	...	...	...	...
Idaho .....	...	...	★	★	★	★	★	...	...	...	...	★	★
Illinois .....	★	★	★	★	★	★	★	...	★	H	...	...	★
Indiana .....	...	★	★	★	...	...	★	...	...	H	...	★	...
Iowa .....	...	...	★	★	★	...	★	...	...	...	...	★	...
Kansas .....	...	★	★	★	...	★	...	...	★	★	★	★	★
Kentucky .....	★	...	★	★	...	★	...	...	...	...	★	★	...
Louisiana .....	★	...	★	★	★	★	...	...	...	...	...	★	...
Maine .....	★	★	★	★	...	...	★	...	★	...	...	...	...
Maryland .....	...	★	...	...	...	...	...	...	★	...	...	★ (f)	...
Massachusetts .....	★	★	★	★	★	★	★	★	★	...	...	★	★
Michigan .....	★	★	★	★	...	...	...	...	...	...	...	★	★
Minnesota .....	...	★	★	★	★	...	★	...	...	H	...	★	...
Mississippi .....	★	★	★	★	★	★	★	...	★	★	★	★	★
Missouri .....	★	★	★	★	★	...	★	...	★	H	...	★	...
Montana .....	★	★	★	★	...	...	★	...	★	★	...	★	...
Nebraska .....	★	★	★	★	...	★	★	...	★	...	...	★	...
Nevada .....	...	★	★	★	...	...	★	...	...	★	...	★	...
New Hampshire .....	★	...	★	★	★	...	★	...	...	...	★	★	★
New Jersey .....	★	...	...	...	...	...	...	...	...	...	...	...	...
New Mexico .....	...	...	★	★	★	★	★	★	...	H	...	★	★
New York .....	★	★	★	★	★	...	★	...	★	...	...	...	...
North Carolina .....	...	...	★	★	★	★	...	...	...	...	...	★	★
North Dakota .....	...	★	★	★	★	...	...	...	...	...	...	★	★
Ohio .....	...	★	★	★	★	★	★	...	...	...	...	★	...
Oklahoma .....	...	★	...	★	...	★	★	...	★	...	...	★	...
Oregon .....	★	★	★	★	★	...	...	...	★	...	...	★	...
Pennsylvania .....	...	...	★	★	...	...	...	...	...	...	...	★	...
Rhode Island .....	★	★	★	★	★	...	★	...	★	...	...	★	★
South Carolina .....	★	...	★	★	...	...	...	★	...	...	...	★	...
South Dakota .....	...	★	★	★	★	...	★	...	...	H	...	★	★
Tennessee .....	★	★	★	★	★	★	★	★	★	...	...	...	...
Texas .....	...	★	★	★	...	★	...	...	★	H(d)	...	★	...
Utah (b) .....	...	...	...	...	...	...	...	...	...	...	...	★	★
Vermont .....	★	★	★	★	★	★	★	...	...	H(d)	...	★	★
Virginia .....	...	...	...	...	★	...	...	...	...	...	...	...	★
Washington .....	★	...	...	★	...	...	...	...	...	...	...	...	...
West Virginia .....	★ (c)	★	★	★	...	...	...	...	★	...	...	★	...
Wisconsin .....	...	★	...	...	...	...	...	...	...	...	...	★	...
Wyoming .....	...	★	★	★	★	...	★	...	...	H	...	★	★ (e)
American Samoa* (b) .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Guam (b) .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Puerto Rico* .....	...	★	★	★	...	★	★	★	★	...	...	...	...
U.S. Virgin Islands* (b) .....	...	★	★	★	...	...	...	★	...	...	★	★	...

See footnotes at end of table.



SECRETARIES OF STATE: CUSTODIAL, PUBLICATION AND LEGISLATIVE DUTIES — Continued

Sources: The Council of State Governments' survey, January 2002, and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

Key:

★— Responsible for activity.

. . . — Not responsible for activity.

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

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

(c) The secretary of state is keeper of public records, but the state archives is a department of the state library.

(d) Until speaker is elected.

(e) Only groups supporting or opposing legislation which was subject to a statewide initiative or referendum within the past four years.

(f) Responsible for custody of bills passed by the General Assembly until Governor signs the bills, chapterizes and transmits the bills to the Court of Appeals and returns vetoed bills to General Assembly before session.

**Table 4.17**  
**ATTORNEYS GENERAL: QUALIFICATIONS FOR OFFICE**

<i>State or other jurisdiction</i>	<i>Minimum age</i>	<i>U.S. citizen (years)</i>	<i>State resident (years)</i>	<i>Qualified voter (years)</i>	<i>Licensed attorney (years)</i>	<i>Membership in the state bar (years)</i>	<i>Method of selection to office</i>
Alabama .....	25	7	5	...	...	...	E
Alaska .....	...	★	...	...	...	...	A
Arizona .....	25	10	5	...	5	...	E
Arkansas .....	18	★	★	★	...	...	E
California .....	18	...	...	...	(a)	(a)	E
Colorado .....	25	★	2	...	★	(b)	E
Connecticut .....	18	★	★	...	10	10	E
Delaware (m) .....	...	...	...	...	...	...	E
Florida .....	30	(l)	7	★	5	5	E
Georgia .....	25	10	4	...	7	7	E
Hawaii .....	...	★	1	...	(c)	...	A
Idaho .....	30	★	2	...	★	★	E
Illinois .....	25	★	3	...	...	...	E
Indiana .....	...	...	(d)	...	★	...	E
Iowa .....	...	...	...	...	...	...	E
Kansas .....	...	...	...	...	...	...	E
Kentucky .....	30	2	2 (d)	...	8	2	E
Louisiana .....	25	5	5 (d)	★	5	5	E
Maine .....	...	...	...	...	...	...	(e)
Maryland .....	...	★ (f)	10 (d)	★	10	10 (c)	E
Massachusetts .....	...	...	5	...	...	★	E
Michigan .....	18	★	30 days	★	(a)	(a)	E
Minnesota .....	21	★	30 days	★	...	...	E
Mississippi .....	26	...	5 (d)	...	5	5	E
Missouri .....	...	★	1	...	...	...	E
Montana (g) .....	25	★	2	...	5	★	E
Nebraska (h) .....	...	...	...	...	...	...	E
Nevada .....	25	★	2 (d)	★	...	...	E
New Hampshire .....	...	...	...	...	★	★	A
New Jersey .....	18 (c)	...	★	...	...	...	A
New Mexico .....	30	...	5	...	★	...	E
New York .....	30	...	5	...	(c)	...	E
North Carolina .....	21	...	...	★	★	(c)	E
North Dakota .....	25	★	5	★	★	★	E
Ohio .....	18	★	★	★	(a)	...	E
Oklahoma .....	31	★	10	10	...	...	E
Oregon .....	18	★	6 mos.	★	...	...	E
Pennsylvania .....	30	★	7	...	★	★	E
Rhode Island .....	18	★	★	★	...	...	E
South Carolina .....	18	★	30 days	★	...	...	E
South Dakota .....	...	★	★	★	(c)	(c)	E
Tennessee .....	...	...	...	...	...	...	(i)
Texas .....	...	...	...	...	(c)	(c)	E
Utah .....	25	...	5 (d)	★	★	★	E
Vermont .....	...	...	...	...	...	...	E
Virginia .....	30	★	5 (j)	...	...	5 (j)	E
Washington .....	...	★	★	★	★	★	E
West Virginia .....	25	★	5 (d)	★	...	...	E
Wisconsin .....	...	★	★	...	...	...	E
Wyoming .....	...	...	★	★	4	4	A (n)
American Samoa* .....	...	...	(a)	...	(c)	(c)	A
Guam* .....	...	...	...	...	...	...	A
No. Mariana Islands* .....	...	...	3	...	5	...	A
Puerto Rico* .....	21 (c)	★	...	...	(c)	(c)	A
U.S. Virgin Islands .....	21	★	...	...	(k)	...	A

See footnotes at end of table.

## ATTORNEYS GENERAL: QUALIFICATIONS FOR OFFICE — Continued

*Sources:* The Council of State Governments' survey, January 2002, and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

*Note:* This table contains constitutional and statutory provisions. "Qualified voter" provision may infer additional residency and citizenship requirements.

*Key:*

★ — Formal provision; number of years not specified.

. . . — No formal provision.

A — Appointed by governor.

E — Elected by voters.

(a) No statute specifically requires this, but the State Bar Act can be interpreted as making this a qualification.

(b) Licensed attorneys are not required to belong to the bar association.

(c) Implied.

(d) State citizenship requirement.

(e) Chosen biennially by joint ballot of state senators and representatives.

(f) *Crosse v. Board of Supervisors of Elections* 243 Md. 555, 2221A.2d431 (1966)—opinion rendered indicated that U.S. citizenship was, by necessity, a requirement for office.

(g) No person convicted of felony is eligible to hold public office until final discharge from state supervision.

(h) No person in default as a collector and custodian of public money or property shall be eligible to public office; no person convicted of a felony shall be eligible unless restored to civil rights.

(i) Appointed by judges of state Supreme Court.

(j) Same as qualifications of a judge of a court of record.

(k) Must be admitted to practice before highest court.

(l) Must be a U.S. citizen to be an elector, and must be an elector to run.

(m) No person who shall be convicted of embezzlement of the public money, bribery, perjury, or other infamous crime shall be eligible to hold any office of trust, honor or profit under this State.

(n) Must be confirmed by the Senate.

Table 4.18

## ATTORNEYS GENERAL: PROSECUTORIAL AND ADVISORY DUTIES

State or other jurisdiction	Authority in local prosecutions:				Issues advisory opinions:					Reviews legislation:	
	Authority to initiate local prosecutions	May intervene in local prosecutions	May assist local prosecutor	May supersede local prosecutor	To state executive officials	To legislators	To local prosecutors	On the interpretation of statutes	On the constitutionality of bills or ordinances	Prior to passage	Before signing
Alabama .....	A	A,D	A,D	A	★	★	★	★	...	★	...
Alaska .....	(a)	(a)	(a)	(a)	★	★	...	★	★	★	★
Arizona .....	A,B,C,D,F	B,D	B,D	B	★	★	...	★	★	★	...
Arkansas .....	...	D	D	...	★	★	★	★	...	...	...
California .....	A,B,D,E,F	A,B,D,E	A,B,D,E	A,B,D,E	★	★	★	★	★	★	★
Colorado .....	B,F	B	D,F (b)	B	★	★	★	★	★	★	★
Connecticut .....	...	...	...	...	★	(c)	...	★	★	★	★
Delaware .....	A,B,C,E,F,G (k)	A,B,C,E,F,G (k)	A,B,C,E,F,G (k)	A,B,C,E,F,G (k)	★	★	★	★	★	★	★
Florida .....	F (b)(d)	D (b)(d)	D	...	★	★	★	★	...	★	...
Georgia .....	A,B,F	A,B,D,G	A,B,D,F	B	★	★	★	★	...	★	★
Hawaii .....	A,B,C,D,E,F	A,D,G	A,D	A,G	★	★	★	★	★	★	★
Idaho .....	B,D,F	...	D	...	★	★	★	★	★	★	★
Illinois .....	A,D,E,F,G (b)	A,D,E,G	D,E,F,G	A,D,E,F,G	★	(f)	★	★	★	(g)	(g)
Indiana .....	F (b)	...	A,D,E	G	★	★	★	★	★	B	...
Iowa .....	D,F	D	D	...	★	★	★	★	★	★	★
Kansas .....	A,B,C,D,F (b)	A,D	D	A,F	★	★	★	★	★	(g)	(g)
Kentucky .....	A,B,D,E,F,G	B,D,G	B,D,F	G	★	★	★	★	★	★	...
Louisiana .....	G	G	D	G	★	★	★	★	★	(g)	(g)
Maine .....	A	A	A	A	★	★	...	★	★	★	★
Maryland .....	B,C,F	B,C,D	B,C,D	B,C	★	★	★	★	★	★	★
Massachusetts .....	A	A	A,D	A	★	★(h)	★	★	★	(g)	(g)
Michigan .....	A	A	D	A	★	★	★	★	★	★	★
Minnesota .....	B,F	B,D,G	A,B,D,G	B	★	★(h)	★	★	...	...	(g)
Mississippi .....	B,D,E,F	D	B,D,F	E	★	★	★	★	...	(g)	(g)
Missouri .....	A,B,F,G	G	B	...	★	★	★	★	...	★	★
Montana .....	B,D,E,F	A,B,D,E	A,B,D,E,F	A,B,E	★	★(i)	★	★	...	(e)	(g)
Nebraska .....	A	A	A,D	A	★	★	★	★	★	...	...
Nevada .....	D,F,G (d)	D (d)	(d),(j)	H	★	...	★	★	...	...	...
New Hampshire .....	A	A	A	A	★	(i)	...	★	★	★	★
New Jersey .....	A	A,B,D,G	A,D	A,B,D,G	★	★	★	★	★	★	★
New Mexico .....	A,B,C,D,E,F(b)(j)	G	D	G	★	★	★	★	★	★	★
New York .....	B,F	B,D,F	D	B	★	★(h)	★	★	★	★	★
North Carolina .....	...	D	D	...	★	★	★	★	★	★	...
North Dakota .....	A,D,E,F,G	A,D,G	A,B,D,E,F,G	A,G	★	★	★	★	...	(f)	(g)
Ohio .....	B,C,F	B,F	D	B,C	★	(i)	★	★	...	...	...
Oklahoma .....	B,C,F	B,C	B,C	...	★	★	★	★	★(l)	...	★(g)
Oregon .....	B,F	B,D	B,D	B	★	★	★	★	...	(g)	(g)
Pennsylvania .....	A,D,F,G	D,G	D	G	★	...	...	★	...	★	★
Rhode Island .....	A	A	A	...	★	★	...	★	...	...	...
South Carolina .....	A,D,E,F (b)	A,B,C,D,E,F	A,D	A,E	★	(m)	A,D	B,C(c)	B,C	★C(n)	★C,B(g)
South Dakota .....	D,E,(b)(n)	A,D	A,D	A,E	★	★	★	★	...	...	...
Tennessee .....	D,F,G (b)	D,G (b)	D	...	★	★	★	★	...	(g)	(g)
Texas .....	F	...	D	...	★	★	★	★	★	★	★
Utah* .....	A,B,D,E,F,G	E,G	D,E	E	★	★(m)	★	★	★	(g)	(g)
Vermont .....	A	A	A	★	★	★	★	★	★	★	★
Virginia .....	B,F	B,D,F	B,D,F	B	★	★	★	★	★	★	★
Washington .....	B,D,G	B,D,G	B	B	★	★	★	★	★	★	★
West Virginia .....	...	D	D	...	★	(c)	★	★	★	(e)	(e)
Wisconsin .....	B,C,F	B,C,D	D	B	★	★	★	★	★(l)	(e)	(e)
Wyoming .....	B,D (d),F	B,D	B,D	...	★	★	★	★	★(l)	★	★
American Samoa* .....	A (k)	(k)	(k)	(k)	★	...	(k)	(e)	(e)	(g)	(g)
Guam* .....	A	A	A	A	★	★	★	★	★	(g)	B
No. Mariana Islands* .....	A	...	...	...	★	...	...	★	★	★	★
Puerto Rico* .....	A,B,E	A,B,E	A,E	A,B,E	★	★	...	★	★	★	★
U.S. Virgin Islands .....	A (k)	(k)	(k)	(k)	★	★	...	★	★	...	★

See footnotes at end of table.

### ATTORNEYS GENERAL: PROSECUTORIAL AND ADVISORY DUTIES — Continued

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*Sources:* The Council of State Governments' survey, January 2002, and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

*Key:*

A — On own initiative.

B — On request of governor.

C — On request of legislature.

D — On request of local prosecutor.

E — When in state's interest.

F — Under certain statutes for specific crimes.

G — On authorization of court or other body.

★ — Has authority in area.

. . . — Does not have authority in area.

(a) Local prosecutors serve at pleasure of attorney general.

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

(c) To legislative leadership.

(d) In connection with grand jury cases.

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

(f) Opinion may be issued to officers of either branch of General Assembly or to chairman or minority spokesman of committees or commissions thereof.

(g) Only when requested by governor or legislature.

(h) To legislature as a whole not individual legislators.

(i) To either house of legislature, not individual legislators.

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

(k) The attorney general functions as the local prosecutor.

(l) Bills, not ordinances.

(m) Only when requested by legislature.

(n) Has concurrent jurisdiction with states' attorneys.

(o) The attorney general functions as the local prosecutor.

Table 4.19

**ATTORNEYS GENERAL: CONSUMER PROTECTION ACTIVITIES, SUBPOENA POWERS AND ANTITRUST DUTIES**

State or other jurisdiction	May commence civil proceedings	May commence criminal proceedings	Represents the state before regulatory agencies (a)	Administers consumer protection programs	Handles consumer complaints	Subpoena powers (b)	Antitrust duties
Alabama .....	★	★	★	★	★	●	A,B
Alaska .....	★	★	★	★	★	★	B,C
Arizona .....	★	...	...	★	★	★	A,B,C
Arkansas .....	★	...	★	★	★	★	B
California .....	★	★	★	★	★	★	A,B,C,D (c)
Colorado .....	★	★	★	★	★	★	A,B,C,D (d)
Connecticut .....	★	(e)	★	★	★	●	A,B,D
Delaware .....	★	★	★	★	★	★	A,B,D
Florida .....	★	★(f)	★	★(e)	★	★	A,B,C,D
Georgia .....	★	★	★	...	...	●	B,C
Hawaii .....	★	★	★	★(e, g)	(g)	★	A,B,C,D
Idaho .....	★	...	...	★	★	★	D
Illinois .....	★	...	...	★	★	★	A,B,C,D
Indiana .....	★	...	★	★	★	(e)	B,D
Iowa .....	★	★	★	★	★	●	A,B,C,D
Kansas .....	★	★	★	★	★	★	B,C,D
Kentucky .....	★	★	★	★	★	★	A,B,D
Louisiana .....	★	(f)	★	★	★	★	A,B,C,D
Maine .....	★	★	★	★	★	★	A,B,C
Maryland .....	★	★	★	★	★	★	B,C,D
Massachusetts .....	★	★	★	★	★	★	A,B,C,D
Michigan .....	★	...	★	★	★	★	A,B,C,D
Minnesota .....	★	...	★	★	★	●	A,B,C,D
Mississippi .....	★	★	★	★	★	●	A,B,C,D
Missouri .....	★	★	★	★	★	●	A,B,C,D
Montana .....	★(h)	(h)	(e)	...	...	●	A,B,C,D
Nebraska .....	★	★	★	★	★	●	A,B,C,(d),D
Nevada .....	★	★	...	★	★	●	A,B,C,D
New Hampshire .....	★	★	★	...	★	●	A,B,C,D
New Jersey .....	★	★	★	★	★	★	A,B,C,D
New Mexico .....	★	★	★	★	★	●	A,B,C,D
New York .....	★	★	...	★	★	★	A,B,C,D
North Carolina .....	★	★(e)	...	★	★	●	A,B,C,D
North Dakota .....	★	...	★	★	★	★	A,B,D
Ohio .....	★	★	★	★	★	★	A,B,C,D
Oklahoma .....	★	(e)	(e)	★	★	●	B,D
Oregon .....	★	★	★	★	★	●	A,B,C,D
Pennsylvania .....	★	★	★	★	★	●	A (i),B (j),C (j),D
Rhode Island .....	★	★	★	★	★	★	A,B,C,D
South Carolina .....	★(a)	★(c)	...	...	★	●	A,B,C,D
South Dakota .....	★	★	★	★	★	●	A,B,C,D
Tennessee .....	★	(e, f)	(e)	...	...	★	B,C,D
Texas .....	★	...	★	★	...	●	A,B,D
Utah .....	★(d)	★	★(d)	...	★(g)	●	A (k),B,C,D (k)
Vermont .....	★	★	★(d)	★	★	★	A,B
Virginia .....	★	(e)	★	★(g)	★(g)	●	A,B,C,D
Washington .....	★	(e)	★	★	★	●	A,B,D (h)
West Virginia .....	★	...	★	★	★	★	A,B,D
Wisconsin .....	★	(e)	...	...	...	●	B,C
Wyoming .....	★	(e)	★	★	★	★	A,B,C
American Samoa* .....	★	★	★	★	★	...	...
Guam* .....	★	★	★	★	★	●	A,B,C,D
No. Mariana Islands .....	★	★	★	★	★	★	B,C,D
Puerto Rico* .....	★	★	★	★(e)	★(e)	★	A,B,C,D
U.S. Virgin Islands .....	★	★(l)	★	...	...	●	B (m),C

Sources: The Council of State Governments' survey, January 2002, , and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

## Key:

A — Has parens patriae authority to commence suits on behalf of consumers in state antitrust damage actions in state courts.

B — May initiate damage actions on behalf of state in state courts.

C — May commence criminal proceedings.

D — May represent cities, counties and other governmental entities in recovering civil damages under federal or state law.

★ — Has authority in area.

... — Does not have authority in area.

(a) May represent state on behalf of: the "people" of the state; an agency of the state; or the state before a federal regulatory agency.

(b) In this column only: ★ broad powers and ● limited powers.

(c) When permitted to intervene.

(d) Attorney general has exclusive authority.

(e) To a limited extent.

(f) May commence criminal proceedings with local district attorney.

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

(h) Only when requested by the state department of commerce or by a county attorney.

(i) In federal courts only.

(j) For bid rigging violations only.

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

(l) May prosecute in inferior courts. May prosecute in district court only by request or consent of U.S. Attorney General.

(m) May initiate damage actions on behalf of jurisdiction in district court.

Table 4.20

## ATTORNEYS GENERAL: DUTIES TO ADMINISTRATIVE AGENCIES AND OTHER RESPONSIBILITIES

State or other jurisdiction	Serves as counsel for state	Appears for state in criminal appeals	Issues official advice	Interprets statutes or regulations	Duties to administrative agencies					
					Conducts litigation:		Prepares or reviews legal documents	Represents the public before the agency	Involved in rule-making	Reviews rules for legality
					On behalf of agency	Against agency				
Alabama	A,B,C	★ (a)	★	★	★	★	★	(b)	(b)	★
Alaska	A,B,C	★	★	★	★	★	★	...	★	★
Arizona	A,B,C	(a)	★	★	★	★	★	...	★	★
Arkansas	A,B,C	★ (a)	★	★	★	(b)	★	★	...	★
California	A,B,C	★ (a)	★	★	★	★	★	...	...	...
Colorado	A,B,C	(a)	★	★	★	★	★	(e)	★	★
Connecticut	A,B,C	(b)	★	★	★	(b)	★	(b)	★	★
Delaware	A,B,C	★ (a)	★	★	★	★	★	★	★	★
Florida	A,B,C	★ (a)	★	★	★	(b)	★	(b)	★	...
Georgia	A,B,C	(b)(c)	★	★	★	★	★	...	★	★
Hawaii	A,B,C	(b)(c)	★	★	★	★	★	★	★	★
Idaho	A,B,C	★ (a)	★	★	★	★	★	★	★	★
Illinois	A,B,C	(b)(c)	★	★	★	★	★	★	...	...
Indiana	A,B,C	★ (a)	★	★	★	...	★	...	★	★
Iowa	A,B,C	★ (a)	★	★	★	★	★	(f)	(f)	★
Kansas	A,B,C	★ (a)	★	★	★	★	★	...	★	★ (a)
Kentucky	A,B,C	...	★	★	★	★	★	(e)	(b)	(b)
Louisiana	A,B,C	(c)	★	★	★	...	★	...	...	...
Maine	A,B,C	(d)	★	★	★	(b)	★	(b)	★	★
Maryland	A,B,C	★	★	★	★	(b)	★	★	★	★
Massachusetts	A,B,C	(b,c,d)	★	★	★	★	★	★	★	★
Michigan	A,B,C	(b,c,d)	★	★	★	★	★	...	...	...
Minnesota	A,B,C	(c)(d)	★	★	(a)	★	★	★	★	★
Mississippi	A,B,C	★	★	★	★	★	★	★	...	★
Missouri	A,B,C	★	★	★	★	...	★	...	★	★
Montana	A,B,C (b)	★	★	★	(b)	★	(b)	(b)	(b)	(b)
Nebraska	A,B,C	★	★	★	★	★	★	...	...	★
Nevada	A,B,C	★ (d)	★	★	★	...	★	(b)	★	★
New Hampshire	A,B,C	★ (a)	★	★	★	★	★	★	★	★
New Jersey	A,B,C	★ (d)	★	★	★	★	★	...	★	★
New Mexico	A,B,C	★ (a)	★	★	★	★	★	★	★	★
New York	A,B,C	(b)	...	★	★	(b)	★	(b)	...	...
North Carolina	A,B,C	★	★	★	★	★	★	(b)	★	★
North Dakota	A,B,C	(b)	★	★	★	★	★	...	★	★
Ohio	A,B,C	(b)	★	★	★	(b)	★	(b)	(b)	...
Oklahoma	A,B,C	★ (a)	★	★	★	(b)	★	(b)	★	★
Oregon	A,B,C	★	(a)	★	★	(b)	★	...	★	★
Pennsylvania	A,B,C	★	★	★	★	★	★	...	★	★
Rhode Island	A,B,C	★ (a)	★	★	★	★	★	★	★	★
South Carolina	A,B,C	★ (d)	(a)	★	★	(b)	★	...	★	★
South Dakota	A,B,C	★ (a)	★	★	★	...	★	...	...	...
Tennessee	A,B,C	★ (a)	★	★	★	...	★	(f)	(f)	★
Texas	A,B,C	(c)	★	★	★	★	★	...	★	★
Utah	A,B,C	★ (a)	★	★	★	★	★	(b)	★	★
Vermont	A,B,C	★	★	★	★	★	★	★	★	★
Virginia	A,B,C	★ (a)	★	★	★	★	★	★ (g)	★	★
Washington	A,B,C	(c)(g)	★	★	★	★	★	★ (b)	★	★
West Virginia	A,B,C	★ (a)	★	★	★	(g)	★	★	★	...
Wisconsin	A,B,C	★	★	★	★	(b)	(b)	(b)	(b)	(b)
Wyoming	A,B,C	★ (a)	★ (a)	★	★	...	★	...	★	★
American Samoa*	A,B,C	★ (a)	★	★	★	...	★	...	★	★
Guam*	A,B,C	★	★	★	(d)	★	★	(b)	★	★
No. Mariana Islands*	A,B,C	★	★	★	★	...	★	...	★	★
Puerto Rico*	A,B,C	★	★	★	★	...	★	...	★	★
U.S. Virgin Islands	A,B,C (h)	★	★	★	★	★	★	...	★	★

Sources: The Council of State Governments' survey, January 2002, and state constitutions and statutes. Information indicated by an \* is from *The Book of the States*, 2000-2001.

## Key:

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

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

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

★ — Has authority in area.

... — Does not have authority in area.

(a) Attorney general has exclusive jurisdiction.

(b) In certain cases only.

(c) When assisting local prosecutor in the appeal.

(d) Can appear on own discretion.

(e) Public Service Commission only.

(f) Consumer Advocate Division represents the public in utility rate making hearings and rule making proceedings.

(g) If authorized by the governor.

(h) Except in cases in which the U.S. Attorney is representing the Government of the U.S. Virgin Islands.

**Table 4.21**  
**TREASURERS: QUALIFICATIONS FOR OFFICE**

<i>State or other jurisdiction</i>	<i>Minimum age</i>	<i>U.S. citizen (years)</i>	<i>State citizen (years)</i>	<i>Qualified voter (years)</i>	<i>Method of selection to office</i>
Alabama .....	25	7	5	...	E
Alaska .....	...	...	...	...	A
Arizona .....	25	10	5	...	E
Arkansas .....	21	★	★	...	E
California .....	...	★	★	★	E
Colorado .....	25	★	★	★	E
Connecticut .....	18	...	...	...	E
Delaware .....	18	★	★	★	E
Florida .....	30	★	7	★	E
Georgia .....	...	...	...	...	(a)
Hawaii .....	...	★	★	...	A
Idaho .....	25	★	★	★	E
Illinois .....	25	★	★	...	E
Indiana .....	...	★	★	★	E
Iowa .....	18	...	...	...	E
Kansas .....	...	...	...	...	E
Kentucky .....	30	6	6	...	E
Louisiana .....	25	5	5	5	E
Maine .....	...	★	★	...	L
Maryland .....	...	...	...	...	L
Massachusetts .....	...	...	5	...	E
Michigan .....	...	...	...	...	A
Minnesota .....	21	★	★	★	E
Mississippi .....	25	★	5	★	E
Missouri .....	...	★	★	...	E
Montana .....	...	...	...	...	A
Nebraska .....	19	★	★	(a)	E
Nevada .....	25	★	★	★	E
New Hampshire .....	...	...	...	...	L
New Jersey .....	...	...	★	...	A
New Mexico .....	30	★	★	★	E
New York .....	...	★	★	...	A
North Carolina .....	21	★	1	★	E
North Dakota .....	25	★	5	★	E
Ohio .....	18	★	★	★	E
Oklahoma .....	31	★	★	★	E
Oregon .....	18	...	★	...	E
Pennsylvania .....	...	...	...	...	E
Rhode Island .....	...	★	★	...	E
South Carolina .....	...	★	★	★	E
South Dakota .....	...	...	...	...	E
Tennessee .....	...	...	...	...	L
Texas (b) .....	18	★	★	...	E
Utah .....	25	★	5	★	E
Vermont .....	...	...	2	...	E
Virginia .....	...	...	...	...	A
Washington .....	18	★	...	★	E
West Virginia .....	18	★	5	★	E
Wisconsin .....	18	★	★	★	E
Wyoming .....	25	★	1	★	E

Source: National Association of State Treasurers, *State Treasury Profiles, 2001 and State Treasury Activities & Functions*, 2001.

Note: "Qualified Voter" provision may infer additional residency and citizenship requirements.

Key:

★ — Formal provision; number of years not specified.

... — No formal provision.

A — Appointed by the governor.

E — Elected by the voters.

L — Elected by the legislature.

(a) Appointed by State Depository Board.

(b) No longer has a state treasurer, effective September 1, 1996. Duties transferred to the Comptroller of Public Accounts.



# TREASURERS

**Table 4.22**  
**TREASURERS: DUTIES OF OFFICE**

<i>State or other jurisdiction</i>	<i>Cash management</i>	<i>Investment of general funds</i>	<i>Investment of retirement and/or trust funds</i>	<i>Management of bonded debt</i>	<i>Bond issuance</i>	<i>Debt service</i>	<i>Arbitrage rebate</i>	<i>Unclaimed property</i>	<i>Link deposit program</i>	<i>College Savings Program</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 .....	★	★	★(a)	★	★(a)	★(a)	...	...	★	...
North Carolina .....	★	★	★	★	★	★	★	★	...	★
North Dakota .....	★	...	...	...	...	...	...	...	...	...
Ohio .....	★	★	★	★	★	★	...	...	★	...
Oklahoma .....	★	★	...	★	...	★	...	★	★	★
Oregon .....	★	★	★	★	★	★	★	...	...	★
Pennsylvania .....	★	★	...	...	★(b)	...	...	★	★	...
Rhode Island .....	★	★	★	...	★	★	★	★	...	★
South Carolina .....	★	★	★	★	★	★	★	★	...	★
South Dakota .....	★	...	...	...	...	...	...	★	...	★
Tennessee .....	★	★	★	...	...	...	...	★	...	★
Texas (d) .....	★	★	...	...	...	...	...	...	★	...
Utah .....	★	★	★(c)	★	★	★	★	★	...	★
Vermont .....	★	★	...	★	★	...	★	...	...	...
Virginia .....	★	★	★	★	★	★	★	★	...	★
Washington .....	★	★	★	★	★	★	★	...	★	★
West Virginia .....	★	★	...	...	...	★	...	★	...	★
Wisconsin .....	★	...	...	...	...	...	...	★	...	★
Wyoming .....	★	★	...	★	★	★	...	★	...	★

Source: National Association of State Treasurers, *State Treasury Activities & Functions*, 2001.

Note: For additional information on functions of the treasurers' offices, see Tables in Chapter 7 entitled Allowable Investments, Cash Management Programs and Services, and Demand Deposits.

Key:

★ — Responsible for activity.

... — Not responsible for activity.

N.A. — Not available.

(a) Invest agency funds. For bond issuance, approve HFA borrowing. For debt service, approve bonding resolutions per housing finance loans. For unclaimed property, for New York state uncashed checks only.

(b) Partial.

(c) Trust funds.

(d) No longer has a state treasurer, effective September 1, 1996. Duties transferred to the Comptroller of Accounts.

## Chapter Five

# STATE JUDICIAL BRANCH

“The breakneck pace of technological change and accelerating demographic and cultural trends are changing the needs and expectations of court users... In these early years of the third millennium, the focus of justice reform has shifted from organizational and institutional change to public-focused reforms.”

— Mary Grace Hune



# Trends in the State Justice System: Improving Public Trust and Confidence

By Mary Grace Hune

*Judicial leaders are defining a new vision of court reform that goes beyond court reorganization and administration. The new reform issues go directly to the heart of the fairness and integrity of the justice system, the relationship of the judiciary to lawyers and other branches of government, the relationship of courts to citizens and the role of judges in serving specific needs of their communities. However, since September 11, 2001, courts are also facing increasingly urgent challenges relating to funding and security.*

## Introduction: Issues Facing the Justice System

The breakneck pace of technological change and accelerating demographic and cultural trends are changing the needs and expectations of court users. New areas of law and government regulation and an increasingly litigious society have courts struggling to keep pace with ever-increasing caseloads. To combat a public perception that the process of justice does not treat individuals equally and fairly, courts are seeking to increase public participation in the justice system. A need for greater accountability, both to the public as well as to the other two branches of government, has led courts to adopt more business standards and practices in terms of budgeting, court administration, strategic planning and performance measurement.

In the late 20th century, court reform was primarily focused on institutional objectives. A partial list of the highlights includes: 1) modifying the political aspects of judicial selection; 2) introducing a higher degree of professionalism into courts of limited jurisdiction by bringing them into the state judiciary system; 3) making progress in judicial education and judicial discipline; 4) introducing professional management into the courts; 5) heightening awareness of case delay and introducing case-flow management; 6) introducing jury management; 7) involving state government in the financing of trial courts; and 8) increasing judicial awareness of responsibility for the court system's performance.<sup>1</sup>

In these early years of the third millennium, the focus of justice reform has shifted from organizational and institutional change to public-focused reforms. The public's trust and confidence in the judicial system is seen as the fundamental issue facing the courts today. The courts have long recognized that the public has a somewhat negative perception of the judicial system. A survey conducted in 1978 by the National Center for State Courts showed that the general public and community leaders ranked the courts lower than many other American institutions.<sup>2</sup> A second national survey conducted by the American Bar Association 20 years later showed improvement in the public's confidence in the courts relative to other major American institu-

tions. This survey pointed to negative images, however, that included a "perceived inaccessibility, unfairness in the treatment of racial and ethnic minorities, leniency towards criminals, and a lack of concern about the problems of ordinary people. There was concern that the courts are biased in favor of the wealthy and corporations. There was also strong evidence of public concern that political considerations, and especially campaign fundraising, exerted an undue influence on the judiciary."<sup>3</sup>

In 1999, the National Center for State Courts conducted a third national survey of the public's perception of courts. This survey went beyond the previous two to produce a body of evidence that shows different social groups' perceptions of the courts.<sup>4</sup> Respondents to this national survey had some good things to say about the courts – 79 percent agreed that judges are fair in deciding cases; 74 percent agreed that other court personnel are courteous and helpful; and 85 percent agreed that courts do a good job protecting the constitutional rights of defendants. The results of this survey placed courts in the middle range of trust in American institutions. The survey also revealed areas of public concern that go beyond timeliness, fairness and courtesy directly to the integrity of the judicial process itself.<sup>5</sup> Some of the common themes that fuel the public's concerns include: 1) case-processing delay and backlog; 2) racial, ethnic, income and gender bias; 3) poor customer service; 4) lack of accountability on the part of the judicial branch; 5) poor methods of judicial selection and performance evaluation; 6) political intrusion; 7) the ability of attorneys to manipulate the system; and 8) barriers to access to the courts and the justice system.

Until recently, court reform was focused on eliminating the organizational and administrative weaknesses of the courts and on improving the behavior, training and qualifications of judges. The 1999 National Survey and a subsequent conference to set a national agenda to address public trust and confidence issues pointed to several priorities. These new areas for court reform go beyond court reorganization and administration and address issues of fairness in the judicial

process, the relationship of courts to citizens and relationships between judges and lawyers.

### ***Priorities in Justice-System Reform*** **Improving Dispute-Resolution Processes**

The American system of justice is predominantly an adversarial process. It has been upheld by judges and lawyers alike as a process that compels sorting out the issues, eliciting the truth, preserving rights and bringing pressure on those involved to resolve their disputes. The public's perception of the relative fairness of the adversarial process determines how the public views the justice system as a whole.

As indicated in the 1999 National Survey conducted by the National Center for State Courts, citizens perceive our current adversarial system of justice as inaccessible. More than two-thirds of those surveyed felt that bringing a case to court was not affordable and 87 percent indicated that the cost of lawyers contributed "a lot" to the cost of going to court. More than a majority of respondents said the complexity of the law and slow pace of litigation also contributed "a lot" to the cost of going to court.<sup>6</sup> Personal time was also a factor in the cost of bringing a case to court. A second complaint was that the courts do not treat individuals equally – there are perceived biases in favor of the wealthy and large corporations, as well as racial, ethnic and gender biases. In a related complaint, respondents felt that the courts are not in tune with the communities they serve. The human dimension of this response is that generally, those who have had personal experience in the trial process have a more negative view of our justice system than the general public does. All the participants in a trial – the judge, attorneys, jurors, witnesses and parties – face emotional, physical and mental exhaustion. Some of the participants may be traumatized by the experience, such as in a trial involving some gruesome or morally offensive subject, or they may be confused by complex evidence. Some of them may feel intimidated by the process, while others may feel dehumanized.

In the past, courts have resisted addressing these concerns, because they involve changing the fundamental nature of the judicial system, as well as the way the courts conduct their business. More judges are predicting that change in these areas, however, is inevitable. Utah Chief Justice Michael D. Zimmerman said in a speech before the Utah Bar Foundation:

To the extent that we resist changes that increase access because increased access by those without full legal representation is disruptive of our existing way of doing busi-

ness, I think we are in danger of finding ourselves in the same situation as doctors before the managed health-care revolution. Professionally myopic, unduly wedded to old models that work for the insiders, but not for the public, and quite proud of the quality product our expensive machinery can produce, without paying much attention to the fact that most people cannot afford it.<sup>7</sup>

### ***Realities of the Adversarial Process***

Theoretically, the role of discovery in the pretrial process is to sharpen the issues and reduce the case to a few factual issues to be decided at trial. In reality, because of a growing lack of professional respect and civility among the attorneys and the failure of parties and witnesses to respond fully to discovery requests, the discovery process has become a primary cause of trial delay.

Supporters of the adversarial process believe that it is necessary for two advocates to face off in order to arrive at the truth. In reality, the facts are often obscured or distorted in the adversarial process.

While some proceedings in the courts are truly adversarial, the larger percentage of a judge's caseload, especially in the criminal courts, is an assembly-line process of accepting guilty pleas and sentencing defendants. The justice system would quickly bog down were every case to go to full trial. The reality is that courts depend on criminal defendants to plead guilty and civil litigants to settle their disputes to keep the process moving.

### ***Thoughts on Reform***

Alternative Dispute Resolution (ADR) offers a means of providing a more timely, less costly and less complex form of justice tailored to the individual needs of the parties. Judges may now be at the peak of a network of diverse alternative dispute resolution mechanisms characterized by speed, informality and a relatively high degree of self-representation. Over the past few years, Maryland has taken the lead in the field of court-connected alternative dispute resolution. The Maryland ADR Commission was created and chaired by Chief Judge Robert M. Bell of the Maryland Court of Appeals. The commission began by convening citizens and stakeholders, including courts, schools, businesses, government agencies, criminal- and juvenile-justice programs and communities. Over 700 stakeholders then helped the commission plan and implement ADR through a strategic consensus-building process. The commission developed an action plan,

standards and a “12-Step Process” through which it emerged as the Maryland Mediation and Conflict Resolution Office (MACRO). MACRO consists of a board, chaired by Chief Judge Bell, an executive committee, four regional advisory boards and separate initiatives for business, government, family, circuit court, district court, school conflict, criminal and juvenile justice and community. For more information please refer to MACRO’s website at <http://www.courts.state.md.us/adr.html>.

Innovations in jury management have led to increased community participation in the judicial process and have brought citizens closer to the legal culture. Legislation that prohibited exclusion from jury selection based on race or ethnic origin, and later on disability, has opened jury service to a wider range of citizens with different cultural beliefs and values. This cross-representation of a community’s citizenry brings its own set of problems to jury management. Some believe that jury deadlocks have increased, that juries are incapable of understanding the testimony and evidence presented in some complex trials, and juries have been accused of sometimes ignoring their instructions on the law. Early studies in jury management focused on quantitative reforms that improved efficiencies and management techniques. In the 1980s, jury reform shifted to more concern about the treatment of jurors, their role in the trial process and the stress they may face in a strange and intimidating atmosphere.<sup>8</sup> Today, jury innovation is moving toward what Judge B. Michael Dann has labeled the “Behavioral-Educational” Model. Under this new model, jurors take a more active role in the legal process. The judge may give the jury legal instructions or explanation of the case at the beginning of the trial so jurors can measure the evidence or legal arguments presented at closing against the legal criteria. Jurors may actively participate in the proceedings by posing written questions to the judge for clarification, by taking notes during trial or by discussing the case with fellow jurors as the case progresses. Jurors may receive continuous feedback during trial and deliberations, either through additional argument by counsel if the jury becomes deadlocked or by requesting additional instructions from the judge.<sup>9</sup>

### **Broadening the Role of Judges and the Concept of Justice**

The traditional model, with the judge as the major actor, is giving way to a different model, in which the primary role of the judge is to ensure that disputes are fairly resolved, but not necessarily to preside over all cases themselves. In certain types of cases, the courts

are points of entry for individuals needing social services. Judges in these courts are more than detached arbiters of legal disputes. They engage in therapeutic justice and problem solving. This point-of-entry phenomenon applies to juvenile, family and domestic-violence cases, pro se litigation and mental health issues. Increasingly courts are also applying this form of justice to individuals termed “revolvers” – those who constantly reappear before the court – such as the mentally ill and criminal defendants with drug or alcohol problems.

### ***Justice Defined***

One definition of justice is “the rendering to every one his due or right; just treatment; requital of desert; merited reward or punishment; that which is due to one’s conduct or motives.”<sup>10</sup> Robert Tobin, Principal Court Management Consultant for the National Center for State Courts, defines a variety of forms justice may take in the new court reform. In criminal cases, justice takes the form of assigning the appropriate criminal sanction. In civil cases, it is enforcing duties owed by one individual to another, such as honoring a contract. While courts have always played a protective role, this role has increased significantly as judges exercise protective justice to place vulnerable persons such as the mentally ill, neglected children or abused spouses under the protection of the court. When judges exercise ameliorative justice, they seek to return an individual to a prior, healthier condition or to improve a social condition that demands change. For example, judges may use their authority to compel treatment for a substance abuser, instead of ordering a more punitive sanction. Enforcement justice takes place when courts follow up on decisions to assure compliance, either by issuing court orders or by enforcing fine or fee collection. Equity as a form of justice compensates for some of the rigidity of the law by recognizing that occasionally, justice must be tempered by the distinctive nature of the parties and the situation. Court users are entitled to administrative justice and should expect appropriate case-flow management, adequate record-keeping and courteous treatment in dealing with the administrative side of the courts.<sup>11</sup> In the future, judges and courts will be asked to provide justice on a broader plane, one that encompasses all of its forms.

### **Open, Service-Oriented Courts *Open Proceedings***

Public access to court proceedings is considered to be the norm unless denial of access is in accord with the law or public expectations. This standard applies to physical access and requires accommodation for per-

sons with physical, communicative and non-apparent disabilities. It applies to parties, witnesses, jurors and spectators. The U.S. Department of Justice issued a memorandum to the Conference of Chief Justices Committee on Access and Fairness in response to a request for a statement on whether the Americans With Disabilities Act applies to spectators of court proceedings. The act and relevant regulations provide “that State and local courts, as instrumentalities of State and local governments are public entities as defined in title II of the statute and the regulation.”<sup>12</sup> Further, under the ADA, “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”<sup>13</sup> In allowing spectators to attend proceedings, courts are providing to interested members of the public a service, program or activity covered by the act. For example, interested spectators at the courts could include family members of parties, attorneys with similar cases and members of the press who must attend proceedings in order to do their jobs.

Even those spectators who do not have such an obvious stake in a particular proceeding have a direct interest in observing the process. In general, citizens have an interest in observing and learning from judicial proceedings. The interest in open proceedings extends to society as a whole. The U.S. Supreme Court has held that it is important that the judicial process satisfy the appearance of justice in order to work effectively, and that the appearance of justice can best be provided by allowing people to observe it.<sup>14</sup> More recently, courts have become aware of a need to accommodate individuals with non-apparent disabilities, which can be described as those pertaining to certain illnesses or cognitive developmental disorders. Some examples of non-apparent disabilities the courts have addressed and the accommodations they have made include: 1) sleep apnea and chronic fatigue – courts have modified hearing schedules; 2) diabetes – courts have provided refrigerators to store medicines and have allowed for more frequent breaks and storing/eating food in the courtroom; 3) severe allergies and chemical sensitivities – courts have requested that individuals not wear cologne or aftershave and have modified lighting; 4) attention deficit disorder – courts have limited the time on the stand and have allowed jurors with ADD to take notes.<sup>15</sup>

The public may face other barriers to open access to court proceedings when either trying to retrieve information from the courts or when filing information with the courts. The use of various technologies has begun

to change the way courts serve the public’s information needs, but it has also raised new issues. One of the first issues is that technology is not available to everyone. Many lawyers outside of large firms may not have access to the technology necessary for electronic filing; many state codes have not yet been modified by the legislatures to accommodate the advancements possible with new information-management technologies; and standards for the electronic interchange of information are just now being addressed. One of the biggest issues the courts are facing in addressing public access to court information is how to handle sensitive or personal-identification information that is required by law to be included in many court records. The issue has become more pressing as the public becomes more sensitive to the use and availability of Social Security numbers. The complexity of this issue is compounded because the federal government requires by statute that state courts enter Social Security numbers on certain court orders. The question for the courts then becomes: “What steps must a court take to restrict access to these documents, which are matters of public record in most states?”<sup>16</sup>

Courts must also now deal with sharing information with other agencies. While in the recent past, agencies may have feared interagency sharing and networking of information resources, this attitude is beginning to change. Predominantly in the criminal-justice area, courts are using systems that integrate criminal-records information from various state and federal agencies that collect the data and provide a single point of access to the courts and collaborative agencies. A very recent move is headed toward integrating criminal- and civil-records systems, so that family courts will have immediate access to criminal records, or that general-jurisdiction courts will have access to child-support enforcement records.

### *Court-Community Collaboration*

One way to open the courts to the public is to invite citizens into them. Citizen involvement in court-administration committees is one way to make the legal culture more responsive to court users and the community. California Chief Justice Ronald George has said, “The courts need to engage in effective statewide planning so that they can not only be responsive to the communities they serve, but also to ensure equal access to justice statewide.”<sup>17</sup> The use of volunteers as court-appointed special advocates or probationer supervisors is another excellent link between the court and the community it serves. Depending on how the volunteers are treated – as flunkies and a means of keeping down personnel costs or as valuable members

of the justice team, serving a needed purpose – they can either be harsh critics of or effective advocates for the courts. Many courts are beginning to use more volunteers on court committees because, by volunteering in the first place, they have demonstrated interest in the courts and have useful knowledge of problems the courts face.<sup>18</sup>

Courts are also making outreach efforts into the communities they serve. Of these efforts, Chief Justice Shirley Abrahamson of Wisconsin noted, “Court and community collaboration is a sustained, two-way commitment to ensuring that the justice system is open and effective for all.”<sup>19</sup> Collaborative efforts have included many examples of courts coming together with communities to respond to the needs of the citizens, ranging from court-community based juvenile-justice programs designed to keep juveniles out of the courts<sup>20</sup> to the experimental Midtown Community Court in New York City, which addresses criminal offenses that affect the quality of life for the people living in the neighborhood it serves.

### **Public Service Considerations**

Increasingly, courts are becoming more public-service minded. In large urban and metropolitan counties, the decentralization of court facilities is one innovation that can make court services more accessible to the public. One central location may continue to provide for specific needs, such as holding areas for prisoners or functions that require concentration of services at one location. But more routine and high-volume functions are being shifted to outlying areas that are readily accessible to the public. Increased hours and evening hours also provide convenience to the public, who would otherwise have to take time off from work to access needed court services.

Public-service considerations extend beyond convenience. Courteous and respectful treatment by court staff, sometimes referred to as customer orientation, also provides a positive link between the court and the community. Some courts are trying to look at their operations from the perspective of how their citizens interact with them. Examples of how courts have improved their operations to benefit their users include: allowing disabled court customers to bring their service animals into the courtroom, making foreign language interpreters available to non-English speaking users, removing biases in the treatment of minority or women court customers, and providing assistance to litigants in specialized courts or self-represented litigants. Customer orientation can be linked to the public’s perception of the court’s performance, which may be expressed during judicial performance evaluations

or in the form of open criticism of the courts and judges.

### **Specialty Courts and Special Interest Groups** *Problem Solving Courts*

Judicial administration is facing a dilemma: specialized courts to handle special needs cases, or unified courts for administrative efficiency? Unfortunately, through funding incentives, the federal government and state legislatures often impose a single solution for problems that should be dealt with flexibly. Fragmentation in the courts has been exacerbated by the “federalization” of many issues traditionally handled by the states. When state judges were hesitant to assume the role of “treatment coordinator” being thrust upon them, the federal government became a major advocate for demanding better coordination between the state courts and social-services agencies. A prime example has been in the area of drug courts, which for the most part divert nonviolent addicts to treatment, with the goals of breaking the cycle of addiction and reducing recidivism. While state courts were slow to see the significance of the remarkable rise of drug courts, the federal government recognized the importance of the trend and put federal-grant support behind the state and local efforts. This movement by the federal government and special interest groups is not meant to usurp state authority, but is intended to address problems that the state court leaders have ignored. In many cases, the issues the federal government seeks to address through its support of specialized courts are to improve processes, provide a better court experience for those individuals required to use court services, and to broaden the concept and improve the public perception of justice.<sup>21</sup>

### *The Special Interests of Business Groups*

The pro-business forces – corporations, small businesses, hospitals, insurance companies, trade associations, hospitals and doctors – are pitted against the plaintiffs’ bar, labor unions and Democratic interest groups in a struggle to control how state courts decide issues affecting business. In particular, the issue that has come under fire is “tort reform” which was linked to the early medical-malpractice reform efforts and is now addressing products-liability and class-action reforms. Of concern to the pro-business faction, including commercial litigation attorneys, is judges’ ability to understand and handle the complex issues that arise in many of these cases. There is also doubt about state courts’ ability to logistically handle complex, mass tort cases. Corporate America has realized that it is more efficient to implement change in these



areas in a single federal arena than in the 50 state legislatures and has put pressure on Congress to affect changes. Proposed reforms have focused on statutes of limitations, restrictions on the admissibility of evidence, various allowable defenses and ceilings on damage awards. While a myriad of state reforms enhanced the position of corporate defendants, the corporate bar was still uncertain of the state courts' capacity to handle complex issues with large economic consequences. One area of uncertainty was the issue of admissibility of scientific evidence, which the U.S. Supreme Court addressed in *Daubert v. Merrell Dow Pharmaceuticals*.<sup>22</sup> Chief Justice Rehnquist expressed concern over making state trial judges amateur scientists, determining what scientific evidence should go to the jury. In dicta, the Court set forth a standard of reliability for the admissibility of scientific evidence, which allowed for a determination by federal trial judges as to whether the scientific evidence relied upon is based on sound scientific methodology. There are continuing efforts to take state courts out of the corporate-litigation picture entirely, as well as similar concerns about relying on juries as the arbiters of business practices.

### **The Courts After September 11, 2001**

Two additional issues have taken on more urgency following the recent terrorist attacks and economic recession: security and funding.

#### ***Court Security***

Donald S. Donovan, acting assistant director for the Judicial Security Division, United States Marshals Service, testified before the Subcommittee on Crime of the U.S. House of Representatives' Judiciary Committee that:

The protection of judges and courthouses is one of the least understood, but most important functions of American Government. If federal jurists cannot preside over cases and render verdicts free from fear and intimidation in a safe environment, then our citizens cannot expect the judicial system to function fairly and impartially. In short, without this protection, the nation would be deprived of its most cherished and fundamental right – justice.<sup>23</sup>

Issues of security are not new to the state courts. Events of national prominence such as the civil unrest in Los Angeles following the Rodney King case and the bombing of the Murrah Building in Oklahoma City, as well as incidents of local courthouse shootings, have

focused attention on security in our courthouses. Even during the times of circuit riders in the Old West, there were rules about “leaving the guns at the door” before the citizens could enter the makeshift courtroom.

In the aftermath of September 11, 2001, security in our courts – for the employees as well as participants in the judicial process – has again become an important concern. The areas being addressed by the courts focus on: 1) facility security and personal security of judges and others who work or have business in the courts, and 2) business continuity and disaster recovery.

#### ***Facility and Personal Security***

Violence in the nation's courts can take several forms. One form of violence is targeted, the direct result of a personal and concrete grievance. A second form is more impersonal. Violence of this type can be the attempt to make a symbolic statement using a public setting, such as the court, as a platform.<sup>24</sup> Under our adversarial system of justice, each case filed in the courts has the potential to lead to violence at the outcome. The adversarial nature of the process can add to feelings of discontent and animosity – for instance, if a family member of a victim or defendant feels that something in the proceeding was unfair. These feelings have the potential to escalate into violent acts against the justice system, either against the judge, opposing party or counsel, or against the institution of justice as a whole. In some cases, violence manifests itself as an opportunistic, unpremeditated, non-targeted act. In other cases, there may be premeditation against a specific target. While the victim, perpetrator or implement of violence may be the same in both types of occurrences, the methods of prevention may be easier for the former. Non-targeted, opportunistic incidents account for the majority of incidents and usually occur in the courtroom or hallway because the perpetrator, in the heat of the moment, lashed out at the perceived source of his anger. Courts can prevent or thwart many of these acts with proper security precautions, such as notices regarding weapons in the courtroom, signs about appropriate courtroom decorum, weapons detectors and security surveillance cameras. Premeditated, targeted acts, including telephoned bomb threats or specific threats or aggressive acts against judicial officials, are more difficult to respond to. Currently, there is little relevant information available on this type of violence to help develop prevention strategies. The challenge is to identify the individual whose anger toward the courts makes that person a potential risk. Some steps courts are taking to develop a courthouse-security policy include:

1. Developing a policy for reporting anything suspi-

cious or ominous directed toward court officers and employees. In addition to reporting outright threatening acts or communications, non-threatening but inappropriate communications or suspicious activities should also be reported.

2. Implementing “target-hardening” measures that focus on making the courthouse environment safer. These measures include entrance screening through the use of metal detectors and x-ray machines to confiscate weapons, the use of separate prisoner, public and staff circulation systems within the courthouse, and the installation of alarms and surveillance cameras.

3. Training local sheriffs and law enforcement staff to analyze inappropriate or threatening communications to determine which pose real threats to courthouse security.<sup>25</sup>

### ***Business-Continuity Planning***

Business-continuity or disaster-recovery planning has taken on new dimensions since the attacks on the World Trade Center and the Pentagon on September 11, 2001. While this horrific event has focused our attention on recovery following terrorist attacks, business-continuity planning is not new to institutions in areas prone to natural disasters or exposed to civil unrest. While the courts are not fire departments, power companies or hospitals, court operations are essential to an orderly, democratic society. Because there are statutes and rules governing the court procedures, an extended disruption in operations could have major consequences. In planning for disaster recovery, one of the early tasks is to identify possible risks and their impact on court business. Every functional area of the court’s operations should be analyzed for potential impact associated with several disaster scenarios. As we now know, this analysis must consider all types of disasters, including both natural and man-made. Some have suggested that an organization should plan for the worst disaster conceivable and then use parts of the plan for less catastrophic disruptions. Second, the court will need to identify its essential functions and develop scenarios for replacing these functions should the need arise. This step in the plan will include identifying and securing alternative physical resources such as facilities, equipment and communication tools, as well as identifying people to perform the primary business tasks. Finally, the court needs to be prepared to offer a level of leadership support for the needs of employees who may be affected by the disaster. The following represent some issues that the court should address:

1. *Loss of Control.* Businesses the court deals with may also have been affected by the disaster. Courts can minimize this impact by agreeing in written contracts

for services they expect their vendors to continue to provide during the crisis. Identifying alternate vendors will also allow for better control of the situation should the effects of a disaster go beyond the court itself. Specifying a means of communication with local officials and employees will ease the stress of “not knowing what is going on.”

2. *Command Center.* The role of the command center will be to coordinate recovery efforts by establishing communication, assessing damage, assigning tasks and tracking progress. The recovery plan should address questions of who staffs the command center, where it will be located and what resources will be needed to perform its responsibilities.

3. *Notification Process.* The plan should establish a “phone tree,” identifying who needs to be contacted and who is responsible for making the calls. Organizations affected by the September 11 attack also found it useful to have staff home, cellular, pager and other contact numbers as they tried to account for their employees.

4. *Salvaging and Restoring Records.* Many courts now rely on electronic systems to file and store court records. The plan needs to address how to get these systems operational again in the event of damage to the main systems. Until these systems are operational, the courts will need to rely on alternative manual record-keeping systems. One recommended solution is to maintain a secondary, mirror backup-system at a different location. In a recent article in the *Court Technology Bulletin*, the information technology director of the U.S. Bankruptcy Court for the Southern District of New York reported about how loss of their Internet connection prevented continued filing with the court’s electronic case-filing and case-management system. By switching over to their mirror site, they were able to resume access to their records within one and a half days following the World Trade Center disaster. When Internet access was restored to the court a week later, they loaded an archive of its database sent from the backup location and once again had full database hosting at their primary location.<sup>26</sup> The plan should also address how to recover other records – such as materials stored on microfiche, audio-video tapes, financial and personnel records, and evidence – that are stored in the court facility.

5. *Staffing Issues.* Depending on the nature of the disaster, the court can expect staff shortages, as staff members deal with personal and family matters associated with the disaster. The recovery plan will identify the level of staffing and who is needed to keep the court functioning. Court managers will also need to be sensitive to employee needs during this time. Some staff

will be preoccupied, others may be coping with grief and still others may be stressed by the extra work called for during this time. The plan should include contact information for employee assistance.

6. *Business Recovery Insurance and Services.* The court's risk management may be the responsibility of the host government (i.e. the state or county). It is the court's responsibility, however, to ensure that the inventory documentation is up to date and to know what elements of disaster recovery are covered.

7. *Public Relations.* The disaster plan should include guidelines on who is authorized to speak with the media and what information the court wants released. A good plan may also include how the court can reach out to the community it serves to assist with overall recovery.<sup>27</sup>

## Funding for Court Programs

### *State Court Funding Background*

A 1996 survey of funding in state justice systems found that the state legislature is the primary source of funding for the top appellate court in each jurisdiction, the intermediate appellate courts and the courts of general jurisdiction. Limited-jurisdiction courts are primarily funded by local governments but may look to the state for additional funding. Municipal courts usually receive their funding exclusively from the local government. In the majority of jurisdictions, the state legislature has the power to authorize the assessment of fines and court costs. Furthermore, many courts must turn over fines and fees to the state's general fund. Courts seldom retain the funds for their own budgets. The court system's ability to obtain adequate resources to fund various programs, such as problem-solving courts, juvenile-justice programs, judicial education and community outreach, has a direct impact on its ability to improve the public's perceptions of the court.

### *Trends in Funding*

The current economic situation in the states and a new focus for federal spending has created an uncertain situation for state-court budgets. A recent article in *The National Law Journal* reported that several state courts would be facing cutbacks this fiscal year. The New Hampshire courts, probably the hardest hit, will suspend jury trials during April, July, August and December 2002 (they did not hold jury trials during December 2001, either). The New Hampshire court administrator also reports that they will cut spending for needed equipment upgrades from the requested \$400,000 to \$100,000 and will only spend half of the requested \$1.9 million for court security. In Florida, the courts have instituted a hiring freeze and staff layoffs.

They also eliminated funding of the court's psychology program. Other states have initiated hiring freezes, put off hiring needed additional judges and cut technology budgets and budgets for special programs.<sup>28</sup> In another cost-saving trend, states are seeing budgets for legal-aid programs cut. In 1996, Congress passed legislation that severely restricted federal funds for legal aid. In response, many states provided state funding for legal-services programs that were no longer covered under the revised legislation. Last year, New York Governor Pataki's appointees to the state Interest on Lawyer Account (IOLA) Board voted to revoke funding for five local legal-aid programs that had been representing low-income clients who had been left without representation since the 1996 legislation. For the most part, these programs were providing legal services to low-income individuals needing access to the civil-justice system, such as children with disabilities, the mentally ill and others who do not fit within the federally funded legal-services programs.<sup>29</sup> In a similar vein, some states are wrestling with pay rates and compensable items for lawyers who represent indigent defendants.<sup>30</sup>

### *Alternative Sources of Funding*

Several courts are turning to setting up nonprofit organizations to accept private donations or other gifts to the court to help pay for special projects that are not funded by the state budget.<sup>31</sup> The newly created New York State Access to Justice Center will function "as the central vehicle for securing long-term funding sources for civil legal services for New Yorkers who need but cannot afford such services." Chief Judge Judith S. Kaye said the center will be charged with eliminating barriers to legal representation for the poor, increasing support for pro-se litigants, promoting the use of alternative dispute resolution and developing permanent funding sources.<sup>32</sup>

## Conclusion

Judicial leaders are defining a new vision of court reform. These new issues of reform go beyond court reorganization and administration. The new reform issues go directly to the heart of the fairness and integrity of the justice system, the relationship of the judiciary to lawyers and other branches of government, and the role of judges in serving specific needs of their communities.

Determining how well a court meets these needs will take on new dimensions as well. In the late 20th century, case-flow management was the premier court-administration reform. Case-flow management is a performance-based measure of how well a court is

doing its job, based on how efficiently the court disposes of cases and gets them out of the system. A disposition is recorded when a case is resolved by settlement, plea, dismissal or trial verdict. Once a case is no longer part of the court's backlog, the court has done its job. This measure has limited applicability under the broader concept of justice, under which the court may have an ongoing role, such as in family and domestic violence cases involving several hearings and post-disposition enforcement proceedings. As justice becomes multidimensional, so must the measurement of court performance be multidimensional.

Chief Judge Judith S. Kaye remarked recently on efforts undertaken by the New York Courts and the New York Bar following the attack on the World Trade Center. Her account clearly showed a judicial system that was affected but not devastated.<sup>33</sup> Early on, the administrative officers of the New York court system decided that the primary objective would be to have the Manhattan courts up and running as soon as possible in order to meet the regular day-to-day, as well as emergency needs, of the public. In true leadership fashion, her first thoughts were of the people affected.<sup>34</sup> One court was situated in the World Trade Center; others were located nearby in what would be called the "frozen zone." There was a substantial list of names of court "family" who were affected by the disaster – court officers who were killed trying to help in rescue efforts; staff who had lost family members; people who had done business with the courts who were lost. As leaders, the administrative officers recognized the need to reach out and provide court staff the time and place to grieve, to discuss amongst themselves their feelings and needs, to express their patriotism.

The next step was to determine how to reopen. They identified courts that were outside the danger zone. The appellate division opened to serve people in need – people searching for relatives who had been evacuated from the holding cells in the criminal court and others facing possible eviction. They pulled trial-court judges to hear emergency applications. Having made the decision to remain open, the courts needed to face the problems associated with that decision. There were physical needs to see to, such as air quality, security, new locations and facilities for the courts located at Ground Zero or the "frozen zone," and a new Internet phone system, with 600 phones to install over the weekend. The courts also had to address issues affecting people outside of their own organizations. They helped 14,000 lawyers obtain, free of charge, copies of lost records and computer runs of attorneys' cases and helped recreate client lists. They set up hotlines for lawyers and litigants and established a swift system for establishing

death, in order to ease the emotional and economic pain of a grieving family. Working with other branches of government, most notably the executive office, statutes of limitations and appeal deadlines were extended. In a letter to the bar, Judge Kaye and Judge Jonathan Lippman, the chief administrative judge, urged attorneys to cooperate and help one another. They also sought the assistance of the bar by asking for volunteers to help families, *pro bono*, with anticipated legal needs such as Social Security, workers compensation, unemployment assistance, insurance and family law. During this emergency, the New York courts provided much-needed services to their constituents, improved court-bar relations through measures that helped attorneys better serve their clients as well as by requesting patience and civility among the bar, and worked to make the system affordable and accessible. The way the justice system in New York responded during this crisis should be an example to all courts of what can and should be done under any circumstances to restore and maintain public trust and confidence in our justice system.

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## Notes

<sup>1</sup> Robert W. Tobin, *Creating the Judicial Branch: The Unfinished Reform* (Williamsburg, VA: National Center for State Courts, 1999), 257.

<sup>2</sup> Yankelovich, Skelly and White, Inc., *The Public Image of Courts: Highlights of a National Survey of the General Public, Judges, Lawyers and Community Leaders* (Williamsburg, VA, National Center for State Courts, 1978).

<sup>3</sup> David Rottman and Alan J. Tomkins, "Public Trust and Confidence in the Courts: What Public Opinion Surveys Mean to Judges," *Court Review* 36 (1999): 24.

<sup>4</sup> *How the Public Views the State Courts: A 1999 National Survey* (Williamsburg, VA: National Center for State Courts, 1999), <<http://www.ncsc.dni.us/PTC/results/nms4.htm>>.

<sup>5</sup> Roger Warren, "Public Trust and Procedural Justice," *Center Court* 5 (2001): 7.

<sup>6</sup> Warren, 7-8.

<sup>7</sup> Tobin, 210, citing speech given by Chief Justice Zimmerman to the Utah Bar Foundation, December 2, 1997.

<sup>8</sup> Thomas Munsterman, Paula Hannaford, and G. Marc Whitehead, eds., *Jury Trial Innovations*, (Williamsburg, VA: National Center for State Courts, 1997).

<sup>9</sup> B. Michael Dann, "'Learning Lessons' and 'Speaking Rights': Creating Educated and Democratic Juries," *Indiana Law Journal* 68 (1993): 1236. Additional sources of information on jury innovations can be found in B. Michael Dann, "Juries: Composition and Comprehension," *Annual Report on Trends in the State Courts*, (Williamsburg, VA: National Center for State Courts, 2001), 8-11.

<sup>10</sup> *Webster's Revised Unabridged Dictionary*, (Plainfield, NJ: MICRA, Inc., 1996 and 1998).

<sup>11</sup> Tobin, 228.

<sup>12</sup> 42 U.S.C. § 12131 and the Department's implementing regulation at 28 C.F.R. § 35.104.

<sup>13</sup> 42 U.S.C. § 12132 (see also 28 C.F.R. § 35.130 (a)).

<sup>14</sup> *Richmond Newspapers Inc. v. Virginia*, 448 U.S. 555 (1980).

<sup>15</sup> Amanda Murer, "Non-Apparent Disabilities: The Realm Involving the Courts and the ADA," *Annual Report on Trends in the State Courts*, (Williamsburg, VA: National Center for State Courts 2001), 34-35.

<sup>16</sup> For an in-depth analysis of this issue, see *Issue Brief: Social Security Numbers*, (Williamsburg, VA: National Center for State Courts, 2002).

<sup>17</sup> The California Judicial Council, through a grant from the State Justice Institute, has an ongoing project to develop more community-focused programs. The California model used lawyers and public citizens on planning teams and at planning conferences. See <[http://www.courtinfo.ca.gov/programs/community/court\\_planning.htm](http://www.courtinfo.ca.gov/programs/community/court_planning.htm)>.

<sup>18</sup> New York has established an Office of Volunteers in the Courts to coordinate and expand existing programs and identify new opportunities for lawyer and non-lawyer volunteers. See *State of the Judiciary*, (New York: New York State Unified Court System, 2002).

<sup>19</sup> David Hilary Efken and Pamela Casey, *A Guide to Court and Community Collaboration*, (Williamsburg, VA: National Center for State Courts, 1998), 2.

<sup>20</sup> The Oakland County (Michigan) Youth Assistance Program seeks to keep juveniles out of the justice system and to strengthen families through the use of local county assistance offices that provide local programs and counseling services.

<sup>21</sup> An analysis of how courts are responding to the special needs of individuals can be found in Pamela Casey and William E. Hewitt, *Court Responses to Individuals in Need of Services: Promising Components of a Service Coordination Strategy for Courts*, (Williamsburg, VA: National Center for State Courts, 2001).

<sup>22</sup> 509 U.S. 579 (1993).

<sup>23</sup> "Statement of Donald S. Donovan Before the Subcommittee on Crime of the Committee on Judiciary of the U.S. House of Representatives," U.S. House of Representatives, July 12, 2000, <<http://www.house.gov/judiciary/dono0713.htm>>.

<sup>24</sup> Neil Alan Weiner *et al.*, "Safe and Secure: Protecting Judicial Officers," *Court Review* 36 (2000): 26.

<sup>25</sup> "Courthouse Violence: Protecting the Judicial Workplace," *The Annals of the American Academy of Political and Social Science* (July 2001): 576.

<sup>26</sup> Alexandra Pantazis, "Court Implements Disaster Recovery Plan," *Court Technology Bulletin*, 13 (November/December 2001): 1.

<sup>27</sup> For additional information and sample disaster recovery plans, see Charlotte Hiatt, *A Primer for Disaster Planning in an IT Environment* (Hershey, PA: Idea Group Pub., 2000); *Disaster Recovery Planning for Courts: A Guide to Business Continuity Planning*, (Williamsburg, VA: National Association for Court Management, 2000).

<sup>28</sup> Lisa Stansky, "State Courts Face Budget Crunch, Make Cutbacks," *The National Law Journal*, (December 5, 2001).

<sup>29</sup> "Pataki Appointees Kill Funding For Legal Aid Programs In Syracuse, White Plains, Brooklyn, Rochester & Long Island," *The Brennan Center for Justice*, May 31, 2001, <[http://www.brennancenter.org/presscenter/pressrelease\\_2001\\_0611.html](http://www.brennancenter.org/presscenter/pressrelease_2001_0611.html)>.

<sup>30</sup> See, for example, Stephanie Hoops, "Public Defender Payments Frozen," *Tuscaloosa News*, February 19, 2002, <<http://www.tuscaloosanews.com/news/stories/16296newsarchived-storypage.html>>. See also The Bureau of Justice Statistics, U.S. Department of Justice, *State-Funded Indigent Defense Services*, 1999, September 2001, <<http://www.ojp.usdoj.gov/bjs/abstract/sfids99.htm>>, which presents findings from data collected as part of the 1999 National Survey of Indigent Defense Systems in the 21 states where the state government provides virtually all of the funding for indigent defense services.

<sup>31</sup> Anne Skove, "Non-Profit Status Options for Courts," *Annual Report on Trends in the State Courts*, (Williamsburg, VA: National Center for State Courts, 2001), 12.

<sup>32</sup> *State of the Judiciary*, (New York: New York State Unified Court System, 2002), 10.

<sup>33</sup> Judith S. Kaye, "Coping with Disaster," *Judicature* 85 (November-December, 2001): 112-114.

<sup>34</sup> The defining attributes of leadership in this new world are described in "Leadership in a New World," *The Court Management and Administration Report* (December 2001): 5-10.

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## About the Author

**Mary Grace Hune** is manager of the Information Resource Center for the National Center for State Courts. In 2001, she was editor of *Annual Trends in the State Courts*, along with other publications on judicial accountability and judicial performance evaluation. With a master's degree in library science, a doctorate of jurisprudence and over 26 years of experience in information management, she is a frequent lecturer on legal information and law school educational technology.

**Table 5.1**  
**STATE COURTS OF LAST RESORT**

State or other jurisdiction	Name of court	Justices chosen (a)			Term (in years) (c)	Chief justice	
		At large	By district	No. of judges (b)		Method of selection	Term of office for chief justice
Alabama	S.C.	★		9	6	Popular election	6 years
Alaska	S.C.	★		5	10	By court	3 years (d)
Arizona	S.C.	★		5	6	By court	5 years
Arkansas	S.C.	★		7	8	Popular election	8 years
California	S.C.	★		7	12	Appointed by governor	12 years
Colorado	S.C.	★		7	10	By court	Indefinite
Connecticut	S.C.	★		7	8	Legislative appointment (e)	8 years
Delaware	S.C.	★		5	12	Appointed by governor	12 years
Florida	S.C. (f)	★		7	6	By court	2 years
Georgia	S.C.	★		7	6	By court	4 years
Hawaii	S.C.	★		5	10	Appointed by governor, with consent of Senate (g)	10 years
Idaho	S.C.	★		5	6	By court	4 years
Illinois	S.C.	★	★	7	10	By court	3 years
Indiana	S.C.	★		5	10 (h)	Judicial nominating commission appointment	5 years
Iowa	S.C.	★		8	8	By court	8 years or duration of term
Kansas	S.C.	★		7	6	Rotation by seniority	Indefinite
Kentucky	S.C.	★	★	7	8	By court	4 years
Louisiana	S.C.	★	★	8 (i)	10	By seniority of service	Duration of service
Maine	S.J.C.	★		7	7	Appointed by governor	7 years
Maryland	C.A.	★	★	7	10	Appointed by governor	Indefinite
Massachusetts	S.J.C.	★		7	To age 70	Appointed by governor (j)	To age 70
Michigan	S.C.	★		7	8	By court	2 years
Minnesota	S.C.	★		7	6	Popular election	6 years
Mississippi	S.C.	★	★	9	8	By seniority of service	Duration of service
Missouri	S.C.	★		7	12	By court (k)	2 years
Montana	S.C.	★		7	8	Popular election	8 years
Nebraska	S.C.	★		7	6 (m)	Appointed by governor from Judicial Nominating Commission	Duration of service
Nevada	S.C.	★		7	6	Rotation	2 years
New Hampshire	S.C.	★		5	To age 70	Appointed by governor with approval of elected executive council	To age 70
New Jersey	S.C.	★	★ (l)	7	7 (n)	Appointed by governor, with consent of Senate	Duration of service
New Mexico	S.C.	★		5	8	By court	2 years
New York	C.A.	★		7	14	Appointed by governor from Judicial Nominating Commission	14 years
North Carolina	S.C.	★		7	8	Popular election	8 years
North Dakota	S.C.	★		5 (o)	10	By Supreme and district court judges	5 years (p)
Ohio	S.C.	★		7	6	Popular election	6 years
Oklahoma	S.C.	★	★	9	6	By court	2 years
Oregon	C.C.A.	★	★	5	6	By court	2 years
Pennsylvania	S.C.	★		7	6	Rotation by seniority	6 years
Rhode Island	S.C.	★		7	10	Appointed by governor	Duration of term
South Carolina	S.C.	★		5	Life	Appointed by governor from Judicial Nominating Commission	Life
					10	Legislative election	10 years

See footnotes at end of table.



## STATE COURTS OF LAST RESORT — Continued

State or other jurisdiction	Justices chosen (a)			Term (in years) (c)	Chief justice	
	At large	By district	No. of judges (b)		Method of selection	Term of office for chief justice
South Dakota .....	S.C.	★ (q)	5	8	By court	4 years
Tennessee .....	S.C.	★	5	8	By court	4 years
Texas .....	S.C.	★	9	6	Partisan election	6 years
Utah .....	C.C.A.	★	9	6	Partisan election	6 years (r)
Vermont .....	S.C.	★	5	10 (s)	By court	4 years
Virginia .....	S.C.	★	5	6	Appointed by governor from Judicial Commission, with consent of Senate	6 years
Washington .....	S.C.	★	7	12	Seniority	Indefinite
West Virginia .....	S.C.	★	9	6	By court	4 years
Wisconsin .....	S.C.A.	★	5	12	Rotation by seniority	1 year
Wyoming .....	S.C.	★	7	10	Seniority	Until declined
Dist. of Columbia .....	S.C.	★	5	8	By court	At the pleasure of the court
American Samoa .....	C.A.	★	9	15	Judicial Nominating Commission appointment	4 years
Puerto Rico .....	H.C.	★	8 (t)(u)	(v)	Appointed by Secretary of the Interior	(s)
	S.C.	★	7	To age 70	Appointed by Governor, with consent of Senate	To age 70

Sources: Number of judges from Court Statistics Project, *State Court Caseload Statistics, 1999-2000* (National Center for State Courts 2000). All other information from *State Court Organization 1998* (National Center for State Courts); state constitutions, statutes and court administrative offices.

## Key:

S.C. — Supreme Court  
 S.C.A. — Supreme Court of Appeals  
 S.J.C. — Supreme Judicial Court  
 C.A. — Court of Appeals  
 C.C.A. — Court of Criminal Appeals  
 H.C. — High Court

(a) See Chapter 5 table entitled, "Selection and Retention of Judges," for details.  
 (b) Number includes chief justice.

(c) The initial term may be shorter. See Chapter 5 table entitled, "Selection and Retention of Judges," for details.  
 (d) A justice may serve more than one term as chief justice, but may not serve consecutive terms in that position.

(e) Governor nominates from candidates submitted by Judicial Selection Commission.

(f) Regional (5), Statewide(2), Regional based on District of Appeal

(g) Judicial Selection Commission nominates.

(h) Initial two years; retention 10 years.

(i) Includes one assigned from courts of appeal.

(j) Chief justices are appointed, until age 70, by the Governor with the advice and consent of the Executive (Governor's) Council.

(k) Selection is typically rotated among the judges.

(l) Chief justice chosen statewide; associate judges chosen by district.

(m) More than three years for first election and every six years thereafter.

(n) Followed by tenure.

(o) A temporary court of appeals was established July 1, 1987 to exercise appellate and original jurisdiction was delegated by the supreme court. This court does not sit, has no assigned judges, has heard no appeals, and is currently unfunded.

(p) Or expiration of term, whichever is first.

(q) Initially chosen by district; retention determined statewide.

(r) Presiding judge of Court of Criminal Appeals.

(s) Initial three years; retention 10 years.

(t) Chief judges and associate judges sit on appellate and trial divisions.

(u) Information is from *The Book of the States, 2000-2001*. No new data was available.

(v) For good behavior.

**Table 5.2**  
**STATE INTERMEDIATE APPELLATE COURTS AND GENERAL TRIAL COURTS:**  
**NUMBER OF JUDGES AND TERMS**

State or other jurisdiction	Intermediate appellate court			General trial court		
	Name of court	No. of judges	Term (years)	Name of court	No. of judges	Term (years)
Alabama .....	Court of Criminal Appeals	5	6	Circuit Court	139	6
Alaska .....	Court of Civil Appeals	3	6	Superior Court	32 (a)	6
Arizona .....	Court of Appeals	3	8	Superior Court	135 (ii)	4
Arkansas .....	Court of Appeals	22	6	Chancery/Probate Court and Circuit Court	110 (b)	(b)
California .....	Court of Appeals	12	8	Superior Court	1,479 (c)	6
Colorado .....	Court of Appeals	93	12	District Court	118 (d)	6
Connecticut .....	Court of Appeals	16	8	Superior Court	170	8
Delaware .....	Appellate Court	9	8	Superior Court	19	12
Florida .....	...	...	...	Court of Chancery	(e)	12
Georgia .....	District Courts of Appeals	61	6	Circuit Court	468	6
Hawaii .....	Court of Appeals	12	6	Superior Court	177	4
Idaho .....	Intermediate Court of Appeals	4	10	Circuit Court	27 (f)	10
Illinois .....	Court of Appeals	3	6	District Court	39 (g)	4
Indiana .....	Appellate Court	42 (h)	10	Circuit Court	497 (i)	6 (j)
Iowa .....	Court of Appeals	15 (k)	10 (l)	Superior Court, Probate Court and Circuit Court	280	6
Kansas .....	Court of Appeals	9	6	District Court	176 (m)	6
Kentucky .....	Court of Appeals	10	4	District Court	159 (n)	4
Louisiana .....	Court of Appeals	14	8	Circuit Court	104	8
Maine .....	Court of Appeals	54	10	District Court	224 (o)	6
Maryland .....	Court of Special Appeals	...	...	Superior Court	16	7
Massachusetts .....	...	13	10	Circuit Court	143	15
Michigan .....	Appeals Court	14	(p)	Superior Court	80	(p)
Minnesota .....	Court of Appeals	28	6	Circuit Court	210	6
Mississippi .....	Court of Appeals	16	6	District Court	254	6
Missouri .....	Court of Appeals	10	8	Circuit Court	49	4
Montana .....	Court of Appeals	32	12	Circuit Court	316 (q)	6
Nebraska .....	...	...	...	District Court	45 (r)	6
Nevada .....	Court of Appeals	6	6 (s)	District Court	53	6 (t)
New Hampshire .....	...	...	...	District Court	51	6
New Jersey .....	Appellate Division of Superior Court	33	7 (v)	Superior Court	29 (u)	(p)
New Mexico .....	Court of Appeals	10	8	Superior Court	383 (w)	7 (x)
New York .....	Appellate Division of Supreme Court	56	5 (y)	District Court	72	6
North Carolina .....	Appellate Terms of Supreme Court	15	5 (y)	Supreme Court and County Court	558	(z)
North Dakota .....	Court of Appeals	12	8	Superior Court	105 (aa)	8
Ohio .....	...	...	...	District Court	43	6
	Court of Appeals	66	6	Court of Common Pleas	372	6

See footnotes at end of table.



## STATE INTERMEDIATE APPELLATE COURTS AND GENERAL TRIAL COURTS — Continued

State or other jurisdiction	Intermediate appellate court			General trial court		
	Name of court	No. of judges	Term (years)	Name of court	No. of judges	Term (years)
Oklahoma .....	Court of Appeals	12	6	District Court	150 (bb)	4
Oregon .....	Court of Appeals	10	6	Circuit Court	164 (jj)	6
Pennsylvania .....	Superior Court	15	10	Tax Court	1	6
Rhode Island .....	Commonwealth Court	9	10	Court of Common Pleas	385	10
South Carolina .....	...	...	Life	Superior Court	22 (kk)	Life
South Carolina .....	Court of Appeals	9	6	Circuit Court	46 (cc)	6
South Dakota .....	...	...	...	Circuit Court	37 (dd)	8
Tennessee .....	Court of Appeals	12	8	Chancery Court	33	8
Tennessee .....	Court of Criminal Appeals	12	8	Circuit Court	85	8
Texas .....	Court of Appeals	80	6	Criminal Court	31	8
Utah .....	Court of Appeals	7	10 (ff)	Probate Court	2	(ee)
Vermont .....	...	...	...	District Court	396	4
Virginia .....	Court of Appeals	10	8	District Court	70 (gg)	6
Washington .....	Court of Appeals	21	6	Superior Court and District Court	29 (hh)	6
West Virginia .....	...	...	...	Circuit Court	148	8
Wisconsin .....	Court of Appeals	16	6	Superior Court	171	4
Wyoming .....	...	...	...	Circuit Court	62	8
Wyoming .....	...	...	...	Circuit Court	240	6
Wyoming .....	...	...	...	District Court	17	6
Dist. of Columbia .....	...	...	...	Superior Court	59	15
Puerto Rico .....	Circuit Court of Appeals	33	16	Court of First Instance	315	12

Sources: National Center for State Courts, *State Court Caseload Statistics, 1999-2000* and *State Court Organization 1998*.

Key:

... — Court does not exist in jurisdiction or not applicable.

(a) Plus nine masters.

(b) Circuit court judges serve four-year terms. Chancery probate court judges serve six-year terms. (Some judges serve both circuit and chancery courts).

(c) Plus 401 commissioners and referees.

(d) Plus 32 magistrates and 7 part-time water referees.

(e) One chancellor and four vice-chancellors.

(f) Plus 15 family judges.

(g) Plus 83 full-time magistrate/judges.

(h) Plus 10 supplemental judges.

(i) Plus 367 associate judges.

(j) Associate judges 4 years.

(k) Plus one tax court judge.

(l) Two years initial; 10 years retention.

(m) Plus 135 part-time magistrates, 12 associate juvenile judges, 1 associate probate judge, and 7 part-time alternate district associate judges.

(n) Plus 69 district magistrates.

(o) Plus eleven commissioners.

(p) To age 70.

(q) Plus 31 commissioners.

(r) Plus six water masters.

(s) More than three years for first election and every six years thereafter.

(t) The initial term is for 3 years but not more than 5 years.

(u) Plus 11 full-time marital masters.

(v) Followed by tenure.

(w) Plus 21 surrogates.

(x) On reappointment until age 70.

(y) Or duration.

(z) Fourteen years for Supreme Court; 10 years for county court.

(aa) Plus 100 clerks who hear uncontested probate.

(bb) Plus 78 special judges.

(cc) Plus 21 masters-in-equity.

(dd) Plus 2 part-time lay magistrates, 15 magistrate judges, 93 full-time clerk magistrates, and 54 part-time clerk magistrates.

(ee) Locally determined.

(ff) Three years initial; six years retention.

(gg) Plus 7 domestic court commissioners.

(hh) Plus 5 child support magistrates.

(ii) Plus one part time judge.

(jj) Plus five magistrates.

(kk) Plus three magistrates.

**Table 5.3****QUALIFICATIONS OF JUDGES OF STATE APPELLATE COURTS AND GENERAL TRIAL COURTS**

State or other jurisdiction	Years of minimum residence							
	In state		In district		Minimum age		Legal Credentials	
	A	T	A	T	A	T	A	T
Alabama .....	1	1	...	1	...	...	Licensed attorney	Licensed attorney
Alaska .....	5	5	...	...	...	...	8 years practice	5 years practice
Arizona .....	10 (a)	5	(b)	1	...	30	(c)	(d)
Arkansas .....	2	2	(b)	...	30	28	8 years practice	6 years practice/bench
California .....	...	...	...	...	...	...	10 years state bar	10 years state bar
Colorado .....	★	★ (e)	...	★	...	...	5 years state bar	5 years state bar
Connecticut .....	★	★	(f)	(f)	...	...	10 years state bar	Member of the bar
Delaware .....	★	★	(f)	(g)	...	...	"Learned in law"	"Learned in law"
Florida .....	★ (h)	★	(i)	★ (j)	...	...	10 years state bar	5 years state bar
Georgia .....	★	3	...	...	...	30	7 years state bar	7 years state bar
Hawaii .....	★	★	...	...	...	...	10 years state bar	10 years state bar
Idaho .....	2	1	...	...	30	...	10 years state bar	10 years state bar
Illinois .....	★	★	★	★	...	...	Licensed attorney	...
Indiana .....	...	1	(b)	★	...	...	10 years state bar (k)	...
Iowa .....	...	...	...	★	...	...	Licensed attorney	...
Kansas .....	...	...	...	★	30	...	10 years active and continuous practice (l)	5 years state bar
Kentucky .....	2	2	2	2	...	...	8 years state bar and licensed attorney	8 years state bar
Louisiana .....	2	2	2	2	...	...	5 years state bar	5 years state bar
Maine .....	...	...	...	...	...	...	"Learned in law"	"Learned in law"
Maryland .....	5	5	6 mos.	6 mos.	30	30	State bar member	State bar member
Massachusetts .....	...	...	...	...	...	...	...	No law degree required
Michigan .....	...	...	(b)	...	...	...	State bar member (m)	State bar member
Minnesota .....	...	...	(n)	...	...	...	State bar member	State bar member
Mississippi .....	5	5	...	...	30	26	5 years state bar	5 years practice
Missouri .....	(o)	(o)	(b)	★	30	30	State bar member	State bar member
Montana .....	2	2	...	...	...	...	5 years state bar	5 years state bar
Nebraska .....	3 (p)	...	★	★	30	30	5 years practice	5 years practice
Nevada .....	2	2	...	...	25	25	State bar member	...
New Hampshire .....	...	...	...	...	...	...	...	...
New Jersey .....	...	(q)	...	(q)	...	...	Admitted to practice in state for at least 10 years	10 years practice of law
New Mexico .....	3	3	...	★	35	35	10 years active practice (r)	6 years active practice
New York .....	★	★	(s)	(s)	...	18	10 years state bar	10 years state bar
North Carolina .....	...	N.A.	...	★	...	...	State bar member	State bar member
North Dakota .....	★ (p)	★	...	★	...	...	License to practice law	State bar member
Ohio .....	★ (p)	★	(t)	★	...	...	6 years practice	6 years practice
Oklahoma .....	...	(u)	1	★	30	...	5 years state bar	(v)
Oregon .....	3	3	...	(w)	...	...	State bar member	State bar member
Pennsylvania .....	1	1	(f)	★	...	...	State bar member	State bar member
Rhode Island .....	...	...	...	...	21	...	License to practice law	State bar member
South Carolina .....	5	5	...	...	32	32	8 years state bar	8 years state bar
South Dakota .....	★	★	★	★	...	...	State bar member	State bar member
Tennessee .....	5	5	★ (x)	1	35	30	Qualified to practice law	Qualified to practice law
Texas .....	★	...	...	2	35	25	(y)	(z)
Utah .....	5 (aa)	3	...	★	30	25	State bar member	State bar member
Vermont .....	5	5	...	(bb)	...	...	5 years state bar	5 years state bar
Virginia .....	...	★	...	★	...	...	5 years state bar	5 years state bar
Washington .....	1	1	1	1	...	...	(cc)	State bar member
West Virginia .....	5	★	...	★	30	30	10 years state bar	5 years state bar
Wisconsin .....	10 days	10 days	10 days	10 days	...	...	5 years state bar	5 years state bar
Wyoming .....	3	2	...	...	30	28	9 years state bar	...
Dist. of Columbia .....	★	★	90 days	90 days	...	...	5 years state bar	5 years state bar (dd)
No. Mariana Islands .....	...	...	...	...	...	30	N.A.	N.A.
Puerto Rico .....	5	...	...	...	...	...	10 years state bar	7 years state bar

See footnotes at end of table.

## QUALIFICATIONS OF JUDGES — Continued

Sources: National Center for State Courts, *State Court Organization* 1998.

Key:

A — Judges of courts of last resort and intermediate appellate courts.

T — Judges of general trial courts.

★ — Provision; length of time not specified.

... — No specific provision.

N.A. — Not applicable

(a) For court of appeals, five years.

(b) No local residency requirement stated for Supreme Court. Local residency required for Court of Appeals.

(c) Supreme Court- ten years state bar, Court of Appeals - five years state bar.

(d) Admitted to the practice of law in Arizona for five years.

(e) State residency requirement for District Court, no residency requirement stated for Denver Probate Court, Denver Juvenile Court or Water Court.

(f) Local residency not required.

(g) Court of Chancery does not have residency requirement, Superior Court requires residency.

(h) For District Courts of Appeal must reside within the territorial jurisdiction of the court

(i) Initial appointment, must be resident of district at the time of original appointment.

(j) Circuit court judge must reside within the territorial jurisdiction of the court.

(k) In the Supreme Court and the Court of Appeals, five years service as a general jurisdiction judge may be substituted.

(l) Relevant legal experience, such as being a member of a law faculty or sitting as a judge, may qualify under the 10 year requirement.

(m) Supreme Court: state bar member and practice at least five years.

(n) No residency requirement stated for Supreme Court, Court of Appeals varies.

(o) At the appellate level must have been a state voter for nine years. At the general trial court level must have been a state voter for three years.

(p) No state residency requirement specified for Court of Appeals.

(q) For Superior court: out of a total of 416 authorized judgeships (including thir-

ty-three in the appellate division), there are restricted superior court judgeships that require residence within the particular county of assignment at time of appointment and reappointment; there are 142 unrestricted judgeships for which assignment of county is made by the chief justice.

(r) Supreme Court and Court of Appeals : and/or judgeship in any court of the state.

(s) No local residency requirement stated for Court of Appeals, local residency requirement for presiding judge of Supreme Court, Appellate Divisions.

(t) No local residency requirement for Supreme Court, Court of Appeals requires district residency.

(u) Six months if elected.

(v) District Court: judges must be a state bar member for four years or a judge of court record. Associate judges must be a state bar member for two years or a judge of a court of record.

(w) Local residency requirement for Circuit Court, no residency requirement stated for Tax Court.

(x) Supreme Court: One justice from each of three divisions and two seats at large. Court of Appeals and Court of Criminal Appeals: Must reside in the grand division served.

(y) Ten years practicing law or a lawyer and judge of a court of record at least 10 years.

(z) District Court: judges must have been a practicing lawyer or a judge of a court in this state, or both combined, for four years.

(aa) Supreme Court is five; Court of Appeals is three.

(bb) No local residency requirement stated for Superior Court, District Court must reside in geographic unit.

(cc) Supreme Court: State bar member; Courts of Appeals: five years state bar.

(dd) Superior Court: Judge must also be an active member of the unified District of Columbia bar and have been engaged, during the five years immediately preceding the judicial nomination, in the active practice of law as an attorney by the United States, of District of Columbia government.

**Table 5.4**  
**SELECTION AND RETENTION OF JUDGES**

<i>State or other jurisdiction</i>	<i>How selected and retained</i>
<b>Alabama</b> .....	Appellate, circuit, district and probate judges elected on partisan ballots. Municipal court judges appointed by the governing body of the municipality (majority vote of its members).
<b>Alaska</b> .....	Supreme Court, court of appeals, superior court and district court judges appointed by governor from nominations submitted by Judicial Council. Supreme Court, court of appeals and superior court judges approved or rejected on nonpartisan retention ballot at first general election held more than three years after appointment. Reconfirmation every 10, eight and six years, respectively. District court judges approved or rejected at first general election held more than two years after appointment. Reconfirmation every four years. District court magistrates appointed by and serve at pleasure of presiding judge of superior court in each judicial district.
<b>Arizona</b> .....	Supreme Court justices and court of appeals judges appointed by governor from a list of not less than three nominees submitted by a nine-member Commission on Appellate Court Appointments. Superior court judges (in counties with population greater than 250,000) appointed by governor from a list of not less than three nominees submitted by a nine-member commission on trial court appointments. Judges initially hold office for term ending 60 days following next regular general election after expiration of two-year term. Judges who file declaration of intention to be retained in office run at next regular general election on nonpartisan retention ballot. Superior court judges in counties having population less than 250,000 elected on nonpartisan ballot; justices of the peace elected on partisan ballot; police judges and magistrates selected as provided by charter or ordinance; Tucson city magistrates appointed and reappointed by mayor and council from nominees submitted by nonpartisan Merit Selection Commission on magistrate appointments.
<b>Arkansas</b> .....	All elected on partisan ballot.
<b>California</b> .....	Supreme Court and courts of appeal judges appointed by governor, confirmed by Commission on Judicial Appointments. Judges run unopposed on nonpartisan retention ballot at next general election after appointment. Superior court judges elected on nonpartisan ballot with counties having the option to use selection method described above; judges elected to full term at next general election on nonpartisan ballot. Municipal court and justice court judges initially appointed by governor and county board of supervisors, respectively, retain office by election on non-partisan ballot.
<b>Colorado</b> .....	Supreme Court and court of appeals judges appointed by governor from nominees submitted by Supreme Court Nominating Commission. District judges appointed by governor from nominees submitted by Judicial District Nominating Commission. After initial appointive term of two years, judges run on nonpartisan retention ballot. Municipal judges appointed by municipal governing body. Denver County judges appointed by mayor from list submitted by nominating commission; judges run on nonpartisan retention ballot.
<b>Connecticut</b> .....	Judges of the Supreme Court, appellate court, and district court appointed by Legislature from nominations submitted by governor exclusively from candidates submitted by the Judicial Selection Commission. Judicial Review Council makes recommendations on nominations for reappointment. Probate judges elected on partisan ballots.
<b>Delaware</b> .....	All appointed by governor from list submitted by a judicial nominating commission (which is established by executive order) with consent of majority of Senate.
<b>Florida</b> .....	Supreme court and district courts of appeal judges appointed by governor from nominees submitted by appropriate judicial nominating commission. Judges run for retention at next general election preceding expiration of term. Circuit and county court judges elected on nonpartisan ballots.
<b>Georgia</b> .....	Supreme Court, court of appeals, superior court, and state court judges elected on nonpartisan ballots. For the magistrate courts, the chief magistrate is selected in a partisan election; additional magistrates are appointed by the chief magistrate with the consent of the judges of the superior court. Probate judges and justices of peace elected on partisan ballots. Juvenile and municipal court judges appointed.
<b>Hawaii</b> .....	Supreme Court and intermediate court of appeals justices and circuit court judges nominated by Judicial Selection Commission (on list of four to six names) and appointed by governor with consent of Senate. Judges reappointed to subsequent terms by the Judicial Selection Commission. District court judges nominated by Commission (on list of at least six names) and appointed by chief justice.
<b>Idaho</b> .....	Supreme Court and court of appeals justices and district court judges elected on nonpartisan ballot. Magistrates appointed on nonpartisan merit basis by District Magistrates Commission and run for retention in first general election next succeeding the 18-month period following initial appointment; thereafter, run every four years.
<b>Illinois</b> .....	Supreme Court, appellate court and circuit court judges nominated at primary elections or by petition and elected at general or judicial elections on partisan ballot. Judges run in uncontested retention elections for subsequent terms. Circuit court associate judges are appointed by circuit judges for four-year terms.
<b>Indiana</b> .....	Supreme Court justices and court of appeals judges are appointed by governor from list of three nominees submitted by seven-member Judicial Nominating Commission. Judges serve until next general election after two years from appointment date; thereafter, run for retention on record. Circuit, superior and county judges in most counties run on partisan ballot. Circuit court judges in Vanderburgh County run on a nonpartisan ballot. Superior court judges in Allen County run on a nonpartisan ballot. The majority of superior court judges in Lake County, and all superior court judges in St. Joseph and Vanderburgh counties, are appointed by the governor upon recommendation of the Judicial Nominating Commission. Probate court and city court judges are selected by partisan elections.
<b>Iowa</b> .....	Supreme Court, court of appeals and district court judges appointed by governor from lists submitted by nominating commissions. Judges serve until initial one-year term until January 1 following next general election, then run on records for retention. Judicial magistrates appointed by county judicial magistrate appointing commission. District associate judges are appointed by the district judges of the judicial election district from persons nominated by the county magistrate appointing commission, and stand for retention every four years thereafter.
<b>Kansas</b> .....	Supreme Court and court of appeals judges appointed by governor from nominations submitted by Supreme Court Nominating Commission. Judges serve until second Monday in January following first general election after one year in office; thereafter run on record for retention every six (Supreme Court) and four (court of appeals) years. District judges in seventeen judicial districts are appointed by governor through nonpartisan commission plan. District judges in fourteen judicial districts are elected on partisan ballot.

See footnotes at end of table.

## SELECTION AND RETENTION OF JUDGES — Continued

<i>State or other jurisdiction</i>	<i>How selected and retained</i>
<b>Kentucky</b> .....	All judges elected on nonpartisan ballot.
<b>Louisiana</b> .....	All justices and judges elected on partisan basis, but state has open primary which requires all candidates to appear on a single ballot.
<b>Maine</b> .....	All appointed by governor with confirmation of the Senate, except probate judges who are elected on partisan ballot. Governor reappoints and Senate reconfirms for seven-year terms.
<b>Maryland</b> .....	Court of appeals and court of special appeals judges nominated by Judicial Nominating Commission, and appointed by governor with advice and consent of Senate. Judges run on record for retention at next general election after one year of service. Judges of circuit courts and Supreme Bench of Baltimore City nominated by Commission and appointed by governor. Judges of circuit court run on nonpartisan ballot in first general election after year of service (may be challenged by other candidates). District court judges nominated by Commission and appointed by governor, subject to Senate confirmation. Judges of the district court appointed by governor, with Senate confirmation. Judges of the orphans' court are selected in nonpartisan elections.
<b>Massachusetts</b> .....	All nominated and appointed by governor with advice and consent of Governor's Council. Judicial Nominating Commission, established by executive order, submits names on nonpartisan basis to governor.
<b>Michigan</b> .....	Nominated in party conventions, all except district court magistrates are elected on nonpartisan ballot at general election. District court magistrates appointed by district court judges, with approval of county board of commissioners.
<b>Minnesota</b> .....	All elected on nonpartisan ballot.
<b>Mississippi</b> .....	All elected on nonpartisan ballot, except municipal court judges who are appointed by governing authority of each municipality.
<b>Missouri</b> .....	Judges of Supreme Court, court of appeals and the circuit courts of Jackson, Clay, Platte, and St. Louis counties appointed initially by governor from nominations submitted by judicial selection commissions. Judges run for retention after one year in office. All other judges elected on partisan ballot.
<b>Montana</b> .....	All elected on nonpartisan ballot. Judges unopposed in reelection effort, run for retention. Water court judges are appointed by chief justice; Workers' compensation judges are appointed by the governor.
<b>Nebraska</b> .....	All judges appointed initially by governor from nominees submitted by judicial nominating commissions. Judges run for retention on non-partisan ballot in general election following initial three-year term; subsequent terms are six years.
<b>Nevada</b> .....	All elected on nonpartisan ballot.
<b>New Hampshire</b> .....	All appointed by governor and confirmed by majority vote of elected five-member executive council.
<b>New Jersey</b> .....	Judges of Supreme Court, superior court, tax court and municipal court appointed by governor with advice and consent of Senate, except judges of municipal courts serving a single municipality who are appointed by the governing body. Judges are reappointed for seven-year terms by the governor (to age 70) with the advice and consent of Senate. Surrogates selected in partisan elections.
<b>New Mexico</b> .....	Supreme Court, court of appeals, district and metropolitan judges appointed by governor from list submitted by a judicial nominating commission. At next general election, after appointment, judges run for full terms in partisan, contested election. The elected judge runs for subsequent terms in uncontested retention elections. Judges of probate court and municipal and magistrate courts are selected in partisan elections.
<b>New York</b> .....	All elected on partisan ballot, except judges of Court of Appeals, who are appointed by governor from list submitted by commission on judicial nomination with advice and consent of Senate. Governor also appoints judges of court of claims and designates members of appellate division of Supreme Court. Mayor of New York City appoints judges of criminal and family courts in the city from list submitted by a judicial nominating commission, established by mayor's executive order.
<b>North Carolina</b> .....	All elected on partisan ballot, except special judges of superior court who are appointed by governor, and magistrates, who are appointed by senior resident superior court judge.
<b>North Dakota</b> .....	All elected on nonpartisan ballot.
<b>Ohio</b> .....	All nominated in partisan primary elections, but in general elections, party affiliations not listed on ballot. Court of claims judges 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, Court of Criminal Appeals, court of appeals and Worker's Compensation Court judges appointed by governor from list of three names submitted by Judicial Nominating Commission. Judges run for retention on nonpartisan ballot at first general election following completion of one year's service; Worker's Compensation Court judges reappointed by governor. District and associate district judges elected on nonpartisan ballot. Special judges appointed by district judges within judicial administrative districts. Municipal judges appointed by governing body of municipality.
<b>Oregon</b> .....	All judges elected on nonpartisan ballot for six-year terms, except municipal judges who are generally appointed and serve as prescribed by city council.
<b>Pennsylvania</b> .....	All initially elected on partisan ballot and thereafter on nonpartisan retention ballot, except magistrates (Pittsburgh) who are appointed by mayor with advice and consent of city council.
<b>Rhode Island</b> .....	All judges appointed by governor from list submitted by Judicial Nominating Commission, with the separate advice and consent of the Senate and House of Representatives. All judges hold office during good behavior.
<b>South Carolina</b> .....	Supreme Court, court of appeals, circuit court and family court judges elected by Legislature from names submitted on a nonpartisan basis Judicial Merit Selection Commission. Probate judges elected on partisan ballot. Magistrates appointed by governor with advice and consent of Senate. Municipal judges appointed by mayor and aldermen of city.

See footnotes at end of table.

## SELECTION AND RETENTION OF JUDGES — Continued

<i>State or other jurisdiction</i>	<i>How selected and retained</i>
<b>South Dakota</b> .....	Supreme Court justices appointed by governor from nominees submitted by Judicial Qualifications Commission. Justices run for retention at first general election after three years in office. Circuit court judges elected on nonpartisan ballot. Magistrates appointed by presiding judge of judicial court with approval of Supreme Court.
<b>Tennessee</b> .....	Judges of the Supreme Court and intermediate appellate courts appointed initially by governor from list of three nominees submitted by Appellate Court Nominating Commission. Judges run on nonpartisan retention ballot at biennial general election held more than 30 days after occurrence of vacancy. All other judges elected on partisan ballot, except some municipal and city court judges, who are appointed by governing body of city.
<b>Texas</b> .....	All elected on partisan ballot (method of selection for municipal judges determined by city charter or local ordinance).
<b>Utah</b> .....	Supreme Court, district court, circuit court and juvenile court judges appointed by governor from list of at least three nominees submitted by Judicial Nominating Commission. Judges run unopposed for retention in general election following initial three-year term; thereafter run on record for retention every 10 (Supreme Court) and six (other courts of record) years.
<b>Vermont</b> .....	Supreme Court justices, superior court and district and family court judges nominated by Judicial Nominating Board and appointed by governor with advice and consent of Senate. Judges retained by vote of general assembly for six-year terms.
<b>Virginia</b> .....	All full-time judges elected by majority vote of Legislature.
<b>Washington</b> .....	Supreme Court, court of appeals, superior court and district court judges elected on nonpartisan ballot. Municipal judges in cities having a population greater than 400,000 are elected on nonpartisan ballot; municipal judges in cities of less than 400,000 appointed in manner determined by city legislative body.
<b>West Virginia</b> .....	Supreme Court of Appeals judges, circuit court judges and magistrates elected on partisan ballot. Municipal judges selected according to city charter.
<b>Wisconsin</b> .....	Supreme Court, court of appeals and circuit court judges elected on nonpartisan ballot. Municipal court judges selected according to bylaw or ordinance adopted by city council, town board or village board.
<b>Wyoming</b> .....	Supreme Court justices, district and county court judges appointed by governor from list of three nominees submitted by Judicial Nominating Commission. Judges run for retention on nonpartisan ballot at first general election occurring more than one year after appointment. Justices of the peace elected on nonpartisan ballot. Municipal (police) judges appointed by mayor with consent of council.
<b>Dist. of Columbia</b> .....	Court of appeals and superior court judges nominated by president of the United States from a list of persons recommended by District of Columbia Judicial Nominating Commission; appointed upon advice and consent of U.S. Senate.
<b>American Samoa</b> .....	Chief justice and associate justice(s) appointed by the U.S. Secretary of the Interior pursuant to presidential delegation of authority. Associate judges appointed by governor of American Samoa on recommendation of the chief justice, and subsequently confirmed by the Senate of American Samoa.
<b>Guam</b> .....	All appointed by governor with consent of Legislature from list of nominees submitted by Judicial Council; thereafter, run on record for retention every seven years.
<b>No. Mariana Islands</b> .....	All appointed by governor with advice and consent of Senate.
<b>Puerto Rico</b> .....	All appointed by governor with advice and consent of Senate.
<b>U.S. Virgin Islands</b> .....	All appointed by governor with advice and consent of Legislature.

Sources: *Judicial Selection in the States: Appellate and General Jurisdiction Courts*, American Judicature Society, December 2000.

Note: Unless otherwise specified, judges included in this table are in the state courts of last resort and intermediate appellate and general trial courts.

**Table 5.5**  
**METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES**

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Alabama</b> .....	Judicial Inquiry Commission investigates, receives or initiates complaints concerning any judge. Complaints are filed with the Court of the Judiciary, which is empowered to remove, suspend, censure or otherwise discipline judges in the state. Judges are subject to impeachment.	By gubernatorial appointment. At next general election held after appointee has been in office one year, office is filled for a full term. In some counties, vacancies in circuit and district courts are filled by gubernatorial appointment on nominations made by judicial commission.
<b>Alaska</b> .....	Justices and judges subject to impeachment for malfeasance or misfeasance in performance of official duties. On recommendation of Judicial Qualifications Commission or on its own motion, Supreme Court may suspend judge without salary when judge pleads guilty or no contest or is found guilty of a crime punishable as felony under state or federal law or of any other crime involving moral turpitude under that law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed from office by Supreme Court. On recommendation of Judicial Qualifications Commission, Supreme Court may censure or remove a judge for action (occurring not more than six years before commencement of current term) which constitutes willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the judicial office into disrepute. The court may also retire a judge for disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.	By gubernatorial appointment, from nominations submitted by Judicial Council.
<b>Arizona</b> .....	Judges subject to recall election. Electors, equal in number to 25 percent of votes cast in last election for judge, may petition for judge's recall. All Supreme Court, court of appeals, and superior court judges (judges of courts of record) are subject to impeachment. On recommendation of Commission on Judicial Qualifications or on its own motion, Supreme Court may suspend without salary, a judge who pleads guilty or no contest or is found guilty of a crime punishable as felony or involving moral turpitude under state or federal law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed from office by Supreme Court. Upon recommendation of Commission on Judicial Qualifications, Supreme Court may remove a judge for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the office into disrepute. The Court may also retire a judge for a disability that seriously interferes with performance of duties and is (or is likely to become) permanent.	Vacancies on Supreme Court, court of appeals, and superior courts (in counties with population over 250,000) are filled by the governor from judicial appointment commission lists. Vacancies on superior courts in counties of less than 250,000 may be filled by gubernatorial appointment until next general election when judge is elected to fill remainder of unexpired term. Vacancies on justice courts are filled by appointment by county board of supervisors.
<b>Arkansas</b> .....	Supreme, appellate, circuit and chancery court judges are subject to removal by impeachment or by the governor upon the joint address of two-thirds of the members elected to each house of the General Assembly. On recommendation of Judicial Discipline & Disability Commission, the Supreme Court may suspend, with or without pay, or remove a judge for conviction of any offense punishable as a felony under the laws of Arkansas or the United States; for conviction of a criminal act that reflects adversely on the judge's honesty, trustworthiness or fitness as a judge in other respects; for conduct involving dishonesty, fraud, deceit or misrepresentation; for conduct that is prejudicial to the administration of justice; for a willful violation of the Code of Judicial Conduct or the Rules of Professional Responsibility; for willful and persistent failure to perform the duties of office; or for habitual intemperance in the use of alcohol or other drugs.	By gubernatorial appointment. Appointee serves remainder of unexpired term if it expires at next general election.
<b>California</b> .....	All judges subject to impeachment for misconduct. All judges subject to recall election. On recommendation of the Commission on Judicial Performance or on its own motion, the Supreme Court may suspend a judge without salary when the judge pleads guilty or no contest or is found guilty of a crime punishable as a felony or any other crime that involves moral turpitude under that law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed from office by Supreme Court. Commission on Judicial Performance, may remove judge for willful misconduct in office, persistent failure or inability to perform duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the office into disrepute, subject to petition to Supreme Court. The commission may also retire a judge for disability that seriously interferes with performance of duties and is (or is likely to become) permanent.	Vacancies on appellate courts are filled by gubernatorial appointment with approval of Commission on Judicial Appointments until next general election at which time appointee has the right to become a candidate. Vacancies on superior courts are filled by gubernatorial appointment for remainder of unexpired term; on justice courts by appointment of county board of supervisors or by nonpartisan special election.
<b>Colorado</b> .....	Supreme, appeals and district court judges are subject to impeachment for high crimes and misdemeanors or malfeasance in office by two-thirds vote of Senate. Supreme Court, on its own motion or upon petition, may remove a judge from office upon final conviction for a crime punishable as a felony under state or federal law or of any other crime involving moral turpitude under that law. Upon recommendation of Commission on Judicial Discipline, Supreme Court may remove or discipline a judge for willful misconduct in office, willful or persistent failure to perform the duties of office, intemperance or violation of judicial conduct, or for disability that seriously interferes with performance and is (or is likely to become) permanent. Denver county judges are removed in accordance with charter and ordinance provisions.	By gubernatorial appointment (or mayoral appointment in case of Denver county court) from names submitted by appropriate judicial nominating commission.

## METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES — Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Connecticut</b> .....	Supreme and superior court judges are subject to removal by impeachment or by the governor on the address of two-thirds of each house of the General Assembly. On recommendation of Judicial Review Council or on its own motion, the Supreme Court may remove or suspend a judge of the Supreme or superior court after an investigation and hearing. If the investigation involves a Supreme Court justice, such judge is disqualified from participating in the proceedings. If a judge becomes permanently incapacitated and cannot adequately fulfill the duties of office, the judge may be retired for disability by the Judicial Review Council on its own motion or on application of the judge.	If General Assembly is in session, vacancies are filled by governor exclusively from candidates submitted by the Judicial Selection Commission and appointed by the General Assembly. Otherwise vacancies are filled temporarily by gubernatorial appointment.
<b>Delaware</b> .....	Judges are subject to impeachment for treason, bribery or any high crime or misdemeanor. The Court on the Judiciary may (after investigation and hearing) censure or remove a judge for willful misconduct in office, willful and persistent failure to perform the duties of office or an offense involving moral turpitude or other persistent misconduct in violation of judicial ethics. The Court may also retire a judge for permanent mental or physical disability interfering with the performance of duties.	Vacancies are filled by governor, with consent of majority of all members of senate, from nominees whose names are submitted by judicial nominating commission.
<b>Florida</b> .....	Supreme Court, district courts of appeal and circuit court judges are subject to impeachment for misdemeanors in office. On recommendation of Judicial Qualifications Commission, Supreme Court may discipline or remove a judge for willful or persistent failure to perform duties or for conduct unbecoming to a member of the judiciary, or retire a judge for a disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.	By gubernatorial appointment, from nominees recommended by appropriate judicial nominating commission.
<b>Georgia</b> .....	Judges are subject to impeachment for cause. Upon recommendation of the Judicial Qualifications Commission (after investigation of alleged misconduct), the Supreme Court may retire, remove or censure any judge.	By gubernatorial appointment (by executive order) on nonpartisan basis from names submitted by Judicial Nominating Commission.
<b>Hawaii</b> .....	Upon recommendation of the Commission on Judicial Discipline (after investigation and hearings), the Supreme Court may reprimand, discipline, suspend (with or without salary), retire or remove any judge as a result of misconduct or disability.	Vacancies on Supreme, intermediate court of appeals and circuit courts are filled by gubernatorial appointment (subject to consent of Senate) from names submitted by Judicial Selection Committee. Vacancies on district courts are filled by appointment by chief justice from names submitted by Committee.
<b>Idaho</b> .....	Judges are subject to impeachment for cause. Upon recommendation by Judicial Council, Supreme Court (after investigation) may remove judges of Supreme Court, court of appeals and district court judges. District court judges (or judicial district sitting en banc), by majority vote in accordance with Supreme Court rules, may remove magistrates for cause. District Magistrate's Commission may remove magistrates without cause during first 18 months of service.	Vacancies on Supreme Court, court of appeals and district courts are filled by gubernatorial appointment from names submitted by Judicial Council for unexpired term. Vacancies in magistrates' division of district court are filled by District Magistrate's Commission for remainder of unexpired term.
<b>Illinois</b> .....	Judges are subject to impeachment for cause. The Judicial Inquiry Board files complaints with the Courts Commission which may remove, suspend without pay, censure or reprimand a judge for willful misconduct in office, persistent failure to perform duties or other conduct prejudicial to the administration of justice or that brings the judicial office into disrepute. The Commission may also suspend (with or without pay) or retire a judge for mental or physical disability.	Vacancies on Supreme, appellate and circuit courts are filled by appointment by supreme court until general election.
<b>Indiana</b> .....	Upon recommendation of the Judicial Qualifications Commission or on its own motion, the Supreme Court may suspend or remove an appellate judge for pleading guilty or no contest to a felony crime involving moral turpitude. The Supreme Court may also retire, censure or remove a judge for other matters. The Supreme Court may also discipline or suspend without pay a non-appellate judge.	Vacancies on Supreme Court and court of appeals are filled by governor from list of three nominees presented by judicial nominating commission. Vacancies on circuit courts are filled by gubernatorial appointment until general election. Vacancies on most superior courts are filled by gubernatorial appointment.
<b>Iowa</b> .....	Supreme and district court judges are subject to impeachment for misdemeanor or malfeasance in office. Upon recommendation of Commission on Judicial Qualifications, the Supreme Court may retire a Supreme, district or associate district judge for permanent disability, or remove such judge for failure to perform duties, habitual intemperance, willful misconduct, conduct which brings the office into disrepute or substantial violations of the canons of judicial ethics. Judicial magistrates may be removed by a tribunal in the judicial election district of the magistrate's residence.	Governor fills vacancies from lists submitted by judicial nominating commission.

See footnotes at end of table.



## METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES — Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Kansas</b> .....	<p>All judges are subject to impeachment for treason, bribery or other high crimes and misdemeanors.</p> <p>Supreme Court justices are subject to retirement upon certification to the governor (after a hearing by the Supreme Court nominating Commission) that such justice is so incapacitated as to be unable to perform adequately the duties of office.</p> <p>Upon recommendation of the Judicial Qualifications Commission, the Supreme Court may retire for incapacity, discipline, suspend or remove for cause any judge below the Supreme Court level.</p>	<p>Vacancies on Supreme Court and court of appeals are filled on nonpartisan basis by governor from nominations submitted by Supreme Court nominating commission. Vacancies on district courts (in areas where commission plan has not been adopted) are filled by gubernatorial appointment until next general election, when vacancy is filled for remainder of unexpired term; in areas where commission plan has been adopted, vacancies are filled by gubernatorial appointment from names submitted by judicial nominating commission.</p>
<b>Kentucky</b> .....	<p>Judges are subject to impeachment for misdemeanors in office.</p> <p>Retirement and Removal Commission, subject to rules of procedure established by Supreme Court, may retire for disability, suspend without pay or remove for good cause any judge. The Commission's actions are subject to review by Supreme Court.</p>	<p>By gubernatorial appointment (from names submitted by appropriate judicial nominating commission) or by chief justice if governor fails to act within 60 days. Appointees serve until next general election after their appointment at which time vacancy is filled.</p>
<b>Louisiana</b> .....	<p>Judges are subject to impeachment for commission or conviction of felony or malfeasance or gross misconduct.</p> <p>Upon investigation and recommendation by Judiciary Commission, Supreme Court may censure, suspend (with or without salary), remove from office or retire involuntarily a judge for misconduct relating to official duties, willful and persistent failure to perform duties, persistent and public conduct prejudicial to the administration of justice that brings the office into disrepute, or conduct while in office which would constitute a felony or conviction of felony. The Court may also retire a judge for disability which is (or is likely to become) permanent.</p>	<p>Vacancies are filled by Supreme Court appointment if remainder of unexpired term is six months or less; if longer than six months, vacancies are filled in special election.</p>
<b>Maine</b> .....	<p>Judges are subject to removal by impeachment or by governor upon the joint address of the legislature.</p> <p>Upon recommendation of the Committee on Judicial Responsibility and Disability, the Supreme Judicial Court may remove, retire or discipline any judge.</p>	<p>Vacancies are filled by governor, subject to review by joint standing committee on the judiciary and to Senate confirmation.</p>
<b>Maryland</b> .....	<p>Judges are subject to impeachment.</p> <p>Judges of Court of Appeals, court of special appeals, trial courts of general jurisdiction and district courts are subject to removal by governor on judge's conviction in court of law, impeachment, or physical or mental disability. Judges are also subject to removal upon joint address of the legislature.</p> <p>Upon recommendation of the Commission on Judicial Disabilities (after hearing), the Court of Appeals may remove or retire a judge for misconduct in office, persistent failure to perform duties, conduct prejudicial to the proper administration of justice, or disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.</p> <p>Elected judges convicted of felony or misdemeanor relating to public duties and involving moral turpitude may be removed from office by operation of law when conviction becomes final.</p>	<p>Vacancies are filled by governor with advice and consent of senate, from names submitted by judicial nominating commission.</p>
<b>Massachusetts</b> .....	<p>Judges are subject to impeachment.</p> <p>The governor, with the consent of the Executive Council, may remove judges upon joint address of the legislature, and may also (after a hearing and with consent of the Council) retire a judge because of advanced age or mental or physical disability.</p> <p>The Commission on Judicial Conduct, using rules of procedure approved by the Supreme Judicial Court, may investigate the action of any judge that may, by consequence of willful misconduct in office, willful or persistent failure to perform his duties, habitual intemperance or other conduct prejudicial to the administration of justice, bring the office into disrepute.</p>	<p>Vacancies are filled by governor, with advice and consent of Executive Council, from names submitted by judicial nominating commission.</p>
<b>Michigan</b> .....	<p>Judges are subject to impeachment.</p> <p>With the concurrence of two-thirds of the members of the legislature, the governor may remove a judge for reasonable cause insufficient for impeachment.</p> <p>Upon recommendation of Judicial Tenure Commission, Supreme Court may censure, suspend (with or without salary), retire or remove a judge for conviction of a felony, a physical or mental disability or a persistent failure to perform duties, misconduct in office, habitual intemperance or conduct clearly prejudicial to the administration of justice.</p>	<p>Vacancies in all courts of record are filled by gubernatorial appointment from nominees recommended by a bar committee. Appointee serves until next general election at which successor is selected for remainder of unexpired term. Vacancies on municipal courts are filled by appointment by city councils.</p>

See footnotes at end of table.

## METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES — Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Minnesota</b> .....	<p>Supreme and district court judges are subject to impeachment.</p> <p>Upon recommendation of Board of Judicial Standards, Supreme Court may censure, suspend (with or without salary), retire or remove a judge for conviction of a felony, physical or mental disability or persistent failure to perform duties, misconduct in office, habitual intemperance or conduct prejudicial to the administration of justice.</p>	<p>Statutory plan to fill vacancies on district courts requires governor to appoint from nominees recommended by a judicial nominating commission. Vacancies on other levels of court filled by gubernatorial appointment (no nominating commission). Appointee serves until general election occurring more than one year after appointment at which time a successor is elected to serve a full term.</p>
<b>Mississippi</b> .....	<p>Judges are subject to impeachment.</p> <p>For reasonable cause which is not sufficient for impeachment, the governor may, on joint address of legislature, remove judges of Supreme and inferior courts.</p> <p>Upon recommendation of Commission on Judicial Performance, Supreme Court may remove, suspend, fine, publicly censure or reprimand a judge for conviction of a felony (in a court outside the state), willful misconduct, willful and persistent failure to perform duties, habitual intemperance or conduct prejudicial to the administration of justice which brings the office into disrepute. The Commission may also retire any judge for physical or mental disability that seriously interferes with performance of duties and is (or is likely to become) permanent.</p>	<p>By gubernatorial appointment, from names submitted by a nominating commission. The office is filled for remainder of unexpired term at next state or congressional election held more than seven months after vacancy.</p>
<b>Missouri</b> .....	<p>Upon recommendation of Commission on Retirement, Removal and Discipline, Supreme Court may retire, remove or discipline any judge.</p> <p>Judges subject to impeachment for crime, misconduct, habitual drunkenness, willful neglect of duty, corruption in office, incompetency, or any offense involving moral turpitude or oppression in office.</p>	<p>Vacancies on Supreme Court, court of appeals, and circuit courts that have adopted commission plan are filled by governor from list of nominees submitted by judicial nominating commission. Vacancies on other circuit courts and municipal court are filled, respectively, by special election and mayoral appointment.</p>
<b>Montana</b> .....	<p>All judges are subject to impeachment.</p> <p>Upon recommendation of Judicial Standards Commission, Supreme Court may suspend a judge and remove same upon conviction of a felony or other crime involving moral turpitude. The Supreme Court may retire any judge for a disability that seriously interferes with the performance of duties, and that is (or may become) permanent. The Court may also censure, suspend or remove any judge for willful misconduct in office, willful and persistent failure to perform duties, violation of canons of judicial ethics adopted by the Supreme Court or habitual intemperance.</p>	<p>Vacancies on Supreme and district courts are filled by gubernatorial appointment (with confirmation by Senate) from names submitted by judicial nominating commission. Vacancies on municipal and city courts are filled by appointment by city council for remainder of unexpired term.</p>
<b>Nebraska</b> .....	<p>Judges are subject to impeachment. In case of impeachment of Supreme Court justice, judges of district court sit as court of impeachment with two-thirds concurrence required for conviction. In case of other judicial impeachments, Supreme Court sits as court of impeachment.</p> <p>Upon recommendation of the Commission on Judicial Qualifications, the Supreme Court may reprimand, discipline, censure, suspend or remove a judge for willful misconduct in office, willful failure to perform duties, habitual intemperance, conviction of crime involving moral turpitude, disbarment or conduct prejudicial to the administration of justice that brings the office into disrepute. The Supreme Court also may retire a judge for physical or mental disability that seriously interferes with performance of duties and is (or is likely to become) permanent.</p>	<p>Vacancies are filled by governor from list of at least two nominees submitted by judicial nominating commission.</p>
<b>Nevada</b> .....	<p>All judges, except justices of peace, are subject to impeachment.</p> <p>Judges are also subject to removal by legislative resolution and by recall election.</p> <p>The Commission on Judicial Discipline may censure, retire or remove a Supreme Court justice or district judge for willful misconduct, willful or persistent failure to perform duties or habitual intemperance, or retire a judge for advanced age which interferes with performance of duties for mental or physical disability that is (or is likely to become) permanent, subject to appeal to the Supreme Court.</p>	<p>Vacancies on Supreme or district courts are filled by gubernatorial appointment from among three nominees submitted by Commission on Judicial Selection. Vacancies on justice courts are filled by appointment by board of county commissioners or by special election.</p>
<b>New Hampshire</b> .....	<p>Judges are subject to impeachment.</p> <p>Governor, with consent of Executive Council, may remove judges upon address of both houses of legislature.</p>	<p>Vacancies are filled by governor and approved by majority vote of five-member Executive Council.</p>

See footnotes at end of table.

## METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES — Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>New Jersey</b> .....	<p>Supreme and superior court judges are subject to impeachment by the legislature. Except for Supreme Court justices, judges are subject to a statutory removal proceeding that is initiated by the filing of a complaint by the Supreme Court on its own motion or the governor or either house of the legislature acting by a majority of its total membership. Prior to institution of the formal proceedings, complaints are usually referred to the Supreme Court's Advisory Committee on Judicial Conduct, which conducts a preliminary investigation, makes findings of fact and either dismisses the charges or recommends that formal proceedings be instituted. The Supreme Court's determination is based on a plenary hearing procedure, although the Court is supplied with a record created by the Committee. The formal statutory removal hearing may be either before the Supreme Court sitting en banc or before three justices or judges (or combination thereof) specifically designated by chief justice.</p> <p>If Supreme Court certifies to governor that it appears a Supreme Court or superior court judge is so incapacitated as to substantially prevent the judge from performing the duties of office, the governor appoints a commission of three persons to inquire into the circumstances. On their recommendation, the governor may retire the justice or judge from office, on pension, as may be provided by law.</p>	<p>Vacancies on Supreme Court and superior court, county, district, tax, and municipal courts are filled by governor with advice and consent of Senate.</p>
<b>New Mexico</b> .....	<p>Judges are subject to impeachment.</p> <p>Upon recommendation of the Judicial Standards Commission, the Supreme Court may discipline or remove a judge for willful misconduct in office, willful and persistent failure or inability to perform duties or habitual intemperance, or retire a judge for disability that seriously interferes with performance of duties and is (or is likely to become) permanent.</p>	<p>Vacancies on Supreme Court, Court of Appeals and district courts are filled by gubernatorial appointment from names submitted by judicial nominating commission.</p>
<b>New York</b> .....	<p>All judges are subject to impeachment.</p> <p>Court of Appeals and Supreme Court judges may be removed by two-thirds concurrence of both houses of legislature.</p> <p>Court of claims, county court, surrogate's court, family court, civil and criminal court (NYC) and district court judges may be removed by two-thirds vote of the Senate on recommendation of governor.</p> <p>Commission on Judicial Conduct may determine that a judge be admonished, censured or removed from office for cause, or retired for disability, subject to appeal to the Court of Appeals.</p>	<p>Vacancies on Court of Appeals and appellate division of Supreme Court are filled by governor with advice and consent of Senate, from among nominees recommended by judicial nominating commission.</p> <p>Vacancies in elective judgeships (outside NYC) are filled at next general election for full term; until election, governor makes appointment (with consent of senate if in session).</p> <p>Vacancies on Supreme, appeals and superior courts are filled by gubernatorial appointment until next general election.</p>
<b>North Carolina</b> .....	<p>Upon recommendation of Judicial Standards Commission, Supreme Court may censure or remove a court of appeals or trial court judge for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, conviction of a crime involving moral turpitude, conduct prejudicial to the administration of justice that brings the office into disrepute, or mental or physical incapacity that interferes with the performance of duties and is (or is likely to become) permanent.</p> <p>Upon recommendation of Judicial Standards Commission, a seven-member panel of the court of appeals may censure or remove (for the above reasons) any Supreme Court judge.</p>	
<b>North Dakota</b> .....	<p>Supreme and district court judges are subject to impeachment for habitual intemperance, crimes, corrupt conduct, malfeasance or misdemeanor in office. Governor may remove county judges after hearing.</p> <p>All judges are subject to recall election.</p> <p>On recommendation of Commission on Judicial Qualifications or on its own motion, Supreme Court may suspend a judge without salary when judge pleads guilty or no contest or is found guilty of a crime punishable as a felony under state or federal law or any other crime involving moral turpitude under that law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed by Supreme Court.</p> <p>Upon recommendation of Commission on Judicial Qualifications, Supreme Court may censure or remove a judge for willful misconduct, willful failure to perform duties, willful violation of the code of judicial conduct or habitual intemperance. The Court may also retire a judge for disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.</p>	<p>Vacancies on Supreme and district courts are filled by gubernatorial appointment from nominees submitted by Judicial Nominating Committee until next general election, unless governor calls for a special election to fill vacancy for remainder of term.</p> <p>Vacancies on county courts are filled by appointment by board of county commissioners from names submitted by nominating commission.</p>
<b>Ohio</b> .....	<p>Judges are subject to impeachment.</p> <p>Judges may be removed by concurrent resolution of two-thirds members of both houses of legislature or removed for cause upon filing of a petition signed by 15 percent of electors in preceding gubernatorial election.</p> <p>The Board of Commissioners on Grievances and Discipline of the Judiciary may disqualify a judge from office when judge has been indicted for a crime punishable as a felony under state or federal law. Board may also remove or suspend a judge for willful and persistent failure to perform duties, habitual intemperance, conduct prejudicial to the administration of justice or which would bring the office into disrepute, or suspension from practice of law, or retire a judge for physical or mental disability that prevents discharge of duties. Judge may appeal action to Supreme Court.</p>	<p>Vacancies are filled by gubernatorial appointment until next general election when successor is elected to fill unexpired term. If unexpired term ends within one year following such election, appointment is made for unexpired term.</p>

See footnotes at end of table.

## METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES — Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Oklahoma</b> .....	<p>Judges are subject to impeachment for willful neglect of duty, corruption in office, habitual intemperance, incompetency or any offense involving moral turpitude.</p> <p>Upon recommendation of Council on Judicial Complaints, chief justice of Supreme Court may bring charges against any judge in the Court on the Judiciary. Court on the Judiciary may order removal of judge for gross neglect of duty, corruption in office, habitual drunkenness, an offense involving moral turpitude, gross partiality in office, or oppression in office. Judge may also be retired (with or without salary) for mental or physical disability that prevents performance of duties, or for incompetence to perform duties.</p>	<p>Vacancies on Supreme Court, Court of Appeals, and Court of Criminal Appeals are filled by governor from list of candidates submitted by judicial nominating commission. For Court of Appeals vacancies, judge is elected to fill unexpired term at next general election.</p>
<b>Oregon</b> .....	<p>On recommendation of Commission on Judicial Fitness, Supreme Court may remove a judge for conviction of a felony or crime involving moral turpitude, willful misconduct in office, willful or persistent failure to perform judicial duties, habitual intemperance, illegal use of narcotic drugs or willful violation of rules of conduct prescribed by Supreme Court of general incompetence. A judge may also be retired for mental or physical disability after certification by Commission. Judge may appeal to Supreme Court.</p>	<p>Vacancies on Supreme Court, court of appeals and circuit courts are filled by gubernatorial appointment, until next general election when judge is selected to fill unexpired term.</p>
<b>Pennsylvania</b> .....	<p>All judges are subject to impeachment for misdemeanor in office.</p> <p>Upon complaint by Judicial Conduct Board, Court of Judiciary Discipline may remove a judge subject to appeal to Supreme Court.</p>	<p>By gubernatorial appointment (with advice and consent of Senate), from names submitted by appropriate nominating commission. Appointee serves until next election if the election is more than 10 months after vacancy occurred.</p>
<b>Rhode Island</b> .....	<p>All judges are subject to impeachment.</p> <p>The Supreme Court on its own motion may suspend a judge who pleaded guilty or no contest or was found guilty of a crime punishable as a felony under state or federal law or any other crime involving moral turpitude.</p> <p>Upon recommendation of the Commission on Judicial Tenure and Discipline, the Supreme Court may censure, suspend, reprimand or remove from office a judge guilty of a serious violation of the canons of judicial ethics or for willful or persistent failure to perform duties, a disabling addiction to alcohol, drugs or narcotics, or conduct that brings the office into disrepute. The Supreme Court may also retire a judge for physical or mental disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.</p> <p>Whenever the Commission recommends removal of a Supreme Court justice, the Supreme Court transmits the findings to the Speaker of the House of Representatives, recommending the initiation of proceedings for the removal of the justice by resolution of the legislature.</p>	<p>Vacancies on Supreme Court are filled by the two houses of the legislature in grand committee until the next election. In case of a judge's temporary inability, governor may appoint a person to fill vacancy. Vacancies on superior, family and district courts are filled by gubernatorial appointment (with advice and consent of Senate).</p>
<b>South Carolina</b> .....	<p>Judges are subject to removal by impeachment or by governor on address of two-thirds of each house of the legislature.</p> <p>Upon review of findings of fact, conclusions of law, and recommendation of the Board of Commissioners on Judicial Standards, the Supreme Court can discipline, suspend, remove, retire or hold in contempt a judge who has been convicted of a crime of moral turpitude, has violated the Code of Judicial Conduct or the Rules of Professional Conduct, persistently failed to perform his judicial duties, or is persistently incompetent or neglectful in the performance of his judicial duties or is habitually intemperate, consistently fails to timely issue his official orders, decrees, or opinions or otherwise perform his official duties without just cause or excuse, or for disability.</p>	<p>Vacancies on the Supreme Court, court of appeals, and circuit court are filled by joint public vote of general assembly, from list of nominees supplied by judicial screening committee.</p>
<b>South Dakota</b> .....	<p>Supreme Court justices and circuit court judges are subject to removal by impeachment.</p> <p>Upon recommendation of Judicial Qualifications Commission, Supreme Court may remove a judge from office.</p>	<p>Vacancies on Supreme and circuit courts are filled by gubernatorial appointment from names submitted by Judicial Qualifications Commission for balance of unexpired term.</p>
<b>Tennessee</b> .....	<p>Judges are subject to impeachment for misfeasance or malfeasance in office.</p> <p>Upon recommendation of the Court on the Judiciary, the legislature (by concurrent resolution) may remove a judge for willful misconduct in office or physical or mental disability.</p>	<p>Vacancies on Supreme, circuit, criminal, and chancery courts are filled by gubernatorial appointment until next biennial election.</p>
<b>Texas</b> .....	<p>Supreme Court, court of appeals and district court judges are subject to removal by impeachment or by joint address of both houses.</p> <p>Supreme Court may remove district judges from office. District judges may remove county judges and justices of the peace.</p> <p>Upon recommendation of removal by State Commission on Judicial Conduct, Supreme Court selects review tribunal. Decision of review tribunal may be appealed to the Supreme Court.</p>	<p>Vacancies on appellate and district courts are filled by gubernatorial appointment until next general election, at which time a successor is chosen. Vacancies on county courts are filled by appointment by county commissioner's court until next election when successor is chosen. Vacancies on municipal courts are filled by governing body of municipality for remainder of unexpired term.</p>

See footnotes at end of table.

## METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES — Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Utah</b> .....	<p>All judges, except justices of the peace, are subject to impeachment.</p> <p>Following investigations and hearings, the Judicial Conduct Commission may order the reprimand, censure, suspension, removal or involuntary retirement of any judge for willful misconduct, final conviction of a crime punishable as a felony under state or federal law, willful or persistent failure to perform judicial duties, disability that seriously interferes with performance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute. Prior to implementation, the Supreme Court reviews the order.</p> <p>Lay justices of the peace may be removed for willful failure to participate in judicial education program.</p>	Vacancies on Supreme, district and circuit courts are filled by gubernatorial appointment from candidates submitted by appropriate nominating commission.
<b>Vermont</b> .....	<p>Upon review of the findings of the Judicial Conduct Board, all judges are subject to impeachment.</p> <p>Supreme Court may discipline, impose sanctions on, or suspend from duties any judge in the state.</p>	If Senate is in session, vacancies on Supreme, superior, and district courts are filled by governor, with advice and consent of Senate, from list of nominees submitted by judicial nominating board. Otherwise, by governor's appointment from nominees list.
<b>Virginia</b> .....	<p>All judges are subject to impeachment.</p> <p>Upon certification of charges against judge by Judicial Inquiry and Review Commission, Supreme Court may remove a judge.</p>	If General Assembly is in session, vacancies are filled by majority vote of both houses. Otherwise by gubernatorial appointment, with appointee serving until 30 days after commencement of next legislative session.
<b>Washington</b> .....	<p>A judge of any court of record is subject to impeachment.</p> <p>After notice, hearing and recommendation by Judicial Qualifications Commission, Supreme Court may censure, suspend or remove a judge for violating a rule of judicial conduct. The Supreme Court may also retire a judge for disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.</p>	Vacancies on appellate and general trial courts are filled by gubernatorial appointment until next general election when successor is elected to fill remainder of term.
<b>West Virginia</b> .....	<p>Judges are subject to impeachment for maladministration, corruption, incompetency, gross immorality, neglect of duty or any crime or misdemeanor.</p> <p>Upon review of recommendations of the Judicial Hearing Board, the Supreme Court of Appeals may censure or suspend a judge for any violation of the judicial code of ethics or retire a judge who is incapable of performing duties because of advancing age, disease or physical or mental infirmity.</p>	Vacancies on appellate and general trial courts are filled by gubernatorial appointment. If unexpired term is less than two years (or such additional period not exceeding three years), appointee serves for remainder of term. If unexpired term is more than three years, appointee serves until next general election, at which time successor is chosen to fill remainder of term.
<b>Wisconsin</b> .....	<p>All judges are subject to impeachment.</p> <p>Supreme Court, court of appeals and circuit court judges are subject to removal by address of both houses of legislature with two-thirds of members concurring, and by recall election.</p> <p>As judges of courts of record must be licensed to practice law in state, removal of judge may also be by disbarment.</p> <p>Upon review of the findings of fact, conclusions of law and recommendation of the Judicial Commission, the Supreme Court may reprimand, censure, suspend or remove for cause or disability any judge or justice for a willful violation of a rule of the Code of Judicial Ethics, willful or persistent failure to perform official duties, habitual intemperance, due to consumption of intoxicating beverages or use of dangerous drugs, which interferes with the proper performance of judicial duties, or conviction of a felony.</p>	Vacancies on Supreme Court, court of appeals and circuit courts are filled by gubernatorial appointment from nominees submitted by nominating commission.
<b>Wyoming</b> .....	<p>All judges, except justices of peace, are subject to impeachment.</p> <p>Upon recommendation of Judicial Supervisory Commission, the Supreme Court may retire or remove a judge.</p> <p>After a hearing before the panel of three district judges, the Supreme Court may remove justices of the peace.</p>	Vacancies are filled by governor from list of three nominees submitted by judicial nominating commission. Vacancies on justice of peace courts are filled by appointment by county commissioners until next general election.
<b>Dist. of Columbia</b> .....	Commission on Judicial Disabilities and Tenure may remove a judge upon conviction of felony (including a federal crime), for willful misconduct in office, willful and persistent failure to perform judicial duties or for other conduct prejudicial to the administration of justice which brings the office into disrepute.	Vacancies are filled by president of United States, with consent of U.S. Senate, from list of persons recommended by Judicial Nominating Commission.

See footnotes at end of table.

METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES — Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Puerto Rico .....</b>	Supreme Court justices are subject to impeachment for treason, bribery or other felonies and misdemeanors involving moral turpitude. Supreme Court may remove other judges for cause (as provided by judiciary act) after a hearing on charges brought by order of chief justice, who disqualifies self from final proceedings.	Vacancies are filled as in initial selection.

Source: American Judicature Society (Summer 1997). Used with permission.

Table 5.6

## COMPENSATION OF JUDGES OF APPELLATE COURTS AND GENERAL TRIAL COURTS

State or other jurisdiction	Court of last resort	Appellate courts		Salary	General trial courts	Salary
		Salary	Intermediate appellate court			
Alabama .....	Supreme Court	\$140,580	Court of Criminal Appeals	\$139,580	Circuit courts	\$100,526 (b)
Alaska .....	Supreme Court	112,224	Court of Civil Appeals	139,580		
Arizona .....	Supreme Court	126,525	Court of Appeals	106,020	Superior courts	103,776
Arkansas .....	Supreme Court	120,346	Court of Appeals	123,900	Superior courts	120,750
				116,539	Chancery courts	112,728
California .....	Supreme Court	162,409	Court of Appeals	152,260	Circuit courts	112,728
					Superior court	133,052
Colorado .....	Supreme Court	107,808	Court of Appeals	103,308	District courts	98,808
Connecticut .....	Supreme Court	129,404 (a)	Appellate Court	120,988 (a)	Superior courts	116,000 (a)
Delaware .....	Supreme Court	141,300	...	...	Superior courts	134,700
Florida .....	Supreme Court	150,000	District Court of Appeals	138,500	Circuit courts	130,000
Georgia .....	Supreme Court	147,909	Court of Appeals	146,994	Superior courts	121,769 (b)
Hawaii .....	Supreme Court	115,547	Intermediate Court	110,618	Circuit courts	106,922
Idaho .....	Supreme Court	97,727	Court of Appeals	96,727	District courts	91,596
Illinois .....	Supreme Court	153,052	Court of Appeals	148,049	Circuit courts	132,184
Indiana .....	Supreme Court	115,000 (c)	Court of Appeals	110,000 (c)	Circuit courts	90,000
					Superior courts	90,000
Iowa .....	Supreme Court	113,200	Court of Appeals	108,900	District courts	103,500
Kansas .....	Supreme Court	111,402	Court of Appeals	107,544	District courts	97,285
Kentucky .....	Supreme Court	120,092	Court of Appeals	115,190	Circuit courts	110,288
Louisiana .....	Supreme Court	103,336	Court of Appeals	97,928	District courts	92,520
Maine .....	Supreme Judicial Court	103,584	...	...	Superior courts	97,110
Maryland .....	Court of Appeals	126,500	Court of Special Appeals	119,000	Circuit courts	115,000
Massachusetts .....	Supreme Judicial Court	126,943	Appellate Court	117,467	Superior courts	112,777
Michigan .....	Supreme Court	159,960	Court of Appeals	147,163	Circuit courts	135,966
Minnesota .....	Supreme Court	110,998	Court of Appeals	104,589	District courts	98,180
Mississippi .....	Supreme Court	102,300	Court of Appeals	95,500	Chancery courts	94,700
					Circuit courts	94,700
Missouri .....	Supreme Court	123,000	Court of Appeals	115,000	Circuit courts	108,000
					Municipal division of circuit courts up to 87,235	
Montana .....	Supreme Court	89,381	...	...	District courts	82,606
Nebraska .....	Supreme Court	111,003	Court of Appeals	105,543	District courts	102,677
Nevada .....	Supreme Court	128,044	...	...	District courts	110,000 (b)
New Hampshire .....	Supreme Court	106,518	...	...	Superior courts	99,861
New Jersey .....	Supreme Court	152,191	Appellate division of Superior Court	145,588	Superior courts	137,165
New Mexico .....	Supreme Court	90,407	Court of Appeals	85,887	District courts	81,593
New York .....	Court of Appeals	151,200	Appellate divisions of Superior Court	144,000	Supreme courts	136,700
North Carolina .....	Supreme Court	115,336 (a)	Court of Appeals	110,530	Superior courts	104,523 (a)
North Dakota .....	Supreme Court	92,289	...	...	District courts	84,765
Ohio .....	Supreme Court	120,750	Court of Appeals	112,550	Courts of common pleas	103,500
Oklahoma .....	Supreme Court	106,706	Court of Appeals	101,714	District courts	95,898
Oregon .....	Supreme Court	93,600	Court of Appeals	91,500	Circuit courts	85,300
					Tax court	88,000
Pennsylvania .....	Supreme Court	133,643	Superior Court	129,458	Courts of common pleas	116,065
			Commonwealth Court	129,456		
Rhode Island .....	Supreme Court	127,098 (a)	...	...	Superior courts	114,430 (a)
South Carolina .....	Supreme Court	117,167	Court of Appeals	114,237	Circuit courts	111,309
South Dakota .....	Supreme Court	97,735	...	...	Circuit courts	91,286
Tennessee .....	Supreme Court	118,428	Court of Appeals	112,908	Chancery courts	108,036
					Circuit courts	108,036
					Criminal courts	108,036
Texas .....	Supreme Court	113,000	Court of Appeals	107,350	District courts	101,700 (b)
Utah .....	Supreme Court	114,036	Court of Appeals	108,888	District courts	103,688
Vermont .....	Supreme Court	99,489	...	...	Superior courts	94,504
					District courts	94,504

See footnotes at end of table.

## COMPENSATION OF JUDGES OF APPELLATE COURTS AND GENERAL TRIAL COURTS — Continued

State or other jurisdiction	Appellate courts				General trial courts	
	Court of last resort	Salary	Intermediate appellate court	Salary		Salary
Virginia .....	Supreme Court	132,523 (d)	Court of Appeals	125,899 (d)	Circuit courts	123,027
Washington .....	Supreme Court	123,600	Court of Appeals	117,420	Superior courts	111,549
West Virginia .....	Supreme Court	95,000	...	...	Circuit courts	90,000
Wisconsin .....	Supreme Court	118,824	Court of Appeals	105,960	Circuit courts	105,755
Wyoming .....	Supreme Court	93,000	...	...	District courts	83,700
Dist. of Columbia .....	Court of Appeals	153,900	...	...	Superior courts	145,100
American Samoa .....	High Court	74,303	...	...	...	...
Guam .....	...	126,000	...	...	Superior courts	100,000
No. Mariana Islands .....	Commonwealth	126,000	...	...	Superior courts	120,000
	Supreme Court					
Puerto Rico .....	Supreme Court	100,000	Appellate Court	90,000	Superior courts	80,000
					District courts	65,000
U.S. Virgin Islands .....	...	...	...	...	Territorial courts	100,000

Source: National Center for State Courts, *Survey of Judicial Salaries* (Summer 2001).

Note: Compensation is shown according to most recent legislation, even though laws may not yet have taken effect.

(a) The base pay is supplemented by increments for length of service.

(b) Median salary. If more than half the salaries are the same as the minimum or the maximum salary, then the median (the midpoint above which half the salaries fall) is either the minimum or maximum salary.

(c) In Indiana, subsistence allowance is \$3,000.

(d) Plus \$6,500 in lieu of travel, lodging, and other expenses.



**Table 5.7**  
**SELECTED DATA ON COURT ADMINISTRATIVE OFFICES**

<i>State or other jurisdiction</i>	<i>Title</i>	<i>Established</i>	<i>Appointed by (a)</i>	<i>Salary</i>
<b>Alabama</b> .....	Administrative Director of Courts (b)	1971	C	\$97,583
<b>Alaska</b> .....	Administrative Director	1959	CJ (b)	110,220
<b>Arizona</b> .....	Administrative Director of Courts	1960	SC	129,789
<b>Arkansas</b> .....	Director, Administrative Office of the Courts	1965	CJ (c)	88,332
<b>California</b> .....	Administrative Director of the Courts	1960	J	160,000
<b>Colorado</b> .....	State Court Administrator	1959	SC	105,808
<b>Connecticut</b> .....	Chief Court Administrator (e)	1965	C	134,738 (f)
<b>Delaware</b> .....	Director, Administrative Office of the Courts	1971	C	103,700
<b>Florida</b> .....	State Courts Administrator	1972	SC	115,163
<b>Georgia</b> .....	Director, Administrative Office of the Courts	1973	J	(d)
<b>Hawaii</b> .....	Administrative Director of the Courts	1959	CJ (b)	90,000
<b>Idaho</b> .....	Administrative Director of the Courts	1967	SC	93,096
<b>Illinois</b> .....	Administrative Director of the Courts	1959	SC	148,803
<b>Indiana</b> .....	Executive Director, Division of State Court Administration	1975	C	96,000
<b>Iowa</b> .....	Court Administrator	1971	SC	70,000 to 122,500
<b>Kansas</b> .....	Judicial Administrator	1965	C	97,285
<b>Kentucky</b> .....	Administrative Director of the Courts	1976	C	110,288
<b>Louisiana</b> .....	Judicial Administrator	1954	SC	97,928
<b>Maine</b> .....	Court Administrator	1975	C	87,730
<b>Maryland</b> .....	State Court Administrator (b)	1955	C	114,400
<b>Massachusetts</b> .....	Chief Justice for Administration & Management	1978	SC	122,050
<b>Michigan</b> .....	State Court Administrator	1952	SC	123,359
<b>Minnesota</b> .....	State Court Administrator	1963	SC	98,180
<b>Mississippi</b> .....	Court Administrator	1974	SC	82,567
<b>Missouri</b> .....	State Courts Administrator	1970	SC	108,000
<b>Montana</b> .....	State Court Administrator	1975	SC	74,000
<b>Nebraska</b> .....	State Court Administrator	1972	C	90,812
<b>Nevada</b> .....	Director, Office of Court Administration	1971	SC	83,640
<b>New Hampshire</b> .....	Director of the Administrative Office of the Court	1980	SC	85,931
<b>New Jersey</b> .....	Administrative Director of the Courts	1948	C	148,588
<b>New Mexico</b> .....	Director, Administrative Office of the Courts	1959	SC	90,172
<b>New York</b> .....	Chief Administrator of the Courts (g)	1978	CJ (h)	147,600
<b>North Carolina</b> .....	Director, Administrative Office of the Courts	1965	C	107,527 (o)
<b>North Dakota</b> .....	Court Administrator (i)	1971	C	78,228
<b>Ohio</b> .....	Administrative Director of the Courts	1955	SC	108,000
<b>Oklahoma</b> .....	Administrative Director of the Courts	1967	SC	101,714
<b>Oregon</b> .....	Court Administrator	1971	SC	91,500
<b>Pennsylvania</b> .....	Court Administrator	1968	SC	122,223
<b>Rhode Island</b> .....	State Court Administrator	1969	C	102,085 (o)
<b>South Carolina</b> .....	Director of Court Administration	1973	C	96,960
<b>South Dakota</b> .....	State Court Administrator	1974	SC	83,424
<b>Tennessee</b> .....	Director	1963	SC	112,908
<b>Texas</b> .....	Administrative Director of the Courts (j)	1977	SC	98,000
<b>Utah</b> .....	Court Administrator	1973	SC	103,688
<b>Vermont</b> .....	Court Administrator (k)	1967	SC	94,505
<b>Virginia</b> .....	Executive Secretary to the Supreme Court	1952	SC	123,027
<b>Washington</b> .....	Administrator for the Courts	1957	SC (l)	105,972
<b>West Virginia</b> .....	Administrative Director of the Supreme Court of Appeals	1975	SC	85,000
<b>Wisconsin</b> .....	Director of State Courts	1978	SC	112,100
<b>Wyoming</b> .....	Court Coordinator	1974	SC	70,000 to 85,000
<b>Dist. of Columbia</b> .....	Executive Officer, Courts of D.C.	1971	(m)	145,100
<b>American Samoa</b> .....	Court Administrator	1977	C	27,092
<b>Guam</b> .....	Administrative Director of Superior Court	N.A.	CJ (n)	73,000
<b>Puerto Rico</b> .....	Administrative Director of the Courts	1952	C	96,000
<b>U.S. Virgin Islands</b> .....	Court/Administrative Clerk	N.A.	N.A.	75,000

See footnotes at end of table.

**SELECTED DATA ON COURT ADMINISTRATIVE OFFICES — Continued**

*Source:* Salary information was taken from National Center for State Courts, *Survey of Judicial Salaries* (Summer 2001).

*Key:*

SC — State court of last resort.

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

JC — Judicial council.

N.A. — Not available.

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

(b) With approval of Supreme Court.

(c) With approval of Judicial Council.

(d) Vacant.

(e) Administrator is an associate judge of the Supreme Court.

(f) Base pay supplemented by increments for length of service.

(g) If incumbent is a judge, the title is Chief Administrative Judge of the Courts.

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

(i) Serves as executive secretary to Judicial Council.

(j) Serves as executive director of Judicial Council.

(k) Also clerk of the Supreme Court.

(l) Appointed from list of five submitted by governor.

(m) Joint Committee on Judicial Administration.

(n) Presiding judge of Superior Court (general trial court).

(o) Salaries may include longevity pay.



## Chapter Six

# STATE ELECTIONS

“Elections are very likely to be a focus of the news media, academia, the court system and Congress for the next several years, and such attention will bring new challenges to state governments and policy-makers.”

— **R. Doug Lewis**

“During this round [of legislative redistricting]... the bizarrely shaped districts seem to have more to do with partisan considerations than with racial and ethnic considerations.”

— **Ronald E. Weber**

“It is likely that 50 to 60 initiatives will appear on the 2002 ballot. This drop in the number of initiatives can be attributed to increased judicial action in stopping initiatives on technical grounds, as well as the growing cost of utilizing the initiative process.”

— **M. Dane Waters**



## Election Reform: Future Policy Considerations

By R. Doug Lewis

*If Americans do not have faith in the election process, then it will be impossible for them to believe in the government that results from that process. This fundamental truth is why it is critical for state legislators and policy-makers to examine current circumstances and make necessary changes to ensure the health and well being of the electoral process. This article examines the roles of state and local governments in election reform and recommends 12 minimum state-level reforms. The author examines challenges states will face in the future.*

The 2000 presidential election was a wake-up call to all citizens and policy-makers. It is easy to get complacent when matters are running well and there are few complaints. It is entirely another matter when the attention of the nation – and the world – is focused on American elections.

Rather than rehashing all of the reporting and allegations that were made regarding Election 2000, this article will focus on the decisions facing state governments as they attempt to find the appropriate answers to assure citizens that the election process is fair, honest, accurate and well managed. If Americans do not have faith in the election process, then it will be impossible for them to believe in the government that results from that process. This fundamental truth is why it is so critical for state legislators and policy-makers to examine their current circumstances and make necessary changes to ensure the health and well being of the electoral process.

The federal government is likely to take actions that will impact the situation and may affect our ability to implement good policy and administrative methods at the state and local levels. At this writing, the U.S. House of Representatives has fashioned a bipartisan bill, which appears to be able to pass the House. The U.S. Senate has had more difficulty in finding bipartisan solutions, but agreements appear to be in the making. Regardless of what the House or Senate passes and what ultimately becomes law, it is clear that real progress is still going to be the responsibility of state and local governments.<sup>1</sup>

Any reasonable observer will have to admit that more than 90 percent of the immediate funding and 100 percent of the long-term funding will be the responsibility of state and local governments. It is likely that Congress will authorize an initial infusion of funds to start the process rolling, but it is just as likely that it will not provide continuing, long-term funding. It is very likely that Congress will pass election-reform legislation that leaves state and local governments with significant mandated changes, and that the states and local governments will have to find the continuing funding to support them.

Since it is only possible to speculate what the final

outcome of Congressional legislation will be, it is more important that this article consider state and local roles and responsibilities. State officials want to know what they can do and what the impact of those decisions can be in shaping better elections.

For one solid year, I have been on the road discussing Election 2000 and the actions necessary to find solutions to the worst of the problems discovered in that election. In the last 12 months, I have traveled more than 129,000 airline miles, spending more than 280 days away from home in 26 states and Washington D.C. I have served on three national commissions for election reform (National Association of Secretaries of State, National Association of Counties and The Election Center's National Task Force on Election Reform), appeared as a witness for the Ford-Carter Commission on Election Reform, testified numerous times for Congressional hearings in the U.S. Senate and House on Election 2000, served as an advisor to the General Accounting Office for each of their reports on Election 2000 and spoken to regional meetings of legislators for The Council of State Governments and nationally to the National Conference of State Legislatures. Additionally, a number of state legislatures invited me to appear before their relevant committees or task forces (including the Florida Governor's Commission on Election 2000). I relate this not to provide a personal history, but to give an idea of how seriously governments have taken Election 2000 and its aftermath.

Let's review what the situation is now, look at proposed immediate solutions, and some long-term solutions. Then I will attempt to point to some "out-of-the-box" thinking that we may need to consider for the evolution of the electoral process. Regardless of what the federal government does, these items clearly need the attention of state and local governments. Therefore, to keep our focus, we will give little or no discussion to the proposed federal role or federal solutions.

### The Current Situation

We actually get far better administration of elections than we deserve, given the lack of attention and over-

sight we give the elections process. We certainly get a far better administration of the process than we pay for. Despite repeated attempts by local elections administrators to tell their local and state policy-makers that the infrastructure needs assistance and money, policy-makers have generally ignored those pleas. This is partially due to what I call the "1776 Syndrome": we have been having elections since the beginning of our nation, whether we spend a lot of money, some money or no money. And somehow, despite the lack of funds and personnel, election officials have made the elections work most of the time.

Election officials are working with relatively smaller budgets than virtually any other office in government. Remove the cost of voting equipment from the equation, and 75 to 80 percent of the elections offices in the U.S. are among the least-funded governmental operations. Because there is so little understanding of how the process works and because of the mistaken belief that the tasks are simple and only occur two to three times a year, policy-makers have historically been unwilling to add staff or to upgrade the professional skills of employees assigned to elections. Because voting equipment is costly, far too many jurisdictions in America keep equipment in use long past its intended life cycle. Most elections offices in America have the same number of employees as they had 20 years ago – if not fewer – at a time when the population has increased dramatically in most parts of the country, and the laws and court decisions affecting elections have become more complex.

If most of our elections offices had to strictly follow federal labor-law guidelines, their expenses would be significantly higher. Most elections offices give their full-time employees compensatory time for the hundreds of extra hours they work during an election cycle. And yet, most of the employees cannot take the allocated time off, because if they did, none of the normal work would get done. This is due to budget authorities' refusal to understand the need for additional full-time staff for elections offices.

About 20 to 25 percent of elections offices are as well funded as any other part of government. Executive and staff salaries in elections offices are usually close to the norm for other county offices, although there is still a tendency for budget authorities to see the role as a clerical one, rather than one that requires significant management and technical skills. That will have to change, and policy-makers will need to recognize that additional skill sets are required in elections offices. Technical personnel alone will greatly increase some of the employee costs over the next 10 years, as more and more of our operations depend on higher-level

computing and software skills for administrative functions, let alone the technical skills for programming and maintaining computerized voting equipment.

But if only 20 to 25 percent of elections offices are as well funded as other governmental operations, then 75 percent or more are under-funded. There are still elections offices that do not have their own fax machines and cannot get approval to buy them. There are significant numbers of elections offices that do not have an Internet connection and have no access to e-mail, let alone Web pages for citizen services. In state after state, even cursory investigations reveal that no budget increases (in real dollars) have occurred in elections offices. If the requirements mandated by the National Voter Registration Act of 1993 and first implemented in 1995 were removed from the budget analysis, most elections offices would be into negative budget-growth numbers.

There is such little understanding of the nature of elections administration that budget authorities still try to treat elections operations like any other county function, never really understanding that budgeting for elections is in a four-year cycle. In all but a handful of states, even-numbered years are the most expensive, because that is when the major races occur. The largest and most expensive of these is the presidential-ballot year, then the statewide office-holder years, and then the odd-numbered years for municipal and township elections. Yet, we still have budget authorities who order budget reductions from the odd-numbered years when going into an expensive even-numbered year. It is simply amazing that elections offices haven't had more disasters on a continuing basis because of a fundamental lack of understanding by budget and policy authorities about how elections operate.

### Recommendations For States

First, recognize that what happened in Florida really could have happened to any state. There is not a state in the country that would not have had all its warts exposed under similar circumstances. The issues and particulars may have been somewhat different, but a tie-vote for president in any state would have brought unkind examinations. With lawyers making allegations (many of them with some degree of truth, but many with little basis in fact), and members of the news media descending in hordes, it is hard to imagine any state with an operation so good that it could have escaped unscathed in an examination of its elections operations.

The media, watchdog groups and national civil-rights groups will be intensely focused on elections in 2002 and again in 2004. The only way "off the hook"

is for those elections to go fairly smoothly. But with almost 7,000 elections jurisdictions, 150 million registered voters, 101 million voters, 1.4 million poll workers, 18,000 elections employees, 200,000 polling places and 700,000 voting devices, we can expect some hiccups along the way. State action will be necessary in the next two years to assure that we can prevent the worst of the failures discovered in Election 2000.

### **These are the minimum actions for every state:**

1. Define what constitutes a vote in your state. Recognize that "voter intent" is not a standard. It is a subjective judgment and was the single largest cause of confusion, anger, frustration and legal maneuvering in Election 2000. If a person says he knows a vote when he sees it, then that vote can be defined and included in the list of allowable votes. The definition of what constitutes a vote cannot be singular; instead, it must encompass each classification of voting technique (paper, lever, punch-card, electronic device such as touch-screen, etc.). My advice to states is to not put the actual definition into law, because allowable voting techniques will change over time and sometimes rapidly. Assign the chief election officer (CEO) of each state the responsibility of publishing detailed examples of what qualifies (and does not qualify) as a vote, and let that administrative process have the force of law. (In most states, the CEO is a secretary of state, but in some it is the lieutenant governor, or a separate state board or commission of elections, and in New Jersey it is the attorney general's office.) Then train all election officials throughout that state to count the votes to the same standard, so that County A does not count them one way, while neighboring County B counts them differently. And the chief election officer of the state must have the authority to enforce the rules developed. One clear lesson of Election 2000 is that states must have a stronger hand in oversight and training of local elections offices.

2. Design and set in statute uniform recount procedures. Recognize that the days of full hand recounts of statewide races are probably over. For multi-jurisdictional races and statewide races, hand recounts should be used to establish and prove the accuracy of voting equipment and therefore can be limited to a small percentage of the ballots to verify that the voting equipment is tabulating accurately. Voting equipment has been designed to count votes far quicker and more accurately than humans, and it should be used in recounts for any and all ballots it can count. Allowance must be made for hand recounts of jurisdictions that still vote on paper and hand count those votes. Hand

count any ballots that the voting equipment is unable to tabulate, which would include blank ballots, over-voted ballots, under-voted ballots and otherwise spoiled ballots. Understand that Direct Recording Equipment, such as touch-screen systems, can allow for recounts, but the recount is likely to be meaningless on properly functioning equipment. In such cases, time after time, recounts will show the identical vote: the number of ballots registered in the equipment's memory.

3. Establish provisional voting or a similar method. Provisional voting allows any voter whose name does not appear on the roll books for a given precinct to cast a ballot and have that ballot placed in a "provisional" status, so that it can later be ascertained whether the person was entitled to cast a vote. Some states have procedures that are even easier than provisional balloting – such as a sworn affidavit by the voter, or election-day registration – that should be retained.

4. Establish an election certification schedule that takes into account the deadlines necessary to meet federal and state laws for each office. Presidential electors must be specified by a certain date, and time has to be provided to finish that process. Sufficient time for any recounts, whether judicial or administrative, must be permitted to complete the process before certification. Recognize that the federal government is likely to force provisional ballots on all states, and it will take time after an election to investigate and resolve each of those ballot issues. Since such investigations usually take at least 30 minutes and may take four hours or more to resolve, it is important to recognize that instant or relatively quick certification of election results may now be delayed, and time has to be built into the schedule to accommodate such procedures. Due to provisional ballots, some states are only able to certify results three to four weeks after an election. States with certification time-tables of less than two weeks will probably find that this needs to change.

5. Establish nonpartisan or bipartisan elections canvassing boards. Any situation that allows members of only one party to form the official review board to certify votes or vote tallies is unacceptable in American elections. This is an opportunity for states to assure voters that this process is fair for all.

6. Preclude the chief election official of any state from serving as an officer, spokesperson or surrogate for any campaign or ballot measure that would come under his or her official responsibility as CEO.

7. Establish a statewide voter database for any state with voter registration. See every national commission report for the reasons supporting this recommendation.

8. Empower the chief election official of each state



with the responsibility and authority to train and hold accountable all state agencies responsible for voter-registration efforts under the National Voter Registration Act. "Official disconnects" between outreach agencies and the official elections office cannot be allowed to continue as an excuse for denying voting rights to otherwise eligible citizens. Accountability and coordination should be focused on the chief election official.

9. Pass legislation calling for "second chance" voting equipment. This means employing precinct counting machines (units that record the votes in the precinct rather than at a central location) for voting at polling sites. Central-count units will still have to be used for absentee and mail-in voting, but precinct-count units can be programmed to allow voters to know whether they have over-voted (voted for too many candidates for a given office) or under-voted (not voted for enough candidates in a given office). However, care should be exercised when drafting the law to ensure that such devices are not used to repeatedly remind voters that they have left some ballot positions unvoted. To do so would have a chilling effect on voter participation and could lead to charges of coercing voters to vote in every race. Voters rarely like having attention – especially negative attention – called to them. The additional issue for legislatures is whether to have second-chance voting equipment apply to all current voting equipment or just new equipment as it is purchased by local jurisdictions. While it is less expensive to phase in second-chance equipment, one could argue that unequal protection of voting rights is fostered, unless all equipment in the state permits all voters to exercise their second chance.

10. To the extent possible, the time has come for all states to recognize that government needs to seek solutions to allow physically disabled voters, including the blind and visually impaired, to vote at the polling site. Physically disabled voters strongly desire to be able to enter the polling site and use the voting equipment, as other voters do. While it is difficult to find polling places that will always be accessible (due to the lack of enough public facilities in many communities), it is likely that we can at least offer one voting device per polling site that is accessible by the blind, the physically disabled and language-minority voters. This is likely to be an expensive solution in both the short term and the long term, and the initial solutions today are not totally satisfactory.

11. Education programs for election officials and poll workers need to be funded and promoted. It is unlikely that extensive poll-worker education programs that require multi-hour training sessions will be

successful over the long haul. More poll workers are needed in each election than have generally been available to local election officials. If most jurisdictions are still recruiting poll workers on the morning of elections, it is unlikely that any program mandating multi-hour training can be enforced. The training focus needs to be on the chief polling-place official, and they should be well compensated to attend the training. Until the problem of a shortage of poll workers is solved, it will be difficult to insist on more extensive training for the bulk of poll workers.

Election-official training will occur for many jurisdictions only when it is a state requirement that election officials must be permitted and/or expected to attend state and national training. Local jurisdictions resist the travel funds and training costs of sending their employees to out-of-jurisdiction training. Yet the ability of local election officials to improve their professional skills, their awareness of state and federal laws and regulations, and their ability to implement cost-effective voter programs are all directly related to their ability to travel and learn new skills. The Election Center is the largest and most successful training organization in America for election and voter-registration professionals. Training between 600 and 1,000 officials every year, we are constantly amazed at how many of the officials pay some portion or all of their training costs out of their own pockets. As one elections veteran explained, "you don't learn anything new sitting at home talking to yourselves."

12. Voter-education programs will be the next major focus of states and election officials. Real caution must be exercised in voter-education programs. There is a fine line between efforts to inform voters and provide knowledge about how to fully exercise the right to vote versus efforts to target voters in order to increase participation. Targeted efforts aimed at specific voter groups have the potential for great abuse and remove the election official from a neutral position of acting as a referee of the process. They have the potential to mean spending government funds to turn out targeted voter groups, which means highly partisan activities are likely to occur. Such programs are likely to draw the attention of incumbents, and there is likely to be great pressure to spend government funds to protect office holders. From the standpoint of election officials, educating voters is a worthwhile and noble goal, as long as election officials are not placed in the position of becoming partisan activists to encourage the voters of one party over the other.

Second, many observers have suggested that sample ballots should be distributed to voters by all jurisdictions in America. States will need to decide for

themselves whether such programs are necessary. Remember that Palm Beach, Fla. distributed sample ballots. There currently is no data that shows that voters in states with sample ballots make fewer errors than voters in states without sample ballots. There is no data that indicates that better elections occur because of sample ballots, nor that better elected officials are chosen as a result of sample ballots. Even with a lack of such data, there is a significant belief that sample ballots can contribute to better-informed voters. The use of sample ballots in states that do not currently have them will become one of the most expensive election reforms, if chosen. The costs of producing, proofing, printing and mailing sample ballots require a substantial commitment. Once instituted, they must be produced for each and every election and become a long-term, permanent cost. The cost may be worth the expenditure for many state legislatures.

If states fix items one through four, they fix 90 percent of the problems discovered in Election 2000. If they do all 12 items, they fix 98 percent. But the states must act swiftly, now that we know the root causes of the problems and we have substantial data to show what the solutions are likely to be. Lack of action by state governments will surely bring an even stronger attempt by Congress to give the federal government a more direct role in every phase of elections. The response of state legislators and state-government officials is critical to maintaining state and local authority over the democratic process.

### **Future Considerations for State and Local Governments**

#### ***Technology Challenges***

The technological changes that affect American society in the next 25 years will force more changes in elections than we saw during the first 225 years of our country's history. Elections will change dramatically with our ability to apply technology to the process. All of government will be far more dependent on computers and shared, direct information. The Internet itself will be greatly transformed – not only is a faster, more complex Internet II on the way, but the techno-geeks are already planning for another version of the Internet after that. Smart-card technology is likely to develop rapidly, used first by banks and then by all institutions and the public. As these developments mature, their application to voting and democracy will change the way we conduct elections. This will have fairly dramatic effects on how state and local governments plan for and direct the evolution of the electoral process.

Clearly, information-technology employees are

going to become more important for all of government and especially for elections offices. The new generations of touch-screen and the evolution of electronic-voting devices mean that government is going to need more technically trained and skilled employees. Election officials will need to become proficient in programming the electronic devices for each election, and they will need training in order to maintain and repair those devices. It is far too dangerous for the security of American elections to expect that we can outsource those functions to the vendors of the voting devices. Accountability and election-integrity issues will inevitably force more technological personnel and training on elections professionals.

Such an evolution means shifting the mindset of policy makers from what they have viewed as a clerical function to an increasingly technical understanding and competence. Even at that, policy-makers have not yet caught up to the fact that a shift in background skills has already occurred in elections. A clerical background may have been sufficient originally, but it no longer adequately prepares employees for the functions they perform. It currently takes significant project-management skills and higher-level managerial skills to handle the legalities, the civil-rights concerns, disability issues, etc.

Along with those shifts in personnel needs, state government officials have to realize that many local governments simply will not have sufficient funds to afford the kinds of equipment and technical skills that will likely be required in the not-too-distant future. State policy-makers need to plan for that evolution. If local jurisdictions can find the funds to even keep up on the capital-asset side, will they be able to keep up with the technical-personnel side?

State officials will need to decide whether to build technical expertise at the state level through the state chief election official, or whether to build some form of regional expertise that all the local governments within a given region then support.

Product life-cycle costs are very likely to increase for both states and jurisdictions. In the past, elections jurisdictions replaced their voting equipment infrequently, with some lasting from 30 to 60 years. It is likely that 15-year (or shorter) product life-cycles will become the norm. Touch-screen voting devices wear out quicker than lever machines or punch-card voting equipment. And at one device for every 200 voters, more of them are needed than when using other voting devices. For any of the newer electronic devices, whether touch screen or optical scan, storage costs are higher because they must be kept in temperature- and humidity-controlled facilities that are relatively free of

pests, such as rodents and insects. The cost of owning voting devices becomes an important consideration.

### **Legal Challenges**

Expect significant legal challenges in the field of elections for the next decade. Disability groups are likely to bring a continuing parade of lawsuits to force greater access not only to the electoral process, but also to all public facilities and public transportation. This will include polling-place accessibility (including renovation of buildings previously grandfathered in by the original Americans With Disabilities Act), voting-machine accessibility and independence in voting and transportation issues.

Civil-rights groups are likely to continue to push lawsuits to ensure that inexperienced voters and minority voters are not disqualified in significantly higher numbers than the general population. Additional suits are likely over voter-registration issues and over potential discrimination issues at the polling place.

As courts make it far easier for lesser known candidates and splinter parties to gain access to the ballot, look for additional challenges to laws favoring the two-party system. It is especially difficult for election officials to design ballots that minimize voter errors when the sheer number of candidates for an office overwhelms the ability to implement "goof proof" ballot layouts.

Equal-protection lawsuits are likely to test the U.S. Supreme Court's *Bush v. Gore* definitions of uniformity within a state. Do they mean that all the voting systems in a state have to be identical? Most observers think not, but many think the courts may have to decide. How uniform do elections have to be within the

state? Does the state's chief election official have enough control and authority?

### **Conclusion**

State officials must recognize that the challenges revealed by Election 2000 are likely to be with us for the next five to 10 years. The most effective states will be those that look ahead and anticipate some of the planning that must begin, as well as acting on the immediate concerns. Elections are very likely to be a focus of the news media, academia, the court system and Congress for the next several years, and such attention will bring new challenges to state governments and policy-makers.

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### **Notes**

For a complete set of recommendations from the nation's experts on elections, obtain a copy of *Election 2000: Review and Recommendations by the Nation's Elections Administrators* from the National Task Force on Election Reform, sponsored by The Election Center. The 68-page report covers state, local and federal responsibilities and recommendations.

<sup>1</sup> **Editor's Note:** The U.S. House of Representatives passed an election-reform bill in December 2001 by a vote of 362 to 63. The U.S. Senate passed a bill on April 11, 2002 by a vote of 99 to 1. Both bills were designed to set federal standards for election procedures, but the House bill contained fewer federal controls and provided less federal money to the states. As of late April, when this book went to press, the bills were in conference committee.

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### **About the Author**

**R. Doug Lewis** is executive director of The Election Center, a national nonprofit organization serving elections and voter-registration professionals. A Certified Elections/Registration Administrator, his contributions include authoring the Professional Education Program for elections/registration officials, developing of the first Code of Ethics for voter-registration and elections administrators, establishing the Professional Practices Papers program and establishing a National Task Force on Election Reform to study the 2000 presidential election.

## State Legislative Redistricting in 2001-2002: Emerging Trends and Issues in Reapportionment

By Ronald E. Weber

*This article assesses the progress of the states in redrawing state legislative-district lines for the elections of 2002, now that the 2000 Census of Population data is in the hands of state legislatures. It describes emerging trends this decade and highlights the experience of several states in dealing with both old and new issues in redistricting. Whereas the redistricting round of the 1990s can be described as the round of racial and ethnic predominance, the 2000 round will be characterized as the rejuvenation of partisanship.*

### Introduction

A line of U.S. Supreme Court cases beginning with *Shaw v. Reno* in the 1990s circumscribed state legislatures' ability to rely predominantly on race or ethnicity in drawing legislative-district lines, making it clear that state legislatures could not draw districts based predominantly on race or ethnicity but would have to use other factors in drawing revised lines during this decade. These other factors might correlate highly with race or ethnicity and, since political partisanship of voters correlates highly with the racial and ethnic makeup of populations, the 2000 decade is likely to be the round of partisan gerrymandering.

The Supreme Court cases of the 1990s ultimately sanctioned the use of partisanship as a predominant factor in redistricting, even though in 1995, the Court argued in *Miller v. Johnson* for the use of a set of race-neutral, objective criteria, such as compactness, contiguity, respect for political subdivisions and respect for communities of interest. The controlling case is *Easley v. Cromartie*, where the Court upheld North Carolina's use of partisanship when it redrew its unconstitutional congressional-districting plan, despite the plaintiffs' contention that the plan relied predominantly on race. This decision sanctioned the unbridled use of partisanship as the predominant factor in redistricting in the current decade.

### Partisanship Unbridled?

Legislative redistricting is among the most partisan of policy activities undertaken by state legislatures. In essence, the legislature takes the position that political districting is a matter of preserving self-interest: the spoils of politics belong to the strongest, and district line-drawing can be manipulated to improve the political position of the party that controls each chamber. A large number of states operate under the norm that each chamber is the primary arbiter of the lines for its chamber, so that the House defers to the wishes of the Senate and vice versa. Furthermore, many state legislators take the position that it is not the governor's job to intrude on the legislature's turf when it comes to draw-

ing districting lines for the state Senate or House. Of course, some districting schemes require a degree of cooperation between the two chambers, such as "nesting" House districts within state Senate districts. This cooperation gets a little dicey when Democrats control one chamber and Republicans control the other, as is the current situation in states such as Illinois, Indiana, Kentucky, Minnesota, New York and Wisconsin.

How each political party seeks to advance its political interests varies. The issue is to determine the best way to waste the vote of the partisans of the other party. To do so requires a great deal of information about past turnout patterns and levels of political support given by party followers. For example, Democrats are well aware that Republican supporters typically turn out at higher levels than Democratic followers. Democrats thus can "waste" Republican votes by using election-history information to identify areas with proven records of Republican voting patterns, along with higher-than-average levels of voter turnout. This has created the cul-de-sac theory of districting, where Democrats concentrate all the neighborhoods with gated communities and cul-de-sac street patterns in Republican districts. This approach was highly refined in Texas redistricting during the 1990s and was followed again this decade as the Texas Legislature worked unsuccessfully on state legislative districts.

Republicans, on the other hand, find the use of racial and ethnic data most useful in locating potential Democratic voters. Here the approach is to pack as many African-American or Hispanic minority voters as possible into legislative districts, so as to minimize the number of seats the Democratic party can win, while then spreading Republican supporters over the remaining districts. This approach was used effectively during the 1990s in Ohio, where the Republican-dominated apportionment board drew state legislative districts by concentrating African Americans at the highest possible levels in Democratic districts. Thus, the Republicans minimized the number of Democratic-leaning districts and produced a decade of Republican control of both chambers in Ohio. The Ohio

Republicans also spent the decade fending off legal challenges by the Democrats to this approach of wasting minority Democratic votes (see the *Quilter v. Voinovich* cases of the 1990s). Since this approach was largely validated by the federal courts in the 1990s, state legislatures learned it might be legal to “waste” minority votes to achieve political gerrymandering. With the exception of Ohio, the state Democratic parties of the 1990s were more interested in cooperating with minority office-holders who wanted potentially safe electoral districts than in fighting Republican efforts to pack minority populations in Democrat districts. But this all changed in the early rounds of the 2000 redistrictings.

During the 1990s, a number of political scientists explored the question of what level of minority population is necessary to equalize the opportunity of minority voters to elect candidates of choice to congressional and state legislative offices. Invariably, this research determined that a combination of cohesive minority-group support along with white or “Anglo” voters would enable Democratic candidates to win congressional or state legislative office. And with regularity, the researchers determined that the appropriate minority-population percentage was less than 50 percent and usually closer to 40 percent. This research gave ammunition to Democrats, who argued that anything above those minority-percentage levels constituted “packing” of minority populations and thus would minimize the opportunity of Democratic voters to elect Democrats. My work for plaintiff interests in the *Shaw* type of cases in the 1990s demonstrated that Democratic candidates could count on various levels of white or “Anglo” cross-over votes and that these votes had to be taken into account in determining whether plans were narrowly tailored to advance compelling state interests. Thus, the Democrats learned that they had been mistaken in the 1990s to attempt to maximize minority populations in state legislative districts, as the minority office-holders often argued should be the case. Of course, the Republican sweep in the 1994 elections, particularly in the South, brought home to the Democratic Party the consequences of minority-population maximization, as the Republicans scored big gains in state legislative elections.

In this round of state legislative redistricting, the Democrats have reversed their approach because of the lessons learned during the 1990s. Now the lines of the partisan battle are quite clear. Democrats want an optimum percentage of minority populations in state legislative districts. Their goal is to not waste too many Democratic votes and to avoid including so few Democratic voters that the districts might not elect

Democrats. Thus, this optimum percentage must be determined in each state before beginning the state legislative districting. Most instructive on this point is the *Page* federal court case from New Jersey. In this case, the Democratic-inclined chair of the New Jersey Apportionment Commission had drawn a nested set of state Senate and House districts, in which the minority populations were apportioned to permit more minority and Democratic senators to be elected than under the previous districts. New Jersey Republicans and the National Association for the Advancement of Colored People (NAACP) both challenged this approach in federal court. The three-judge panel ruled that the New Jersey Apportionment Commission had made the right decision not to pack minority populations (or Democratic voters), as the New Jersey Republicans had wanted. Thus, in the first federal-court decision of the 2000 decade, the Democratic Party’s approach to state legislative districting was upheld.

Further evidence of how the two major political parties have changed their strategies this decade compared to the approaches of the past decade is provided by the Virginia legislature’s redistricting plans and the ensuing state-court litigation over the plans. Virginia Republicans controlled the legislative process and the governorship during this redistricting round, and they used their control to adopt a plan that maintained the same number of African-American-majority state Senate and House districts as in the 1990s. The Republican members of the legislature argued there was a need to fill in under-populated African-American districts with added African-American persons, so as to gain U.S. Department of Justice (DOJ) preclearance of the plans. Democratic legislators argued that the Republican majority packed African-American persons into African-American-majority districts so as to waste Democratic votes, and they offered alternatives, with smaller percentages of African Americans in the Senate and House districts.

After losing in the legislature, the Democrats sued in state court. In the meantime, DOJ granted preclearance to both the Senate and House plans. After trial in September, the state-court judge allowed the November 6, 2001 elections to proceed and took the case under advisement. However, when the judge’s position came up for reappointment during the 2002 legislative session, his name was withdrawn from consideration for a renewed term on the bench after some Republicans criticized him for hearing the case challenging the state legislative plans. On March 11, 2002, two days after the Virginia legislature adjourned for the year, the trial judge hearing the case ruled and invalidated a number of Senate and House districts on



Virginia state constitutional grounds. He found that a number of the districts violated the compactness provision of the Virginia constitution and further found that a number of the majority-minority Senate and House districts excessively packed African-American voters into those districts. The judge enjoined the use of the plans to elect Senate and House members, thus effectively shortening the terms of the House members who had been elected in November 2002.

Final evidence of how partisan interests have shifted over the past decade is offered by the example of state legislative-districting actions in South Carolina. In August 2001, with Republicans in control of both houses, the South Carolina legislature adopted Senate and House plans that Democrats opposed because of alleged packing of African-American voters in some districts and because of a reduction in the number of possible other districts in which African-American voters could influence the outcome of elections. The Democratic governor vetoed these plans, and a federal-court suit has been brought asking a three-judge panel to draw the Senate and House districts for the 2002 election. The governor's veto message argued that Republicans consciously employed racial data in drawing the districts, with an aim to minimize the number of Senate and House districts where African-American voters could influence election results. Conversely, the message argued that the remaining districts would have been overwhelmingly white in make-up and the plan would have led to increased racial polarization in South Carolina.<sup>1</sup>

### Is Retrogression a Problem Anymore?

In the 16 states covered wholly or in part under Section 5 of the U.S. Voting Rights Act of 1965 (as amended in 1982), the state legislatures must keep in mind the opportunity of minority voters to elect candidates of choice when redrawing state legislative-district lines. The legal standard under the U.S. Supreme Court *Reno v. Bossier Parish School Board* case is that the minority group must not be deprived of the opportunity to elect candidates of choice when the previous plan permitted the group's voters to do so. This interpretation means that the percentage of the minority-group population in a proposed district can only be reduced if the reduction does not make the group's voters unable to elect their preferred candidate.

The exact parameters of the Section 5 standard of retrogression are determined by the voting section of the Department of Justice, unless the state elects to seek preclearance from the U.S. District Court of the District of Columbia. There is only limited evidence of

the Department of Justice's interpretation of the retrogression standard, as only a few states have received preclearance for their state legislative plans.

So far, the DOJ has only objected to the Texas State House plan. The DOJ voting section objected to reducing the number of districts in which minority Hispanic voters would have had the opportunity to elect their candidate of choice. The voting section used a rough proxy measure of citizen voting-age population – Spanish Surnamed Voter Registration – to assess the Hispanic voters' opportunity to elect candidates of choice and found a net reduction of three potential Hispanic House districts. It is clear from the rejection letter that the voting section will determine whether a plan is retrogressive by simply counting the number of opportunities in the current plan and comparing them against the proposed plan. Any net reduction in opportunities will result in an objection. The problems that led to the voting-section objection were then remedied by a three-judge panel of the U.S. federal court, which heard a challenge by minority-group interests to the new Texas Senate and House districts drawn by the state Legislative Redistricting Board.

As of this writing, the Georgia and Louisiana legislatures have completed their redistricting and the Louisiana Senate plan is under administrative review for Section 5 preclearance. However, the Georgia and Louisiana houses have decided to bypass the administrative process for preclearance offered by the voting section and instead are seeking preclearance from the district court of the District of Columbia. The Louisiana filing challenges the 2001 DOJ Notice of Guidance for preclearance submissions and argues for using a benchmark to measure retrogression that had been employed by the DOJ prior to 1991. If the Louisiana House wins on this legal point, the DOJ's authority to object to redistricting plans will be further undermined.

### Trends in the 2000 Redistricting Round

Although a number of states have not completed final legislative consideration of plans to redraw their state legislative districts, enough states have completed their redistricting to enable me to summarize some trends of the decade. My observations should be confirmed as the remaining states complete drawing their new districts.

Whereas the plans of the 1990s increased the representation of racial and ethnic minority interests within state legislatures, I do not anticipate similar gains in this redistricting round. There are several reasons for reaching this conclusion. First, in the states covered wholly or in part by Section 5 of the

U.S. Voting Rights Act, the concept of retrogression will limit further gains in minority representation. And it is clear that legislators in at least two of the covered states have decided to have their plans reviewed by the district court of the District of Columbia instead of the DOJ voting section, because they believe the state will get a more favorable hearing in court. The anticipated result of such efforts will be a preservation of the status quo in racial or ethnic representation in those states.

Second, the main plaintiffs in Section 2 litigation against state legislative plans will come from Latino interests, not African-American interests. The burden of proof for Latino interests will be difficult, because high percentages of noncitizen populations have to be taken into account in assessing Latino plaintiff claims. The experiences in the two challenges already brought to the Texas Senate and House plans illustrate how difficult it will be for Latino interests to gain additional districts that were not created by the state legislative plans.

Third, in states with significant numbers of both African-American and Latino populations, the continuing desire for African-American and Latino interests to gain separate places at the table of representation will necessarily limit the number of occasions that exist to create combined majority-minority districts. Since these two groups seem to vote together in general elections, those who wish to create combined majority-minority districts must demonstrate that the two groups also support the same candidates in primary elections. Here the evidence is very mixed in the parts of the country where these conditions exist. Thus, it is highly likely that there will be few gains in racial and ethnic diversity in the state legislatures during the first decade of this century.

A major exception to the trend just elaborated occurred in the New Mexico state House districting. Like South Carolina, in New Mexico, different political parties control the governorship and the legislature (the governor is Republican and the legislature is Democratic). The New Mexico governor vetoed two attempts by the legislature to adopt a redistricting plan for the House. Then the matter of line-drawing was turned over to a state-court judge. Both Native-American and Latino interests sought to get the court to order additional House districts with effective Native-American and Latino population majorities. The court found Native Americans to be under-represented in the 1990s plan and ordered additional Native-American-majority districts. On the other hand, the court did not find under-representation of Latino populations in the 1990s plan and ordered a least-change

approach plan for the parts of the state not involved in the remedying of Native-American representation. Thus, this court-ordered plan for the New Mexico House enhances Native-American representation, while keeping Latino representation the same as in the previous decade.

If this round of redistricting will show less consciousness of race and ethnicity, does this mean that the states will end the practice of constructing non-compact and bizarrely shaped legislative districts? I see no evidence that the plans adopted so far are any less bizarre in shape than the plans being replaced. During this round, however, the bizarrely shaped districts seem to have more to do with partisan considerations than with racial and ethnic considerations. The technology of redistricting now makes it easy to construct districts based on the partisan predispositions of the voters, and a number of states have invested in the technology to enable them to do so. Since courts now typically hold that an absence of geographic compactness may be evidence of impermissible race consciousness in districting, states simply have to respond that they followed partisan preferences when drawing bizarrely shaped districts, not racial factors. The legal challenge of the 2000 round for the federal courts will be to determine whether the claim of justiciability decided in *Davis v. Bandemer* has any real meaning in the context of this decade's technological advances. I expect a number of legal challenges to be brought this decade to challenge the widespread practice of partisan gerrymandering while drawing state legislative-redistricting plans. One challenge has been filed in Nebraska, and I anticipate others will be filed as states complete their map drawing.

And there will be a number of cases heard by the courts as some states reach partisan impasses in creating their plans. Complicating the dispute-resolution process is the understanding now that the federal courts must first defer to the state courts, if the parties wish to be heard in state court (see *Grove v. Emison*). This need to litigate in state court is likely to delay the final resolution of the disputes, at a time when the states are racing to meet candidate-qualification deadlines for the 2002 primary and general elections. Again, I point to the experience in Texas, where the state-court process yielded no state plans at all, and the final resolution had to be handled by a three-judge panel of the federal court. The U.S. Congress granted an exceptional priority to statewide districting controversies, which allows them to be heard by three-judge panels with expedited appeal to the U.S. Supreme Court. The Congress understood the need to resolve these districting cases quickly, so the election process would not be disrupted.

The doctrine of the *Grove* decision clearly undermines the need to resolve these disputes quickly. To date, state legislative-districting plans have been or are being reviewed by federal courts in Alabama, South Carolina, West Virginia and Wisconsin, in addition to the previously mentioned cases in New Jersey and Texas. Overall, I expect the same amount of litigation over redistricting plans this decade as during the 1990s, but in the final analysis, I expect the challenges to be less successful, as the state legislatures more effectively justify the decisions they have made in redrawing district lines.

Finally, there is the decades old problem of meeting the one-person, one-vote equal-protection standard and other state constitutional criteria in state legislative districting. Already during this round, several states have been challenged as they have attempted to deal with meeting the equal-protection standard and other criteria. Only one of the three one-person, one-vote challenges has been to a legislatively adopted plan (West Virginia). The other two challenges have been to plans adopted by state redistricting boards (Alaska and Idaho).

The one-person, one-vote equal-protection challenge to a legislatively adopted plan involved the Senate plan for West Virginia. For several decades, the West Virginia Senate plan allocated two at-large districts to Kanawha County, the largest county in the state. This allocation resulted in two districts in the 2001 plan with a 5.96 percent population deviation below the ideal in the recently adopted plan. Because another district is 4.96 percent above the ideal population, the overall deviation for the plan is 10.92 percent. This deviation was challenged in *Deem v. Manchin* before a three-judge federal court. The court upheld the 10.92 overall population deviation, ruling that the state legislature had followed recognized, neutral principles in fashioning the Kanawha County Senate districts and that the legislature's policy decisions could not be judged irrational.

Legislative-districting plans adopted by state reapportionment boards have also been challenged under the one-person, one-vote equal-protection standard. Typically, after a state reapportionment board finishes its work, the plan is subject to some degree of review by state courts. This is the situation in Alaska and Idaho – the two states where state redistricting-board plans have been challenged on equal-protection grounds. In Alaska, the plan was upheld on the equal-protection ground, while Idaho's plan was invalidated on the equal-protection ground and sent back to the redistricting board for revision.

Among a number of challenges to the plan adopt-

ed by Alaska's reapportionment board was a claim that it violated the one-person, one-vote equal-protection standard. The plan the board adopted called for one House district with a population deviation of 6.9 percent below the ideal. This resulted in the House plan having an overall deviation of 12 percent and the Senate plan having an overall deviation of 10.6 percent. The state-court judge found the one under-populated House district acceptable, as the state redistricting board was able to demonstrate that both the size and unavailability of easily movable population blocks made the district's construction reasonable. Thus, the state court rejected the one-person, one-vote equal-protection challenge, while finding two other House districts unconstitutional on grounds of non-compactness and violation of socioeconomic integration.

In Idaho, the legislative-districting plan the state redistricting board adopted was challenged before the state Supreme Court on the ground of violating the one-person, one-vote equal-protection standard. One district was 5.52 percent below the ideal size, while another district was 5.17 percent above the ideal size. These two figures produced an overall deviation of 10.69 percent. Since the state redistricting board offered no evidence of a rational state policy for the population disparity in the plan, the Idaho Supreme Court invalidated the plan on the equal-protection ground.

One legislative-districting plan adopted by a state redistricting board has also been challenged on the basis of not meeting other state constitutional criteria. Colorado has a unique provision in its constitution that provides special protection in the redistricting process for political subdivisions, like counties and cities. The Colorado state legislative-districting plans were adopted by a state redistricting board and were subjected to review by the Colorado Supreme Court. The court found that the state redistricting board unduly split major counties and cities in devising the Senate plan and remanded the plan back to the board for redrawing. The remand was also expected to affect the drawing of House districts.

In conclusion, the political and legal terrain faced by state legislative redistricters is complex and multifaceted. It is not surprising that on a few occasions, plans can be successfully attacked. However, the overall pattern is for state legislative redistricters to weather the terrain and successfully create plans that will be employed for the next decade.

(See also William Frey and Bill Abresch's essay on Census 2000 in Chapter 7.)



### Notes

<sup>1</sup> On March 20, 2002, the federal court ruled in the South Carolina state legislative redistricting case. The court rejected plans offered by the contending parties and ordered interim plans for Senate and House districts with minimum population deviations across the districts. Furthermore, the court ordered the plans to be tailored to satisfy Sections 2 and 5 of the U.S. Voting Rights Act. Finally, the court seemed to make some interpretations that might be judged satisfactory to the state legislative defendants and other interpretations that might be deemed unobjectionable by the gubernatorial defendant.

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### Author's Bio

**Ronald E. Weber** is the Wilder Crane Professor of Government at the University of Wisconsin, Milwaukee. He has edited or written several books and has published numerous scholarly articles. He is also president of Campaign and Opinion Research Analysts, Inc., a governmental and political consulting firm.

## Trends in State Initiatives and Referenda

By M. Dane Waters

*When comparing the use of initiatives and referenda, one can argue that the initiative process has the greater impact on the day-to-day operations of state governments. Little debate surrounds the use of the referendum process because most of the issues that are placed on the ballot by state legislatures are there because the law requires a public vote. For this reason and because of the fact that great controversy surrounds the initiative process itself, this article will focus on the use of the statewide initiative process.*

### History of the Statewide Initiative Process<sup>1</sup>

There is a long and rich history of citizens utilizing the initiative process in the United States. Since the first statewide initiative was placed on Oregon's ballot in 1904, citizens in the 24 states with the initiative process have placed approximately 1,987 statewide measures on the ballot. However, they have only adopted 821 measures, or 41 percent. Even though 24 states have the statewide initiative process, almost 60 percent of all initiative activity has taken place in just five states: Arizona, California, Colorado, North Dakota and Oregon.

Additionally, it is important to point out that very few initiatives actually make it to the ballot. In California, according to political scientist Dave McCuan, only 26 percent of all initiatives filed have made it to the ballot, and only eight percent of those filed actually were adopted by the voters. During the 2000 election cycle, over 350 initiatives were filed in the 24 initiative states, and 76, roughly 22 percent, made the ballot.

The initiative process has been through periods of tremendous use, as well as periods in which it was rarely utilized. From 1904 to 1970, the use of the initiative steadily declined from its peak of 291 between 1911 and 1920 to its low of 78 between 1961 and 1970. Many factors contributed to this decline, but the distraction caused by two World Wars, the Great Depression and the Korean War is largely responsible. However, in 1978, with the passage of California's Proposition 13, an initiative that cut state property taxes by nearly 60 percent, people began to realize the power of the initiative process once again and its use began to climb. Since 1978, the two most prolific decades of initiative use occurred in 1981 to 1990 (289 initiatives) and 1991 to 2000 (396 initiatives).

In 1996, the year considered by scholars to be the high water mark for the initiative process, citizens placed 102 initiatives on statewide ballots and adopted 45, or 44 percent. In contrast, that year, state legislatures in those same 24 states adopted over 14,000 laws and resolutions.<sup>2</sup>

Since 1996, the number of initiatives actually making the ballot seems to be decreasing. In 1998, only 66 statewide initiatives actually made the ballot - the lowest number in a decade. In 2000, there were four initiatives on primary ballots and 72 on general election ballots, for a total of 76. Though this is more than were on the ballot in 1998, this number is still off pace with previous election cycles in the preceding decade.

In 2001, there were four initiatives on statewide ballots. The reason for the low number is that the constitutions of only five states allow initiatives in the odd years. These states are Colorado, Maine, Mississippi, Ohio and Washington.

### The 2000 and 2001 Election Trends

Since only four initiatives appeared on the 2001 ballot, very little can be gathered as to the impact those measures will have on state governments and what trends they will set. Therefore, we will focus on the 2000 general election and how the initiatives voted on will impact the moral and fiscal fabric of our society in years to come.

On November 7, 2000, the voters in 17 states spoke out on 72 statewide initiatives dealing with some of the most emotional and controversial issues, including abortion, drug policy, gay rights, taxes, animal welfare, education and the environment. The voters adopted 35 of them, or 48 percent. The overriding theme of the 2000 election when discussing initiative results is that the voters were cautious. There were definitely big winners and losers, and the voters did pass a few measures that will have long-lasting impacts on state governments. But overall, the people chose to take a very cautious and moderate approach to reform.

Let's take a closer look at the election results, how some of the top issues fared, and what that means for state governments and future ballots.<sup>3</sup>

### Animal Protection

The animal-protection movement has had an impressive win record with initiatives, primarily due to the support of the Humane Society of the United States

and their growing knowledge and expertise in using the initiative process to accomplish reform. The 2000 election cycle saw a continuation of that winning streak, though the win record wasn't as perfect as it was in previous elections.

Initiatives dealing with animal protection included a vote in Massachusetts on banning dog racing, one in Montana on banning game farms, and votes in Oregon and Washington on banning traps and poisons. Animal-welfare advocates won in Montana and Washington, but they lost in Massachusetts and Oregon.

The animal-protection movement has prided itself on using the initiative process at an increasing pace from election year to election year. However, in 2002, animal-protection activists will most likely opt to lessen the number of initiatives they place on the ballot and spend more resources on candidate campaigns. But they will likely show a strong return in 2004, with numerous ballot measures across the country.

### ***Drug Policy Reform***

The medical-marijuana movement supported by George Soros, John Sperling and Peter Lewis that dominated the 1998 ballot was back in 2000. With the exception of the medical-marijuana initiatives that were voted on in Colorado and Nevada on November 7th, drug-policy reformers focused their efforts on reforming asset-forfeiture laws and on how nonviolent drug offenders are sentenced. Initiatives dealing with these issues were voted on in California, Massachusetts, Oregon and Utah. Reformers passed measures on drug treatment in California, on medical marijuana in Colorado and Nevada, and on asset forfeiture in Oregon and Utah. Their only defeat came in a Massachusetts measure on drug treatment.

There is no doubt that this movement will be around

in 2002 and will most likely be focused on some of the larger states, like Florida, Michigan and Ohio. The ultimate goal of this movement is to create a groundswell of popular support for drug reform that can be used to push Congress to reform the country's drug laws.

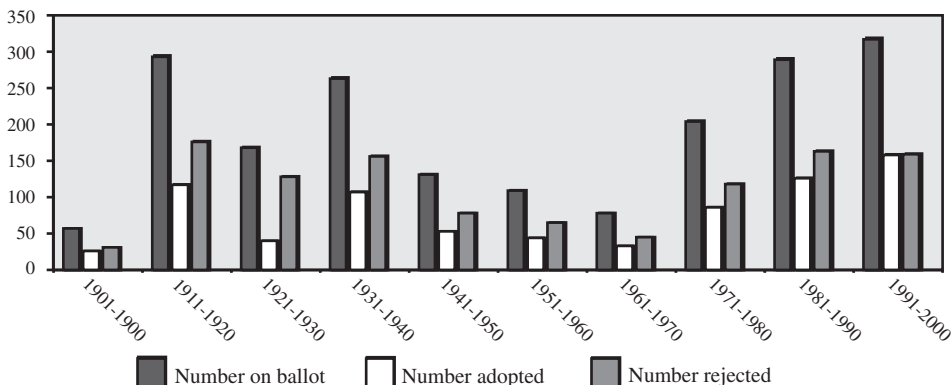
### ***Education Reform***

There has never been a successful school-choice initiative on a statewide ballot. This is due primarily to the tremendous amount of time, energy and money the teachers unions have spent fighting these measures. 2000 was no different. The anticipated "Goliath-versus-Goliath" fight pitted the unions, with their millions of dollars, against the backers of school-choice initiatives, including billionaire Tim Draper in California, Microsoft billionaire Paul Allen in Washington and Amway founders Betsy and Dick DeVos in Michigan. The campaigns of these three initiatives accounted for almost 50 percent of all the money spent for or against initiatives in the 2000 election cycle, which was around \$100 million dollars.

The defeat of school-choice measures in those three states - coupled with the outcomes of a California measure that lowered the threshold for passing local school bonds, measures in Colorado and Oregon that increased funding for public education, and a Washington initiative that increased teachers' pay and reduced class sizes - equaled a good year for the advocates of additional funding for public education.

Many people have speculated that the school-choice movement was dead at the ballot box. However, there have been some indications that a new group is considering forming for the sole purpose of pushing school-choice initiatives again. These efforts will be met with serious opposition from the National Educational Association. The NEA changed its bylaws

**Figure A: Initiative Usage by Decade**



in 2000 to create a special dues increase of \$5 for a five-year period, with sixty percent of the fund to be used to fight "anti-public-education" initiatives. The other 40 percent will be used to advance public-education issues, including possible "pro-public-education" initiatives. There is little doubt that there will be several education-related initiatives floating around in 2002.

### ***Guns***

The National Rifle Association was largely silent in the 2000 election cycle when it came to regulations on guns. Gun-control advocates had big victories in Colorado and Oregon, with measures that will require that persons purchasing guns at gun shows be subject to background checks. These victories have emboldened the advocates of gun control and will no doubt lead to other gun-control measures in the very near future. However, there is little doubt that the NRA and other gun-owner groups will fight these initiatives in 2002.

### ***Health Care Reform***

Many people have placed the defeat of universal health care in Massachusetts as a big defeat for the health care reform movement, but in reality it was a victory for them. The presence of the initiative on the ballot served as the 800-pound gorilla that prompted the state legislature to pass a watered-down version of the measure. The fact that the legislature was prompted to act in Massachusetts because of the initiative has spurred activists in other states to consider pushing for this reform, in hopes that it would prompt legislators in other states to act.

### ***Physician-Assisted Suicide***

This issue has had its ups and downs at the ballot box, with big victories in Oregon and a devastating loss in Michigan in 1998. However, in 2000, voters in Maine chose not to adopt their proposed death-with-dignity law. Nevertheless, I wouldn't count the movement down for the count.

### ***Same-Sex Marriage and Gay Rights***

The ban on same-sex marriages was the new trend to watch at the ballot box. The issue was first tested in Hawaii and in Alaska in 1998 and in California in March 2000. After these victories the supporters of this issue shifted their attention inland, placing the issue on the ballots in Nebraska and Nevada. The measures passed handily in both states, giving rise to the possibility that this reform is here to stay. With these two victories and the failure of a legislative referendum in Maine prohibiting discrimination based on sexual orientation, it was not a good year for gay-rights advocates.

### ***Taxes***

This has become the issue with the greatest impact on state governments. Initiatives that impact state revenues and state spending have always appeared on ballots, but their dominance has grown since California's Proposition 13 in 1978. In 2000, tax-cutters suffered some big defeats. In Alaska, voters defeated a property-tax-relief measure. In Colorado, they declined to lower taxes on certain items. And in Oregon, they rejected a measure that would have allowed for the full deduction of federal income taxes from state taxes.

However, these losses were offset by big victories in Massachusetts, where an initiative to reduce income taxes passed; South Dakota, where voters abolished the inheritance tax; and Washington, where voters passed a measure declaring null and void certain tax or fee increases adopted by state and local governments without voter approval.

Regardless of these outcomes, the tax revolt is here to stay and will almost certainly be a permanent fixture on state ballots - but the question is what measures will be adopted and where. A lot depends on the future of the economy. Tax activists might wait to see what happens with the economy, as well as what happens in the 2002 midterm elections, before acting in any substantial way.

Additionally, this last election saw numerous initiatives, as well as measures referred by legislatures, that allocated tobacco-settlement money in various ways. With most of these payoffs taking place over 20 years, many people who want to either cut taxes or increase spending in certain areas will be looking at the tobacco money as a clear target to accomplish their goals of either reducing or increasing the size of government.

### ***Ending Bilingual Education***

Arizonans voted overwhelmingly to eliminate bilingual education in 2000. This strong showing, coupled with all the positive reports associated with the passage of a similar measure in California, has given rise to the likely prospect that this reform will be voted on in future elections. The chief architect of this movement, Ron Unz, is seriously eyeing states like Massachusetts and Colorado for 2002.

### ***Environmental Reform***

Environmental initiatives took a beating in 2000, with the defeats of measures imposing growth limitations in Colorado and Arizona, the defeat of a measure limiting clear-cutting in Maine, and the defeat of one regulating billboards in Missouri. Environmentalists' only major initiative victory was in Florida, with the passage of an initiative creating a statewide high-speed

rail system. However, legislative referenda dealing with increased funding for environmental and conservation efforts seem to have done well, as they do in most election cycles.

Even though these initiative defeats may give a little pause to environmental reformers, there is no doubt that these types of measures will again appear on the ballot. However, it is likely that this movement may move toward using the local initiative process in greater numbers than statewide initiatives. This is due primarily to the fact that most zoning laws are created by local governments and should be changed by local initiatives. Also, the use of local initiatives would allow the movement to focus its efforts on specific voting blocks that might be receptive to the efforts, versus trying to convince an entire state to adopt a reform that only affects certain large cities or counties.

### *Campaign Finance Reform*

In a surprise development, both campaign finance reform measures that appeared on the 2000 general election ballot were defeated overwhelmingly - one in Missouri and one in Oregon. It is hard to say exactly what this means for the movement, but after big victories in 1998, it will almost certainly slow some of the movement's momentum. However, a lot depends on how successful U.S. Senator John McCain is in pushing this issue through Congress. If he is successful, it will likely reinvigorate efforts at the state level, which would prompt more initiatives in this area.

### *Term Limits*

Nebraska became the 19th state to impose term limits on their state lawmakers, thereby reducing to two the number of states where term limits could theoretically be imposed using the initiative process. These states are North Dakota and Mississippi. However, due to judicial action in January 2002 in Oregon, where term limits were struck down on technical grounds, and a possible similar judicial decision expected from the Montana Supreme Court in mid-2002, there is a strong possibility that 2002 will once again see term limits being placed before the voters.

### *The 2002 Election Cycle*

Based on the number of initiatives being filed as of the writing of this article, it is likely that 50 to 60 initiatives will appear on the 2002 ballot. This drop in the number of initiatives can be attributed to increased judicial action in stopping initiatives on technical grounds, as well the growing cost of utilizing the initiative process. The number of legislative referenda will most likely be consistent with previous election

cycles, since the number of issues placed on the ballot by state legislatures has remained fairly constant over the last decade.

However, most of the initiatives that do make their way to state ballots will be those that have the backing of national groups that are providing the primary funding for these issues. As with previous elections over the last decade, fewer and fewer initiatives that are the product of the vision of one individual within the state are making it to the ballot. Instead, more and more often the initiatives appearing on state ballots are the vision of national groups wishing to place their reforms on state ballots all over the country as a way to increase the national debate on these issues, and in hopes of pushing Congress to adopt reforms. Term limits, drug-policy reform, campaign finance reform, animal protection and tax reform are all examples of this trend.

### *Conclusion*

There is no doubt that in the upcoming election cycles, there will be numerous initiatives that will have a tremendous impact on our daily lives. These initiatives will be derived from the brains of activists of all political persuasions, including those who wish to diminish the size of government and those who wish to increase it. Regardless of which political party or philosophy is behind them, one thing that we will see is an increase in the amount of money being spent on initiatives, as well as a decrease in the number of successful initiatives launched by individuals within a state with no support from individuals or groups outside the state. The impact on state governments will be substantial. Whether the impact is positive or negative will be entirely up to the individual observer. However, if history is any indicator, there is no doubt that the fiscal and social implications will be far-reaching.

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### *Notes*

<sup>1</sup> All the statistical data and information contained in this article, unless otherwise noted, was independently gathered by the Initiative & Referendum Institute and can be verified by visiting the Institute's website at <http://www.iandrinstitute.org>.

<sup>2</sup> Numbers are approximate due to the fact that a comprehensive list of laws passed by state legislatures is unavailable. The numbers utilized in this article were arrived at utilizing information provided by the National Conference of State Legislatures.

<sup>3</sup> See the table in this chapter on "Initiatives and Referenda, 2000 and 2001" for more details.

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### *About the Author*

**M. Dane Waters** is the founder, president and co-chairman of the Initiative & Referendum Institute, a nonprofit educational and research organization dedicated to educating people on the initiative and referendum processes. He has lectured widely in the United States and abroad and has written and edited numerous articles and books.

**Table 6.1**  
**Initiatives & Referenda, 2000 and 2001**

State	Taxes		Elections		Government administration		Schools & education	
	P	F	P	F	P	F	P	F
Alabama*	2 LA	...	...	...	12 LA	...	...	...
Alaska	...	1 IDS	...	1 LA	...	1 LA	...	...
Arizona	2 LA	...	1 DA, 1 LA	1 LA	1 LA	1 LS	1 LS, 1 DS	...
Arkansas	1 LA	...	...	...	1 LA	...	...	...
California	...	2 DA, 1 DS	1 LS	2 DS, 1 LA, 1 DA	1 DA	...	1 DA	2 DA
Colorado	1 LA	1 DA	1 LA	...	1 LA	1 LA	1 DA	1 LS
Connecticut*	...	...	...	...	1 LA	...	...	...
Delaware	...	...	...	...	...	...	...	...
Florida	...	...	...	...	...	...	...	...
Georgia*	3 LS, 1 LA	1 LS, 1 LA	...	...	2 LA	...	...	...
Hawaii	...	...	...	...	1 LA	1 LA	1 LA	...
Idaho	...	...	...	...	...	...	1 LA	...
Illinois	...	...	...	...	...	...	...	...
Indiana*	...	...	...	...	...	...	...	...
Iowa*	...	...	...	1 LS	...	...	...	...
Kansas*	...	1 LA	...	...	1 LA	...	...	...
Kentucky	...	...	...	...	2 LA	...	...	...
Louisiana*	1 LA	1 LA	...	...	...	2 LA	...	...
Maine	...	1 IDS, 1 LA	...	1 LA	...	...	...	...
Maryland	...	...	1 LA	...	...	...	...	...
Massachusetts	2 IDS	1 IDS	2 LA	...	...	...	...	...
Michigan	...	...	...	...	...	1 DA	...	1 DA
Minnesota*	...	...	...	...	...	...	...	...
Mississippi	...	...	...	...	(e)	...	...	...
Missouri	...	...	...	1 DS	1 LA	1 LA	...	...
Montana	2 LS	...	...	...	1 LA	...	...	...
Nebraska	...	...	1 DA, 2 LA	2 LA	2 LA	1 LA	...	...
Nevada	...	...	...	...	...	1 LA	...	...
New Hampshire	...	...	...	...	...	1 LA	...	...
New Jersey*	1 LS	...	...	...	...	...	...	...
New Mexico	...	...	...	1 LA	1 LA	...	...	...
New York*	...	...	...	...	(e)	...	...	...
North Carolina*	...	...	...	...	...	...	...	...
North Dakota	...	...	1 LA	...	1 LA	1 LA	1 LA	...
Ohio	...	...	...	...	...	...	...	...
Oklahoma	1 LS	1 LA	1 LA	...	1 LA	1 LA	...	...
Oregon	1 LA, 1 LS	2 LA, 1 PR, 2 DA	1 LA	1 DS, 2 DA, 1 LA	1 LA	2 DA, 1 LA	1 DA	1 DA, 1 DS
Pennsylvania*	...	...	...	...	...	...	...	...
Rhode Island*	...	...	1 LS	...	...	...	...	...
South Carolina*	2 LA	...	...	...	...	...	...	...
South Dakota	1 LA, 1 DA	...	1 LA	...	1 LA (e)	...	...	...
Tennessee*	...	...	...	...	...	...	...	...
Texas*	(c)	...	(d)	...	(e)	...	(f)	...
Utah	...	...	...	...	1 LA	...	...	...
Vermont*	...	...	...	...	...	...	...	...
Virginia*	...	...	...	...	...	...	...	...
Washington	1 DS (c)	...	...	...	1 LA (e)	(e)	2 DS	1 DS
West Virginia*	...	...	...	...	1 LA	...	...	...
Wisconsin*	...	...	1 LA	...	...	...	...	...
Wyoming	...	...	...	...	1 LA	...	...	...
Total (2000)	24	18	16	16	36	16	10	7
Total (2001)	3	0	2	0	7	1	3	0

See footnotes at end of table.

## Initiatives & Referenda, 2000 and 2001 — Continued

State	Environment, housing & land use, and transportation		Animal welfare		Criminal and civil justice		Labor and reg. of business and professions		Alcohol, tobacco and drugs	
	P	F	P	F	P	F	P	F	P	F
Alabama*	...	...	...	...	...	...	...	...	...	...
Alaska	...	...	1 PR	...	...	...	...	1 LA, (a)	...	1 IDS, (b)
Arizona	...	1 LA, 1 DS	...	...	...	...	...	1 DA	1 DS	...
Arkansas	...	...	...	...	...	...	...	...	1 DS	...
California	...	...	...	...	1 DS, 2 LS	2 PR	...	...	1 DS	...
Colorado	...	1 DA	...	...	1 DS	...	...	...	1 DA	...
Connecticut*	...	...	...	...	...	...	...	...	...	...
Delaware	...	...	...	...	...	...	...	...	...	...
Florida	1 DA	...	...	...	...	2 LS	...	...	...	...
Georgia*	...	...	...	...	...	...	3 LA	...	...	...
Hawaii	...	...	...	...	...	...	...	...	...	...
Idaho	...	...	...	...	...	...	...	...	...	...
Illinois	...	...	...	...	...	...	...	...	...	...
Indiana*	...	...	...	...	1 LA	...	...	...	...	...
Iowa*	...	...	...	...	...	...	...	...	...	...
Kansas*	...	...	...	...	...	...	...	...	...	...
Kentucky	...	...	...	...	...	...	...	...	...	...
Louisiana*	...	...	...	...	...	...	...	...	...	...
Maine	...	1 IDS	...	...	...	...	...	...	...	...
Maryland	...	1 LA	...	...	...	...	...	...	...	...
Massachusetts	...	...	...	1 IDS	...	...	...	...	...	1 IDS
Michigan	...	...	...	...	...	...	...	...	...	...
Minnesota*	...	...	...	...	...	...	...	...	...	...
Mississippi	...	...	...	...	...	...	...	...	...	...
Missouri	...	1 DS	...	...	...	...	...	...	...	...
Montana	...	...	1 DS	...	...	...	...	...	1 LA	...
Nebraska	...	...	...	...	...	...	...	...	...	...
Nevada	...	...	...	...	...	...	...	...	1 DA	...
New Hampshire	...	...	...	...	...	...	...	...	...	...
New Jersey*	...	...	...	...	1 LA	...	...	...	...	...
New Mexico	...	...	...	...	...	...	...	...	...	...
New York*	...	...	...	...	...	...	...	...	...	...
North Carolina*	...	...	...	...	...	...	...	...	...	...
North Dakota	...	...	1 LA	...	...	...	...	...	...	...
Ohio	1 LA	...	...	...	...	...	...	...	...	...
Oklahoma	(g)	...	...	...	...	...	...	...	2 LA	...
Oregon	1 DA	...	...	1 DS	1 DA, 1 DS	1 DS, 1 LA	1 PR (i)	1 LA, 1 DA	...	1 LS, 1 DS
Pennsylvania*	...	...	...	...	...	...	...	...	...	...
Rhode Island*	...	...	...	...	...	...	...	...	...	...
South Carolina*	...	...	...	...	...	...	...	...	...	...
South Dakota	...	...	...	...	...	...	...	...	...	...
Tennessee*	...	...	...	...	...	...	...	...	...	...
Texas*	(g)	...	...	...	(h)	...	...	...	...	...
Utah	...	...	...	...	1 DS	...	...	...	1 LA	...
Vermont*	...	...	...	...	...	...	...	...	...	...
Virginia*	...	...	1 LA	...	...	...	...	...	...	...
Washington	...	1 DS	1 DS	...	...	...	...	...	...	...
West Virginia*	...	...	...	...	...	...	...	...	...	...
Wisconsin*	...	...	...	...	...	...	...	...	...	...
Wyoming	...	...	...	...	...	...	...	...	...	...
Total (2000)	3	7	5	2	9	6	4	4	9	4
Total (2001)	7	0	0	0	1	0	1	0	0	0

See footnotes at end of table.

**Initiatives & Referenda, 2000 and 2001 — Continued**

State	Lottery and gaming		Bonds		Social policy, civil rights, and social services		Health	
	P	F	P	F	P	F	P	F
Alabama*	...	...	...	...	1 LA	...	...	...
Alaska	...	...	...	...	...	...	...	...
Arizona	...	...	...	...	...	...	2 DS	...
Arkansas	...	1 DA	1 LA	...	...	...	...	...
California	1 PR, 2 LA, 1 LS	...	5 LS	1 LS	1 DS	...	...	...
Colorado	1 LS	...	...	...	...	...	...	1 DS
Connecticut*	...	...	...	...	...	...	...	...
Delaware	...	...	...	...	...	...	...	...
Florida	...	...	...	...	...	...	...	...
Georgia*	...	...	...	...	...	...	...	...
Hawaii	...	...	...	...	...	...	...	...
Idaho	...	...	1 LA	...	...	...	...	...
Illinois	...	...	...	...	...	...	...	...
Indiana*	...	...	...	...	...	...	...	...
Iowa*	...	...	...	...	...	...	...	...
Kansas*	...	...	...	...	...	...	...	...
Kentucky	...	...	...	...	...	...	...	...
Louisiana*	...	...	...	...	...	...	...	...
Maine	...	1 IDS	(j)	...	...	1 IDS, 1 LS	...	...
Maryland	...	...	...	...	...	...	...	...
Massachusetts	...	...	...	...	...	...	...	1 IDS
Michigan	...	...	...	...	...	...	...	...
Minnesota*	...	...	...	...	...	...	...	...
Mississippi	...	...	...	...	...	...	...	...
Missouri	...	1 LA	...	...	...	...	...	...
Montana	...	...	...	...	...	...	...	...
Nebraska	...	...	...	...	1 DS	...	...	...
Nevada	...	...	...	...	...	...	...	...
New Hampshire	...	...	...	...	...	...	...	...
New Jersey*	...	...	...	...	...	...	...	...
New Mexico	...	...	2 LS	1 LS	...	...	...	...
New York*	...	...	...	1 LS	...	...	...	...
North Carolina*	...	...	1 LA	...	...	...	...	...
North Dakota	...	...	...	...	...	...	...	...
Ohio	...	...	...	...	...	...	...	...
Oklahoma	...	...	...	...	...	...	...	...
Oregon	...	...	...	...	1 LA	...	1 DA	1 LS, 1 DS
Pennsylvania*	...	...	...	...	...	...	...	...
Rhode Island*	...	...	4 LS	1 LS	...	...	...	...
South Carolina*	1 LA	...	...	...	...	...	...	...
South Dakota	1 DS	1 DA	...	...	...	...	...	...
Tennessee*	...	...	...	...	...	...	...	...
Texas*	...	...	(j)	...	...	...	...	...
Utah	...	...	...	...	1 DS	...	...	...
Vermont*	...	...	...	...	...	...	...	...
Virginia*	1 LA	...	...	...	...	...	...	...
Washington	...	...	...	...	(k)	...	(l)	...
West Virginia*	...	...	...	...	...	...	...	...
Wisconsin*	...	...	...	...	...	...	...	...
Wyoming	...	...	...	...	...	...	...	...
Total (2000)	8	4	14	4	5	2	3	4
Total (2001)	0	0	10	0	1	0	1	0

See footnotes at end of table.



## Initiatives & Referenda, 2000 and 2001 — Continued

Source: The Initiative and Referendum Institute: <http://www.iandrinstitute.org>.

Notes:

1) The number of measures introduced in 2001 was significantly lower than the number introduced in 2000, because 2001 was not a major election year. All data presented in the table is for 2000. Data for 2001 is presented in the footnotes.

2) Some measures could be characterized as belonging to more than one category. The measures are presented here as they are categorized in the Initiative and Referendum Institute's "Historical Database," available at <http://www.iandrinstitute.org>.

See the database for a detailed description of each measure.

Key:

DA - Direct initiative amendment. A constitutional amendment proposed by the people is directly placed on the ballot and then submitted to the voters for approval or rejection.

IDA - Indirect initiative amendment. A constitutional amendment proposed by the people must first be submitted to the state legislature during a regular session.

DS - Direct initiative statute. A statute or memorial (non-binding statute) proposed by the people is directly placed on the ballot and then submitted to the voters for approval or rejection.

IDS - Indirect initiative statute. A statute or memorial (non-binding statute) proposed by the people must first be submitted to the state legislature during a regular session.

LA - Legislative amendment. A constitutional amendment placed on the ballot by the legislature or government body. Includes constitutional bond issues and amendments proposed by a constitutional revision commission.

LS - Legislative statute (referendum). A binding or non-binding statute or statu-

tory bond placed on the ballot by the legislature or government body.

PR - Popular referendum. The people have the power to refer, through a petition, specific legislation that was enacted by their legislature for the voters to accept or reject.

P - Figures in this column show the number of each type of measure placed on the ballot that passed.

F - Figures in this column show the number of each type of measure placed on the ballot that failed.

... - No measures.

\* Only legislative referenda (legislative amendments or legislative statutes) allowed; no initiatives or popular referenda allowed.

(a) One IDS on minimum wage not voted on in 2000.

(b) One IDS on marijuana use not voted on in 2000.

(c) 2001 Tax measures passed: 2 LA in Texas, 1 in Washington.

(d) 2001 Elections measures passed: 2 LA in Texas.

(e) 2001 Government Administration measures passed: 1 LS in Mississippi, 1 LA in New York, 1 LA in South Dakota, 3 LA in Texas, 1 LA in Washington. 2001 Govt. Admin measures failed: 1 LA in Washington.

(f) 2001 Schools & Education measures passed: 3 LA in Texas.

(g) 2001 Transportation measures passed: 1 LA in Texas. 2001 Housing & Land Use measures passed: 3 LA in Oklahoma, 3 LA in Texas.

(h) 2001 Criminal Justice measures passed: 1 LA in Texas.

(i) 2001 Labor measures passed: 1 LA in Oklahoma.

(j) 2001 Bond measures passed: 6 LS in Maine, 4 LA in Texas.

(k) 2001 Social Services measures passed: 1 DS in Washington.

(l) 2001 Health measures passed: 1 DS in Washington.

**Table 6.2**  
**STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED: 2002-2011**

<i>State or other jurisdiction</i>	2002	2003	2004	2005	2006
Alabama .....	GLG,AG,AR,A,SS,T	...	...	...	GLG,AG,AR,A,SS,T
Alaska (a) .....	GLG	...	...	...	GLG
Arizona .....	G,AG,SS,SPT (b)	...	...	...	G,AG,SS,SPT (b)
Arkansas .....	GLG,AG,A,SS,T (g)	...	...	...	GLG,AG,A,SS,T (g)
California .....	GLG,AG,C,SS,SPT (c)(h)(ee)	...	...	...	GLG,AG,C,SS,SPT (c)(h)(ee)
Colorado (d) .....	GLG,AG,SS,T	...	...	...	GLG,AG,SS,T
Connecticut .....	GLG,AG,C,SS,T	...	...	...	GLG,AG,C,SS,T
Delaware .....	AG,C,T	...	GLG	...	AG,C,T
Florida .....	GLG,AG,AR,CFO (dd)	...	...	...	GLG,AG,AR,CFO (dd)
Georgia .....	GLG,AG,AR,SS,SP (e)(f)	...	...	...	GLG,AG,AR,SS,SP (e)(f)
Hawaii .....	GLG	...	...	...	GLG
Idaho .....	GLG,AG,SS,SPT (h)	...	...	...	GLG,AG,SS,SPT (h)
Illinois .....	GLG,AG,C,SS,T	...	...	...	GLG,AG,C,SS,T
Indiana .....	A,SS,T	...	GLG,AG,SP	...	A,SS,T
Iowa .....	GLG,AG,AR,SS,T	...	...	...	GLG,AG,AR,A,SS,T
Kansas .....	GLG,AG,SS,T (i)	...	...	...	GLG,AG,SS,T (i)
Kentucky .....	...	GLG,AG,AR,A,SS,T	...	...	...
Louisiana (j) .....	...	GLG,AG,AR,SS,T	...	...	...
Maine (k) .....	G	...	...	...	G
Maryland .....	GLG,AG,C	...	...	...	GLG,AG,C
Massachusetts .....	GLG,AG,A,SS,T	...	...	...	GLG,AG,A,SS,T
Michigan (l) .....	GLG,AG,SS	...	...	...	GLG,AG,SS
Minnesota .....	GLG,AG,A,SS,T (z)	...	...	...	GLG,AG,A,SS
Mississippi .....	...	GLG,AG,AR,A,SS,T (m)	...	...	...
Missouri .....	A	...	GLG,AG,SS,T	...	A
Montana .....	...	...	GLG,AG,A,SS,SP	...	...
Nebraska (n) .....	GLG,AG,A,SS,T	...	...	...	GLG,AG,A,SS,T
Nevada .....	GLG,AG,C,SS,T	...	...	...	GLG,AG,C,SS,T
New Hampshire .....	G	...	G	...	G
New Jersey .....	...	...	...	G	...
New Mexico (p) .....	GLG,AG,A,SS,T	...	...	...	GLG,AG,A,SS,T
New York .....	GLG,AG,C	...	...	...	GLG,AG,C
North Carolina .....	...	...	...	...	...
North Dakota .....	(t)	GLG,AG,AR,A,SS,SPT (q)	GLG,AG,AR,A,SS,SPT (q)	...	...
Ohio .....	GLG,AG,A,SS,T (s)	...	(s)	...	AG,AR,SS (o)
Oklahoma .....	GLG,AG,A,SS,T (q)(u)	...	(u)	...	GLG,AG,A,SS,T (s)
Oregon .....	G,SP (v)	...	AG,SS,T	...	GLG,AG,A,SS,T (q)(u)
Pennsylvania .....	GLG	...	AG,A,T (w)	...	G,SP (v)
Rhode Island .....	GLG,AG,SS,T	...	...	...	GLG
South Carolina .....	GLG,AG,AR,C,SS,SPT(x)	...	...	...	GLG,AG,SS,T
South Dakota (y) .....	GLG,AG,A,SS,T	...	...	...	GLG,AG,AR,C,SS,SPT(x)
Tennessee .....	G	...	...	...	GLG,AG,A,SS,T
Texas (aa) .....	GLG,AG,AR,C	...	...	...	G
Utah .....	(aa)	GLG,AG,A,T(aa)	...	...	GLG,AG,AR,C
Vermont .....	GLG,AG,A,SS,T	...	GLG,AG,A,SS,T	...	(aa)
					GLG,AG,A,SS,T

See footnotes at end of table.

## STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED — Continued

<i>State or other jurisdiction</i>	2002	2003	2004	2005	2006
Virginia .....	...	...	...	GLG, AG	...
Washington .....	...	...	GLG, AG, A, SS, SPT (f)	...	...
West Virginia .....	...	...	G, AG, AR, A, SS, T	...	...
Wisconsin .....	GLG, AG, SS, T	...	...	SP	GLG, AG, SS, T
Wyoming .....	G, A, SS, SPT	...	...	...	G, A, SS, SPT
American Samoa .....	...	...	G, LG	...	...
U.S. Virgin Islands .....	GLG	...	...	...	GLG
Totals for year .....					
Governor .....	37	3	12	2	37
Lieutenant Governor .....	31	3	10	1	31
Attorney General .....	29	3	11	1	30
Agriculture .....	6	3	3	0	7
Auditor .....	13	2	8	0	14
Chief Financial Officer .....	1	0	0	0	1
Comptroller .....	9	0	0	0	9
Secretary of State .....	25	3	8	0	26
Supt. of Public .....	8	0	5	1	8
Inst. (bb) .....	25	3	9	0	24
Treasurer .....					

See footnotes at end of table.

## STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED — Continued

<i>State or other jurisdiction</i>	2007	2008	2009	2010	2011
Alabama .....	...	...	...	G, LG, AG, AR, A, SS, T	...
Alaska (a) .....	...	...	...	G, LG	...
Arizona .....	...	...	...	G, AG, SS, SPT (b)	...
Arkansas .....	...	...	...	G, LG, AG, A, SS, T (g)	...
California .....	...	...	...	G, LG, AG, SS, SPT (c, h)	...
Colorado (d) .....	...	...	...	G, LG, AG, SS, T	...
Connecticut .....	...	...	...	G, LG, AG, C, SS, T	...
Delaware .....	...	GLG	...	AG, CT	...
Florida .....	...	...	...	G, LG, AG, AR, CFO (dd)	...
Georgia .....	...	...	...	G, LG, AG, AR, SS, SPT (e) (i)	...
Hawaii .....	...	...	...	...	...
Idaho .....	...	...	...	GLG	...
Illinois .....	...	...	...	G, LG, AG, SS, SPT (h)	...
Indiana .....	...	...	...	G, LG, AG, C, SS, T	...
Iowa .....	...	GLG, AG, SP	...	A, SS, T	...
Kansas .....	...	...	...	G, LG, AG, AR, A, SS, T	...
Kentucky .....	...	...	...	G, LG, AG, SS, T (i)	...
Louisiana (j) .....	GLG, AG, AR, A, SS, T	...	...	...	GLG, AG, AR, A, SS, T
Maine (k) .....	GLG, AG, AR, SS, T	...	...	...	...
Maryland .....	...	...	...	G	...
Massachusetts .....	...	...	...	GLG, AG, C	...
Michigan (l) .....	...	...	...	GLG, AG, C	...
Minnesota .....	...	...	...	G, LG, AG, A, SS, T	...
Mississippi .....	...	...	...	G, LG, AG, SS	...
Missouri .....	GLG, AG, AR, A, SS, T (m)	...	...	...	G, LG, AG, AR, A, SS, T (m)
Montana .....	...	GLG, AG, SS, T	...	A	...
Nebraska (n) .....	...	GLG, AG, A, SS, SP	...	...	...
Nevada .....	...	...	...	...	...
New Hampshire .....	...	AG, SS, T	...	...	...
New Jersey .....	...	G	G	G	...
New Mexico (p) .....	...	...	...	...	...
New York .....	...	...	...	GLG, AG, A, SS, T	...
North Carolina .....	...	...	...	GLG, AG, C, SS, T	...
North Dakota .....	...	GLG, AG, AR, A, SS, SPT (p)	...	G	...
Ohio .....	...	G, LG, A, SP, T (s)	...	SS, AG, AR, (o)	...
Oklahoma (t) .....	...	(s)	...	G, LG, AG, A, SS, T (s)	...
Oregon .....	...	(u)	...	G, LG, AG, A, SPT (q) (u)	...
Pennsylvania .....	AG, SS, T	G, SP (v)	...	G, SP (v)	...
Rhode Island .....	AG, A, T (w)	AG, A, T (w)	...	GLG	...
South Carolina .....	...	...	...	G, LG, AG, SS, T	...
South Dakota (y) .....	...	...	...	G, LG, AG, AR, C, SS, SPT (x)	...
Tennessee .....	...	...	...	G, LG, AG, A, SS, T	...
Texas (aa) .....	...	...	...	G	...
Utah .....	...	GLG, AG, A, T	...	GLG, AG, AR, C	...
Vermont .....	...	GLG, AG, A, SS, T	...	...	...
				G, LG, AG, A, SS, T	...

See footnotes at end of table.

## STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED — Continued

State or other jurisdiction	2007	2008	2009	2010	2011
Virginia .....	...	...	G,L,G,AG	...	...
Washington .....	...	GL,G,AG,A,SS,SPT (f)	...	...	...
West Virginia .....	...	G,A,G,AR,A,SS,T	...	...	...
Wisconsin .....	...	...	SP	G,L,G,AG,SS,T	...
Wyoming .....	...	...	...	G,A,SS,SPT	...
American Samoa .....	...	G, LG	...	...	...
U.S. Virgin Islands .....	...	...	...	G, LG	...
Totals for year .....					
Governor .....	3	12	2	37	3
Lieutenant Governor .....	3	10	1	31	3
Attorney General .....	3	10	1	30	3
Agriculture .....	3	2	0	7	3
Auditor .....	2	9	0	14	2
Chief Financial Officer ..	0	0	0	1	0
Comptroller .....	0	0	0	8	0
Secretary of State .....	3	7	0	26	3
Supt. of Public .....	0	5	1	8	0
Inst. (bb) .....	3	9	0	24	3
Treasurer .....					

Sources: The Council of State Governments' survey, January 2002 and state election administration offices and Web sites.

Note: This table shows the executive branch officials up for election in a given year. Footnotes indicate other offices (e.g., commissioners of labor, insurance, public service, etc.) also up for election in a given year. The data contained in this table reflect information available at press time.

Key:

... — No regularly scheduled elections

G — Governor

LG — Lieutenant Governor

AG — Attorney General

AR — Agriculture

(a) Election of school boards established to maintain system of state dependent public school systems established in areas of the unorganized borough and military reservations not served by other public school systems.

(b) Mine inspector—4 year term; corporation commissioners (e)—6 year terms.

(c) Insurance commissioner and Board of Equalization.

(d) State board of education (7)—6 year terms; University of Colorado regents (9)—6 year terms.

(e) Public service commissioners (5)—6 year terms; 1996–2, 1998–1, 2000–2, Commissioner of labor—4 year term, 1998.

(f) Special election to fill secretary of state vacancy in 1996.

(g) Insurance commissioner, commissioner of public lands.

(h) Land commissioner.

(i) Controller.

(j) Commissioner of insurance 1998; 2002; 2010. Board of education members (10)—4 year terms, 1996–5, 1998–5, 2000–5, 2002–5.

(k) Commissioner of elections—4 year term; commissioner of insurance—4 year term; board of elementary and secondary education (8)—4 year terms; public service commissioners (5)—6 year terms.

(l) In Maine the legislature elects constitutional officers (AG,SS,T) in even-numbered years for 2 year terms; the auditor was elected in 2000 and will serve a 4 year term.

(m) Michigan State University trustees (8)—8 year terms; University of Michigan regents (8)—8 year terms; Wayne State University governors (8)—8 year terms; State Board of Education (8)—8 year terms, 2002–2, 2004–2, 2006–2.

(m) Commissioner of insurance, transportation commissioners (3), public service commissioners (3).

(n) Public service commissioners (5)—6 year terms; state board of education (8)—4 year terms; state university regents (8)—6 year terms.

(o) Tax Commissioner

(p) Commissioner of public lands—4 year terms, 1998; board of education (10)—6 year terms; corporation commissioners (3)—6 year terms.

(q) Commissioner of labor; commissioner of insurance.

(r) Public Service Commissioner — 6 year term.

(s) State board of education (19)—6 year terms, 1996–6, 1998–7, 2000–6.

(t) Corporation commissioner (3)—6 year terms, 1996, 1998, 2000; commissioner of insurance—4 year term, 1998; commissioner of labor—4 year term, 1998.

(u) In Oklahoma, 1 of 3 corporation commissioners elected for 6 year term.

(v) Commissioner of labor and industries—4 year term.

(w) In Pennsylvania, auditor general.

(x) Adjutant general—4 year term.

(y) Commissioner of school and public lands; public utility commissioners (3) 6 year terms; board of education (15)—6 year terms, 1996, 1998, 2000.

(z) In Minnesota the office of Treasurer is abolished effective 2003.

(aa) Commissioner of general land office—4 year term; railroad commissioners (3) 6 year terms; board of education (15)—6 year terms; members of State Board of Education serve staggered 4 year term (9–4 year terms, 1996–8, 1998–7, 2000–8).

(bb) Superintendent of public instruction or commissioner of education.

(cc) The positions for SS, AG, AR, and Tax Commissioner will only be elected to terms of two years. They will again appear on the ballot in 2006 and be elected to terms of four years and every four years after.

(dd) An amendment adopted by voters in 1998 merges the cabinet offices of treasurer and comptroller into one chief financial officer; reduces cabinet membership to chief financial officer, attorney general, agriculture commissioner; secretary of state and education commissioner are eliminated from the elected cabinet. This takes effect in 2002.

(ee) Insurance Commissioner, Board of Equalization.

**Table 6.3**  
**STATE LEGISLATURES: MEMBERS TO BE ELECTED, 2002-2011**

State or other jurisdiction	Total legislators		2002		2003		2004		2005		2006	
	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House
Alabama .....	35	105	35	105	...	...	...	...	...	...	35	105
Alaska .....	20	40	10	40	...	...	...	...	...	...	...	40
Arizona .....	30	60	30	60	...	...	30	40	...	...	...	60
Arkansas .....	35	100	35 (h)	100	...	...	17	100	...	...	18	100
California .....	40	80	20	80	...	...	20	80	...	...	20	80
Colorado .....	35	65	17(g)	65	...	...	18(g)	65	...	...	17 (g)	65
Connecticut .....	36	151	36	151	...	...	36	151	...	...	36	151
Delaware .....	21	41	21	41	...	...	10	41	...	...	11	41
Florida .....	40	120	(a)	120	...	...	20	120	...	...	20	120
Georgia .....	56	180	56	180	...	...	56	180	...	...	56	180
Hawaii .....	25	51	25	51	...	...	12	51	...	...	13	51
Idaho .....	35	70	35	70	...	...	35	70	...	...	35	70
Illinois .....	59 (b)	118	59	118	...	...	(c)	118	...	...	(c)	118
Indiana .....	50	99	25	99	...	...	25	99	...	...	25	99
Iowa .....	50	100	25 (e)	100	...	...	25(d)	100	...	...	25 (e)	100
Kansas .....	40	125	...	125	...	...	40	125	...	...	...	125
Kentucky .....	38	100	19	100	...	...	19	100	...	...	19	100
Louisiana .....	39	105	...	105	39	...	...	...	...	...	...	...
Maine .....	35	151	35	151	...	...	35	151	...	...	35	151
Maryland .....	47	141	47	141	...	...	...	...	...	...	47	141
Massachusetts .....	40	160	40	160	...	...	40	160	...	...	40	160
Michigan .....	38	110	38	110	...	...	...	110	...	...	38	110
Minnesota .....	67	134	67	134	...	...	...	134	...	...	67	134
Mississippi .....	52	122	...	...	52	122	...	...	...	...	...	...
Missouri .....	34	163	17	163	...	...	17	163	...	...	17	163
Montana .....	50	100	25	100	...	...	25	100	...	...	25	100
Nebraska .....	49	U	24 (i)	U	...	...	25	U	...	...	24	U
Nevada .....	21	42	11	42	...	...	10	42	...	...	11	42
New Hampshire .....	24	400	24	400	...	...	24	400	...	...	24	400
New Jersey .....	80	...	...	...	40	80	...	...	...	...	...	...
New Mexico .....	42	70	...	70	...	...	42	70	...	...	...	70
New York .....	61	150	61	150	...	...	61	150	...	...	...	150
North Carolina .....	50	120	50	120	...	...	50	120	...	...	50	120
North Dakota .....	47	94	(e)	94	...	...	23	46	...	...	24	48
Ohio .....	33	99	17	99	...	...	16	99	...	...	17	99
Oklahoma .....	48	101	24	101	...	...	24	101	...	...	24	101
Oregon .....	30	60	15	60	...	...	15	60	...	...	15	60
Pennsylvania .....	50	203	25	203	...	...	25	203	...	...	25	203
Rhode Island .....	50	100	38	75	...	...	38	75	...	...	38	75
South Carolina .....	46	124	...	...	...	...	46	124	...	...	...	124
South Dakota .....	35	70	35	70	...	...	35	70	...	...	35	70
Tennessee .....	33	99	17	99	...	...	16	99	...	...	17	99
Texas .....	31	150	31	150	...	...	15	150	...	...	16	150
Utah .....	29	75	15	75	...	...	14	75	...	...	15	75
Vermont .....	30	150	30	150	...	...	30	150	...	...	30	150

See footnotes at end of table.

## STATE LEGISLATURES: MEMBERS TO BE ELECTED, 2002-2011 — Continued

State or other jurisdiction	Total legislators		2002		2003		2004		2005		2006	
	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House
Virginia .....	40	100	...	...	40	100	...	...	...	100	...	...
Washington .....	49	98	24	98	...	...	25	98	...	...	24	98
West Virginia .....	34	100	17	100	...	...	17	100	...	...	17	100
Wisconsin .....	33	99	17	99	...	...	16	99	...	...	17	99
Wyoming .....	30	60	15	60	...	...	15	60	...	...	15	60
American Samoa .....	18	20	(f)	20	...	...	(f)	20	...	...	(f)	20
U.S. Virgin Islands* .....	15	U	15	U	...	...	15	U	...	...	15	U
Totals .....	2,015	5,455	1,222	4,929	171	407	1,087	4,729	0	180	1,143	4,977

See footnotes at end of table.

## STATE LEGISLATURES: MEMBERS TO BE ELECTED, 2002-2011 — Continued

State or other jurisdiction	2007		2008		2009		2010		2011	
	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House
Alabama .....	...	...	...	...	...	...	35	105	...	...
Alaska .....	...	...	10	40	...	...	...	40	...	...
Arizona .....	...	...	30	60	...	...	...	30	...	...
Arkansas .....	...	...	17	100	...	...	18	100	...	...
California .....	...	...	20	80	...	...	...	...	...	...
Colorado .....	...	...	18 (g)	65	...	...	17 (g)	65	...	...
Connecticut .....	...	...	36	151	...	...	36	151	...	...
Delaware .....	...	...	10	41	...	...	11	41	...	...
Florida .....	...	...	20	120	...	...	20	120	...	...
Georgia .....	...	...	56	180	...	...	56	180	...	...
Hawaii .....	...	...	12	51	...	...	13	51	...	...
Idaho .....	...	...	35	70	...	...	35	70	...	...
Illinois .....	...	...	(c)	118	...	...	(c)	118	...	...
Indiana .....	...	...	25	99	...	...	25	99	...	...
Iowa .....	...	...	25 (d)	100	...	...	25 (e)	100	...	...
Kansas .....	...	...	40	125	...	...	...	125	...	...
Kentucky .....	...	...	19	100	...	...	...	...	...	...
Louisiana .....	39	105	...	...	...	...	...	...	...	...
Maine .....	...	...	35	151	...	...	35	151	...	...
Maryland .....	...	...	...	...	...	...	47	141	...	...
Massachusetts .....	...	...	40	160	...	...	40	160	...	...
Michigan .....	...	...	...	110	...	...	38	110	...	...
Minnesota .....	...	...	...	134	...	...	67	134	...	...
Mississippi .....	52	122	...	...	52	122	...	...	52	122
Missouri .....	...	...	17	163	...	...	17	163	...	...
Montana .....	...	...	25	100	...	...	25	100	...	...
Nebraska .....	...	...	25	U	...	...	24	U	...	...
Nevada .....	...	...	11	42	...	...	10	42	...	...
New Hampshire .....	...	...	24	400	...	...	24	400	...	...
New Jersey .....	40	80	...	...	...	80	...	...	40	80
New Mexico .....	...	...	42	70	...	...	...	70	...	...
New York .....	...	...	61	150	...	...	61	150	...	...
North Carolina .....	...	...	50	120	...	...	50	120	...	...
North Dakota .....	...	...	23	46	...	...	24	48	...	...
Ohio .....	...	...	16	99	...	...	17	99	...	...
Oklahoma .....	...	...	24	101	...	...	24	101	...	...
Oregon .....	...	...	15	60	...	...	15	60	...	...
Pennsylvania .....	...	...	25	203	...	...	25	203	...	...
Rhode Island .....	38	75	50	100	...	...	50	100	...	...
South Carolina .....	...	...	46	124	...	...	...	124	...	...
South Dakota .....	...	...	35	70	...	...	35	70	...	...
Tennessee .....	...	...	16	99	...	...	17	99	...	...
Texas .....	...	...	16	150	...	...	17	150	...	...
Utah .....	...	...	14	75	...	...	15	75	...	...
Vermont .....	...	...	30	150	...	...	30	150	...	...

See footnotes at end of table.



## STATE LEGISLATURES: MEMBERS TO BE ELECTED, 2002-2011 — Continued

State or other jurisdiction	2007		2008		2009		2010		2011	
	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House
Virginia .....	40	100	...	...	...	100	...	...	40	100
Washington .....	...	...	...	98	...	...	...	...	...	...
West Virginia .....	...	...	25	100	...	...	24	98	...	...
Wisconsin .....	...	...	17	100	...	...	...	...	...	...
Wyoming .....	...	...	16	99	...	...	17	99	...	...
.....	...	...	15	60	...	...	15	60	...	...
American Samoa .....	...	...	(f)	20	...	...	(f)	20	...	...
U.S. Virgin Islands .....	...	...	15	U	...	...	15	U	...	...
Totals .....	209	482	1,101	4,754	52	302	1,099	4,722	132	302

Sources: The Council of State Governments' survey, January 2002 and state election administration offices and web sites.

Note: This table shows the number of legislative seats up for election in a given year. As a result of redistricting, states may adjust some elections. The data contained in this table reflect information available at press time. See the Chapter 3 table entitled, "The Legislators: Numbers, Terms, and Party Affiliations," for specific information on legislative terms.

## Key:

... — No regularly scheduled elections

U — Unicameral legislature

(a) Senators shall be elected for terms of four years, those from odd-numbered districts in the years the numbers of which are multiples of four and those from even-numbered years the numbers of which are not multiples of four; except, at the election next following a reapportionment, some senators shall be elected for terms of two years when necessary to maintain staggered terms; numbers of which are not multiples of four; except, at the election next following a reapportionment, some senators shall be elected for terms of two years when necessary to

maintain staggered terms.

(b) The entire Senate is up for election every 10 years, beginning in 1972. Senate districts are divided into three groups. One group of senators is elected for terms of four years, four years and two years; two years, four years and four years; four years, two years and four years.

(c) After redistricting there will be a lottery for which districts in the Senate will receive the set of terms.

(d) Even-numbered Senate districts.

(e) State Senators and House of Representatives from odd numbered districts and from various even numbered districts will be on the ballot in 2002 due to redistricting that took place in 2001.

(f) In American Samoa, Senators are not elected by popular vote. They are selected by county councils of chiefs.

(g) In Colorado, the number of senate seats will depend upon the 2002 reapportionment plan.

(h) In 2002, the entire Senate membership will be on the ballot due to redistricting.

(i) The normal number of legislators in 2002 is 24, however, there will be two additional races to complete the remainder of term.

**Table 6.4**  
**METHODS OF NOMINATING CANDIDATES FOR STATE OFFICES**

<i>State or other jurisdiction</i>	<i>Method(s) of nominating candidates</i>
<b>Alabama</b> .....	Primary election; however, the state executive committee or other governing body of any political party may choose instead to hold a state convention for the purpose of nominating candidates.
<b>Alaska</b> .....	Primary election.
<b>Arizona</b> .....	Primary election.
<b>Arkansas</b> .....	Primary election.
<b>California</b> .....	Primary election or independent nomination procedure.
<b>Colorado</b> .....	Assembly/primary. Political parties hold state assemblies to nominate candidates for the primary ballot. A candidate is placed on the ballot if he/she receives 30 percent of the vote or, after two ballots, is one of the two candidates receiving the highest number of votes. Candidates (including those from major political parties) can also petition their name on the ballot. Each party's gubernatorial candidate selects a lieutenant governor candidate after the primary election.
<b>Connecticut</b> .....	Convention/primary election. Major political parties hold state conventions (convening not earlier than the 68th day and closing not later than the 50th day before the date of the primary) for the purpose of endorsing candidates. If no one challenges the endorsed candidate, no primary election is held. However, if anyone (who received at least 15 percent of the delegate vote on any roll call at the convention) challenges the endorsed candidate, a primary election is held to determine the party nominee for the general election.
<b>Delaware</b> .....	Primary election.
<b>Florida</b> .....	Primary election.
<b>Georgia</b> .....	Primary election.
<b>Hawaii</b> .....	Primary election.
<b>Idaho</b> .....	Primary election. New parties nominate candidates for general election after qualifying for ballot status.
<b>Illinois</b> .....	Primary election.
<b>Indiana</b> .....	Primary election held for the nomination of candidates for governor and U.S. senator; state party conventions held for the nomination of candidates for other state offices.
<b>Iowa</b> .....	Primary election; however, if there are more than two candidates for any nomination and none receives at least 35 percent of the primary vote, the primary is deemed inconclusive and the nomination is made by the party convention. (Applicable only for recognized political parties.)
<b>Kansas</b> .....	Primary election; however, candidates of any political party that receive less than 5 percent but more than 1 percent of the total votes cast for statewide offices in the general election must nominate candidates by either caucus or convention. Independent candidates may also be nominated for the general election by submission of a nominating petition.
<b>Kentucky</b> .....	Primary election. A slate of candidates for governor and lieutenant governor that receives the highest number of its party's votes but which number is less than 40 percent of the votes cast for all slates of candidates of that party, shall be required to participate in a runoff primary with the slate of candidates of the same party receiving the second highest number of votes.
<b>Louisiana</b> .....	Primary election. Open primary system requires all candidates, regardless of party affiliation, to appear on a single ballot. Candidate who receives over 50 percent of the vote in the primary is elected to office; if no candidate receives a majority vote, a runoff election is held between the two candidates who received the most votes.
<b>Maine</b> .....	Primary election.
<b>Maryland</b> .....	Primary election.
<b>Massachusetts</b> .....	Primary election.
<b>Michigan</b> .....	Primary election held for nomination of candidates for governor, U.S. congressional seats, state senators and representatives; court of appeals, circuit and district courts; state conventions held for nomination of candidates for lieutenant governor, secretary of state and attorney general. State convention also held to nominate candidates for Justice of Supreme Court, State Board of Education, Regents of University of Michigan, Trustees of Michigan State University, Governors of Wayne State University.
<b>Minnesota</b> .....	Primary election.
<b>Mississippi</b> .....	Primary election.
<b>Missouri</b> .....	Primary election.
<b>Montana</b> .....	Primary election.
<b>Nebraska</b> .....	Primary election. Non-party candidates may petition for general election ballot.
<b>Nevada</b> .....	Primary election. Independent candidates are nominated by petition for the general election.
<b>New Hampshire</b> .....	Primary election. Non-party candidates may petition for general election ballot.
<b>New Jersey</b> .....	Primary election. Independent candidates are nominated by petition for the general election.
<b>New Mexico</b> .....	Convention/primary election.

## METHODS OF NOMINATING CANDIDATES FOR STATE OFFICES — Continued

<i>State or other jurisdiction</i>	<i>Method(s) of nominating candidates</i>
<b>New York</b> .....	Convention/primary election. The person who receives the majority vote at the state party committee meeting becomes the designated candidate for nomination; however, all other persons who received at least 25 percent of the convention vote may demand that their names appear on the primary ballot as candidates for nomination. Other candidates receiving less than 25 percent of the vote may use a designating petition to put their names on the primary ballot as candidates for nomination.
<b>North Carolina</b> .....	Primary election, or ballot access by petition.
<b>North Dakota</b> .....	Convention/primary election. Political parties hold state conventions for the purpose of endorsing candidates. Endorsed candidates are automatically placed on the primary election ballot, but other candidates may also petition their name on the ballot.
<b>Ohio</b> .....	Primary election.
<b>Oklahoma</b> .....	Primary election.
<b>Oregon</b> .....	Primary election, assembly of electors, minor party conventions and independent nomination procedure.
<b>Pennsylvania</b> .....	Primary election, and nomination papers for minor political parties and political bodies.
<b>Rhode Island</b> .....	Primary election.
<b>South Carolina</b> .....	Primary election for Republicans and Democrats; party conventions held for five minor parties. All must file proper forms with their political party between March 16 and March 30.
<b>South Dakota</b> .....	Primary election. Any candidate who receives a plurality of the primary vote becomes the nominee; however, if no individual receives at least 35 percent of the vote for the candidacy for the offices of governor, U.S. senator, or U.S. congressman, a runoff election is held two weeks later. Lt. governor, attorney general, secretary of state, auditor, treasurer, school and public lands commissioner, and public utilities commissioner are nominated by party convention.
<b>Tennessee</b> .....	Primary election.
<b>Texas</b> .....	Primary election/Convention. New parties nominate candidates for general election after qualifying for ballot access.
<b>Utah</b> .....	Convention/primary election. Delegates are elected at neighborhood caucus meetings to attend county and state conventions and select party members to run at the regular primary election.
<b>Vermont</b> .....	Primary election, for major parties. Independent candidates may file by petition, minor parties organized in at least 10 towns may nominate candidates at state committee meetings.
<b>Virginia</b> .....	Primary election; however, the state executive committee or other governing body of any political party may choose instead to hold a state convention for the purpose of nominating candidates (party opting for convention can only make nomination 32 days prior to date on which primary elections are normally held).
<b>Washington</b> .....	Primary election; minor parties hold convention for nomination and qualify at primary election.
<b>West Virginia</b> .....	Primary election; however, executive committees may make nomination in case of certain vacancies on ballot.
<b>Wisconsin</b> .....	Primary election.
<b>Wyoming</b> .....	Primary election.
<b>Dist. of Columbia</b> .....	Primary election. Independent and minor party candidates file by nominating petition.
<b>American Samoa</b> .....	Individual files petition for candidacy with the chief election officer. Petition must be signed by statutorily-mandated number of qualified voters.
<b>U.S. Virgin Islands</b> .....	Primary election.

*Sources:* The Council of State Governments' survey, January 2002 and state election administration offices.

*Note:* The nominating methods described here are for state offices; procedures may vary for local candidates. Also, independent candidates may have to petition for nomination.

**Table 6.5**  
**ELECTION DATES FOR NATIONAL, STATE AND LOCAL ELECTIONS**  
**(Formulas and dates of state elections)**

State or other jurisdiction	National			State			Local		
	Primary	Runoff	General	Primary	Runoff	General	Primary	Runoff	General
Alabama	June, 1st T	...	Nov., ★	June, 1st T June 4, 2002	June Last T June 25, 2002	Nat. Nov. 5, 2002	V	V	V
Alaska	Aug., 4th T	...	Nov., ★	Nat.	...	Nat.	...	...	V
Arizona	8 T Prior	...	Nov., ★	Aug. 27, 2002 8th T Prior	...	Nov. 5, 2002	March 2nd T	May 3rd T	8 T prior to Nat. or Nat.
Arkansas	3 wks. Prior	June, 2nd T (a)	Nov., ★	Nat.	Nat.	Nat.	Nat.	Nat.	Nat.
California	March, ★	...	Nov., ★	May 21, 2002 March ★	June 11, 2002	Nov. 5, 2002	V	...	Nat.
Colorado	Aug., 2nd T	...	Nov., ★(b)	Nat.	...	Nov. 5, 2002	V	...	V
Connecticut	56th day Prior (N)(d) 1st T in March (P)	...	Nov., ★	Aug. 13, 2002 56th day Prior	...	Nov. 5, 2002	State	...	Nat. or May, 1st M (c)
Delaware	Sept., 1st S After 1st M	...	Nov., ★	Sept. 10, 2002	...	Nov. 5, 2002	...	...	(d)
Florida	8th T Prior	5th T Prior (s)	Nov., ★(b)	Nat.	Nat.	Nov. 5, 2002	Nat.	Nat.	Nat. (b)
Georgia	July, 3rd T	21 days AP	Nov., ★(b)	Sept. 10, 2002	21 days AP	Nov. 5, 2002	July, 3rd T	21 days AP	Nat. (b)
Hawaii	Sept., 2nd Last S	...	Nov., ★	Aug. 20, 2002	Sept. 10, 2002	Nov. 5, 2002	Nat.	...	Nat.
Idaho	May, 4th T	...	Nov., ★	Sept. 21, 2002	...	Nov. 5, 2002	Nat.	...	Nat.
Illinois	March, 3rd T	...	Nov., ★	May 28, 2002	...	Nov. 5, 2002	Feb. Last T	...	April, 1st T (c)
Indiana	May, ★	...	Nov., ★	Nat.	...	Nov. 5, 2002	Nat.	...	Nat.
Iowa	June, ★	...	Nov., ★(b)	May 7, 2002	...	Nov. 5, 2002	Nat.	...	Nat.
Kansas	Aug. 1st T	...	Nov., ★(b)	Nat.	...	Nov. 5, 2002	...	...	...
Kentucky	May, 1st T after 4th M	...	Nov., ★	Nat. (d)	...	Nat. (d)	5 wks. Prior (f)	...	April 1st T (f)
Louisiana (h)	Oct., 1st S	...	Nov., ★	Aug. 6, 2002	(g)	Nat.	Nat.	...	Nat.
Maine	June, 2nd T	...	Nov., ★	May 28, 2002 Oct., 2nd to last S	...	Nov. 5, 2002	V	...	V
Maryland	Sept., 2nd T After 1st M	...	Nov., ★	June 11, 2002	...	Nov. (p)	...	...	V
Massachusetts	7th T Prior	...	Nov., ★	Nat.	...	Nat.	Nat.	...	Nat.
Michigan	Aug., ★(b)(i)	...	Nov., ★(b)	Sept. 10, 2002	...	Nov. 5, 2002	V	...	V
Minnesota	Sept., 1st T after 2nd M	...	Nov., ★	Nat. (b)(i)	...	Nov. 5, 2002	V	...	V
Mississippi	June, 1st T (j)	3rd T AP	Nov., ★	Sept. 17, 2002	...	Nov. 5, 2002	Nat. (d)	...	Nat. (d)
Missouri	Aug., ★	...	Nov., ★	Nat. (b)(i)	...	Nov. 5, 2002	May, 1st T (d)	2nd T AP	June, ★ (d)
Montana	June, ★	...	Nov., ★	Aug. 6, 2002	...	Nov. 5, 2002	Nat.	...	Nat.
		...		Aug. 6, 2002	...	Nov. 5, 2002	Sept., 1st T after 2nd M (d)	...	Nat. (f)
		...		June 4, 2002	...	Nov. 5, 2002			

See footnotes at end of table.

## ELECTION DATES FOR NATIONAL, STATE AND LOCAL ELECTIONS — Continued

State or other jurisdiction	National		State		Local	
	Primary	Runoff	General	Primary	Runoff	General
Nebraska	May, 1st T After 2nd M	...	Nov., ★	Nat. May 14, 2002	...	Nat. Nov. 5, 2002
Nevada	Sept., 1st T	...	Nov., ★	Nat. Sept. 3, 2002	...	Nat. Nov. 5, 2002
New Hampshire	Sept., 2nd T (b)	...	Nov., ★ (b)	Nat. Sept. 10, 2002	...	Nat. Nov. 5, 2002
New Jersey	June, ★	...	Nov., ★	June, ★ June 4, 2002	...	Nat. Nov. 5, 2002
New Mexico	June, 1st T	...	Nov., ★	Nat. June 4, 2002	...	Nat. Nov. 5, 2002
New York	March, 1st T (P)	...	Nov., ★	Sept., ★ Sept. 10, 2002	...	Nat. Nov. 5, 2002
North Carolina	May, ★	...	Nov., ★	Nat. May, 7 2002 (t)	4 wks. AP June 4, 2002	Nat. Nov. 5, 2002
North Dakota	June, 2nd T	...	Nov., ★	June, 2nd T June 11, 2002	...	Nat. Nov. 5, 2002
Ohio	March, ★ T (P)	...	Nov., ★	Nat. May 7, 2002	...	Nat. (d) Nov. 5, 2002
Oklahoma	Aug., 4th T (k) Mar., 2nd T (P)	Sept., 3rd T	Nov., ★ (b)	Nat. Aug. 27, 2002	Nat. (b) Sept. 17, 2002	Nat. (b) Nov. 5, 2002
Oregon	May, 3rd T (b)	...	Nov., ★ (b)	May, 3rd T (b) May 21, 2002	...	Nat. Nov. 5, 2002
Pennsylvania	April, 4th T (P)(l)	...	Nov., ★	Nat. May 21, 2002	...	Nat. Nov. 5, 2002
Rhode Island	Sept., 2nd T After 1st M	...	Nov., ★	Nat. Sept. 10, 2002	...	Nat. Nov. 5, 2002
South Carolina	June, 2nd T	2nd T AP	Nov., ★	Nat. June 11, 2002	Nat. 2nd T AP June 18, 2002	Nat. (d) Nov. 5, 2002
South Dakota	June, 1st T	2nd T AP	Nov., ★	June, 1st T June 4, 2002	...	Nat. (m) Nov. 5, 2002
Tennessee	Aug., 1st TH (b) March, 2nd T (P)	...	Nov., ★ (b)	Nat. Aug. 1, 2002	...	May, 1st T (n) March, 2nd T (P)
Texas	March, 2nd T	Apr., 2nd T	Nov., ★ (b)	Nat. March 12, 2002	Nat. Apr. 9, 2002	Nat. Nov. 5, 2002
Utah	June, 4th T	...	Nov., ★ (b)	Nat. June 25, 2002	...	Nat. Nov. 5, 2002
Vermont (o)	Sept., 2nd T	...	Nov., ★	Sept., 2nd T Sept. 10, 2002	...	Nat. (f) Nov. 5, 2002
Virginia (r)	June, 2nd T	...	Nov., ★	Nat. (f) May 5, 2002	...	Nat. or March, 1st T Nov. 5, 2002
Washington	Sept., 3rd T (p)	...	Nov., ★	Nat. Sept. 17, 2002	...	Nat. Nov. 5, 2002
West Virginia	May, 2nd T	...	Nov., ★	Nat. May 14, 2002	...	Nat. Nov. 5, 2002
Wisconsin	Sept., 2nd T	...	Nov., ★	Nat. Sept. 10, 2002	...	Nat. (g) Feb. 19, 2002
Wyoming	Aug., 1st T After 3rd M	...	Nov., ★	Aug., 20, 2002	...	Nat. Nov. 5, 2002
District of Columbia	May, ★ May, 1st T (P)	...	Nov., ★	...	...	Nov., ★ Nov. 5, 2002
American Samoa	...	14 days after general	Nov., ★ (b)	(u)	14 days after general	Nov., ★ (b) Nov. 5, 2002
U.S. Virgin Islands	...	...	...	Sept., 2nd S	14 day AP	Nov., 1st T

See footnotes at end of table.

## ELECTION DATES FOR NATIONAL, STATE AND LOCAL ELECTIONS — Continued

*Source:* The Council of State Governments' survey, January 2002 and state election administration offices.

*Note:* This table describes the basic formulas for determining when national, state and local elections will be held. For specific information on a particular state, the reader is advised to contact the specific state election administration office. National elections are defined as elections for president, U.S. Senate and U.S. House of Representatives. In some cases, states have elected to provide specific data on variations between national elections in presidential and non-presidential years. Where provided, these variations have been noted.

*Key:*

★ — First Tuesday after first Monday.

M — Monday.

T — Tuesday.

TH — Thursday.

S — Saturday.

State — Same date as state elections.

Prior — Prior to general election.

(P) — Presidential election years.

(N) — Non-presidential election years.

AP — After primary.

V — Varies.

Nat. — Same date as national elections.

(a) In Arkansas, a general primary is scheduled for the second Tuesday in June.

A preferential primary is held three weeks before the general primary; should no candidate receive a majority vote, the general (runoff) primary is held.

(b) Even years.

(c) Unless that date conflicts with Passover; then 1st Tuesday following last day of Passover.

(d) In Delaware, elections are determined by city charter. In Iowa, partisan election only. In Kansas, state and county elections. In Minnesota, county elections only. In Mississippi,

state and county elections are held together; municipal elections are held in separate years. In Montana, municipalities only. In New York, runoff in New York City only. In Ohio, municipalities and towns in odd years and counties in even years. In South Carolina, school boards vary.

(e) Cities only.

(f) Odd years.

(g) Held 35 days after the date of the May primary if necessary for governor and lieutenant governor race.

(h) Louisiana has an open primary which requires all candidates, regardless of party affiliation, to appear on a single ballot. If a candidate receives over 50 percent of the vote in the primary, that candidate is elected to the

office. If no candidate receives a majority vote, then a single election is held between the two candidates receiving the most votes. For national elections, the first vote is held on the first Saturday in October of even-numbered years with the general election held on the first Tuesday after the first Monday in November. For state elections, the election is held on the second to last Saturday in October with the runoff being held on the fourth Saturday after first election. Local elections vary depending on the location and the year.

(i) Applies to federal, state, county, and township offices. County and township officers elected every four years in conjunction with presidential elections. Cities may hold their primaries and elections at different times depending on charter or governing statutes. Villages generally hold primary in February and elections in March on an annual basis. Schools for the most part hold annual elections in June.

(j) Except in presidential election year when congressional races correspond to Super Tuesday.

(k) The primary election is held on the 4th Tuesday in August in each even-numbered year, including presidential election years. The presidential preferential primary is held on the 2nd Tuesday in March during presidential election years.

(l) Except the 1994 election which would have landed on a Jewish holiday. It was held on May 10, 1994.

(m) County officials.

(n) County party has the option of having a county primary in conjunction with the presidential primary in March or the regular May date.

(o) In Vermont, if there is a tie in a primary or general election (and a recount does not resolve the tie) the appropriate superior could order a recessed election, among the tied candidates only, within three weeks of the recount. In state primary runoffs, the runoff election must be proclaimed within 7 days after primary; after proclamation, election is held 15-22 days later. Local elections are held by annual town meetings which may vary depending on town charter.

(p) Other election dates for special elections include: Feb. \*, March 21, April \*, May, 41 or date of presidential primary.

(q) Superintendent of public instruction, Supreme Court, court of appeals and circuit court justices are elected with local officials.

(r) Beginning in 2000, presidential primaries will be held in presidential election years (at the option of each party's governing committee) and other primaries normally held in March, will be the last Tuesday of February.

(s) No runoff in 2002.

(t) Primaries may not occur at the regular scheduled date of May 7, 2002 due to not receiving preclearance from the courts for redistricting.

(u) American Samoa does not conduct primary elections (In addition, elections are conducted for territory-wide offices. There are no local elections.)

# ELECTIONS

**Table 6.6**  
**POLLING HOURS: GENERAL ELECTIONS**

<i>State or other jurisdiction</i>	<i>Polls open</i>	<i>Polls close</i>	<i>Notes on hours (a)</i>
Alabama .....	No later than 8 a.m.	Between 6 and 8 p.m.	
Alaska .....	7 a.m.	8 p.m.	
Arizona .....	6 a.m.	7 p.m.	
Arkansas .....	7:30 a.m.	7:30 p.m.	
California .....	7 a.m.	8 p.m.	
Colorado .....	7 a.m.	7 p.m.	
Connecticut .....	6 a.m.	8 p.m.	
Delaware .....	7 a.m.	8 p.m.	
Florida .....	7 a.m.	7 p.m.	
Georgia .....	7 a.m.	7 p.m./8 p.m.	Applicable opening or closing time depends on variables related to the size of the precinct.
Hawaii .....	7 a.m.	6 p.m.	
Idaho .....	Between 7 and 8 a.m.	8 p.m.	Closing time may be earlier if all registered voters at the particular polling location have voted.
Illinois .....	6 a.m.	7 p.m.	
Indiana .....	6 a.m.	6 p.m.	
Iowa .....	7 a.m./12 p.m.	9 p.m.	Applicable opening or closing time depends on variables related to the size of the precinct.
Kansas .....	Between 6 and 7 a.m.	Between 7 and 8 p.m.	
Kentucky .....	6 a.m.	6 p.m.	
Louisiana .....	6 a.m.	8 p.m.	
Maine .....	Between 6 and 9 a.m./10 a.m.	8 p.m.	Applicable opening or closing time depends on variables related to the size of the precinct. Closing time may be earlier if all registered voters at the particular polling location have voted.
Maryland .....	7 a.m.	8 p.m.	
Massachusetts .....	No later than 7 a.m.	8 p.m.	
Michigan .....	7 a.m.	8 p.m.	
Minnesota .....	7 a.m./10 a.m.	8 p.m.	Applicable opening or closing time depends on variables related to the size of the precinct.
Mississippi .....	7 a.m.	7 p.m.	
Missouri .....	6 a.m.	7 p.m.	
Montana .....	7 a.m./12 p.m.	8 p.m.	Applicable opening or closing time depends on variables related to the size of the precinct. Closing time may be earlier if all registered voters at the particular polling location have voted.
Nebraska .....	7 a.m. MST/8 a.m. CST	7 p.m. MST/8 p.m. CST	
Nevada .....	7 a.m.	7 p.m.	
New Hampshire .....	No later than 11 a.m.	No earlier than 7 p.m.	Closing time may be earlier if all registered voters at the particular polling location have voted.
New Jersey .....	7 a.m.	8 p.m.	
New Mexico .....	7 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 and 9 a.m./12 p.m.	Between 7 and 9 p.m.	Applicable opening or closing time depends on variables related to the size of the precinct.
Ohio .....	6:30 a.m.	7:30 p.m.	Closing time may be earlier if all registered voters at the particular polling location have voted.
Oklahoma .....	7 a.m.	7 p.m.	
Oregon .....	7 a.m.	8 p.m.	
Pennsylvania .....	7 a.m.	8 p.m.	
Rhode Island .....	Between 6 and 9 a.m.	9 p.m.	
South Carolina .....	7 a.m.	7 p.m.	
South Dakota .....	7 a.m.	7 p.m.	
Tennessee .....	No later than 9 a.m. CST/10 a.m. EST	7 p.m. CST/8 p.m. EST	Applicable opening or closing time depends on variables related to the size of the precinct.
Vermont .....	Between 6 and 10 a.m.	7 p.m.	
Texas .....	7 a.m.	7 p.m.	
Utah .....	7 a.m.	8 p.m.	
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./9 a.m.	8 p.m.	Applicable opening or closing time depends on variables related to the size of the precinct.
Wyoming .....	7 a.m.	7 p.m.	
Dist. of Columbia .....	7 a.m.	8 p.m.	

Source: Elections: Perspectives on Activities and Challenges Across the Nation, U.S. General Accounting Office, Oct. 2001

Note: Hours for primary, municipal and special elections may differ from those noted.

(a) In all states, voters standing in line when the polls close are allowed to vote; however, provisions for handling those voters vary across jurisdictions.

**Table 6.7**  
**VOTER REGISTRATION INFORMATION**

<i>State or other jurisdiction</i>	<i>Mail registration allowed for all voters</i>	<i>Closing date for registration before general election (days)</i>	<i>Persons eligible for absentee registration (a)</i>	<i>Residency requirements</i>	<i>Registration in other places</i>	<i>Criminal status</i>	<i>Mental competency</i>
Alabama .....	★	10	M/O	S, C (q)	...	★	★
Alaska .....	★	30	(p)	...	★	★	★
Arizona .....	★	29	(p)	S, C, 29	...	★	★
Arkansas .....	★	30	(p)	(r)	★	★	...
California .....	★	15	(p)	S	...	★	★
Colorado .....	★	29	(p)	S, 30	...	★	...
Connecticut .....	★	14	(p)	S, T	...	★	...
Delaware .....	★	20 (b)	(p)	S (s)	...	★	★
Florida .....	★	29	(p)	S, C	...	...	★
Georgia .....	★	(c)	(p)	S, C	...	★	★
Hawaii .....	★	30	(p)	S	...	★	★
Idaho .....	★	Election day (d)	(p)	S, C, 30	...	★	...
Illinois .....	★	28	M/O	S, P, 30	★	★	...
Indiana .....	★	29	C, D, E, M/O, O, P, T	S, P, 30	...	★	...
Iowa .....	★	10 (e)	(p)	S	★	★	★
Kansas .....	★	15	(p)	S	★	★	★
Kentucky .....	★	29	(p)	S, C, 28	★	★	★
Louisiana .....	★	30	(p)	S	...	★	★
Maine .....	★	Election day (f)	(p)	S, M	...	...	★
Maryland .....	★	21 (e)	(p)	S, C	...	★	★
Massachusetts .....	★	20	(p)	S	...	★	★
Michigan .....	★	30	(p)	S, T, 30 (t)	...	★	...
Minnesota .....	★	Election day (g)	(p)	S, 20	...	★	★
Mississippi .....	★	30	(p)	S, C, 30	...	★	★
Missouri .....	★	28	(p)	S	...	★	★
Montana .....	★	30	(p)	S, C, 30	...	★	★
Nebraska .....	★	(i)	(p)	S	...	★	★
Nevada .....	★	(n)	M/O	S, C, 30; P, 10 (x)	...	★	★
New Hampshire .....	★	Election day (g)	B, D, E, R, S, T	S (aa)	...	★	...
New Jersey .....	★	29	(p)	S, C, 30 (u)	...	★	...
New Mexico .....	★	28	T	S	...	★	★
New York .....	★	25	(p)	S, C, 30 (v)	★	★	★
North Carolina .....	★	25	(p)	S, C, 30	★	★	...
North Dakota .....	★	(h)	(h)	(h)	(h)	(h)	(h)
Ohio .....	★	30	(p)	S, 30	...	★	★
Oklahoma .....	★	24	(p)	S	...	★	★
Oregon .....	★	21	(p)	S	...	...	...
Pennsylvania .....	★	30	B, D, M/O, O, P, R, S, T	S, P, 30	...	★	...
Rhode Island .....	★	30	D	S, 30	...	★	★
South Carolina .....	★	30	B, C, D, S (l)	S (z)	...	★	★
South Dakota .....	★	15 (e)	(p)	S	...	★	★
Tennessee .....	★	30	(p)	S	...	★	★
Texas .....	★	30	(p)	S, C	...	★	★
Utah .....	★	8 (e)	(j)	S, 30	...	★	★
Vermont .....	★	(o)	(k)	S	...	...	...
Virginia .....	★	28	(m)	S, P	...	★	★
Washington .....	★	15 (e)	M/O	S, C, P, 30	...	★	★
West Virginia .....	★	30	(p)	S	...	★	★
Wisconsin .....	★	Election day (e)(y)	(p)	S, 10	...	★	★
Wyoming .....	★	Election day (g)	(p)	S (w)	...	★	★
Dist. of Columbia .....	★	30	(p)	D, 30	★	★	★
American Samoa .....	★	30*	M/O	N.A.	N.A.	N.A.	N.A.
Guam .....	★	10*	(p)	N.A.	N.A.	N.A.	N.A.
Puerto Rico .....	...	50*	(p)	N.A.	N.A.	N.A.	N.A.
U.S. Virgin Islands .....	...	30*	M/O	N.A.	N.A.	N.A.	N.A.

See footnotes at end of table.



## VOTER REGISTRATION INFORMATION — Continued

*Sources:* Data on mail registration, persons eligible for absentee registration, and items marked with \* are from *The Book of the States, 2000-2001*. Closing date for registration from *Elections: Perspectives on Activities and Challenges Across the Nation*, U.S. General Accounting Office, Oct. 2001. All other items from the Federal Election Commission, <http://www.fec.gov>.

**Key:**

★ – Column 1: Mail registration allowed. Column 5: State provision prohibiting registration or claiming the right to vote in another state or jurisdiction. Columns 6 and 7: State provision regarding criminal status or mental competency. See the Federal Election Commission web site at <<http://www.fec.gov/pages/Voteinst.htm>> for details.

... – Column 1: Mail registration not allowed. Other columns: No state provision.

N.A. – Information not available.

Column 4: S – State, C – County, D – District, M – Municipality, P – Precinct, T – Town. Numbers represent the number of days before an election for which one must be a resident.

*Note:* Previous editions of this chart contained a column for “Automatic cancellation of registration for failure to vote for \_\_\_\_ years”. However, the National Voter Registration Act requires a confirmation notice prior to any cancellation and thus effectively bans any automatic cancellation of voter registration.

(a) In this column: B – Absent on business; C – Senior citizen; D – Disabled persons; E – Not absent, but prevented by employment from registering; M/O – No absentee registration, except military and oversees citizens as required by federal law; O – Out of state; P – Out of precinct (or municipality in PA); R – Absent for religious reasons; S – Students; T – Temporarily out of jurisdiction.

(b) 21 days prior to a primary election.

(c) The 5th Monday before a general primary, general election, or presidential preference primary; the 5th day after the date of the call for all other special primaries and special elections.

(d) 25 days before an election if mailed, 24 days for in-person. Election day-registration at polling precincts.

(e) By mail: Iowa 15 days; Maryland 25 days; South Dakota 30 days; Utah, 20 days; Washington 30 days; Wisconsin, 2nd Wednesday preceding election

(f) Registration in person may be on certain dates depending on the size of the town.

(g) Minnesota– delivered 21 days before an election or election-day registration at polling precincts; Wyoming– delivered 30 days before or election-day registration at polling precincts. New Hampshire– Received by city or town clerk 10 days before election or election-day registration at precincts.

(h) No voter registration.

(i) Received by the 2nd Friday before election or postmarked by the 3rd

Friday before the election.

(j) There are several criteria including religious reasons, disabled, etc., or if the voter otherwise expects to be absent from the precinct on election day.

(k) Anyone unable to register in person.

(l) In South Carolina, all the following are eligible for absentee registration in addition to those categories already listed: electors with a death in the family within 3 days before the election; overseas military, Red Cross, U.S.O. government employees, and their dependents and spouses residing with them; persons on vacation; persons admitted to the hospital as emergency patients 4 days prior to election; persons confined to jail or pre-trial facility pending disposition of arrest/trial; and persons attending sick/disabled persons.

(m) In Virginia, the following temporarily out of jurisdiction persons are eligible for absentee registration: (1) uniformed services voters on active duty, merchant marine, and persons temporarily residing overseas by virtue of employment (and spouse/dependents of these persons residing with them), who are not normally absent from their locality, or have been absent and returned to reside within 28 days prior to an election, may register in person up to and including the day of the election; (2) members of uniformed services discharged from active duty during 60 days preceding election (and spouse/dependents) may register, if otherwise qualified, in person up to and including the day of the election.

(n) By 9 p.m. on the 5th Saturday preceding any primary or general election.

(o) Postmarked, submitted or accepted by noon on the 2nd Saturday before an election

(p) All voters. See column on mail registration.

(q) At the time of registration.

(r) Must live in Arkansas at the address in Box 2 of your voter application.

(s) Must be a permanent state resident.

(t) Must be a resident of the town or city at least 30 days before election day.

(u) Must be a resident of the state and county at your address for 30 days before election.

(v) Must be a resident of the county or the City of New York at least 30 days before election.

(w) Must be “an actual and physically bona fide resident.”

(x) Must have continuously resided in the state and county at least 30 days and in precinct at least 10 days before election. Must claim no other place as legal residence.

(y) Registration may be completed in the local voter registration office 1 day before the election.

(z) Must claim the address on the application as your only legal place of residence.

(aa) Must have a permanent established domicile in the state.

**Table 6.8**  
**VOTING STATISTICS FOR GUBERNATORIAL ELECTIONS BY REGION**

State	Date of last election	Primary election					Total votes	General election							Total votes
		Republican	Democrat	Reform	Other			Republican	Percent	Democrat	Percent	Reform	Percent	Other	
U.S. Total															
Eastern Region															
1998	(c)	11,045,280	14,489,800	3,254	263,408	25,801,742	36,997,276	49.0	34,539,442	45.8	1,032,723	1.4	2,902,411	3.8	75,471,852
2000	13,893		N.A.	0	0	N.A.	628,707	64	354,187	36	0	0	16,641	0.2	999,535
1998	57,832		13,847	0	0	27,740	191,695	59.2	128,603	39.7	0	0	3,271	1.1	323,569
1998	73,078		45,218	0	0	103,050	79,716	18.9	50,506	12	0	0	290,787	69.1	421,009
1998	N.A.		N.A.	N.A.	N.A.	N.A.	967,160	50.8	901,843	47.4	0	0	34,333	1.8	1,903,336
1998	30,351		N.A.	0	0	103,429	98,473	30.9	210,769	66.1	0	0	9,698	3	318,940
2001	unopposed		262,086	0	0	599,034	928,174	41.7	1,256,853	56.4	0	0	42,138	1.9	2,227,165
1998	unopposed		738,083	0	0	738,083	2,571,991(d)	52	1,518,992	30	0	0	894,949	18	4,985,932
1998	N.A.		N.A.	N.A.	N.A.	N.A.	1,736,844	57	938,745	31	0	0	349,352	12	3,024,941
1998	N.A.		N.A.	N.A.	N.A.	N.A.	156,180	51	129,105	42	1,848	0	19,250	7	306,383
1998	52,531		17,948	0	0	70,479	89,726	41.1	121,425	55.6	0	0	6,969 (e)	2	218,120
Regional total		534,282	1,107,533	0	0	1,641,815	7,448,666	50.6	5,611,028	38.1	1,848	0.0	1,667,388	11.3	14,728,930
Midwest Region															
1998	707,406		950,307	0	0	1,657,713	1,714,094	51	1,594,191	47.5	0	0	50,420	1.5	3,358,705
2000	394,500		272,213	0	0	666,713	908,285	41.7	1,232,525	56.5	0	0	38,458	1.8	2,179,268
1998	162,393		115,490	368	0	278,251	444,787	46.5	500,231	52.3	0	0	11,400	1.2	956,418
1998	310,150		103,481	0	0	413,631	544,882	73.4	168,243	22.6	7,830	1.1	21,710	2.9	742,665
1998	533,081		729,665	0	0	1,262,746	1,883,005	62.2	1,143,574	37.8	0	0	525	0	3,027,104
1998	140,124		494,069	0	0	634,193	716,880	34.3	587,060	28.1	773,713	37	12,865	0.6	2,090,518
1998	190,941		167,109	0	0	358,050	288,741	49.2	292,771	49.9	0	0	5,030	0.9	586,542
2000	40,308		34,851	0	274	75,433	159,255	55	130,144	45	0	0	13	0	289,412
1998	657,915		915,626	2,009	0	1,575,550	1,678,721	50.05	1,498,956	44.69	111,468	3.32	65,068	1.94	3,354,213
unopposed	unopposed		unopposed	0	0	0	166,621	64	85,443	32.9	0	0	8,093	3.1	260,157
1998	275,519		219,273	0	0	494,792	1,047,716	59.7	679,553	38.7	893,011	4.8	28,745	1.6	1,756,014
Regional total		3,412,337	4,002,084	2,377	274	7,417,072	9,552,987	51.4	7,912,691	42.5			242,327	1.3	18,601,016
Southern Region															
1998	359,014		358,179	0	0	717,193	554,746	42	760,155	57.8	0	0	2,941	0.2	1,317,842
1998	57,208		unopposed	0	0	57,208	421,989	59.77	272,923	38.66	11,099	1.57	0	0	706,011
1998	N.A.		N.A.	0	0	N.A.	2,191,105	55.3	1,773,054	44.7	0	0	282	0	3,964,441
1998	418,542		420,987	0	0	839,529	790,201	44.1	941,076	52.5	0	0	61,531	3.4	1,792,808
1999	41,537		unopposed	0	0	41,537	128,788	22	352,099	61	88,930	15	6,934	1	576,751
1999	(b)		(b)	0	0	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
1998	224,772		455,807	0	0	680,579	486,937	31.3	935,144	60.1	365	0	134,548	8.6	1,556,994
1999	153,149		545,555	0	0	698,704	370,691	48.52	379,034	49.2	8,208	1.07	6,005	0.79	763,938
2000	350,514		362,457	741	2009	715,721	1,131,307	48.2	1,152,752	49.1	4,916	0.2	57,855	2.5	2,346,830
2000	197,940		561,940	0	1,154	761,034	1,360,960	46	1,530,324	52	8,104	0	42,674	1	2,942,062
1998	unopposed		284,062	0	0	284,062	139,347	45.62	160,008	52.38	6,098	2	0	0	305,453
1998	158,049		unopposed	0	0	158,049	484,088	45.8	570,070	54	0	0	2,276	0.2	1,056,434
1998	387,860		298,466	0	0	686,326	669,973	69	278,750	29	0	0	18,513	2	967,236
1998	596,839		492,419	0	0	1,089,258	2,550,821	68.23	1,165,592	31.18	0	0	21,665	0.57	3,738,078
2001	(c)		(c)	0	0	(c)	887,234	47.03	984,177	52.16	0	0	15,310	0.81	1,886,721
2000	108,519		275,976	0	265	384,760	305,926	47.21	324,822	50.12	0	0	17,299	2.68	648,047
Regional total		3,053,943	4,055,848	741	3,428	7,113,960	12,474,113	50.8	11,579,980	47.1	127,720	0.5	387,833	1.6	24,569,646

See footnotes at end of table.

## VOTING STATISTICS FOR GUBERNATORIAL ELECTIONS BY REGION — Continued

State	Date of last election	Primary election				Total votes	General election								Total votes
		Republican	Democrat	Reform	Other		Republican	Percent	Democrat	Percent	Reform	Percent	Other	Percent	
Western Region .....															
Alaska (a) .....	1998	60,194	43,669	0	5,194	109,057	39,331	17.86	112,879	51.27	0	0	67,967	30.87	220,177
Arizona .....	1998	239,703	136,282	136	1,734	377,855	620,188	61	361,552	35.5	0	0	35,876	3.5	1,017,616
California .....	1998	2,167,133	3,600,264	0	229,867	5,997,264	3,218,030	38.38	4,860,702	57.97	0	0	306,464	3.65	8,385,196
Colorado .....	1998	214,210	144,191	0	0	358,401	645,806	49.3	631,655	48.2	0	0	33,478	2.5	1,310,939
Hawaii .....	1998	157,549	110,880	0	725	269,154	198,952	48.2	204,206	49.5	0	0	4,398	1.1	407,556
Idaho .....	1998	127,990	26,973	0	0	154,963	258,095	67.7	110,815	29.1	0	0	12,338	3.2	381,248
Montana .....	2000	113,016	96,356	0	0	209,372	209,135	51	193,131	47	0	0	7,926	2	410,192
Nevada .....	1998	126,570	91,966	0	0	218,536	223,892	53	182,281	43	0	0	14,816	4	420,989
New Mexico .....	1998	N.A.	N.A.	0	0	N.A.	271,948	55	226,755	45	0	0	0	0	498,703
Oregon .....	1998	214,565	309,745	0	0	524,310	334,001	30	717,061	64	10,144	1	51,892	5	1,113,098
Utah .....	2000	(c)	(c)	0	0	(c)	424,837	56	321,979	42	0	0	14,990	2	761,806
Washington .....	2000	539,609	730,507	0	22,186	1,292,302	980,060	39.68	1,441,973	58.38	0	0	47,819	1.93	2,469,852
Wyoming .....	1998	84,179	33,502	0	0	117,681	97,235	56	70,754	40	0	0	6,899	4	174,888
Regional total .....		4,044,718	5,324,335	136	259,706	9,628,895	7,521,510	42.8	9,435,743	53.6	10,144	0.5	604,863	3.1	17,572,260
without California .....		1,877,585	1,724,071	136	29,839	3,631,631	4,034,480	46.8	4,575,041	49.8	10,144	0.1	298,399	0.3	9,187,064

Source: State election administration offices, January 2002.

N.A.—Not available.

(a) The state recognizes two other political parties and the one limited party.

(b) Louisiana has an open primary which requires all candidates, regardless of party affiliation, to appear on a single ballot. If a candidate receives over 50 percent of the vote in

the primary, he is elected to the office. If no candidate receives a majority vote, then a single election is held between the two candidates receiving the most votes.

(c) Candidate nominated by convention.

(d) Total includes the Conservative Party. Governor Patuki was the candidate for both parties.

(e) Includes Liberty Union Party (major party) and minor party candidates for governor.

**Table 6.9**  
**VOTER TURNOUT FOR PRESIDENTIAL ELECTIONS BY REGION: 1992, 1996 AND 2000**  
(In thousands)

State or other jurisdiction	2000			1996			1992		
	Voting age population (a)	Number registered	Number voting (b)	Voting age population (a)	Number registered	Number voting (b)	Voting age population (a)	Number registered	Number voting (b)
<b>U.S. Total</b> .....	205,815	156,420	105,587	195,193	132,796	97,050	186,995	133,321	105,344
<b>Eastern Region</b>									
Connecticut .....	2,499	1,874	1,460	2,300	1,900	750	2,535	1,962	1,616
Delaware .....	582	505	328	547	(c)	271	525	340	290
Maine .....	968	882	652	934	1,001	606	930	975	679
Massachusetts .....	4,749	4,009	2,734	4,623	(c)	2,556	4,607	3,346	2,774
New Hampshire .....	911	857	569	860	755	514	830	661	545
New Jersey .....	6,245	4,711	3,187	6,124	(c)	3,076	5,948	4,060	3,344
New York .....	13,805	11,263	6,960	13,564	9,161	6,439	13,609	9,196	7,069
Pennsylvania .....	9,155	7,782	4,912	9,197	6,806	4,506	9,129	5,993	4,961
Rhode Island .....	753	655	409	751	603	390	776	554	425
Vermont .....	460	427	294	430	385	261	420	383	293
Regional total .....	40,127	32,965	21,505	39,330	20,611	19,369	39,309	27,470	21,996
<b>Midwest Region</b>									
Illinois .....	8,983	7,129	4,742	11,431	6,663	4,418	8,568	6,600	5,164
Indiana .....	4,448	4,001	2,180	4,146	3,500	2,135	4,108	3,180	2,347
Iowa .....	2,165	1,841	1,314	2,138	1,776	1,252	2,075	1,704	1,355
Kansas .....	1,983	1,624	1,072	1,823	1,257	1,129	1,881	1,366	1,162
Michigan .....	7,358	6,861	4,233	7,072	6,677	3,849	6,947	6,147	4,275
Minnesota .....	3,547	3,265	2,439	3,412	2,730	2,211	3,278	2,711	2,356
Nebraska .....	1,234	1,085	697	1,208	1,015	677	1,167	951	744
North Dakota .....	477	(c)	288	437	(c)	272	463	(c)	315
Ohio .....	8,433	7,538	4,702	8,300	6,638	4,534	8,146	6,538	4,940
South Dakota .....	543	471	316	530	456	324	500	448	336
Wisconsin .....	3,930	(d)	2,599	3,786	(d)	2,196	3,677	(d)	2,531
Regional total .....	43,101	33,815	24,582	44,283	30,712	22,997	40,810	29,645	25,525
<b>Southern Region</b>									
Alabama .....	3,333	2,529	1,666	3,220	2,471	1,534	3,056	2,367	1,688
Arkansas .....	1,929	1,556	922	1,873	1,369	884	1,774	1,318	951
Florida .....	11,774	8,753	5,963	11,043	8,078	5,444	10,586	6,542	5,439
Georgia .....	5,893	3,860	2,583	5,396	3,811	2,299	4,750	3,177	2,321
Kentucky .....	2,993	2,557	1,544	2,928	2,391	1,388	2,779	2,076	1,493
Louisiana .....	3,255	2,730	1,766	3,137	(c)	1,784	2,992	2,247	1,790
Maryland .....	3,925	2,715	2,024	3,811	2,577	1,794	3,719	2,463	1,999
Mississippi .....	2,047	1,740	994	1,961	1,826	894	1,826	1,640	1,008
Missouri .....	4,105	3,861	2,360	3,902	3,343	2,158	3,858	3,067	2,391
North Carolina .....	5,797	5,122	2,915	5,800	4,300	2,515	5,217	3,817	2,612
Oklahoma .....	2,531	2,234	1,234	2,419	1,823	1,206	2,328	2,302	1,390
South Carolina .....	2,977	2,157	1,386	2,872	1,814	1,203	2,646	1,537	1,237
Tennessee .....	4,221	3,181	2,076	3,660	3,056	1,894	3,861	2,726	1,982
Texas .....	14,850	10,268	6,407	13,698	10,541	5,612	12,524	8,440	6,154
Virginia .....	5,263	3,770	2,790	5,089	3,323	2,417	4,842	3,055	2,559
West Virginia .....	1,416	1,068	648	1,414	(c)	636	1,350	956	684
Regional total .....	76,309	58,101	37,278	72,223	50,723	33,662	68,108	47,730	35,698
<b>Western Region</b>									
Alaska .....	430	474	286	410	415	245	404	315	261
Arizona .....	3,625	2,173	1,532	3,233	2,245	1,404	2,749	1,965	1,516
California .....	24,873	15,707	10,966	19,527	15,662	10,263	20,863	15,101	11,374
Colorado .....	3,067	2,274	1,741	2,843	2,285	1,551	2,501	2,003	1,597
Hawaii .....	909	637	368	882	545	370	856	464	383
Idaho .....	921	728	502	858	700	492	740	611	482
Montana .....	668	698	411	647	590	417	570	530	418
Nevada .....	1,390	898	609	1,180	778	464	1,013	650	506
New Mexico .....	1,263	973	599	1,224	838	580	1,104	707	591
Oregon .....	2,530	1,944	1,534	2,344	1,962	1,399	2,210	1,775	1,499
Utah .....	1,465	1,123	771	1,322	1,050	691	1,159	965	780
Washington .....	4,368	3,336	2,487	4,122	3,078	2,294	3,818	2,814	2,287
Wyoming .....	358	220	214	343	241	216	322	235	203
Regional total .....	45,867	31,185	22,020	38,935	30,389	20,836	38,309	28,135	21,897
Regional total without California .....	20,994	15,478	11,054	19,408	14,727	10,573	17,446	13,034	10,523
Dist. of Columbia .....	411	354	202	422	361	186	459	341	228

Sources: 1992 and 1996 data provided by Committee for the Study of the American Electorate, with update by the state election administration offices. 1992 base data provided by state election offices, as available; remaining data provided by Committee for the Study of the American Electorate. U.S. Congress, Clerk of the House, Statistics of the Presidential and Congressional Election. The Council of State Governments' survey of election officials, January 2002. 2000 data provided by the Federal Election Commission

**Key:**

- (a) Estimated population, 18 years old and over. Includes armed forces in each state, aliens, and institutional population.  
(b) Number voting is number of ballots cast in presidential race.  
(c) Information not available.  
(d) No statewide registration required. Excluded from totals for persons registered.



## Chapter Seven

# STATE FINANCE and CENSUS

“Along with the recession, there is the threat of reduced federal funding. The federal government expects to run a deficit for the next several years – a result of the recession, increased defense and security spending following the September 11, 2001 terrorist attacks and a restricted flow of personal-income taxes as a result of a rate reduction.”

— Henry S. Wulf

“State-government employee-retirement systems play the second most important role in pension availability and financing in the United States... In addition to providing a social-welfare function, state public-employee retirement systems also served as financial institutions responsible for nearly \$2 trillion in cash and other investments during the 2000 period.”

— Benjamin J. Shelak

“Census 2000 data reveal a new set of patterns, featuring a new cast of demographic factors... The trend is toward declining demographic heterogeneity across the ‘borders’ of cities, suburbs and their environs and, consequently, toward greater demographic homogeneity within states.”

— William H. Frey and Bill Abresch



## Trends in State Government Finances

By Henry S. Wulf

*This essay describes some recent patterns of state financial activity – how the state governments obtain their revenues, the types of activities on which they expend their resources, their reliance on economic resources such as borrowing and the state of their financial assets. The analysis relies primarily on data from U.S. Census Bureau surveys of state and local government finances, the most complete set of comparative information available. It is primarily a retrospective look, using the information for fiscal year 2000 and comparing that with trends from prior years. The final section looks at a few present-day issues and prospects for state finances.*

The state governments are highly significant players in the economic activity of the United States, whether viewed together or as individual economic entities. If lumped together, the state governments would be nearly a \$1.3 trillion industry. They comprise about 4 percent of the gross domestic product – financially equivalent to the economic contribution of all transportation plus all communications industry activity.<sup>1</sup> When looked at individually and in relation to the economies of their local areas, the state governments are almost always among the most financially important businesses. If we measure them against a scale often used for private industries, the Fortune 500, two state governments would be in the top 10 (California third and New York seventh), 15 would be in the top 100 and South Dakota, the state government with the least amount of economic activity, would fall about 350th on the list.<sup>2</sup>

With state governments playing such a major economic role, their financial choices and conditions assume great economic importance, whether one considers states as providers of services or consumers of goods.

### Summary of State Finances

Total state-government revenue amounted to \$1.26 trillion in 2000, an increase of 9.3 percent over 1999.<sup>3</sup> This year-to-year percent change was the highest since 1992, and it was somewhat above the average annual change for the decade of 7.2 percent. Two major components comprise these state revenues: general revenues, monies that usually have some flexibility or fungibility and are therefore largely available for the activities of government; and special revenues, funds that are usually restricted in some way for proprietary government activities and insurance or pension needs. In 2000, general revenues were the predominant category (78 percent), and special revenues provided the balance (22 percent). The largest revenue contributors by type were: taxes (43 percent), intergovernmental revenue from the federal government (21 percent), insurance-trust revenue<sup>4</sup> (21 percent) and general and special

charges (7 percent).

Looking back a decade, we see a small but significant relative change in magnitudes among these major pieces of state revenues. In 1990, taxes were 48 percent of total state revenue, federal intergovernmental revenues were 19 percent and insurance-trust revenues were 16 percent. Though it is not clear precisely why these proportions changed in these directions, we can see that while taxes increased at an average annual rate of 6 percent over that period, insurance-trust revenues rose at an unusually high average annual rate of 10.1 percent. Since the predominant revenue for state insurance-trust systems is earnings on public-employee retirement-system investments, the general economic boom that occurred during the decade was in good part responsible for the change in these proportions.

Expenditures in 2000 totaled \$1.084 trillion.<sup>5</sup> This was an increase of 8.5 percent over the previous year, well above the average annual rise for states over the past decade of 6.6 percent. Fully three out of every 10 state dollars went to support subordinate local governments, emphasizing a key function that states serve in the intergovernmental finance system: using the efficiency of the larger state government to collect revenues and redistributing and equalizing those funds for services provided by local governments. There are two principal services that state-government funds support: education (both elementary and secondary) and public welfare, respectively 32.1 and 22 percent of all state expenditures. Compared with 1990, education expenditures were almost exactly the same proportion, but public welfare's portion of state expenditures climbed 3.6 percent from the 1990 figure of 18.4 percent. The two next most important financial activities for states were payment of insurance-trust benefits (9.7 percent) and highways (6.8 percent).

State-government indebtedness amounted to \$548 billion in 2000, but it was not nearly as financially significant as the amounts of debt issued by other levels of government. It was only about 60 percent of the level of local-government debt. However, federal-govern-



ment debt far outstripped both at \$5.6 trillion. The comparison with local-government debt might be somewhat misleading, because state governments are undoubtedly supporting a fair amount of local-government debt indirectly through intergovernmental funding of local-government programs, especially in education.

Cash and investment holdings of state governments totaled \$2.5 trillion in 2000. For the most part, this figure represents holdings that the states have set aside for future liabilities. These encumbered funds will be used for activities such as redemption of long-term debt and retirement payments for state and local-government employees. In fact, only a fairly small portion of these funds – about one of every seven dollars – could be considered uncommitted for future obligations. And even those uncommitted funds often have some self-imposed limits that restrict their use. Trust funds for education or highways or rainy-day funds are examples of self-imposed limitations on state cash and investment holdings. The single largest portion of the state funds is held by public-employee retirement systems, making these monies a very important source of investment capital.

### State Government Revenue

Of the three major revenue sources for state governments – taxes, intergovernmental revenue from the federal government and insurance-trust revenue – only taxes are mostly under the control of the state government. Since tax revenues for the most part reflect underlying economic conditions, it is only by changing the status quo – by increasing or decreasing rates or narrowing or broadening scope – that the governments can effectively control how much money they receive in taxes. And changing the status quo on taxes, especially to increase rates or broaden the scope, might be one of the most politically difficult tasks with which any government struggles.<sup>6</sup>

Each state's tax system reflects a singular mixture of current politics, history, geography and economics. Most states rely on a mixture of income taxes and sales taxes as the primary underpinnings for their tax systems. The U.S. average is 32.4 percent of state taxes deriving from general sales taxes and 36 percent from individual-income taxes. Thirty-eight states have a strong mix of these two taxes.<sup>7</sup> However, these averages belie the wide variety that exists even among the states that rely fairly heavily on both these tax staples. Seven of these states fall outside a parameter of plus or minus 10 percent around the U.S. average for sales taxes – four below, with Vermont the lowest at 14.8 percent, and three above, with Mississippi the highest

at 48.8 percent. Similarly, for personal-income taxes, six states fall 10 percent above the U.S. average, with Massachusetts the highest at 54.6 percent, and four below, with North Dakota the lowest at 16.4 percent. Three states – Massachusetts, New York and Virginia – exceed the 10-percent limit in both these major taxes, with all three having general sales taxes more than 10 percent below the U.S. average and personal-income taxes more than 10 percent above the national average.

Two states – Alaska and New Hampshire – have neither a broad based income tax nor a general sales tax. In addition to these two states, several states do not have one or the other of these major popular taxes. Delaware, Montana and Oregon have no general sales tax; while Florida, Nevada, South Dakota, Texas, Washington and Wyoming have no personal-income tax.

The states that depart from the norm of general sales and personal-income taxes sometimes rely on an unusual tax to provide a major boost to the state's tax revenue. Delaware is an interesting example. It has no general sales tax, but receives about one-third of its tax revenue from license taxes. The average amount of revenue derived from license taxes for all states is 6 percent, and the closest to Delaware is Oklahoma with 14 percent. The bulk of the Delaware amount is from corporate-license taxes, a circumstance made possible by the fact that so many businesses incorporate in Delaware. This provides the state with a readily available "resource" and steady revenue stream. What makes this situation so interesting is that this is not a natural resource, but a historical resource that Delaware has been able to translate into a significant tax-revenue source for the present time. The first "Frequently Asked Question" in the business section of Delaware's state Website is: "Why do so many companies incorporate in Delaware?" The response lists several reasons, among them that the state has a court system with, "over 200 years of legal precedent as a maker of corporate law."

Alaska is another good example of how a state copes without having either of the usual major taxes. Without a general sales tax or a personal-income tax, Alaska relies on severance taxes – taxes levied on non-renewable resources such as oil and gas – for almost one-half of its tax revenues. In economic terms, virtually all of these taxes are exported to non-Alaskan consumers. Recognizing that these non-renewable resources will be exhausted someday, Alaska took an additional step and established a permanent fund, setting aside some of these monies so that they will continue to produce investment revenue after the resources are exhausted.

Vermont provides an example of two different

facets of state tax systems: 1) a tax “substituting” for either a general sales or personal-income tax; and 2) the redistributive aspects of some state tax systems. Vermont levies both personal-income and general sales taxes, though, as noted above, out of all the states that use general sales taxes, Vermont derives the lowest percent of its taxes from this levy. In 1998, Vermont started imposing a statewide education property tax. The purpose of this new levy is to redistribute property-tax monies among the state’s school districts. The state collects this property tax and redistributes the funds based upon a formula designed to equalize financial resources. This is how Vermont chose to deal with this issue. Other states often use general sales taxes or personal-income taxes in the same way, because they produce a large volume of revenue. Regardless of the tax used, the general effect is the same.

Thus it can be seen that each state’s tax system has unique aspects. States can rely on natural resources, like Alaska does; on historical resources, like Delaware does; on the wealth produced by their citizens directly, through personal-income taxes; or on wealth as measured indirectly through purchases and general sales taxes. There is no magic tax formula for a state, only the cumulative effect of history, geography and politics.

The category of revenue from the federal government – the second largest source of state money – is dominated by a single functional activity. Intergovernmental revenue for public welfare comprises 57 percent of all federal intergovernmental revenue. The next largest intergovernmental-revenue category, education, is a distant second, making up 16 percent of federal intergovernmental revenue. Demonstrating just how significant this public-welfare amount is for states, it makes up a little less than one dollar in every eight (12 percent) of all state revenues. To provide some relative sense of proportion, individual-income taxes represent 15 percent of all state government revenues and general sales taxes represent 14 percent.

The federal revenue for public welfare illustrates an important aspect of our federal governmental system: one level of government with superior revenue-raising ability provides money to another level of government with the ability to administer an activity. Just as the federal government does with public welfare, the states repeat the pattern by providing local governments with funds for education, highways and other activities.

The trends in federal intergovernmental revenue over the past few decades show that the relative importance of federal funds is near levels it hasn’t been at since the days of the federal general revenue sharing

program.<sup>8</sup> In 1980, for example, federal intergovernmental revenue accounted for 22 percent of state revenues. By 1990, it had dipped to less than 19 percent, but it rose to almost 21 percent in 2000.

Current charges – direct fees for service – constituted 7.5 percent of state revenues in 2000. Looking back to 1990, the comparable figure was 6.8 percent. The two primary components of this funding continue to be education (primarily tuition from public postsecondary institutions) and state hospitals, which together constitute 66 percent of all current charges. Though this growth is steady, but not exceptional, it demonstrates the continuing push in state governments for recouping costs from the populations using specific services.

### State Government Expenditure

State government total expenditures rose at an average annual rate of 6.6 percent from 1990 to 2000. Most major expenditure categories were fairly close to this overall average, except for salaries and wages, which had a much lower average annual rise of 4.4 percent. The change in salary and wages reflected the very limited rise in employment over this entire period of 5 percent, which computes to an average annual increase of only 0.5 percent.<sup>9</sup> The explanations for this phenomenon are unclear. We can see that postsecondary education, which accounts for slightly more than one-third of state employment, had an average annual increase in employment of 0.9 percent, marginally above the overall average. There is no statistic that stands out as being a major contributor to this trend. There are, however, two reasonable conjectures, which might be related. The first explanation may be that the state governments are contracting more activities to the private sector. Contracting maintains delivery of services, but limits the impact on payrolls. The second possibility is that state governments are paying for services by funding them in local governments. The fact that state intergovernmental expenditures to local governments increased at an average annual rate of 6.4 percent – compared with the salary and wages average rise of 4.4 percent – lends some credence to this thought.<sup>10</sup> But additional research is required to verify this idea.

Functionally, education and public-welfare expenditures continue to overshadow all other areas of state spending. Education accounted for 32.1 percent and welfare 22 percent of the total in 2000. Adding in the next two largest functional activities – insurance-trust expenditures (9.7 percent) and highways (6.8 percent) – shows that seven out of every 10 state dollars are for one of these four activities.

Looking more closely at education activities, it is apparent that state spending in this area goes in two

divergent directions. Most of state education spending – more than 60 percent of the total – is given intergovernmentally to local governments, almost all of it to support elementary and secondary education programs run by local school systems.<sup>11</sup> About one-third of the education outlays provides funding for state-run post-secondary education programs. The balance is used for a variety of other education programs, subsidies and state administration of education activities. Though there has been a great deal of discussion about state-government support for education over the past few decades, the statistics do not show any major change. The proportion of education expenditures in the overall state-spending pattern has remained within one or two percentage points of the current level. Additionally, the split within education spending between the intergovernmental support for elementary and secondary education and direct support for post-secondary education has also remained fairly constant over this same period.

On the other hand, the share of state expenditures spent on public welfare has increased by a noticeable percentage in the past decade. In the 1970s and 1980s, the percentage was in the range of 17 to 18 percent. The percentage rose to 18.3 percent in 1990. In the next few years, it rose steadily – to 19.8 percent in 1991, 22.2 percent in 1992 and crested at 23.5 percent in 1994. It has stayed about this new level since then; in 2000, it stood at 22 percent. We need to be careful about using this comparison over time without additional explanation. This shift is the result of many factors: changing laws, increased Medicaid costs, different eligibility rules and economic conditions. Though the explanation certainly isn't simple, the result is – increased pressure on state spending.

The “disproportionate share” issue in Medicaid financing is a good example of the problems associated with understanding changing levels in state public-welfare outlays. In the early 1990s, some states took advantage of a Medicaid rule that allowed states to increase federal matching funds. They did this by “taxing” hospitals for Medicaid expenditures, thereby invoking a federal rule that returned funds to the states at a better than 1:1 ratio. The states repaid the hospitals for the “tax” and retained the balance. The federal government phased out this rule, but it had an enormous impact in several states. For example, in New Hampshire, for a time, the disproportionate-share tax was the single largest tax source.

Other functional activities show some changes in patterns relative to all expenditures in recent years. Spending on corrections, for example, has cooled off after some rapid rises over the past 15 years. Hospitals

continue to require a smaller percentage of resources, while spending on health requires a somewhat higher percentage. However, from the perspective of total state spending, changes in these activities are, by and large, relatively small.

### State Government Indebtedness

Indebtedness is not a major feature of the state-government fiscal landscape. In 2000, state-government debt totaled \$548 billion. This is about three-fifths the level of the local-government debt burden. Both pale in comparison to the federal government's total debt of \$5.6 trillion.<sup>12</sup>

The single largest portion of state-government debt – \$227 billion, or 41 percent – is in the category of public debt for private purposes. This is so-called industrial-development or industrial-revenue debt (IDBs or IRBs). In the last few decades, this type of debt has risen substantially, to become a significant portion of state- and local-government debt. The issuance of this debt has been more a tool of state governments than of local governments. Not only is the percentage of total debt much greater than for local governments (41 percent for states and 16 percent for local governments), but the absolute amount is considerably more (\$227 billion for states and \$137 billion for local governments).<sup>13</sup>

The remainder of state debt goes to support activities that are generally considered significant state-government responsibilities. This includes education, highways and utilities. The education debt is mostly for postsecondary education, but in some instances – Delaware and California, for example – the state-debt issues include a significant amount of elementary and secondary education debt for constructing local school facilities.

### State Government Cash and Assets

State-government cash and investments totaled more than \$2.5 trillion in 2000. Although this is a considerable cache of assets, equivalent to about two years' worth of total revenues for states, most of this is obligated for state pensions and bond redemption. State public-employee retirement systems controlled \$1.8 billion of the total (70 percent).<sup>14</sup> States put aside another \$415 billion (16 percent) in debt offset, bond funds and other insurance-trust systems.

Even the remaining balance of state cash and investments, totaling \$349 billion, is not entirely unencumbered for state governments to use. The reason is that state constitutions and laws have set aside certain monies that come from a specific revenue source to fund certain activities. Texas, for example, reserves

\$24 billion out of \$49 billion in non-pension, non-bond redemption assets in the permanent school fund. This fund, established in the 19th century, has a portfolio consisting of stocks, bonds, several million acres of land, and oil and mineral royalties. Under the state constitution and state law, the principal is untouchable; only the interest and dividends can be spent, and that money must go for educational purposes. So even though Texas theoretically has a considerable source of funds available in its cash and investments, it has, in effect, made these funds off limits by design. In a short-term fiscal emergency, Texas could not gain access to this money.

State portfolios in nearly all funds benefited from the considerable rise in market valuation that occurred under the extremely favorable economic conditions that prevailed from the late 1990s through 2000. Dollars earned through investments during this period lessened the need to raise funds through other sources. For public-employee retirement systems, for example, this meant government contributions could be reduced, and the reduced government contribution meant that the government needed fewer taxes, charges or other revenues. Now that more normal conditions, from a historical perspective, have returned, the states will have to readjust their thinking about the use of their cash and investments.

### Emerging Issues in State Finances

The most significant issue facing the states in 2002 is an old one: how will the states cope in recessionary times? Economic downturns put state governments in a dual bind, one economic and the other political. The economic bind is that many important revenue sources – sales taxes, for example – begin to drop almost immediately when the economy makes a downturn. When the economy sneezes, the states catch cold. At the same time as revenues constrict, the pressure for additional social services, especially public welfare, increases. With only one exception, the states must balance their budgets, so they cannot borrow their way out of the issue, even if they were willing to. Rainy-day funds, specifically designed to be tapped in bad times, are a popular concept among state officials, but they are almost never funded to the recommended levels and therefore have a limited ability to mitigate problems.

The economic-political aspect for states is the difficulty in raising additional revenues to cover shortfalls. From an economic point of view, that action might not be wise because it could deepen a recession. But even if they were so inclined politically, raising taxes is an extraordinarily difficult thing for states to do.

Along with the recession, there is the threat of

reduced federal funding. The federal government expects to run a deficit for the next several years – a result of the recession, increased defense and security spending following the September 11, 2001 terrorist attacks and a restricted flow of personal-income taxes as a result of a rate reduction. In the competition for federal funds, the programs that directly benefit state and local governments are likely to be constricted, putting even more pressure on state funds and programs.

The states will also feel stress from their own subordinate governments, especially in the area of elementary and secondary education. The needs of local school systems are increasing for several reasons. First, school-age populations are rising.<sup>15</sup> Second, school populations require more resources because of special needs.<sup>16</sup> And third, there is a national push to improve the accountability and quality of elementary and secondary education through the use of standardized testing. Local governments, with their heavy reliance on inelastic property taxes, have a difficult time developing sufficient financial resources and look to the states to finance these new and increased requirements.

Another issue that is starting to surface relates to the subject of portraying a government's financial status accurately through accounting methods. Some of the impetus for this goes back to two heavily publicized financial events: the collapse of the Enron Corporation into bankruptcy, with several accounts placed off-the-books; and the loss of significant funds in Orange County, California through a risky investment strategy. The confluence of these two events has public-sector observers asking if there are more "Orange Counties" out there. The Government Accounting Standards Board, the national organization charged with establishing accounting guidelines for state and local governments, has been in the forefront of the movement seeking better accounting information that clearly shows all of a government's assets and liabilities. But establishing guidelines and getting compliance from the dispersed power centers in the world of state and local government are two different things.

### Notes

*Data Sources:* The U.S. Census Bureau produces a wide variety of data on state government organization, finances and employment, available at <http://www.census.gov/govs/www/index.html>. The information covers local governments for comparative purposes. The Census Bureau also maintains a historical database with information on finances and employment since 1972. Readers can contact the Governments Division, U.S. Census Bureau, Washington, D.C. 20233-6800 or send an e-mail to [govs.cms.inquiry@census.gov](mailto:govs.cms.inquiry@census.gov).

<sup>1</sup> *Survey of Current Business*, (Washington, D.C.: Bureau of Economic Analysis, Dec. 2001 and Sept. 1988).

<sup>2</sup> Robert D. Behn, *The Fortune 500 and the 50 States: A Combined Ranking*, (Durham, NC: Institute of Policy Sciences and Public

Affairs, Duke University, Feb. 1990).

<sup>3</sup> Year of data refers to the year the state governments ended their fiscal year. Most state governments end in June, so 2000 data represents the amount for the fiscal year ending June 2000. Four states have fiscal years that end in months other than June: New York (March), Texas (August) and Alabama and Michigan (September), but the same principle applies.

<sup>4</sup> Insurance trusts are activities of government where the government acts as an insurer. These activities include public-employee retirement systems, workers-compensation systems, unemployment-insurance systems and a few others.

<sup>5</sup> The fact that there is a difference between revenues and expenditures in these numbers must not be equated with the concepts of a budgetary "surplus" or "deficit." The reason is that the Census Bureau data represents a statistical compilation, not an accounting balance sheet. Total revenues almost always exceed total expenditures in the Census Bureau data. There are several reasons why this occurs, key among them the treatment of indebtedness financing, capital expenditures, accruals and insurance-trust system transactions. One example illustrates the practical application for a single government, but also has direct applicability for larger totals. A government might choose to finance a capital project through bonds. To avoid double counting, the Census Bureau data would not recognize the borrowing from the bond issue as revenue, but would recognize the capital outlay made from that bond money as expenditure. The revenue that balances the capital expenditure in the long run is the increased revenue stream over the period of the bond from taxes or charges that goes to paying off the bond's principal and interest. Thus, if the government spent the bond money in year one, there would be more expenditure than revenue in that year, but there would be more revenue than expenditure in every other year until the debt matured.

<sup>6</sup> Decreasing taxes can have its own set of political difficulties. In Virginia, for example, in the late 1990s, the state government sought to eliminate in phases a local personal-property tax on motor vehicles. The state agreed to make up the difference to local governments with state funds. The first phases, done in good economic times, presented few problems. But when an economic downturn reduced available state funds to continue the phase-out, a political schism developed. Some leaders tried to continue with the program, insisting that there was a commitment to complete the phase-out; others opposed this action on the grounds that there was insufficient state revenue and that the state had other priorities to meet before continuing to reduce this tax.

<sup>7</sup> Two states, New Hampshire and Tennessee, have personal-income taxes that are limited to a base of interest and dividends. Although still technically defined as such, these taxes are unlike the more broadly based income taxes employed in other states, and therefore have been excluded from the count of states that use personal-income taxes.

<sup>8</sup> In 1983, state participation in the federal general revenue sharing program ceased. Local governments continued receiving funds through this program until 1986.

<sup>9</sup> The employment data refers to full-time equivalent employment,

which converts part-time employees to the corresponding number of full-time employees based on hours worked.

<sup>10</sup> Because of compounding, the difference between an average annual increase of 6.4 and 4.4 percent after ten years is almost 60 percent.

<sup>11</sup> Only in Hawaii is the elementary and secondary education system wholly administered directly by the state government. In other states, there have been small segments of elementary and secondary education run directly by the state. In some cases there are historical precedents, such as in Maine. More recently, state control of local schools is the result of state takeovers of systems with significant financial or educational problems. For the most part, the latter cases reflect a temporary change of control.

<sup>12</sup> *Historical Tables, Budget of the United States, Fiscal Year 2003*, Table 7.1 (Washington D.C.: U. S. Government Printing Office, 2002.)

<sup>13</sup> The local government data is for fiscal 1999. The state and local numbers are not an exact comparison in time, but the relative proportions hold true. Although public debt for private purposes is legally a government credit obligation, the structuring of the debt financing means that the interest and principal derive from private funding sources; that is, the private facilities that are the beneficiaries of the funds. The governments act in somewhat of an agency capacity in these cases. For this reason, governments often treat public debt for private purposes separately from other debt. For an excellent discussion of this type of public debt see Dennis Zimmerman, *The Private Use of Tax-Exempt Bonds*, (Washington, D.C.: Urban Institute, 1991).

<sup>14</sup> For a more detailed discussion of state public-employee retirement-system assets, see the article by Benjamin Shelak in this volume.

<sup>15</sup> See Paul R. Campbell, *Population Projections for States by Age, Sex, Race, and Hispanic Origin: 1995 to 2025* (Washington D.C.: U.S. Bureau of the Census, Population Division, PPL-47, 1996).

<sup>16</sup> An Urban Institute report showed that children of immigrants – either foreign born or having a foreign-born parent – more than tripled from 1970 to 1997, going from 6.3 percent of all K-12 students to almost 20 percent. One-quarter of these students are not fluent in English, and the poverty rate among them was 44 percent in 1995. See Jorge Ruiz-de-Velasco and Michael Fix, *Overlooked and Underserved: Immigrant Children in U.S. Secondary Schools*, (Washington D.C.: Urban Institute, 2000).

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## About the Author

**Henry S. Wulf** is assistant division chief for recurring programs, Governments Division, U. S. Census Bureau, U.S. Department of Commerce. His area of expertise is state and local government finances. He has contributed to various publications and in 2002, he was appointed to a term on the Government Accounting Standards Advisory Council, an advisory body to the Government Accounting Standards Board.



**Table 7.1**  
**SUMMARY OF FINANCIAL AGGREGATES, BY STATE: 2000**  
(In millions of dollars)

State	Revenue				Expenditure				Total debt outstanding at end of fiscal year	Total cash and security holdings at end of fiscal year
	Total	General	Utilities and liquor store	Insurance trust	Total	General	Utilities and liquor store	Insurance trust		
<b>United States</b>	\$1,259,979	\$984,007	\$8,407	\$267,564	\$1,083,000	\$963,736	\$13,895	\$105,368	\$547,925	\$2,519,801
Alabama .....	16,857	14,117	152	2,588	15,873	14,400	151	1,322	5,292	25,954
Alaska .....	8,584	7,330	25	1,229	6,611	5,972	65	574	4,150	47,024
Arizona .....	16,721	14,664	22	2,035	16,574	15,284	26	1,264	3,101	35,190
Arkansas .....	10,789	9,118	0	1,671	9,589	8,967	0	623	2,746	17,720
California .....	172,481	135,782	223	36,476	149,770	134,204	114	15,452	57,170	336,866
Colorado .....	17,060	12,925	0	4,135	13,930	12,485	10	1,434	4,431	30,811
Connecticut .....	17,857	16,082	23	1,752	16,723	14,856	205	1,661	18,456	29,080
Delaware .....	5,162	4,333	9	820	4,211	3,913	51	247	3,261	10,747
Florida .....	51,630	41,674	7	9,949	45,208	42,486	55	2,667	18,181	89,554
Georgia .....	29,567	23,395	0	6,171	24,739	23,092	0	1,647	7,086	50,046
Hawaii .....	6,941	5,729	0	1,212	6,605	5,975	0	629	5,592	12,773
Idaho .....	5,547	4,173	53	1,321	4,493	4,039	42	412	2,279	11,782
Illinois .....	48,524	38,759	0	9,766	41,182	36,895	0	4,287	28,828	86,684
Indiana .....	20,456	18,857	0	1,600	20,289	19,188	0	1,102	7,894	34,108
Iowa .....	11,340	9,892	107	1,340	11,453	10,520	74	858	2,362	24,551
Kansas .....	10,326	8,493	0	1,833	9,165	8,417	0	748	1,912	12,029
Kentucky .....	19,451	14,648	0	4,802	15,682	14,197	0	1,486	7,753	32,029
Louisiana .....	18,404	14,489	4	3,912	16,537	14,766	3	1,768	7,770	35,791
Maine .....	6,294	5,274	77	943	5,448	4,850	53	545	4,058	12,344
Maryland .....	21,367	17,957	101	3,308	19,432	17,343	384	1,705	11,365	47,984
Massachusetts .....	32,011	27,418	95	4,497	29,478	26,821	306	2,351	38,961	59,248
Michigan .....	49,512	39,491	567	9,454	42,748	39,004	465	3,280	19,445	77,922
Minnesota .....	26,889	20,972	0	5,917	22,026	19,675	0	2,351	5,602	53,967
Mississippi .....	12,181	9,636	165	2,381	10,972	10,049	133	790	3,222	21,915
Missouri .....	20,327	16,503	0	3,824	17,293	15,837	0	1,456	9,820	47,592
Montana .....	4,204	3,496	43	666	3,718	3,325	33	360	2,548	10,175
Nebraska .....	6,136	5,657	0	479	5,772	5,537	0	236	1,680	10,987
Nevada .....	7,235	5,424	32	1,780	6,047	5,369	45	633	2,990	18,562
New Hampshire .....	4,993	3,876	291	826	4,366	3,884	249	233	5,499	9,407
New Jersey .....	42,341	32,237	499	9,605	34,779	28,160	1,886	4,733	28,942	82,745
New Mexico .....	10,570	7,888	0	2,683	8,700	7,985	0	714	3,627	32,209
New York .....	111,492	84,860	2,360	24,271	97,654	81,371	6,355	9,928	78,616	211,314
North Carolina .....	34,361	27,762	0	6,599	29,615	27,242	0	2,373	9,336	73,229
North Dakota .....	3,295	2,798	0	498	2,856	2,569	0	287	1,520	6,842
Ohio .....	55,273	36,166	480	18,628	44,631	36,144	305	8,181	18,143	147,265
Oklahoma .....	13,116	10,783	287	2,046	10,271	8,788	278	1,205	5,663	24,404
Oregon .....	21,228	14,313	228	6,687	15,776	13,155	140	2,481	6,235	33,586
Pennsylvania .....	54,518	41,701	865	11,952	47,682	41,937	801	4,944	18,595	110,454
Rhode Island .....	5,530	4,047	11	1,472	4,648	3,987	59	602	5,681	11,438
South Carolina .....	15,870	13,221	814	1,834	16,237	14,195	797	1,245	7,057	24,872
South Dakota .....	2,873	2,253	0	619	2,403	2,228	0	175	2,305	8,539
Tennessee .....	18,970	15,928	0	3,041	16,853	15,822	4	1,027	3,292	29,018
Texas .....	72,323	55,312	0	17,010	59,805	53,832	0	5,973	19,228	188,148
Utah .....	10,191	7,661	117	2,414	8,592	7,956	87	548	3,885	17,492
Vermont .....	3,280	2,931	29	320	3,219	3,068	32	120	2,165	4,534
Virginia .....	28,902	22,208	299	6,395	24,314	22,609	269	1,436	12,011	58,387
Washington .....	30,616	21,254	327	9,035	25,902	21,951	307	3,644	11,734	66,541
West Virginia .....	8,526	6,982	50	1,494	7,552	6,491	52	1,010	3,730	9,636
Wisconsin .....	32,119	21,183	0	10,936	23,026	20,645	0	2,381	11,454	77,051
Wyoming .....	5,740	2,357	45	3,339	2,553	2,254	57	242	1,250	9,239

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Detail may not add to totals due to rounding. Data presented are statistical in nature and do not represent an accounting statement. Therefore, a difference between an individual government's total revenues and expenditures does not necessarily indicate a budget surplus or deficit.

## REVENUE AND EXPENDITURES

**Table 7.2**  
**NATIONAL TOTALS OF STATE GOVERNMENT FINANCES FOR SELECTED YEARS: 1998-2000**

<i>Item</i>	<i>2000</i>	<i>1999</i>	<i>1998</i>	<i>Per capita 2000</i>	<i>Per capita 1999</i>	<i>Percent change 1999 to 2000</i>	<i>Percent change 1998 to 1999</i>
<b>Population (in thousands) .....</b>	280,850	272,172	269,727				
<b>Revenue total .....</b>	\$1,259,978,992	\$1,152,869,754	\$1,103,239,093	\$4,486	\$4,236	9.3	4.5
General revenue .....	984,007,363	906,076,110	863,522,535	3,504	3,329	8.6	4.9
Taxes .....	539,144,831	499,943,213	473,051,441	1,920	1,837	7.8	5.7
Intergovernmental revenue .....	274,418,620	253,691,979	240,788,817	977	932	8.2	5.4
From Federal Government .....	259,066,206	238,940,986	224,443,723	922	878	8.4	6.5
Public welfare .....	147,429,937	135,274,188	127,355,715	525	497	9.0	6.2
Education .....	42,179,429	38,737,952	36,137,911	150	142	8.9	7.2
Highways .....	23,376,043	20,874,468	19,659,220	83	77	12.0	6.2
Employment security administration .....	4,020,724	3,941,741	3,675,514	14	14	2.0	7.2
Other .....	42,060,073	40,112,637	37,615,363	150	147	4.9	6.6
From local government .....	15,352,414	14,750,993	16,345,094	55	54	4.1	-9.8
Charges and miscellaneous revenue .....	170,443,912	152,440,918	149,682,277	607	560	11.8	1.8
Liquor stores revenue .....	3,894,548	3,599,377	3,482,573	14	13	8.2	3.4
Utility revenue .....	4,512,606	4,356,364	4,204,677	16	16	3.6	3.6
Insurance trust revenue .....	267,564,365	238,837,903	232,029,308	953	878	12.0	2.9
Employee retirement .....	230,165,517	201,499,887	195,602,881	820	740	14.2	3.0
Unemployment compensation .....	23,248,806	22,131,040	23,050,898	83	81	5.1	-4.0
Worker compensation .....	11,845,416	12,915,229	11,361,720	42	47	-8.3	13.7
Other .....	2,304,626	2,291,747	2,013,809	8	8	0.6	13.8
<b>Expenditure and debt redemption .....</b>	1,131,329,529	1,046,234,436	979,302,843	4,028	3,844	8.1	6.8
Debt redemption .....	48,329,778	47,869,319	49,351,255	172	176	1.0	-3.0
Expenditure total .....	1,082,999,751	998,365,117	929,951,588	3,856	3,668	8.5	7.4
General expenditure .....	963,736,423	889,475,225	827,653,545	3,432	3,268	8.3	7.5
Education .....	347,617,653	318,601,796	294,813,967	1,238	1,171	9.1	8.1
Intergovernmental expenditure .....	208,434,157	192,416,987	176,250,998	742	707	8.3	9.2
State institutions of higher education .....	121,426,602	109,813,926	103,044,247	432	403	10.6	6.6
Other education .....	226,191,051	208,787,870	191,769,720	805	767	8.3	8.9
Public welfare .....	238,604,746	221,166,721	207,926,206	850	813	7.9	6.4
Intergovernmental expenditure .....	40,314,579	38,928,752	35,807,218	144	143	3.6	8.7
Cash assistance, categorical program .....	9,968,026	10,838,375	10,827,280	35	40	-8.0	0.1
Cash assistance, other .....	1,398,588	1,306,482	1,276,989	5	5	7.0	2.3
Other public welfare .....	227,238,132	209,021,864	195,821,937	809	768	8.7	6.7
Highways .....	74,173,506	68,317,477	63,619,723	264	251	8.6	7.4
Intergovernmental expenditure .....	12,487,344	12,075,195	11,648,853	44	44	3.4	3.7
Regular state highway facilities .....	68,916,436	63,880,316	60,196,987	245	235	7.9	6.1
State toll highways/facilities .....	5,257,070	4,437,161	3,422,736	19	16	18.5	29.6
Health and hospitals .....	74,568,132	68,002,623	63,994,987	266	250	9.7	6.3
State hospitals and institutions for handicapped .....	32,082,611	29,446,155	28,410,203	114	108	9.0	3.6
Other .....	494,026	548,267	517,900	2	2	-9.9	5.9
Natural resources .....	15,994,307	14,481,572	13,540,517	57	53	10.4	6.9
Corrections .....	35,169,836	32,842,987	30,600,550	125	121	7.1	7.3
Financial administration .....	16,272,705	15,525,628	14,532,331	58	57	4.8	6.8
Employment security administration .....	4,164,709	4,124,893	4,120,610	15	15	1.0	0.1
Police protection .....	9,799,726	8,793,684	8,038,265	35	32	11.4	9.4
Interest on general debt .....	29,220,405	27,785,488	26,775,657	104	102	5.2	3.8
Veterans' services .....	357,075	283,242	288,331	1	1	26.1	-1.8
Utility expenditure .....	10,700,016	8,778,912	8,365,190	38	32	21.9	4.9
Insurance trust expenditure .....	105,368,058	97,143,800	91,113,068	375	357	8.5	6.6
Employee retirement .....	75,970,645	67,353,132	63,002,337	271	247	12.8	6.9
Unemployment compensation .....	18,569,341	19,159,588	17,711,847	66	70	-3.1	8.2
Other .....	8,317,018	10,631,080	10,398,884	30	39	-21.8	2.2

See footnotes at end of table.

**NATIONAL TOTALS OF STATE GOVERNMENT FINANCES FOR SELECTED YEARS: 1998-2000 — Continued**

<i>Item</i>	<i>2000</i>	<i>1999</i>	<i>1998</i>	<i>Per capita 2000</i>	<i>Per capita 1999</i>	<i>Percent change 1999 to 2000</i>	<i>Percent change 1998 to 1999</i>
<b>Total expenditure by character and</b>							
<b>object .....</b>	\$1,082,999,751	\$998,365,117	\$929,951,588	\$3,856	\$3,668	8.5	7.4
Direct expenditure .....	755,389,590	693,431,867	651,098,179	2,690	2,548	8.9	6.5
Current operation .....	521,835,310	476,968,246	446,439,710	1,858	1,752	9.4	6.8
Capital outlay .....	75,905,170	68,508,917	64,441,178	270	252	10.8	6.3
Construction .....	59,958,616	53,856,968	50,541,874	213	198	11.3	6.6
Other capital outlay .....							
structures .....	15,946,554	14,651,949	13,899,304	57	54	8.8	5.4
Assistance and subsidies .....	22,181,720	22,228,734	21,514,628	79	82	-0.2	3.3
Interest on debt .....	30,099,332	28,582,170	27,589,595	107	105	5.3	3.6
Insurance benefits and .....							
repayments .....	105,368,058	97,143,800	91,113,068	375	357	8.5	6.6
Intergovernmental expenditure .....	327,610,161	304,933,250	278,853,409	1,167	1,120	7.4	9.4
<b>Cash and security holdings at end</b>							
<b>of fiscal year .....</b>	2,519,800,638	2,265,944,792	2,058,592,849	8,972	8,325	11.2	10.1
Insurance trust .....	1,864,329,514	1,656,956,317	1,496,152,634	6,638	6,088	12.5	10.7
Unemployment fund balance .....	54,664,461	48,287,202	45,655,321	195	177	13.2	5.8
Debt offsets .....	275,127,517	258,330,164	243,840,960	980	949	6.5	5.9

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.



**Table 7.3**  
**STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 2000**  
(In thousands of dollars)

State	Total general revenue (a)	Sales and gross receipts				Taxes		Individual income	Corporation net income	Intergovernmental revenue	Charges and miscellaneous general revenue
		Motor fuels		Licenses							
		Total (b)	General	Total (b)	Motor vehicle						
United States .....	\$984,007,363	\$252,135,117	\$174,461,420	\$29,968,587	\$32,606,315	\$15,104,457	\$194,066,118	\$32,522,017	\$274,418,620	\$170,443,912	
Alabama .....	6,438,438	3,228,445	1,701,885	505,360	541,645	191,195	2,071,433	243,099	4,781,099	2,897,284	
Alaska .....	7,330,352	1,37,735	0	42,137	91,661	35,568	0	438,438	1,201,549	4,705,516	
Arizona .....	14,663,675	8,100,737	3,632,686	592,518	260,188	152,555	2,291,883	523,182	4,440,758	2,122,180	
Arkansas .....	9,118,341	2,362,883	1,706,645	388,625	259,381	117,647	1,470,012	236,969	2,734,557	1,513,223	
California .....	135,781,559	29,620,197	23,457,385	3,041,370	3,690,638	1,763,623	39,574,649	6,638,762	36,124,644	15,848,956	
Colorado .....	12,925,010	2,708,987	1,849,305	544,134	300,109	174,589	3,636,920	334,980	3,301,003	2,548,960	
Connecticut .....	16,082,427	10,171,242	5,054,024	543,022	365,202	232,599	3,973,621	426,617	3,394,606	2,516,579	
Delaware .....	4,332,601	213,213	289,338	0	104,200	777,077	733,399	240,319	826,747	1,373,723	
Florida .....	41,673,899	24,825,753	19,131,856	15,010,888	1,512,797	932,112	0	1,182,796	10,271,245	6,576,901	
Georgia .....	23,395,202	5,746,072	4,630,179	632,103	466,985	235,488	6,364,586	712,421	6,459,138	3,424,789	
Hawaii .....	3,334,743	2,051,912	1,536,276	74,456	110,917	76,661	1,064,317	75,271	1,128,102	1,266,131	
Idaho .....	4,172,662	2,377,251	1,054,964	208,968	216,547	108,365	965,428	125,860	1,073,935	721,476	
Illinois .....	38,758,562	22,788,799	10,859,328	6,393,080	1,570,708	1,020,338	7,637,115	2,261,293	10,213,600	5,756,163	
Indiana .....	18,856,533	10,104,353	5,036,689	3,579,416	700,420	245,323	3,753,339	924,623	4,951,602	3,800,578	
Iowa .....	9,891,815	5,185,394	2,478,583	346,461	492,575	335,732	1,890,427	214,605	2,730,827	1,975,594	
Kansas .....	8,493,190	4,848,235	2,303,867	356,236	236,789	143,620	1,861,610	272,432	2,401,468	1,243,487	
Kentucky .....	14,648,458	7,694,610	3,512,227	2,171,609	537,289	191,534	2,701,616	306,450	4,340,617	2,613,231	
Louisiana .....	14,488,505	6,512,392	2,060,822	549,421	490,138	110,023	1,582,260	222,008	4,401,227	3,574,886	
Maine .....	5,273,506	2,661,080	1,190,998	181,263	134,377	68,389	1,076,913	150,046	1,555,233	1,057,193	
Maryland .....	17,957,412	10,354,447	4,361,581	652,052	379,190	179,014	4,613,203	431,109	4,165,695	3,437,270	
Massachusetts .....	27,418,165	16,152,874	5,059,849	3,565,267	652,596	227,704	9,041,936	1,306,353	5,786,537	5,478,754	
Michigan .....	39,490,569	22,756,403	9,784,723	7,666,399	1,074,817	816,160	7,190,407	2,382,496	9,370,103	7,364,063	
Minnesota .....	20,971,555	13,358,732	5,775,426	3,723,838	607,588	642,467	5,547,326	803,357	4,450,677	3,182,146	
Mississippi .....	9,635,757	3,416,936	2,333,384	418,555	278,803	112,602	1,006,662	227,716	3,469,580	1,454,580	
Missouri .....	16,503,398	8,571,548	4,031,605	695,591	575,609	240,552	3,550,284	265,467	5,256,129	2,675,721	
Montana .....	3,496,185	1,410,760	343,911	188,345	123,158	55,065	516,261	99,772	1,205,898	879,527	
Nebraska .....	5,657,024	2,981,407	1,027,940	279,426	189,715	84,390	1,173,918	140,022	1,568,402	1,107,575	
Nevada .....	5,423,975	3,717,315	3,154,026	261,995	362,478	0	0	0	1,057,120	649,140	
New Hampshire .....	3,875,933	1,696,085	555,501	0	116,884	64,702	65,975	312,176	1,157,147	1,022,701	
New Jersey .....	32,237,376	18,147,604	8,199,639	5,508,046	506,432	352,992	7,205,260	1,347,336	7,743,380	6,346,392	
New Mexico .....	7,887,550	3,743,178	2,006,930	1,502,319	233,176	142,405	880,859	159,338	2,187,357	1,957,015	
New York .....	84,860,265	41,735,841	13,307,079	8,563,323	521,670	363,632	23,194,281	2,771,556	32,619,618	10,504,806	
North Carolina .....	27,762,320	15,315,386	5,941,139	3,574,566	1,066,670	392,182	7,209,670	1,197,162	8,590,697	3,856,237	
North Dakota .....	2,797,649	1,172,373	655,048	330,269	87,180	43,626	198,621	78,221	1,002,136	623,140	
Ohio .....	36,165,655	19,676,365	9,058,711	6,263,251	1,404,946	607,600	8,241,227	630,607	10,073,755	6,415,535	
Oklahoma .....	10,783,449	5,840,022	2,180,507	1,441,670	402,380	633,002	2,134,506	194,145	3,047,293	1,896,134	
Oregon .....	14,311,196	5,945,675	0	473,947	605,026	366,177	4,097,427	1,007,084	4,684,653	3,682,868	
Pennsylvania .....	41,700,748	22,466,906	10,460,396	7,057,309	764,065	2,273,339	6,770,513	1,696,845	10,584,182	8,649,660	
Rhode Island .....	4,046,918	2,034,909	1,002,948	621,066	130,974	51,450	828,983	74,825	1,162,862	849,147	
South Carolina .....	13,220,880	6,381,391	3,240,855	2,458,308	369,976	107,953	2,445,559	227,161	4,379,015	2,460,474	

See footnotes at end of table.

# STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 2000 (in thousands of dollars) — Continued

State	Total general revenue (a)	Sales and gross receipts					Taxes			Individual income	Corporation net income	Intergovernmental revenue	Charges and miscellaneous general revenue
		Total	Total (b)		General		Licenses						
			Motor fuels	Motor vehicle	Total (b)	Total (b)							
South Dakota .....	2,253,418	927,245	732,389	487,897	124,735	118,448	39,315	0	45,123	793,121	533,052		
Tennessee .....	15,928,464	7,739,590	5,805,324	4,446,160	788,174	898,509	235,560	180,278	613,924	6,120,698	2,068,176		
Texas .....	55,312,368	27,424,142	22,213,368	14,012,165	2,688,818	3,812,821	925,337	0	17,150,934	10,737,292			
Utah .....	7,660,537	3,978,697	1,924,091	1,423,234	330,499	138,111	80,038	1,651,448	173,799	1,889,150	1,792,690		
Vermont .....	2,931,084	1,470,828	471,300	215,423	60,575	68,323	35,318	432,002	44,430	918,135	542,121		
Virginia .....	22,207,832	12,141,096	4,352,087	2,471,938	814,999	513,765	309,723	6,321,962	565,909	4,466,096	5,600,640		
Washington .....	21,254,208	12,567,383	9,684,271	7,739,014	775,245	607,954	295,288	0	0	5,190,356	3,496,469		
West Virginia .....	6,982,179	3,343,266	1,800,105	917,050	239,580	174,260	87,740	965,721	217,793	2,406,274	1,232,639		
Wisconsin .....	21,183,017	12,575,192	5,105,553	3,506,696	915,694	668,760	303,691	5,952,301	578,120	4,734,449	3,873,376		
Wyoming .....	2,356,583	963,650	476,596	368,779	81,364	89,186	52,086	0	0	855,211	537,722		

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Detail may not add to totals due to rounding.

(a) Total general revenue equals total taxes plus intergovernmental revenue plus charges and miscellaneous revenue.

(b) Total includes other taxes not shown separately in this table.

**Table 7.4**  
**STATE EXPENDITURE, BY CHARACTER AND OBJECT AND BY STATE: 2000**  
**(In thousands of dollars)**

State	Intergovernmental expenditure	Direct expenditures				Assistance and subsidies	Interest on debt	Insurance benefits and repayments	Exhibit: Total salaries and wages
		Total	Current operation	Total	Capital outlay	Other			
United States .....	\$327,610,161	\$755,389,590	\$521,835,310	\$75,905,170	\$59,958,616	\$15,946,554	\$30,099,332	\$105,368,058	\$154,551,171
Alabama .....	3,908,350	11,964,159	8,503,158	1,136,551	949,603	186,948	275,930	1,322,315	2,487,819
Alaska .....	1,026,962	5,583,843	3,990,109	591,147	483,969	170,178	258,123	573,809	883,451
Arizona .....	6,391,146	10,182,792	7,184,208	991,811	683,338	308,473	174,099	1,262,450	2,623,450
Arkansas .....	2,725,242	6,863,908	5,182,055	770,870	619,186	151,684	120,631	622,610	1,709,970
California .....	65,389,054	84,381,389	60,952,862	4,235,517	3,267,543	967,974	2,620,635	15,452,462	16,677,516
Colorado .....	3,702,849	10,226,930	7,177,865	1,252,199	1,030,339	221,860	256,577	1,434,172	2,542,977
Connecticut .....	3,362,551	13,360,186	9,188,363	931,635	733,286	198,349	1,089,071	1,661,498	2,822,922
Delaware .....	856,008	3,354,650	2,387,521	434,058	318,844	115,214	218,280	247,117	957,682
Florida .....	14,073,445	31,134,273	22,629,571	3,945,071	2,655,756	1,289,315	1,075,902	2,666,637	8,048,281
Georgia .....	7,179,698	17,559,022	12,388,271	2,371,445	1,773,386	598,059	386,561	1,647,009	3,731,108
Hawaii .....	157,902	6,446,704	4,513,498	646,886	551,862	95,024	482,948	629,113	1,663,198
Idaho .....	1,277,688	3,214,834	2,195,529	405,489	301,695	103,794	124,835	411,523	646,800
Illinois .....	12,050,100	29,132,311	19,652,519	2,103,787	1,625,530	478,257	1,825,289	4,287,078	4,872,119
Indiana .....	6,735,704	13,553,658	10,155,704	1,640,750	1,388,273	252,477	372,548	1,101,551	2,652,006
Iowa .....	3,211,878	8,241,059	5,895,862	1,107,104	919,884	187,220	131,285	858,485	2,352,906
Kansas .....	2,853,333	6,311,729	4,483,058	870,778	704,745	166,033	46,643	747,591	1,466,879
Kentucky .....	3,280,144	12,402,165	8,744,652	1,514,660	1,190,317	324,343	360,284	1,485,521	2,760,213
Louisiana .....	3,721,576	12,814,961	8,988,392	1,234,988	1,020,485	214,503	411,003	1,768,041	3,208,173
Maine .....	912,376	4,535,627	3,330,816	264,505	220,491	44,014	226,418	544,726	678,275
Maryland .....	4,355,724	15,076,023	10,479,615	1,392,651	1,061,214	331,437	801,111	1,704,669	3,384,741
Massachusetts .....	6,240,692	23,237,201	14,691,706	3,425,209	3,196,377	228,832	2,171,984	2,350,722	3,887,429
Michigan .....	17,201,031	25,547,376	18,647,172	1,982,355	1,433,806	548,549	919,841	3,280,084	5,656,845
Minnesota .....	7,610,072	14,415,809	9,964,739	1,182,732	918,747	263,985	349,315	2,351,339	3,485,203
Mississippi .....	3,248,019	7,724,111	5,615,302	980,128	806,632	173,496	182,474	789,611	1,563,900
Missouri .....	4,528,746	12,764,060	8,816,971	1,457,676	1,143,431	314,245	543,457	1,455,550	2,927,113
Montana .....	760,511	2,957,649	1,985,315	407,119	356,431	50,688	142,526	359,806	564,144
Nebraska .....	1,585,847	4,186,551	3,097,899	657,047	569,034	88,013	106,340	235,776	1,552,198
Nevada .....	2,230,330	3,796,937	2,400,480	593,471	515,384	78,087	123,661	633,254	962,349
New Hampshire .....	1,053,267	3,312,805	2,396,938	286,172	200,802	85,370	309,874	232,504	640,311
New Jersey .....	8,639,491	26,139,632	17,544,969	2,367,710	1,801,835	565,875	1,160,135	1,732,787	5,816,026
New Mexico .....	2,447,354	6,252,482	4,507,411	634,403	515,721	118,682	178,646	714,429	1,323,085
New York .....	66,380,973	143,060,438	82,600,447	6,089,878	2,170,569	3,918,309	4,258,648	9,928,167	11,107,251
North Carolina .....	9,301,095	20,313,929	14,676,763	2,173,964	1,569,595	604,369	585,449	2,373,266	4,676,569
North Dakota .....	589,807	2,265,852	1,568,794	303,186	279,093	24,093	27,989	286,991	475,647
Ohio .....	13,021,918	31,608,760	17,805,469	3,288,366	2,661,916	626,450	998,095	8,181,356	5,186,771
Oklahoma .....	3,089,257	7,182,064	4,420,104	1,085,811	774,850	310,961	308,004	1,204,673	1,962,975
Oregon .....	3,919,771	11,856,011	7,965,231	624,289	502,449	121,840	461,164	2,481,210	2,415,118

See footnotes at end of table.

(In thousands of dollars) — Continued

State	Intergovernmental expenditure	Direct expenditures					Assistance and subsidies	Interest on debt	Insurance benefits and repayments	Exhibit: Total salaries and wages
		Total	Current operation	Capital outlay		Other				
				Construction						
Pennsylvania	11,369,795	36,311,913	26,082,099	2,847,894	2,386,602	461,292	1,170,094	1,267,636	4,944,190	5,334,843
Rhode Island	677,552	3,970,358	2,593,859	310,253	260,642	49,611	187,532	277,164	601,550	819,491
South Carolina	3,806,116	12,430,612	9,084,164	1,390,196	1,051,465	338,731	299,792	411,532	1,244,928	2,827,164
South Dakota	448,131	1,954,405	1,275,099	342,185	294,265	47,920	42,553	119,776	174,792	401,127
Tennessee	4,364,404	12,488,923	9,392,164	1,480,523	1,270,206	210,317	398,458	190,470	1,027,308	2,464,411
Texas	16,231,378	43,573,843	30,059,539	4,923,996	3,918,603	1,005,393	1,584,970	1,032,280	5,973,058	7,598,588
Utah	1,977,703	6,614,031	4,643,694	909,509	756,846	152,663	327,531	185,078	548,219	1,375,035
Vermont	931,604	2,287,766	1,782,863	155,960	123,769	32,191	105,119	124,137	119,687	507,804
Virginia	7,132,350	17,181,533	12,377,267	1,762,135	1,459,142	302,993	814,427	791,644	1,436,060	4,188,858
Washington	6,370,710	19,531,080	12,287,873	1,800,323	1,564,642	235,681	1,191,680	606,891	1,364,313	4,301,470
West Virginia	1,359,668	6,192,712	4,203,075	681,916	559,592	122,324	91,640	206,501	1,009,580	1,265,119
Wisconsin	8,170,504	14,855,727	9,834,005	1,402,318	1,166,319	235,999	687,019	2,380,755	2,380,755	2,714,572
Wyoming	838,308	1,714,282	1,035,302	345,975	310,796	35,179	26,963	64,326	241,716	365,927

*Source:* U.S. Department of Commerce, Bureau of the Census, January 2002.

*Note:* Detail may not add to totals due to rounding.

**Table 7.5**  
**STATE GENERAL EXPENDITURE, BY FUNCTION AND BY STATE: 2000**  
(In thousands of dollars)

State	Total general expenditure (a)	Education	Public welfare	Highways	Hospitals	Natural resources	Health	Corrections	Financial administration	Employment security administration	Police
United States .....	\$963,736,423	\$347,617,653	\$238,604,746	\$74,173,506	\$32,576,637	\$15,994,307	\$41,991,495	\$35,169,836	\$16,272,705	\$4,164,709	\$9,799,726
Alabama .....	14,399,604	6,224,938	3,484,564	1,076,311	1,021,054	194,417	598,894	278,856	135,593	68,047	117,831
Alaska .....	5,972,185	1,319,094	914,855	639,941	17,571	250,331	150,313	173,624	142,144	33,361	63,311
Arizona .....	15,283,545	5,551,829	1,584,079	1,584,079	79,823	170,631	954,431	760,323	214,126	85,673	161,140
Arkansas .....	8,966,540	3,976,336	1,986,866	745,972	383,938	204,582	290,306	275,158	182,328	43,700	73,341
California .....	134,203,791	49,908,590	36,467,804	5,848,053	3,335,190	2,292,366	7,546,878	4,244,680	2,389,494	379,615	1,267,990
Colorado .....	12,485,324	4,959,104	2,925,313	1,243,410	149,055	189,613	308,387	689,090	144,583	38,260	79,148
Connecticut .....	14,855,976	3,862,053	3,233,262	785,908	1,126,066	101,526	500,735	555,449	416,116	94,585	140,110
Delaware .....	3,912,687	1,409,475	548,363	332,300	62,968	65,834	215,020	228,076	76,634	12,289	65,602
Florida .....	42,485,698	14,360,657	9,161,608	3,811,104	610,607	1,438,116	2,678,698	2,218,703	764,887	5,660	369,837
Georgia .....	23,091,711	10,458,952	5,469,166	1,586,703	668,219	505,131	843,258	1,007,576	307,401	148,513	194,726
Hawaii .....	5,975,493	1,853,805	1,033,386	226,137	192,039	79,575	398,125	154,622	57,867	43,207	4,953
Idaho .....	4,038,683	1,663,980	761,531	470,498	42,689	135,412	98,510	149,835	123,472	32,760	38,770
Illinois .....	36,895,333	12,060,869	9,775,188	2,467,057	847,109	403,419	2,078,089	1,343,545	722,100	230,584	372,218
Indiana .....	19,187,811	7,733,431	4,046,412	2,006,791	239,184	223,098	491,217	554,995	287,817	123,328	202,245
Iowa .....	10,520,387	4,180,513	2,195,661	1,423,903	655,221	255,742	221,934	279,196	169,908	87,606	81,034
Kansas .....	8,417,471	3,812,579	1,257,894	1,354,907	101,323	171,527	348,655	317,890	303,912	14,368	53,008
Kentucky .....	14,196,788	5,179,916	4,080,749	1,525,672	451,087	270,399	419,625	412,032	160,661	49,501	184,803
Louisiana .....	14,765,628	5,399,754	3,097,181	1,100,612	1,376,198	374,078	478,003	530,955	191,868	69,713	253,386
Maine .....	4,850,079	1,285,190	1,566,338	414,961	42,630	141,373	279,190	91,882	80,500	28,401	46,185
Maryland .....	17,342,654	5,587,021	3,921,774	1,296,717	360,644	438,653	1,059,486	903,548	356,853	39,714	318,146
Massachusetts .....	26,821,422	5,649,637	6,541,200	2,788,211	465,869	214,474	1,486,938	765,464	368,411	72,932	444,636
Michigan .....	39,003,752	17,460,528	8,023,945	2,625,159	1,112,902	408,078	2,699,196	1,537,371	359,693	193,445	310,014
Minnesota .....	19,674,542	7,765,396	5,360,619	1,478,430	222,650	506,907	455,386	364,821	295,779	114,995	142,487
Mississippi .....	10,049,045	3,475,688	2,532,682	964,873	598,815	232,460	291,496	256,750	64,272	51,905	68,782
Missouri .....	15,837,256	5,949,860	4,006,324	1,491,193	592,624	284,332	591,534	529,451	217,159	53,599	158,817
Montana .....	3,324,887	1,148,326	548,277	434,321	43,787	154,952	215,078	104,223	143,715	9,307	37,726
Nebraska .....	5,536,622	1,999,065	1,592,953	554,013	158,457	156,317	261,953	172,628	74,986	30,366	61,331
Nevada .....	5,369,012	2,137,608	822,097	583,135	90,643	82,779	112,244	220,695	65,720	35,015	57,918
New Hampshire .....	3,884,463	1,337,352	1,072,978	351,812	43,492	44,698	132,710	85,522	72,910	21,630	39,204
New Jersey .....	28,160,194	9,608,981	5,730,105	1,540,914	1,160,401	322,011	763,044	1,161,043	512,921	36,920	405,584
New Mexico .....	7,985,407	3,165,507	1,462,832	870,164	357,037	136,490	302,504	216,722	126,457	49,275	77,574
New York .....	81,370,941	21,449,689	30,718,080	3,265,592	3,197,781	369,000	3,568,286	2,440,336	1,607,904	300,983	474,771
North Carolina .....	27,241,758	11,274,133	5,826,871	2,314,238	1,247,695	568,173	886,520	907,378	228,002	105,756	363,882
North Dakota .....	2,568,668	878,845	546,550	356,849	42,472	84,205	43,080	31,104	41,228	7,370	12,179
Ohio .....	36,143,917	13,248,475	9,060,175	3,013,176	1,231,527	380,274	1,615,440	1,627,946	754,889	221,641	246,839

See footnotes at end of table.

# **STATE GENERAL EXPENDITURE, BY FUNCTION AND BY STATE: 2000 — Continued** (In thousands of dollars)

State	Total general expenditure (a)	Education	Public welfare	Highways	Hospitals	Natural resources	Health	Corrections	Financial administration	Employment security administration	Police
Oklahoma .....	8,788,311	4,516,745	553,764	1,225,109	149,035	223,609	380,071	467,617	188,968	63,064	75,488
Oregon .....	13,154,826	4,538,178	3,040,414	951,252	924,106	317,095	498,252	552,483	461,203	79,566	167,814
Pennsylvania .....	41,936,697	12,733,777	13,225,522	3,513,899	1,681,893	626,845	1,571,394	1,469,375	676,874	247,726	786,628
Rhode Island .....	3,987,382	1,175,428	1,162,823	220,434	121,570	41,252	152,274	139,225	100,358	42,694	36,659
South Carolina .....	14,194,639	5,011,288	3,458,383	1,178,207	772,952	250,110	645,473	437,104	190,048	67,674	217,311
South Dakota .....	2,227,744	689,679	476,781	369,648	43,836	75,449	65,917	62,831	48,049	17,671	17,749
Tennessee .....	15,821,917	5,512,784	5,211,056	1,501,301	366,739	228,869	633,691	449,107	152,166	83,049	118,178
Texas .....	53,832,163	22,913,913	11,865,880	4,861,214	2,947,605	718,567	1,608,023	2,766,911	701,345	226,732	343,991
Utah .....	7,956,320	3,590,583	1,464,221	902,063	413,947	140,972	208,731	245,401	159,714	10,853	74,401
Vermont .....	3,067,606	1,333,972	709,546	236,489	2,895	93,523	72,551	66,127	60,515	3,518	38,002
Virginia .....	22,608,544	8,718,796	4,022,306	2,354,282	1,433,577	182,870	642,384	1,123,734	548,478	101,481	511,285
Washington .....	21,950,637	8,991,631	5,070,468	1,560,320	681,277	587,544	1,273,277	731,277	307,263	128,583	245,886
West Virginia .....	6,490,829	2,295,556	1,761,509	837,624	88,518	151,074	152,559	156,190	192,902	36,553	52,445
Wisconsin .....	20,645,476	7,468,687	3,550,938	1,523,406	594,044	375,112	615,676	837,496	282,809	96,363	105,041
Wyoming .....	2,254,058	789,460	286,562	365,142	25,876	130,443	85,859	73,469	39,703	25,158	19,320

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Detail may not add to totals due to rounding.

(a) Does not represent sum of state figures because total includes miscellaneous expenditures not shown.

# REVENUE AND EXPENDITURES

**Table 7.6**

## STATE DEBT OUTSTANDING AT END OF FISCAL YEAR, BY STATE: 2000

(In thousands of dollars. Per capita in dollars)

State	Total	Per capita	Long-term			Short-term	Net long-term (a)	
			Total	Full faith and credit	Nonguaranteed		Total	Full faith and credit
United States .....	\$547,924,684	1,951.0	\$541,545,931	\$138,526,459	\$403,019,472	\$6,378,753	\$266,418,414	\$128,391,915
Alabama .....	5,291,796	1,189.9	5,291,796	1,607,010	3,684,786	0	2,962,465	1,607,010
Alaska .....	4,150,498	6,620.3	4,150,498	593,933	3,556,565	0	1,024,143	593,933
Arizona .....	3,101,233	604.5	3,101,233	211,439	2,889,794	0	2,457,872	211,439
Arkansas .....	2,745,559	1,027.0	2,745,440	550,472	2,194,968	119	1,125,626	550,472
California .....	57,170,067	1,687.8	57,170,067	18,824,450	38,345,617	0	33,308,672	18,798,624
Colorado .....	4,430,790	1,030.1	4,430,790	2,356	4,428,434	0	887,438	2,356
Connecticut .....	18,456,275	5,419.4	18,456,275	11,084,875	7,371,400	0	9,265,922	9,567,073
Delaware .....	3,261,043	4,161.6	3,245,629	738,865	2,506,764	15,414	1,438,286	636,667
Florida .....	18,181,456	1,137.6	18,090,837	685,290	17,405,547	90,619	13,706,029	530,985
Georgia .....	7,085,890	865.6	7,085,890	5,221,975	1,863,915	0	4,932,119	5,204,150
Hawaii .....	5,592,207	4,615.8	5,592,207	3,299,863	2,292,344	0	4,358,988	3,297,689
Idaho .....	2,279,273	1,761.5	2,279,273	0	2,279,273	0	289,897	0
Illinois .....	28,827,990	2,321.2	28,827,907	7,683,924	21,143,983	83	8,782,373	6,753,972
Indiana .....	7,894,464	1,298.3	7,839,530	0	7,839,530	54,934	2,408,391	0
Iowa .....	2,361,924	807.1	2,322,869	0	2,322,869	39,055	773,463	0
Kansas .....	1,911,825	711.1	1,891,092	0	1,891,092	20,733	1,868,570	0
Kentucky .....	7,752,521	1,918.1	7,752,521	0	7,752,521	0	4,619,969	-3,011
Louisiana .....	7,770,198	1,738.7	7,765,584	2,014,137	5,751,447	4,614	2,693,852	1,644,867
Maine .....	4,057,928	3,182.9	4,057,917	452,975	3,604,942	11	749,601	452,975
Maryland .....	11,365,163	2,145.8	11,365,163	3,353,669	8,011,494	0	5,035,309	3,341,384
Massachusetts .....	38,961,069	6,136.5	38,777,722	16,466,501	22,311,221	183,347	18,805,009	16,081,186
Michigan .....	19,444,881	1,956.5	19,430,257	1,934,100	17,496,157	14,624	5,013,542	1,934,100
Minnesota .....	5,602,052	1,138.7	5,602,052	2,490,340	3,111,712	0	2,769,716	2,121,214
Mississippi .....	3,222,129	1,132.7	3,202,334	2,085,213	1,117,121	19,795	2,380,767	2,052,980
Missouri .....	9,819,715	1,755.0	9,816,092	1,025,896	8,790,196	3,623	1,677,744	905,957
Montana .....	2,547,772	2,824.0	2,533,280	232,840	2,300,440	14,492	531,752	228,269
Nebraska .....	1,680,323	981.9	1,680,167	2,938	1,677,229	156	219,879	2,938
Nevada .....	2,990,150	1,496.4	2,990,150	2,020,616	969,534	0	1,989,404	1,980,092
New Hampshire .....	5,498,568	4,449.4	5,498,568	651,701	4,846,867	0	956,162	522,352
New Jersey .....	28,942,429	3,439.7	28,933,107	3,852,370	25,080,737	9,322	16,768,119	3,852,370
New Mexico .....	3,626,598	1,993.7	3,625,347	936,028	2,689,319	1,251	1,674,552	936,028
New York .....	78,615,990	4,142.8	78,307,854	9,892,406	68,415,448	308,136	41,749,764	7,955,208
North Carolina .....	9,336,374	1,159.9	9,317,209	3,205,384	6,111,825	19,165	3,861,066	3,205,384
North Dakota .....	1,519,729	2,366.4	1,519,729	0	1,519,729	0	26,181	0
Ohio .....	18,142,840	1,598.0	17,964,376	4,845,208	13,119,168	178,464	10,195,178	4,747,951
Oklahoma .....	5,663,182	1,641.2	5,663,182	300,100	5,363,082	0	3,157,244	300,100
Oregon .....	6,234,861	1,822.3	6,234,861	2,430,441	3,804,420	0	3,191,740	1,587,686
Pennsylvania .....	18,594,981	1,514.1	17,728,656	5,343,461	12,385,195	866,325	8,145,664	4,960,136
Rhode Island .....	5,681,091	5,419.2	5,676,004	922,717	4,753,287	5,087	2,158,907	922,717
South Carolina .....	7,057,310	1,759.0	6,687,251	2,559,997	4,127,254	370,059	4,975,315	2,559,997
South Dakota .....	2,304,895	3,053.5	2,304,454	0	2,304,454	441	289,965	0
Tennessee .....	3,292,314	578.7	3,184,749	966,543	2,218,206	107,565	1,153,641	965,729
Texas .....	19,228,150	922.1	15,211,859	6,705,920	8,505,939	4,016,291	11,258,608	4,215,364
Utah .....	3,885,417	1,739.9	3,860,367	1,212,325	2,648,042	25,050	1,863,516	1,178,302
Vermont .....	2,165,158	3,556.3	2,165,158	553,475	1,611,683	0	998,457	553,475
Virginia .....	12,010,623	1,696.8	12,010,623	460,001	11,550,622	0	3,653,892	460,001
Washington .....	11,734,299	1,990.8	11,734,161	7,278,158	4,456,003	138	7,359,137	7,146,247
West Virginia .....	3,730,325	2,062.8	3,720,485	373,690	3,346,795	9,840	2,041,858	372,690
Wisconsin .....	11,453,844	2,135.4	11,453,844	3,452,857	8,000,987	0	4,710,419	3,452,857
Wyoming .....	1,249,515	2,530.5	1,249,515	0	1,249,515	0	152,231	0

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Detail may not add to totals due to rounding.

(a) Long-term debt outstanding minus long-term debt offsets.

**Table 7.7**  
**AGENCIES ADMINISTERING MAJOR STATE TAXES**  
**(As of February 2002)**

<i>State or other jurisdiction</i>	<i>Income</i>	<i>Sales</i>	<i>Gasoline</i>	<i>Motor vehicle</i>
<b>Alabama</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
<b>Alaska</b> .....	Dept. of Revenue	...	Dept. of Revenue	Dept. of Public Safety
<b>Arizona</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation	Dept. of Transportation
<b>Arkansas</b> .....	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.
<b>California</b> .....	Franchise Tax Bd.	Bd. of Equalization	Bd. of Equalization	Dept. of Motor Vehicles
<b>Colorado</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
<b>Connecticut</b> .....	Dept. of Revenue Serv.	Dept. of Revenue Serv.	Dept. of Revenue Serv.	Dept. of Motor Vehicles
<b>Delaware</b> .....	Div. of Revenue	...	Dept. of Transportation	Dept. of Public Safety
<b>Florida</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Motor Vehicles
<b>Georgia</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
<b>Hawaii</b> .....	Dept. of Taxation	Dept. of Taxation	Dept. of Taxation	County Treasurer
<b>Idaho</b> .....	Tax Comm.	Tax Comm.	Tax Comm.	Dept. of Transportation
<b>Illinois</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Secretary of State
<b>Indiana</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Bur. of Motor Vehicles
<b>Iowa</b> .....	Dept. of Revenue & Finance	Dept. of Revenue & Finance	Dept. of Revenue & Finance	Local
<b>Kansas</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Local (a)
<b>Kentucky</b> .....	Revenue Cabinet	Revenue Cabinet	Revenue Cabinet	Transportation Cabinet
<b>Louisiana</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Public Safety
<b>Maine</b> .....	Revenue Services	Revenue Services	Revenue Services	Secretary of State
<b>Maryland</b> .....	Comptroller	Comptroller	Comptroller	Dept. of Transportation
<b>Massachusetts</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Reg. of Motor Vehicles
<b>Michigan</b> .....	Dept. of Treasury	Dept. of Treasury	Dept. of Treasury	Secretary of State
<b>Minnesota</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Public Safety
<b>Mississippi</b> .....	Tax Comm.	Tax Comm.	Tax Comm.	Tax Comm.
<b>Missouri</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
<b>Montana</b> .....	Dept. of Revenue	...	Dept. of Transportation	Local
<b>Nebraska</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Motor Vehicles
<b>Nevada</b> .....	...	Dept. of Taxation	Dept. of Motor Vehicles	Dept. of Motor Vehicles
<b>New Hampshire</b> .....	Dept. of Revenue Admin.	...	Dept. of Safety	Dept. of Safety
<b>New Jersey</b> .....	Dept. of Treasury	Dept. of Treasury	Dept. of Treasury	Dept. of Law & Public Safety
<b>New Mexico</b> .....	Tax & Revenue Dept.	Tax & Revenue Dept.	Tax & Revenue Dept.	Tax & Revenue Dept.
<b>New York</b> .....	Dept. of Tax. & Finance	Dept. of Tax. & Finance	Dept. of Tax. & Finance	Dept. of Motor Vehicles
<b>North Carolina</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation
<b>North Dakota</b> .....	Tax Commr.	Tax Commr.	Tax Commr.	Dept. of Transportation
<b>Ohio</b> .....	Dept. of Taxation	Dept. of Taxation	Dept. of Taxation	Bur. of Motor Vehicles
<b>Oklahoma</b> .....	Tax Comm.	Tax Comm.	Tax Comm.	Tax Comm.
<b>Oregon</b> .....	Dept. of Revenue	...	Dept. of Transportation	Dept. of Transportation
<b>Pennsylvania</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation
<b>Rhode Island</b> .....	Dept. of Administration	Dept. of Administration	Dept. of Administration	Dept. of Administration
<b>South Carolina</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Public Safety
<b>South Dakota</b> .....	...	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
<b>Tennessee</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Safety
<b>Texas</b> .....	...	Comptroller	Comptroller	Dept. of Transportation
<b>Utah</b> .....	Tax Comm.	Tax Comm.	Tax Comm.	Tax Comm.
<b>Vermont</b> .....	Dept. of Tax	Dept. of Tax	Commr. of Motor Vehicles	Commr. of Motor Vehicles
<b>Virginia</b> .....	Dept. of Taxation	Dept. of Taxation	Dept. of Motor Vehicles	Dept. of Motor Vehicles
<b>Washington</b> .....	...	Dept. of Revenue	Dept. of Licensing	Dept. of Licensing
<b>West Virginia</b> .....	Dept. of Tax & Revenue	Dept. of Tax & Revenue	Dept. of Tax & Revenue	Div. of Motor Vehicles
<b>Wisconsin</b> .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation
<b>Wyoming</b> .....	...	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation
<b>Dist. of Columbia</b> .....	Office of Tax & Rev.	Office of Tax & Rev.	Office of Tax & Rev.	Office of Tax & Rev.

See footnotes at end of table.



## AGENCIES ADMINISTERING MAJOR STATE TAXES — Continued

<i>State or other jurisdiction</i>	<i>Tobacco</i>	<i>Death</i>	<i>Alcoholic beverage</i>	<i>Number of agencies administering taxes</i>
Alabama .....	Dept. of Revenue	Dept. of Revenue	Alcoh. Bev. Control Bd.	2
Alaska .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Arizona .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Arkansas .....	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	1
California .....	Bd. of Equalization	Controller	Bd. of Equalization	4
Colorado .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Connecticut .....	Dept. of Revenue Serv.	Dept. of Revenue Serv.	Dept. of Revenue Serv.	2
Delaware .....	Div. of Revenue	Div. of Revenue	Dept. of Public Safety	3
Florida .....	Dept. of Business Reg.	Dept. of Revenue	Dept. of Business Reg.	3
Georgia .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Hawaii .....	Dept. of Taxation	Dept. of Taxation	Dept. of Taxation	2
Idaho .....	Tax Comm.	Tax Comm.	Tax Comm.	2
Illinois .....	Dept. of Revenue	Attorney General	Dept. of Revenue	3
Indiana .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Iowa .....	Dept. of Revenue & Finance	Dept. of Revenue & Finance	Dept. of Revenue & Finance	2
Kansas .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Kentucky .....	Revenue Cabinet	Revenue Cabinet	Revenue Cabinet	2
Louisiana .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Maine .....	Revenue Services	Revenue Services	Bureau of Liquor Enf.	3
Maryland .....	Comptroller	Local	Comptroller	3
Massachusetts .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Michigan .....	Dept. of Treasury	Dept. of Treasury	Liquor Control Comm.	3
Minnesota .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Mississippi .....	Tax Comm.	Tax Comm.	Tax Comm.	1
Missouri .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Montana .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	3
Nebraska .....	Dept. of Revenue	Dept. of Revenue	Liquor Control Comm.	3
Nevada .....	Dept. of Taxation	Dept. of Taxation	Dept. of Taxation	2
New Hampshire .....	Dept. of Revenue Admin.	Dept. of Revenue Admin.	Liquor Comm.	3
New Jersey .....	Dept. of Treasury	Dept. of Treasury	Dept. of Treasury	2
New Mexico .....	Tax & Revenue Dept.	Tax & Revenue Dept.	Tax & Revenue Dept.	1
New York .....	Dept. of Tax. & Finance	Dept. of Tax. & Finance	Dept. of Tax & Finance	2
North Carolina .....	Dept. Revenue	Dept. of Revenue	Dept. of Revenue	2
North Dakota .....	Tax Commr.	Tax Commr.	Treasurer	3
Ohio .....	Dept. of Taxation	Dept. of Taxation	State Treasurer	3
Oklahoma .....	Tax Comm.	Tax Comm.	Tax Comm.	1
Oregon .....	Dept. of Revenue	Dept. of Revenue	Liquor Control Comm.	3
Pennsylvania .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Rhode Island .....	Dept. of Administration	Dept. of Administration	Dept. of Administration	1
South Carolina .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
South Dakota .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Tennessee .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Texas .....	Comptroller	Comptroller	Comptroller	2
Utah .....	Tax Comm.	Tax Comm.	Tax Comm.	1
Vermont .....	Dept. of Tax	Dept. of Tax	Dept. of Tax	2
Virginia .....	Dept. of Taxation	Dept. of Taxation	Alcoh. Bev. Control	3
Washington .....	Dept. of Revenue	Dept. of Revenue	Liquor Control Board	3
West Virginia .....	Dept. of Tax & Revenue	Dept. of Tax & Revenue	Dept. of Tax & Revenue	2
Wisconsin .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Wyoming .....	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Dist. of Columbia .....	Office of Tax & Rev.	Office of Tax & Rev.	Office of Tax & Rev.	1

Source: The Federation of Tax Administrators, February 2002.

## Key

... — Not applicable

(a) Joint state and local administration. State level functions are performed by the Department of Revenue in Kansas.

**Table 7.8**  
**STATE EXCISE TAX RATES**  
**(As of January 1, 2002)**

State or other jurisdiction	General sales and gross receipts tax (percent)	Cigarettes (cents per pack of 20)	Distilled spirits (\$ per gallon)	Motor fuel (cents per gallon)		
				Gasoline	Diesel	Gasohol
Alabama .....	4.0	16.5 (d)	(g)	18.0 (j)	19.0 (j)	18.0 (j)
Alaska .....	...	100	\$5.60 (i)	8.0	8.0	...
Arizona .....	5.6	58	3.00	18.0 (l)	18.0 (l)	18.0 (l)
Arkansas .....	5.125	31.5 (e)	2.50 (i)	21.7	22.7	21.7
California .....	7.25 (r)	87	3.30 (i)	18.0	18.0	18.0
Colorado .....	2.9	20	2.28	22.0	20.5	22.0
Connecticut .....	6.0	50	4.50 (i)	25.0	18.0	24.0
Delaware .....	...	24	3.75 (i)	23.0 (n)	22.0 (n)	23.0 (n)
Florida .....	6.0	33.9	6.50 (i)	13.9 (k)	26.4	13.9 (k)
Georgia .....	4.0	12	3.79 (i)	7.5	7.5	7.5
Hawaii .....	4.0	100	5.92	16.0 (j)	16.0 (j)	16.0 (j)
Idaho .....	5 (a)	28	(g)	26.0 (p)	26.0 (p)	26.0 (p)
Illinois .....	6.25 (b)(q)	58 (d)	4.50 (i)	19.3 (j)(l)	21.5 (l)	19.0
Indiana .....	5.0	15.5	2.68 (i)	15.0 (l)	16.0 (l)	15.0 (l)
Iowa .....	5.0	36	(g)	20.0	22.5	19.0
Kansas .....	4.9 (a)	24	2.50 (i)	21.0	23.0	21.0
Kentucky .....	6.0	3 (e)	1.92 (h)(i)	16.4 (l)(m)	13.4 (l)(m)	16.4 (m)
Louisiana .....	4.0	24 (s)	2.50 (i)	20.0	20.0	20.0
Maine .....	5.0	100	(g)	22.0	23.0	22.0
Maryland .....	5.0	66	1.50	23.5	24.3	23.5
Massachusetts .....	5.0	76	4.05 (h)(i)	21.0	21.0	21.0
Michigan .....	6.0	75	(g)	19.0	15.0	19.0
Minnesota .....	6.5	48	5.03 (i)	20.0	20.0	20.0
Mississippi .....	7.0	18	(g)	18.4	18.4	18.4
Missouri .....	4.225	17 (d)	2.00	17.05	17.05	15.05
Montana .....	...	18	(g)	27.0	27.75	27.0
Nebraska .....	5.0	34	3.00	25.4 (n)	24.8 (n)	25.4 (n)
Nevada .....	6.5	35	2.05 (i)	24.0 (j)	27.0 (j)	24.0 (j)
New Hampshire .....	...	52	(g)	19.0	19.0	19.0
New Jersey .....	6.0	80	4.40	14.5	17.5	14.5
New Mexico .....	5.0	21	6.06	18.0	19.0	18.0
New York .....	4.0	111 (d)(t)	6.44 (i)	8.0 (l)(m)	8.0 (l)(m)	8.0 (m)
North Carolina .....	4.5	5	(g)(h)	24.55 (m)	24.55 (m)	24.55 (m)
North Dakota .....	5.0	44	2.50 (i)	21.0	21.0	21.0
Ohio .....	5.0	24	(g)	22.0	22.0	22.0
Oklahoma .....	4.5	23	5.56 (i)	17.0	14.0	17.0
Oregon .....	...	68	(g)	24.0 (j)	24.0 (j)	24.0 (j)
Pennsylvania .....	6.0	31	(g)	25.9	30.8	25.9
Rhode Island .....	7.0	100	3.75	29.0	29.0	29.0
South Carolina .....	5.0	7	2.72 (i)	16.0	16.0	16.0
South Dakota .....	4 (a)	33	3.93 (i)	22.0 (j)	22.0 (j)	20.0 (j)
Tennessee .....	6.0	13 (d)(e)	4.00 (i)	21.4 (j)	18.4 (j)	21.4 (j)
Texas .....	6.25	41	2.40 (i)	20.0	20.0	20.0
Utah .....	4.75	51.5	(g)	24.75	24.75	24.75
Vermont .....	5.0	44	(f)(g)	20.0	17.0	20.0
Virginia .....	3.5 (q)(r)	2.5 (d)	(g)	17.5 (j)(o)	16.0 (j)(o)	17.5 (j)(o)
Washington .....	6.5	142.5	(g)(h)	23.0	23.0	23.0
West Virginia .....	6.0	17	(g)	25.35	25.35	25.35
Wisconsin .....	5.0	77	3.25	27.3 (n)	27.3 (n)	27.3 (n)
Wyoming .....	4 (a)(c)	12	(g)	14.0 (u)	14.0 (u)	14.0 (u)
Dist. of Columbia .....	5.75	65	1.50 (i)	20.0	20.0	20.0

See footnotes at end of table.

## STATE EXCISE TAX RATES — Continued

Source: Compiled by The Federation of Tax Administrators from various sources, January 2002.

## Key:

... — Tax is not applicable.

(a) Some states tax food, but allow an (income) tax credit to compensate poor households. They are Idaho, Kansas, South Dakota and Wyoming.

(b) 1.25 percent of the tax in Illinois is distributed to local governments.

(c) Tax rate may be adjusted annually according to a formula based on balances in the unappropriated general fund and the school foundation fund.

(d) Counties and cities may impose an additional tax on a pack of cigarettes in Alabama, 1-6 cents; Illinois, 10-15 cents; Missouri, 4-7 cents; New York City, 8 cents; Tennessee, 1 cent; and Virginia, 2-15 cents.

(e) Dealers pay an additional enforcement and administrative fee of 0.1 cents per pack in Kentucky and 0.05 cents in Tennessee. In Arkansas, a fee of \$1.25/1,000 cigarettes fee is imposed.

(f) 10 percent on-premise sales tax.

(g) In 18 states, the government directly controls the sales of distilled spirits. Revenue in these states is generated from various taxes, fees and net liquor profits.

(h) Sales tax is applied to on-premise sales only.

(i) Other taxes in addition to excise taxes for the following states: Alaska, under 21 percent - \$0.85/gallon; Arkansas, under 5 percent - \$0.50/gallon, under 21 percent - \$1.00/gallon, \$0.20/case and 3 percent off - 14 percent on-premise retail taxes; California, over 50 percent - \$6.60/gallon; Connecticut, under 7 percent - \$2.05/gallon; Delaware, under 25 percent - \$2.50/gallon; Florida, under 17.259 percent - \$2.25/gallon, over 55.780 percent - \$9.53/gallon, 6.67cents/ounce on-premise retail tax; Georgia, \$0.83/gallon local tax; Illinois, under 20 percent - \$0.73/gallon, \$0.50/gallon in Chicago and \$1.00/gallon in Cook County; Indiana, under 15 percent - \$0.47/gallon; Kansas, 8 percent off- and 10 percent on-premise retail tax; Kentucky, under 6 percent - \$0.25/gallon, \$0.05/case and 9 percent wholesale tax; Louisiana, under 6 percent - \$0.32/gallon; Massachusetts, under 15 percent - \$1.10/gallon, over 50 percent alcohol - \$4.05/proof gallon, 0.57 percent on private club sales; Minnesota, \$0.01/bottle (except miniatures) and 8.5 percent sales tax; Nevada, under 14 percent -

\$0.40/gallon and under 21 percent - \$0.75/gallon; New York, under 24 percent - \$2.54/gallon, \$1.00/gallon New York City; North Dakota, 7 percent state sales tax; Oklahoma, \$1.00/bottle on-premise and 12 percent on-premise; South Carolina, \$5.36/case and 9 percent surtax; South Dakota, under 14 percent - \$0.93/gallon, 2 percent wholesale tax; Tennessee, \$0.15/case and 15 percent on-premise, under 7 percent - \$1.10/gallon; Texas, 14 percent on-premise and \$0.05/drink on airline sales; and District of Columbia, 8 percent off- and 10 percent on-premise sales tax.

(j) Tax rates do not include local option taxes. In Alabama, 1-3 cents; Hawaii, 8-11.5 cents; Illinois, 5 cents in Chicago and 6 cents in Cook County (gasoline only); Nevada 1.75 to 7.75 cents; Oregon, 1-3 cents; South Dakota, 1 cent; Tennessee, 1 cent; and Virginia, 2 percent.

(k) Local taxes for gasoline and gasohol vary from 5.5 cents to 17 cents (average is 13.4 cents). Plus a 2.07 cents/gallon pollution tax.

(l) Carriers pay an additional surcharge equal to Arizona, 8 cents; Illinois, 6.3 cents (gasoline) and 6.0 cents (diesel); Indiana, 11 cents; Kentucky, 2 percent (gasoline) and 4.7 percent (diesel); New York, 22.21 cents (gasoline) and 23.21 cents (diesel).

(m) Tax rate is based on the average wholesale price and is adjusted quarterly. The actual rates are: Kentucky, 9 percent; and North Carolina, 17.5 cents plus 7 percent.

(n) A portion of the rate is adjustable based on maintenance costs, sales volume, or cost of fuel to state government.

(o) Large trucks pay an additional 3.5 cents.

(p) Tax rate is reduced by the percentage of ethanol used in blending (reported rate assumes the maximum 10 percent ethanol).

(q) Food is taxed at a lower rate. In Virginia, tax rate on food is scheduled to decrease to 3 percent on 4/1/02. Statewide local tax is included.

(r) Includes statewide local tax of 1.25 percent in California and 1.0 percent in Virginia.

(s) Tax rate is scheduled to decrease to 20 cents on July 1, 2002.

(t) Tax rate is scheduled to increase to \$1.50 per pack on April 3, 2002.

(u) Tax rate scheduled to increase to 16 cents, after June 30, 2002.

**Table 7.9**  
**FOOD AND DRUG SALES TAX EXEMPTIONS**  
**(As of January 1, 2002)**

State or other jurisdiction	Tax rate (percentage)	Exemptions		
		Food (a)	Prescription drugs	Nonprescription drugs
Alabama .....	4	...	★	...
Alaska .....	none	...	...	...
Arizona .....	5.6	★	★	...
Arkansas .....	5.125	...	★	...
California (b)(c) .....	7.25	★	★	...
Colorado .....	2.9	★	★	...
Connecticut .....	6	★	★	★
Delaware .....	none	...	...	...
Florida .....	6	★	★	★
Georgia .....	4	★	★	...
Hawaii .....	4	...	★	...
Idaho .....	5	...	★	...
Illinois (b) .....	6.25	1 percent	1 percent	1 percent
Indiana .....	5	★	★	...
Iowa .....	5	★	★	...
Kansas .....	4.9	...	★	...
Kentucky .....	6	...	★	...
Louisiana .....	4	(d)	★	...
Maine .....	5	★	★	...
Maryland .....	5	★	★	★
Massachusetts .....	5	★	★	...
Michigan .....	6	★	★	...
Minnesota .....	6.5	★	★	★
Mississippi .....	7	...	★	...
Missouri .....	4.225	1.225	★	...
Montana .....	none	...	...	...
Nebraska .....	5	★	★	...
Nevada .....	6.5	★	★	...
New Hampshire .....	none	...	...	...
New Jersey .....	6	★	★	★
New Mexico .....	5	...	★	...
New York .....	4	...	★	★
North Carolina .....	4.5	★ (d)	★	...
North Dakota .....	5	★	★	...
Ohio .....	5	★	★	...
Oklahoma .....	4.5	...	★	...
Oregon .....	none	...	...	...
Pennsylvania .....	6	★	★	★
Rhode Island .....	7	★	★	★
South Carolina .....	5	...	★	...
South Dakota .....	4	...	★	...
Tennessee .....	6	...	★	...
Texas .....	6.25	★	★	★
Utah .....	4.75	...	★	...
Vermont .....	5	★	★	★
Virginia (b) .....	4.5	4 (e)	★	★
Washington .....	6.5	...	★	...
West Virginia .....	6	...	★	...
Wisconsin .....	5	★	★	...
Wyoming (c) .....	4	...	★	...
Dist. of Columbia .....	5.75	★	★	★

Source: The Federation of Tax Administrators. January 2002.

Key:

★ — Yes

... — No

(a) Some states tax food, but allow an (income) tax credit to compensate poor households. They are: Idaho, Kansas, South Dakota, and Wyoming.

(b) Includes statewide local tax of 1.25 percent in California and 1 percent

in Virginia.

(c) The tax rate may be adjusted annually according to a formula based on balances in the unappropriated general fund and the school foundation fund.

(d) Food sales are subject to local sales tax. In Louisiana, food sales are scheduled to be exempt on 7/1/02.

(e) Tax rate on food is scheduled to decrease to 3 percent on 4/1/02. Statewide local tax is included.

# TAXES

**Table 7.10**  
**STATE INDIVIDUAL INCOME TAXES**  
**(Tax rate for the tax year 2002 - as of January 1, 2002)**

State or other jurisdiction	Tax rate range (in percents)			Number of brackets	Income brackets		Personal exemptions			Federal income tax deductible	
	Low		High		Low	High	Single	Married	Dependents		
Alabama .....	2.0	-	5.0	3	500 (b)	-	3,000 (b)	1,500	3,000	300	★
Alaska .....						(x)					...
Arizona .....	2.87	-	5.04	5	10,000 (b)	-	150,000 (b)	2,100	4,200	2,300	...
Arkansas .....	1.0	-	7.0 (e)	6	2,999	-	25,000	20 (c)	40 (c)	20 (c)	...
California (a) .....	1.0	-	9.3	6	5,748 (b)	-	37,725 (b)	79 (c)	158 (c)	247 (c)	...
Colorado .....	4.6			1		-----Flat rate-----			-----None-----		...
Connecticut .....	3.0	-	4.5	2	10,000 (b)	-	10,000 (b)	12,000 (f)	24,000 (f)	0	...
Delaware .....	2.2	-	5.95	7	5,000	-	60,000	110 (c)	220 (c)	110 (c)	...
Florida .....						(x)					...
Georgia .....	1.0	-	6.0	6	750 (g)	-	7,000 (g)	2,700	5,400	2,700	...
Hawaii .....	1.4	-	8.3	8	2,000 (b)	-	40,000 (b)	1,040	2,080	1,040	...
Idaho .....	0.6	-	7.8	8	1,000 (h)	-	20,000 (h)	2,900 (d)	5,800 (d)	2,900 (d)	...
Illinois .....	3.0			1		-----Flat rate-----		2,000	4,000	2,000	...
Indiana .....	3.4			1		-----Flat rate-----		1,000	2,000	1,000	...
Iowa (a) .....	0.36	-	8.98	9	1,211	-	54,495	40 (c)	80 (c)	40 (c)	★
Kansas .....	3.5	-	6.45	3	15,000 (b)	-	30,000 (b)	2,250	4,500	2,250	...
Kentucky .....	2.0	-	6.0	5	3,000	-	8,000	20 (c)	40 (c)	20 (c)	...
Louisiana .....	2.0	-	6.0	3	10,000 (b)	-	50,000 (b)	4,500 (j)	9,000 (j)	1,000 (j)	★
Maine (a) .....	2.0	-	8.5	4	4,150 (b)	-	16,500 (b)	2,850	5,700	2,850	...
Maryland .....	2.0	-	4.75	4	1,000	-	3,000	2,400	4,800	2,400	...
Massachusetts .....	5			1		-----Flat rate-----		4,400	8,800	1,000	...
Michigan (a) .....	4.2 (l)			1		-----Flat rate-----		2,800	5,600	2,800	...
Minnesota (a) .....	5.4	-	7.85	3	18,710 (k)	-	61,461 (k)	2,900 (d)	5,800 (d)	2,900 (d)	...
Mississippi .....	3.0	-	5.0	3	5,000	-	10,000	6,000	12,000	1,500	...
Missouri .....	1.5	-	6.0	10	1,000	-	9,000	2,100	4,200	2,100	★(s)
Montana (a) .....	2.0	-	11.0	10	2,200	-	75,400	1,720	3,440	1,720	★
Nebraska (a) .....	2.51	-	6.68	4	2,400 (l)	-	26,500 (l)	94 (c)	188 (c)	94 (c)	...
Nevada .....						(x)					...
New Hampshire .....						(y)					...
New Jersey .....	1.4	-	6.37	6	20,000 (m)	-	75,000 (m)	1,000	2,000	1,500	...
New Mexico .....	1.7	-	8.2	7	5,500 (n)	-	65,000 (n)	2,900 (d)	5,800 (d)	2,900 (d)	...
New York .....	4.0	-	6.85	5	8,000 (b)	-	20,000 (b)	0	0	1,000	...
North Carolina (o) .....	6.0	-	8.25	4	12,750 (o)	-	120,000 (o)	2,900(d)	5,800 (d)	2,900 (d)	...
North Dakota .....	2.1	-	5.54 (p)	5	27,000	-	297,350	2,900 (d)	5,800 (d)	2,900 (d)	(p)
Ohio (a) .....	0.734	-	7.5 (q)	9	5,000	-	200,000	1,150 (q)	2,300 (q)	1,150 (q)	...
Oklahoma .....	0.5	-	6.75 (r)	8	1,000	-	10,000	1,000	2,000	1,000	★(r)
Oregon (a) .....	5.0	-	9.0	3	2,350 (b)	-	5,850 (b)	132 (c)	264(c)	132 (c)	★(s)
Pennsylvania .....	2.8			1		-----Flat rate-----			-----None-----		...
Rhode Island .....						(t)					...
South Carolina (a) .....	2.5	-	7.0	6	2,400	-	12,000	2,900 (d)	5,800 (d)	2,900 (d)	...
South Dakota .....						(x)					...
Tennessee .....						(y)					...
Texas .....						(x)					...
Utah (a) .....	2.3	-	7.0	6	863 (b)	-	4,313 (b)	2,175 (d)	4,350 (d)	2,175 (d)	★(u)
Vermont .....						(t)					...
Virginia .....	2.0	-	5.75	4	3,000	-	17,000	800	1,600	800	...
Washington .....						(x)					...
West Virginia .....	3.0	-	6.5	5	10,000	-	60,000	2,000	4,000	2,000	...
Wisconsin .....	4.6	-	6.75 (v)	4	7,500	-	112,500	700	1,400	400	...
Wyoming .....						(x)					...
Dist. of Columbia .....	4.5	-	8.5 (w)	3	10,000	-	40,000	1,370	2,740	1,370	...

See footnotes at end of table.

## STATE INDIVIDUAL INCOME TAXES — Continued

Source: The Federation of Tax Administrators from various sources, January 2002.

★ - Yes

... - No

(a) Seven states have statutory provision for automatic adjustment of tax brackets, personal exemption or standard deductions to the rate of inflation. Michigan, Nebraska and Ohio indexes the personal exemption amounts only.

(b) For joint returns, the taxes are twice the tax imposed on half the income.

(c) Tax credits.

(d) These states allow personal exemption or standard deductions as provided in the Internal Revenue Code. Utah allows a personal exemption equal to three-fourths the federal exemptions.

(e) A special tax table is available for low income taxpayers reducing their tax payments.

(f) Combined personal exemptions and standard deduction. An additional tax credit is allowed ranging from 75 percent to 0 percent based on state adjusted gross income. Exemption amounts are phased out for higher income taxpayers until they are eliminated for households earning over \$52,500.

(g) The tax brackets reported are for single individuals. For married households filing separately, the same rates apply to income brackets ranging from \$500 to \$5,000; and the income brackets range from \$1,000 to \$10,000 for joint filers.

(h) For joint returns, the tax is twice the tax imposed on half of the income. A \$10 filing tax is charged for each return and a \$15 credit is allowed for each exemption.

(i) Combined personal exemption and standard deduction

(j) Tax rate scheduled to decrease to 4.0 percent for tax year 2003

(k) The tax brackets reported are for single individual. For married couples filing jointly, the same rates apply for income under \$27,350 to over \$108,661.

(l) The tax brackets reported are for single individuals. For married couples filing jointly, the same rates apply for income under \$4,000 to over \$46,750.

(o) The tax brackets reported are for single individuals. For married individuals filing jointly, the same rates apply for income under \$20,000 to over \$150,000.

(n) The tax brackets reported are for single individuals. For married couples filing jointly, the same rates apply for income under \$8,000 to over \$100,000.

(o) The tax brackets reported are for single individuals. For married taxpayers, the same rates apply to income brackets ranging from \$21,250 to \$200,000. Lower exemption amounts allowed for high income taxpayers. Tax rates scheduled to decrease after year 2003

(p) Rates reported are for short form filers. Long form filers rates range from 2.67 percent for income under \$3,000 to 12 percent over \$50,000. Long form filers only can deduct federal income taxes. An additional \$300 personal exemption is allowed for joint returns or unmarried head of households.

(q) Plus an additional \$20 per exemption tax credit. Rates are for tax year 2001, the 2002 rates will not be determined until July, 2002.

(r) The rate range reported is for single persons not deducting federal income tax. For married persons filing jointly, the same rates apply to income brackets ranging from \$2,000 to \$21,000. Separate schedules, with rates ranging from 0.5 percent to 10 percent, apply to taxpayers deducting federal income taxes.

(s) Deduction is limited to \$10,000 for joint returns and \$5,000 for individuals in Missouri and to \$3,000 in Oregon.

(t) Rhode Island 24 percent and Vermont 25 percent federal income tax liability prior to the economic Growth and Tax Relief Act of 2001

(u) One half of the federal income taxes are deductible.

(v) The tax brackets reported are for single individuals. For married taxpayers, the same rates apply to income brackets ranging from \$10,000 to \$150,000.

(w) Tax rate decreases are scheduled for tax years 2003.

(x) No state income tax.

(y) State income tax is limited to dividends and interest income only.

# TAXES

**Table 7.11**  
**STATE PERSONAL INCOME TAXES: FEDERAL STARTING POINTS**  
**(As of January 1, 2002)**

<i>State or other jurisdiction</i>	<i>Relation to Internal Revenue Code</i>	<i>Tax base</i>
Alabama .....	...	...
Alaska .....	(a)	(a)
Arizona .....	1/1/01	Federal adjusted gross income
Arkansas .....	...	...
California .....	1/1/98	Federal adjusted gross income
Colorado .....	Current	Federal taxable income
Connecticut .....	Current	Federal adjusted gross income
Delaware .....	Current	Federal adjusted gross income
Florida .....	(a)	(a)
Georgia .....	1/1/01	Federal adjusted gross income
Hawaii .....	12/31/00	Federal taxable income
Idaho .....	1/1/00	Federal taxable income
Illinois .....	Current	Federal adjusted gross income
Indiana .....	1/1/01	Federal adjusted gross income
Iowa .....	1/1/01	Federal adjusted gross income
Kansas .....	Current	Federal adjusted gross income
Kentucky .....	12/31/99	Federal adjusted gross income
Louisiana .....	Current	Federal adjusted gross income
Maine .....	12/31/00	Federal adjusted gross income
Maryland .....	Current	Federal adjusted gross income
Massachusetts .....	Current	Federal adjusted gross income
Michigan .....	Current (b)	Federal adjusted gross income
Minnesota .....	Current	Federal taxable income
Mississippi .....	...	...
Missouri .....	Current	Federal adjusted gross income
Montana .....	Current	Federal adjusted gross income
Nebraska .....	Current	Federal adjusted gross income
Nevada .....	(a)	(a)
New Hampshire .....	(c)	(c)
New Jersey .....	...	...
New Mexico .....	Current	Federal adjusted gross income
New York .....	Current	Federal adjusted gross income
North Carolina .....	1/1/2001	Federal taxable income
North Dakota .....	Current	Federal taxable income
Ohio .....	Current	Federal adjusted gross income
Oklahoma .....	Current	Federal adjusted gross income
Oregon .....	Current	Federal taxable income
Pennsylvania .....	...	...
Rhode Island .....	6/3/01	Federal liability
South Carolina .....	12/31/00	Federal taxable income
South Dakota .....	(a)	(a)
Tennessee .....	(c)	(c)
Texas .....	(a)	(a)
Utah .....	Current	Federal taxable income
Vermont .....	6/3/01	Federal liability
Virginia .....	Current	Federal adjusted gross income
Washington .....	(a)	(a)
West Virginia .....	1/1/00	Federal adjusted gross income
Wisconsin .....	12/31/00	Federal adjusted gross income
Wyoming .....	(a)	(a)
Dist. of Columbia .....	Current	Federal adjusted gross income

*Source:* Compiled by the Federation of Tax Administrators from various sources. January 2002.

*Key:*

... — State does not employ a federal starting point.

Current — Indicates state has adopted the Internal Revenue Code as currently in effect. Dates indicate state has adopted the IRC as amended to that date.

(a) No state income tax.

(b) Or 1/1/99, taxpayer's option.

(c) On interest and dividends only.

**Table 7.12**  
**RANGE OF STATE CORPORATE INCOME TAX RATES**  
**(For tax year 2002 — as of January 1, 2002)**

State or other jurisdiction	Tax rate (percent)	Tax brackets		Number of brackets	Tax rate (a) (percent) financial institution	Federal income tax deductible
		Lowest	Highest			
Alabama .....	6.5	-----Flat Rate-----		1	6.5	★
Alaska .....	1.0 - 9.4	10,000	90,000	10	1.0 - 9.4	...
Arizona .....	6.968 (b)	-----Flat Rate-----		1	6.968 (b)	...
Arkansas .....	1.0 - 6.5	3,000	100,000	6	1.0 - 6.5	...
California .....	8.84 (c)	-----Flat Rate-----		1	10.84 (c)	...
Colorado .....	4.63	-----Flat Rate-----		1	4.63	...
Connecticut .....	7.5 (d)	-----Flat Rate-----		1	7.5 (d)	...
Delaware .....	8.7	-----Flat Rate-----		1	8.7 - 1.7 (e)	...
Florida .....	5.5 (f)	-----Flat Rate-----		1	5.5 (f)	...
Georgia .....	6.0	-----Flat Rate-----		1	6.0	...
Hawaii .....	4.4 - 6.4 (g)	25,000	100,000	3	7.92 (g)	...
Idaho .....	7.6 (h)	-----Flat Rate-----		1	8.0 (h)	...
Illinois .....	7.3 (i)	-----Flat Rate-----		1	7.3 (i)	...
Indiana .....	7.9 (j)	-----Flat Rate-----		1	8.5	...
Iowa .....	6.0 - 12.0	25,000	250,000	4	5.0	★(k)
Kansas .....	4.0 (l)	-----Flat Rate-----		1	2.25 (l)	...
Kentucky .....	4.0 - 8.25	25,000	250,000	5	(a)	...
Louisiana .....	4.0 - 8.0	25,000	200,000	5	(a)	★
Maine .....	3.5 - 8.93 (m)	25,000	250,000	4	1.0	...
Maryland .....	7.0	-----Flat Rate-----		1	7.0	...
Massachusetts .....	9.5 (n)	-----Flat Rate-----		1	10.5 (n)	...
Michigan .....		See Note				
Minnesota .....	9.8 (o)	-----Flat Rate-----		1	9.8 (o)	...
Mississippi .....	3.0 - 5.0	5,000	10,000	3	3.0 - 5.0	...
Missouri .....	6.25	-----Flat Rate-----		1	7.0	★(k)
Montana .....	6.75 (p)	-----Flat Rate-----		1	6.75 (p)	...
Nebraska .....	5.58 - 7.81	50,000		2	(a)	...
Nevada .....		See Note				
New Hampshire .....	8.5 (q)	-----Flat Rate-----		1	8.5 (q)	...
New Jersey .....	9.0 (r)	-----Flat Rate-----		1	9.0 (r)	...
New Mexico .....	4.8 - 7.6	500,000	1 million	3	4.8 - 7.6	...
New York .....	8.0 (s)	-----Flat Rate-----		1	8.0 (s)	...
North Carolina .....	6.9 (t)	-----Flat Rate-----		1	6.9 (t)	...
North Dakota .....	3.0 - 10.5	3,000	50,000	6	7.0 (b)	★
Ohio .....	5.1 - 8.5 (u)	50,000		2	(u)	...
Oklahoma .....	6.0	-----Flat Rate-----		1	6.0	...
Oregon .....	6.6 (b)	-----Flat Rate-----		1	6.6 (b)	...
Pennsylvania .....	9.99	-----Flat Rate-----		1	(a)	...
Rhode Island .....	9.0 (b)	-----Flat Rate-----		1	9.0 (v)	...
South Carolina .....	5.0	-----Flat Rate-----		1	4.5 (w)	...
South Dakota .....	...	...		...	6.0 - 1.0 (b)	...
Tennessee .....	6.0	-----Flat Rate-----		1	6.0	...
Texas .....		See Note				
Utah .....	5.0 (b)	-----Flat Rate-----		...	5.0 (b)	...
Vermont .....	7.0 - 9.75 (b)	10,000	250,000	4	7.0 - 9.75 (b)	...
Virginia .....	6.0	-----Flat Rate-----		1	6.0 (x)	...
Washington .....		See Note				
West Virginia .....	9.0	-----Flat Rate-----		1	9.0	...
Wisconsin .....	7.9	-----Flat Rate-----		1	7.9	...
Wyoming .....		See Note				
Dist. of Columbia .....	9.975 (y)	-----Flat Rate-----		...	9.975 (y)	...

See footnotes at end of table.



## RANGE OF STATE CORPORATE INCOME TAX RATES — Continued

*Source:* Compiled by the Federation of Tax Administrators from various sources, January 2002.

*Key:*

★— Yes  
... — No

*Note:* Michigan imposes a single business tax (sometimes described as a business activities tax or value added tax) of 2.0 percent on the sum of federal taxable income of the business, compensation paid to employees, dividends, interest, royalties paid and other items. Similarly, Texas imposes a franchise tax of 4.5 percent of earned surplus. Nevada, Washington, and Wyoming do not have state corporate income taxes.

(a) Rates listed include the corporate tax rate applied to financial institutions or excise taxes based on income. Some states have other taxes based upon the value of deposits or shares.

(b) Minimum tax is \$50 in Arizona, \$50 in North Dakota (banks), \$10 in Oregon, \$250 in Rhode Island, \$500 per location in South Dakota (banks), \$100 in Utah, \$250 in Vermont.

(c) Minimum tax is \$800. The tax rate on S-Corporations is 1.5 percent (3.5 percent for banks).

(d) Or 3.1 mills per dollar of capital stock and surplus (maximum tax \$1 million) or \$250.

(e) The marginal rate decreases over 4 brackets ranging from \$20 to \$650 million in taxable income. Building and loan associations are taxed at a flat 8.7 percent.

(f) Or 3.3 percent Alternative Minimum Tax. An exemption of \$5,000 is allowed.

(g) Capital gains are taxed at 4 percent. There is also an alternative tax of 0.5 percent of gross annual sales.

(h) Minimum tax is \$20. An additional tax of \$10 is imposed on each return.

(i) Includes a 2.5 percent personal property replacement tax.

(j) Consists of 3.4 percent on income from sources within the state plus a 4.5 percent supplemental income tax.

(k) Fifty percent of the federal income tax is deductible.

(l) Plus a surtax of 3.35 percent (2.125 percent for banks) taxable income in excess of \$50,000 (\$25,000).

(m) Or a 27 percent tax on Federal Alternative Minimum Taxable Income.

(n) Rate includes a 14 percent surtax, as does the following: an additional tax

of \$7.00 per \$1,000 on taxable tangible property (or net worth allocable to state, for intangible property corporations); minimum tax of \$456.

(o) Plus a 5.8 percent tax on any Alternative Minimum Taxable Income over the base tax.

(p) A 7 percent tax on taxpayers using water's edge combination. Minimum tax is \$50.

(q) Plus a 0.50 percent tax on the enterprise base (total compensation, interest and dividends paid). Business profits tax imposed on both corporations and unincorporated associations.

(r) The rate reported in the table is the business franchise tax rate. The minimum tax is \$200. Corporations not subject to the franchise tax are subject to a 7.25 percent income tax. Banks other than savings institutions are subject to the franchise tax. S-Corporations are subject to an entity level tax of 2.0 percent. Corporations with net income under \$100,000 are taxed at 7.5 percent. For S-Corporation having \$100,000 or less in net income for a 12-month privilege period, the rates are 1.33 percent and 0.5 percent, respectively. Regulated investment companies are subject to a flat tax of \$250.

(s) Or 1.78 (0.1 for banks) mills per dollar of capital (up to \$350,000; or 3.0 percent of the minimum taxable income); or a minimum of \$100 to \$1,500 depending on payroll size (\$250 plus 2.5 percent surtax for banks); if any of these is greater than the tax computed on net income. An additional tax of 0.9 mills per dollar of subsidiary capital is imposed on corporations. Small corporations with income under \$200,000 pay tax of 7.5 percent on all income.

(t) Financial institutions are also subject to a tax equal to \$30 per one million in assets.

(u) Or 4.0 mills times the value of the taxpayer's issued and outstanding share of stock with a maximum payment of \$150,000. An additional litter tax is imposed equal to 0.11 percent on the first \$50,000 of taxable income, 0.22 percent on income over \$50,000; or 0.14 mills on net worth.

(v) For banks, the alternative tax is \$2.50 per \$10,000 of capital stock (\$100 minimum).

(w) Savings and Loans are taxed at a 6 percent rate.

(x) State and national banks subject to the state's franchise tax on net capital is exempt from the income tax.

(y) Minimum tax is \$100. Includes surtax. Effective 1/1/2003, tax rate decreases to 9.45 percent.

**Table 7.13**  
**STATE SEVERANCE TAXES: 2002**

<i>State</i>	<i>Title and application of tax (a)</i>	<i>Rate</i>
<b>Alabama</b> .....	Iron Ore Mining Tax Forest Products Severance Tax Oil and Gas Conservation & Regulation of Production Tax	\$.03/ton Varies by species and ultimate use. 2% of gross value at point of production, of all oil and gas produced. 1% of the gross value (for a 5-year period from the date production begins) for well, for which the initial permit issued by the Oil and Gas Board is dated on or after July 1, 1996 and before July 1, 2002, except a replacement well for which the initial permit was dated before July 1, 1996.
	Oil and Gas Privilege Tax on Production	8% of gross value at point of production; 4% of gross value at point of incremental production resulting from a qualified enhanced recovery project; 4% if wells produce 25 bbl. or less oil per day or 200,000 cu. ft. or less gas per day; 6% of gross value at point of production for certain on-shore and off-shore wells. A 50% rate reduction for wells permitted by the oil and gas board on or after July 1, 1996 and before July 1, 2002 for 5 years from initial production, except for replacement wells for which the initial permit was dated before July 1, 1996.
	Coal Severance Tax	\$.135/ton
	Coal and Lignite Severance Tax	\$.20/ton in addition to coal severance tax.
<b>Alaska</b> .....	Fisheries Business Tax Fishery Resource Landing Tax	1% to 5% of fish value based on type of fish and processing. 3% of the value of the fishery resource at the place of landing for a established commercial fish species; 1% of the value of the of the fishery resource at the place of landing for a developing commercial fish species.
	Seafood Marketing Assessment	.03% on all commercial fish species.
	Oil and Gas Properties Production Tax	(Oil) The greater of either \$0.80/bbl for old crude oil (\$0.60 for some older fields) or 15% of gross value at the production point, multiplied by the Economic Limit Factor; (Gas) The greater of either \$0.64/1000 cu. ft. of gas or 10% of gross value at the production point, multiplied by the Economic Limit Factor; and conservation surcharges of \$.03 cents per barrel, with an additional \$.05 cents per barrel as needed to maintain a \$50 million balance in the oil and hazardous substance response fund.
	Salmon Marketing Tax	1% of the value of salmon that is removed or transferred.
<b>Arizona</b> .....	Severance Tax (b)	2.5% of net severance base for mining; \$1.50/1000 board ft. (\$2.13 for ponderosa pine) for timbering.
<b>Arkansas</b> .....	Natural Resources Severance Tax Oil and Gas Conservation Tax	Separate rate for each substance. Maximum 25 mills/bbl. of oil and 5 mills/1,000 cu. ft. of gas. (c)
<b>California</b> .....	Oil and Gas Production Tax	Rate determined annually by Department of Conservation. (d)
<b>Colorado</b> .....	Severance Tax (e)	Taxable years commencing prior to July 1, 1999, 2.25% of gross income exceeding \$11 million for metallic minerals and taxable years commencing after July 1, 1999, 2.25% of gross income exceeding \$19 million for metallic minerals; on or after July 1, 1999, \$.05/ton for each ton exceeding 625,000 tons each quarter for molybdenum ore; 2% to 5% based on gross income for oil, gas, CO <sub>2</sub> , and coalbed methane; after July 1, 1999, \$.36/ton adjusted by the producers' prices index for each ton exceeding 300,000 tons each quarter for coal; and 4% of gross proceeds on production exceeding 15,000 tons per day for oil shale.
	Oil and Gas Conservation Levy	Maximum 1.5 mills/\$1 of market value at wellhead. (f)
<b>Florida</b> .....	Oil, Gas and Sulfur Production Tax	5% of gross value for small well oil, and 8% of gross value for all other, and an additional 12.5% for escaped oil; the gas base rate times the gas base adjustment rate each fiscal year for gas; and the sulfur base rate times the sulfur base rate adjustment each fiscal year for sulfur.
	Solid Minerals Tax (g)	8% of the value of the minerals severed, except phosphate rock (rate computed annually at \$1.08/ton times the changes in the producer price index) and heavy minerals (rate computed annually at a base rate of \$1.34/ton times the base rate adjustment).
<b>Idaho</b> .....	Ore Severance Tax Oil and Gas Production Tax Additional Oil and Gas Production Tax	1% of net value Maximum of 5 mills/bbl. of oil and 5 mills/50,000 cu. ft. of gas. (c) 2% of market value at site of production.
<b>Illinois</b> .....	Timber Fee	4% of purchase price (h)
<b>Indiana</b> .....	Petroleum Production Tax (i)	1% of value or \$.24 per barrel for oil or \$.03 per 1000 cu. Ft. of gas, whichever is greater.
<b>Kansas</b> .....	Severance Tax (j)	8% of gross value of oil and gas, less property tax credit of 3.67%;
	Oil and Gas Conservation Tax	\$1/ton of coal. 27.27 mills/bbl. crude oil or petroleum marketed or used each month; 5.83 mills/1,000 cu. ft. of gas sold or marketed each month.
	Mined-Land Conservation & Reclamation Tax	\$50, plus per ton fee of between \$.03 and \$.10.

See footnotes at end of table.

# TAXES

## STATE SEVERANCE TAXES: 2002 — Continued

<i>State</i>	<i>Title and application of tax (a)</i>	<i>Rate</i>
<b>Kentucky</b> .....	Oil Production Tax	4.5% of market value
	Coal Severance Tax	4.5% of gross value, less transportation expenses
	Natural Resource Severance Tax (k)	4.5% of gross value, less transportation expenses
<b>Louisiana</b> .....	Natural Resources Severance Tax	Rate varies according to substance.
	Oil Field Site Restoration Fee	Rate varies according to type of well and production.
	Freshwater Mussel Tax	5% of revenues from the sale of whole freshwater mussels, at the point of first sale.
<b>Maine</b> .....	Mining Excise Tax	The greater of a tax on facilities and equipment or a tax on gross proceeds.
<b>Maryland</b> .....	Mine Reclamation Surcharge	\$.15/ton of coal removed by open-pit, strip or deep mine methods. Of the \$.15 , \$.06 is remitted to the county from which the coal was removed.
<b>Michigan</b> .....	Gas and Oil Severance Tax	5% (gas), 6.6% (oil) and 4% (oil from stripper wells and marginal properties) of gross cash market value of the total production. Maximum additional fee of 1% of gross cash market value on all oil and gas produced in state in previous year.
<b>Minnesota</b> .....	Taconite and Iron Sulfides	\$2.173 per ton of concentrates or pellets
	Direct Reduced Iron (l)	\$2.173 per ton of concentrates plus an additional \$.03 per ton for each 1% that the iron content exceeds 72%
<b>Mississippi</b> .....	Oil and Gas Severance Tax	6% of value at point of gas production; 3.5% of gross value of occluded natural gas from coal seams at point of production for well's first five years; also, maximum 35 mills/bbl. oil or 4 mills/1,000 cu. ft. gas (Oil and Gas Board maintenance tax). 6% of value at point of oil production; 3% of value at production when enhanced oil recovery method used.
	Timber Severance Tax	Varies depending on type of wood and ultimate use.
	Salt Severance Tax	3% of value of entire production in state.
<b>Missouri</b> .....	Assessment on Surface Coal Mining Permittees	\$.45/ton for first 50,000 tons sold, shipped or otherwise disposed of in calendar year, and \$.30/ton for next 50,000 tons. Whenever Coal Mine Land Reclamation Fund balance is less than \$7 million, \$.25/ton for first 50,000 tons and \$.15/ton for second 50,000 tons. Whenever Fund is less than \$2 million, \$.30/ton for first 50,000 tons and \$.20 for the second 50,000 tons.
<b>Montana</b> .....	Coal Severance Tax	Varies by quality of coal and type of mine.
	Metalliferous Mines License Tax (m)	Progressive rate, taxed on amounts in excess of \$250,000. For concentrate shipped to smelter, mill or reduction work, 1.81%. Gold, silver or any platinum group metal shipped to refinery, 1.6%.
	Oil or Gas Conservation Tax	Maximum 0.3% on the market value of each barrel of crude petroleum oil or 10,000 cu. ft. of natural gas produced, saved and marketed or stored within or exported from the state. (n)
	Oil and Natural Gas Production Tax	Varies according to the type of well and type of production.
	Micaceous Minerals License Tax	\$.05/ton
	Cement License Tax (o)	\$.22/ton of cement, \$.05/ton of cement, plaster, gypsum or gypsum products.
	Mineral Mining Tax	\$25 plus 0.5% of gross value greater than \$5,000. For talc, \$25 plus 4% of gross value greater than \$625. For coal, \$25 plus 0.40% of gross value greater than \$6,250. For vermiculite, \$25 plus 2% of gross value greater than \$1,250. For limestone, \$25 plus 10% of gross value greater than \$250. For industrial garnets, \$25 plus 1% of gross value greater than \$2,500.00
<b>Nebraska</b> .....	Oil and Gas Severance Tax	3% of value of nonstripper oil and natural gas; 2% of value of stripper oil.
	Oil and Gas Conservation Tax	Maximum 15 mills/\$1 of value at wellhead, as of January 1, 2000 (c)
	Uranium Tax	2% of gross value over \$5 million.
<b>Nevada</b> .....	Minerals Extraction Tax	Between 2% and 5% of net proceeds of each geographically separate extractive operation, based on ratio of net proceeds to gross proceeds of whole operation.
	Oil and Gas Conservation Tax	\$50/mills/bbl. of oil and 50 mills/50,000 cu. ft. of gas.
<b>New Hampshire</b> ....	Refined Petroleum Products Tax	0.1% of fair market value
	Excavation Tax	\$.02 per cubic yard of earth excavated.
	Excavation Activity Tax	Replaces real property tax on the land area that has been excavated and not reclaimed. The assessed per acre value and tax varies depending upon municipality. (x)
	Timber Tax	10% of stumpage value

See footnotes at end of table.

## STATE SEVERANCE TAXES: 2002 — Continued

<i>State</i>	<i>Title and application of tax (a)</i>	<i>Rate</i>
<b>New Mexico</b> .....	Resources Excise Tax (p) Severance Tax (p) Oil and Gas Severance Tax  Oil and Gas Emergency School Tax  Natural Gas Processor's Tax Oil and Gas Ad Valorem Production Tax Oil and Gas Conservation Tax (q)	Varies according to substance. Varies according to substance. 3.75% of value of oil, other liquid hydrocarbons, natural gas and carbon dioxide. 3.15% of value of oil, other liquid hydrocarbons and carbon dioxide. 4% of value of natural gas. 0.45% of value of products. Varies, based on property tax in district of production. 0.19% of value.
<b>North Carolina</b> .....	Oil and Gas Conservation Tax Primary Forest Product Assessment Tax	Maximum 5 mills/barrel of oil and 0.5 mill/1,000 cu. ft. of gas. Varies according to species.
<b>North Dakota</b> .....	Oil Gross Production Tax Gas Gross Production Tax  Coal Severance Tax Oil Extraction Tax	5% of gross value at well. \$.04/1000 cu.ft. of gas produced (the rate is subject to a gas rate adjustment each fiscal year). \$.375/ton plus \$.02/ton. (r) 6.5% of gross value at well (with exceptions due to date of well completion, production volumes and production incentives).
<b>Ohio</b> .....	Resource Severance Tax	\$.10/bbl. of oil; \$.025/1,000 cu. ft. of natural gas; \$.04/ton of salt; \$.02/ton of sand, gravel, limestone and dolomite; \$.09/ton of coal; and \$.01/ton of clay, sandstone or conglomerate, shale, gypsum or quartzite.
<b>Oklahoma</b> .....	Oil, Gas and Mineral Gross Production Tax and Petroleum Excise Tax (s)	Rate; 0.75% levied on asphalt and metals. 7% casinghead gas and natural gas , as well as 0.95% being levied on crude oil, casinghead gas and natural gas. Oil Gross Production Tax is now a variable rate tax, beginning with January 1999 production, at the following rates based on the average price of Oklahoma oil: a) If the average price equals or exceeds \$17/bbl, the tax shall be 7%; b) If the average price is less than \$17/bbl, but is equal to or exceeds \$14/bbl, the tax shall be 4%; c) If the average price is less than \$14/bbl, the tax shall be 1%.
<b>Oregon</b> .....	Forest Products Harvest Tax Oil and Gas Production Tax Privilege Tax on Eastern Oregon Timber   Privilege Tax on Western Oregon Timber	\$2.87/1000 board ft. harvested from public and private land. (rate is for 2002 harvests) 6% of gross value at well. 0.8% of immediate harvest value from privately owned land.(≥5,000 acre forestland ownership) 1.8% of immediate harvest value from privately owned land. (<5,000 acre forestland ownership) 1.4% of immediate harvest value from privately owned land. (≥5,000 acre forestland ownership) 3.2% of immediate harvest value from privately owned land (<5,000 acre forestland ownership)
<b>South Dakota</b> .....	Precious Metals Severance Tax  Energy Minerals Severance Tax (t) Conservation Tax	\$4 per ounce of gold severed plus additional tax depending on price of gold; 10% on net profits or royalties from sale of precious metals, and 8% of royalty value. 4.5% of taxable value of any energy minerals. 2.4 mills of taxable value of any energy minerals.
<b>Tennessee</b> .....	Oil and Gas Severance Tax Coal Severance Tax (u)	3% of sales price \$.20/ton
<b>Texas</b> .....	Gas Production Tax Oil Production Tax  Sulphur Production Tax Cement Production Tax Oil-Field Cleanup Regulatory Fees	7.5% of market value. The greater of 4.6% of market value or \$.046/bbl. 2.3% of market value for oil produced from qualified enhanced recovery projects. \$1.03/long ton or fraction thereof. \$.0275/100 lbs. or fraction thereof. 5/8 of \$.01/barrel; 1/15 of \$.01/1000 cubic feet of gas. (v)
<b>Utah</b> .....	Metalliferous Minerals Tax Oil and Gas Tax  Oil and Gas Conservation Tax	2.6% of taxable value for metals. 3% of value for the first \$13 per barrel of oil, 5% from \$13.01 and above; 3% of value for first \$1.50/mcf, 5% from \$1.51 and above; and 4% of taxable value of natural gas liquids. .2% of market value at wellhead.

See footnotes at end of table.

## STATE SEVERANCE TAXES: 2002 — Continued

State	Title and application of tax (a)	Rate
<b>Virginia</b> .....	Forest Products Tax Coal Surface Mining Reclamation Tax (w)	Varies by species and ultimate use. Varies depending on balance of Coal Surface Mining Reclamation Fund.Varies
<b>Washington</b> .....	Uranium and Thorium Milling Tax Enhanced Food Fish Tax Timber Excise Tax	\$0.02/per kilogram. 0.09% to 5.62% of value (depending on species) at point of landing. 5% of stumpage value for harvests on public and private lands.
<b>West Virginia</b> .....	Natural Resource Severance Taxes	Coal, state rate is greater of 4.65% or \$.75 per ton. Local rate is .35%. Special state rates for coal from new low seam mines. For seams between 37" and 45" the rate is greater of 1.65% or \$.75/ton. For seams less than 37" the rate is greater of .65% or \$.75/ton. Limestone or sandstone quarried or mined, 5% of gross value. Oil, 5% of gross value. Natural gas, 5% of gross value. Timber, 3.22% of gross value. Other natural resources, 5% of gross value.
<b>Wisconsin</b> .....	Mining Net Proceeds Tax  Oil and Gas Severance Tax	Progressive net proceeds tax ranging from 3% to 15% is imposed on the net proceeds from mining metalliferous minerals. The tax brackets are annually adjusted for inflation based on the change in the GNP deflator. 7% of market value of oil or gas at the mouth of the well. There are no wells in the state
<b>Wyoming</b> .....	Severance Tax	Severance Tax is defined as an excise tax imposed on the present and continuing privilege of removing, extracting, severing or producing any mineral in this state. Except as otherwise provided by W.S. 39-14-205 (Tax Exemptions), The total Severance Tax on crude oil, lease condensate or natural gas shall be six percent (6%), comprising one and one-half percent (1.5% ) imposed by the Wyoming constitution article 15, section 19 and four and one-half percent (4.5%) imposed by Wyoming statute. The tax shall be distributed as as provided in W.S. 39-14-211 and is imposed as follows: i. One and one-half percent (.5%); plus ii. One-half percent (.5%); plus iii. Two percent (2%); plus iv. Two percent (2%) Severance Tax is applied to the taxable value of crude oil, lease condensate or natural gas. The taxable value is the gross sales value of the product less Federal, State or Tribal Royalties paid and less allowable transportation deductions. If the product produced is natural gas, an additional deduction is allowed for processing. Rates vary from 1.50% to 6.0% on different grades of oil. Taxes on coal and other minerals varies from 2% to 4%.

Sources: The Council of State Governments' survey, January 2002, and state web sites.

(a) Application of tax is same as that of title unless otherwise indicated by a footnote.

(b) Timber, metalliferous minerals.

(c) Actual rate set by administrative actions. Current conservation rate is 5 mills (.005).

(d) For 2001, \$.0373354/bbl of oil or 10,000 cu. ft. of natural gas.

(e) Metallic minerals, molybdenum ore, coal, oil shale, oil, gas, CO<sub>2</sub>, and coalbed methane.

(f) As of January 31, 2000, set at 1.2 mills/\$1.

(g) Clay, gravel, phosphate rock, lime, shells, stone, sand, heavy minerals and rare earths.

(h) Buyer deducts amount from payment to grower; amount forwarded to Department of Conservation.

(i) Petroleum, oil, gas and other hydrocarbons.

(j) Coal, oil and gas.

(k) Coal and oil excepted.

(l) State also has two related taxes; Mining Occupation Tax and Net Proceeds Tax. Also selected counties must impose an Aggregate Materials Tax of \$.10/cubic yard or \$.07/ton on materials produced in the county.

(m) Metals, precious and semi-precious stones and gems.

(n) Currently, the tax is levied at the rate of 0.3%.

(o) Cement and gypsum or allied products.

(p) Natural resources except oil, natural gas, liquid hydrocarbons or carbon

dioxide.

(q) Oil, coal, gas, liquid hydrocarbons, geothermal energy, carbon dioxide and uranium.

(r) Rate reduced by 50 percent if burned in cogeneration facility using renewable resources as fuel to generate at least 10 percent of its energy output. Between June 30, 1995 and July 1, 2000, the rate is reduced by 50% for coal mined for out-of-state shipment. Between June 30, 1999 and July 1, 2003, the rate is reduced by 50% for coal burned in coal-fired boilers where the generating station has a total capacity of not more than 210 megawatts.

(s) Asphalt and ores bearing lead, zinc, jack, gold, silver, copper or petroleum or other crude oil or other mineral oil, natural gas or casinghead gas and uranium ore.

(t) Any mineral fuel used in the production of energy, including coal, lignite, petroleum, oil, natural gas, uranium and thorium.

(u) Counties and municipalities also authorized to levy severance taxes on sand, gravel, sandstone, chert and limestone and a privilege tax on nuclear materials.

(v) Fees will not be collected when Oil-Field Cleanup Fund reaches \$10 million, but will again be collected when fund falls below \$6 million.

(w) Until 2003, any county and city may adopt a license tax at a rate not over 1% of gross receipts on persons engaged in the business of severing coal or gases.

(x) On November 26, 2001, the New Hampshire Supreme Court issued a ruling in the case of Nash Family Investments v. Town of Hudson and Ballinger Properties, et. al. v. Town of Londonderry. The Court ruled that the method of valuing property subject to the Excavation Activity Tax as set forth in RSA 72-B: 12, III was unconstitutional.

**Table 7.14**  
**NATIONAL SUMMARY OF STATE GOVERNMENT TAX REVENUE,**  
**BY TYPE OF TAX: 1998 to 2000**  
**(In thousands of dollars. Per capita in dollars)**

Item	Amount (in thousands of dollars)			Percent change year-to-year		Percent distribution, 2000	Per capita, 2000 (in dollars)
	2000	1999	1998	1999 to 2000	1998 to 1999		
Population .....	280,850	272,172	269,727				
Personal income .....	\$7,762,466	\$7,364,022	\$7,363,940				
Total tax collections .....	\$539,640,411	\$499,943,213	\$473,051,441	7.94	5.68	100.0	\$1,921.5
Property taxes .....	10,996,021	11,654,233	10,658,554	-5.65	9.34	2.0	39.2
Sales & gross receipts tax .....	252,275,925	239,367,273	226,643,401	5.39	5.61	46.7	898.3
General .....	174,450,401	164,378,016	155,272,097	6.13	5.86	32.3	621.2
Selective .....	77,825,524	74,989,257	71,371,304	3.78	5.07	14.4	277.1
Motor fuels sales .....	30,117,182	29,168,939	28,344,987	3.25	2.91	5.6	107.2
Insurance premiums .....	9,744,565	9,595,036	9,187,201	1.56	4.44	1.8	34.7
Public utilities .....	9,269,579	8,888,953	8,795,604	4.28	1.06	1.7	33.0
Tobacco products .....	8,380,080	8,170,192	7,747,576	2.57	5.45	1.6	29.8
Alcoholic beverage sales .....	4,104,405	3,899,541	3,765,443	5.25	3.56	0.8	14.6
Amusements .....	3,626,260	3,291,504	2,370,501	10.17	38.85	0.7	12.9
Pari-mutuels .....	337,688	382,174	405,261	-11.64	-5.70	0.1	1.2
Other selective sales .....	12,245,765	11,592,918	10,754,731	5.63	7.79	2.3	43.6
Licenses .....	32,799,291	30,440,191	29,655,105	7.75	2.65	6.1	116.8
Motor vehicle .....	15,150,160	14,083,281	13,662,190	7.58	3.08	2.8	53.9
Occupation and business, NEC .....	7,241,066	6,233,083	6,160,709	16.17	1.17	1.3	25.8
Corporation in general .....	6,524,826	6,359,150	6,129,198	2.61	3.75	1.2	23.2
Motor vehicle operators .....	1,366,979	1,288,597	1,256,891	6.08	2.52	0.3	4.9
Hunting and fishing .....	1,110,788	1,075,961	1,041,653	3.24	3.29	0.2	4.0
Public utility .....	378,962	366,864	358,558	3.30	2.32	0.1	1.3
Alcoholic beverage .....	295,793	304,692	302,569	-2.92	0.70	0.1	1.1
Amusement .....	230,918	281,532	303,934	-17.98	-7.37	0.0	0.8
Other .....	499,799	447,031	439,403	11.80	1.74	0.1	1.8
Other .....	243,569,174	218,481,516	206,094,381	11.48	6.01	45.1	867.3
Individual income .....	194,460,937	172,764,266	160,114,849	12.56	7.90	36.0	692.4
Corporation net income .....	32,323,748	30,765,625	31,088,625	5.06	-1.04	6.0	115.1
Death and gift .....	7,997,879	7,493,136	6,938,869	6.74	7.99	1.5	28.5
Severance .....	4,367,987	3,135,150	4,165,773	39.32	-24.74	0.8	15.6
Documentary and stock transfer ..	4,206,630	4,089,093	3,544,117	2.87	15.38	0.8	15.0
Other .....	211,993	234,246	242,148	-9.50	-3.26	0.0	0.8

*Population Source:* Internet table (st-99-3). State Population Estimates, Population Division, U.S. Bureau of the Census, Washington D.C. 20233. Released: December 29, 1999.

*Personal Income Source:* Survey of Current Business (Oct. 2000), BEA, revisions released September 12, 2000 for 1997-1999.

# TAXES

**Table 7.15**  
**SUMMARY OF STATE GOVERNMENT TAX REVENUE, BY STATE: 1998 to 2000**

State	Amount (in thousands of dollars)			Percent change year-to-year		Per capita, 2000 (in dollars)
	2000	1999	1998	1999 to 2000	1998 to 1999	
United States .....	\$539,640,411	\$499,943,213	\$473,051,441	7.9	5.7	\$1,921.5
Alabama .....	6,438,438	6,032,234	5,734,128	6.7	5.2	1,447.8
Alaska .....	1,423,287	905,135	1,186,235	57.2	-23.7	2,270.0
Arizona .....	8,100,737	7,542,735	6,949,270	7.4	8.5	1,578.8
Arkansas .....	4,870,561	4,608,936	4,056,482	5.7	13.6	1,822.1
California .....	83,807,959	72,387,698	67,713,433	15.8	6.9	2,474.3
Colorado .....	7,075,047	6,568,185	5,898,349	7.7	11.4	1,645.0
Connecticut .....	10,171,242	9,623,591	9,393,604	5.7	2.4	2,986.3
Delaware .....	2,132,131	2,030,789	1,981,473	5.0	2.5	2,719.6
Florida .....	24,817,263	23,798,564	22,513,115	4.3	5.7	1,552.8
Georgia .....	13,511,275	12,461,790	11,589,495	8.4	7.5	1,650.5
Hawaii .....	3,334,743	3,166,663	3,176,246	5.3	-0.3	2,751.4
Idaho .....	2,377,251	2,171,127	2,057,378	9.5	5.5	1,837.1
Illinois .....	22,788,799	21,211,263	19,771,284	7.4	7.3	1,835.0
Indiana .....	10,104,353	9,736,077	9,115,798	3.8	6.8	1,661.9
Iowa .....	5,185,394	4,868,494	4,802,531	6.5	1.4	1,772.2
Kansas .....	4,865,305	4,589,475	4,661,846	6.0	-1.6	1,810.0
Kentucky .....	7,694,610	7,356,834	7,115,147	4.6	3.4	1,903.7
Louisiana .....	6,512,382	6,491,235	6,082,026	0.3	6.7	1,457.2
Maine .....	2,661,080	2,540,581	2,369,820	4.7	7.2	2,087.1
Maryland .....	10,354,447	9,501,164	9,190,482	9.0	3.4	1,955.1
Massachusetts .....	16,152,874	14,731,769	14,488,496	9.6	1.7	2,544.2
Michigan .....	22,756,403	21,856,552	20,516,928	4.1	6.5	2,289.8
Minnesota .....	13,338,532	12,481,688	11,503,928	6.9	8.5	2,711.6
Mississippi .....	4,711,594	4,573,823	4,239,825	3.0	7.9	1,656.1
Missouri .....	8,571,548	8,563,594	8,222,326	0.1	4.2	1,532.0
Montana .....	1,410,760	1,345,730	1,327,652	4.8	1.4	1,564.0
Nebraska .....	2,981,047	2,662,103	2,633,216	12.0	1.1	1,742.3
Nevada .....	3,717,255	3,430,007	3,113,000	8.4	10.2	1,860.5
New Hampshire .....	1,696,085	1,070,803	1,008,518	58.4	6.2	1,372.2
New Jersey .....	18,147,604	16,926,417	15,604,971	7.2	8.5	2,156.8
New Mexico .....	3,743,178	3,454,440	3,574,537	8.4	-3.4	2,057.8
New York .....	41,735,841	38,700,774	36,154,533	7.8	7.0	2,199.4
North Carolina .....	15,216,066	14,436,294	13,869,426	5.4	4.1	1,890.4
North Dakota .....	1,172,373	1,106,499	1,078,375	6.0	2.6	1,826.1
Ohio .....	19,676,365	18,178,726	17,642,836	8.2	3.0	1,733.1
Oklahoma .....	5,851,814	5,417,232	5,300,829	8.0	2.2	1,695.7
Oregon .....	5,945,675	5,341,403	4,999,091	11.3	6.8	1,738.0
Pennsylvania .....	22,466,906	21,588,754	20,629,483	4.1	4.7	1,829.4
Rhode Island .....	2,034,909	1,895,196	1,821,305	7.4	4.1	1,941.7
South Carolina .....	6,381,391	6,161,205	5,683,148	3.6	8.4	1,590.6
South Dakota .....	927,245	870,663	833,564	6.5	4.5	1,228.1
Tennessee .....	7,739,590	7,197,491	6,996,120	7.5	2.9	1,360.5
Texas .....	27,424,142	25,675,587	24,629,000	6.8	4.2	1,315.2
Utah .....	3,978,697	3,653,782	3,497,935	8.9	4.5	1,781.8
Vermont .....	1,470,828	1,388,345	957,656	5.9	45.0	2,415.2
Virginia .....	12,648,071	11,562,735	10,542,966	9.4	9.7	1,786.7
Washington .....	12,567,383	12,337,555	11,806,170	1.9	4.5	2,132.2
West Virginia .....	3,343,266	3,302,046	3,011,990	1.2	9.6	1,849.2
Wisconsin .....	12,643,015	11,627,782	11,149,759	8.7	4.3	2,357.0
Wyoming .....	963,650	811,648	755,442	18.7	-5.1	1,950.7

Source: U.S. Department of Commerce, Bureau of the Census January 2002.

**Table 7.16**  
**STATE GOVERNMENT TAX REVENUE, BY TYPE OF TAX: 2000**  
(In thousands of dollars)

State	Total taxes	Sales and gross receipts	Licenses	Individual income	Corporation net income	Severance	Property taxes	Death and gift	Documentary and stock transfer	Other
United States .....	\$539,640,411	\$252,275,925	\$32,799,291	\$194,460,937	\$32,323,748	\$4,367,987	\$10,996,021	\$7,997,879	\$4,206,630	\$211,993
Alabama .....	6,438,438	3,228,445	541,645	2,071,433	243,099	80,738	179,828	66,763	26,487	0
Alaska .....	1,423,287	137,735	91,661	0	438,438	708,390	44,608	2,455	0	0
Arizona .....	8,100,737	4,643,540	260,188	2,291,883	523,182	0	296,706	85,238	0	0
Arkansas .....	4,870,561	2,362,883	259,381	1,470,012	236,969	14,558	481,893	23,821	16,861	4,183
California .....	83,807,959	29,620,197	3,690,638	39,574,649	6,638,762	24,697	3,330,868	928,148	0	0
Colorado .....	7,075,047	2,708,987	300,109	3,636,920	334,980	31,948	0	61,873	0	230
Connecticut .....	10,171,242	5,054,024	365,202	3,973,621	426,617	0	0	237,608	114,170	0
Delaware .....	2,132,131	289,338	777,077	733,399	240,319	0	0	41,124	48,507	2,367
Florida .....	24,817,263	19,131,173	1,504,990	1,182,796	1,182,796	56,597	762,653	739,490	1,439,564	0
Georgia .....	13,511,275	5,746,072	466,985	6,364,586	712,421	0	48,147	148,255	294	24,515
Hawaii .....	3,334,743	2,051,912	110,917	1,064,317	75,271	0	0	22,874	9,452	0
Idaho .....	2,377,251	1,054,964	216,547	965,428	125,860	3,369	0	11,083	0	0
Illinois .....	22,788,799	10,859,328	1,570,708	7,637,115	2,261,293	240	54,452	348,009	57,654	0
Indiana .....	10,104,353	5,036,689	245,323	3,753,339	924,623	467	3,739	140,173	0	0
Iowa .....	3,185,594	2,478,583	492,575	1,890,427	214,605	0	0	99,487	9,717	0
Kansas .....	4,865,305	2,320,937	236,789	1,861,610	272,432	62,048	48,601	62,888	0	0
Kentucky .....	7,694,610	3,512,227	537,289	2,701,616	306,450	170,476	388,727	74,490	3,335	0
Louisiana .....	6,512,382	3,718,736	490,128	1,582,260	222,008	378,773	24,900	95,577	0	0
Maine .....	2,661,080	1,190,998	134,377	1,076,913	150,046	0	30,550	58,804	19,392	0
Maryland .....	10,354,447	4,361,581	379,190	4,613,203	431,109	0	256,027	156,976	118,027	38,334
Massachusetts .....	16,152,874	5,059,849	450,703	9,041,936	1,306,353	0	151	166,511	127,371	0
Michigan .....	22,756,403	9,784,723	1,208,337	7,190,407	2,382,496	45,140	1,702,501	185,528	257,093	178
Minnesota .....	13,338,532	5,775,227	977,006	5,547,326	803,357	2,292	9,411	82,516	141,397	0
Mississippi .....	4,711,594	3,146,936	278,803	1,006,662	227,716	28,139	1,378	21,960	0	0
Missouri .....	8,571,548	4,031,605	575,609	3,550,284	265,467	120	18,430	129,872	0	161
Montana .....	1,410,760	343,911	123,158	516,261	99,772	85,226	218,883	19,039	0	4,510
Nebraska .....	2,481,047	1,445,168	189,715	1,173,918	140,022	1,658	4,363	19,022	7,181	0
Nevada .....	3,717,255	3,153,966	362,478	0	0	28,815	92,743	76,002	3,251	0
New Hampshire .....	1,696,085	555,501	142,566	65,975	312,176	0	473,711	61,146	85,010	0
New Jersey .....	18,147,604	8,199,639	789,947	7,205,260	1,347,336	0	3,039	485,948	116,435	0
New Mexico .....	3,743,178	2,006,930	205,760	880,859	159,338	439,327	34,877	16,087	0	0
New York .....	41,735,841	13,307,079	970,237	23,194,281	2,771,556	0	0	1,054,669	438,019	0
North Carolina .....	15,216,066	6,026,775	912,484	7,097,514	989,280	1,912	20	188,081	0	0
North Dakota .....	1,172,373	655,048	87,180	198,621	78,221	144,740	2,486	6,077	0	0
Ohio .....	19,676,365	9,058,711	1,558,794	8,241,227	630,607	9,308	22,615	155,103	0	0

See footnotes at end of table.



## STATE GOVERNMENT TAX REVENUE, BY TYPE OF TAX: 2000 — Continued

State	Total taxes	Sales and gross receipts	Licenses	Individual income	Corporation net income	Severance	Property Taxes	Death and gift	Documentary and stock transfer	Other
Oklahoma .....	5,851,814	2,180,507	841,195	2,134,506	194,145	392,606	0	87,510	9,043	12,302
Oregon .....	5,945,675	727,674	605,026	4,097,427	407,084	38,899	106	43,907	25,552	0
Pennsylvania .....	22,466,906	10,460,396	2,273,339	6,770,513	1,696,845	0	117,436	801,164	321,616	25,597
Rhode Island .....	2,034,909	1,002,948	90,768	828,983	74,825	0	948	34,207	2,167	63
South Carolina .....	6,381,391	3,240,855	375,162	2,445,559	227,161	0	12,663	43,085	36,906	0
South Dakota .....	927,245	732,389	118,448	0	45,123	2,714	0	28,429	142	0
Tennessee .....	7,739,590	5,805,324	898,509	180,278	613,924	957	0	92,449	119,936	28,213
Texas .....	27,424,142	22,213,368	3,812,821	0	0	1,119,467	0	278,486	0	0
Utah .....	3,978,697	1,924,091	138,111	1,651,448	173,799	26,689	0	64,559	0	0
Vermont .....	1,470,828	471,500	68,523	432,002	44,430	0	404,710	13,550	20,831	15,682
Virginia .....	12,648,071	4,352,087	513,765	6,828,937	565,909	1,910	34,075	150,120	145,610	55,658
Washington .....	12,567,383	9,684,271	607,954	0	0	61,086	1,697,689	82,573	433,810	0
West Virginia .....	3,343,266	1,800,105	174,260	965,721	217,793	154,239	3,537	21,103	6,508	0
Wisconsin .....	12,643,015	5,144,597	687,928	5,952,301	587,733	4,749	87,154	133,261	45,292	0
Wyoming .....	963,650	476,596	89,186	0	0	245,693	101,396	50,779	0	0

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

**Table 7.17**  
**STATE GOVERNMENT SALES AND GROSS RECEIPTS TAX REVENUE: 2000**  
**(In thousands of dollars)**

State	General sales or gross receipts		Selective sales taxes							
	Total	Total	Motor fuels	Insurance premiums	Public utilities	Tobacco products	Alcoholic beverages	Amusements	Parti-mutuels	Other
United States	\$252,275,925	\$174,450,401	\$30,117,182	\$9,744,565	\$9,269,579	\$8,380,080	\$4,104,405	\$3,626,260	\$337,688	\$12,245,765
Alabama	3,228,445	1,701,885	505,360	190,750	482,870	66,431	123,164	113	3,723	154,149
Alaska	137,735	0	42,137	29,064	3,235	48,309	12,655	2,335	0	0
Arizona	4,643,340	3,632,686	592,318	164,732	36,563	162,896	50,923	677	2,545	0
Arkansas	2,362,883	1,706,645	656,238	388,625	94,659	92,856	28,845	0	6,641	44,612
California	29,620,197	23,457,385	3,041,370	1,299,777	218,994	1,216,646	282,165	0	45,563	38,297
Colorado	2,708,987	1,849,305	544,134	130,837	8,072	67,622	27,110	75,397	6,510	0
Connecticut	5,054,024	1,634,085	543,022	183,588	197,920	129,028	44,886	319,370	11,161	205,110
Delaware	289,338	0	289,338	53,430	27,871	26,680	10,936	0	225	65,996
Florida	19,131,173	15,010,888	1,608,061	355,677	666,180	442,512	575,169	0	49,394	423,292
Georgia	5,746,072	4,630,179	632,103	256,956	0	87,004	139,830	0	0	0
Hawaii	2,051,912	1,536,276	74,456	70,043	119,505	42,341	39,000	0	0	170,291
Idaho	1,054,964	747,134	307,830	56,460	2,767	28,780	5,979	0	0	4,876
Illinois	10,859,328	6,393,080	1,356,283	219,701	1,467,081	467,350	127,868	488,254	23,663	316,048
Indiana	5,036,689	3,579,416	700,420	163,124	5,859	88,334	31,406	448,236	3,772	16,122
Iowa	2,478,583	1,722,836	755,747	120,212	0	96,982	12,265	176,560	3,267	0
Kansas	2,320,937	1,743,835	356,236	70,139	866	52,898	73,487	908	4,239	18,329
Kentucky	3,512,227	2,171,609	440,258	226,812	0	17,022	68,408	221	20,738	567,159
Louisiana	3,718,736	2,060,822	549,421	239,283	12,299	89,644	54,923	420,779	6,171	285,394
Maine	1,190,998	847,358	343,640	46,810	1,960	74,933	34,308	0	4,366	0
Maryland	4,361,581	2,498,184	652,052	172,917	153,927	210,025	24,400	10,212	2,070	637,794
Massachusetts	5,059,849	3,565,267	1,494,582	334,635	0	279,945	63,768	6,210	7,829	149,599
Michigan	9,784,723	7,666,399	1,074,816	191,946	12,303	604,672	132,648	53,145	13,493	35,301
Minnesota	5,775,227	3,723,638	607,589	171,749	58	186,013	61,735	62,496	933	961,016
Mississippi	3,146,936	2,333,584	813,552	114,555	1,195	56,385	39,894	176,648	0	6,040
Missouri	4,031,605	2,787,531	1,244,074	209,748	580	112,006	25,339	182,252	0	18,558
Montana	343,911	0	343,911	188,345	20,425	13,809	17,234	41,406	125	19,949
Nebraska	1,445,168	1,027,940	279,426	39,190	3,167	46,314	17,368	6,518	894	24,351
Nevada	3,153,966	1,941,674	1,212,292	261,995	129,333	64,675	16,390	708,356	0	21,116
New Hampshire	555,501	0	555,501	54,065	57,575	94,550	11,878	1,850	3,658	215,041
New Jersey	8,199,639	5,508,046	2,691,593	506,432	854,176	399,760	78,161	340,413	0	230,387
New Mexico	2,006,930	1,502,319	233,176	65,107	7,012	24,242	36,748	19,805	630	117,891
New York	13,507,079	8,563,323	4,743,756	521,670	1,605,673	668,251	182,914	1,537	36,369	1,068,296
North Carolina	6,026,775	3,361,189	1,215,942	273,367	386,551	43,104	193,003	0	0	553,619
North Dakota	653,048	330,269	324,779	21,893	28,288	22,826	5,431	13,177	0	122,618
Ohio	9,058,711	6,263,251	1,404,946	358,611	642,111	289,434	83,776	0	16,582	0

## STATE GOVERNMENT SALES AND GROSS RECEIPTS TAX REVENUE: 2000 — Continued

State	General sales or gross receipts		Selective sales taxes							
	Total	Total	Motor fuels	Insurance premiums	Public utilities	Tobacco products	Alcoholic beverages	Amusements	Pari-mutuels	Other
Oklahoma .....	2,180,507	1,441,670	402,380	160,930	15,462	74,820	60,889	7,933	4,119	12,304
Oregon .....	727,674	0	473,947	43,548	7,241	188,726	12,707	71	1,434	0
Pennsylvania .....	10,460,396	7,057,309	764,065	439,897	678,059	324,319	179,655	575	25,510	991,007
Rhode Island .....	1,002,948	621,066	130,974	31,338	73,011	59,737	9,567	0	5,374	71,881
South Carolina .....	3,240,855	2,458,308	369,976	85,074	41,471	29,685	128,848	37,692	0	89,801
South Dakota .....	732,389	487,897	124,735	39,514	2,089	19,092	10,761	21	1,470	46,810
Tennessee .....	5,805,324	4,446,160	788,174	286,584	4,546	82,589	75,918	0	0	121,353
Texas .....	22,213,368	14,012,165	2,688,818	739,259	507,857	531,780	514,804	22,602	11,556	3,184,527
Utah .....	1,924,091	1,423,234	330,499	82,872	0	48,254	23,943	0	0	15,289
Vermont .....	471,300	215,423	60,575	20,401	9,714	13,179	14,159	0	0	137,849
Virginia .....	4,352,087	2,471,938	814,999	251,074	102,351	15,332	123,448	73	0	572,872
Washington .....	9,684,271	7,739,014	775,245	261,150	290,022	277,329	162,228	9	1,955	177,319
West Virginia .....	1,800,105	917,050	239,580	101,004	183,266	32,345	8,401	0	8,438	310,021
Wisconsin .....	5,144,597	3,506,696	915,694	96,432	316,996	257,895	43,956	409	3,038	3,481
Wyoming .....	476,596	368,779	81,364	12,410	1,984	10,719	1,107	0	233	0

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

**Table 7.18**  
**STATE GOVERNMENT LICENSE TAX REVENUE: 2000**  
**(In thousands of dollars)**

State	Total	Motor vehicle	Occupation and business, NEC	Corporation	Motor vehicle operators	Hunting and fishing	Public utilities	Alcoholic beverages	Amusement	Other
United States .....	\$32,799,291	\$15,150,160	\$7,241,066	\$6,524,826	\$1,366,979	\$1,110,788	\$378,962	\$295,793	\$230,918	\$499,799
Alabama .....	541,645	191,195	129,486	179,169	15,824	14,298	9,250	2,365	0	58
Alaska .....	91,661	35,568	33,704	1,639	0	19,004	317	1,301	2	126
Arizona .....	260,188	152,555	57,910	6,353	14,958	15,864	0	2,381	70	10,097
Arkansas .....	259,381	117,647	77,322	9,408	15,501	19,665	10,806	1,605	1,789	5,638
California .....	3,690,638	1,763,623	1,538,293	37,355	153,359	74,553	72,231	34,275	4,914	12,035
Colorado .....	300,109	174,589	45,183	5,445	15,541	53,095	0	4,275	1,514	467
Connecticut .....	365,202	232,599	75,188	13,433	29,009	3,054	1,184	5,900	150	4,685
Delaware .....	777,077	32,744	180,462	541,112	440	1,933	4,415	593	333	15,045
Florida .....	1,504,990	927,038	253,371	120,967	112,706	14,064	28,445	30,488	8,082	9,829
Georgia .....	466,985	235,488	64,193	39,716	33,277	23,519	0	1,959	0	68,833
Hawaii .....	110,917	76,661	20,913	2,788	544	334	8,621	0	0	1,056
Idaho .....	216,547	108,365	40,774	1,252	6,626	27,095	28,757	1,201	251	2,226
Illinois .....	1,570,708	1,020,338	300,591	143,924	66,842	27,997	0	4,208	2,201	4,607
Indiana .....	245,323	159,782	52,805	4,663	0	13,427	0	7,764	5,558	1,324
Iowa .....	492,575	335,732	70,379	33,363	14,275	18,016	5,555	7,976	5,345	1,934
Kansas .....	236,789	143,620	28,857	27,048	13,335	15,833	3,413	2,200	204	2,279
Kentucky .....	537,289	191,534	107,345	192,560	10,796	18,156	6,902	4,113	3,082	2,801
Louisiana .....	490,128	110,023	73,354	273,553	7,594	21,933	3,671	0	0	0
Maine .....	134,377	68,389	35,893	3,129	10,074	11,398	0	3,073	860	1,561
Maryland .....	379,190	179,014	155,360	13,278	17,540	11,368	0	540	26	2,064
Massachusetts .....	450,703	227,704	75,221	22,951	60,233	5,991	0	1,282	492	56,829
Michigan .....	1,208,337	816,160	212,752	12,938	46,876	47,507	15,932	11,797	0	44,375
Minnesota .....	977,006	642,467	224,008	4,273	31,008	54,006	0	858	301	20,085
Mississippi .....	278,803	112,602	53,311	68,019	22,446	10,989	7,409	2,038	1,292	697
Missouri .....	575,609	240,552	154,278	89,722	17,694	28,653	21,432	3,679	982	18,617
Montana .....	123,158	55,065	25,156	1,196	3,959	30,151	11	1,707	3,997	1,916
Nebraska .....	189,715	84,390	59,327	6,304	8,440	12,445	0	260	0	18,549
Nevada .....	362,478	113,713	112,789	22,859	12,220	6,374	0	0	90,633	3,890
New Hampshire .....	142,566	64,702	49,089	4,214	8,611	6,465	4,883	3,111	473	1,018
New Jersey .....	789,947	352,992	176,183	151,046	30,644	12,314	1,799	6,250	55,329	3,390
New Mexico .....	205,760	142,405	29,597	2,303	9,178	16,633	64	3,763	1,214	603
New York .....	970,237	632,632	106,116	66,534	77,400	31,966	32,591	22,951	47	0
North Carolina .....	912,484	425,056	138,228	223,018	86,828	15,468	0	9,009	11,112	3,765
North Dakota .....	37,180	43,626	35,741	0	3,618	3,702	4	243	246	0
Ohio .....	1,558,794	607,600	497,881	353,002	38,615	29,936	1,808	24,658	0	5,294

# STATE GOVERNMENT LICENSE TAX REVENUE: 2000 — Continued (in thousands of dollars)

State	Total	Motor vehicle	Occupation and business, NEC	Corporation	Motor vehicle operators	Hunting and fishing	Public utilities	Alcoholic beverages	Amusement	Other
Oklahoma .....	841,195	650,905	115,391	43,102	5,896	14,211	4	6,051	5,368	267
Oregon .....	605,026	366,177	168,664	6,460	20,323	28,443	6,664	2,232	1,696	4,367
Pennsylvania .....	2,273,339	791,409	309,110	990,325	56,644	52,058	46,217	14,554	53	12,969
Rhode Island .....	90,768	51,450	22,879	13,391	388	1,643	0	9	376	632
South Carolina .....	375,162	107,953	110,592	41,649	15,624	14,205	0	6,660	14,205	64,274
South Dakota .....	118,448	39,315	52,787	2,032	2,008	14,904	0	269	116	7,017
Tennessee .....	898,509	235,560	93,671	494,089	38,675	25,329	6,039	1,956	0	3,190
Texas .....	3,812,821	925,337	525,530	2,098,910	117,896	63,468	16,861	30,417	7,870	26,532
Utah .....	138,111	80,038	22,448	1,328	8,063	22,619	0	822	0	2,793
Vermont .....	68,323	35,318	18,793	1,190	3,965	5,614	0	435	109	2,899
Virginia .....	513,765	309,723	112,362	30,087	29,681	19,770	0	7,085	47	5,010
Washington .....	607,954	295,288	183,445	14,306	28,974	29,465	14,721	8,098	113	33,544
West Virginia .....	174,260	87,740	30,018	7,675	4,462	16,390	18,956	8,747	13	259
Wisconsin .....	687,928	303,691	180,549	95,363	35,616	62,407	0	470	453	9,379
Wyoming .....	89,186	52,086	3,767	6,385	2,753	23,056	0	165	0	974

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

**Table 7.19**  
**FISCAL YEAR, POPULATION AND PERSONAL INCOME, BY STATE**

State	Date of close of fiscal year in 2000	Total population (excluding armed forces overseas) (in thousands)			Personal income, calendar year 1999	
		April 1, 2000	July 1, 1999	July 1, 1998	Amount (in millions)	Per capita (in dollars)
United States .....	...	280,850	272,172	269,727	\$7,762,466	\$28,542
Alabama .....	September 30	4,447	4,370	4,351	100,452	22,987
Alaska .....	June 30	627	620	615	17,704	28,577
Arizona .....	June 30	5,131	4,778	4,667	120,360	25,189
Arkansas .....	June 30	2,673	2,551	2,538	56,752	22,244
California .....	June 30	33,872	33,145	32,683	991,382	29,910
Colorado .....	June 30	4,301	4,056	3,969	127,955	31,546
Connecticut .....	June 30	3,406	3,282	3,273	128,983	39,300
Delaware .....	June 30	784	754	744	23,192	30,778
Florida .....	June 30	15,982	15,111	14,908	419,792	27,780
Georgia .....	June 30	8,186	7,788	7,637	212,929	27,340
Hawaii .....	June 30	1,212	1,185	1,190	32,653	27,544
Idaho .....	June 30	1,294	1,252	1,231	28,582	22,835
Illinois .....	June 30	12,419	12,128	12,070	377,744	31,145
Indiana .....	June 30	6,080	5,943	5,908	155,365	26,143
Iowa .....	June 30	2,926	2,869	2,861	73,499	25,615
Kansas .....	June 30	2,688	2,654	2,639	71,194	28,824
Kentucky .....	June 30	4,042	3,961	3,934	92,036	23,237
Louisiana .....	June 30	4,469	4,372	4,363	99,887	22,847
Maine .....	June 30	1,275	1,253	1,248	30,828	24,603
Maryland .....	June 30	5,296	5,172	5,130	167,895	32,465
Massachusetts .....	June 30	6,349	6,175	6,144	219,533	35,561
Michigan .....	September 30	9,938	9,864	9,820	277,296	28,113
Minnesota .....	June 30	4,919	4,776	4,726	147,050	30,793
Mississippi .....	June 30	2,845	2,769	2,751	57,278	20,688
Missouri .....	June 30	5,595	5,468	5,438	144,235	26,376
Montana .....	June 30	902	883	880	19,438	22,019
Nebraska .....	June 30	1,711	1,666	1,661	45,065	27,049
Nevada .....	June 30	1,998	1,809	1,744	56,127	31,022
New Hampshire .....	June 30	1,236	1,201	1,186	37,372	31,114
New Jersey .....	June 30	8,414	8,143	8,096	289,503	28,113
New Mexico .....	June 30	1,819	1,740	1,734	38,020	21,853
New York .....	March 31	18,976	18,197	18,159	616,678	33,890
North Carolina .....	June 30	8,049	7,651	7,546	198,943	26,003
North Dakota .....	June 30	642	634	638	14,773	23,313
Ohio .....	June 30	11,353	11,257	11,238	305,643	27,152
Oklahoma .....	June 30	3,451	3,358	3,339	77,077	22,953
Oregon .....	June 30	3,421	3,316	3,282	89,614	27,023
Pennsylvania .....	June 30	12,281	11,994	12,002	343,088	28,605
Rhode Island .....	June 30	1,048	991	988	29,107	29,377
South Carolina .....	June 30	4,012	3,886	3,840	91,490	23,545
South Dakota .....	June 30	755	733	731	18,361	25,045
Tennessee .....	June 30	5,689	5,484	5,433	140,234	25,574
Texas .....	August 31	20,852	20,044	19,712	538,345	26,858
Utah .....	June 30	2,233	2,130	2,101	49,600	23,288
Vermont .....	June 30	609	594	591	15,371	25,889
Virginia .....	June 30	7,079	6,873	6,789	204,736	29,799
Washington .....	June 30	5,894	5,756	5,688	174,948	30,392
West Virginia .....	June 30	1,808	1,807	1,812	37,884	20,966
Wisconsin .....	June 30	5,364	5,250	5,222	142,811	27,300
Wyoming .....	June 30	494	480	480	12,660	26,396

Source: Population Estimates Program, Population Division, U.S. Bureau of the Census, Washington, D.C. 20233. Internet release date: December 28, 2000. Personal Income from Survey of Current Business (Oct 2000), BEA, revisions released September 12, 2000 for 1997-1999.

Contact: Statistical Information Staff, Population Division, U.S. Bureau of the Census, (301) 457-2422.

Key:

... — Not applicable

Note: Consistent with the January 1999 U.S. Supreme Court ruling (*Department of Commerce v. House of Representatives*, 525 U.S. 316, 119 S. Ct. 765 (1999)), the resident population counts used in the apportionment population counts do not reflect the use of statistical sampling to correct for overcounting or undercounting.

## Trends in State-Administered Public-Employee Retirement Systems

By Benjamin J. Shelak

*An aging workforce presents challenges for the future of pension plans, but measures to address any problems are already being devised and implemented. The question may not be so much whether future retirees will be adequately compensated, but rather, how policy-makers will shape the pension plans of tomorrow in order to maintain the relatively consistent quality of previous plans.*

### Introduction

In the first century B.C., soldiers serving in the legions of the Roman Empire received a pension based on the spoils of their military campaigns. Pension management was the bailiwick of Roman generals. In 14 A.D., Augustus Caesar introduced the first modern pension system by introducing a reform requiring soldiers to serve 20 years before receiving a cash pension. Then came the fall of the Roman Empire, and the rest is history.

Similar to ancient Rome, the U.S. Navy fashioned a pension plan in the 19th century funded through money obtained from captured warships and merchants.<sup>1</sup> Once again, pension reform loomed, and the first federal pension bill based on age was presented to Congress in 1909. What has developed from these early beginnings is a public pension system that is dynamic and flexible, capable of being adapted as the need arises. The creation of the Social Security system in 1935 and the Employee Retirement Income Security Act nearly 40 years later are evidence of this adaptability.

Next to federal activity in this field, state-government employee-retirement systems play the second most important role in pension availability and financing in the United States. The 218 state pension systems in existence during fiscal 2000 had 15.1 million members and served 4.8 million retirees or their survivors. In addition to providing a social-welfare function, state public-employee retirement systems also served as financial institutions responsible for nearly \$2 trillion in cash and other investments during the 2000 period.

This article examines the membership, organization and financial activities of state-administered public-employee pension systems. It explores the system of funding pensions via governmental and employee contributions, the significant growth in disbursements to retirees and the relationship between revenues and expenditures. Lastly, it describes current issues affecting the management of state pension systems and issues that might affect them in the future.

### Overview of State Retirement Systems

Between fiscal<sup>2</sup> 1993 and 2000, the number of state retirement systems grew from 190 to 218.<sup>3</sup> This is a

moderate increase of 12.8 percent over a seven-year period. For this same time frame, membership in state-run public-employee retirement systems increased 23 percent, from 11.7 million to 15.1 million members.

These state plans – just 10 percent of the total 2209 state and local pension plans in 2000 – predominate in covering state- and local-government employees. Out of a total of 16.9 million members in both state and local systems, 89 percent are covered by state-administered systems.

Given the large number of employees and retirees belonging to state retirement systems, it is not surprising that state plans also account for the lion's share of assets – \$1.8 billion in 2000, compared with local pension-system assets of \$371 million. This \$1.8 billion grew from \$742 million in 1993. This increase reflects changes in the general economy, which left behind the recession of the early part of the decade for the largest post-war economic boom yet experienced in the United States. State retirement systems were poised to make a windfall in the investment markets of the 1990s, a blessing that appears to have soured somewhat with the harsher realities of the economy during 2000 and 2001.

The investment portfolios in 2000 showed that state systems held \$637 billion (35 percent) in corporate stocks, \$278 billion (16 percent) in corporate bonds and \$221 billion (12 percent) in federal-government securities. These three investment categories were the largest identifiable pieces. By comparison, the 1993 portfolios were composed of 32 percent corporate stock, 19 percent corporate bonds and 23 percent federal securities. These figures for 1993 and 2000 indicate that while the proportions of corporate stocks and bonds stayed relatively stable, the proportion invested in federal-government securities was reduced by more than half over this period.

The considerable variety of investment vehicles the state retirement systems employ shows in their asset mix. The corporate-stock holdings reflect the diversity of various stock exchanges. The corporate-bond category is a diverse grouping that includes both federally sponsored agency securities, such as mortgage-backed securities, as well as all other corporate bonds held by

pension plans. Of the \$278 billion invested in corporate bonds, \$181 billion is considered “other corporate bonds,” with \$97 billion allocated to federally sponsored investment vehicles. The federal-government-securities category is another example, which includes obligations of the U.S. Treasury and Federal Financing Bank, as well as federal-agency securities issued by the Export-Import Bank, Federal Home Administration, Government National Mortgage Association, the Postal Service and others. The remaining investments held by state pension systems include cash and short-term investments, mortgages held directly, investments held in trust, state- and local-government securities, international securities and realty. For fiscal year 2000, these other components constituted 37 percent of average state holdings, well over the level of 26 percent they held in 1993.

### **Membership of State Retirement Systems**

State retirement systems had 15.1 million members in 2000. This number includes only active and inactive members. Individuals who retired due to age or disability, as well as survivors, provided an additional 6.3 million members and are discussed later in this essay.

The largest component of membership is active members. Active members are defined as those participants who are current contributors in a contributory system or employees in a non-contributory plan. Active members account for 83 percent of total membership, with the remaining 17 percent made up of inactive members. Inactive members are defined as former employees on military or other extended leave without pay, but who still retain retirement credits.

### **State Retirement System Coverage**

System coverage refers to the scope of employees a system includes. There are two main types of systems: general or limited. General coverage includes systems that provide for state employees who are involved in a wide variety of occupations. Although employed in different fields within the public sector, all of these employees belong to an umbrella pension system run by the state. Limited coverage is more defined and pertains to specific occupations. Limited-coverage plans include plans restricted to teachers, police, firefighters, elected officials and others.

Of the 218 state systems, 51 plans (23 percent of the total) are general-coverage plans. While they comprise roughly only a quarter of all state retirement systems, general-coverage plans account for 34 percent of all members, as well as 52 percent of total state-pension assets.

The largest category of coverage includes those limited-coverage plans responsible for individuals employed by public-safety agencies such as law enforcement, firefighters, correctional officers and highway-safety officials. Fifty-six state systems provide for employees in public-safety fields. In addition, there are 36 limited-coverage systems for teachers and other education personnel; 31 for judges and others within the judicial system; 20 on behalf of local governments such as counties and/or municipal plans; 13 for elected officials; and three for employees of state National Guard units. There is a handful of other limited-coverage plans that cover miscellaneous groups, such as a port authority, a turnpike authority or a state-controlled cement plant.

### **State Retirement-System Size**

In considering both public and private pension plans, state-run plans tend to be among the largest in terms of membership. In fiscal 2000, there were 88 plans that exceeded 25,000 members. Forty-four had more than 100,000 participants. The California Public Employees’ Retirement System (CalPERS), the largest, had an enrollment of 863,781 participants. At the other extreme were 19 plans with 100 members or less. The 88 state plans with more than 25,000 members had only 10 counterparts at the local level with similar rates of participation. The New York City Employees’ Retirement Plan, with 169,458 active and inactive members, was the largest of the local plans and was the only local system with over 100,000 members.

Membership in the leading 88 state plans was 14.6 million, or 97 percent of the total in all state systems. Furthermore, these larger plans account for 94 percent of all of the assets held by state-administered public-employee retirement systems. Ranked in terms of employee participation, the top 10 systems accounted for 35 percent of all members. Likewise, the 10 systems with the largest investment portfolios held a considerable share of assets, with \$761 million, or 42 percent of total investments.

The sheer size of the very largest systems enables them to realize economies of scale by placing responsibility for a large number of members under the roof of a single organization. Most of the 35 largest systems are general-coverage plans, albeit with a substantial minority of education systems included. Although being large and its attendant benefits aids in preventing duplication of effort, the variety among state pension plans in terms of size suggests that large is not always ideal. For example, whereas the state of Maine relies on one pension system, Louisiana, at the opposite end



of the spectrum, has 14. The number of systems and system size depend on the needs of each individual state, as determined by its employees, administrative structure, politics and history. While a large retirement system may benefit one state, it may not be in accord with the needs of another.

Another way of measuring the importance of state retirement systems is to compare public pension systems with their private-sector counterparts. The publication *Pensions & Investments* provides such a comparative ranking. Looking at asset holdings among the largest 25 state and private pension plans, state plans hold 17 of the top spots and private plans just eight. In fact, the first four places are occupied by state pension plans, with General Motors holding fifth. The large state systems compare in size with such private-sector giants as General Electric, IBM, Lucent Technologies, Boeing, SBC Communications, Ford Motor and Bell Atlantic.<sup>4</sup>

### Receipts of State Retirement Systems

Receipts of state retirement systems derive from three sources: 1) employee contributions, 2) government contributions from state and local sources and 3) earnings on investments. Employee contributions include funds from members of state and local governments who contribute to a state-administered retirement plan. These include state members as well as local-government participants employed by counties, municipalities or public-school systems. The second type of receipt, government contributions, includes state contributions for state and local employees, as well as funds from local governments for employees covered in the state systems. The third element comprising receipts is usually the most significant: earnings on investments. Examples of earnings on investments are rentals from the state government, dividends and interest earnings. Earnings on investments are by far the largest component of receipts and amounted to \$76.6 billion for fiscal year 2000. Government contributions were second, providing \$33.8 billion in funding to state plans. The smallest amount was employee contributions, at \$20.7 billion for 2000.

The growing importance of earnings on investments as a tool for funding state retirement systems becomes more apparent when one examines the level of earnings as a percentage of total receipts over almost three decades. Beginning in 1972, earnings constituted 28 percent of total receipts. By 1978, this figure had increased moderately to 32 percent. However, by 1986, the figure had climbed to 44 percent of total receipts. Earnings continued to grow relative to contributions and reached 53 percent by 1992, peaking at 60

percent by 1998. By 2000, this ratio declined slightly, dropping to 58 percent.

The financial implications of this trend are considerable. Earnings on investments are an important indicator of a state's ability to finance its pension funds properly. A higher level of investment earnings means the state government can reduce its contributions. Lower state contributions could result in more resources for the state to spend elsewhere or allow the state to reduce revenues, such as taxes.

Between 1993 and 2000, earnings on investments increased from 53 percent to 58 percent. Conversely, state contributions declined somewhat from 31 percent to 26 percent. Contributions made by state and local employees to state retirement plans stayed relatively constant. State and local employees contributed an average of 15 percent of all receipts over this period, with a low of 13.8 percent in 1998 and a high of 15.8 percent in 1994. These figures show that the correlation between earnings and government contributions has little or no impact on employee contributions.

It should prove interesting to see if the current economic slowdown affects the level of investment earnings for fiscal year 2001-2002 and if so, what bearing this will have on government contributions. The potential for financial stress under such economic conditions is a factor that state officials and officers in state pension plans will be forced to seriously consider.

### Benefit Payments and Other Outlays

Outlays, or expenditures, of state-administered public-employee pension systems pertain to benefits paid, withdrawals made by employees or former employees and their survivors, and other payments, such as administration and investment expenditures.

From 1993 through 2000, benefits paid increased by an average annual rate of 10 percent. Withdrawals grew by an average annual rate of 9.6 percent, with the average increase each year in both benefits and withdrawals combined being approximately 9.9 percent. The fact that withdrawals have a limited effect on total payments to employees and former employees stems from the low dollar amount of withdrawals compared to benefits. In 1993, benefits were \$37.1 billion, an amount that had nearly doubled to \$72.2 billion by fiscal year 2000. Withdrawals for the same period of time increased from \$2.1 billion to \$3.8 billion.

Although the increase in payments to members and retirees may seem quite substantial on the surface, there are underlying contributing factors. The number of retirees, for example, grew 26 percent between 1993 and 2000. Inflation adjustments also influence payments. A more minor factor, but still a phenomenon

that affects this trend, is the consolidation of small local systems into a single state pension system.

The final component of payments is administration. Administrative costs, including investment costs, have increased annually since 1993. The administrative amounts for state retirement systems rose from \$1.2 billion in 1993 to \$3.5 billion in 2000, almost tripling the amount reported seven years earlier. Several factors played a role in the increasing costs of administration: inflation, the increase in the number of members and retirees, and increased costs for external financial managers, who are handling ever larger and more diverse asset pools.

### **Beneficiaries and Monthly Benefit Payments**

During fiscal 2000, 4.7 million beneficiaries received benefit payments from state retirement systems. This was an increase of 1.2 million over the number of beneficiaries in 1993. Beneficiaries generally fall into three groups. The first group is former active members of state retirement systems who retired on account of age or length of service. The second category is former active members who retired because of disability. Finally, there are the survivors of deceased former members. The number of beneficiaries who retired due to age was 4.1 million in 2000, with another 272,000 who retired as the result of disability and 428,000 survivors of former members.

Between 1982 and 1992, the number of beneficiaries grew at an average annual rate of 4 percent. This was identical to the average rate of growth between 1993 and 2000. However, this average of 4 percent per year for 1993-2000 fails to convey the wide range of year-to-year changes. The extremes were a high of 12 percent from 1993 to 1994 and a low of 1 percent between 1994 and 1995. Certain local and national trends help explain the fluctuations between these years and also account for the relatively stable period of time between 1995 and 2000. A recession, such as the one experienced by the country in the early 1990s, may have induced employers to provide early-retirement buy-out options. Sometimes a special circumstance can affect the number of people retiring within a given public pension system. A good example happened as a result of the September 11, 2001 terrorist attack on the World Trade Center in New York City. Emergency crews worked overtime in order to clear the wreckage, thereby increasing the annual salary of police and firefighters. Since pension benefits in this case are based on the salary during the last year of employment, the considerable amount of overtime might encourage retirements during the next year. The impact of events such as a national emergency or recession

must be considered to explain changes in the number of beneficiaries between years.

While the number of beneficiaries between 1993 and 2000 increased 35 percent, the growth in annual payments for this same time period was 103 percent. Annual payments grew from \$2.8 trillion in 1993 to \$5.7 trillion in just seven years. This growth translated into an increase in the average monthly payment per beneficiary from \$795 in 1993 to \$1,199 in 2000. In light of the current recession, it will be interesting to see how the sluggish economy affects the relationships among financial recommendations of fund managers, income from investment holdings and payments to beneficiaries.

The overall difference in total payments made by state pension plans obscures some of the wide variations that exist in retirement payments made by individual state plans. For example, 17 states pay beneficiaries an average of less than \$1,000 per month. Delaware provides the lowest amount, at \$523 per retiree. Others with low payments in rank order are Iowa (\$682), Idaho (\$713), Hawaii (\$714) and Wyoming (\$730). The states at the opposite end of the spectrum are Colorado (\$1,650), Nevada (\$1,548), Texas (\$1,512), Wisconsin (\$1,506) and New Jersey (\$1,459). Extreme care needs to be exercised, however, in attempting to draw any conclusions from these data. Quite a few factors are responsible for the differences in payments from state to state, such as the cost of living, wage levels, alternate payments such as Social Security and the number and type of employees receiving benefits. Tiered-benefit plans that differentiate between new employees and longer-serving employees further complicate any attempt at adequately comparing payments on the basis of dollar amounts only.

### **Receipts Compared With Payments**

Receipts increased by 140 percent between 1993 and 2000, while payments grew by 97 percent. This difference is normal, however, because not only do the increased receipts cover increases in benefits, they also need to provide an increase in assets that will be used by retirement systems to cover future liabilities. A good way of measuring the adequacy of receipts is to determine the gap between receipts and expenditures, and then determine the ratio between that difference and total assets. For example, in 2000, the dollar amount by which receipts and payments differed was \$168 billion, a figure substantially higher than the \$63 billion gap in 1993. But when the difference in receipts and payments in 2000 is divided by total assets of \$1.8 trillion, the resulting ratio is 9.4 percent. This percentage is

more or less comparable to the 8.5 percent figure in 1993. These ratios show little variation, despite the large increase in receipts vis-à-vis payments. This is because asset holdings also grew by a considerable amount, 142 percent in this case.

This ratio, which averaged 9.2 percent over this seven-year period, demonstrates whether or not retirement systems are collecting enough revenue to fund future financial commitments. Reaching the proper ratio is important, because states want to make sure pension plans are neither overfunded nor underfunded. Overfunding draws down scarce state resources unnecessarily. Underfunding, an issue of particular concern to pension managers, means that a state retirement system cannot adequately meet the needs of its current and former employees.

### Investments and Assets

The investments of state retirement systems belong in one of seven broad-based categories. These categories are: cash and short-term investments, federal-government securities, corporate bonds, corporate stocks, mortgages and other securities and investments. As previously indicated, the amount invested in stocks remained stable between 1993 and 2000, averaging 35 percent on an annual basis with little variation. Cash and short-term investments have stayed more or less constant, with the former averaging 5 percent and the latter 2 percent.

This stability, however, does not apply to all types of investments. The amount held in federal securities, for example, dropped from 23 percent in 1993 to 12 percent in 2000. Other investments have increased by an amount roughly equivalent to the decline in federal securities. These other investments include international securities, investments held in trust, securities of state and local governments and other securities. This gradual increase in investments other than federal securities, stocks and bonds is part of a trend that began in the late 1980s and early 1990s. As the economic downturn of 2001 and 2002 continues, this trend may be reversed, with assets being shuffled in order to avoid market risk. Such a trend may produce an inclination away from stocks into less volatile investment vehicles.

### Current Issues

Two areas of concern for public-employee retirement systems are the slowing economy and the aging workforce. The first of these is of more immediate interest and has an impact on how well state retirement plans are funded in the near and intermediate future. Of relevance in the longer term is the effect that an

increasing number of beneficiaries relative to the number of working employees will have on the benefits of future retirees, and how state retirement plans will adapt to this challenge.

### The Market

At least on paper, the current recession is battering the portfolios of many state-administered retirement systems. By the close of 2000, the Dow Jones Industrial Average (DJIA) had topped the 12,000 mark. As 2002 dawned, the DJIA was struggling to stay above 10,000. This large decline in the stock market translates into shrinking state pension holdings at market value, lower earnings and losses on the sale of investments. Furthermore, many stocks of questionable value that performed well prior to the economic downturn are now failing miserably and bringing public scrutiny of investment managers.<sup>5</sup>

For funding purposes, the recession may present underfunding problems for many state retirement plans. Some plans that were underfunded during the 1990s took advantage of the expanding market to improve their position and increase the ratio of revenues to liabilities. Given the present economic situation, this may prove quite difficult for a number of state pension plans that are already underfunded.

The University of Illinois conducted a study of the adequacy of funding for retirement systems in 48 states. The study examined optimal funding ratios after 10 and 40 years. Of the 48 states, 14 were considered to be strongly funded at 100 percent of the optimal values or higher. Another 18 were considered “satisfactorily” funded and the remaining 16 were found to be underfunded.<sup>6</sup> In light of recent economic developments, underfunded plans will be even more hard pressed to ensure that they can meet the liabilities imposed by future costs.

### The Aging Workforce

A White House study titled *A Blueprint for New Beginnings* showed that in 1960, the ratio of employees to retirees was 5-to-1. In 2001, this ratio was estimated to be 3-to-4.<sup>7</sup> As the current baby boom generation – which is already entering retirement age – leaves the workforce, this ratio is expected to decline even further, indicating an ever-increasing number of beneficiaries per employee.

The long-term impact of a declining labor force relative to an increasing number of retirees is to decrease the dollar amount of future benefits available for current employees. Of course, this assumption presupposes no change in the status quo with regards to how pension funds are set up and managed.

Experience has shown that innovations in pension management and structure are a continuing process designed to meet the ever-changing needs of employees and beneficiaries. Pension plans in the private sector, for example, have changed over the decades from defined-benefit plans to packages offering both defined-benefit and defined-contribution features or simply a defined-contribution plan. Interest in providing such a combination of diverse elements in public pension plans is growing in response to employees' desire to maintain greater control over their financial planning. A second reason why defined-contribution plans, usually 401(a) plans, are gaining adherents is the fact that the booming economy of the 1990s enabled many state defined-benefit plans to become fully funded. The existence of fully funded plans encourages the creation of new plans that will afford future beneficiaries additional benefits.

It is undeniable that an aging workforce presents challenges for the future of pension plans, but measures to address any problems are already being devised and implemented. The question may not be so much whether future retirees will be adequately compensated, but rather, how policy-makers will shape the pension plans of tomorrow in order to maintain the relatively consistent quality of previous plans. History shows that flexibility is the key to continuity in state and local pension plans.

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## Notes

<sup>1</sup> Robert L. Clark et. al., "The Life and Times of a Public Sector Pension Plan Before Social Security: The U.S. Navy Pension Plan in

the Nineteenth Century," *Pensions in the Public Sector* (Philadelphia: University of Pennsylvania Press, 2001).

<sup>2</sup> Year of data refers to the year the state governments ended their fiscal year. Most state governments end in June, so 2000 data represents the amount for the fiscal year ending June 2000. Four states have fiscal years other than June, but the same principal applies. They are New York (March), Texas (August) and Alabama and Michigan (September).

<sup>3</sup> The quantitative data cited in this chapter is principally from the U.S. Census Bureau's Annual Survey of the Finances of State and Local Government Public Employee Retirement Systems, accessible on the Internet at <http://www.census.gov/govs/www/retire.html>. Where data derives from other sources they have been noted.

<sup>4</sup> *Pensions and Investments* (July 22, 2001).

<sup>5</sup> Some public-employee retirement systems held stock in large companies that had spectacular collapses, such as Enron and Global Crossing. However, the diversification of their portfolios generally protected them from significant financial repercussions. See also Robert Tanner, "States Sue Enron For Lost Funds," Associated Press, January 18, 2002; Diana B. Henriques, "Even A Watchdog Is Not Always Fully Awake" *The New York Times*, February 5, 2002; and various articles published in *Pensions and Investments*.

<sup>6</sup> Mark Reutter, "At Least 16 States' Pension Funds Well Below 'Optimal Values,' Scholar Says," University of Illinois at Urbana Champaign News Bureau Web Page, May 1, 2000 <<http://www.news.uiuc.edu/biztips/00/05pensiontip.html>>.

<sup>7</sup> "Modernize and Reform Social Security," A Blueprint for New Beginnings: A Responsible Budget for America's Priorities, U.S. Government Printing Office, 2002, <<http://www.whitehouse.gov/news/usbudget/blueprint/bud04.html>>.

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## About the Author

Benjamin J. Shelak is an analyst in the Governments Division of the U.S. Census Bureau. He specializes in public-employee retirement-system financial information. His publications include "The Impact of the Underground Economy on State Finances" and *The Shipwrecks of Lake Michigan*.

**Table 7.20**  
**MEMBERSHIP AND BENEFIT OPERATIONS OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS:**  
**LAST MONTH OF FISCAL YEAR: MARCH 2000**

State	Total Membership	Beneficiaries receiving periodic benefit payments				Periodic benefit payment for the month (in thousands of dollars)			
		Total (a)	Retired by service	Retired on disability	Survivors	Total (a)	Retired by service	Retired on disability	Survivors
United States .....	15,077,009	4,786,433	4,086,451	271,902	428,080	\$5,739,832,237	\$5,099,632,049	\$316,997,076	\$323,203,256
Alabama .....	233,049	75,988	65,518	5,193	5,277	94,277,691	86,811,635	4,149,128	3,317,072
Alaska .....	60,736	22,972	20,936	511	1,525	29,060,097	29,309,010	681,555	1,069,532
Arizona .....	297,721	66,332	56,940	4,501	4,891	70,831,657	72,345,009	5,152,310	2,334,338
Arkansas .....	120,182	37,110	32,078	2,814	2,218	38,111,265	34,351,404	2,220,314	1,339,547
California .....	1,463,936	551,629	422,283	59,622	69,724	798,538,525	641,544,787	84,481,878	72,511,860
Colorado .....	244,301	56,548	46,699	7,770	2,079	93,320,565	73,556,654	11,290,025	8,473,886
Connecticut .....	126,010	103,733	46,514	3,211	54,008	92,870,398	84,752,686	4,544,310	3,573,402
Delaware .....	38,267	29,246	24,610	1,946	2,690	15,303,429	12,596,432	1,359,498	1,347,499
Florida .....	634,478	173,037	146,297	9,945	16,795	161,955,418	143,773,377	6,379,355	11,802,686
Georgia .....	528,151	82,101	67,663	5,994	8,444	104,756,163	92,376,787	6,060,687	6,318,689
Hawaii .....	232,297	28,715	26,268	1,089	1,358	20,512,700	19,966,500	465,300	80,900
Idaho .....	60,441	28,808	26,298	470	2,040	20,549,527	18,764,674	334,972	1,449,881
Illinois .....	661,503	191,952	165,832	3,472	22,648	248,170,186	228,346,787	3,952,944	15,870,455
Indiana .....	360,536	80,850	72,991	3,663	4,196	61,364,802	56,817,353	1,155,474	3,391,975
Iowa .....	250,557	70,227	68,255	1,006	966	47,903,639	45,308,222	1,805,581	789,836
Kansas .....	173,764	53,141	48,677	0	4,464	41,242,000	37,736,000	0	3,506,000
Kentucky .....	241,200	83,308	80,757	1,610	941	92,626,669	89,210,639	2,456,492	959,538
Louisiana .....	266,060	101,473	82,554	6,364	12,555	117,727,881	103,703,355	5,299,829	8,724,697
Maine .....	53,022	29,033	23,145	1,748	4,140	28,609,687	22,807,643	1,722,303	4,079,741
Maryland .....	224,984	81,885	67,679	8,296	5,910	83,759,418	75,101,270	6,725,822	1,932,326
Massachusetts .....	195,097	86,530	75,756	3,679	7,095	93,624,712	83,911,510	5,345,106	4,368,096
Michigan .....	382,805	181,115	153,648	10,199	17,268	201,983,256	171,852,673	10,485,555	19,645,028
Minnesota .....	426,976	106,234	96,041	3,599	6,594	152,093,428	140,635,462	4,131,064	7,256,902
Mississippi .....	259,615	51,688	41,298	3,475	6,915	44,493,000	38,110,000	2,700,000	3,683,000
Missouri .....	236,253	77,502	68,515	1,262	7,525	90,139,431	83,258,615	2,866,753	4,014,063
Montana .....	75,988	23,856	22,395	683	778	19,381,311	18,479,270	415,083	486,938
Nebraska .....	10,957	10,957	10,466	319	172	12,714,267	11,639,004	293,493	841,770
Nevada .....	86,510	22,694	20,222	1,249	1,223	33,119,768	32,740,714	1,471,630	907,424
New Hampshire .....	43,804	15,235	13,052	1,074	1,109	14,705,880	12,598,697	1,036,699	1,070,484
New Jersey .....	457,532	178,305	161,357	0	16,948	260,116,243	234,024,082	530,002	25,562,159
New Mexico .....	133,669	37,664	32,236	1,465	3,963	49,739,233	45,090,919	1,608,451	3,039,863
New York .....	864,524	419,821	388,882	1,817	29,122	554,121,513	538,299,088	2,083,456	13,738,969
North Carolina .....	492,897	141,764	117,419	11,368	12,977	154,900,446	133,177,415	12,546,925	9,176,106
North Dakota .....	102,761	9,536	8,382	325	829	7,775,546	7,132,068	154,078	489,400
Ohio .....	1,081,144	308,794	250,077	31,092	27,625	400,048,809	336,804,955	44,948,203	18,295,651

See footnotes at end of table.

## MEMBERSHIP AND BENEFIT OPERATIONS, LAST MONTH OF FISCAL YEAR: MARCH 2000 — Continued

State	Total Membership	Beneficiaries receiving periodic benefit payments				Periodic benefit payment for the month (in thousands of dollars)			
		Total (a)	Retired by service	Retired on disability	Survivors	Total (a)	Retired by service	Retired on disability	Survivors
Oklahoma .....	153,583	65,683	56,897	3,590	5,196	72,485,595	64,570,300	4,040,716	3,874,579
Oregon .....	201,921	85,116	81,116	4,000	0	93,850,560	89,653,892	4,196,668	0
Pennsylvania .....	405,086	223,580	197,880	10,925	14,775	234,237,091	218,047,114	8,950,797	7,239,180
Rhode Island .....	33,300	19,422	18,281	0	1,141	27,419,804	26,735,204	0	684,600
South Carolina .....	354,055	69,325	54,363	8,340	6,622	73,046,666	56,769,062	898,3884	7,293,720
South Dakota .....	43,819	15,048	12,365	399	2,284	11,556,911	10,227,258	278,694	1,050,959
Tennessee .....	190,344	74,760	64,735	3,766	6,259	60,503,877	54,924,375	1,807,296	3,772,206
Texas .....	1,210,885	235,619	212,677	12,101	10,841	356,326,278	321,063,437	11,634,309	23,628,532
Utah .....	113,955	29,235	29,235	0	0	31,650,299	31,650,299	0	0
Vermont .....	28,039	8,172	7,011	570	591	6,611,053	5,917,560	365,948	327,545
Virginia .....	376,307	94,772	79,858	13,604	1,310	99,754,000	85,967,000	13,093,000	694,000
Washington .....	310,069	99,540	81,915	7,766	9,859	113,530,548	93,736,523	12,118,176	7,675,849
West Virginia .....	78,755	28,416	28,416	0	0	31,352,917	31,352,917	0	0
Wisconsin .....	360,330	102,817	95,747	5,811	1,259	154,861,417	143,541,047	10,499,604	820,766
Wyoming .....	35,228	15,345	14,215	199	931	11,206,661	10,341,365	173,709	691,587

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

(a) Detail may not add to totals due to rounding.

# RETIREMENT

**Table 7.21**  
**FINANCES OF STATE—ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS,**  
**BY STATE: FISCAL YEAR 2000**  
**(In thousands of dollars)**

State	Receipts during fiscal year								
	Total	Employee contributions	Government contributions			Payments during fiscal year			
			From states	From local governments	Earnings on investments	Total	Benefits	Withdrawals	Other
<b>United States .....</b>	\$247,352,850	\$20,665,828	\$17,179,981	\$16,666,397	\$192,833,292	\$79,457,536	\$72,216,032	\$3,754,613	\$3,486,891
Alabama .....	2,739,025	330,668	342,151	57,415	2,008,791	1,147,835	1,076,500	58,938	12,397
Alaska .....	1,147,943	104,401	50,382	70,054	923,106	477,606	447,086	11,895	18,625
Arizona .....	1,502,132	244,902	47,503	103,781	1,105,946	1,002,653	879,108	90,635	32,910
Arkansas .....	1,570,303	64,473	120,020	24,244	1,361,566	532,335	451,218	4,208	76,909
California .....	31,203,923	3,760,126	1,192,755	1,782,512	24,468,530	10,528,272	9,507,536	636,766	383,970
Colorado .....	4,059,858	402,121	222,154	361,233	3,074,350	1,289,723	1,149,861	114,379	25,483
Connecticut .....	1,715,005	238,141	440,593	32,777	1,003,494	1,226,558	1,204,537	20,870	1,151
Delaware .....	748,772	32,594	17,788	3,769	694,621	199,602	178,226	2,526	18,850
Florida .....	10,189,196	26,034	865,772	2,301,447	6,995,943	2,077,168	1,911,895	2,602	162,671
Georgia .....	6,763,094	391,251	890,495	237,578	5,243,770	1,422,649	1,317,614	53,074	51,961
Hawaii .....	1,060,067	57,358	7,320	15,072	980,317	554,125	471,244	47,476	35,405
Idaho .....	1,156,906	113,212	62,578	126,490	854,626	275,073	246,595	0	28,478
Illinois .....	9,690,432	1,228,108	1,246,647	470,509	6,745,168	3,431,563	3,028,660	124,933	277,970
Indiana .....	1,951,707	240,400	738,547	175,753	797,007	946,852	843,380	45,433	58,039
Iowa .....	1,182,318	194,146	64,472	231,089	692,611	732,028	600,646	66,591	64,791
Kansas .....	1,827,730	187,715	132,853	52,411	1,454,751	622,981	548,142	43,632	31,207
Kentucky .....	4,928,639	483,016	513,556	158,251	3,773,816	1,228,818	1,095,443	32,836	100,539
Louisiana .....	4,360,488	486,763	723,527	78,938	3,071,260	1,767,769	1,516,939	96,402	154,428
Maine .....	1,054,384	117,883	258,261	0	678,240	478,406	343,316	127,141	7,949
Maryland .....	3,489,005	183,584	808,230	70,580	2,426,611	1,300,467	1,200,857	18,297	81,313
Massachusetts .....	4,388,824	753,452	870,179	57,410	2,700,431	1,571,103	1,391,096	148,977	31,030
Michigan .....	8,548,090	283,768	378,100	634,524	7,251,698	2,556,246	2,423,799	23,955	108,492
Minnesota .....	5,548,241	443,407	129,442	363,641	4,611,751	1,965,563	1,774,534	142,138	48,891
Mississippi .....	2,385,947	303,427	169,484	244,710	1,668,326	716,919	626,792	58,921	31,206
Missouri .....	3,834,991	347,050	339,237	428,825	2,719,879	1,182,593	1,092,479	48,787	41,327
Montana .....	551,004	106,419	41,481	80,704	322,400	258,960	232,178	18,250	8,532
Nebraska .....	469,438	95,295	43,005	77,069	254,069	198,624	172,708	13,628	12,288
Nevada .....	1,684,475	48,450	148,177	467,712	1,020,136	460,658	421,421	16,381	22,856
New Hampshire .....	808,027	88,237	31,698	38,130	649,962	237,263	185,612	19,485	32,166
New Jersey .....	7,837,943	884,997	210,783	22,481	6,719,682	3,260,027	3,121,396	103,768	34,863
New Mexico .....	2,725,215	265,626	159,233	179,988	2,120,368	693,029	580,756	61,974	50,299
New York .....	20,743,186	582,703	111,388	445,261	19,603,834	6,992,657	6,746,524	91,698	154,435
North Carolina .....	6,905,748	747,350	708,388	168,084	5,281,926	1,945,619	1,804,872	131,372	9,375
North Dakota .....	325,961	32,195	12,272	39,968	241,526	125,609	89,239	15,340	21,030
Ohio .....	15,447,988	1,907,090	1,047,199	2,016,028	10,477,671	6,117,580	5,692,400	256,308	168,872
Oklahoma .....	2,256,957	275,463	397,850	127,455	1,456,189	1,009,986	895,247	71,041	43,698
Oregon .....	5,687,733	385,115	271,272	792,622	4,238,724	1,825,720	1,442,314	65,707	317,699
Pennsylvania .....	10,599,786	788,886	267,246	519,012	9,024,642	3,655,132	3,442,170	42,755	170,207
Rhode Island .....	1,235,081	118,787	77,431	52,608	986,255	361,457	329,037	7,574	24,846
South Carolina .....	1,862,263	429,848	322,750	219,626	890,039	978,086	876,560	83,182	18,344
South Dakota .....	620,424	58,537	22,050	33,317	506,520	176,116	134,729	26,213	15,174
Tennessee .....	2,947,099	169,831	252,163	82,749	2,442,356	740,815	692,734	28,562	19,519
Texas .....	17,204,891	1,922,734	1,394,042	649,567	13,238,548	5,007,253	4,536,988	418,274	51,991
Utah .....	2,291,593	32,614	120,115	283,594	1,855,270	415,746	364,217	9,600	41,929
Vermont .....	293,328	28,121	42,583	0	222,624	95,888	76,383	2,547	16,958
Virginia .....	6,544,213	68,449	370,039	853,034	5,252,691	1,392,174	1,184,842	83,899	123,433
Washington .....	6,607,132	419,716	164,416	441,772	5,581,228	1,737,364	1,501,526	103,025	132,813
West Virginia .....	765,263	116,979	72,302	277,320	298,662	401,105	376,235	14,932	9,938
Wisconsin .....	10,600,670	22,361	250,515	674,608	9,653,186	1,986,372	1,858,337	35,609	92,426
Wyoming .....	3,290,412	52,025	9,537	40,675	3,188,175	149,389	130,104	12,077	7,208

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.



**Table 7.22**  
**COMPARATIVE STATISTICS FOR STATE-ADMINISTERED PUBLIC EMPLOYEE RETIREMENT SYSTEMS:**  
**FISCAL 1999-2000**

State	Percent of receipts paid by			Annual benefit payments as a percentage of		Investments earnings as a percentage of cash and security holdings	Percentage distribution of cash and investment holdings				
	Employee contribution	State government	Local government	Annual receipts	Cash and investments		Average benefit payments (a)	Cash and deposits	Governmental securities		Nongovernmental securities and other investments
									Federal	State and local	
United States .....	8.4	6.9	6.7	29.2	4.0	871	10.7	5.5	12.3	0.0	82.2
Alabama .....	12.1	12.5	2.1	39.3	5.1	947	9.4	6.1	4.0	0.0	89.9
Alaska .....	9.1	4.4	4.1	38.9	4.1	1,376	8.5	2.3	19.1	0.0	78.6
Arizona .....	16.3	3.2	6.9	58.5	3.1	889	3.9	1.2	15.5	0.0	83.4
Arkansas .....	4.1	7.6	1.5	28.7	3.4	630	10.3	3.6	5.2	0.1	91.1
California .....	12.1	3.8	5.7	30.5	3.5	1,040	9.0	2.7	10.3	0.0	87.0
Colorado .....	9.9	5.5	8.9	28.3	5.4	1,049	14.3	3.8	3.3	0.2	92.6
Connecticut .....	13.9	25.7	1.9	70.2	7.4	769	6.1	1.4	0.1	0.0	98.5
Delaware .....	4.4	2.4	0.5	23.8	3.1	352	12.3	2.5	0.0	0.0	97.5
Florida .....	0.3	8.5	22.6	18.8	2.6	759	9.6	5.3	9.4	0.0	85.3
Georgia .....	5.8	13.2	3.5	19.5	3.4	938	13.5	2.0	48.8	0.0	49.2
Hawaii .....	5.4	0.7	1.4	44.5	5.6	1,250	11.6	5.5	15.4	0.0	79.1
Idaho .....	9.8	5.4	10.9	21.3	3.4	400	11.6	3.9	10.6	0.0	85.6
Illinois .....	12.7	12.9	4.9	31.3	5.5	975	12.3	4.2	10.1	0.0	85.7
Indiana .....	12.3	37.8	9.0	43.2	4.7	598	4.4	17.6	6.4	0.0	76.0
Iowa .....	16.4	5.5	19.5	50.8	3.0	512	3.5	3.1	11.9	0.0	85.0
Kansas .....	10.3	7.3	2.9	30.0	6.0	604	15.8	8.1	15.7	0.0	76.2
Kentucky .....	9.8	10.4	3.2	22.2	4.7	799	16.2	6.5	6.0	0.1	87.4
Louisiana .....	11.2	16.6	1.8	34.8	5.9	872	12.0	4.8	9.4	0.0	85.8
Maine .....	11.2	24.5	0.0	32.6	4.5	679	9.0	1.7	0.0	0.0	98.3
Maryland .....	5.3	23.2	2.0	34.4	3.5	953	7.1	5.1	7.2	0.4	87.3
Massachusetts .....	17.2	19.8	1.3	31.7	4.4	735	8.5	2.8	7.5	0.0	89.7
Michigan .....	3.3	4.4	7.4	28.4	4.3	757	12.8	4.9	10.6	0.0	84.5
Minnesota .....	8.0	2.3	6.6	32.0	4.3	934	11.2	0.6	4.3	0.0	95.0
Mississippi .....	12.7	7.1	10.3	26.3	3.7	642	9.7	8.4	17.5	0.3	73.9
Missouri .....	9.0	8.8	11.2	28.5	3.2	804	7.9	5.9	11.9	0.0	82.1
Montana .....	19.3	7.5	14.6	42.1	4.1	679	5.7	5.4	11.8	0.5	82.3
Nebraska .....	20.3	9.2	16.4	36.8	3.1	840	4.5	30.8	17.7	0.0	51.5
Nevada .....	2.9	8.8	27.8	25.0	2.9	1,121	7.1	7.1	21.1	0.0	71.8
New Hampshire .....	10.9	3.9	4.7	23.0	4.0	663	14.1	5.2	3.5	0.0	91.2
New Jersey .....	11.3	2.7	0.3	39.8	5.5	1,034	11.9	0.3	6.5	0.0	93.2
New Mexico .....	9.7	5.8	6.6	21.3	4.0	968	14.6	6.7	25.9	0.0	67.4
New York .....	2.8	0.5	2.1	32.5	4.4	946	12.8	2.2	20.4	0.0	77.4
North Carolina .....	10.8	10.3	2.4	26.1	3.2	780	9.2	58.6	0.0	0.0	41.4
North Dakota .....	9.9	3.8	12.3	27.4	3.4	591	9.2	2.8	9.9	0.0	95.9
Ohio .....	12.3	6.8	13.1	36.8	5.2	874	9.5	1.8	12.6	0.0	85.6

See footnotes at end of table.



COMPARATIVE STATISTICS: FISCAL 1999-2000 — Continued

State	Percent of receipts paid by			Annual benefit payments as a percentage of		Percentage distribution of cash and investment holdings				
	Employee contribution	State government	Local government	Annual receipts	Cash and investments	Average benefit payments (a)	Investments as a percentage of cash and security holdings	Cash and deposits	Governmental securities	
									Federal	State and local
Oklahoma .....	12.2	17.6	5.6	39.7	5.9	860	9.6	6.5	13.4	0.0
Oregon .....	6.8	4.8	13.9	25.4	6.6	872	19.3	5.9	3.6	0.0
Pennsylvania .....	7.4	2.5	4.9	32.5	4.1	795	10.6	2.0	3.9	0.0
Rhode Island .....	9.6	6.3	4.3	26.6	5.0	1,109	15.1	6.8	17.5	0.0
South Carolina .....	23.1	17.3	11.8	47.1	4.5	733	4.6	15.2	24.4	0.0
South Dakota .....	9.4	3.6	5.4	21.7	2.3	551	8.8	19.6	9.3	0.0
Tennessee .....	5.8	8.6	2.8	23.5	2.9	622	10.1	4.0	39.1	0.0
Texas .....	11.2	8.1	3.8	26.4	3.6	1,034	10.4	3.6	18.0	0.0
Utah .....	1.4	5.2	12.4	15.9	2.8	786	14.2	2.1	10.3	0.0
Vermont .....	9.6	14.5	0.0	26.0	3.2	643	9.3	0.0	0.0	0.0
Virginia .....	1.0	5.7	13.0	18.1	2.9	757	13.0	4.6	7.8	0.0
Washington .....	6.4	2.5	6.7	22.7	3.0	817	11.3	5.2	1.2	0.0
West Virginia .....	15.3	9.4	36.2	49.2	9.4	641	7.4	6.1	89.1	0.0
Wisconsin .....	0.2	2.4	6.4	17.5	2.9	959	15.1	1.5	15.7	0.0
Wyoming .....	1.6	0.3	1.2	4.0	3.4	559	82.4	1.5	22.7	0.0

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

... — Not available.

(a) Average benefit payment for the last month of fiscal year.

## New State Demographic Divisions Revealed by Census 2000

By William H. Frey and Bill Abresch

*Census 2000 data reveal a new set of patterns, featuring a new cast of demographic actors. States and regions have begun to steal the show from cities, suburbs and countryside. In this article, states are grouped into three broad categories according to their distinct demographic trajectories: the Melting Pot states, the New Sunbelt states and the Heartland states.*

The results from Census 2000 point to emerging divisions in the demographic dynamics and population profiles across a new regional grouping of states. This stands in contrast to much of the 20th century, when the most noticeable demographic divisions could be found among central cities, suburbs and rural areas. The century saw blacks migrating from the Southern countryside to Northern cities in search of work and less rigidly enforced segregation, “white flight” from the central cities to the suburbs, the beginning of massive immigration from Asia and Latin America to a handful of gateway cities and sporadic “rural renaissances.”

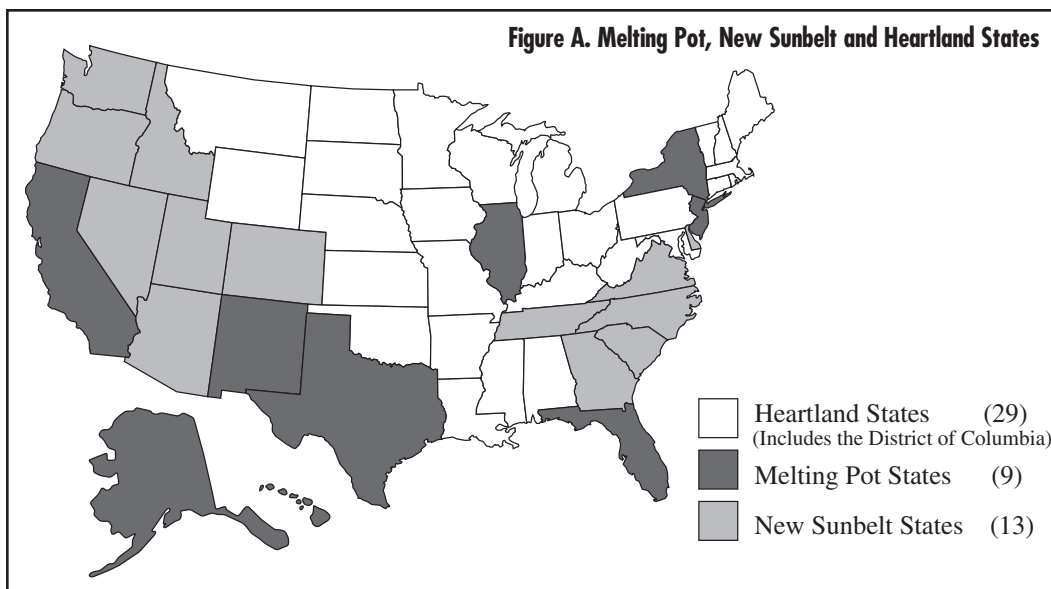
Census 2000 data reveal a new set of patterns, featuring a new cast of demographic actors. States and regions have begun to steal the show from cities, suburbs and countryside. The trend is toward declining demographic heterogeneity across the “borders” of cities, suburbs and their environs and, consequently, toward greater demographic homogeneity within states.

This insight permits us to group states into three broad categories according to their distinct demo-

graphic trajectories: the Melting Pot states, the New Sunbelt states and the Heartland states. For the Melting Pot states (such as California, New York and Texas), this trajectory is one of substantial, immigrant-driven growth, an increasingly multiethnic population and a youthful age structure. For the New Sunbelt states (such as Arizona, Nevada and Georgia), it is rapid growth driven by domestic migration, a native-born population of whites and blacks, and a suburban, middle-class ethos. For the Heartland states (such as Alabama, Kansas and Michigan), it is the aging of its mainly white population and a consequent baby-boomer domination of culture and politics. The remainder of this paper will look at the various aspects of these distinct trajectories in greater detail.

### The Engines of Demographic Change

The 2000 Census marks the first time in the 20th century that every state’s population grew. From a demographic perspective, there are three “engines” contributing to a state’s population change: natural increase (births and deaths), domestic migration



**Table A. Demographic Components of Change, 1990-2000**

	Population			Components of change	
	Population, 1990	Population, 2000	Percent Change, 1990-2000	Net Immigration, 1990-1999	Net Domestic Migration, 1990-1999
United States	248,709,873	281,421,906	13.2%	7,306,765	0
MELTING POT STATES					
Alaska	550,043	626,932	14.0	8,650	-24,423
California	29,760,021	33,871,648	13.8	2,222,239	-2,152,382
Florida	12,937,926	15,982,378	23.5	629,692	1,053,298
Hawaii	1,108,229	1,211,537	9.3	52,844	-100,255
Illinois	11,430,602	12,419,293	8.6	376,277	-544,901
New Jersey	7,730,188	8,414,350	8.9	368,874	-365,226
New Mexico	1,515,069	1,819,046	20.1	37,515	42,239
New York	17,990,455	18,976,457	5.5	1,078,011	-1,836,029
Texas	16,986,510	20,851,820	22.8	699,780	570,383
NEW SUNBELT STATES					
Arizona	3,665,228	5,130,632	40.0	103,667	575,303
Colorado	3,294,394	4,301,261	30.6	64,306	402,582
Delaware	666,168	783,600	17.6	9,118	33,765
Georgia	6,478,216	8,186,453	26.4	103,884	653,213
Idaho	1,006,749	1,293,953	28.5	17,724	133,976
Nevada	1,201,833	1,998,257	66.3	54,755	420,216
North Carolina	6,628,637	8,049,313	21.4	57,149	541,196
Oregon	2,842,321	3,421,399	20.4	64,914	261,418
South Carolina	3,486,703	4,012,012	15.1	18,210	136,917
Tennessee	4,877,185	5,689,283	16.7	29,928	350,823
Utah	1,722,850	2,233,169	29.6	29,769	73,986
Virginia	6,187,358	7,078,515	14.4	142,510	87,912
Washington	4,866,692	5,894,121	21.1	144,514	361,709
HEARTLAND STATES					
Alabama	4,040,587	4,447,100	10.1	13,898	109,522
Arkansas	2,350,725	2,673,400	13.7	10,017	109,710
Connecticut	3,287,116	3,405,565	3.6	71,367	-220,328
District of Columbia	606,900	572,059	-5.7	29,137	-141,469
Indiana	5,544,159	6,080,485	9.7	28,649	81,271
Iowa	2,776,755	2,926,324	5.4	20,750	-14,321
Kansas	2,477,574	2,688,418	8.5	27,656	-14,427
Kentucky	3,685,296	4,041,769	9.7	15,631	96,278
Louisiana	4,219,973	4,468,976	5.9	25,101	-128,574
Maine	1,227,928	1,274,923	3.8	3,826	-8,819
Maryland	4,781,468	5,296,486	10.8	128,958	-58,541
Massachusetts	6,016,425	6,349,097	5.5	143,499	-232,157
Michigan	9,295,297	9,938,444	6.9	98,354	-193,640
Minnesota	4,375,099	4,919,479	12.4	54,165	86,206
Mississippi	2,573,216	2,844,658	10.5	6,719	46,649
Missouri	5,117,073	5,595,211	9.3	37,661	99,893
Montana	799,065	902,195	12.9	2,725	48,471
Nebraska	1,578,385	1,711,263	8.4	14,892	-3,067
New Hampshire	1,109,252	1,235,786	11.4	6,900	29,730
North Dakota	638,800	642,200	0.5	5,245	-34,922
Ohio	10,847,115	11,353,140	4.7	51,955	-162,268
Oklahoma	3,145,585	3,450,654	9.7	28,051	45,881
Pennsylvania	11,881,643	12,281,054	3.4	111,849	-247,881
Rhode Island	1,003,464	1,048,319	4.5	15,895	-62,501
South Dakota	696,004	754,844	8.5	4,843	-2,193
Vermont	562,758	608,827	8.2	4,849	5,116
West Virginia	1,793,477	1,808,344	0.8	3,351	4,029
Wisconsin	4,891,769	5,363,675	9.6	24,526	89,068
Wyoming	453,588	493,782	8.9	1,966	-2,436

Source: U.S. Census 2000, U.S. Census Bureau estimates; <http://www.CensusScope.org>.

(movement across state borders) and international immigration (movement across national borders). The states of the Melting Pot, the New Sunbelt and the Heartland are sharply divided by these demographic components of change.

Melting Pot states are growing primarily from international immigration, and most of them have large domestic outflows. Throughout the 1990s, for instance, California lost 2,152,382 of its residents to other states. Nevertheless, it grew by 13.8 percent, largely due to its 2,222,239 foreign immigrants.

In the New Sunbelt states, domestic migration drives growth. Nevada, for instance, gained 420,216 domestic migrants, compared to just 54,755 foreign immigrants. This influx made Nevada the nation's growth leader, with a 66.3 percent increase over the 1990s. The New Sunbelt as a whole had five times as many domestic migrants as foreign immigrants and experienced a 23.8 percent rate of growth, compared to 14.2 percent for the Melting Pot states and 7.3 percent for the Heartland states. The New Sunbelt states' gains are the flip side of the Melting Pot states' domestic losses: native Californians, for example, moving to Colorado and Nevada.

The Heartland states are showing only modest growth. These states are not attracting many immigrants (the Heartland as a whole attracted fewer than New York alone). Many of these states are losing migrants to other states; none is experiencing a large influx of new residents. In Pennsylvania, for example, there was not much population gain at all during the 1990s.

### **The Melting Pot States**

People who say that we are a nation of immigrants are really talking about the Melting Pot states. People who say that we are now entering a new era of diversity really mean that the Melting Pot states are experiencing a new era of diversity. So-called "national trends" often apply mostly to these states.

The immigrants driving the Melting Pot states' growth are mainly from Asia and Latin America, but each Melting Pot state's ethnic mix is unique. The next 10 to 20 years will see the continued development of different melting pots in different parts of the country, rather than the formation of a single, national melting pot.

When trying to characterize a particular Melting Pot state, one needs to look beyond its racial composition and talk about particular ethnic groups, immigrant waves and national origins. In New York, 36.4 percent of Hispanics are Puerto Rican and 9.3 percent are of Mexican origin. In California, 77.2 percent of the Hispanic population is Mexican, with only 1.2 percent

Puerto Rican. Florida's Hispanic population, on the other hand, is 31 percent Cuban. New York and California both have large Asian populations, but while 40.6 percent of New York's Asian population is Chinese, only 26.5 percent of California's is. And while California's Asian population is 24.8 percent Filipino, Filipinos account for only 7.8 percent of New York's Asian population. It behooves politicians and policy-makers to remember that nobody comes to the United States as an Asian or a Hispanic – but as a Thai, Japanese, Mexican, or Nicaraguan – and later generations may never identify with such a broad group. The politics, culture and economy of each Melting Pot state is and will continue to be unique and irreducible to a common pattern of ethnic interaction.

The marked differences between the various Melting Pot states are in part due to our immigration policy, which since 1965 has made family reunification a priority. Thus, immigration has occurred in chains linking prospective immigrants to related co-nationals in the United States. Moreover, new immigrants want to live in areas where they can find the social networks and informal relationships that will connect them to jobs and friends.

### **The New Sunbelt**

The New Sunbelt states might be termed "America's suburbs." They are not suburbs in the old-fashioned sense of a ring around the city, but areas where much of the population has a suburban demographic character, in the classic sense. They are made up of mostly white – or in the South, white and black – middle-class residents who want to live in a low-density environment with good schools for their children, and also, perhaps, not as much federal-government involvement in their lives. By and large, these native-born whites and blacks are not leaving the Melting Pots for the New Sunbelt states to get away from immigrants. They are moving for better job opportunities, cheaper living and more placid, less urban lifestyles.

The 2000 Census shows that for the first time in quite a while there are more whites living in non-metropolitan areas than there are in central cities. Whites are largely a suburban population in the United States, but they are moving to the outskirts of the suburbs and now to rural or nonmetropolitan areas, which is very distinct from the nonwhite population. The growth of the white population in the New Sunbelt, and also in other parts of the country, is going to be increasingly of this ex-urban type of growth, and this is part of the allure of the New Sunbelt.

Another part of this story of domestic migration to the New Sunbelt states is the return of blacks to the

South. The black population growth in the South is twice as big as it was for the 1980s or the 1970s. Blacks started to move to the South again in the 1970s, but it was really the 1990s when the influx became a surge. Middle-class blacks, baby-boomer and post-baby-boomer blacks are seeing the South as a place to come to because in cities like Atlanta and Charlotte, there is a significant black middle-class population to serve as a social, professional and political network. In these areas, we also see blacks moving to the suburbs and into more integrated neighborhoods. In many Southern areas, there was a significant decline in black-white segregation throughout the 1990s, in part because there are a lot of middle-class blacks moving to these areas. This Southward migration is going to continue, especially as baby-boomer blacks begin to retire in the next decade. Black retirees will be much more likely to go to the South than to other regions of the country.

### The Heartland

There has been much misplaced attention given to the extraordinarily high population-growth rates for Hispanics and Asians in Heartland states. Many have noted that Arkansas' Hispanic population grew an astonishing 337 percent during the 1990s or that Michigan's Asian population grew by 71 percent. But Hispanics still account for only 3.2 percent of Arkansas' total population, and Asians account for only 1.8 percent of Michigan's total population.

For decision makers, the real story revolves around native-born whites and blacks – mainly whites – who are staying put. Taken as a group, the Heartland states are 81 percent white and 12 percent black. Little of these states' modest growth is due to domestic or international in-migration. It is indicative that 78 percent of Pennsylvania's population was born instate, compared with only 24 percent of Nevada's. Since the white population has a relatively low birth rate, and younger whites are more likely to leave for the New Sunbelt or Melting Pot states, the aging-in-place of long-time residents is key to understanding the Heartland's demographic development.

### Race, Aging and Families

Not only does each group of states have its own ethnic mix, but their different sources of growth – immigration, domestic migration and aging-in-place – are giving each group of states its own age structure.

California's population is disproportionately young due to the youth of most immigrants and high birth rates among the immigrant population. This large number of people who are or will soon be of childbearing age provides a very broad base for California's "population

pyramid" (see Figure B), ensuring the state continued growth even if economic slow-downs or restrictive policy changes were to stem the flow of new immigrants.

The very different character of Nevada's growth is evident in its pyramid's much higher center of gravity. High rates of domestic migration have given it very large middle-aged and elderly populations, but most of these people are beyond their prime childbearing years. Should domestic migration fall off, Nevada would begin to age-in-place, rather than continue its presently explosive growth.

Pennsylvania has a typical Heartland age structure. While its pyramid has a slight baby-boomer bulge, the size of its elderly population is remarkably similar to that of its child and childbearing populations. This means that births will often be offset by deaths. Coupled with low rates of immigration and domestic migration, this means that Pennsylvania's growth will be slow.

These different trajectories can be understood by looking at the behavior of particular generations. The baby boomers are now relatively sedentary and are nesting, whereas the younger part of the population, be they immigrants or domestic migrants, are moving to other parts of the country. This means that states with the largest share of baby boomers tend to be in the Heartland. Within metropolitan areas, baby boomers tend to be on the outer parts of the metropolitan area. Of the 75 counties in the United States with the highest percentage of baby boomers, half of them are non-metropolitan counties, and a good part of the others are suburban counties. Marin County, California; Falls Church, Virginia; Putnam County, New York – well-off suburban counties – are among those with high percentages of baby boomers. So baby-boom nesting areas are places that are either not growing very fast or are too expensive for a lot of the Gen-Xers to move into.

In contrast, we can look at places with the fastest Gen-X growth over the 1990's. Gen-Xers are people born between 1966 and 1980 – aged roughly 20 to 35 years at the time of the 2000 Census. They are moving to the New Sunbelt, but also to Melting Pot states, because a lot of the Gen-Xers are immigrants and because there is a lot of job growth in these areas. By and large, these are not the places where the baby boomers are nesting. The places that have the fastest Gen-X growth are places like Las Vegas, Austin and Raleigh-Durham – places that have high-tech development going on and are very attractive culturally to Gen-Xers.

These differences in age structure interact with the differences in ethnic mixes to create new political and policy challenges and opportunities. In the Melting Pot states, the racial composition is changing much more

**Table B. Racial Composition of the States, 2000**

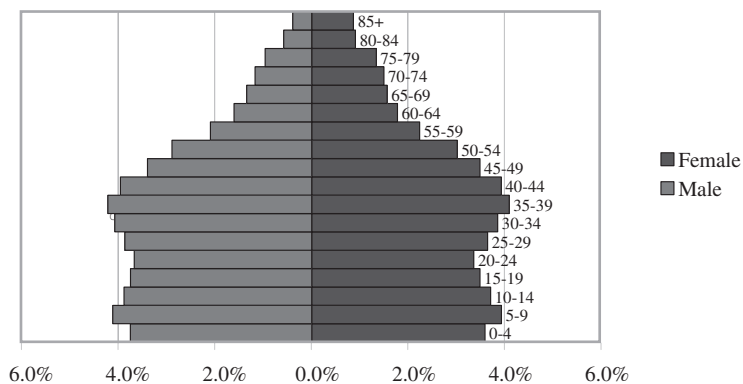
	<i>Non-Hispanic</i>							
	<i>Hispanic</i>	<i>White</i>	<i>Black</i>	<i>American Indian</i>	<i>Asian</i>	<i>Hawaiian or Pacific Islander</i>	<i>Other</i>	<i>Two or More Races</i>
United States	12.5%	69.1%	12.1%	0.7%	3.6%	0.1%	0.2%	1.6%
MELTING POT STATES								
Alaska	4.1	67.6	3.4	15.4	3.9	0.5	0.2	4.9
California	32.4	46.7	6.4	0.5	10.8	0.3	0.2	2.7
Florida	16.8	65.4	14.2	0.3	1.6	0.0	0.2	1.5
Hawaii	7.2	22.9	1.7	0.2	40.8	9.0	0.2	18.1
Illinois	12.3	67.8	14.9	0.1	3.4	0.0	0.1	1.2
New Jersey	13.3	66.0	13.0	0.1	5.7	0.0	0.2	1.6
New Mexico	42.1	44.7	1.7	8.9	1.0	0.1	0.2	1.4
New York	15.1	62.0	14.8	0.3	5.5	0.0	0.4	1.9
Texas	32.0	52.4	11.3	0.3	2.7	0.1	0.1	1.1
NEW SUNBELT STATES								
Arizona	25.3	63.8	2.9	4.5	1.7	0.1	0.1	1.5
Colorado	17.1	74.5	3.7	0.7	2.2	0.1	0.1	1.7
Delaware	4.8	72.5	18.9	0.3	2.1	0.0	0.1	1.3
Georgia	5.3	62.6	28.5	0.2	2.1	0.0	0.1	1.1
Idaho	7.9	88.0	0.4	1.2	0.9	0.1	0.1	1.4
Nevada	19.7	65.2	6.6	1.1	4.4	0.4	0.1	2.5
North Carolina	4.7	70.2	21.4	1.2	1.4	0.0	0.1	1.0
Oregon	8.0	83.5	1.6	1.2	2.9	0.2	0.1	2.4
South Carolina	2.4	66.1	29.4	0.3	0.9	0.0	0.1	0.8
Tennessee	2.2	79.2	16.3	0.2	1.0	0.0	0.1	1.0
Utah	9.0	85.3	0.7	1.2	1.6	0.7	0.1	1.4
Virginia	4.7	70.2	19.4	0.3	3.7	0.0	0.2	1.6
Washington	7.5	78.9	3.1	1.4	5.4	0.4	0.2	3.0
HEARTLAND STATES								
Alabama	1.7	70.3	25.9	0.5	0.7	0.0	0.1	0.9
Arkansas	3.2	78.6	15.6	0.6	0.7	0.1	0.0	1.1
Connecticut	9.4	77.5	8.7	0.2	2.4	0.0	0.2	1.6
District of Columbia	7.9	27.8	59.4	0.2	2.6	0.0	0.3	1.7
Indiana	3.5	85.8	8.3	0.2	1.0	0.0	0.1	1.0
Iowa	2.8	92.6	2.1	0.3	1.2	0.0	0.1	0.9
Kansas	7.0	83.1	5.6	0.8	1.7	0.0	0.1	1.6
Kentucky	1.5	89.3	7.3	0.2	0.7	0.0	0.1	0.9
Louisiana	2.4	62.5	32.3	0.5	1.2	0.0	0.1	0.9
Maine	0.7	96.5	0.5	0.5	0.7	0.0	0.1	0.9
Maryland	4.3	62.1	27.7	0.3	4.0	0.0	0.2	1.6
Massachusetts	6.8	81.9	5.0	0.2	3.7	0.0	0.7	1.7
Michigan	3.3	78.6	14.1	0.5	1.8	0.0	0.1	1.6
Minnesota	2.9	88.2	3.4	1.1	2.9	0.0	0.1	1.4
Mississippi	1.4	60.7	36.2	0.4	0.6	0.0	0.0	0.6
Missouri	2.1	83.8	11.2	0.4	1.1	0.1	0.1	1.3
Montana	2.0	89.5	0.3	6.0	0.5	0.0	0.1	1.5
Nebraska	5.5	87.3	3.9	0.8	1.3	0.0	0.1	1.0
New Hampshire	1.7	95.1	0.7	0.2	1.3	0.0	0.1	0.9
North Dakota	1.2	91.7	0.6	4.8	0.6	0.0	0.0	1.0
Ohio	1.9	84.0	11.4	0.2	1.2	0.0	0.1	1.2
Oklahoma	5.2	74.1	7.5	7.7	1.3	0.1	0.1	4.1
Pennsylvania	3.2	84.1	9.8	0.1	1.8	0.0	0.1	0.9
Rhode Island	8.7	81.9	4.0	0.4	2.2	0.0	0.8	2.0
South Dakota	1.4	88.0	0.6	8.1	0.6	0.0	0.0	1.2
Vermont	0.9	96.2	0.5	0.4	0.8	0.0	0.1	1.1
West Virginia	0.7	94.6	3.1	0.2	0.5	0.0	0.1	0.8
Wisconsin	3.6	87.3	5.6	0.8	1.6	0.0	0.1	1.0
Wyoming	6.4	88.9	0.7	2.1	0.5	0.1	0.1	1.2

Source: U.S. Census 2000; <http://www.CensusScope.org>.

**Figure B. Age Structures of Representative States**

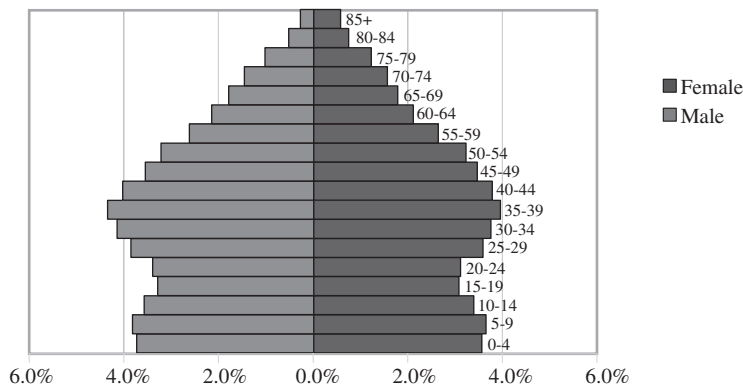
California (Melting Pot)

Age Distribution, 2000



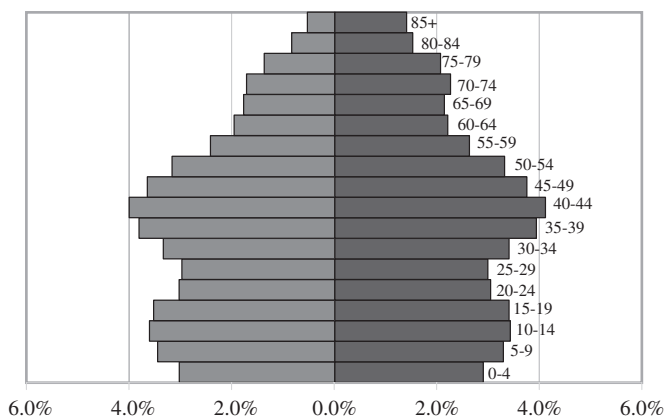
Nevada (New Sunbelt)

Age Distribution, 2000



Pennsylvania (The Heartland)

Age Distribution, 2000

Source: <http://www.CensusScope.org> analysis of Census 2000 data.

**Table C. Racial Composition of Child and Adult Populations for Selected Races, 2000**

	<i>Under Age 18</i>				<i>Age 18 and Over</i>			
	<i>Non-Hispanic</i>				<i>Non-Hispanic</i>			
	<i>Hispanic</i>	<i>White</i>	<i>Black</i>	<i>Asian</i>	<i>Hispanic</i>	<i>White</i>	<i>Black</i>	<i>Asian</i>
United States	17.1%	60.9%	14.7%	3.3%	11.0%	72.0%	11.2%	3.7%
MELTING POT STATES								
Alaska	5.4	58.8	3.6	3.4	3.6	71.4	3.2	4.2
California	43.8	34.8	7.1	9.3	28.1	51.1	6.2	11.3
Florida	19.3	55.4	20.6	1.7	16.1	68.4	12.3	1.6
Hawaii	11.9	15.0	1.8	29.0	5.7	25.4	1.7	44.6
Illinois	17.0	59.2	18.5	3.0	10.7	70.9	13.7	3.5
New Jersey	16.2	59.4	15.6	5.9	12.3	68.2	12.2	5.6
New Mexico	50.9	32.5	1.7	0.8	38.7	49.5	1.7	1.1
New York	19.0	54.6	17.8	5.0	13.8	64.4	13.8	5.6
Texas	40.5	42.6	12.4	2.4	28.6	56.3	10.9	2.8
NEW SUNBELT STATES								
Arizona	36.1	49.6	3.4	1.5	21.3	69.0	2.7	1.8
Colorado	23.5	66.2	4.3	2.1	14.9	77.3	3.5	2.2
Delaware	7.0	64.2	23.7	2.0	4.0	75.2	17.4	2.1
Georgia	6.3	55.5	34.1	2.0	5.0	65.2	26.4	2.1
Idaho	11.6	83.4	0.4	0.7	6.4	89.9	0.4	1.0
Nevada	28.6	54.0	8.0	3.6	16.7	69.1	6.1	4.7
North Carolina	6.1	62.5	26.2	1.6	4.3	72.6	19.9	1.3
Oregon	12.7	76.3	1.9	2.9	6.5	85.9	1.4	3.0
South Carolina	2.8	58.0	36.4	0.8	2.2	68.8	27.0	0.9
Tennessee	2.8	73.0	21.1	1.0	2.0	81.2	14.8	1.0
Utah	10.9	82.4	0.8	1.2	8.1	86.6	0.7	1.8
Virginia	5.9	64.0	23.1	3.5	4.2	72.2	18.3	3.7
Washington	11.7	71.5	3.7	5.0	6.0	81.5	2.9	5.6
HEARTLAND STATES								
Alabama	2.2	63.3	31.8	0.7	1.5	72.7	23.8	0.7
Arkansas	4.7	71.3	20.6	0.7	2.8	81.0	13.9	0.8
Connecticut	13.7	69.6	11.1	2.5	8.0	80.1	7.9	2.4
District of Columbia	9.9	11.9	74.3	1.5	7.3	31.8	55.7	2.9
Indiana	4.8	81.6	10.3	0.9	3.1	87.3	7.6	1.0
Iowa	4.5	88.8	2.9	1.4	2.3	93.9	1.8	1.2
Kansas	10.4	77.0	6.9	1.7	5.8	85.3	5.2	1.7
Kentucky	1.9	86.3	8.9	0.7	1.3	90.2	6.7	0.7
Louisiana	2.5	54.6	39.7	1.2	2.4	65.5	29.5	1.2
Maine	1.2	94.6	0.8	0.9	0.6	97.1	0.4	0.7
Maryland	5.3	55.9	31.9	3.7	4.0	64.2	26.2	4.1
Massachusetts	10.5	75.2	6.5	3.9	5.6	83.9	4.6	3.7
Michigan	4.8	72.4	17.3	1.8	2.7	80.7	13.0	1.7
Minnesota	4.3	82.0	4.9	4.2	2.4	90.3	2.9	2.4
Mississippi	1.6	51.6	44.7	0.6	1.3	64.2	33.0	0.6
Missouri	3.0	78.9	14.3	1.0	1.8	85.4	10.1	1.1
Montana	3.2	83.9	0.4	0.5	1.6	91.5	0.3	0.5
Nebraska	8.3	81.8	5.3	1.3	4.5	89.3	3.5	1.3
New Hampshire	2.5	93.4	0.8	1.3	1.4	95.7	0.6	1.3
North Dakota	2.0	86.6	0.8	0.6	1.0	93.5	0.5	0.6
Ohio	2.8	79.2	14.2	1.1	1.6	85.7	10.4	1.2
Oklahoma	7.9	64.6	9.3	1.2	4.3	77.4	6.8	1.4
Pennsylvania	5.1	78.2	12.7	1.9	2.6	85.9	8.9	1.7
Rhode Island	14.1	72.7	5.5	2.7	7.0	84.7	3.5	2.1
South Dakota	2.2	80.6	0.8	0.6	1.2	90.8	0.5	0.6
Vermont	1.2	94.7	0.7	1.0	0.8	96.6	0.4	0.8
West Virginia	1.0	93.0	3.6	0.5	0.6	95.0	3.0	0.5
Wisconsin	5.5	80.4	8.3	2.6	2.9	89.6	4.7	1.3
Wyoming	9.0	84.7	0.8	0.4	5.5	90.3	0.7	0.6

Source: U.S. Census 2000.



dramatically for the younger segment of the population than for the older segment, because the immigrant population tends to be younger and have higher fertility. In California, 65 percent of the children are non-Anglo, compared to 49 percent of the adults. If you look at projections for California in the year 2025, only the elderly population is going to be mostly white. The working-age and child populations will be mostly multiethnic. Along with that age structure will be a different kind of social-economic dynamic in California and other Melting Pot states than the dynamics in a lot of New Sunbelt or Heartland states.

This racial generation gap also means that the cities with the highest percentage of married couples with children are places like Santa Ana, California; El Paso, Texas; and Riverside, California – not the kinds of places that *Leave it to Beaver* and *Ozzie and Harriet* took place in back in the 1950s. These are the cities, because the Hispanic population tends to have higher levels of family households than the white or black populations. This distinction may introduce new racial overtones to existing conflicts over resources between parents, who care about schools and aid to children, and the elderly, who care about health care and Social Security. On the other hand, the long-standing necessity of intergenerational compromise and collaboration in the political arena may bridge racial divides that would otherwise simply be ignored.

### Apportionment, Redistricting and Voting

Their different sources of growth also confront these different groups of states with new issues relating to political representation. The apportionment and redistricting of congressional seats are determined by population growth, whatever its source. However, the right to vote in national – and usually local – elections is extended only to adult citizens.

Large numbers of immigrants are benefiting many of the Melting Pot states in terms of apportionment. California and New York, for instance, lead the country with 15.69 percent and 10.95 percent of their populations non-citizens, respectively. These immigrants, however, do not necessarily get represented politically. Issues of fairness are likely to be raised on two fronts. On the one hand, is it fair that people who cannot vote are disproportionately affecting the congressional seats allocated to some states? On the other hand, is it fair that some states – and, even more, some congressional districts – have so many people who have no clout at

the polling booth? While many of the Hispanics and Asians living in Melting Pot states are citizens, these questions of fairness will be hard to avoid if intergenerational conflicts come to be inflected by a racial generation gap.

(See also Ronald Weber's essay on redistricting in Chapter 6.)

### Conclusion

These diverse trends that are driving states toward the distinct demographic profiles of Melting Pot, New Sunbelt and Heartland states will affect state governments on several levels. Policy-makers will need to respond to their states' particular sources of growth, whether it be integrating new immigrants, keeping pace with domestic influxes and sprawl or looking after their aging populations. Political actors will need to anticipate racial overtones to conflicting interests within and between the states and remain mindful of new questions of fairness in representing their constituencies. While each state's demographic trajectory is unique and invites unique responses, across the nation, many demographic trends that were once important mainly to city planners and politicians are becoming genuinely statewide issues.

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### About the Authors

**William H. Frey** is a demographer on the faculty of the University of Michigan Population Studies Center and is a senior fellow at the Milken Institute in Santa Monica, CA (see <http://www.frey-demographer.org>). **Bill Abresch** is an associate of the Social Science Data Analysis Network at the University of Michigan.

**Table 7.23**  
**STATE BUDGETARY CALENDARS**

<i>State</i>	<i>Budget guidelines to agencies</i>	<i>Agency requests submitted to governor</i>	<i>Agency hearings held</i>	<i>Governor's budget sent to legislature</i>	<i>Legislature adopts budget</i>	<i>Fiscal year begins</i>	<i>Frequency of legislative/budget cycles</i>
Alabama .....	September	November	January	February	Feb/May	October	Annual/Annual
Alaska .....	July	October	Sept/Nov	December	May	July	Annual/Annual
Arizona .....	June 1	Sept. 1	Nov/Dec	January	Jan/April	July	Annual/Biennial
Arkansas .....	March	July	Aug/Sept	Sept/Dec	Jan/April	July	Biennial/Biennial
California .....	April/Nov	September	Sept/Nov	Jan 10	June 15	July	Biennial/Annual
Colorado .....	June	Aug 1	August/Sept	Nov 1	May	July	Annual/Annual
Connecticut .....	July	September	January	February	June/ May	July	Annual/Biennial
Delaware .....	August	Oct/Nov	Oct/Nov	January	June 30	July	Annual/Annual
Florida .....	June	September	September	January	April/May	July	Annual/Annual
Georgia .....	June	September	Nov/Dec	January	March	July	Annual/Annual
Hawaii .....	July/Aug	September	November	December	April/May	July	Annual/Biennial (a)
Idaho .....	June	September	...	January	March	July	Annual/Annual
Illinois .....	September	Oct/Nov	Nov/Dec	February	May	July	Annual/Annual
Indiana .....	May	August	Sept/Nov	January	April	July	Annual/Biennial
Iowa .....	July	Oct 1	Nov/Dec	January	April/May	July	Annual/Annual
Kansas .....	June	September	November	January	May	July	Annual/Biennial (b)
Kentucky .....	July	October	Nov/Dec	January	April	July	Annual/Biennial
Louisiana .....	September	November	Jan/Feb	Feb/Mar (c)	June	July	Annual/Annual
Maine .....	July	September	Oct/Dec	January	June	July	Biennial/Biennial
Maryland .....	June	Aug 31	Oct/Nov	January	April	July	Annual/Annual
Massachusetts .....	August	October	October	January	June	July	Annual/Annual
Michigan .....	August	November	December	(d)	June/July	October	Annual/Annual
Minnesota .....	May/June	Oct 15	Sept/Oct	Jan (e)	May	July	Annual/Biennial
Mississippi (f) .....	June	August	Sept/Oct	Nov/Jan	Mar/April	July	Annual/Annual
Missouri .....	July	October	...	January	April/May	July	Annual/Biennial (g)
Montana (h) .....	Jan 31/Aug 1	May/Sept 1	May/June	January	April	July	Biennial/Biennial
Nebraska .....	July	September	Jan/Feb	January	April	July	Annual/Biennial
Nevada .....	January	August	Sept/Dec	January	May/June	July	Biennial/Biennial
New Hampshire .....	August	Oct 1	November	Feb 15	May	July	Annual/Biennial
New Jersey .....	July/August	October	Nov/Dec	January	June	July	Annual/Annual
New Mexico .....	July	September	Sept/Dec	January	Feb/March	July	Annual/Annual
New York .....	July	September	Oct/Nov	January	March	April	Annual/Annual
North Carolina .....	January	August	Sept/Nov	February	June	July	Biennial/Biennial (i)
North Dakota .....	March	June/July	July/Oct	December	Jan/April	July	Biennial/Biennial
Ohio .....	July	Sept/Oct	Oct/Nov	February (j)	June	July	Annual/Biennial
Oklahoma .....	July	October	Oct/Dec	February (k)	May (l)	July	Annual/Annual
Oregon .....	Jan/July	September	Sept/Nov	January	Jan/June	July	Biennial/Biennial
Pennsylvania .....	August	October	Dec/Jan	February (m)	May/June	July	Annual/Annual
Rhode Island .....	July	October	Nov/Dec	February	June	July	Annual/Annual
South Carolina .....	August	October	...	January	June	July	Annual/Annual
South Dakota .....	June/July	September	Sept/Oct	December	March	July	Annual/Annual
Tennessee .....	August	October	November	Feb 1 (n)	April/May	July	Annual/Annual
Texas .....	March	July/Sept	July/Sept	January	May	September	Biennial/Biennial
Utah .....	July	September	Oct/Nov	December	February	July	Annual/Annual
Vermont .....	October	November	Nov/Dec	January	May	July	Annual (o)/Annual
Virginia .....	April/August	June/Oct	Sept/Oct	December	March/April	July	Annual/Biennial
Washington .....	April	September	...	December	April/May	July	Annual/Biennial
West Virginia .....	July	September	Oct/Nov	Jan/Feb (p)	March	July	Annual/Annual
Wisconsin .....	June	September	...	January	June/July	July	Biennial/Biennial
Wyoming .....	May 15	September	(q)	December	March	July	Annual/Biennial
Puerto Rico .....	March	Sept/Dec	Aug/Sept	February	June	July	Annual/Annual

See footnotes at end of table.

## STATE BUDGETARY CALENDARS — Continued

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Source: National Association of State Budget Officers, *Budget Processes in the States*, 2002. For additional information see <http://www.nasbo.org>

Key:

... — Not applicable

(a) The state Constitution and statutes prescribe a biennium budget; in practice, a budget is submitted every year.

(b) Twenty agencies are on a biennial budget cycle. The rest are on an annual cycle.

(c) The governor is required to submit a copy of the executive budget to the joint legislative committee on the budget 45 days, except that during the first year of each term it shall be submitted 30 days, prior to the beginning of the regular session of the legislature. The governor shall transmit a copy to each member of the legislature on the first day of the regular session. The governor shall transmit to the legislature, no later than the eighth day of the regular session, a proposed five-year outlay program.

(d) Within 30 days after legislature convenes in regular session, except when a newly elected governor is inaugurated, when presentation must occur within 60 days after legislature convenes.

(e) Fourth Tuesday.

(f) The executive budget is submitted in January during the first year of a governor's term. Governor does not hold separate agency hearings.

(g) There is a constitutional authority to do annual and biennial budgeting. Beginning in fiscal 1994, the operating budget has been on an annual basis while

the capital budget has been on a biennial basis.

(h) Montana uses an Executive Planning Process (EPP) for proposals to provide new services, add FTE, change program services or alter funding sources. The earlier dates reflect this process which is linked with the regular budget in the September 1 submittal.

(i) The Constitution requires the preparation of a biennial budget, the General Assembly routinely conducts a short session for adjustments to the second year of the biennium.

(j) Budget submission delayed to mid-March for new governors.

(k) First Monday.

(l) Last Friday.

(m) Budget is submitted in March when governor has been elected for first full term.

(n) The budget may be submitted by March 1 during the first year of a governor's term.

(o) State Constitution prescribes a biennial legislature; in practice, legislature meets annually, in regular and adjourned sessions.

(p) The constitution of West Virginia required the Governor to submit a proposed budget to the Legislature on the second Wednesday of each year, except the year following a gubernatorial election, at which time the proposed budget is submitted on the second Wednesday in February. The Legislature has a 60 day session that starts with the budget submission.

(q) By November 20.

**Table 7.24**  
**OFFICIALS OR AGENCIES RESPONSIBLE FOR BUDGET PREPARATION,**  
**REVIEW AND CONTROLS**

<i>State or other jurisdiction</i>	<i>Official/agency(ies) responsible for preparing budget document</i>	<i>Special budget review agency in legislative branch</i>	<i>Official/agency(ies) responsible for budgetary and related accounting controls</i>
<b>Alabama</b> .....	State Finance Director	Legislative Fiscal Ofc.	State Finance Director
<b>Alaska</b> .....	Director, Ofc. of Mgmt. & Budget	Div. of Legislative Audit	Director, Div. of Finance, Dept. of Administration
<b>Arizona</b> .....	Director, Ofc. of Strategic Planning & Budgeting	Jt. Legislative Budget Cmte.	Assistant Director, Financial Sacs., Dept. of Administration
<b>Arkansas</b> .....	Administrator, Ofc. of Budget, Dept. of Finance & Admn.	Fiscal & Tax Research Services, Bur. of Legislative Research	Director, Dept. of Finance & Administration
<b>California</b> .....	Director, Dept. of Finance	Ofc. of the Legislative Analyst; Senate Cmte. On Budget & Fiscal Review; Assembly Cmte. On Appropriations	Director, Dept. of Finance
<b>Colorado</b> .....	Executive Director, Ofc. of State Planning & Budgeting, Ofc. of the Governor	Jt. Budget Cmte.	State Controller, Ofc. of the State Controller, Support Services, Dept. of Personnel
<b>Connecticut</b> .....	Executive Budget Officer, Budget & Finance Div., Ofc. of Policy & Mgmt.	Ofc. of Fiscal Analysis	Secretary, Ofc. of Policy Management
<b>Delaware</b> .....	Director, Ofc. of the Budget	Legislative Info. Services; Ofc. of the Controller General	Secretary, Dept. of Finance
<b>Florida</b> .....	Director, Ofc. of Planning & Budgeting, Executive Ofc. of the Governor	Fiscal Responsibility Council; Budget Cmte.	State Comptroller
<b>Georgia</b> .....	Director, Ofc. of Planning & Budget	Legislative Budget Ofc.	Treasurer, Ofc. of Treasury & Fiscal Services
<b>Hawaii</b> .....	Director of Finance, Dept. of Budget and Finance	Ofc. of the Legislative Auditor	Director of Finance, Dept. of Budget & Finance
<b>Idaho</b> .....	Administrator, Div. of Financial Mgmt., Ofc. of the Governor	Jt. Finance Appropriations Cmte.; Budget & Policy Analysis, Legislative Services Ofc. Economic & Fiscal Comm.	Administrator, Div. of Financial Mgmt., Ofc. of the Governor
<b>Illinois</b> .....	Director, Bur. of the Budget, Ofc. of the Governor	Fiscal & Mgmt. Analysis Ofc., Legislative Services Agency	Director, Bur. of the Budget, Ofc. of the Governor
<b>Indiana</b> .....	Director, Budget Agcy.	Legislative Fiscal Bur.	Director, Budget Agency
<b>Iowa</b> .....	Director, Dept. of Mgmt., Ofc. of the Governor	Legislative Fiscal Bur.	Director, Dept. of Revenue & Finance; Director, Dept. of Mgmt.
<b>Kansas</b> .....	Director, Div. of the Budget, Dept. of Admn.	Legislative Research Dept.	Secretary, Finance & Administration Cabinet
<b>Kentucky</b> .....	State Budget Director, Governor's Ofc.	Ofc. of Budget Review, Legislative Research Comm.	Commissioner, Div. of Administration
<b>Louisiana</b> .....	Budget Director, Div. of Admn., Ofc. of the Governor	State Fiscal Services; Legislative Fiscal Ofc.; Fiscal Div., House Legislative Services	
<b>Maine</b> .....	State Budget Officer, Bur. of the Budget, Dept. of Admn. & Financial Services	Ofc. Of Fiscal & Program Review, Legislative Council	Commissioner, Dept. of Adm. & Financial Services
<b>Maryland</b> .....	Secretary, Ofc. of the Secretary, Dept. of Budget & Mgmt.	Ofc. of Policy Analysis, Dept. of Legislative Services	Secretary, Ofc. of the Secretary, Dept. of Budget & Mgmt.
<b>Massachusetts</b> .....	Budget Director, Executive Ofc. for Admn. & Finance	Senate, House Ways & Means Cmtes.	Secretary, Executive Ofc. for Administration & Finance
<b>Michigan</b> .....	State Budget Director, Dept. of Mgmt. & Budget	Senate, House Fiscal Agencies	State Budget Director, Dept. of Mgmt. & Budget
<b>Minnesota</b> .....	Commissioner, Dept. of Finance	Senate, House Chief Fiscal Analysts	Commissioner, Dept. of Finance
<b>Mississippi</b> .....	Director, Ofc. of Budget & Fund Mgmt., Dept. of Finance & Admn.	Jt. Legislative Budget Ofc.	Director, Dept. of Finance & Administration
<b>Missouri</b> .....	Director, Div. of Budget & Planning, Ofc. of Admn.	Senate, House Appropriations Cmtes.; Budget Cmte.; Jt. Legislative Research Cmte., Oversight Div.	Commissioner, Administration, Ofc. Of Administration
<b>Montana</b> .....	Director, Ofc. of Budget & Program Planning	Legislative Fiscal Div.	Director, Ofc. of Budget & Program Planning
<b>Nebraska</b> .....	Administrator, Budget Div., Dept. of Adm. Services	Legislative Fiscal Ofc.	State Tax Commissioner, Dept. of Revenue; Administrator, Budget Div., Dept. of Adm. Services; Auditor of Public Accounts
<b>Nevada</b> .....	Director, Dept. of Admn.	Legislative Counsel Bur., Fiscal Analysis Div.	

See footnotes at end of table.

## BUDGETS

### BUDGET OFFICIALS OR AGENCIES — Continued

<i>State or other jurisdiction</i>	<i>Official/agency(ies) responsible for preparing budget document</i>	<i>Special budget review agency in legislative branch</i>	<i>Official/agency(ies) responsible for budgetary and related accounting controls</i>
<b>New Hampshire</b> .....	Commissioner, Commissioner's Ofc., Dept. of Adm. Services; Asst. Commissioner & Budget Officer, Commissioner	Ofc. Of Legislative Budget Assistant	Commissioner, Commissioner's Ofc., Dept. of Adm. Services
<b>New Jersey</b> .....	Director, Ofc. of Mgmt. & Budget; Dept. of Treasury	Assembly Majority Staff; Ofc. Of Legislative Services; Budget & Fiscal Analysis, Assembly and Senate Minority Staff; Central Staff, Revenue, Finance & Appropriations	Director, Ofc. of Mgmt. & Budget, Dept. of Treasury
<b>New Mexico</b> .....	Director, Budget Div., Dept. of Finance & Admn.	Jt. Legislative Finance Cmte.	Secretary, Finance & Administration
<b>New York</b> .....	Director, Div. of Budget, Executive Dept.	Ways & Means Cmte.	Comptroller
<b>North Carolina</b> .....	State Budget Officer, Ofc. of State Budget	Fiscal Research Div.	State Budget Officer, Ofc. of the State Budget
<b>North Dakota</b> .....	Director, Budget Analyst, Ofc. of Mgmt. & Budget	Legislative Council	Director, Ofc. of Mgmt. & Budget,
<b>Ohio</b> .....	Director, Ofc. of Budget & Mgmt.	Legislative Budget Ofc.	Director, Ofc. of Budget & Mgmt.
<b>Oklahoma</b> .....	Director, Ofc. of State Finance	Fiscal Div.; Senate Fiscal Staff Div.	Director, Ofc. of State Finance
<b>Oregon</b> .....	Dpty. Director, Budget & Mgmt., Dept. of Adm. Services	Legislative Fiscal Ofc.	Deputy Director, Dept. of Adm. Services
<b>Pennsylvania</b> .....	Cabinet Secretary, Ofc. of the Budget, Budget Dept.	Appropriations Cmte.; Legislative Budget & Finance Comm.; Democratic Appropriations Cmte.	Cabinet Secretary, Ofc. of the Budget, Budget Dept.
<b>Rhode Island</b> .....	Executive Director/State Budget Officer, State Budget Ofc., Dept. of Admn.	Senate Finance Cmte.	Executive Director/State Budget Officer, State Budget Ofc., Dept. of Administration
<b>South Carolina</b> .....	Director, Ofc. of State Budget, Budget & Control Bd.	Ways & Means Cmte.; Budget & Control Board; Finance Cmte.	Executive Director, Budget & Control Board
<b>South Dakota</b> .....	Commissioner, Bur. of Finance & Mgmt.	Fiscal Research & Budget Analysis, Legislative Research Council	Commissioner, Bur. of Finance & Mgmt.
<b>Tennessee</b> .....	Assistant Commissioner, Budget Div., Dept. of Finance & Admn.	Fiscal Review Cmte.	Commissioner, Finance & Administration
<b>Texas</b> .....	Director, Budget & Planning, Ofc. of the Governor	Legislative Budget Bd.	Comptroller, Comptroller of Public Accounts
<b>Utah</b> .....	Director, Ofc. of Planning & Budget, Governor's Ofc.	Ofc. of Legislative Fiscal Analyst	Director, Div. Of Finance, Dept. of Adm. Services
<b>Vermont</b> .....	Commissioner, Agency of Admn., Dept. of Finance & Mgmt.	Jt. Fiscal Ofc.	Commissioner, Agency of Administration, Dept. of Finance & Mgmt.
<b>Virginia</b> .....	Director, Dept. of Planning & Budget	Senate Finance Cmte.; House Appropriations Cmte.	Secretary of Finance, Governor's Cabinet
<b>Washington</b> .....	Director, Ofc. of Financial Mgmt.	Legislative Transportation Cmte.; Senate Ways & Means Cmte.; House Appropriations Cmte.	Director, Ofc. of Financial Mgmt.
<b>West Virginia</b> .....	Director, Budget Div., Dept. of Finance & Admn.	Budget Div., Legislative Auditor's Ofc.; Jt. Standing Cmte. on Finance	Cabinet Secretary, Dept. of Administration
<b>Wisconsin</b> .....	Director, Div. of Executive Budget & Finance, Dept. of Admn.	Legislative Fiscal Bur.	Administrator, DOA/Div. of Technical Mgmt.
<b>Wyoming</b> .....	Administrator, Admn. & Info.	Legislative Services Ofc.	State Auditor
<b>Dist. of Columbia</b> .....	Director, Dept. of Finance & Revenue	Budget Ofc.	Chief Financial Officer, Ofc. of the Chief Financial Officer
<b>American Samoa</b> .....	Director, Program Planning & Budget	Legislative Financial Ofc.; Budget & Appropriations Cmte.	Treasurer, Dept. of the Treasury
<b>Guam</b> .....	Director, Bur. of Budget & Mgmt. Research	Legislative Accounting Div.	Director, Dept. of Administration
<b>No. Mariana Islands</b> .....	Special Assistant for Mgmt. & Budget, Ofc. of Mgmt. & Budget, Ofc. of the Governor	Finance & Accounting Div.	Secretary of Finance, Finance & Accounting, Dept. of Finance
<b>Puerto Rico</b> .....	Director, Ofc. of Budget & Mgmt.	Secretary of Administration; Speaker's Ofc.	Director, Ofc. of Budget & Mgmt.
<b>U.S. Virgin Islands</b> .....	Director, Ofc. of Mgmt. & Budget	Business & Financial Management, Legislature of U.S. Virgin Islands	Commissioner, Dept. of Finance

*Sources:* The Council of State Governments, *State Legislative Leadership, Committees and Staff*; 2001 and *State Administrative Officials Classified by Function*; 2001.

**Table 7.25**  
**STATE BALANCED BUDGETS: CONSTITUTIONAL AND STATUTORY PROVISIONS,**  
**GUBERNATORIAL AND LEGISLATIVE AUTHORITY**

State or other jurisdiction	Constitutional and Statutory Provisions			Gubernatorial Authority			Legislative Authority	
	Governor must submit a balanced budget	Legislature must pass a balanced budget	Governor must sign a balanced budget	Governor has line item veto	Can reduce budget without legislative approval	Restrictions on budget reductions	Votes required to pass revenue increase	Votes required to pass budget
Alabama	C,S	S	...	(a)	★	ATB	Majority	Majority
Alaska	S	S	S	★	...	...	Majority	Majority (c)
Arizona	C,S	C,S	C,S	★	...	...	2/3 elected	Majority
Arkansas	S	S	S	★	(d)	ATB	3/4 elected (b)	3/4 elected (kk)
California	C	...	S	★	...	...	2/3 elected	2/3 elected (ll)
Colorado	C	C	C	★	★	...	Majority (e)	Majority elected
Connecticut	S	C,S	C	★	★	M	Majority	Majority (f)
Delaware	C,S	C,S	C,S	★	...	★	3/5 elected	Majority
Florida	C,S	C,S	C,S	★	(g)	M	2/3 elected	Majority
Georgia	C	C	C	★	★	(h)	Majority	Majority
Hawaii	C,S	...	C,S	★ (ss)	★ (i)	...	Majority (j)	Majority elected (mm)
Idaho	...	C (k)	...	★	(l)	★ (l)	Majority	Majority
Illinois	C,S	C	S	★ (m)	★	...	Majority	Majority elected (n)
Indiana	...	...	...	...	★	...	Majority	Majority
Iowa	C,S	S	...	★	★	ATB	Majority	Majority
Kansas	S	C,S	...	★	...	ATB	Majority	Majority
Kentucky	C,S	C,S	C,S	★	...	★	2/5 elected	Majority elected
Louisiana	C,S	C,S	C,S	★	★	M	2/3 elected	Majority
Maine	C,S	C	C,S	★	★	ATB	Majority	Majority (nn)
Maryland	C	C	(o)	★ (tt)	★ (p)	★ (q)	Majority	Majority elected
Massachusetts	C,S	C,S	C,S	★	★	...	Majority	Majority (r)
Michigan	C,S	C	C,S	★	...	(s)	Majority (uu)	Majority
Minnesota	C,S	C,S	C,S	★	★	M	Majority	Majority elected
Mississippi	S	S	...	★	★	ATB	3/5 elected	Majority elected (oo)
Missouri	C	...	C	★	★	...	Majority (vv)	Majority elected
Montana	S	C	...	★	★	MR(t)	Majority	Majority
Nebraska	C	S	...	★	...	★	Majority	Majority elected (pp)
Nevada	S	C	C	...	★	M	3/5 elected	Majority
New Hampshire	S	...	...	...	...	...	Majority	Majority
New Jersey	C	C	C	★	★	...	Majority	Majority
New Mexico	C	C	C	★	...	...	Majority	Majority
New York	C	...	(u)	★ (v)	★ (w)	(w)	Majority	Majority
North Carolina	C,S	S	...	...	★ (x)	(x)	Majority	Majority
North Dakota	C	C	C	★	★	ATB	Majority	Majority (qq)
Ohio	C	C	C	★ (y)	★	★	Majority	Majority
Oklahoma	S	C (z)	C (z)	★	★ (aa)	★	3/4 elected	Majority elected
Oregon	C	C	C	★	★	M	2/3 elected	Majority
Pennsylvania	C,S	...	C,S	★	★ (bb)	★ (bb)	Majority elected	Majority elected
Rhode Island	C	C	S	...	★	★	Majority	2/3 elected
South Carolina	C	C	C	★	★ (cc)	★	Majority	Majority
South Dakota	C	C	C	★	...	★	2/3 elected	Majority elected (rr)
Tennessee	C	C	C	★	...	...	Majority	Majority
Texas	...	C,S	C	★	★	...	Majority	Majority
Utah	C	C,S	(dd)	★	★	...	Majority	Majority elected
Vermont	...	...	...	...	★ (ee)	★ (ee)	Majority	Majority
Virginia	(ff)	...	C (ff)	★ (gg)	★ (jj)	MR	Majority (hh)	Majority elected
Washington	S	...	...	★	★	ATB	Majority	Majority
West Virginia	...	C	C	★	★ (ii)	★ (ii)	Majority	Majority elected
Wisconsin	C	C	C,S	★	★ (jj)	...	Majority	Majority
Wyoming	C	C	...	★	★	...	Majority	Majority
Puerto Rico	C	C	C	★	★	...	Majority	Majority

See footnotes at end of table.

## STATE BALANCED BUDGETS — Continued

Source: National Association of State Budget Officers, *Budget Processes in the States, 2002*. For additional information see <http://www.nasbo.org>

Key:

C — Constitutional

S — Statutory

ATB — Across the board

MR — Maximum reduction dictated

★ — Yes

. . . — No

(a) The governor may return a bill without limit for recommended amendments for amount and language, as long as the legislature is still in session.

(b) For revenue and appropriation bills. Joint session.

(c) A simple majority is required to pass the budget. In Alaska, a simple majority is required for most annual appropriations, but if expenditures are expected to exceed the appropriation level in the prior year's budget and a withdrawal from the budget reserve fund is needed to make up the difference, a three-fourths vote is required. Since the provision became effective in 1991, the supermajority has been necessary for few appropriation items in each budget.

(d) The governor and chief fiscal officer of the state have the authority to reduce general revenue funding to agencies should shortfalls occur in revenue collections.

(e) All tax increases must be approved by a vote of the people.

(f) Appropriations require a simple majority of members elected, unless the general fund expenditure ceiling is exceeded. In that case, the Legislature must obtain a three-fifths majority.

(g) The Legislative Budget Commission for the executive branch and the Chief Justice of the Supreme Court for the judicial branch are authorized to resolve deficits under 1.5 percent of the fiscal year appropriation. Deficits over the 1.5 percent amount shall be resolved by the legislature.

(h) The governor, during the first six months of a fiscal year in which the current revenue estimate on which appropriations are based is expected to exceed actual revenues, is authorized to require state agencies to reserve such appropriations as specified by the governor for budget reductions to be recommended to the general assembly at its next regular session.

(i) The governor's authority to reduce, expand and reorganize budgets can be done only pursuant to existing statutes.

(j) If general fund expenditure ceiling is exceeded, two-thirds vote required; otherwise majority of elected members.

(k) The constitution requires that the legislature pass a balanced budget. The governor, as the chief budget officer of the state, has always insured that expenditures do not exceed revenues.

(l) The governor's authority to reduce budgets is temporary. The State Board of Examiners (Governor, Attorney General and Secretary of State) has permanent appropriation reduction authority.

(m) The governor can veto appropriation items entirely (Item Veto) or merely reduce an item of appropriation to a lesser amount (Reduction Veto). If the governor reduces an item of appropriation, the remaining items in the bill are not affected and can become law immediately.

(n) A majority vote is required to pass the budget until June 1. After that date, the required vote increases to three-fifths majority.

(o) The budget bill when and as passed by both houses, shall be a law immediately without further action by the governor.

(p) With the approval of the Board of Public Works, the governor may reduce by not more than 25 percent any appropriation that the governor considers unnecessary.

(q) The governor may not, however, reduce an appropriation to the legislative or judicial branches of government; for the payment of principal and interest on state debt; the funding for public schools (K-12); or the salary of a public officer during the term of office.

(r) For capital budget, two-thirds votes required.

(s) There are both statutory and constitutional restrictions on executive branch authority to make budget reductions, involving approval by both House and Senate appropriations committees.

(t) Additional restrictions on budget reductions exclude principle and interest on state debt, legislative and judicial branches, school equalization aid and salaries of elected officials.

(u) The governor is not technically required to sign a balanced budget, but the

governor, legislative leaders and the comptroller must certify the budget is in balance in order to meet borrowing requirements.

(v) Any appropriation added to the governor's budget by the legislature is subject to line item veto.

(w) May reduce budget without approval only for state operations; only restriction on reductions is that reductions in aid to localities cannot be made without legislative approval.

(x) Except for certain block grants. The Governor is required to maintain a balanced budget for the fiscal period and has the authority through the Constitution and General Statutes to make reductions to insure there is no overdraft or deficit.

(y) Line item veto in appropriation act only. Item veto of selected words is only available to the governor in appropriations acts.

(z) Legislature could pass and the governor could sign a budget where appropriations exceed cash and estimated revenues, but constitutional and statutory provisions reduce the appropriations so that the budget is balanced.

(aa) Would require agreement of agency governing boards and or CEO.

(bb) The governor may reduce budgets selectively; he must provide 10 days prior notice and the reasons for so doing before lapsing current year grant and subsidy money.

(cc) The Budget and Control Board can authorize an across-the-board agency reduction when there is a revenue shortfall. When in session, the General Assembly has five statewide session days to take action to prevent the reduction.

(dd) Governor may allow balanced budget to go into law without signature.

(ee) Reductions based on revenue shortfalls of greater than 1 percent require legislative approval.

(ff) Requirement applies only to budget execution. The governor is required to insure that actual expenditures do not exceed actual revenues.

(gg) Governor may return bill without limit for recommended amendments for amount and language. For purposes of a veto, a line item is defined as an indivisible sum of money that may or may not coincide with the way in which items are displayed in an appropriation act.

(hh) Two-thirds of members present includes a majority of the members elected.

(ii) The governor can reduce expenditures but not appropriations. Public education has priority.

(jj) Cannot reduce appropriations, but can withhold allotments.

(kk) A majority vote is required for education, highways, and paying down the state debt; a three-fourths vote of the elected members is required on all others.

(ll) A two-thirds majority is required for appropriations from the general fund, except for public school appropriations, which require a simple majority.

(mm) If the general fund expenditure ceiling is exceeded, a two-thirds vote is required, otherwise, the majority of elected members is required.

(nn) For emergency enactment, a two-thirds vote is required.

(oo) A majority is required to pass the agency appropriations bill, unless a bill is considered a donation (e.g., a donation to the Mississippi Burn Center). In this case, Joint Rule 66 requires a two-thirds vote of the elected members.

(pp) Main budget bills typically have the "e" (emergency) clause attached, thus requiring a two-thirds vote. The "e" clause is necessary for the budget to be operative by the beginning of the fiscal year.

(qq) Emergency measures and measures that amend a statute that has been referred or enacted through an initiated measure within the last seven years must pass both houses by a two-thirds majority.

(rr) A two-thirds majority is required for individual spending bills.

(ss) Governor may veto judicial and legislative appropriation bills only in their entirety

(tt) The budget bill, when and as passed by both houses, shall be law immediately without further action by the governor. The legislature may not add to the budget bill as proposed by the governor, except in the legislative and judicial branches. The governor, however, may veto items included in supplementary appropriation bills.

(uu) The Michigan Constitution limits the amounts and types of taxes that can be imposed. In general, tax increases must be approved by a majority vote of the people.

(vv) Legislature can approve tax and fee increases during a legislative session of no more than one percent of total state revenue as proscribed by the state's constitutional revenue and spending limit - roughly \$70 million in fiscal 2002. Amounts above this level must be approved by the voters.



**Table 7.26**  
**REVENUE ESTIMATING PRACTICES**

State or other jurisdiction	Source of authority	Estimates bind the budget	When are official revenue estimates made (List by month)	Multi-year forecasting	Economic Advisory Boards
Alabama .....	I	...	Feb.	CY + 1	Dept. of Finance
Alaska .....	AO	...	April, Dec. (a)	CY	Office of Management & Budget, Dept. of Revenue, Dept. of Labor
Arizona .....	...	...	N.A.	CY	Office of Strategic Planning & Budgeting
Arkansas .....	I	★	N.A.	CY	Fiscal Officer; Budget Office; Economic Analysis; Tax Research
California .....	I	...	Jan./May (k)	CY	Dept. of Finance
Colorado .....	S	...	Dec., March, June, Sept.	CY + 1	Governor's Revenue Estimating Advisory Committee
Connecticut .....	S	...	N.A.	CY + 3	Office of Policy & Management
Delaware .....	EO	★	(c)	CY + 5	Economic and Financial Advisory Council
Florida .....	S	★	Fall/Winter & when needed	CY	Consensus Revenue Estimating Conference
Georgia .....	...	★	N.A.	CY + 1	Office of Planning & Budget
Hawaii .....	C,S	★(b)	June, Sept., Jan., March	CY + 4	Council on Revenues
Idaho .....	...	...	Jan., Aug.	CY	Division of Financial Management
Illinois .....	...	...	July, Oct., Feb., April	CY + 1	Budget Agency
Indiana .....	EO	★	N.A.	CY	Budget Agency
Iowa .....	...	★	N.A.	CY + 4	Dept. of Management
Kansas .....	I	...	N.A.	CY + 3	Budget Office; Revenue Dept.; Legislative Research Dept.
Kentucky .....	EO	★	N.A.	CY + 4	Finance Secretary, Legislative Research Commission
Louisiana .....	C,S	★	N.A.	CY + 4	Governor, Legislature, Revenue Estimating Conference
Maine .....	...	★	N.A.	CY + 2	State Budget Officer; Consensus Economic Forecasting Commission
Maryland .....	I	...	Dec.	CY + 4	Expenditures- Dept. of Budget and Management; Revenues-Board of Revenue Estimates
Massachusetts .....	I	★	(d)	CY + 1	Revenue Dept./Fiscal Affairs Division
Michigan .....	...	★	Jan., May	CY + 1	Office of Revenue and Tax Analysis- Dept. of Treasury
Minnesota .....	EO	★	(e)	CY + 4	Dept. of Finance
Mississippi .....	S	★	Oct.	CY	Office of Budget & Fund Management
Missouri .....	...	...	Jan.	CY + 4	Budget Office
Montana .....	...	...	Apr.-May/Oct./Dec. (l)	CY	Contract with forecasting firm- Wharton Economic Forecasting Assoc.
Nebraska .....	S	★	Feb., Oct.	CY + 2	Revenue Dept. and Economic Forecasting Advisory Board
Nevada .....	S	★	Dec.	CY + 4-10	Economic Forum
New Hampshire .....	S	★	N.A.	CY	Budget Office & Dept. of Revenue Administration
New Jersey .....	S	★	N.A.	CY + 3	Council of Economic Advisors
New Mexico .....	S	...	N.A.	CY	Economic Analysis Bureau; Dept. of Finance & Administration
New York .....	...	★	N.A.	CY + 2	Division of the Budget
North Carolina .....	...	★	N.A.	CY + 4	Office of State Budget & Management
North Dakota .....	EO	★	(m)	CY	OMB contracts with econometrics forecasting firm
Ohio .....	I	...	Jan./June (f)	CY	Office of Budget & Management
Oklahoma .....	...	★	Dec., Feb., June (g)	CY + 5	Oklahoma Tax Commission; Office of State Finance
Oregon .....	EO	★	N.A.	CY + 4	Office of Economic Analysis within Dept. of Administrative Services
Pennsylvania .....	...	★	May/June (h)	CY + 4	Budget Office & Revenue Dept.
Rhode Island .....	...	★	(i)	CY + 4	Revenue Estimating Conference
South Carolina .....	S, Proviso	...	Nov., Feb.	CY	Board of Economic Advisors
South Dakota .....	EO	★	N.A.	CY + 3	Bureau of Finance & Management
Tennessee .....	S	...	(n)	CY	Center of Business & Economic Research- Univ. of Tennessee
Texas .....	...	★	Jan./May (odd years)	CY	Comptroller's Office
Utah .....	EO	★	N.A.	CY + 5	Office of Planning & Budget & Tax Commission
Vermont .....	I	...	N.A.	CY	Dept. of Finance & Management
Virginia .....	S	★	Dec.	CY + 4	Dept. of Taxation
Washington .....	EO	...	Nov.	CY + 8	Economic and Revenue Forecast Council
West Virginia .....	...	★	Jan. (o)	CY + 4	Dept. of Tax & Revenue
Wisconsin .....	...	...	Nov. 20 (even years)	CY + 2	Dept. of Revenue
Wyoming .....	S	...	N.A.	CY	Economic Analysis Division
Puerto Rico .....	EO	★	N.A.	CY	Planning Board; Government Development Bank

See footnotes at end of table.



## REVENUE ESTIMATING PRACTICES — Continued

Source: National Association of State Budget Officers, *Budget Processes in the States*, 2002. For additional information see <http://www.nasbo.org>

Key:

★ — Yes.

. . . — No.

N.A. - Not Available

S-Statutory

C-Constitutional

EO-Executive Order

I-Informal

AO-Administrative Order

CY-Current Year

FY-Fiscal Year

(a) Revenue estimates must be published annually but traditionally are published semi-annually.

(b) Statutes require that estimates “shall be considered.”

(c) Quarterly estimates are done for Sept., Dec., and March; monthly estimates are done for April, May and June.

(d) Dept. of Revenue publishes estimates 3 times a year. Secretary for Administration and Finance and the legislature agree on revenue estimates in the spring for the fiscal year beginning in July. For fiscal 2001, the consensus was reached in May.

(e) Five-year revenue estimates are formally published twice a year in November and February.

(f) Odd numbered years. The governor must publish revenue estimates in the biennial executive budget submitted to the general assembly. A monthly finan-

cial report prepared for the governor by the Office of Budget and Management contains revenue estimates for the current fiscal year and reflects any revisions to those estimates made during the fiscal year.

(g) Revenue estimates are made by various agencies including the State Tax Commission. Economic information is provided by various private and public entities. The State Finance Office reviews, consolidates and presents the estimates to the State Equalization Board late in December and again in mid-February. The Board certifies an official estimate that is only revised if laws affecting it are passed by the state legislature. Such a revision would be made in June.

(h) Revenue estimates are updated when new legislation affects current year revenues.

(i) Per state statute, a Consensus Revenue Estimating Conference must be held within the first ten days of November and May.

(j) Advisory board planned.

(k) Revenue estimates are made public in January and May.

(l) Budget office prepares estimates in the spring and fall of even numbered years. The revenue and tax committee of the legislature adopts its estimate in December prior to convening in January.

(m) July and November of even numbered years and March of odd numbered years.

(n) February (original estimate for succeeding fiscal year); May (revised estimate); July (revised estimate for enacted budget); February (revised estimate for current fiscal year); May (revised estimate for current fiscal year).

(o) The Governor makes the official revenue estimate in January, except in the year following a gubernatorial election at which time the official revenue estimate is made in February.

**Table 7.27**  
**ALLOWABLE STATE INVESTMENTS**

<i>State or other jurisdiction</i>	<i>CDs within state</i>	<i>CDs nationally</i>	<i>Other time deposits</i>	<i>Bankers' acceptances</i>	<i>Commercial paper</i>	<i>Corporate notes/bonds</i>	<i>Corporate stocks (foreign)</i>	<i>Corporate stocks (domestic)</i>	<i>Derivatives</i>	<i>Equities</i>	<i>Mortgage backed securities</i>	<i>Mutuals</i>	<i>State/local government obligations</i>	<i>U.S. Treasury obligations</i>	<i>U.S. agency obligations</i>	<i>Eurodollars-Cds or TDs</i>	<i>Real Estate</i>	<i>Repurchase agreements</i>	<i>Venture capital</i>	<i>Other</i>
Alabama .....	(a)	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
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 .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

See footnotes at end of table

## ALLOWABLE STATE INVESTMENTS — Continued

<i>State or other jurisdiction</i>	<i>CDs within state</i>	<i>CDs nationally</i>	<i>Other time deposits</i>	<i>Bankers' acceptances</i>	<i>Commercial paper</i>	<i>Corporate notes/bonds</i>	<i>Corporate stocks (foreign)</i>	<i>Corporate stocks (domestic)</i>	<i>Derivatives</i>	<i>Equities</i>	<i>Mortgage backed securities</i>	<i>Mutuals</i>	<i>State/local government obligations</i>	<i>U.S. Treasury obligations</i>	<i>U.S. agency obligations</i>	<i>Eurodollars-Cds or TDS</i>	<i>Real Estate</i>	<i>Repurchase agreements</i>	<i>Venture capital</i>	<i>Other</i>
New Mexico .....	★	...	...	...	★	★	...	...	...	...	...	...	...	★	★	...	...	★	...	(m)
New York .....	★	...	...	★	★	...	...	...	...	...	...	...	★	★	★	...	...	★	...	...
North Carolina .....	★	...	★	★	...	★	...	...	...	...	★	...	★	★	★	...	...	★	...	...
North Dakota .....	★	...	...	...	...	...	...	...	...	...	...	★	...	...	...	...	...	...	...	...
Ohio .....	★	...	...	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Oklahoma .....	★	★	★	★	★	...	...	...	(n)	...	...	(o)	★	★	★	...	...	★	...	...
Oregon .....	★	★	★	★	★	...	...	...	...	...	★	...	...	★	★	...	...	★	...	...
Pennsylvania .....	★	★	★	★	★	...	...	...	...	...	...	...	...	★	★	...	...	★	...	...
Rhode Island .....	★	★	...	...	...	...	★	...	...	...	...	...	...	★	★	...	...	★	...	...
South Carolina .....	★	...	...	...	...	...	...	...	...	...	...	...	...	★	★	...	...	...	...	...
South Dakota .....	★	★	★	★	★	...	...	...	...	...	...	...	...	★	★	...	...	...	...	...
Tennessee .....	★	...	...	★	...	...	...	...	...	...	...	...	...	★	★	...	...	...	...	...
Texas .....	...	...	★	★	★	...	★	...	★	...	...	...	...	★	★	...	...	...	...	...
Utah .....	★	★	...	...	...	...	(q)	(q)	...	(o)	...	...	...	★	★	...	...	...	...	(r)
Vermont .....	...	...	...	★	★	...	...	...	...	...	...	...	...	★	★	...	...	...	...	...
Virginia .....	★	★	...	★	★	...	...	...	...	...	...	...	...	★	★	...	...	...	...	...
Washington .....	★	...	...	★	★	...	...	...	...	...	...	...	...	★	★	...	...	...	...	...
West Virginia .....	★	★	★	...	...	...	...	...	...	...	...	...	...	★	★	...	...	...	...	...
Wisconsin .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wyoming .....	★	★	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

Source: National Association of State Treasurers, *State Treasury Activities & Functions*, 2001.

Key:

★ — Investment allowed

... — Investment not allowed

(a) Nothing is restricted by Statute. Commission is subject to prudent investor rule. The Commissioner evaluated each fund's time horizon and risk.

(b) Asset back securities.

(c) Convertible corporate bonds.

(d) Student loans.

(e) Money market funds, SPAs.

(f) Money market mutual funds.

(g) Collateralized mortgage obligations, other mortgages, asset backed.

(h) Authorized to do business in Massachusetts.

(i) Massachusetts Municipal Depository Trust per statute.

(j) Emergency loans to municipalities within the state.

(k) Collateralized mortgage obligations.

(l) Does not include retirement mutual funds.

(m) All fixed income.

(n) Derivatives are permitted if they otherwise meet statutory definition of permissible investment.

(o) Money market mutual funds only.

(p) Certain trust funds can invest in equities.

(q) Trust funds only.

(r) Collateralized CDs.

**Table 7.28**  
**CASH MANAGEMENT PROGRAMS AND SERVICES**

State or other Jurisdiction	Reviews of cash management programs				Agency preparing cash management services					
	Banking relations		Investment Practices		Lock Boxes	Wire Transfers	Zero Balance Accounts	Information Systems	Account Reconciliation Services	Automated Clearinghouse
	Reviewing Agency	Frequency of Review	Reviewing Agency	Frequency of Review						
Alabama .....	SE	...	SE	Annually	B	B	B	I	I	B
Alaska .....	SE	Annually	SE	N.A.	B	I	B	I	I	B
Arizona .....	SE	Quarterly	SE	Quarterly	B	I, B	B	I	I	I, B
Arkansas .....	SE	Quarterly	SE	Quarterly	NU	B	B	I, B	I, B	B
California .....	SE	Annually	SE	Monthly	B	I, B	I, B	I	I, B	B
Colorado .....	SE	Ongoing	OF	Ongoing	B	B	B	B	B	B
Connecticut .....	SE	Quarterly	OF	Weekly	B	I, B	B	I, B	I, B	I, B
Delaware .....	(a)	5-7 years	(a)	Annually	B	I, B	B	I, B	I	I, B
Florida .....	SE	(b)	SE (c)	Annually	I, B	NU	B	NU	NU	B
Georgia .....	SE	Annually	SE	Quarterly	B	I	NU	NU	NU	NU
Hawaii .....	SE	(b)	SE	(d)	B	I	B	NU	I	B
Idaho .....	SE	Quarterly	SE	Daily	B	I, B	B	I, B	I	B
Illinois .....	SE	(d)	SE	Quarterly	B	I, B	B	I, B	NU	I, B
Indiana .....	SE	Annually	SE	Annually	B	I, B	I, B	I, B	I, B	I, B
Iowa .....	SE	4 years	SE	Annually	B	I	B	I, B	I	I
Kansas .....	SE	Ongoing	N.A.	N.A.	B	I	I	NU	I	I, B
Kentucky .....	SE	2 years	SE	Quarterly, Annually (e)	NU	B (f)	B	I	I	B
Louisiana .....	SE	Annually	SE	Annually	B	B	B	B	B	B
Maine .....	SE	3 years	SE, OF	Semi-Annually	NU	I, B	B	I, B	I, B	I, B
Maryland .....	SE	Annually	SE	Annually	B	I	B	I, B	I, B	I, B
Massachusetts .....	SE	Quarterly	SE	Quarterly	B	B	B	B	B	B
Michigan .....	SE	(d)	SE	(d)	B	I, B	B	NU	I, B	B
Minnesota .....	SE	3 years	SE, OF	...	B	I	I	I	I	I
Mississippi .....	SE	...	...	...	B	NU	NU	NU	NU	B
Missouri .....	SE	Quarterly	SE	Monthly	I, B	I, B	B	I, B	I, B	I, B
Montana .....	SE	Monthly	SE	Monthly, Annually	NU	I, B	NU	I	NU	I, B
Nebraska .....	SE	Ongoing	SE	Ongoing	B	B	I, B	I, B	I	B
Nevada .....	SE	Ongoing	SE	Quarterly	B	I	B	I, B	I, B	B
New Hampshire .....	SE	Quarterly	SE	Quarterly	B	I	I	I	I	I
New Jersey .....	SE	Quarterly	OF	Annually	B	I	B	I	I, B	I
New Mexico .....	SE	(d)	SE, OF	Monthly	B	I, B	B	I	I, B	B
New York .....	SE	...	SE	...	B	I	B	I	I, B	B
North Carolina .....	SE	...	...	...	B	I	B	NU	NU	NU
North Dakota .....	SE	...	SE	...	NU	B	NU	NU	NU	B
Ohio .....	SE	Quarterly	SE	Quarterly	I, B	I, B	NU	NU	NU	NU
Oklahoma .....	SE	Ongoing	SE	Ongoing	B	B	B	I	NU	I, B
Oregon .....	SE	Ongoing	SE, OF	Ongoing	I, B	I	I, B	I	NU	I
Pennsylvania .....	SE	As needed	SE	Daily, Monthly	B	B	B	NU	I, B	B
Rhode Island .....	SE	Quarterly	SE	Quarterly	B	I, B	I, B	I, B	I, B	I, B
South Carolina .....	SE	Annually	SE	Annually	B	I, B	I, B	NU	I	B

See footnotes at end of table.

## CASH MANAGEMENT PROGRAMS AND SERVICES — Continued

State or other jurisdiction	Reviews of cash management programs				Agency preparing cash management services					
	Banking relations		Investment Practices		Lock Boxes	Wire Transfers	Zero Balance Accounts	Information Systems	Reconciliation Services	Automated Clearinghouse
	Reviewing Agency	Frequency of Review	Reviewing Agency	Frequency of Review						
South Dakota .....	SE	Annually	SE	Annually	I	B	B	NU	I	B
Tennessee .....	SE	Annually	SE	Annually	I	I, B	B	I	I	B
Texas .....	SE	Annually	SE	Annually	I, B	I	B	I	I	I, B
Utah .....	SE	Annually	SE	Quarterly	B	I, B	B	I	NU	I
Vermont .....	SE	2 years	SE	Ongoing	B	B	B	I, B	I	I, B
Virginia .....	SE	Annually	OF	Annually	B	I	B	B	I, B	I, B
Washington .....	SE	Semi-Annually	SE	Annually	B	B	B	I	I	I, B
West Virginia .....	SE	Quarterly	N.A.	N.A.	I	NU	NU	I	I, B	I
Wisconsin .....	SE	6 years	SE	N.A.	B	B	B	I, B	I, B	B
Wyoming .....	SE	Daily	SE, OF	Quarterly	NU	I, B	I	NU	I	I

Source: National Association of State Treasurers, *State Treasury Activities & Functions*, 2001.

Key:

SE - State employee

N.A. - Not applicable

OF - Outside firm

B - Performed by bank

I - Within treasurer's office

NU - Not utilized

(a) Cash Management Policy Board reviews and implements.

(b) Outside firm utilized occasionally.

(c) Reviewed when contract expires.

(d) No set period for review.

(e) Quarterly review by Investment Commission, annual review by State Auditor.

(f) Initiated in-house by electronic link to bank.

**Table 7.29**  
**DEMAND DEPOSITS**

State or other jurisdiction	Method for selecting depository					Selection of depository made by	Compensation of demand depositories	Collateral above federal level	Percentage requiring collateral
	Competitive bid	Application	Negotiation	Depositor's convenience	Compensating balances	Agency's convenience	Treasurer's approval		
Alabama .....	...	...	...	...	...	★	...	Yes	100
Alaska .....	★	...	...	★	★	★	...	Yes	105
Arizona .....	★	...	...	★	...	...	★	Yes	102
Arkansas .....	...	...	★	...	★	...	★	Yes	105
California .....	...	...	...	...	...	...	★	Yes	110
Colorado .....	★	...	...	★	...	★	★	Yes	102
Connecticut .....	★	...	★	...	...	★	★	Yes	(a)
Delaware .....	...	...	★	★	...	...	...	No (b)	102 (c)
Florida .....	★	...	...	...	...	...	...	Yes	100
Georgia .....	...	★	...	...	...	★	★	Yes	...
Hawaii .....	★	...	...	...	...	...	...	Yes	100
Idaho .....	...	★	...	★	...	...	★	No	...
Illinois .....	★	...	...	...	...	...	...	Yes	100
Indiana .....	...	...	★	...	...	...	★	No	0
Iowa .....	★	...	...	...	...	★	...	No	...
Kansas .....	★	★	...	...	...	...	...	Yes	100
Kentucky .....	★	...	...	...	...	★	★	Yes	100
Louisiana .....	...	★	...	...	...	...	...	Yes	100
Maine .....	...	...	...	★	...	...	★	Yes	10 (f)
Maryland .....	★	...	...	...	...	★	★	Yes	100 (h)
Massachusetts .....	★	★	★	...	...	★	★	Yes	(i)
Michigan .....	...	...	...	...	...	★	★	Yes	25
Minnesota .....	★	...	...	...	...	...	...	Yes	110
Mississippi .....	...	...	...	...	...	...	★	Yes	105
Missouri .....	★	★	...	★	★	★	★	Yes	100
Montana .....	★	...	...	...	...	...	...	Yes	50
Nebraska .....	...	★	...	...	★	★	★	Yes	110
Nevada .....	★	...	...	...	...	★	★	Yes	102
New Hampshire .....	...	...	...	...	...	...	...	No	...
New Jersey .....	★	...	...	★	★	★	★	Yes	100
New Mexico .....	...	...	...	...	...	★	★	Yes	100
New York .....	★	...	...	★	...	★	★	Yes	102
North Carolina .....	...	...	...	...	...	...	★	Yes	100
North Dakota .....	...	...	...	...	...	...	...	No	...
Ohio .....	...	...	★	...	...	...	★	Yes	100

See footnotes at end of table.

## DEMAND DEPOSITS — Continued

State or other jurisdiction	Method for selecting depository				Agency's convenience	Treasurer's approval	Selection of depository made by	Compensation of demand depositories	Collateral above federal level	Percentage requiring collateral
	Competitive bid	Application	Negotiation	Depositor's convenience	Compensating balances					
Oklahoma .....	...	...	...	★	...	★	Treasurer	CMB, SF	Yes	110
Oregon .....	...	...	...	...	...	...	Treasurer	CMB, SF	Yes	25
Pennsylvania .....	...	★	...	...	...	...	Board (n)	CMB	Yes	100
Rhode Island .....	...	...	★	★	...	...	Treasurer	SF	Yes	100
South Carolina .....	...	...	...	★	★	...	Treasurer	CMB	Yes	100 (o)
South Dakota .....	★	...	...	...	...	...	Treasurer	CMB, SF, MB	Yes	100
Tennessee .....	...	★	...	...	...	...	Treasurer	SF	Yes	105
Texas .....	★	...	...	...	...	...	Treasurer	CMB, SF	Yes	105
Utah .....	...	...	...	★	...	...	Treasurer	SF	No	...
Vermont .....	★	...	...	★	...	...	(p)	SF, MB	Yes	100
Virginia .....	...	...	...	...	...	...	(q)	CMB, SF	Yes	50-100 (r)
Washington .....	★	...	...	★	...	...	Treasurer	CMB, SF	Yes	10
West Virginia .....	...	...	...	...	...	...	Treasurer	CMB	Yes	65
Wisconsin .....	★	...	...	★	...	...	Treasurer, Board	CMB	No	N.A.
Wyoming .....	★	...	...	...	...	...	Treasurer	CMB, SF	...	...

Source: National Association of State Treasurers, *State Treasury Activities & Functions*, 2001.

Key:

★ -Method utilized.

... -Method not utilized.

N.A. -Not available.

CMB -Compensating balances.

SF -Service fee.

MB -Minimum balance.

(a) Varies based upon bank's risk based capital ratios.

(b) No requirements if a bank meets credit criteria.

(c) If a bank does not meet credit criteria.

(d) Treasurer, Finance Secretary and a selection committee are responsible for the selection of institutions.

(e) CMB for Imprest and receipt accounts, SF for primary depository.

(f) Demand deposits that exceed 25 percent of a bank's retained earnings must be collateralized.

(g) Combination of fees, CMB.

(h) Any public funds in excess of FDIC must be collateralized.

(i) No deposits meet collateral requirements. A contractual \$100 million collateral exists with the central depository bank but is not required by law.

(j) Must be approved by State Treasurer, State Auditor, Governor.

(k) Determined by Treasurer.

(l) RFP issued. Treasury employee committee reviews.

(m) Transaction fee.

(n) Treasurer is chair of Board.

(o) 100 percent collateralization over \$300,000.

(p) State Treasurer, State Auditor, & Governor are responsible.

(q) Cash and banking services manager.

(r) Banks are required to secure all deposits in excess of FDIC insurance by 50 percent. Savings and Loans required to secure all deposits by 100 percent.

**Table 7.30**  
**SUMMARY DISTRIBUTION OF FEDERAL FUNDS, BY STATE, TERRITORY AND REGION:**  
**FISCAL YEAR 2000**  
**(In millions of dollars)**

State or other jurisdiction	Direct Payments				Grants to state and local governments	Procurement	Salaries and wages
	Total	Total	Retirement and disability	Other direct payments			
<b>United States</b> .....	\$1,637,170	\$920,780	\$555,757	\$365,023	\$308,530	\$223,324	\$184,537
<b>Eastern Region</b>							
Connecticut .....	19,517	11,390	6,734	4,656	4,033	2,699	1,396
Delaware .....	3,959	2,550	1,646	904	838	149	422
Maine .....	7,849	4,419	2,941	1,478	1,770	881	779
Massachusetts .....	40,824	22,661	12,434	10,227	9,070	6,006	3,087
New Hampshire .....	5,802	3,570	2,446	1,124	1,238	523	471
New Jersey .....	43,469	27,748	16,337	11,411	7,876	4,106	3,739
New York .....	110,333	63,982	36,155	27,827	31,564	6,909	7,879
Pennsylvania .....	73,715	47,877	28,477	19,400	13,940	6,284	5,615
Rhode Island .....	6,876	3,996	2,288	1,708	1,574	584	722
Vermont .....	3,362	1,793	1,175	618	929	320	320
Regional total .....	315,706	189,986	110,633	79,353	72,832	28,461	24,430
<b>Midwest Region</b>							
Illinois .....	60,008	38,572	22,171	16,401	11,228	3,999	6,210
Indiana .....	28,723	19,220	11,677	7,543	5,108	2,192	2,204
Iowa .....	14,751	9,934	6,022	3,912	2,714	1,115	988
Kansas .....	14,260	8,797	5,485	3,312	2,323	1,297	1,844
Michigan .....	46,823	31,216	19,207	12,009	10,107	2,374	3,126
Minnesota .....	22,992	14,251	8,297	5,954	4,753	2,090	1,897
Nebraska .....	9,611	6,370	3,450	2,920	1,720	486	1,035
North Dakota .....	5,245	3,289	1,272	2,017	1,101	238	616
Ohio .....	57,355	37,196	22,751	14,445	10,665	4,867	4,627
South Dakota .....	5,138	3,187	1,548	1,639	1,088	279	584
Wisconsin .....	24,300	15,986	10,145	5,841	5,254	1,460	1,600
Regional total .....	289,206	188,018	112,025	75,993	56,061	20,397	24,731
<b>Southern Region</b>							
Alabama .....	29,217	16,820	10,540	6,280	4,833	4,691	2,873
Arkansas .....	14,828	10,284	6,164	4,120	2,778	587	1,178
Florida .....	92,776	63,899	39,748	24,151	12,149	8,594	8,135
Georgia .....	42,460	23,137	14,221	8,916	7,520	5,102	6,700
Kentucky .....	24,444	14,286	8,915	5,371	4,687	2,747	2,724
Louisiana .....	25,955	15,296	8,413	6,883	5,300	3,096	2,264
Maryland .....	45,089	18,453	11,441	7,012	6,911	10,551	9,174
Mississippi .....	18,358	11,145	6,063	5,082	3,517	1,978	1,718
Missouri .....	35,687	20,260	11,805	8,455	5,939	6,053	3,437
North Carolina .....	41,367	24,767	15,960	8,807	8,518	2,555	5,527
Oklahoma .....	20,613	12,139	7,630	4,509	3,583	1,940	2,951
South Carolina .....	22,294	12,877	8,646	4,231	4,163	2,774	2,481
Tennessee .....	33,560	19,138	11,883	7,255	6,372	5,217	2,833
Texas .....	106,493	57,039	33,539	23,500	18,346	18,981	12,126
Virginia .....	62,709	23,747	16,548	7,199	5,163	21,321	12,477
West Virginia .....	11,739	7,424	4,962	2,462	2,729	622	963
Regional total .....	627,589	350,711	216,478	134,233	102,508	96,809	77,561
<b>Western Region</b>							
Alaska .....	5,953	1,322	845	477	2,174	1,108	1,349
Arizona .....	29,244	16,390	10,138	6,252	4,704	5,286	2,865
California .....	175,751	94,881	54,224	40,657	36,080	26,955	17,835
Colorado .....	22,918	11,191	7,280	3,911	3,591	4,349	3,787
Hawaii .....	9,015	3,960	2,583	1,377	1,348	1,278	2,429
Idaho .....	7,009	3,664	2,385	1,279	1,270	1,347	728
Montana .....	5,917	3,466	1,982	1,484	1,474	288	689
Nevada .....	8,626	5,475	3,774	1,701	1,340	836	976
New Mexico .....	14,470	5,612	3,740	1,872	3,032	4,134	1,692
Oregon .....	16,553	10,491	6,893	3,598	3,684	790	1,589
Utah .....	10,037	4,773	3,337	1,436	2,065	1,597	1,603
Washington .....	33,897	17,948	11,749	6,199	6,345	4,664	4,940
Wyoming .....	2,743	1,343	909	434	850	175	376
Regional total .....	342,133	180,516	109,839	70,677	67,957	52,807	40,858
Regional total without California .....	166,382	85,635	55,615	30,020	31,877	25,852	23,023
District of Columbia .....	28,254	3,881	1,768	2,113	4,675	7,491	12,208
American Samoa .....	112	35	34	1	59	15	3
Guam .....	839	233	161	72	138	222	247
Northern Marianas .....	70	18	14	4	47	2	2
Puerto Rico .....	12,103	7,027	4,604	2,423	3,842	415	819
Virgin Islands .....	487	232	118	114	195	14	45
Undistributed .....	20,107	3	3	0	10	16,501	3,593

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.



# FEDERAL EXPENDITURES

**Table 7.31**  
**FEDERAL GOVERNMENT GRANTS BY AGENCY AND FOR**  
**SELECTED PROGRAMS, BY STATE AND TERRITORY: FISCAL YEAR 2000**  
**(In thousands of dollars)**

<i>State or other jurisdiction</i>	<i>Total</i>	<i>Agriculture</i>	<i>Appalachian Regional Commission</i>	<i>Commerce</i>	<i>Corporation for National and Community Service</i>	<i>Corporation for Public Broadcasting</i>	<i>Defense</i>	<i>Education</i>
<b>United States .....</b>	<b>\$308,529,509</b>	<b>\$17,208,256</b>	<b>\$58,394</b>	<b>\$1,268,216</b>	<b>\$570,172</b>	<b>\$295,261</b>	<b>\$2,272,293</b>	<b>\$26,828,216</b>
Alabama .....	4,832,988	280,409	4,083	17,410	5,296	2,098	28,312	441,756
Alaska .....	2,174,196	81,980	0	68,483	4,166	5,318	16,903	261,569
Arizona .....	4,703,949	284,430	0	10,609	5,543	3,372	55,796	606,013
Arkansas .....	2,778,455	215,765	0	7,948	5,591	1,432	30,600	265,478
California .....	36,079,847	2,019,310	0	168,990	43,431	36,801	357,285	3,113,506
Colorado .....	3,591,096	162,318	0	51,224	6,451	4,243	30,661	320,476
Connecticut .....	4,032,739	135,855	0	16,380	9,946	2,410	25,263	278,522
Delaware .....	837,645	41,159	0	11,410	1,861	0	12,396	80,826
Florida .....	12,148,635	742,081	0	37,855	20,042	11,805	97,060	1,337,382
Georgia .....	7,519,814	496,183	2,960	19,566	15,580	3,851	41,949	672,776
Hawaii .....	1,348,432	86,037	0	25,894	3,308	2,180	22,675	171,865
Idaho .....	1,269,954	81,892	0	9,056	3,301	1,275	19,999	122,010
Illinois .....	11,227,831	541,876	0	21,309	16,578	9,579	46,149	1,057,492
Indiana .....	5,108,027	245,807	0	12,701	9,013	5,752	50,408	454,970
Iowa .....	2,713,621	137,761	0	5,731	5,822	2,713	11,186	230,979
Kansas .....	2,322,684	117,213	0	6,670	8,816	2,336	17,223	259,179
Kentucky .....	4,686,890	268,779	9,669	27,385	6,223	3,240	12,579	419,803
Louisiana .....	5,299,950	354,856	0	25,551	9,619	2,706	43,237	519,276
Maine .....	1,769,627	73,284	0	16,339	6,208	1,338	22,869	128,443
Maryland .....	6,910,674	212,584	2,230	27,026	13,401	5,390	80,979	418,223
Massachusetts .....	9,069,669	273,810	0	39,789	23,555	13,261	143,365	562,971
Michigan .....	10,106,759	546,621	0	37,769	13,435	6,889	96,915	928,375
Minnesota .....	4,753,408	237,863	0	14,754	11,412	8,517	42,025	384,916
Mississippi .....	3,517,039	282,744	4,015	18,418	12,308	1,902	43,258	354,277
Missouri .....	5,938,508	309,639	0	8,494	7,976	4,097	11,144	481,463
Montana .....	1,473,620	77,496	0	14,195	6,908	1,277	14,299	164,363
Nebraska .....	1,719,680	105,181	0	4,256	4,630	2,212	9,284	169,390
Nevada .....	1,339,520	72,076	0	5,597	3,818	4,738	11,570	111,933
New Hampshire .....	1,238,037	48,114	0	27,657	5,231	1,184	32,920	89,489
New Jersey .....	7,875,878	303,082	0	23,644	14,404	2,529	51,928	633,299
New Mexico .....	3,032,110	153,858	0	13,786	5,852	2,607	16,677	400,807
New York .....	31,563,975	1,251,135	3,505	60,440	40,278	21,089	102,330	1,948,599
North Carolina .....	8,517,932	441,794	3,845	24,462	9,788	38,442	48,158	639,864
North Dakota .....	1,100,886	72,675	0	4,851	1,467	1,047	10,305	123,983
Ohio .....	10,664,726	454,326	4,101	24,934	16,679	9,958	28,408	917,366
Oklahoma .....	3,583,145	252,594	0	16,532	8,798	2,020	18,160	394,543
Oregon .....	3,683,644	266,513	0	43,053	5,448	3,043	16,759	303,285
Pennsylvania .....	13,939,967	553,212	5,848	29,278	21,097	9,015	122,252	989,679
Rhode Island .....	1,573,716	54,117	0	8,469	6,318	651	18,144	105,175
South Carolina .....	4,163,275	256,201	2,559	48,597	5,527	3,445	33,510	378,831
South Dakota .....	1,088,469	68,699	0	2,515	2,346	1,125	6,897	139,804
Tennessee .....	6,372,474	310,854	4,802	11,145	9,147	7,668	30,831	471,846
Texas .....	18,345,664	1,347,293	0	45,727	38,433	10,129	93,132	2,053,071
Utah .....	2,064,513	111,423	0	7,739	4,772	3,430	22,266	197,249
Vermont .....	929,468	50,841	0	1,218	5,293	4,666	9,411	78,770
Virginia .....	5,162,895	334,592	3,320	27,680	7,064	1,105	54,586	577,351
Washington .....	6,344,870	325,957	0	58,198	28,308	5,343	42,701	507,633
West Virginia .....	2,729,095	127,177	7,348	12,155	7,560	1,147	15,914	215,507
Wisconsin .....	5,253,812	210,479	0	16,004	7,527	5,644	28,488	471,167
Wyoming .....	1,022,213	31,401	0	396	1,800	690	1,180	86,276
District of Columbia .....	4,674,655	51,502	110	10,255	28,337	4,518	57,818	202,098
American Samoa .....	59,277	6,623	0	1,148	0	84	0	611
Guam .....	137,638	22,481	0	2,015	0	563	0	2,247
No. Mariana Islands .....	47,413	1,660	0	2,067	412	0	0	354
Puerto Rico .....	3,842,164	1,588,358	0	10,699	3,026	2,892	14,128	552,690
Virgin Islands .....	195,129	16,493	0	2,745	1,022	495	0	6,779
Undistributed .....	9,623	7,022	0	0	0	0	0	0

See footnotes at end of table.

## FEDERAL GOVERNMENT GRANTS — Continued

<i>State or other jurisdiction</i>	<i>Energy</i>	<i>Environmental Protection Agency</i>	<i>Equal Employment Opportunity Commission</i>	<i>Federal Emergency Management Agency</i>	<i>Health and Human Services</i>	<i>Housing and Urban Development</i>	<i>Institute of Museum and Library Services</i>	<i>Interior</i>
<b>United States .....</b>	\$1,877,803	\$4,004,224	\$28,701	\$2,191,195	\$189,671,703	\$6,579,425	\$325,839	\$2,804,189
Alabama .....	44,477	48,256	0	36,648	2,817,052	100,394	5,201	28,171
Alaska .....	6,373	78,618	221	11,963	897,048	17,839	3,372	190,557
Arizona .....	13,095	38,103	458	6,160	2,561,616	84,877	5,579	170,185
Arkansas .....	2,164	20,920	0	7,901	1,634,895	50,032	3,016	5,427
California .....	222,024	289,484	3,178	104,927	22,947,202	792,428	32,878	331,656
Colorado .....	63,036	42,997	424	12,120	1,958,846	61,394	4,482	74,245
Connecticut .....	43,103	36,278	739	7,074	2,678,044	69,385	4,292	7,319
Delaware .....	11,534	27,715	179	6,498	437,598	13,210	1,354	4,545
Florida .....	52,679	130,576	1,241	271,197	7,076,888	258,256	16,191	12,813
Georgia .....	45,129	56,162	162	92,797	4,160,685	141,077	9,173	3,304
Hawaii .....	9,909	13,971	150	3,983	652,145	49,542	3,047	5,803
Idaho .....	9,674	33,175	282	3,491	645,363	15,381	1,779	28,953
Illinois .....	64,445	133,451	1,457	12,527	7,009,536	292,409	14,408	19,811
Indiana .....	46,624	76,855	458	7,213	3,141,624	104,426	6,301	9,038
Iowa .....	20,141	35,516	743	15,794	1,711,923	56,369	5,540	3,866
Kansas .....	14,618	33,146	394	21,166	1,375,100	51,345	3,160	8,462
Kentucky .....	15,955	55,451	238	17,872	3,048,486	86,451	4,448	16,638
Louisiana .....	6,817	64,966	0	20,910	3,387,250	129,849	4,883	30,011
Maine .....	4,207	27,139	294	10,611	1,214,751	26,739	1,907	17,313
Maryland .....	40,319	93,390	690	22,865	4,843,498	113,036	6,352	18,118
Massachusetts .....	144,918	154,558	1,325	11,678	6,245,470	186,064	8,628	6,537
Michigan .....	69,375	141,660	320	12,806	6,413,621	245,287	10,507	30,416
Minnesota .....	26,352	71,318	516	50,515	2,941,078	104,126	6,152	46,952
Mississippi .....	10,308	48,689	0	16,041	2,120,769	65,871	3,204	9,721
Missouri .....	22,332	89,149	676	23,042	3,764,815	118,034	5,844	6,831
Montana .....	5,316	36,729	288	27,218	645,215	20,856	2,261	80,596
Nebraska .....	8,484	31,172	873	3,726	1,039,778	33,700	3,068	8,783
Nevada .....	36,682	22,482	511	5,237	590,779	29,853	2,494	43,559
New Hampshire .....	8,810	37,759	80	9,160	699,141	22,694	2,511	11,809
New Jersey .....	38,414	105,890	647	80,439	4,867,033	201,170	7,809	4,096
New Mexico .....	101,649	41,580	289	17,861	1,480,218	34,786	2,846	309,390
New York .....	143,694	447,590	1,500	121,706	23,110,053	783,597	20,008	18,566
North Carolina .....	24,940	65,113	177	660,647	5,287,131	122,425	8,172	6,387
North Dakota .....	11,036	42,768	139	52,205	469,774	16,393	1,263	42,925
Ohio .....	38,506	171,577	2,186	21,608	7,251,733	283,541	11,766	3,950
Oklahoma .....	19,860	53,358	365	8,006	2,094,180	66,606	3,989	65,744
Oregon .....	16,148	60,742	457	12,492	2,177,938	62,320	4,949	89,861
Pennsylvania .....	74,626	95,222	1,649	39,059	9,139,808	400,506	13,902	21,300
Rhode Island .....	4,616	30,193	148	2,843	1,005,015	29,822	1,917	15,578
South Carolina .....	27,479	35,041	660	47,862	2,606,091	64,287	4,486	4,670
South Dakota .....	2,013	30,707	171	7,442	466,054	12,266	2,490	78,211
Tennessee .....	25,575	42,553	314	14,447	4,273,784	98,940	6,095	5,112
Texas .....	50,749	220,176	1,000	74,336	10,518,601	433,188	19,574	45,545
Utah .....	16,232	52,888	330	9,275	1,076,337	33,747	2,851	72,519
Vermont .....	3,195	26,557	61	7,194	554,752	11,586	2,386	1,981
Virginia .....	37,429	81,999	235	44,003	2,576,615	95,122	7,348	49,438
Washington .....	47,240	113,732	798	18,838	3,926,424	105,463	6,015	113,402
West Virginia .....	18,204	50,672	167	16,002	1,499,380	40,925	2,294	14,185
Wisconsin .....	41,298	76,402	1,006	27,503	3,335,114	113,773	5,735	27,193
Wyoming .....	6,807	28,544	101	3,843	247,432	8,563	1,213	361,775
District of Columbia .....	57,455	137,694	108	4,025	2,331,191	33,796	1,519	10,902
American Samoa .....	154	1,927	0	11,979	13,296	377	189	35,300
Guam .....	1	2,380	0	13,310	25,062	5,524	213	58,812
No. Mariana Islands.....	306	865	0	521	9,734	1,395	147	16,777
Puerto Rico.....	1,027	16,088	296	65,956	630,520	173,746	4,087	638
Virgin Islands .....	249	2,279	4	3,879	28,625	4,611	406	95,964
Undistributed .....	0	0	0	0	0	0	0	2,144

See footnotes at end of table.

# FEDERAL EXPENDITURES

## FEDERAL GOVERNMENT GRANTS — Continued

<i>State or other jurisdiction</i>	<i>Justice</i>	<i>Labor</i>	<i>National Aeronautics and Space Administration</i>	<i>National Archives and Records Administration</i>	<i>National Endowment for the Arts</i>	<i>National Endowment for the Humanities</i>	<i>National Science Foundation</i>	<i>Small Business Administration</i>
<b>United States .....</b>	\$3,937,242	\$6,748,928	\$963,570	\$8,219	\$80,913	\$97,218	\$3,534,963	\$30,665
Alabama .....	54,221	100,105	51,533	0	840	835	23,935	238
Alaska .....	21,914	56,200	2,443	20	764	1,002	24,720	265
Arizona .....	79,768	123,836	22,205	63	974	1,667	121,061	811
Arkansas .....	32,024	71,179	1,332	0	462	501	8,223	332
California .....	438,400	947,863	237,221	677	7,863	8,544	545,392	1,633
Colorado .....	55,373	69,752	29,350	0	1,831	938	186,279	781
Connecticut .....	43,042	91,389	6,595	163	1,201	1,083	28,989	329
Delaware .....	15,711	20,982	2,528	0	62	639	17,449	132
Florida .....	233,175	191,804	18,170	10	1,726	1,697	94,505	1,074
Georgia .....	147,434	159,031	17,188	68	2,042	2,764	70,924	646
Hawaii .....	19,454	53,546	16,901	0	688	938	23,634	365
Idaho .....	17,415	34,649	829	0	562	492	5,703	307
Illinois .....	170,854	262,056	14,822	245	2,693	6,907	177,771	140
Indiana .....	64,398	84,171	4,636	190	885	1,448	62,795	158
Iowa .....	28,080	46,843	7,456	0	679	1,383	24,023	280
Kansas .....	33,576	41,466	2,648	0	685	914	19,109	100
Kentucky .....	51,255	84,729	4,184	0	850	781	17,847	527
Louisiana .....	66,133	87,320	6,682	33	895	913	21,512	0
Maine .....	19,735	32,935	1,205	140	601	936	12,965	403
Maryland .....	87,413	129,993	71,975	232	2,117	2,863	90,814	1,618
Massachusetts .....	71,273	130,695	52,206	180	3,554	5,966	269,524	717
Michigan .....	108,055	210,315	16,331	190	1,003	1,919	121,591	705
Minnesota .....	57,689	87,683	5,244	73	2,536	1,808	49,790	845
Mississippi .....	39,662	64,379	11,688	0	743	662	21,099	66
Missouri .....	72,261	98,824	21,628	29	1,855	1,018	33,708	1,068
Montana .....	28,614	33,143	6,192	58	621	559	15,503	244
Nebraska .....	26,299	29,938	1,786	37	723	688	14,675	248
Nevada .....	38,857	43,376	1,615	183	593	687	13,956	155
New Hampshire .....	39,097	23,686	9,606	0	639	1,337	13,872	433
New Jersey .....	85,541	208,227	10,868	290	1,357	2,017	78,585	1,464
New Mexico .....	44,587	71,472	10,540	77	884	1,115	26,859	279
New York .....	337,723	490,493	43,001	2,011	12,410	11,947	275,472	770
North Carolina .....	94,563	140,939	8,524	140	972	2,585	76,608	599
North Dakota .....	16,521	33,306	2,764	266	613	597	8,170	340
Ohio .....	94,610	202,546	35,373	19	1,690	2,822	60,750	742
Oklahoma .....	43,722	60,206	2,863	30	606	679	21,531	297
Oregon .....	43,176	108,346	5,586	0	1,068	1,000	43,033	602
Pennsylvania .....	128,492	278,682	22,019	109	2,887	3,620	189,852	1,795
Rhode Island .....	17,783	33,262	4,856	204	945	447	22,175	143
South Carolina .....	56,131	79,579	4,000	178	957	968	21,087	76
South Dakota .....	25,511	26,794	961	20	651	633	10,145	31
Tennessee .....	84,265	114,239	6,164	262	917	735	34,813	221
Texas .....	227,727	418,846	65,320	86	2,937	3,154	116,302	1,761
Utah .....	30,869	43,732	3,865	0	804	867	27,849	140
Vermont .....	15,589	17,873	800	111	671	1,278	8,988	315
Virginia .....	114,703	247,066	30,604	603	1,177	2,945	91,574	756
Washington .....	89,848	175,310	11,459	0	1,678	1,441	72,805	228
West Virginia .....	33,778	48,679	15,467	0	593	534	50,175	263
Wisconsin .....	56,486	116,265	10,557	526	868	1,960	65,673	395
Wyoming .....	12,566	20,000	718	10	1,058	471	9,089	140
District of Columbia .....	67,241	241,494	17,314	678	2,983	1,976	77,265	3,819
American Samoa .....	3,653	1,414	0	10	5	228	0	140
Guam .....	4,325	4,285	0	0	265	262	145	0
No. Mariana Islands .....	2,087	634	0	0	459	244	0	103
Puerto Rico .....	41,111	145,543	3,745	0	527	542	13,143	485
Virgin Islands .....	3,458	6,083	0	0	246	264	1,505	140
Undistributed .....	0	0	0	0	0	0	0	0

See footnotes at end of table.

## FEDERAL GOVERNMENT GRANTS — Continued

<i>State or other jurisdiction</i>	<i>Social Security Administration</i>	<i>State</i>	<i>State Justice Institute</i>	<i>Tennessee Valley Authority</i>	<i>Transportation</i>	<i>Treasury</i>	<i>Veterans Affairs</i>	<i>Other</i>
<b>United States .....</b>	\$11,772	\$157,562	\$5,863	\$307,551	\$34,805,015	\$1,487,307	\$311,747	\$57,086
Alabama .....	0	512	23	73,794	660,701	377	5,944	367
Alaska .....	0	265	19	0	421,631	80	0	463
Arizona .....	0	2,907	409	0	497,813	2,729	3,341	529
Arkansas .....	0	470	10	0	410,992	90	1,208	462
California .....	510	17,651	135	0	3,364,308	20,158	13,608	12,786
Colorado .....	0	2,497	237	0	442,898	412	5,644	2,188
Connecticut .....	0	2,219	1	0	536,515	315	5,040	1,250
Delaware .....	0	749	43	0	128,896	114	0	56
Florida .....	0	3,981	85	0	1,519,531	10,830	4,386	1,596
Georgia .....	0	3,310	134	4,398	1,338,876	918	10,168	558
Hawaii .....	0	350	52	0	181,533	310	0	150
Idaho .....	0	423	108	0	227,691	100	5,046	1,000
Illinois .....	1,600	7,815	726	279	1,315,535	5,589	17,687	2,083
Indiana .....	0	3,284	7	0	708,670	521	5,046	628
Iowa .....	931	1,970	10	0	346,228	106	10,825	722
Kansas .....	0	1,333	47	0	301,961	87	1,682	250
Kentucky .....	0	1,232	23	20,660	506,037	138	5,183	224
Louisiana .....	0	2,176	13	0	508,139	539	5,516	148
Maine .....	0	676	33	0	142,594	35	5,820	106
Maryland .....	0	3,102	327	0	612,344	2,596	4,951	2,229
Massachusetts .....	1,804	9,707	28	0	694,069	440	10,311	3,266
Michigan .....	1,248	3,219	331	0	1,071,445	1,083	14,493	833
Minnesota .....	600	3,621	14	0	584,969	206	11,134	701
Mississippi .....	0	862	3	15,960	359,891	95	10,372	32
Missouri .....	0	2,423	56	0	837,894	715	12,784	707
Montana .....	0	709	0	0	287,183	291	2,560	925
Nebraska .....	0	820	21	0	210,776	259	8,844	31
Nevada .....	0	612	257	0	297,568	171	0	159
New Hampshire .....	472	918	47	0	148,001	7	2,697	665
New Jersey .....	0	2,282	27	0	1,129,874	6,104	14,435	422
New Mexico .....	661	1,566	207	0	287,786	808	2,433	629
New York .....	1,154	20,205	212	0	2,244,767	29,372	14,930	5,419
North Carolina .....	242	3,911	2	1,168	802,831	1,294	1,728	481
North Dakota .....	0	376	23	0	185,567	85	1,361	67
Ohio .....	573	4,304	49	0	1,008,367	1,102	9,341	1,800
Oklahoma .....	405	1,399	8	0	424,850	134	20,924	736
Oregon .....	0	2,310	2	0	412,688	702	1,861	263
Pennsylvania .....	0	6,501	43	0	1,767,718	1,489	18,861	1,447
Rhode Island .....	0	626	4	0	205,032	121	4,492	619
South Carolina .....	0	1,096	1	0	474,161	202	5,386	207
South Dakota .....	0	366	13	0	201,146	0	1,303	157
Tennessee .....	0	1,484	478	191,204	618,626	950	3,681	1,323
Texas .....	0	6,564	25	0	2,537,384	11,602	0	3,003
Utah .....	0	1,216	44	0	342,410	140	1,237	282
Vermont .....	680	498	32	0	121,663	86	2,177	798
Virginia .....	0	3,193	1,157	88	765,213	1,584	3,520	825
Washington .....	0	3,595	77	0	680,672	342	7,191	171
West Virginia .....	0	223	22	0	549,764	37	831	90
Wisconsin .....	894	2,244	2	0	618,240	1,032	10,724	614
Wyoming .....	0	92	15	0	197,310	0	724	0
District of Columbia .....	0	13,598	216	0	321,662	993,373	0	1,709
American Samoa .....	0	0	0	0	6,097	0	0	0
Guam .....	0	37	1	0	22,155	172	0	0
No. Mariana Islands .....	0	0	0	0	9,649	0	0	0
Puerto Rico .....	0	11	4	0	184,863	387,265	316	456
Virgin Islands .....	0	51	0	0	19,832	0	0	0
Undistributed .....	0	0	0	0	0	0	0	457

Source : U.S. Department of Commerce, Bureau of the Census, January 2002.

Note : Detail may not add to totals due to rounding. All amounts in this table represent actual expenditures of the federal government during the fiscal year.

## FEDERAL EXPENDITURES

**Table 7.32**  
**FEDERAL GOVERNMENT EXPENDITURES FOR SALARIES AND WAGES,**  
**BY STATE AND TERRITORY: FISCAL YEAR 2000**  
(In thousands of dollars)

State or other jurisdiction	Department of Defense					Non-defense agencies			
	Total	Total	Military		Civilian	Total	Postal Service	Veterans Affairs	Other non-defense*
			Active	Inactive					
<b>United States .....</b>	\$184,536,533	\$70,009,814	\$37,343,617	\$4,741,139	\$27,925,058	\$114,526,719	\$49,531,998	\$9,925,960	\$55,068,761
Alabama .....	2,873,115	1,381,972	384,778	133,646	863,548	1,491,143	587,867	180,757	722,519
Alaska .....	1,348,980	733,933	534,786	24,819	174,328	615,047	135,938	18,808	460,301
Arizona .....	2,864,554	1,049,810	691,202	51,378	307,230	1,814,744	737,936	186,691	890,117
Arkansas .....	1,178,302	364,275	168,025	75,820	120,430	814,027	416,106	157,179	240,742
California .....	17,835,371	7,422,867	4,271,593	333,271	2,818,003	10,412,504	5,427,316	929,268	4,055,920
Colorado .....	3,786,862	1,438,400	960,339	80,339	397,722	2,348,462	892,334	126,194	1,329,934
Connecticut .....	1,395,984	355,481	221,504	37,839	96,138	1,040,503	700,341	103,583	236,579
Delaware .....	421,709	215,114	126,206	36,354	52,554	206,595	139,067	28,307	39,221
Florida .....	8,135,023	3,359,824	2,098,523	164,757	1,096,544	4,775,199	2,557,227	575,848	1,642,124
Georgia .....	6,700,344	3,503,524	2,181,616	164,709	1,157,199	3,196,820	1,306,302	237,783	16,552,735
Hawaii .....	2,428,988	2,044,932	1,324,083	54,831	666,018	384,056	162,688	23,093	198,275
Idaho .....	727,563	128,959	143,999	27,533	47,427	508,604	174,055	32,045	302,504
Illinois .....	6,209,573	1,778,206	1,123,182	132,326	522,698	4,431,367	2,658,803	428,850	134,714
Indiana .....	2,203,678	542,784	37,752	151,466	353,566	1,660,894	952,455	138,036	570,403
Iowa .....	988,297	134,042	16,308	66,152	51,582	854,255	549,489	107,276	197,490
Kansas .....	1,843,580	788,727	532,009	66,558	190,160	1,054,853	533,377	115,026	406,450
Kentucky .....	2,723,710	1,479,838	1,196,106	70,536	213,196	1,243,872	600,538	130,102	513,232
Louisiana .....	2,263,638	909,892	522,465	113,077	274,350	1,353,746	634,588	170,595	548,563
Maine .....	778,853	360,025	91,748	32,544	235,733	418,828	265,724	41,912	111,192
Maryland .....	9,173,970	2,711,823	1,059,794	98,235	1,553,794	6,462,147	1,019,043	154,044	5,289,060
Massachusetts .....	3,086,779	483,810	92,106	94,556	297,148	2,602,969	1,430,612	270,586	901,771
Michigan .....	3,125,714	453,975	33,953	84,710	335,312	2,671,739	1,809,331	246,400	616,008
Minnesota .....	1,897,479	217,902	24,021	102,709	91,172	1,679,577	1,031,453	179,428	468,696
Mississippi .....	1,718,326	965,067	507,628	100,374	357,065	753,259	330,278	138,100	284,881
Missouri .....	3,436,666	1,024,359	524,028	177,299	323,032	2,412,307	1,200,607	230,887	980,813
Montana .....	689,111	172,915	106,875	26,203	39,837	516,196	156,848	24,376	334,972
Nebraska .....	1,034,917	428,423	266,775	37,227	124,421	606,494	354,577	62,228	189,689
Nevada .....	976,068	362,007	265,958	19,769	76,280	614,061	292,526	64,278	257,257
New Hampshire .....	470,824	90,888	30,488	21,937	38,463	379,936	228,754	29,432	121,750
New Jersey .....	3,738,778	1,078,238	302,403	93,322	682,513	2,660,540	1,847,135	152,692	660,713
New Mexico .....	1,691,932	691,413	369,530	30,898	290,985	1,000,519	263,899	80,068	656,552
New York .....	7,879,117	1,245,882	647,678	182,746	415,458	6,633,235	3,809,664	746,297	2,077,274
North Carolina .....	5,527,034	3,391,014	2,713,897	107,370	569,747	2,136,020	1,247,536	219,860	668,624
North Dakota .....	615,963	308,962	219,788	32,131	57,043	307,001	129,264	28,805	148,932
Ohio .....	4,626,848	1,384,153	239,065	148,002	997,086	3,242,695	2,054,354	359,020	829,321
Oklahoma .....	2,950,869	1,765,026	868,891	92,295	803,840	1,185,843	512,832	110,227	562,784
Oregon .....	1,588,579	201,142	19,512	70,963	110,667	1,387,437	550,689	141,310	695,438
Pennsylvania .....	5,615,499	1,300,390	112,241	187,810	1,000,339	4,315,109	2,391,254	445,092	1,478,763
Rhode Island .....	722,478	387,151	132,795	31,881	222,475	335,327	227,659	38,349	69,319
South Carolina .....	2,480,699	1,557,208	1,105,026	109,839	342,343	923,491	496,876	118,136	308,479
South Dakota .....	584,346	166,961	97,732	27,069	42,160	417,835	137,711	69,234	120,440
Tennessee .....	2,832,874	442,585	90,551	109,453	242,581	2,390,289	903,179	276,264	1,210,846
Texas .....	12,126,374	5,262,281	3,515,519	297,652	1,449,110	6,864,093	3,103,275	689,045	3,071,773
Utah .....	1,602,537	762,281	161,051	88,988	512,242	840,256	287,155	64,882	488,219
Vermont .....	320,445	44,324	2,255	23,700	18,369	276,131	136,460	31,043	108,628
Virginia .....	12,477,321	8,263,099	4,522,802	109,678	3,630,619	4,214,222	1,315,896	214,037	2,684,289
Washington .....	4,940,200	2,695,747	1,639,139	115,283	941,325	2,244,453	945,781	206,123	1,092,549
West Virginia .....	963,155	130,007	19,066	50,797	60,144	833,148	296,332	138,836	397,980
Wisconsin .....	1,599,903	219,714	25,673	95,543	98,498	1,380,189	902,554	174,450	303,185
Wyoming .....	417,179	157,509	106,232	17,490	33,787	259,700	80,510	31,609	147,551
Dist. of Columbia .....	12,207,957	1,110,080	420,201	41,579	648,300	11,097,877	384,246	343,108	10,370,523
American Samoa .....	2,799	19	0	0	19	2,780	0	49	2,731
Guam .....	246,556	219,950	123,734	10,320	85,896	26,606	7,613	360	26,246
No. Mariana Islands .....	2,435	0	0	0	0	2,435	678	0	2,435
Puerto Rico .....	818,838	253,719	100,047	82,628	71,044	565,119	197,937	115,322	251,860
Virgin Islands .....	45,000	5,818	939	2,728	2,151	39,182	15,330	630	38,552
Undistributed .....	3,592,833	1,971,367	250,000	0	1,721,367	1,621,466	0	0	1,621,466

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.  
Note: Other non-defense includes ( in thousands of dollars) Treasury- \$7,703,120; Justice- \$7,122,660; Transportation- \$5,938,573; Commerce-

\$4,261,633; Health and Human Services- \$3,679,426; Social Security Administration- \$3,181,009.

Table 7.33

**FEDERAL GOVERNMENT DIRECT PAYMENTS BY PROGRAM,  
STATE AND TERRITORY: FISCAL YEAR 2000**  
(In thousands of dollars)

State or other jurisdiction	Total	Social Security			Medicare payments		Federal retirement & disability payments		Payments for unemployment compensation
		Retirement insurance payments	Survivors insurance payments	Disability insurance payments	Hospital insurance	Supplementary medical insurance	Civilian	Military	
United States .....	\$920,780,147	\$267,261,151	\$81,716,633	\$60,317,825	\$128,535,163	\$87,153,473	\$45,973,279	\$32,110,614	\$18,794,759
Alabama .....	16,819,702	4,071,210	1,594,340	1,413,907	2,407,721	1,417,368	1,111,983	833,892	188,692
Alaska .....	1,322,027	279,575	97,072	83,191	107,417	60,746	138,371	117,199	108,799
Arizona .....	16,389,523	4,924,278	1,253,540	1,015,742	1,855,379	1,416,715	910,360	900,201	147,620
Arkansas .....	10,284,105	2,609,162	903,532	865,107	1,284,285	798,003	444,837	386,274	158,972
California .....	94,880,874	25,882,144	7,257,402	5,361,435	14,068,109	10,753,492	4,330,038	3,617,838	2,339,197
Colorado .....	11,191,611	3,064,445	932,421	736,193	1,283,488	892,582	830,445	890,100	152,035
Connecticut .....	14,286,509	4,128,934	970,525	665,110	1,864,197	1,243,602	283,333	169,329	327,115
Delaware .....	2,550,544	844,633	234,087	175,309	327,058	222,433	127,387	109,391	65,177
Florida .....	63,898,368	20,192,831	4,965,952	3,574,918	9,708,891	8,066,472	3,188,420	3,416,873	630,123
Georgia .....	23,137,356	5,715,425	1,994,120	1,813,222	2,995,255	1,908,617	1,384,968	1,297,484	284,397
Hawaii .....	3,959,915	1,191,693	255,081	166,756	380,580	302,893	470,383	259,149	102,537
Idaho .....	3,663,881	1,142,803	330,251	236,113	370,336	250,697	217,650	173,827	94,787
Illinois .....	38,572,461	11,841,528	3,701,807	2,262,103	5,844,674	3,626,700	1,220,415	501,000	1,127,397
Indiana .....	19,219,641	6,284,408	1,969,073	1,338,919	2,622,310	1,622,737	639,864	302,708	225,960
Iowa .....	9,933,470	3,385,197	1,046,135	542,499	1,129,747	873,687	366,100	134,877	192,816
Kansas .....	8,796,495	2,787,009	843,109	482,272	1,127,035	816,462	439,638	320,366	149,455
Kentucky .....	14,286,509	3,417,933	1,405,777	1,526,382	1,861,382	1,132,821	589,669	352,469	245,804
Louisiana .....	15,295,471	3,285,845	1,670,785	1,104,346	2,731,089	1,443,950	474,452	430,281	157,331
Maine .....	4,419,491	1,332,240	389,984	375,735	535,799	343,193	265,817	172,239	74,184
Maryland .....	18,453,377	4,420,674	1,383,630	834,668	2,326,396	1,646,312	2,849,551	834,454	246,989
Massachusetts .....	22,660,851	6,567,623	1,743,754	1,489,440	4,169,231	2,291,762	864,420	301,485	759,520
Michigan .....	31,216,841	10,392,051	3,335,111	2,374,079	4,599,991	3,394,340	737,406	342,941	831,273
Minnesota .....	14,251,057	4,557,584	1,327,103	784,577	1,685,032	1,103,058	472,364	210,517	359,798
Mississippi .....	11,145,364	2,307,083	913,082	951,310	1,421,072	800,836	446,712	380,636	107,096
Missouri .....	20,259,363	5,775,258	1,833,183	1,399,071	2,807,735	1,808,042	951,344	512,290	290,444
Montana .....	3,466,549	896,527	284,152	200,719	324,243	224,507	208,821	111,191	55,005
Nebraska .....	6,370,675	1,744,089	529,207	287,233	589,578	428,229	240,819	216,331	49,901
Nevada .....	5,475,239	1,783,408	420,251	371,148	605,349	454,575	371,520	448,688	191,731
New Hampshire .....	3,570,631	1,262,707	304,177	270,949	440,914	269,069	232,118	165,243	25,682
New Jersey .....	27,747,714	9,499,143	2,433,414	1,619,114	4,274,553	3,058,564	1,053,670	322,095	1,002,263
New Mexico .....	5,611,011	1,459,441	479,029	369,684	534,925	398,483	482,226	377,224	69,936
New York .....	63,981,782	19,533,801	5,214,457	4,348,921	10,250,654	7,030,514	1,794,004	455,756	1,448,604
North Carolina .....	24,767,132	7,476,121	2,101,684	2,170,979	3,031,707	1,888,502	1,105,648	1,207,184	447,922
North Dakota .....	3,289,667	632,451	235,432	99,899	257,893	181,419	111,149	52,316	31,448
Ohio .....	37,196,171	11,428,961	4,112,927	2,375,030	5,380,482	3,584,431	1,391,461	615,689	667,079
Oklahoma .....	12,139,035	3,290,626	1,138,447	749,607	1,719,299	951,219	896,230	511,668	102,297
Oregon .....	10,490,805	3,583,437	958,855	655,672	1,171,919	869,949	581,593	332,495	392,870
Pennsylvania .....	47,876,134	15,065,494	4,719,009	2,684,237	8,055,530	5,195,271	1,989,457	686,108	1,280,897
Rhode Island .....	3,995,637	1,216,756	282,044	265,432	583,627	351,952	178,209	99,331	141,295
South Carolina .....	12,876,096	3,674,030	1,131,150	1,168,949	1,481,766	979,866	730,866	860,210	179,948
South Dakota .....	3,186,007	752,579	247,462	130,711	283,369	192,261	163,126	84,049	11,949
Tennessee .....	19,137,500	5,185,814	1,788,289	1,633,128	2,968,340	1,532,629	937,402	700,783	320,831
Texas .....	57,039,428	14,527,430	5,443,777	3,066,538	8,087,664	4,795,890	2,844,484	3,184,080	961,537
Utah .....	4,772,804	1,471,252	422,306	259,665	505,696	315,844	651,274	200,412	92,614
Vermont .....	1,792,432	613,743	174,320	139,009	229,435	134,617	74,719	49,044	40,768
Virginia .....	23,747,213	5,745,366	1,828,478	1,523,646	2,363,440	1,622,650	2,990,663	2,687,637	170,936
Washington .....	17,948,402	5,407,617	1,455,377	1,065,446	1,890,932	1,383,134	1,190,561	1,184,187	860,328
West Virginia .....	7,424,204	1,938,003	876,890	636,954	1,003,654	635,244	281,371	133,261	104,455
Wisconsin .....	15,986,164	5,835,757	1,628,846	990,081	1,970,920	1,362,828	448,016	221,274	475,841
Wyoming .....	1,457,356	460,662	136,248	94,556	167,314	104,968	102,855	67,135	23,354
Dist. of Columbia .....	3,881,308	371,659	121,194	112,150	357,225	248,684	905,287	57,869	64,740
American Samoa .....	34,855	8,189	8,816	9,094	0	0	1,458	2,893	0
Guam .....	233,120	47,944	20,799	9,197	681	436	55,175	19,750	0
No. Mariana Islands .....	18,245	3,630	3,510	1,060	0	0	740	746	0
Puerto Rico .....	7,027,227	1,877,590	845,809	1,223,383	477,868	712,392	185,360	83,718	210,459
Virgin Islands .....	232,645	64,741	19,174	13,540	11,979	7,826	13,952	4,427	2,550
Undistributed .....	2,909	0	0	0	0	0	2,762	0	0

See footnotes at end of table.

# FEDERAL EXPENDITURES

## FEDERAL GOVERNMENT DIRECT PAYMENTS — Continued

<i>State or other jurisdiction</i>	<i>Veteran's benefit program</i>	<i>Supplemental security income payments</i>	<i>Food Stamps</i>	<i>Housing assistance</i>	<i>Excess earned income tax credits</i>	<i>Agricultural assistance</i>	<i>Employee life and health insurance</i>	<i>All Other</i>
<b>United States .....</b>	\$21,616,114	\$35,027,441	\$14,985,275	\$37,160,392	\$27,119,465	\$22,476,550	\$12,729,992	\$27,802,022
<b>Alabama .....</b>	499,970	807,021	343,735	415,947	710,531	307,082	275,687	420,616
<b>Alaska .....</b>	75,047	40,940	45,835	96,418	32,709	4,780	1,556	32,370
<b>Arizona .....</b>	465,162	464,133	240,246	264,632	493,927	130,160	1,475,121	432,307
<b>Arkansas .....</b>	380,800	418,207	206,236	287,824	377,672	803,474	87,063	272,657
<b>California .....</b>	1,753,858	5,187,078	1,639,311	4,921,279	3,297,075	1,011,422	987,873	2,473,321
<b>Colorado .....</b>	358,340	292,314	126,585	395,526	282,799	390,536	171,409	392,392
<b>Connecticut .....</b>	158,277	284,470	138,008	719,614	183,601	12,476	49,270	191,594
<b>Delaware .....</b>	56,204	65,383	31,127	110,665	69,096	24,692	22,363	65,538
<b>Florida .....</b>	1,623,798	2,082,495	772,124	1,479,617	1,805,597	175,433	596,763	1,618,058
<b>Georgia .....</b>	713,259	993,002	488,889	882,122	1,079,779	644,034	320,409	622,374
<b>Hawaii .....</b>	100,842	114,266	166,260	192,594	78,123	6,587	104,253	67,918
<b>Idaho .....</b>	108,510	97,811	46,164	80,535	109,297	234,117	40,406	130,576
<b>Illinois .....</b>	468,771	1,554,056	777,031	1,637,247	1,051,826	1,510,807	283,479	1,163,620
<b>Indiana .....</b>	325,337	512,349	269,125	819,472	481,786	455,051	145,983	1,204,560
<b>Iowa .....</b>	175,836	207,749	100,183	264,208	176,330	915,360	96,227	326,521
<b>Kansas .....</b>	196,035	197,748	82,701	166,053	189,413	597,219	76,326	325,653
<b>Kentucky .....</b>	376,861	946,528	336,743	407,126	404,948	568,927	230,205	482,934
<b>Louisiana .....</b>	397,392	896,460	448,097	485,895	813,178	444,156	131,129	381,085
<b>Maine .....</b>	198,456	147,005	81,408	196,703	92,374	27,032	53,695	133,986
<b>Maryland .....</b>	356,457	497,360	199,459	816,102	429,216	84,033	1,091,145	436,932
<b>Massachusetts .....</b>	498,173	840,634	181,518	1,807,664	328,525	16,238	253,833	547,031
<b>Michigan .....</b>	480,154	1,251,131	456,597	1,007,483	756,013	388,145	198,785	671,342
<b>Minnesota .....</b>	312,121	358,366	164,154	565,446	252,388	1,376,120	173,914	548,515
<b>Mississippi .....</b>	305,791	650,706	226,108	374,472	585,349	1,297,944	105,769	271,398
<b>Missouri .....</b>	427,182	597,430	358,046	582,994	526,893	827,177	950,191	612,083
<b>Montana .....</b>	101,954	73,689	51,308	137,075	82,543	499,959	37,827	177,028
<b>Nebraska .....</b>	159,953	109,977	60,889	161,511	117,837	1,347,539	53,594	273,989
<b>Nevada .....</b>	169,632	137,137	56,643	120,466	166,512	10,516	49,105	118,559
<b>New Hampshire .....</b>	120,290	64,161	28,129	186,368	60,677	4,754	55,737	79,655
<b>New Jersey .....</b>	400,561	769,897	303,821	1,491,214	594,266	28,883	203,586	692,670
<b>New Mexico .....</b>	232,698	241,943	139,570	170,395	257,904	88,915	96,754	211,883
<b>New York .....</b>	952,749	3,352,717	1,361,454	4,056,435	1,742,694	108,028	469,152	1,861,841
<b>North Carolina .....</b>	768,724	919,890	403,129	670,194	926,848	704,949	195,984	747,667
<b>North Dakota .....</b>	48,725	38,250	25,295	80,527	43,647	1,312,697	30,428	108,092
<b>Ohio .....</b>	706,007	1,484,416	520,259	1,926,102	911,618	652,550	274,194	1,164,965
<b>Oklahoma .....</b>	542,952	373,410	208,702	369,917	394,046	466,969	93,832	329,813
<b>Oregon .....</b>	336,195	290,545	198,486	315,545	251,828	138,296	94,415	318,706
<b>Pennsylvania .....</b>	835,201	1,565,371	655,726	1,755,726	901,734	111,606	637,130	1,737,636
<b>Rhode Island .....</b>	94,099	133,551	59,272	397,874	75,247	1,096	21,180	94,673
<b>South Carolina .....</b>	404,334	550,430	249,259	402,499	564,454	154,190	6,437	337,708
<b>South Dakota .....</b>	82,340	64,937	36,787	103,721	60,727	826,583	19,189	126,219
<b>Tennessee .....</b>	530,474	859,559	415,089	748,027	670,251	327,867	26,000	493,018
<b>Texas .....</b>	1,774,311	2,022,310	1,215,160	1,779,093	2,899,815	2,250,923	489,759	1,696,657
<b>Utah .....</b>	106,588	114,569	68,317	110,010	145,051	31,778	47,647	229,780
<b>Vermont .....</b>	49,705	54,761	31,996	74,850	38,530	9,527	4,931	72,476
<b>Virginia .....</b>	688,923	685,697	262,412	730,862	601,908	142,843	708,393	993,358
<b>Washington .....</b>	634,799	577,622	241,496	554,216	390,128	386,625	194,115	531,820
<b>West Virginia .....</b>	239,303	404,376	185,496	207,789	185,250	24,483	36,363	331,312
<b>Wisconsin .....</b>	346,960	478,714	128,811	577,155	308,101	472,002	125,715	615,142
<b>Wyoming .....</b>	44,035	30,448	18,592	43,972	40,281	38,867	9,969	74,099
<b>Dist. of Columbia .....</b>	52,784	120,058	76,672	370,228	75,390	36,095	755,347	155,926
<b>American Samoa .....</b>	3,442	0	0	0	0	1	0	965
<b>Guam .....</b>	7,591	0	35,880	17,630	0	1	13,376	4,658
<b>No. Mariana Islands .....</b>	427	4,365	0	2,327	0	4	0	1,436
<b>Puerto Rico .....</b>	365,675	0	0	561,735	3,733	44,218	56,978	378,309
<b>Virgin Islands .....</b>	1,924	0	20,936	59,164	0	783	0	11,647
<b>Undistributed .....</b>	0	0	0	0	0	0	0	147

Source : U.S. Department of Commerce, Bureau of the Census.

Note : Detail may not add to totals due to rounding. Amounts represent actual expenditures during fiscal year.



Table 7.34

**FEDERAL GOVERNMENT PROCUREMENT CONTRACTS—  
VALUE OF AWARDS, BY STATE AND TERRITORY: FISCAL YEAR 2000**  
(In thousands of dollars)

<i>State or other jurisdiction</i>	<i>Total</i>	<i>Department of Defense</i>	<i>Non-defense Total</i>	<i>Energy</i>	<i>Postal Service</i>	<i>General Services Administration</i>	<i>Aeronautics and Space Administration</i>	<i>Other non-defense</i>
<b>United States .....</b>	<b>\$223,324,037</b>	<b>\$133,830,978</b>	<b>\$89,493,059</b>	<b>\$16,923,805</b>	<b>\$13,459,998</b>	<b>\$11,080,994</b>	<b>\$10,975,605</b>	<b>\$37,052,657</b>
Alabama .....	4,691,476	3,290,180	1,401,296	619	159,749	284,912	426,664	529,352
Alaska .....	1,108,250	843,815	264,435	30	36,940	26,641	13,595	187,229
Arizona .....	5,286,371	4,579,347	707,024	18,217	200,529	43,141	57,283	387,854
Arkansas .....	587,069	350,491	236,578	1,363	113,074	15,518	374	106,249
California .....	26,954,801	17,858,327	9,096,474	2,052,078	1,474,838	1,024,988	2,487,527	2,057,043
Colorado .....	4,348,891	2,225,568	2,123,323	941,916	242,486	257,133	164,839	516,949
Connecticut .....	2,698,728	2,123,934	574,794	11,265	190,313	17,806	136,661	218,749
Delaware .....	149,433	88,344	61,089	0	37,791	6,204	2,278	14,816
Florida .....	8,594,347	6,585,902	2,008,445	7,322	694,910	296,410	567,194	442,609
Georgia .....	5,102,281	3,655,910	1,446,371	18,343	354,979	359,245	6,361	707,443
Hawaii .....	1,278,008	1,146,260	131,748	0	44,209	21,471	5,761	60,307
Idaho .....	1,347,493	211,868	1,135,625	928,405	47,298	16,353	181	143,388
Illinois .....	3,998,614	1,647,624	2,350,990	798,367	722,512	126,480	12,145	691,486
Indiana .....	2,192,056	1,609,776	582,280	5,185	258,823	32,959	56,042	229,271
Iowa .....	1,115,415	615,525	499,890	24,278	149,320	40,385	1,169	284,738
Kansas .....	1,297,115	921,326	375,789	251	144,942	73,792	1,544	155,260
Kentucky .....	2,746,655	837,644	1,909,011	141,293	163,192	84,899	133	1,519,494
Louisiana .....	3,096,129	2,015,559	1,080,570	119,297	172,445	29,980	367,835	391,013
Maine .....	881,317	747,983	133,334	982	72,209	9,058	0	51,085
Maryland .....	10,550,911	4,968,467	5,582,444	119,788	276,918	547,865	1,005,757	3,632,116
Massachusetts .....	6,006,445	4,678,343	1,328,102	16,759	388,760	152,558	109,384	660,641
Michigan .....	2,373,981	1,451,312	922,669	329	491,674	85,757	8,752	336,157
Minnesota .....	2,089,888	1,456,176	633,712	2,734	280,291	18,604	3,635	328,448
Mississippi .....	1,977,531	1,553,549	423,982	250	89,751	23,161	144,937	165,883
Missouri .....	6,052,865	4,471,768	1,581,097	421,984	326,257	162,512	14,322	656,022
Montana .....	287,686	91,999	195,687	21,214	42,622	8,433	1,287	122,131
Nebraska .....	486,114	254,028	232,086	1,101	96,354	29,081	94	105,456
Nevada .....	835,627	258,818	576,809	387,407	79,492	9,850	2,217	97,843
New Hampshire .....	522,769	400,108	122,661	33	62,162	21,298	6,790	32,378
New Jersey .....	4,106,192	2,952,384	1,153,808	23,488	501,947	105,095	68,762	454,516
New Mexico .....	4,134,497	628,895	3,505,602	3,084,617	71,713	81,461	60,782	207,029
New York .....	6,908,572	3,781,184	3,127,388	675,199	1,035,252	242,134	27,733	1,147,070
North Carolina .....	2,554,548	1,211,995	1,342,553	49,448	339,010	185,340	13,941	754,814
North Dakota .....	237,995	134,667	103,328	6,309	35,127	2,645	0	59,247
Ohio .....	4,867,174	3,070,386	1,796,788	572,056	558,257	96,148	206,599	363,728
Oklahoma .....	1,940,447	1,419,459	520,988	4,261	139,359	178,372	7,141	191,855
Oregon .....	789,862	273,726	516,136	3,115	149,646	44,841	6,667	311,867
Pennsylvania .....	6,283,610	3,948,030	2,335,580	488,737	649,808	172,195	21,043	1,003,797
Rhode Island .....	584,196	413,487	170,709	50	61,865	13,688	181	94,925
South Carolina .....	2,774,247	1,047,623	1,726,624	1,401,108	135,023	50,047	273	140,173
South Dakota .....	279,402	86,092	193,310	5,841	37,422	14,223	74	135,750
Tennessee .....	5,217,208	1,075,845	4,141,363	1,771,356	245,433	46,984	19,801	2,057,789
Texas .....	18,981,335	12,024,866	6,956,469	307,084	843,295	384,521	3,906,945	1,514,624
Utah .....	1,596,671	948,877	647,794	30,740	78,032	35,895	373,862	129,265
Vermont .....	320,063	242,941	77,122	190	37,082	9,515	515	29,820
Virginia .....	21,321,145	13,537,345	7,783,800	775,906	357,586	2,273,253	412,029	3,965,026
Washington .....	4,663,525	2,207,265	2,456,260	1,554,690	257,010	178,543	17,115	448,902
West Virginia .....	622,266	73,016	549,250	50,867	80,526	29,466	25,428	362,963
Wisconsin .....	1,460,280	761,347	698,933	1,072	245,263	36,045	10,631	405,922
Wyoming .....	323,143	100,470	222,673	1,415	21,878	3,119	113	196,148
Dist. of Columbia .....	7,490,511	1,295,360	6,195,151	46,044	104,416	2,244,434	37,035	3,763,222
American Samoa .....	14,601	1,582	13,019	0	0	0	0	13,019
Guam .....	222,012	211,319	10,693	0	2,069	4,485	0	4,139
No. Mariana Islands .....	1,935	1,509	426	0	184	0	0	242
Puerto Rico .....	414,621	289,233	125,388	0	53,788	12,608	0	58,992
Virgin Islands .....	14,165	531	13,634	0	4,166	1,380	0	8,088
Undistributed .....	16,501,338	11,111,662	5,389,676	29,402	0	808,063	154,174	4,398,037

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.



# FEDERAL EXPENDITURES

**Table 7.35**  
**FEDERAL GOVERNMENT LOAN AND INSURANCE PROGRAMS—**  
**BY STATE AND TERRITORY: FISCAL YEAR 2000**  
**(In thousands of dollars)**

State or other jurisdiction	Direct loans by volume of assistance provided					Insurance programs by volume of coverage			
	Total	Commodity loans price supports	Other Agriculture	Federal direct student loans	Other direct loans	Total	Flood insurance	Crop insurance	Other insurance
<b>United States</b> .....	\$29,249,285	\$5,802,004	\$3,490,445	\$18,836,551	\$1,120,284	\$585,097,667	\$548,203,712	\$33,392,628	\$3,501,326
Alabama .....	2,483,690	18,920	76,457	2,372,756	15,557	4,419,029	4,116,777	265,220	37,033
Alaska .....	27,820	0	16,858	3,696	7,267	321,939	316,211	167	5,561
Arizona .....	388,798	3,816	42,088	340,012	2,883	3,740,175	3,545,349	149,939	44,887
Arkansas .....	731,919	530,759	156,153	44,231	776	1,436,766	951,887	465,350	19,529
California .....	1,976,496	180,595	169,956	1,599,393	26,552	56,367,987	53,445,636	2,674,097	248,254
Colorado .....	480,875	91,318	39,864	347,794	1,898	2,390,498	1,968,082	373,871	48,545
Connecticut .....	92,877	1	17,630	71,855	3,391	4,294,611	4,204,062	55,325	35,224
Delaware .....	100,227	1,954	11,164	84,248	2,861	2,267,187	2,235,873	25,307	6,007
Florida .....	768,000	184,673	87,881	438,899	56,546	232,147,671	229,902,940	2,046,118	198,613
Georgia .....	762,818	29,378	97,985	617,129	18,326	10,167,606	9,362,291	752,520	52,795
Hawaii .....	21,455	5,539	14,441	1,039	437	5,103,428	4,974,566	109,689	19,173
Idaho .....	249,017	48,811	48,348	151,278	580	1,092,073	800,605	283,185	8,282
Illinois .....	1,389,169	361,063	76,708	949,221	2,178	7,099,761	4,368,236	2,643,356	88,169
Indiana .....	503,156	96,288	67,929	338,461	478	3,523,570	2,128,056	1,365,597	29,917
Iowa .....	1,106,940	577,281	72,506	454,949	2,204	4,472,716	815,646	3,632,017	25,053
Kansas .....	323,664	80,432	48,869	189,478	4,885	2,222,306	899,700	1,292,633	29,973
Kentucky .....	290,541	12,494	97,852	171,890	8,306	1,946,235	1,588,901	337,212	20,121
Louisiana .....	440,508	265,111	94,942	79,504	951	40,432,954	39,987,447	414,013	31,494
Maine .....	86,288	32	38,480	42,067	5,710	862,541	805,914	46,610	10,017
Maryland .....	402,099	7,349	31,068	359,142	4,541	5,507,082	5,362,849	100,154	44,080
Massachusetts .....	1,009,632	122	35,885	959,045	14,580	5,357,908	5,183,153	45,720	129,035
Michigan .....	1,270,341	161,076	108,006	1,000,357	902	3,055,257	2,487,352	513,169	54,735
Minnesota .....	1,280,464	899,095	78,508	274,341	28,520	3,472,711	835,146	2,595,968	41,596
Mississippi .....	224,133	111,596	74,262	36,132	2,143	4,563,067	4,057,327	487,018	18,722
Missouri .....	681,627	188,423	76,178	405,988	11,038	2,816,508	2,072,293	697,566	46,649
Montana .....	136,658	41,477	45,044	49,467	671	728,260	314,849	403,288	10,123
Nebraska .....	752,317	485,317	62,964	201,828	2,207	3,228,331	1,081,261	2,131,866	15,204
Nevada .....	64,764	92	11,687	52,405	580	1,827,207	1,810,494	1,549	15,164
New Hampshire .....	50,269	0	15,079	32,078	3,111	523,539	510,305	2,984	10,250
New Jersey .....	657,245	1,136	23,783	524,187	108,140	23,626,303	23,506,843	49,454	70,006
New Mexico .....	160,862	3,299	32,983	101,981	22,598	1,240,750	1,160,253	65,477	15,020
New York .....	2,022,454	28,116	90,926	1,866,929	36,483	14,190,445	13,251,410	117,066	821,968
North Carolina .....	1,008,062	18,266	192,252	295,175	502,369	14,584,310	13,686,884	847,768	49,659
North Dakota .....	261,819	185,450	55,415	206	20,748	2,215,191	692,776	1,516,699	5,716
Ohio .....	1,143,260	149,941	88,724	898,761	5,834	3,736,651	2,925,005	723,040	88,606
Oklahoma .....	216,184	29,092	91,373	91,231	4,488	1,649,942	1,281,479	345,348	23,115
Oregon .....	471,819	14,686	58,309	396,156	2,668	4,088,628	3,702,513	360,222	25,894
Pennsylvania .....	338,021	10,958	123,751	165,046	38,266	6,721,898	6,464,949	150,636	106,314
Rhode Island .....	164,284	0	5,715	157,435	1,134	1,519,376	1,507,253	1,888	10,234
South Carolina .....	256,314	12,004	68,225	151,780	24,305	20,838,646	20,565,700	245,734	27,212
South Dakota .....	385,412	320,053	57,695	7,147	516	1,490,979	291,526	1,191,253	8,201
Tennessee .....	451,048	95,467	134,937	215,030	5,614	2,195,028	1,667,010	446,413	81,606
Texas .....	620,375	167,770	228,796	200,012	23,797	49,327,525	46,949,059	1,988,511	389,955
Utah .....	210,082	173,241	24,199	11,469	1,173	337,600	307,373	6,588	23,639
Vermont .....	109,407	102	17,601	91,604	100	279,126	269,246	5,377	4,503
Virginia .....	877,352	19,784	74,478	748,774	34,316	10,597,229	10,266,664	244,830	85,735
Washington .....	469,658	90,203	57,910	301,943	19,602	4,204,603	3,617,647	540,953	46,003
West Virginia .....	311,205	966	49,070	258,305	2,864	1,245,350	1,222,457	9,908	12,985
Wisconsin .....	476,785	97,145	84,179	281,335	14,126	1,793,190	1,183,146	568,383	41,661
Wyoming .....	12,673	1,311	11,245	117	0	303,085	239,858	55,574	7,653
Dist. of Columbia .....	274,010	0	0	256,762	17,248	237,603	33,732	0	203,871
American Samoa .....	0	0	0	0	0	1,501	1,501	0	0
Guam .....	1,842	0	326	1,516	0	26,780	26,474	0	307
No. Mariana Islands .....	962	0	542	0	420	0	0	0	0
Puerto Rico .....	241,420	0	96,919	142,969	1,532	2,999,945	2,995,644	0	4,301
Virgin Islands .....	8,134	0	4,270	1,999	1,865	256,986	254,031	0	2,955
Undistributed .....	0	0	0	0	0	73	73	0	0

See footnotes at end of table.

## FEDERAL GOVERNMENT LOAN AND INSURANCE PROGRAMS — Continued

State or other jurisdiction	Guaranteed loans							
	Total	Mortgage insurance		Federal Family Education Loan program	Veterans housing guaranteed and insured loans (a)	U.S.D.A.—guaranteed loans	Small business loans	Other
		Homes	Condominiums					
<b>United States .....</b>	\$146,784,203	\$86,860,522	\$6,122,066	\$25,656,044	\$7,069,251	\$9,300,428	\$10,921,451	\$854,441
Alabama .....	1,497,792	855,795	10,925	0	108,791	389,109	133,172	0
Alaska .....	530,002	308,649	33,761	0	53,660	119,701	14,231	0
Arizona .....	1,203,433	586,785	11,775	0	264,722	96,202	243,949	0
Arkansas .....	5,162,162	4,102,375	455,462	208,905	63,059	275,776	56,585	0
California .....	21,576,872	14,540,818	1,798,217	2,369,131	617,569	206,796	2,044,420	79
Colorado .....	1,123,931	3,480	241	332,217	247,123	224,569	316,300	0
Connecticut .....	1,716,288	1,064,181	132,558	238,890	36,401	30,691	213,565	0
Delaware .....	356,763	285,538	2,511	0	32,441	11,608	19,665	5,000
Florida .....	7,450,040	5,036,065	460,457	708,634	548,983	165,458	530,390	54
Georgia .....	5,441,241	4,088,590	108,165	244,463	315,461	379,057	305,505	0
Hawaii .....	420,935	137,388	74,280	0	18,177	164,840	26,250	0
Idaho .....	704,292	506,979	4,123	0	53,162	81,196	58,832	0
Illinois .....	2,353,046	769,539	46,997	608,804	163,488	308,692	394,526	61,000
Indiana .....	2,471,263	2,034,103	28,564	0	135,658	144,484	128,454	0
Iowa .....	1,039,138	308,697	12,881	258,820	40,641	343,376	74,723	0
Kansas .....	803,349	494,768	3,581	0	70,977	164,404	69,619	0
Kentucky .....	1,742,553	755,632	34,622	404,984	87,790	373,588	85,936	0
Louisiana .....	1,462,797	872,122	11,615	216,443	87,563	175,634	99,420	0
Maine .....	495,387	243,739	7,223	131,010	32,014	45,672	35,728	0
Maryland .....	4,798,166	3,861,909	429,554	0	249,971	106,909	123,248	26,575
Massachusetts .....	3,000,914	1,366,747	123,625	745,479	61,482	27,485	322,696	353,400
Michigan .....	4,219,992	2,878,764	110,939	302,369	137,997	327,853	289,070	173,000
Minnesota .....	2,885,966	1,577,924	182,319	0	105,811	750,006	269,906	0
Mississippi .....	844,926	497,839	1,037	0	60,528	209,232	76,290	0
Missouri .....	2,344,545	1,415,833	28,914	351,945	119,539	286,740	141,573	0
Montana .....	469,131	186,807	4,237	85,353	23,708	125,411	43,615	0
Nebraska .....	1,517,379	452,298	2,136	786,256	60,837	175,401	40,450	0
Nevada .....	2,011,364	1,629,467	121,243	0	143,143	16,076	101,435	0
New Hampshire .....	681,717	352,750	51,583	158,457	33,014	23,172	62,740	0
New Jersey .....	4,392,274	3,188,777	312,446	310,575	101,856	39,795	438,869	43
New Mexico .....	855,510	515,247	4,190	87,549	62,362	124,644	61,519	0
New York .....	7,126,407	4,199,426	53,526	1,948,824	94,697	135,105	594,257	100,573
North Carolina .....	3,179,911	2,057,654	76,075	263,361	285,367	330,448	167,005	0
North Dakota .....	523,190	126,527	4,872	94,814	16,463	240,488	40,026	0
Ohio .....	3,958,716	3,084,743	110,203	0	221,236	279,888	262,646	0
Oklahoma .....	1,679,525	818,279	8,619	317,349	99,391	323,683	112,243	38
Oregon .....	1,472,235	1,026,690	29,583	120,031	91,402	84,260	120,269	0
Pennsylvania .....	4,866,333	2,108,443	71,495	2,061,727	164,638	137,246	322,784	0
Rhode Island .....	681,895	399,225	13,618	168,973	18,461	15,642	65,976	0
South Carolina .....	1,191,784	529,846	11,198	251,141	97,732	233,553	68,314	0
South Dakota .....	674,623	136,587	456	270,606	20,039	217,619	29,316	0
Tennessee .....	2,968,971	2,009,298	48,797	413,673	159,890	198,376	138,937	0
Texas .....	10,803,520	6,767,574	90,532	1,709,272	661,086	339,519	1,100,537	135,000
Utah .....	1,805,644	1,289,073	84,133	196,333	50,391	48,524	137,191	0
Vermont .....	256,899	54,274	6,129	122,448	8,412	41,327	24,309	0
Virginia .....	4,658,312	3,253,519	388,351	219,671	520,265	110,651	165,855	0
Washington .....	3,307,014	2,131,749	254,121	262,558	274,344	108,863	275,378	0
West Virginia .....	268,791	137,858	149	0	21,415	84,709	24,661	0
Wisconsin .....	2,808,622	437,062	8,587	1,845,479	80,288	273,634	163,571	0
Wyoming .....	226,181	122,400	170	0	18,757	61,705	23,150	0
Dist. of Columbia .....	457,214	240,626	25,653	0	4,352	0	186,583	0
American Samoa .....	0	0	0	0	0	0	0	0
Guam .....	20,306	1,308	0	0	919	13,683	4,396	0
No. Mariana Islands .....	0	0	0	0	0	0	0	0
Puerto Rico .....	1,426,791	1,006,113	225,299	0	21,316	103,962	70,101	0
Virgin Islands .....	8,649	2,641	319	0	459	3,965	1,265	0
Undistributed .....	6,839,500	0	0	6,839,500	0	0	0	0

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Notes: Detail may not add to totals due to rounding. Amounts represent dollar volume of direct loans made and loans guaranteed, or the face value of insurance coverage provided during the fiscal year.

(a) VA home loans.

**Table 7.36**  
**CUMULATIVE LOTTERY PROCEEDS BY PROGRAM:**  
**START-UP THROUGH FY 2000**

<i>State or other jurisdiction</i>	<i>Organization name</i>	<i>Start-up date</i>	<i>Programs receiving funds</i>	<i>Cumulative total (in millions)</i>
Alabama .....			(a)-----	
Alaska .....			(a)-----	
Arizona .....	Lottery	1982	Education	\$321.4
			Health and Welfare	128.7
			Protection and Safety	59.6
			Economic Development Fund	32.4
			General Government	36.0
			Inspection and Regulation	6.5
			Natural Resources	4.9
			Local Transportation Assistance Fund	420.0
			County Assistance Fund	106.7
			Heritage Fund	185.4
			Mass Transit	15.1
			Clean Air Fund	0.5
			Court Appointed Special Advocate Fund (Unclaimed prizes)	14.7
			State General Fund	1.5
Arkansas .....			(a)-----	
California .....	State Lottery	1985	Education	11,700.0
Colorado .....	Lottery	1983	Capital Construction Fund	439.7
			Division of Parks and Outdoor Recreation	100.6
			Conservation Trust Fund	402.8
			Great Outdoors Colorado Trust Fund	186.1
			General Fund	1.3
Connecticut .....	Lottery Corporation	1972	General Fund (to benefit education, roads, health and hospitals and public safety)	4,200.0
Delaware .....	State Lottery	1975	General Fund	969.0
Florida .....	Lottery	1987	Education	10,100.0
Georgia .....	Lottery Corporation	1993	HOPE Scholarships	1,300.0
			Pre-Kindergarten Program	1,380.0
			Capital Outlay and Technology for Primary and Secondary Schools	1,600.0
Hawaii .....			(a)-----	
Idaho .....	Lottery	1989	Public Schools (K-12)	98.3
			Public Buildings	98.3
Illinois .....	Lottery	1974	Illinois Common School Fund (K-12)	9,800.0
Indiana .....	(Hoosier) Lottery	1989	Education	329.5
			Lottery/Gaming Surplus Account	315.3
			Build Indiana Capital Projects Fund	281.2
			Teachers' Retirement Fund	312.6
			Police & Fire Pension Relief Fund	124.7
			License Plate Taxes	412.9
Iowa .....	Lottery	1985	Iowa Plan (economic development)	170.3
			CLEAN Fund (environment and agriculture)	35.9
			Gambler's Treatment Program	6.6
			Special Appropriations	20.8
			Sales Tax	101.6
			General Fund	307.5
Kansas .....	Lottery	1987	Economic Development Initiatives Fund	392.5
			Correctional Institutions Building Fund	46.6
			County Reappraisal Project (FY 1988-1990)	14.8
			Juvenile Detention Facilities Fund	12.2
Kentucky .....	Lottery Corporation	1989	Education	214.0
			Vietnam Veterans	32.0
			General Fund	1,100.0
			Kentucky Education Excellence Scholarships	36.0
			Affordable Housing Trust Fund	9.0
			Literacy Programs	3,000.0

See footnotes at end of table.

**CUMULATIVE LOTTERY PROCEEDS BY PROGRAM:  
START-UP THROUGH FY 2000 — Continued**

<i>State or other jurisdiction</i>	<i>Organization name</i>	<i>Start-up date</i>	<i>Programs receiving funds</i>	<i>Cumulative total (in millions)</i>
Louisiana .....	Lottery Corporation	1991	General Fund	1,057.0
Maine .....	State Lottery	1974	General Fund	489.4
			Outdoor Heritage Fund	5.5
Maryland .....	State Lottery	1973	General Fund	6,684.0
			Subdivisions (for one year only FY 1984-1985)	20.9
			Stadium Authority	308.0
Massachusetts .....	State Lottery	1972	Cities and Towns	7,626.0
			Arts Council	135.0
			General Fund	2,430.0
			Compulsive Gamblers	6.7
Michigan .....	Bureau of State Lottery	1972	Education (K-12)	8,600.0
Minnesota .....	State Lottery	1989	General Fund	573.5
			Environmental and Natural Resources Trust Fund	245.7
			Other State Programs	38.3
Mississippi .....			(a)-----	
Missouri .....	Lottery	1986	Public Education	955.8
			General Revenue Fund (1986-1993)	542.5
Montana .....	Lottery	1987	Education	49.5
			Juvenile Detention	2.6
			General Fund	33.4
			Study of Socioeconomic Impact on Gambling	0.1
Nebraska .....	Lottery	1993	Compulsive Gambling	1.8
			Education	65.1
			Environment	46.6
			Solid Waste Landfill Closure Fund	18.5
Nevada .....			(a)-----	
New Hampshire .....	Sweepstakes Commission	1964	Education	664.7
New Jersey .....	Lottery	1970	Education and Institutions	10,900.0
New Mexico .....	Lottery	1996	Public School Capital Outlay	54.1
			Lottery Tuition Fund	38.4
New York .....	Lottery	1967	Education	18,000.0
North Carolina .....			(a)-----	
North Dakota .....			(a)-----	
Ohio .....	Lottery Commission	1974	Education	10,500.0
Oklahoma .....			(a)-----	
Oregon .....	Lottery	1985	Economic Development	1,100.0
			Public Education	3,000.0
			Natural Resource Programs	87.0
Pennsylvania .....	State Lottery	1972	Older Pennsylvanians	11,600.0
Rhode Island .....	Lottery Commission	1974	General Fund	1,070.0
South Carolina .....			(a)-----	
South Dakota .....	Lottery	1989	General Fund	347.1
			Capital Construction Fund	5.7
			Property Tax Reduction Fund	414.2
Tennessee .....			(a)-----	
Texas .....	Lottery Commission	1992	General Fund	4,960.0
			Foundation School Fund	3,016.0
Utah .....			(a)-----	
Vermont .....	Lottery	1978	General Fund	211.8
			Education Fund	38.4
Virginia .....	Lottery	1988	General Fund (FY 1989-1998)	2,800.0
			General Fund (to be used only as direct aid to Public Education)	
			(K-12) (FY 1999-present)	645.4
			Library Fund (for school construction additions and renovations)	91.6
			Debt Set-Off Collection	8.4

See footnotes at end of table.

## LOTTERY

### CUMULATIVE LOTTERY PROCEEDS BY PROGRAM: START-UP THROUGH FY 2000 — Continued

<i>State or other jurisdiction</i>	<i>Organization name</i>	<i>Start-up date</i>	<i>Programs receiving funds</i>	<i>Cumulative total (in millions)</i>
<b>Washington .....</b>	State Lottery	1982	General Fund	1,700.0
			Seattle Mariners Stadium	14.5
			King County Stadium and Exhibition Center	12.1
			Public Schools Special Programs; 5,020 new elementary school books	N.A.
			Local Food Banks; 37,450 lbs. of food	N.A.
<b>West Virginia .....</b>	Lottery	1986	Education	219.4
			Senior Citizens	127.3
			Tourism	137.7
			Bonds covering profit areas	148.0
			General Fund	89.9
			Other	7.4
<b>Wisconsin .....</b>	Lottery	1988	Public Benefit such as Property Tax Relief	1,740.0
<b>District of Columbia .....</b>	Lottery & Charitable Games	1982	General Fund	973.8
	Control Board			

Source: North American Association of State and Provincial Lotteries, 2001.

Key:

N.A. - Not available

(a) State does not have a lottery.

**Table 7.37**  
**STATE LOTTERIES' PRODUCT MIX**

<i>State or other jurisdiction</i>	<i>Instant</i>	<i>Pulltabs</i>	<i>3-digit</i>	<i>4-digit</i>	<i>Lotto</i>	<i>Powerball</i>	<i>Rolldown</i>	<i>Big Game</i>	<i>Cash Lotto</i>	<i>Spiel</i>	<i>Keno</i>	<i>Fast Keno</i>	<i>VLTs (c)</i>
Alabama .....	★	...	★	...	★	★	...	...	★	...	...	...	...
Alaska .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
Arizona .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
Arkansas .....	★	...	★	...	★	...	(a)	...	★	...	(b)	★	...
California .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Colorado .....	★	...	...	...	★	...	...	...	★	...	...	...	...
Connecticut .....	★	...	★	...	★	★	...	...	★	...	...	...	...
Delaware .....	★	...	★	...	...	★	★	...	★	...	...	...	★
Florida .....	★	...	★	...	★	...	...	...	★	...	...	...	...
Georgia .....	★	...	★	...	★	...	...	★	★	...	...	★	...
Hawaii .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
Idaho .....	★	★	★	...	★	★	...	...	...	...	...	...	...
Illinois .....	★	★	★	...	★	★	...	★	...	...	...	...	...
Indiana .....	★	★	★	...	...	...	...	...	...	...	...	...	...
Iowa .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Kansas .....	★	★	★	...	...	...	...	...	...	...	...	...	...
Kentucky .....	★	★	★	...	...	...	...	...	...	...	...	...	...
Louisiana .....	★	★	★	...	...	...	...	...	...	...	...	...	...
Maine .....	★	★	★	...	...	...	...	...	...	...	...	...	...
Maryland .....	★	...	★	...	...	...	...	...	...	...	...	...	...
Massachusetts .....	★	★	★	...	...	...	...	...	...	...	...	...	...
Michigan .....	★	...	★	...	...	...	...	...	...	...	...	...	...
Minnesota .....	★	...	★	...	...	...	...	...	...	...	...	...	...
Mississippi .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Missouri .....	★	★	★	...	...	...	(a)	...	...	...	...	...	...
Montana .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Nebraska .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Nevada .....	...	...	...	...	...	...	...	...	...	...	...	...	...
New Hampshire .....	★	...	...	...	...	...	(a)	...	...	...	...	...	...
New Jersey .....	★	...	...	...	...	...	...	...	...	...	...	...	...
New Mexico .....	★	...	...	...	...	...	...	...	...	...	...	...	...
New York .....	★	...	...	...	...	...	...	...	...	...	...	...	...
North Carolina .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
North Dakota .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
Ohio .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Oklahoma .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
Oregon .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Pennsylvania .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Rhode Island .....	★	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
South Dakota .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Tennessee .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
Texas .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Utah .....	...	...	...	...	...	...	(a)	...	...	...	...	...	...
Vermont .....	★	...	...	...	...	...	...	...	...	...	...	...	...

See footnotes at end of table.

STATE LOTTERIES' PRODUCT MIX — Continued

State or other jurisdiction	Instant	Pulltabs	3-digit	4-digit	Lotto	Powerball	Rolldown	Big Game	Cash Lotto	Spiel	Keno	Fast Keno	VLTs (c)
Virginia .....	★	...	★	★	★	...	...	★	★	...	...	...	...
Washington .....	★	...	★	...	★	...	...	...	★	...	★	...	...
West Virginia .....	★	...	★	★	...	...	★	...	★	...	...	★	★
Wisconsin .....	★	...	★	★	...	...	...	...	★	...	...	...	...
Wyoming .....	...	★	★	★	★	...	(a)	...	...	...	...	...	...
Dist. of Columbia .....	★	...	★	★	...	★	...	...	★	...	...	...	...

Source: *La Fleur's 2001 World Lottery Almanac*.

★ - Yes

... - Not available.

(a) State does not have a lottery.

(b) Keno was ruled illegal. The lottery replaced it with Hot Spot in September 1996.

(c) Video lottery terminals.

**Table 7.38**  
**STATE LOTTERIES CUMULATIVE SALES, PRIZES AND PROFITS**  
**(in millions of dollars)**

State or other jurisdiction	Cumulative total, startup - FY 2000					FY 2000			
	Total sales	Total prizes	Prize payout (percent)	Government profits	Government return (percent)	Population	Sales	Profit	Annual sales per capita
United States .....	\$427,366.54	\$223,458.08	52%	\$151,068.25	35%	246.85	\$37,760.89	\$12,149.81	\$152.97
Alabama .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Alaska .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Arizona .....	3,853.44	1,918.84	50	1,304.49	34	5.13	255.55	75.44	49.81
Arkansas .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
California .....	31,469.98	15,855.24	50	11,640.79	37	33.87	2,598.38	948.04	76.72
Colorado .....	4,024.58	2,280.14	57	1,111.72	28	4.30	370.96	89.34	86.27
Connecticut .....	11,007.36	5,995.09	54	4,234.12	38	3.41	837.51	254.49	245.60
Delaware (b) .....	2,998.95	793.33	26	1,019.19	34	0.78	556.45	185.44	713.40
Florida .....	26,600.17	12,879.75	48	10,325.57	39	15.98	2,324.39	883.27	145.46
Georgia .....	11,855.83	6,123.02	52	3,873.34	33	8.19	2,313.55	683.75	282.48
Hawaii .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Idaho .....	834.51	476.25	57	198.65	24	1.29	86.51	18.24	67.06
Illinois .....	26,783.18	13,491.32	50	10,139.34	38	12.42	1,503.86	515.25	121.08
Indiana .....	6,052.27	3,404.18	56	1,817.51	30	6.08	582.63	165.40	95.83
Iowa .....	2,510.35	1,358.28	54	686.83	27	2.93	178.21	44.77	60.82
Kansas .....	1,721.32	891.07	52	522.62	30	2.69	192.56	57.77	71.58
Kentucky .....	5,296.85	3,155.86	60	1,385.80	26	4.04	583.68	162.21	144.48
Louisiana .....	2,957.38	1,687.81	57	1,114.45	38	4.47	276.38	99.85	61.83
Maine .....	1,837.66	1,006.46	55	595.99	32	1.27	147.91	39.57	116.46
Maryland .....	17,675.31	9,046.44	51	6,386.74	36	5.30	1,175.14	401.01	221.72
Massachusetts .....	37,701.78	21,935.31	58	9,960.87	26	6.35	3,697.97	853.27	582.36
Michigan (d) .....	25,163.46	12,889.87	51	9,831.84	39	9.94	1,694.75	618.51	170.50
Minnesota .....	3,197.43	1,893.19	59	771.66	24	4.92	397.29	86.52	80.75
Mississippi .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Missouri .....	4,577.44	2,518.79	55	1,494.73	33	5.60	508.02	153.25	90.72
Montana .....	361.42	178.67	49	85.54	24	0.90	29.90	5.80	33.22
Nebraska .....	504.67	358.85	71	126.50	25	1.71	68.17	16.65	39.87
Nevada .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
New Hampshire .....	2,034.59	1,077.68	53	664.30	33	1.24	190.81	61.52	153.88
New Jersey .....	24,464.72	12,419.07	51	10,248.57	42	8.41	1,839.80	719.93	218.76
New Mexico .....	395.56	207.97	53	92.48	23	1.82	110.61	24.54	60.77
New York (e) .....	43,306.89	20,240.13	47	17,978.47	42	18.98	3,629.26	1,365.14	191.21
North Carolina .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
North Dakota .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Ohio .....	29,830.37	16,371.20	55	11,147.44	37	11.35	2,209.10	661.02	194.63
Oklahoma .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Oregon (c) .....	9,461.70	5,541.51	57	2,386.15	25	3.42	760.01	292.28	222.23
Pennsylvania .....	29,273.46	14,661.69	50	11,371.96	39	12.28	1,679.86	671.96	136.80
Rhode Island (c) .....	4,706.06	2,972.74	63	1,065.25	23	1.05	864.32	150.28	823.16
South Carolina (c) .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
South Dakota .....	4,925.60	3,140.93	64	766.80	16	0.75	581.05	100.34	774.73
Tennessee .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Texas (f) .....	23,757.29	13,108.85	55	7,962.85	34	20.85	2,657.29	876.91	127.45
Utah .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Vermont .....	814.35	469.57	58	246.17	30	0.61	75.92	18.93	124.46
Virginia .....	9,809.04	5,218.51	53	3,432.92	35	7.08	973.00	323.50	137.43
Washington .....	5,352.81	2,889.61	54	1,698.98	32	5.89	452.81	98.98	76.88
West Virginia (b) .....	2,526.40	943.18	37	777.40	31	1.81	447.97	139.64	247.50
Wisconsin .....	4,631.57	2,606.88	56	1,625.75	35	5.36	406.70	109.90	75.88
Wyoming .....	.....	.....	.....	.....	.....(a).....	.....	.....	.....	.....
Dist. of Columbia (d) .....	2,910.77	1,450.81	50	976.45	34	0.57	215.51	69.00	378.09
Puerto Rico .....	.....	.....	.....	.....	.....	3.81	287.10	108.10	75.35

Sources: Cumulative data from *LaFleur's 2001 World Lottery Almanac*; FY 2000 data from the North American Association of State and Provincial Lotteries.

Key:

... - Not available.

(a) State does not have a lottery.

(b) VLT net machine income is listed as sales. Total prizes do not include VLT

prized which reduces the lottery's prize payout.

(c) VLT sales are listed as "cash in." Total prizes includes cash VLT prizes ("cash out").

(d) Fiscal year ends September 30.

(e) Fiscal year ends March 31.

(f) Fiscal year ends August 31.





## Chapter Eight

# STATE MANAGEMENT and ADMINISTRATION

“The most innovative and productive state agencies do not simply execute one good program. Rather, they integrate advanced management techniques into a comprehensive approach to productivity improvement.”

— Marc Holzer

“The ‘youth movement’ evident among state administrators from the 1960s through the 1980s has shifted toward an ‘aging out’ pattern. This suggests the need for states to address... the grooming of replacements.”

— Deil S. Wright, Chung-Lae Cho and Yoo-Sung Choi

“The third phase of e-government, now in an early stage of development, is certainly the most complex and most far reaching. In this phase, the concern is not only with the implementation of online services, but with the creation of a full-service, citizen-centric online presence that integrates the resources and functions of many agencies.”

— Ed Janairo



# Performance Measurement and Improvement in State Agencies

By Marc Holzer

*The most innovative and productive state agencies do not simply execute one good program. Rather, they integrate advanced management techniques into a comprehensive approach to productivity improvement. Productive state-government agencies stress multiple measures: internal capacities, outputs produced and outcomes achieved. They use performance measurement and evaluation to help establish goals and measure results, estimate and justify resource requirements, reallocate resources, develop organization-improvement strategies and motivate employees to improve performance.*

## Introduction

Performance measurement and improvement strategies have been touted by governors for decades. For instance, in 1972, under the rubric of “productivity improvement,” Gov. Patrick J. Lucey of Wisconsin argued, “As an elected public official and the chief executive of a state, a governor must be concerned with both the quality of services the state provides and the cost of those services.” Announcing Wisconsin’s Productivity Improvement Policy, he stated, “As a matter of policy all state agencies will be required to improve their management efficiency in the 1973-1975 budget years, maintaining essential public services but cutting service delivery costs by at least 2.5 percent annually.” This was followed by nine specific instructions as to how to do so.

In the intervening three decades, such policy statements have become common, indeed expected, in state after state. Fortunately, the knowledge to support such policies and strategies has been developed as a much firmer, more detailed, more experientially grounded foundation for well-intentioned performance and productivity-improvement efforts.

## Performance Measures Clarify Accomplishments

Although public servants provide necessary services, their state-level agencies have not always built a capacity for measurement that can highlight both progress and the need for critical investments.

Measurement of performance has always been implicit in questions as to outputs and outcomes: Is crime up? Is the air quality better? How well are our children doing in school? In short, is a program producing the promised results? The answers to such questions are important. They can provide feedback that influences decisions to allocate or reallocate public-sector resources and to set or change priorities. Such decisions are made “internally” by governors, agency heads, public managers and legislators. They are substantially influenced “externally” by feedback from citizens, public-interest advocacy groups, private

businesses and their elected or media surrogates. Each of these actors – internal or external – holds opinions as to service priorities.

Opinions as to the allocation of scarce public resources are often based upon vague assessments of efficiency and efficacy, judgments that are typically subjective and “soft.” They may be formed from a critical incident of success or failure. They may be grounded in a rumor. They may be a function of personal experience.

But objective performance measurement offers an opportunity to develop and present “hard” data instead. Measurement provides an opportunity to present evidence that the public sector is a public bargain; to highlight the routine but important services that public servants quietly provide; to answer the public’s sometimes angry questions and implicit suggestions on a dispassionate basis. Measurement helps to move the basis of decision-making from personal experience to proof of measurable accomplishment or lack thereof. Data about levels and trends in outputs, outcomes, and associated benefit/cost ratios, helps defend, expand or improve a program, rather than proceeding from relatively subjective, political decisions based on circumstantial evidence, if any. Measurement helps objectively answer questions such as: Is an agency doing its job? Is it creating unintended side effects or producing unanticipated impacts? Is it responsive to the public? Is it fair to all, or does it favor certain groups, either inadvertently or deliberately? Does it keep within its proper bounds of authorized activity? In short, is it productive?

In the process of providing answers to those questions, productive state governments stress multiple measures: internal capacities, outputs produced and outcomes achieved. They use performance measurement and evaluation to help establish goals and measure results, estimate and justify resource requirements, reallocate resources, develop organization-improvement strategies and motivate employees to improve performance. In particular:

1. High-performing state organizations monitor the production of “internal” services that contribute to the efficient and effective production of “external” services for clients. Such internal (or “invisible”) services as maintenance, training and auditing are necessary prerequisites to the production of outputs.

2. Outputs can be measured as services provided in terms of factors such as quantity and quality. Output measurements pose questions such as: How many clients are served? How many units of service are delivered? Are the services delivered to certain standards? What is the error rate?

3. “Output,” however, is a narrow term that limits interpretations of productivity improvement. If managers are to make better decisions as to resource allocation and reallocation, then they need not only measures of outputs, but of “outcomes” – what services result in, such as improvements in a client’s quality of life or ability to maintain employment.

### **Performance Measures Are Available**

A productive state agency must monitor and improve productivity at all three stages: internal services, external services, and outcomes – and the agency must communicate those measures clearly and honestly to the public. Fortunately, the tools are available. Performance measurement is fairly well developed as a set of tools for making better decisions within public organizations. Managers who are responsible for day-to-day management now often have access to information that helps them implement public policies effectively and efficiently. A substantial body of research demonstrates that measurement of public services is conceptually sound and feasible. For example, the Urban Institute, the National Center for Public Productivity and the Center on Accountability and Performance of the American Society for Public Administration have produced comprehensive guides to performance measurement as a means to performance improvement.

A measurement program requires substantial expertise and careful planning. A successful one asks and begins to answer a variety of important questions. For example, in terms of program performance: How much of a service is provided? How efficiently are resources used? How effectively is the service provided?

In order to measure a service’s effectiveness, good measurement programs provide effectiveness indicators that answer questions such as: What is the intended purpose of the service? What are the unintended impacts? How effective is the service in terms of preventing problems before they arise? Is the service ade-

quate? Is it accessible? Are clients satisfied? Are services distributed equitably? Is a product durable? To what extent is a service provided to clients in a dignified manner?

When designing performance measures, one must consider the service being measured: Is the service significant? Is it appropriate to the problem being addressed? Are services readily available? Are they delivered in a timely, relatively straightforward manner? In addition, one must also examine the performance measures themselves: Is performance quantifiable? Is a measure of performance valid? Is it acceptable? Is performance measured completely? Are the measures accurate and reliable?

### **Performance Measures Help Improve Decisions**

Public managers and policy-makers now have performance-measurement tools to help carry out their responsibilities to deliver and improve services. These tools encompass at least eight different strategies: 1) establish goals and measure results; 2) estimate and justify resource requirements; 3) reallocate resources; 4) develop organization-improvement strategies; 5) motivate employees to improve performance; 6) control operations; 7) predict periods of work overload or underload; and 8) develop more sophisticated capacities for measurement (Hatry and Fisk, 1992).

### ***Establishing Goals and Measuring Results***

The need to “hold programs accountable” is a popular political prescription in gubernatorial contests. But hold them accountable for what? To the extent that goals are vague, the public will neither be satisfied nor informed as to progress or lack thereof. The best public programs specify goals, treat those goals as planned targets and match results with plans. Such comparisons facilitate accountability.

### ***Estimating and Justifying Resource Requirements***

State budgets are estimates of resource requirements. Traditionally, they are based on past expenditures and “guesstimates” as to future needs. But fiscal planning can be accomplished more systematically and quantitatively. Justifications as to expenditures can be more precise, more objective and more factual to the extent they are the products of measurement.

### ***Budgeting and Reallocating Resources***

Measurement contributes to more productive resource-allocation decisions. It may help save substantial sums by developing and evaluating benefit-cost linkages. It may help reduce costs by highlighting lower-cost alternatives.

### *Developing Organization-Improvement Strategies*

Measures can help bring problems into focus. Once clear, problems can then be addressed in a more systematic manner, such as overcoming obstacles, targeting services and planning for anticipated problems. In short, measurement can help avoid disappointments and surprises.

Public-sector improvement programs operate under many labels. The program's name, however, is less important than its substance: comprehensive productivity improvement in an environment of increasing demands and reduced resources. Such programs improve performance systematically, by integrating advanced management techniques, and in the best cases, by institutionalizing productivity-improvement initiatives.

### **A Step-by-Step Strategy: Multiple Opportunities for Improvement**

Cases of exemplary progress, such as those listed in the exhibits at the end of this essay, often result from multiple approaches to the improvement of public performance. Public sector performance-improvement programs typically follow a multiple-step strategy such as the one outlined below (Holzer 1995):

**Step 1: Clarify Goals and Obtain Support.** People involved with productivity programs must agree upon and have commitments to reasonable goals and objectives, adequate staff and resource support and organizational visibility. The full cooperation of top management and elected officials is a prerequisite to success.

**Step 2: Locate Models.** As productivity is an increasing priority of government, existing projects can suggest successful paths and ways to avoid potential mistakes. Models are available from computer networks, the professional literature and at conferences.

**Step 3: Identify Promising Areas.** As a means of building a successful track record, new productivity programs might select as targets those functions continually faced with large backlogs, slipping deadlines, high turnover or many complaints. Because personnel is the largest expenditure for most public agencies, improved morale, training or working conditions might offer a high payoff. Organizations might also target functions where new techniques, procedures or emerging technologies seem to offer promising paybacks.

**Step 4: Build a Team.** Productivity programs are much more likely to succeed if they come from the bottom up, rather than being imposed from the top down or externally directed. Productivity project teams should include middle management, supervisors, employees and union representatives. They might also include consultants, clients and representatives of

advocacy groups. If employees are involved in looking for opportunities, then they are likely to suggest which barriers or obstacles need to be overcome; what tasks can be done more efficiently, dropped or simplified; and which workloads are unrealistically high or low.

**Step 5: Plan the Project.** Team members should agree on a specific statement of scope, objectives, tasks, responsibilities and time frames. This agreement should be detailed as a project-management plan, which should then be updated and discussed on a regular basis.

**Step 6: Collect Program Data.** Potentially relevant information should be defined broadly, and might include reviews of existing databases, interviews, budgets and studies by consultants or client groups. A measurement system should be developed to collect data on a regular basis, and all data should be supplied to the team for regular analysis. The validity and usefulness of such information should be constantly monitored.

**Step 7: Modify Project Plans.** Based upon continuing team discussions of alternative approaches and data, realistic decisions must be made about program problems, opportunities, modifications and priorities. For instance, could a problem best be solved through the more intensive use of technology, improved training, better supervision or improved incentives?

**Step 8: Expect Problems.** Projects are more likely to succeed if participants openly confront and then discuss potential misunderstandings, misconceptions, slippages, resource shortages, client and employee resistance, etc. Any such problem, if unaddressed, can cause a project to fail.

**Step 9: Implement Improvement Actions.** Implementation should be phased in on a modest basis and without great fanfare. Those projects that are highly touted, but then do not deliver as expected, are more likely to embarrass top management (and political supporters), with predictable consequences. Those that are adopted with a low profile are less likely to threaten key actors, especially middle management and labor.

**Step 10: Evaluate and Publicize Results.** Measurable success, rather than vague claims, is important. Elected officials, the press and citizen groups are more likely to accept claims of success if they are backed up by hard data. "Softer" feedback can then support such claims. Particularly important in providing evidence of progress is timely data that reflects cost savings, additional services, independent evaluations of service levels, client satisfaction and reductions in waiting or processing times.

As with any other generic recipe, this model should be modified and adapted to a specific organizational

context. Real cases will always be slightly different than the model. In some cases, one or two steps may be missing because of the organizational and cultural assumptions of the situation; in other cases, several steps can be combined into one. Still, because the steps of the model are analytically distinguishable, the model is useful for analyzing real organizations and programs, to highlight the strengths and illuminate the weaknesses of cases under discussion.

### **Future Directions for Productivity Improvement**

The most innovative and productive state agencies do not simply execute one good program. Rather, they integrate advanced management techniques into a comprehensive approach to productivity improvement, which other agencies could use as a model for enhanced productivity.

This approach includes five key concepts:

#### ***1. Measuring for Performance***

In terms of performance measurement, the most successful agencies are those that use the techniques outlined above in order to move from subjective, personal measures of performance to objective, empirical measures. To maximize productivity and success, state agencies should establish goals and measure results, using multiple measures of internal capacities, outputs (services) and outcomes (impacts). Performance-measurement tools allow agencies to effectively estimate and justify resource requirements, and when appropriate, reallocate resources. And agencies can involve employees in the process to motivate them to improve their performance.

#### ***2. Managing for Quality***

Managing for quality requires top-management support, employee empowerment and teamwork. Employees must be adequately trained and recognized for their contributions. Managing for quality demands a customer focus, an emphasis on long-term strategic planning and a commitment to measurement, analysis and quality assurance.

#### ***3. Developing Human Resources***

One key part of managing for quality is developing human resources. Quality managers need to recruit the best and brightest, and then provide them with systematic training and ongoing employee assistance. The best managers recognize the value of diversity, and they build services by building teams within the organization. They understand the importance of balancing the needs of employees and the needs of the organization.

#### ***4. Adapting Technologies***

Managers should not be afraid to use automation to enhance productivity. The most innovative and effective state agencies willingly adapt cost-effective applications and crosscutting techniques in order to accomplish their goals. When used well, technology can allow state agencies to provide open access to data and to deliver services and information on the public's demand.

#### ***5. Building Partnerships***

In order to enhance productivity, innovation and performance, state agencies should look for appropriate opportunities to form partnerships. Collaborating with other public-sector entities, members of the private sector, nonprofit organizations, citizens and volunteers can help state agencies improve their performance.

Overall, the most innovative and productive state agencies institutionalize productivity and performance improvements by identifying, implementing, measuring and rewarding major cost savings and performance enhancements in their agencies. They benchmark their efforts against similar organizations across the nation. They have a client orientation. Perhaps most important, productive programs are built on the dedication, imagination, teamwork and diligence of public servants.

### **EXHIBIT 1: TEXAS\***

The state of Texas is an excellent example of a state government that has effectively institutionalized the use of performance measures. Performance measures have been used for more than 20 years, and the most notable improvements have been the legislative requirements for including performance measures in the printed budget beginning in 1991 and the actual use of performance measures in the budget allocation process. This most recent initiative has survived changes in the executive administration and appears to be thoroughly institutionalized in the state government.

For the past nine years, the state of Texas has cooperatively worked across the branches, through executive staff offices, including the Office of Budget and Planning, and legislative staff offices, such as the Legislative Budget Board, with legislative appropriations committee members and agency staff, in developing performance measures that effectively communicate the performance of programs and departments. The State Auditor's Office has also played a key role in training agency staff and verifying the reliability of the performance measures once they have been developed.

There is some participation with citizens and citizen groups in developing and reporting performance measures. Many of the agencies prepare reports that share some performance information. The Education Agency publishes test scores in the newspaper. The Department of Criminal Justice also provides some information through a report to their policy council. There is presently no statewide effort to publish or report performance information in any format other than the budget. The communication about performance remains intergovernmental.

This process is evolving but is maturing quickly. It is difficult to link actual dollars allocated to specific performance measures and convincingly argue that X dollars were appropriated because of Y performance. However, there is evidence that budget decisions include discussions about agency and program performance. Other factors, including policy and legislative mandates, affect the actual funds allocated to programs and agencies at the present time.

Performance measures in the state of Texas are being used to strategically identify desired outcomes, focus on achieving those outcomes, and identify when and what improvement is needed to improve programs. The key reasons for this success are 1) the leadership; 2) cooperation between the branches of government; 3) communication across government; and 4) training.

The leadership, both legislative and executive, is interested and actively pursuing the use of performance measures by state agencies. The staff ask questions about performance. As one legislator stated, "I ask about at least one performance measure every time I speak with a department head or program director. You have to show them you are interested or the initiative will fail."

The cooperation between the branches of government has enhanced the government's ability to focus on outcomes. This cooperation is found between the executive and legislative budget offices and the involvement and participation between members of the legislature, the governor and the agency staff. The State Auditor's Office works with the executive and legislative budget offices and agencies to improve the measures once they are established, through their performance audits.

The importance of communication in developing and using performance measures has been expressed as a key to success. Performance measures have helped communication within the state government by focusing on the relevant issues. On the other hand, without communicating priorities, it would have been impossible to formulate meaningful performance measures that would improve the government. Communication

is also a component of the leadership factor. Communication about the vision, purpose and objectives occurs from the top of the government and must be clear and follow up on the objectives.

The state of Texas has invested heavily in training. Outside consultants have been used, other governments and organizations have been studied first hand, and internal training has been provided by the State Auditor's Office, the Legislative Budget Office, and the Office of Budget and Planning. There is an ongoing commitment to continuous training. This is viewed as critical to the continued success of the system.

(Excerpted from Laura Tucker, "GASB SEA Research Case Study: State of Texas," April 2000.)\*

## EXHIBIT 2: OREGON\*

[The state of Oregon] is best known in the field of performance measurement for its Oregon Benchmarks, a comprehensive set of indicators of various societal attributes identified as being important to the well-being of citizens and businesses in the state of Oregon. These benchmarks grew out of a statewide planning initiative of the 1980s called Oregon Shines. Because of the broad nature of these benchmarks and because they were developed without concern for the programs and responsibilities of the state government, a lengthy process has followed in developing methods to use Oregon Benchmarks within the state government to provide strategic direction for its programs and to monitor progress in achieving desired results. Oregon provides an excellent example of the difficulty of trying to link government services to broader, society-wide issues and concerns.

For example, the benchmark "percentage of two-year-olds who are adequately immunized" would seem to be rather straightforward. However, closer analysis provides a very different picture. Immunizations are provided by a broad range of providers including doctors, public health agencies, not-for-profit clinics and so forth. The state has difficulty obtaining data on which children have or have not been immunized until they enter school – at the age of 5 or 6. Then the question of who is responsible for immunization arises. Many children are immunized by private doctors, and state or local health programs never see these children; thus, the question arises of how responsible the health program is for whether the immunization occurs. Also, service provision is spread over state and local health departments and the not-for-profit sector (often through contracts for services or United Way or other grants).

Yet there has been a major effort to establish links between Oregon Benchmarks and state (and in some



cases local) departments and programs and to use benchmarks in the budget process.

The Oregon Progress Board, which is the primary organization responsible for furthering the use of benchmarks and performance measures, provides biannual reports on the progress in achieving benchmarks and works with state agencies (and some local progress boards) to help develop links between the services they provide and strategic benchmarks.

Oregon's benchmarks were developed using extensive input from citizens and the business community. There has also been continued involvement of citizens and the business community on the Oregon Progress Board ... From its beginnings as a broad set of goals to be used as a focus for improving the economy, Oregon Shines has been modified and gradually changed into more relevant measures and goals that can be linked, sometimes rather creatively, to the services and programs of state agencies and local governments. The state budget process now includes performance measures for many departments. The state has also recognized the need to coordinate the activities of departments and created the Community Solutions Team to coordinate the activities of five departments in addressing community development issues raised by communities throughout the state.

The Oregon Progress Board has worked with citizens and state departments to identify benchmarks that relate to critical services being provided, to link other critical benchmarks to state services, to reduce the number of benchmarks to a more manageable number and identify priority benchmarks for special attention, and to ensure that those benchmarks are important to state elected officials. Also several departments (including State Police, Transportation, and the Adult and Family Services Division of Human Resources) are now actively working to develop and use managing for results systems with a focus on performance measures and benchmarks. The state has also created a Performance Measurement Workgroup (PMW) to coordinate the development and use of performance measures across state departments.

(Excerpted from Jay Fountain, "GASB SEA Research Case Study: State of Oregon – A Performance System Based on Benchmarks," April 2000.)\*

### EXHIBIT 3: ARIZONA\*

The primary focus of the performance measurement movement in the State of Arizona is on "what matters." The direction has been primarily from within the executive branch with departments developing performance measures and the governor focusing on key "themes" of government ...

What is important to learn from the State of Arizona is that the development and use of performance measures, although legislatively required by Laws 1993, Chapter 252 that agencies develop strategic plans with a mission statement, goals, objectives and performance measures, is viewed as useful by program and department staff. Performance measures have become a management tool for these program and department directors and in many cases associated staff members. This has helped institutionalize the use of performance measures and contributed to the continued evolution of using measures of performance within the executive branch. This should aid in their use by the legislative branch ...

Arizona has been successful in legislative support of performance measurement. Beginning in 1993 legislation has been passed and continues to be amended to improve the performance measurement initiative in the state. With this legislative support has come changes in other processes, including term limits, a biennium budget and performance budgeting.

Legislative and executive cooperation is also evident in the state. The Office of Strategic Planning and Budgeting works with the Joint Legislative Budget Committee in establishing and modifying agency and program performance measures.

There are a number of citizen groups that are active in the state. Although there are no clear indications that these citizen groups helped choose the performance measures that are used, their interest in the government and its programs certainly helped identify areas of concern to the agencies.

The Auditor General performs audits of performance measures used by state agencies and programs. These reports are provided to the legislature for review. The agencies find these reports and the assistance provided by the Office of the Auditor General to be helpful in improving performance measures.

Agencies have been using performance measures for many years, many before the 1993 required use ... [A]gencies, in general, realize the management purposes for using performance measures. Many agencies are using performance measures to improve "what matters."

(Excerpted from Laura Tucker, "GASB SEA Research Case Study: State of Arizona – Focus on Performance," April 2000.)\*

### EXHIBIT 4: IOWA\*

The state of Iowa's "budgeting for results" (BFR) process has been the main statewide performance management approach implemented in recent years. It contains essential elements of the managing for results

cycle. An important foundation for that system is the connection to Iowa's citizens provided by the Council on Human Investment (CHI) through citizen participation in the council and annual citizen surveys. Important outcome data that can be used by state agencies to assess the effectiveness of their operations has been included in the survey. The council is composed of public officials and private citizens and works with the Department of Management to promote results-based accountability in state government. Each year different topics are made the focus of the survey effort. Based on the data received via the public opinion survey, benchmarks, or long-term measurable goals, are developed and ratified by the council. Executive agencies utilize this information in their strategic planning efforts and in generation of outcome related performance indicators.

The system is driven by the strong commitment to results in the executive branch of Iowa state government. At the millennium, a new administration was building upon the existing budgeting-for-results system and is enhancing it in several important ways. Accountable Government is one of six major priorities of the governor and lieutenant governor's Leadership Agenda. Guiding principles of this agenda include: a customer focus, long-range thinking, collaborative leadership, results orientation, databased decisions, employee participation and continuous improvement. Major goals include making government information and services convenient to citizens and achieving results that are valued by citizens. One of the governor's first executive orders created a 21-member Strategic Planning Council composed of private citizens and state employees charged with developing a long-range blueprint of how citizens want their state to look in the year 2010. There is a strong commitment to "enterprise planning," which is a cross-functional process to identify measurable results and state policy objectives at the enterprise or multi-agency level. There are also several initiatives for improvement of quality and efficiency in government and citizen access to information. The state has recently received the national Hammer Award for its Internet strategy, called the IOWAccess Initiative. Through this initiative, citizens have greater access to information services and seamless connections to homepages provided by federal, state and local governments.

Developing the budgeting-for-results system in Iowa has been a long-term process of refining and improving the system and the measures over time and reflects the efforts of many committed individuals in state government. The Department of Management plays a key leadership role in defining and refining the budgeting-for-

results system and provides essential training, coaching and mentoring to agencies and their employees involved in the budgeting-for-results process. The Performance Measures Task Force, made up of state agency personnel who are actively involved in developing performance measures for their agencies, provides backup and assistance to the Department of Management in its efforts to make enhancements to the system. Task force members serve as performance measure facilitators within state government and are a "brain-trust" of information about development of the measurement system in Iowa and lessons learned from it.

Through this budgeting system, agencies have streamlined their budgets around a smaller number of program funding categories, each with associated performance measures, and put forward funding strategies designed to be cost effective to attain desired results ...

Beyond development of their budgets, agencies have used performance measurement and other "managing for results" practices to varying degrees. Some agencies, such as the Department of Transportation and the Department of Corrections, have been strategic in planning cost-effective investments and policies to achieve desired long-term results. The Department of Education has built statewide indicators and annual improvement goals for student achievement into the accreditation process for school districts, with reporting by district and by school to local communities and the state. The Annual Condition of Education Report is an important example of results oriented accountability reporting to citizens. These three agencies have had a significant level of local community involvement, either in developing plans and priorities or in using information reported.

By and large, the emphasis of "budgeting for results" has been a management initiative, driven by the governor's office. A new development that can potentially strengthen the results focus of the state government and bring many more citizens into the priority-setting process is the governor's Strategic Planning Council and his commitment to "enterprise planning." Six high-level cross-department groups are developing enterprise plans for important statewide issues to which multiple departments contribute. The governor has indicated a desire for an extensive public participation process similar to a public involvement process recently used by the Department of Transportation in developing its strategic plan. The Iowa in Motion transportation planning process is an important experiment, with citizen involvement in long-range planning.

(Excerpted from Paul D. Epstein and Wilson Campbell, "GASB SEA Research Case Study: Iowa," April 2000.)\*

### EXHIBIT 5: ILLINOIS\*

The state of Illinois has renewed its interest in performance measurement and is developing a strategic management system for use across the government. There is a bipartisan approach to improving accountability and managing for results in the state particularly from within the executive branch.

The state has two elected officials that are leading the campaign for performance measurement within the executive branch. These individuals are the Governor and the Comptroller. The legislative branch has also expressed an interest in accountability ...

The state of Illinois is an experimental site for the Service, Efforts and Accomplishment (SEA) reporting encouraged by the Governmental Standards Board. The state's Comprehensive Annual Financial Statement has included SEA information since fiscal year 1997.

The Office of Strategic Planning and the Office of Statewide Performance Review were established in 1999 by Executive Order of the Governor to facilitate the performance measurement movement. These offices work cooperatively to provide a comprehensive performance review of all agencies and to train the staff within the agencies about performance measurement.

The Office of Statewide Performance Review works cooperatively with the Office of the Comptroller in publishing *The Public Accountability Report*. This report realizes the goals of the SEA experimentation project by 1) making government more results oriented; 2) increasing public awareness of the efficacy of state government programs; 3) facilitating informed decision-making on the allocation of State resources; and 4) increasing accessibility to information on state government programs.<sup>1</sup>

The Office of Strategic Planning integrates strategic planning with quality issues, performance planning, outcome-based budgeting, and performance monitoring and reporting. This comprehensive approach is new in the state of Illinois. Therefore, the effects from the efforts of this office are minimal. Many agencies and programs have used and reported performance measures for many years. In some cases the performance measures provide indications of the quality and outcome of the programs and agencies. Most of the performance measures, however, are merely output or workload measures.

The Auditor General's Office performs performance audits of state agencies and programs. These audit reports are provided to the legislature and to the media. The legislature seems interested in obtaining information about the performance of a program or agency ... It is not possible, however, to determine if legislative decisions are made using the performance information.

(Excerpted from Laura Tucker, "GASB Research Case Study: State of Illinois – Emphasis on Accountability and Managing for Results," April 2000.)\*

### EXHIBIT 6: LOUISIANA\*

Since 1997, when landmark legislation was enacted, the state of Louisiana has been using performance measurement in all executive agencies as part of a "managing for results cycle" that includes multi-year strategic planning, annual operational planning, performance based budgeting and quarterly performance reports. Louisiana's performance management system has been legislatively driven, as championed by the Louisiana House Appropriations Chair, Representative Jerry Luke LeBlanc. Governor Mike Foster strongly supported this system, ensuring that executive agencies have complied with performance planning, budgeting and reporting requirements. Prior performance reporting requirements were tied to specific governors and had been largely abandoned before the current law. Chairman LeBlanc was concerned that agencies had funds appropriated in large program blocks, under the state's program budgeting system, with no formal links of the funds to specific plans or performance indicators to hold agencies accountable for using the funds as intended by the legislature or for achieving desired results. His 1997 law created those links. The governor's Office of Planning and Budget (OPB), on the executive side, and legislative appropriations and fiscal staff, play strong roles working with agencies to ensure those links are real. Legislative auditors play important roles examining issues of appropriateness of performance indicators, and the quality of performance data, to help agencies learn how they need to improve their indicators and the integrity of their measurement systems.

Legislators, especially those on the House Appropriations Committee, have referred to performance information in questioning department managers, particularly during budget hearings. To date, the use of performance information in the budget process has reportedly influenced decisions on funding new programs and making marginal increases or decreases to current programs. Performance information has reportedly not yet influenced decisions about agencies' "base" budgets. While state performance budgeting and the related managing for results cycle focuses on specific agencies and programs, Governor Foster has also initiated three long-range strategic planning initiatives – on economic development, workforce development, and children and families – that cut across state agencies. These initiatives are backed by their own legislation and are led by commissions or task forces

whose members come from different parts of government and the private and nonprofit sectors. The state is working on linking agency strategic and operational plans to these crosscutting strategic plans.

Agencies submit their quarterly performance data to the OPB and the legislature electronically, through the Louisiana Performance Accountability System (LaPAS), an Internet-based system that allows remote data entry and access. The public can access LaPAS and review agency performance information on the World Wide Web at <http://www.doa.state.la.us/opb/lapas/lapas.html>. OPB makes all budget and planning forms, and guidelines for all parts of the managing results cycle, including strategic and operational planning, available on the Web at <http://www.doa.state.la.us/opb/pbb/pbb.html>.

(Excerpted from Paul D. Epstein and Wilson Campbell, "GASB Research Case Study: State of Louisiana," April 2000.)\*

## Notes

<sup>1</sup> Office of the Comptroller, State of Illinois, *The Public Accountability Report* (Springfield, IL: Office of the Comptroller, 1999), ii-iii.

\* All exhibits are excerpted from *State and Local Government Case Studies on Use and the Effects of Performance Measures for Budgeting, Management, and Reporting*, Governmental Accounting Standards Board, April 2000. The case studies can be downloaded at <http://accounting.rutgers.edu/raw/seagov/pmg/casestudy/downloadinfo.html>. For more information on the GASB Performance Measurement Project, see <http://accounting.rutgers.edu/raw/seagov/pmg/perfmeasures/index.html>.

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## About the Author

**Marc Holzer** is a professor of public administration at Rutgers University, where he serves as executive director of the National Center for Public Productivity. He is the editor of *Public Performance and Management Review* and is a former president of the American Society for Public Administration.

# Top-Level State Administrators: Changing Characteristics and Qualities

By Deil S. Wright, Chung-Lae Cho, and Yoo-Sung Choi

*For too long, too little attention has been paid to the administrative arena of state government. This article examines recent trends and emerging issues in the scope, size and structure of state administration and the status and skills of administrators. The authors analyze data collected as part of the American State Administrators Project to identify trends in the personal and educational attributes and career paths of top-level state administrators.*

## Introduction

Why are state administrative agencies and their leaders or directors important? There are many reasons, but space permits us to mention only a few. One is the scope of state agencies and how the number of administrative activities performed by state governments has enlarged over the past 50 years. Another is the size of state government in terms of administrative employees, particularly the growth of state-government employment from less than one million employees in 1950 to nearly five million in 2000. A third important feature is the structure of state administrative operations – specifically, how administrative structures have changed from rambling, even ramshackle arrangements to reorganized and rationalized entities. A fourth feature is the status or policy significance of agency heads, and how these administrative leaders have been transformed from inconsequential spectators to critical players in the processes of policy formulation and implementation in state government. A fifth (but not necessarily final) feature of state administration and administrators is skill(s). By this we refer to the enhanced qualities and abilities applied to contemporary administration in state government. Alternatively, it could be described as the transition from patronage to professionalism in state administration.<sup>1</sup>

The features of scope, size, structure, status and skill combine with other characteristics to make state administration an important and significant subject about which other state leaders and the public at large need to be better informed. The purposes of this analysis are to provide information about state administration, interpret trends and identify emerging issues. In pursuit of these aims, we rely primarily on a series of eight mail-questionnaire surveys done twice during each of the past four decades.

These surveys were conducted by the American State Administrators Project (ASAP) and started in 1964. The two most recent surveys were completed in 1994 and 1998.<sup>2</sup> These eight data sets enable us first to chart trends in some of the most basic characteristics of state administrators as individuals and of state administration in general. Second, by aggregating replies to the two surveys in the 1990s, we report both national-

ly and by state the most prominent features of state administration based on responses from over 2,000 top-level executives (agency heads) across the 50 states. The products of the surveys are presented primarily in tabular form. We will, however, summarize the results, offer interpretations of the findings and identify issues that emerge from the overall analysis.

## Trends in Administrator Characteristics

The availability of comparable data across four decades enables us to trace trends in the characteristics of administrative leaders from the 1960s onward. We explore the continuity and the changes under two general categories. These are 1) personal and educational attributes, and 2) career paths. Each of these is discussed below.

## Personal and Educational Attributes

Selected personal characteristics are available to produce profiles of the top-level state administrators. These are age, gender, ethnicity/race and education. These typical personal attributes are frequently used to describe the composition of important groups of public officials. Our documentation of these personal attributes with data obtained over the last four decades provides an understanding of changes in the past and present structure of the top-level state administrative establishment. Prior research has identified the trend of top-level state administrators becoming as a group younger, more diverse in terms of gender and ethnicity/race and better educated.<sup>3</sup>

**Age.** Table A provides trend data on the personal attributes of state agency heads over the four decades. One distinctive feature is that a moderate “youth movement” among top-level state administrators was consistent from the 1960s to the 1980s. The consistent decline of mean and median age clearly shows the trend. This trend, however, somewhat reversed in the 1990s. The average (mean and median) age moved slightly upward. This shift can be explained by the two distinctive features of age configuration among state executives in the 1990s. First, the proportion of state executives who were under 40 sharply dropped. Second, the proportion of state agency heads who were

**Table A. State Administrators: Personal Background and Educational Characteristics, 1964-1998**

(N=)	1964 (850)	1968 (725)	1974 (750)	1978 (525)	1984 (450)	1988 (550)	1994 (412)	1998 (370)	1998(a) (1175)
Percentages (unless otherwise noted)									
Age									
Under 40	13	14	17	22	25	22	7	7	8
40 - 49	28	29	31	33	33	48	46	40	41
50 - 59	35	38	33	31	28	28	36	42	40
60 and over	24	19	19	14	14	12	11	11	10
Mean (Years)	52	50	50	48	47	48	50	51	50
Median (Years)	53	51	50	49	47	46	49	51	51
Gender									
Male	98	95	96	93	89	83	79	81	78
Female	2	5	4	7	11	17	21	19	22
Ethnic Background									
White	98	97	96	92	90	90	89	90	89
African American	1	1	2	2	5	5	6	5	5
American Indian	NA	NA	NA	1	1	1	1	1	1
Asian	1	2	2	4	3	2	2	2	2
Hispanic	NA	NA	NA	1	2	2	1	1	2
Other/Mixed Race	NA	NA	NA	NA	NA	NA	NA	2	2
Education									
High School or Less	15	7	4	3	2	2	2	1	1
Some College	19	18	13	11	6	7	7	3	4
Bachelor's Degree		15	18	15	15	18	17	21	20
Some Graduate Study	25(b)	16	17	14	14	16	16	15	15
Graduate Degree	40	45	47	56	63	57	58	60	60

**Notes:**

Percentages may not add to 100 because of rounding.

(a) Percentages in this column are based on the total number of respondents (N=1175) who responded to the 1998 ASAP survey. The percentages reported in the other columns in this table (with variable Ns) are based on agency

heads responding from 27 state administrative agencies that were common or consistent for all eight ASAP surveys from 1964 through 1998.

(b) This percent is the total of bachelor's degree plus some graduate study. Source: D. S. Wright, American State Administrators Project, Odum Institute for Research in Social Science, University of North Carolina at Chapel Hill.

50-59 increased. These two factors contributed to the increase of average age in the 1990s.

Another feature of the age composition in the 1990s is that when we combine the proportions of the two middle age groups, 40-49 and 50-59, they total 82 percent. This is the first time in the last four decades that these two age groups constituted over 80 percent of top-level state administrators.

**Gender.** Top-level state administrative positions were once the preserve of men. In 1964, only 2 percent of state agency heads were women. Since that time, significant shifts have consistently and gradually occurred in the gender composition of state administrators. Beginning in the late 1980s, women constituted around one-fifth of top-level state administrators. Tallies of gender-identifiable female names in published lists of state executives suggest that this proportion continues to increase.

**Ethnicity/Race.** While the gender diversity among state agency heads consistently increased over four decades, only slight movements toward greater ethnic and racial diversity occurred. The proportion of non-whites gradually increased from only 2 percent in 1964 to 10 percent in 1984. Since 1984, however, there has been little if any shift in the proportion of minority

members among state executives. In sum, most top-level state administrators are white males, but there have been modest shifts toward greater gender and ethnic/racial representation.

**Education.** The shift in educational qualifications of state administrators is especially noteworthy. In the early 1960s, only about two-thirds of state executives held at least one college degree and 40 percent held a graduate degree. The proportion of college- or graduate-degree holders constantly increased during the following decades. Beginning in the 1980s, over 90 percent of state agency heads held at least one college degree, while the proportion holding a graduate degree was around 60 percent.

Another distinctive feature of state executives' educational background is that since the late 1970s, a majority of top-level state administrators have held graduate degrees. The proportion holding graduate degrees consistently moved upward from around 40 percent in the 1960s to 60 percent in the 1980s and 1990s. The proportion holding graduate degrees plus those who attended graduate school without graduating ranged from around 70 to 80 percent. This high level of educational attainment suggests that graduate-professional education has become an imperative for most



top-level state administrators.

The composition of the top-level state administrative establishment has consistently changed over the last four decades. The general direction of the shifts is that state executives have become younger, more socially representative and more educationally professional.

### Career Paths

How did state agency heads reach the top executive posts? Is there a predominant career path to the top? Our surveys from 1964 to 1998 asked several identical career-related questions. Table B provides career-pattern trends over the past four decades.

**Age at First Government Position.** The median age at which state agency heads held their first government position consistently declined between the 1960s and the 1980s. The 1988 median age upon securing the first government position, 26 years old, contrasts markedly with that of 1964, 33 years old. In the 1990s, however, the trend reversed. The figure moved to 30, a shift that is consistent with the turnabout of the state executive "youth movement" (see Table A, "State Administrators: Personal Background and Educational

Characteristics").

Two other features related to entering public service should be noted. First, the proportion of state agency heads who accepted their first government position when they were in their 20s consistently shifted upward from the 1960s to 1980s. Second, over the four decades, around 70 to 80 percent of top-level state administrators entered into their first government positions when they were between 20 and 40 years old.

**Prior Position.** The diversity of positions held immediately prior to becoming a state agency head is displayed in Table B. The primary prior position held by state executives was a subordinate post within the same agency. Since 1974, in every year except 1984, more than one-third of all state agency heads were promoted from a subordinate position within the same state agency. Another sizable proportion of agency heads, around 20 percent, came from a different administrative agency within the same state. Only about 5 percent came directly to their executive post from a position in another state. However, the inter-governmental mobility among national, state and local governments was small and changed only slightly during the last four decades.

**Table B. State Administrators' Career Patterns, 1964-1998**

(N=)	1964 (850)	1968 (725)	1974 (750)	1978 (525)	1984 (450)	1988 (550)	1994 (412)	1998 (370)	1998(a) (1175)
Age at first government position									
	Percentages (unless otherwise noted)								
Under 20	3	2	1	2	3	4	NA	2	4
20 - 29	32	32	40	46	48	63	NA	47	50
30 - 39	35	36	32	28	26	20	NA	25	23
40 - 49	19	18	19	16	14	9	NA	17	15
50 and over	11	12	9	8	9	4	NA	8	8
Median (Years)	33	33	31	30	29	26	NA	31	30
Immediate Prior Position									
Subordinate-Same Agency	28	27	36	43	30	34	36	40	43
Another Agency-Same State	22	19	18	17	23	21	18	20	19
Local Government	11	10	9	7	5	6	7	6	6
National Government	6	4	3	3	6	8	2	3	3
Another State	2	4	4	6	4	3	5	5	6
Other	31	36	30	23	24	29	32	24	24
Position(s) in Number of State Agencies									
One	54	54	58	54	49	48	37	49	53
Two or Three	39	41	35	38	40	42	49	41	38
Four or More	7	5	7	8	11	10	15	10	9
Position(s) in other States									
Yes	8	11	14	16	15	14	15	15	16
No	92	89	86	84	85	85	85	85	84
Years (avg) in:									
Present State Government	14	14	13	12	12	13	15	15	16
Present Agency	NA	11	10	10	9	9	10	11	12
Present Position	NA	6	5	5	5	5	5	6	6
Immediately Prior Position	NA	NA	8	7	7	7	9	9	9

*Notes:*

Percentages may not add to 100 because of rounding.

(a) Percentages in this column are based on the total number of respondents (N=1175) who responded to the 1998 ASAP survey. The percentages reported in the other columns in this table (with variable Ns) are based on agency heads

responding from 27 state administrative agencies that were common or consistent for all eight ASAP surveys from 1964 through 1998.

Source: D. S. Wright, American State Administrators Project, Odum Institute for Research in Social Science, University of North Carolina at Chapel Hill.

From one-fourth to one-third of the executives came from a variety of posts in the private and non-profit sectors. Overall, the top-level state administrative establishment is composed of individuals with a wide variety of prior governmental and nongovernmental experiences.

**Interagency and Interstate Mobility.** The interagency and interstate career mobility of top-level state administrators is shown in Table B. With some variation, approximately half the executives had spent their administrative careers in one state agency. The other half had career experience in two or more state agencies. It seems that state executives are roughly evenly divided in their agency career patterns, with half following multiagency career routes, while the remainder revealed no interagency mobility.

Interstate mobility was much lower than interagency mobility. In the 1960s, around 10 percent of state agency heads had career experience in other states. The proportion moved slightly upward to around 15 percent in the 1970s and the figure remained unchanged into the 1990s.

**Tenure.** State agency heads have significant experience in state government, in the agencies they currently head and in their present posts. The mean number of years in these three categories was approximately 15, 10, and 5, respectively. These averages varied only slightly from the 1960s to the 1990s.

The career paths of top-level state administrators exhibit several features. There is diversity in the prior types of posts or positions held. There is a dual-track pattern of agency mobility, with half holding one-agency service and the other half serving multiple agencies. Small but notable proportions show career mobility across sectors, intergovernmental levels and states. Career-tenure patterns were quite stable over the past four decades.

### Emerging Issues

The previous discussion of the personal attributes, educational attainment and career patterns of state administrators forms the foundation for specifying several issues confronting state governance. Space does not permit a full elaboration of these issues. We can do little more than list them, after identifying three noteworthy caveats.

First, the 50 American states vary widely in numerous ways; therefore, the issues identified below do not apply equally to every state. Second, the 80 to 100 administrative agencies in each state also differ greatly in size, scope, purpose, etc. These issues therefore vary in their relevance to any one particular agency. Third, the tasks and challenges faced by the 50 states and their

respective administrative units are in a constant state of flux. Thus, the issues noted below are likely to shift with time and circumstance, depending on the changing agendas confronting each agency and state. With these cautions in mind, we indicate prominent issues regarding personal attributes, educational attainment and career patterns. In this process we reference three tables that follow this essay, where several features are indicated for each state based on combined responses to the 1994 and 1998 ASAP surveys. The tables are: "State Administrators' Personal Background Characteristics by State, 1990s," "State Administrators Educational Characteristics by State, 1990s," and "State Administrators' Career Patterns by State, 1990s."

### Personal Attributes

The following age, gender, and ethnic/racial issues deserve attention in many states and agencies. (See the table entitled "State Administrators' Personal Characteristics by State, 1990s.")

- The "youth movement" evident among state administrators from the 1960s through the 1980s has shifted toward an "aging out" pattern. This suggests the need for states to address the exit of top executives through retirement and the grooming of replacements.
- Twenty to twenty-five percent of agency heads in state government are women. This constitutes the highest female share of an executive cohort in either the public or private sector.<sup>4</sup> Women executives in state government, however, still tend to be concentrated in special types of state agencies and are still significantly underrepresented proportionately. In four states (Iowa, Maryland, Oregon and Washington), women are one-third or more of all state executives.
- The prospect of racial/ethnic diversity remains problematic in many quarters, and top-level state administration is no exception. Since the 1980s, the proportion of nonwhite top state executives has remained constant at about 10 percent. In four states (Hawaii, Indiana, New Mexico and New York), the proportion is one-fourth or more (75 percent or less Caucasian).

### Educational Attainment

The acquisition of professional skills via education and experience is an important prerequisite for most, if not all, executives. Since the 1980s, about 60 percent of all agency heads have had graduate degrees. But the simple possession of such a degree does not confer superior management skills. However, it assures a plat-



form on which better managerial performance is based. The table on "State Administrators Educational Characteristics by State, 1990s" shows for each state the percentages of executives holding different types of degrees.

- On average, 59 percent of all executives held a graduate degree. But in five states (Colorado, Maryland, New Hampshire, New Jersey and Washington), over 70 percent held such a degree.
- A law degree historically offered access to executive as well as legislative posts in state government. Barely 10 percent of state administrators hold law degrees. This low percentage is not surprising, given the caution or even skepticism regarding law as appropriate preparation for a top-management post. In four states (Connecticut, Iowa, Maine and Virginia), more than 20 percent of the agency heads held law degrees.

Two curricula are often advanced as suitable preparation for executive positions: public (MPA) and business (MBA) management degrees. More than 10 percent held the former degree and nearly 17 percent attained the latter. Is state administration adequately staffed, with about 25 percent of executives holding such degrees? In 13 states,<sup>5</sup> more than 15 percent held MPA degrees, while in eight states,<sup>6</sup> over 25 percent held business degrees.

The larger issue for state-government management is not the number or proportion of executives holding a particular degree. More consequential is the extent to which these degrees instill a desire for continued skill development and enhanced managerial capacities.

### Career Patterns

Ten different career features are displayed in the table "State Administrators' Career Patterns by State, 1990s," which follows this essay. The figures are too extensive to discuss, but a few prominent issues may be extracted from the several columns.

- Is lengthy experience in a state an advantage in heading an agency? (The average is 15 years.)
- Is long experience in an organization an advantage in directing a state agency? (The average exceeds 11 years.)
- What are the advantages and disadvantages of long tenure in heading a state agency? (The average is five years.)
- How can state executives guard against burnout and maintain a creative focus as their average workweek exceeds 52 hours?
- How much interagency and interstate/intergovernmental mobility is appropriate for effective

agency leadership?

- How diverse should the administrative experience of state agency heads be, especially when nearly two-thirds previously held a position in the private sector?
- Finally, how inbred or homebred should state executives be, especially when nearly half (45 percent) direct agencies in the state where they were born?

For too long inadequate attention has been given to the administrative arena of state government. The information, trends and issues identified above may assist in increasing an awareness of the importance of administrators and public administration in the American states.

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### Notes

<sup>1</sup> A more extensive discussion of an "administrative revolution" in the American states can be found in 1) C. J. Bowling and D.S. Wright, "Public Administration in the Fifty States: A Half-Century Administrative Revolution," *State and Local Government Review* 30 (Winter 1998): 52-64; and 2) C.J. Bowling and D.S. Wright, "Change and Continuity in State Administrative Leadership Across Four Decades," *Public Administration Review* 58 (September/October 1998): 429-444. The growth in the scope of state administrative agencies from 51 in the 1950s to over 100 (in each state) in the 1990s appears in S.S. Jenks and D.S. Wright, "An Agency-Level Approach to Change in the Administrative Functions of American State Governments," *State and Local Government Review* 25 (Spring 1993): 78-86. See also D.S. Wright and C.L. Cho, "State Administration and Intergovernmental Interdependency: Do National Impacts on State Agencies Contribute to Organizational Turbulence?" *Handbook of State Government Administration*, ed. J.J. Gargan (New York: Marcel Dekker, 2000).

<sup>2</sup> A description of the ASAP surveys is found in D.S. Wright and C.L. Cho, "American State Administrators Project (ASAP) Overview: Major Features of the ASAP Surveys, 1964-1998," (Chapel Hill, NC: University of North Carolina, Odum Institute for Research in Social Science, 2001).

<sup>3</sup> F.T. Hebert and D.S. Wright, "State Administrators: How Representative? How Professional?" *State Government* 55 (Winter, 1982): 22-28; P.J. Hass and D.S. Wright, "The Changing Profile of State Administrators" *The Journal of State Government* 60 (November, 1987): 270-278; D.S. Wright, J.W. Yoo and J. Cohen, "The Evolving Profile of State Administrators," *The Journal of State Government* 64 (January-March, 1991): 30-38; C.J. Bowling and D.S.

Wright, "Change and Continuity in State Administration: Administrative Leadership across Four Decades," *Public Administration Review* 58:5 (September/October 1998): 429-444.

<sup>4</sup> For a discussion of trends and issues associated with gender representation in state administration see A.M. Bullard and D.S. Wright, "Circumventing the Glass Ceiling: Women Executives in American State Governments," *Public Administration Review* 53 (May/June 1993): 189-202.

<sup>5</sup> California, Georgia, Kansas, Kentucky, Massachusetts, Michigan, Missouri, Nevada, New Jersey, New Mexico, Pennsylvania, Vermont and Washington.

<sup>6</sup> Alabama, Arizona, Arkansas, Colorado, Massachusetts, Mississippi, New Hampshire and West Virginia.

## About the Authors

**Deil S. Wright** is the alumni distinguished professor of political science and public administration at the University of North Carolina at Chapel Hill (UNC-CH). His research and teaching career have focused on intergovernmental relations, with a special emphasis on the role of the states in the American federal system. **Chung-Lae Cho** is a doctoral candidate in political science at the university. His Ph.D. dissertation focuses on the dynamics of national influences on state agencies through incentives (federal aid) and sanctions (mandates). **Yoo-Sung Choi** is a senior research fellow at the Korean Institute of Public Administration in Seoul, Korea. He was recently a visiting research scholar at UNC-CH, where his research on local autonomy and intergovernmental relations resulted in several papers and publications.

**Table 8.1**  
**STATE ADMINISTRATORS' PERSONAL BACKGROUND CHARACTERISTICS BY STATE, 1990s**

<i>State</i>	<i>Median age</i>	<i>Median age in state govt.(a)</i>	<i>Gender (b)</i>	<i>Ethnic background (c)</i>	<i>Political partisanship (d)</i>
			Percentages (N=)		
Alabama .....	50.0 (47)	31.0 (27)	14.3 (49)	91.8 (49)	2.7 (43)
Alaska .....	48.0 (62)	31.0 (31)	27.4 (62)	91.7 (60)	3.5 (55)
Arizona .....	51.0 (46)	27.0 (24)	15.2 (46)	89.1 (46)	2.2 (43)
Arkansas .....	50.0 (38)	26.0 (19)	12.8 (39)	89.7 (39)	3.7 (36)
California .....	54.0 (29)	30.0 (15)	10.3 (29)	89.7 (29)	2.5 (28)
Colorado .....	47.5 (52)	32.5 (20)	21.2 (52)	86.5 (52)	3.8 (47)
Connecticut .....	52.0 (30)	28.5 (16)	26.7 (30)	96.7 (30)	3.5 (30)
Delaware .....	46.0 (47)	27.5 (22)	27.1 (48)	85.4 (48)	3.6 (48)
Florida .....	52.0 (40)	28.5 (22)	18.6 (43)	93.0 (43)	4.0 (40)
Georgia .....	51.0 (49)	25.0 (27)	18.4 (49)	89.6 (48)	3.7 (47)
Hawaii .....	53.0 (55)	33.0 (33)	29.3 (58)	31.0 (58)	4.6 (56)
Idaho .....	51.0 (47)	31.0 (23)	23.4 (47)	93.3 (45)	2.9 (44)
Illinois .....	48.0 (35)	36.0 (18)	25.0 (36)	82.9 (35)	1.6 (35)
Indiana .....	48.0 (46)	28.0 (25)	23.4 (47)	72.3 (47)	4.2 (47)
Iowa .....	48.0 (42)	26.5 (22)	33.3 (42)	100.0 (42)	3.4 (39)
Kansas .....	48.0 (41)	34.0 (21)	16.7 (42)	90.5 (42)	2.6 (42)
Kentucky .....	49.5 (56)	30.0 (31)	8.8 (57)	82.5 (57)	4.5 (56)
Louisiana .....	49.0 (33)	24.0 (21)	32.4 (34)	91.2 (34)	3.3 (33)
Maine .....	48.0 (41)	32.0 (19)	19.0 (42)	100.0 (42)	3.5 (40)
Maryland .....	49.0 (58)	33.0 (25)	34.4 (61)	88.5 (61)	4.1 (59)
Massachusetts .....	49.0 (30)	29.0 (15)	25.0 (32)	87.1 (31)	2.4 (27)
Michigan .....	50.0 (56)	25.0 (23)	10.9 (55)	96.4 (55)	2.5 (54)
Minnesota .....	50.0 (59)	27.5 (30)	21.7 (60)	93.3 (60)	3.1 (57)
Mississippi .....	54.0 (45)	42.0 (23)	13.3 (45)	86.7 (45)	2.0 (44)
Missouri .....	48.0 (66)	29.5 (34)	27.3 (66)	90.9 (66)	4.2 (65)
Montana .....	47.5 (66)	31.0 (27)	27.3 (66)	95.4 (65)	3.4 (59)
Nebraska .....	50.0 (49)	25.0 (21)	18.4 (49)	93.9 (49)	3.3 (47)
Nevada .....	52.0 (45)	33.0 (23)	32.6 (46)	91.3 (46)	3.6 (45)
New Hampshire .....	51.0 (45)	35.0 (19)	21.7 (46)	97.8 (46)	2.8 (45)
New Jersey .....	50.0 (31)	31.5 (14)	28.1 (32)	87.5 (32)	2.0 (31)
New Mexico .....	50.0 (47)	33.0 (25)	22.9 (48)	75.0 (48)	3.2 (45)
New York .....	51.0 (22)	29.0 (12)	9.1 (22)	72.7 (22)	2.6 (21)
North Carolina .....	52.0 (66)	29.0 (35)	19.4 (67)	83.3 (66)	4.6 (63)
North Dakota .....	50.0 (48)	27.0 (22)	12.2 (49)	100.0 (49)	2.1 (47)
Ohio .....	48.0 (56)	29.0 (27)	23.2 (56)	94.6 (56)	2.1 (56)
Oklahoma .....	48.0 (58)	29.0 (31)	17.2 (58)	91.4 (58)	3.4 (57)
Oregon .....	49.0 (48)	31.5 (20)	36.7 (49)	89.8 (49)	3.4 (47)
Pennsylvania .....	51.0 (43)	32.0 (18)	22.2 (45)	88.9 (45)	3.0 (42)
Rhode Island .....	50.0 (48)	27.0 (25)	21.6 (51)	98.0 (49)	3.9 (42)
South Carolina .....	49.0 (39)	26.0 (21)	17.1 (41)	95.1 (41)	2.8 (33)
South Dakota .....	47.0 (37)	27.0 (17)	21.1 (38)	94.7 (38)	1.7 (38)
Tennessee .....	50.5 (40)	29.0 (18)	14.3 (42)	83.3 (42)	3.2 (38)
Texas .....	48.5 (36)	26.0 (19)	18.9 (37)	91.9 (37)	2.7 (35)
Utah .....	48.5 (60)	32.5 (32)	22.6 (62)	93.5 (62)	2.3 (59)
Vermont .....	49.0 (46)	34.0 (24)	26.1 (46)	93.5 (46)	3.4 (43)
Virginia .....	48.5 (24)	45.0 (7)	29.2 (24)	91.3 (23)	2.2 (19)
Washington .....	50.0 (39)	34.0 (23)	41.0 (39)	87.2 (39)	3.7 (37)
West Virginia .....	51.0 (61)	29.0 (27)	21.0 (62)	93.5 (62)	3.6 (60)
Wisconsin .....	48.5 (60)	25.0 (27)	24.2 (62)	98.4 (62)	2.3 (56)
Wyoming .....	50.0 (59)	28.0 (24)	18.3 (60)	95.0 (60)	2.5 (60)
Average (N=) .....	50.0 (2323)	30.0 (1144)	22.1 (2368)	89.3 (2356)	3.2 (2240)

Source: D. S. Wright, American State Administrators Project, Odum Institute for Research in Social Science, University of North Carolina at Chapel Hill.

Key:

(a) Age first employed in state government, 1998 only.

(b) Percentage female.

(c) Percentage white.

(d) 1=Republican, 5=Democrat.

Table 8.2

## STATE ADMINISTRATORS' EDUCATIONAL CHARACTERISTICS BY STATE, 1990s

State	Graduate degree	Law degree	Public adm. degree	Business degree	Professional license (a)
Percentages (N=)					
Alabama .....	59.2 (49)	8.2 (49)	8.2 (49)	28.6 (49)	53.8 (26)
Alaska .....	49.2 (63)	6.3 (63)	11.1 (63)	11.1 (63)	12.9 (31)
Arizona .....	53.2 (47)	6.4 (47)	12.8 (47)	27.7 (47)	47.8 (23)
Arkansas .....	56.4 (39)	12.8 (39)	7.7 (39)	28.2 (39)	47.4 (19)
California .....	56.7 (30)	13.3 (30)	26.7 (30)	20.0 (30)	40.0 (15)
Colorado .....	73.1 (52)	11.5 (52)	13.5 (52)	28.8 (52)	55.0 (20)
Connecticut .....	56.7 (30)	20.0 (30)	13.3 (30)	3.3 (30)	31.3 (16)
Delaware .....	62.5 (48)	4.2 (48)	10.4 (48)	8.3 (48)	34.8 (23)
Florida .....	69.8 (43)	9.3 (43)	14.0 (43)	18.6 (43)	52.4 (21)
Georgia .....	57.1 (49)	8.2 (49)	18.4 (49)	16.3 (49)	51.9 (27)
Hawaii .....	61.0 (59)	13.6 (59)	8.5 (59)	16.9 (59)	72.7 (33)
Idaho .....	48.9 (47)	6.4 (47)	8.5 (47)	19.1 (47)	31.8 (22)
Illinois .....	62.2 (37)	10.8 (37)	5.4 (37)	5.4 (37)	31.6 (19)
Indiana .....	67.3 (49)	8.2 (49)	14.3 (49)	16.3 (49)	64.0 (25)
Iowa .....	64.3 (42)	21.4 (42)	14.3 (42)	11.9 (42)	33.3 (21)
Kansas .....	69.0 (42)	7.1 (42)	19.0 (42)	21.4 (42)	31.8 (22)
Kentucky .....	50.9 (57)	7.0 (57)	15.8 (57)	15.8 (57)	28.6 (28)
Louisiana .....	41.2 (34)	8.8 (34)	0.0 (34)	20.6 (34)	22.7 (22)
Maine .....	66.7 (42)	21.4 (42)	14.3 (42)	14.3 (42)	60.0 (20)
Maryland .....	70.5 (61)	14.8 (61)	9.8 (61)	16.4 (61)	48.0 (25)
Massachusetts .....	68.8 (32)	18.8 (32)	15.6 (32)	31.3 (32)	37.5 (16)
Michigan .....	64.9 (57)	12.3 (57)	17.5 (57)	5.3 (57)	31.8 (22)
Minnesota .....	52.5 (61)	11.5 (61)	6.6 (61)	8.2 (61)	40.0 (30)
Mississippi .....	60.0 (45)	11.1 (45)	4.4 (45)	31.1 (45)	47.8 (23)
Missouri .....	61.8 (68)	5.9 (68)	16.2 (68)	20.6 (68)	40.6 (32)
Montana .....	47.8 (67)	3.0 (67)	3.0 (67)	16.4 (67)	32.0 (25)
Nebraska .....	34.7 (49)	8.2 (49)	6.1 (49)	12.2 (49)	54.5 (22)
Nevada .....	54.3 (46)	13.0 (46)	15.2 (46)	15.2 (46)	45.8 (24)
New Hampshire .....	71.7 (46)	10.9 (46)	4.3 (46)	30.4 (46)	50.0 (18)
New Jersey .....	72.7 (33)	9.1 (33)	21.2 (33)	18.2 (33)	37.5 (16)
New Mexico .....	59.2 (49)	10.2 (49)	18.4 (49)	18.4 (49)	48.0 (25)
New York .....	50.0 (22)	4.5 (22)	9.1 (22)	13.6 (22)	25.0 (12)
North Carolina .....	57.1 (70)	11.4 (70)	14.3 (70)	17.1 (70)	47.1 (34)
North Dakota .....	52.0 (50)	8.0 (50)	10.0 (50)	20.0 (50)	68.2 (22)
Ohio .....	60.7 (56)	14.3 (56)	7.1 (56)	7.1 (56)	46.4 (28)
Oklahoma .....	50.0 (58)	12.1 (58)	8.6 (58)	20.7 (58)	45.2 (31)
Oregon .....	63.3 (49)	14.3 (49)	12.2 (49)	10.2 (49)	30.0 (20)
Pennsylvania .....	60.9 (46)	4.3 (46)	21.7 (46)	10.9 (46)	26.3 (19)
Rhode Island .....	59.6 (52)	9.6 (52)	13.5 (52)	15.4 (52)	42.3 (26)
South Carolina .....	64.3 (42)	16.7 (42)	11.9 (42)	14.3 (42)	42.9 (21)
South Dakota .....	53.8 (39)	7.7 (39)	7.7 (39)	15.4 (39)	23.5 (17)
Tennessee .....	61.9 (42)	7.1 (42)	4.8 (42)	14.3 (42)	36.8 (19)
Texas .....	68.4 (38)	15.8 (38)	7.9 (38)	23.7 (38)	57.9 (19)
Utah .....	68.3 (63)	6.3 (63)	11.1 (63)	20.6 (63)	41.9 (31)
Vermont .....	56.3 (48)	16.7 (48)	16.7 (48)	6.3 (48)	37.5 (24)
Virginia .....	64.0 (25)	24.0 (25)	8.0 (25)	8.0 (25)	50.0 (8)
Washington .....	70.0 (40)	17.5 (40)	15.0 (40)	10.0 (40)	36.4 (22)
West Virginia .....	46.8 (62)	11.3 (62)	9.7 (62)	25.8 (62)	42.9 (28)
Wisconsin .....	60.3 (63)	12.7 (63)	3.2 (63)	12.7 (63)	34.6 (26)
Wyoming .....	55.0 (60)	3.3 (60)	8.3 (60)	15.0 (60)	40.9 (22)
Average (N=) .....	59.0 (2398)	10.6 (2398)	11.3 (2398)	16.8 (2398)	42.3 (1140)

Source: D. S. Wright, American State Administrators Project, Odum Institute for Research in Social Science, University of North Carolina at Chapel Hill.

Key:

(a) 1998 only.

**Table 8.3**  
**STATE ADMINISTRATORS' CAREER PATTERNS BY STATE, 1990s**

State	Prior position				Held position					
	Yrs. emp. in state (a)	Yrs. emp. in agency (a)	Yrs. emp. in position (a)	Weekly hours (b)	Same agen.	Other agen.	Other state	Private sector	Two or more agencies (c)	Home state (d)
	Mean (N=)				Percentages (N=)					
Alabama	17.9 (48)	15.0 (45)	6.7 (46)	50.7 (48)	42.9 (49)	8.2 (49)	8.5 (47)	57.1 (49)	47.8 (46)	65.3 (49)
Alaska	12.0 (62)	9.6 (63)	4.6 (63)	56.5 (62)	39.7 (63)	7.9 (63)	17.5 (63)	77.4 (62)	57.4 (61)	7.9 (63)
Arizona	12.0 (46)	9.3 (46)	4.7 (46)	53.2 (46)	34.0 (47)	12.8 (47)	26.7 (45)	73.3 (45)	45.4 (44)	14.9 (47)
Arkansas	17.1 (39)	13.1 (39)	7.4 (39)	51.4 (39)	33.3 (39)	12.8 (39)	7.9 (38)	62.2 (37)	64.9 (37)	64.1 (39)
California	16.5 (29)	10.6 (28)	5.3 (28)	54.5 (28)	43.3 (30)	6.7 (30)	10.3 (29)	75.9 (29)	48.3 (29)	33.3 (30)
Colorado	15.7 (52)	10.9 (52)	5.2 (52)	53.7 (51)	53.8 (52)	11.5 (52)	19.2 (52)	75.0 (52)	62.7 (51)	30.8 (52)
Connecticut	15.8 (28)	11.2 (29)	5.2 (29)	50.0 (29)	40.0 (30)	6.7 (30)	13.3 (30)	44.8 (29)	42.9 (28)	40.0 (30)
Delaware	12.8 (47)	11.0 (47)	5.7 (47)	50.7 (46)	35.4 (48)	14.6 (48)	14.9 (47)	51.1 (45)	46.5 (43)	27.1 (48)
Florida	16.4 (43)	10.1 (41)	4.8 (42)	57.0 (43)	30.2 (43)	7.0 (43)	29.3 (41)	72.1 (43)	57.1 (42)	16.3 (43)
Georgia	20.6 (49)	14.5 (49)	6.8 (49)	54.0 (47)	36.7 (49)	10.2 (49)	12.2 (49)	57.1 (49)	57.8 (45)	61.2 (49)
Hawaii	18.4 (57)	13.7 (58)	7.6 (58)	54.6 (57)	45.8 (59)	13.6 (59)	7.0 (57)	66.7 (57)	69.1 (55)	71.2 (59)
Idaho	15.3 (47)	12.4 (47)	6.6 (47)	48.8 (47)	38.3 (47)	6.4 (47)	26.7 (45)	63.0 (46)	50.0 (44)	38.3 (47)
Illinois	15.7 (35)	8.8 (36)	4.9 (36)	52.4 (36)	40.5 (37)	16.2 (37)	5.6 (36)	68.6 (35)	58.3 (36)	54.1 (37)
Indiana	11.7 (47)	8.2 (48)	5.3 (48)	51.4 (47)	24.5 (49)	12.2 (49)	18.8 (48)	63.6 (44)	52.1 (48)	53.1 (49)
Iowa	17.3 (42)	14.1 (42)	8.3 (42)	55.5 (42)	38.1 (42)	16.7 (42)	23.8 (42)	47.6 (42)	56.1 (41)	50.0 (42)
Kansas	12.3 (42)	8.6 (41)	4.5 (42)	49.7 (41)	28.6 (42)	2.4 (42)	17.1 (41)	71.4 (42)	29.3 (41)	42.9 (42)
Kentucky	14.8 (57)	10.6 (56)	4.6 (56)	50.3 (57)	33.3 (57)	17.5 (57)	7.1 (56)	66.7 (57)	61.8 (55)	56.1 (57)
Louisiana	18.6 (34)	13.1 (34)	4.1 (33)	51.9 (34)	55.9 (34)	11.8 (34)	11.8 (34)	66.7 (33)	67.6 (34)	55.9 (34)
Maine	12.0 (42)	9.4 (41)	6.0 (42)	50.0 (40)	28.6 (42)	9.5 (42)	11.9 (42)	63.4 (41)	53.8 (39)	35.7 (42)
Maryland	15.9 (61)	10.3 (61)	5.3 (59)	52.5 (60)	50.8 (61)	14.8 (61)	5.0 (60)	66.1 (59)	60.0 (60)	23.0 (61)
Massachusetts	12.3 (32)	7.2 (32)	4.5 (32)	54.9 (32)	43.8 (32)	3.1 (32)	15.6 (32)	74.2 (31)	43.3 (30)	59.4 (32)
Michigan	18.0 (55)	13.2 (54)	6.2 (54)	53.8 (55)	36.8 (57)	15.8 (57)	16.7 (54)	61.1 (54)	61.5 (52)	40.4 (57)
Minnesota	17.1 (61)	12.8 (61)	5.1 (61)	51.9 (60)	59.0 (61)	4.9 (61)	16.4 (61)	60.7 (61)	49.2 (59)	54.1 (61)
Mississippi	14.4 (45)	11.0 (44)	5.6 (44)	49.2 (43)	35.6 (45)	8.9 (45)	4.4 (45)	70.5 (44)	29.5 (44)	64.4 (45)
Missouri	16.9 (67)	14.2 (66)	5.7 (66)	54.6 (64)	50.0 (68)	14.7 (68)	15.2 (66)	55.6 (63)	47.0 (66)	51.5 (68)
Montana	13.7 (67)	10.0 (67)	5.2 (67)	50.8 (63)	38.8 (67)	16.4 (67)	13.6 (66)	74.6 (63)	53.1 (64)	32.8 (67)
Nebraska	16.7 (49)	15.4 (49)	7.3 (49)	50.7 (49)	55.1 (49)	12.2 (49)	2.0 (49)	69.4 (49)	55.6 (45)	51.0 (49)
Nevada	14.4 (45)	11.4 (45)	4.9 (45)	52.7 (46)	39.1 (46)	13.0 (46)	28.9 (45)	62.5 (46)	51.2 (43)	19.6 (46)
New Hampshire	13.8 (46)	12.4 (46)	6.0 (45)	49.9 (45)	43.5 (46)	15.2 (46)	19.6 (46)	71.1 (45)	40.9 (44)	37.0 (46)
New Jersey	14.9 (31)	12.3 (32)	5.5 (32)	53.1 (32)	42.4 (33)	12.1 (33)	12.5 (32)	65.6 (32)	44.8 (29)	48.5 (33)
New Mexico	12.6 (48)	10.0 (48)	5.0 (48)	51.7 (49)	34.7 (49)	16.3 (49)	14.3 (49)	77.6 (49)	58.3 (48)	38.8 (49)
New York	12.0 (22)	9.5 (22)	5.3 (22)	55.1 (21)	45.5 (22)	27.3 (22)	27.3 (22)	65.0 (20)	59.1 (22)	68.2 (22)
North Carolina	17.9 (66)	12.9 (67)	5.9 (67)	53.7 (64)	42.9 (70)	15.7 (70)	9.1 (66)	53.7 (67)	57.8 (64)	45.7 (70)
North Dakota	15.3 (50)	12.0 (49)	5.0 (49)	52.8 (48)	34.0 (50)	10.0 (50)	18.0 (50)	73.5 (49)	55.3 (47)	72.0 (50)
Ohio	12.6 (55)	10.6 (55)	5.6 (55)	52.9 (54)	44.6 (56)	3.6 (56)	16.4 (55)	52.7 (55)	43.4 (53)	53.6 (56)
Oklahoma	14.9 (58)	12.2 (58)	4.8 (58)	51.4 (57)	58.6 (58)	6.9 (58)	14.3 (56)	70.7 (58)	51.8 (56)	58.6 (58)
Oregon	12.4 (49)	9.5 (49)	5.2 (49)	52.6 (48)	34.7 (49)	14.3 (49)	20.4 (49)	79.6 (49)	39.6 (48)	32.7 (49)
Pennsylvania	16.9 (43)	13.0 (44)	5.4 (44)	52.5 (44)	50.0 (46)	8.7 (46)	18.2 (44)	42.2 (45)	55.8 (43)	54.3 (46)
Rhode Island	14.7 (51)	11.9 (50)	5.0 (50)	49.7 (50)	38.5 (52)	9.6 (52)	26.9 (52)	64.7 (51)	54.9 (51)	46.2 (52)
South Carolina	18.5 (39)	13.5 (39)	5.0 (39)	52.3 (38)	42.9 (42)	11.9 (42)	17.1 (41)	56.1 (41)	67.5 (40)	59.5 (42)

See footnotes at end of table.

## STATE ADMINISTRATORS' CAREER PATTERNS BY STATE, 1990s — Continued

State	Prior position				Held position					
	Yrs. emp. in state (a)	Yrs. emp. in agency (a)	Yrs. emp. in position (a)	Weekly hours (b)	Same agen.	Other agen.	Other state	Private sector	Two or more agencies (c)	Home state (d)
	Mean (N=)				Percentages (N=)					
South Dakota .....	14.7 (39)	10.7 (39)	6.2 (38)	52.8 (38)	38.5 (39)	10.3 (39)	10.3 (39)	55.3 (38)	69.2 (39)	56.4 (39)
Tennessee .....	19.1 (42)	14.2 (42)	5.8 (42)	49.7 (42)	54.8 (42)	7.1 (42)	14.6 (41)	57.5 (40)	53.8 (39)	52.4 (42)
Texas .....	13.8 (37)	10.5 (36)	3.3 (35)	52.3 (35)	36.8 (38)	18.4 (38)	5.4 (37)	62.2 (37)	60.0 (35)	60.5 (38)
Utah .....	13.3 (63)	10.9 (62)	5.1 (61)	49.8 (62)	38.1 (63)	19.0 (63)	11.3 (62)	67.7 (62)	58.3 (60)	42.9 (63)
Vermont .....	12.4 (45)	9.2 (43)	4.8 (43)	53.5 (46)	29.2 (48)	8.3 (48)	19.6 (46)	67.4 (46)	63.6 (44)	22.9 (48)
Virginia .....	11.4 (23)	7.1 (23)	3.8 (23)	53.3 (22)	28.0 (25)	8.0 (25)	25.0 (24)	66.7 (24)	39.1 (23)	32.0 (25)
Washington .....	12.2 (40)	8.0 (39)	5.1 (39)	52.6 (40)	30.0 (40)	7.5 (40)	22.5 (40)	57.5 (40)	62.5 (40)	25.0 (40)
West Virginia .....	12.9 (62)	9.8 (62)	4.9 (62)	52.9 (62)	37.1 (62)	12.9 (62)	14.8 (61)	71.0 (62)	43.3 (60)	62.9 (62)
Wisconsin .....	16.2 (63)	12.0 (63)	6.0 (63)	56.6 (63)	42.9 (63)	15.9 (63)	12.7 (63)	66.7 (63)	58.3 (60)	46.0 (63)
Wyoming .....	15.6 (60)	12.4 (60)	4.7 (59)	49.6 (60)	53.3 (60)	13.3 (60)	15.3 (59)	74.6 (59)	53.3 (60)	36.7 (60)
Average (N=)	15.1 (2360)	11.4 (2349)	5.5 (2345)	52.4 (2332)	41.1 (2398)	11.8 (2398)	15.1 (2354)	65.0 (2339)	53.7 (2287)	45.0 (2398)

Source: D. S. Wright, American State Administrators Project, Odum Institute for Research in Social Science, University of North Carolina at Chapel Hill.

(a) Yrs. emp = Years employed.

(b) Average hours worked per week.

(c) Held positions in two or more agencies.

(d) Born in state where currently employed.

# PERSONNEL

**Table 8.4**  
**THE OFFICE OF STATE PERSONNEL EXECUTIVE:**  
**SELECTION, PLACEMENT AND STRUCTURE**

State or other jurisdiction	Method of selection	Reports to:			Directs departmental employees	Legal basis for personnel department	Organizational status	
		Governor	Personnel board	Other			Separate agency	Part of a larger agency
Alabama .....	B	...	★	...	★	S	★	...
Alaska .....	D (a)	...	...	★ (b)	★	S	...	★
Arizona .....	D	...	...	★ (b)	★	C, S	...	★
Arkansas .....	D (c)	★	...	★ (b)	★	S	...	...
California .....	G	★	...	★ (b)	★	R, C (d)	★	...
Colorado .....	G	★	...	★ (b)	...	C, S	...	★
Connecticut .....	D (e)	...	...	★ (b)	★	S	...	★
Delaware .....	G	★	...	...	★	S	★	...
Florida .....	D (f)	...	...	★ (b)	...	C, S (g)	...	★
Georgia .....	G	★	...	...	★	C, S	★	...
Hawaii .....	G	★	...	...	★	S	★	...
Idaho .....	G	★	...	...	★	S	...	★
Illinois .....	D (h)	...	...	★ (b)	★	S	...	★
Indiana .....	G	★	...	...	★	S	★	...
Iowa .....	G	★	...	...	★	S	★	...
Kansas .....	D (a)	...	...	★ (b)	★	S	...	★
Kentucky .....	G	★	...	...	★	S	★	...
Louisiana .....	...	...	...	...	...	C	★	...
Maine .....	D	...	...	...	★	S	...	★
Maryland .....	D (j)	...	...	★ (b)	★	S	...	★
Massachusetts .....	...	...	...	...	...	...	...	...
Michigan .....	(k)	...	...	★ (k)	★	C, E (l)	★	...
Minnesota .....	G	★	...	...	★	S	★	...
Mississippi .....	B	...	★	...	★	S	★	...
Missouri .....	G	...	...	★ (b)(m)	★	C, S	...	★
Montana .....	D (a)	...	...	★ (b)	★	S	...	★
Nebraska .....	D (n)	...	...	★ (b)	★	S	...	★
Nevada .....	G	★	...	...	...	S	★	...
New Hampshire .....	(o)	...	...	★ (b)(n)	★	S	...	★
New Jersey .....	G (p)	★	...	...	★	C, S	★	...
New Mexico .....	G	...	★	...	★	S	★	...
New York .....	G (q)	★	...	...	★	S	★	...
North Carolina .....	G	★	...	...	★	S	★	...
North Dakota .....	D (r)	...	...	★ (b)	★	S	...	★
Ohio .....	D (n)	...	...	★ (b)	★	S	...	★
Oklahoma .....	G	★	...	...	★	S	★	...
Oregon .....	D (n)(s)	...	...	...	...	S	...	★
Pennsylvania .....	G, D (m)	...	...	★ (b)	★	E	...	★
Rhode Island .....	...	...	...	...	...	...	...	...
South Carolina .....	D (t)	...	...	★ (u)	★	S	...	★
South Dakota .....	G	★	...	...	★	S	★	...
Tennessee .....	G	★	...	...	★	S	★	...
Texas .....	...	...	...	...	...	...	...	...
Utah .....	G	★	...	★ (v)	★	S	★	...
Vermont .....	G	...	...	★ (w)(x)	★	S	...	★
Virginia .....	G	...	...	★ (y)	★	S	★	...
Washington .....	G	★	...	...	★	S	★	...
West Virginia .....	D (a)	...	...	★ (b)	★	S, E	...	★
Wisconsin .....	G	★	...	...	★	S	★	...
Wyoming .....	D (z)	...	...	★ (b)	...	S	...	★

See footnotes at end of table.

## THE OFFICE OF STATE PERSONNEL EXECUTIVE: — Continued

*Source:* The Council of State Governments survey, January 2002 and the National Association of State Personnel Executives, *State Personnel Office: Roles and Functions*, Fourth Edition, 1999.

Key:

★ — Yes

. . . — No; or state/jurisdiction did not respond to survey.

B — Appointment by personnel board.

D — Appointment by department head.

G — Appointment by governor.

C — Constitution.

S — Statute.

E — Executive Order.

R — Rules.

N.A. — Not available.

(a) Department of Administration.

(b) Reports to department head.

(c) Finance and Administration.

(d) In California, personnel rules ARS 41-783 are used as the legal basis for the central personnel agency. The legal basis for the state personnel board is constitutional.

(e) Administrative Services.

(f) Department of Management Services.

(g) The state personnel executive directs the employees of the workforce program (human resource management). Human resource management administers

the state personnel system, which is comprised of the Career Service (CS), Selected Exempt Service (SES), and Senior Management Service (SMS) pay plans.

(h) Central Management Services.

(i) Appointment also by State Civil Service Commission.

(j) Department of Budget and Management.

(k) Civil Service Commission.

(l) The legal basis for the civil service commission and the state personnel director is constitutional. The legal basis for state agencies is executive order.

(m) Office of Administration.

(n) Department of Administrative Services.

(o) Governor, Department Head, Nominated by Commissioner of Administrative Services, Appointed by Governor & Council.

(p) With approval of the Senate.

(q) With consent of the state Senate.

(r) Office of Management and Budget.

(s) With approval of the Governor.

(t) Budget and Control Board.

(u) Division Director.

(v) Chief of Staff.

(w) Agency of Administration.

(x) Agency Head.

(y) Secretary of Administration.

(z) Department of Administration and Information.



**Table 8.5**  
**STATE PERSONNEL ADMINISTRATION: FUNCTIONS**

<i>State or other jurisdiction</i>	<i>Administers merit testing (a)</i>	<i>Establishes qualifications</i>	<i>Provides human resource information system (a)</i>	<i>Human resource planning</i>	<i>Classification</i>	<i>Position allocation</i>	<i>Compensation (a)</i>	<i>Recruitment</i>	<i>Selection</i>	<i>Performance evaluation (a)</i>	<i>Position audits</i>	<i>Other personnel function audits</i>	<i>Employee promotion</i>	<i>Employee assistance &amp; counseling</i>	<i>Human resource development</i>
Alabama .....	CPA	CPA	SR	CPA	CPA	CPA	CPA	SR	SR	DA	CPA	CPA	DA	DA	SR
Alaska .....	CPA	CPA	...	SR	CPA	CPA	CPA	CPA	DA	DA	CPA	CPA	DA	DA	SR
Arizona .....	...	SR	SR	...	CPA	CPA	...	SR	...	...	...	...	...	...	...
Arkansas .....	CPA	CPA	CPA	SR	CPA	CPA	CPA	DA	DA	...	CPA	...	DA	DA	SR
California .....	CPA	SR	DA	SR	CPA	CPA	CPA	SR	SR	SR	SR	SR	SR	SR	SR
Colorado .....	SR	CPA	CPA	SR	CPA	DA	SR	SR	SR	SR	DA	CPA	DA	CPA	SR
Connecticut .....	CPA	CPA	CPA	CPA	CPA	SR	CPA	SR	CPA	CPA	SR	SR	SR	SR	SR
Delaware .....	CPA	CPA	CPA	...	CPA	DA	CPA	CPA, SR	CPA, SR	CPA, SR	...	...	DA	CPA	CPA, SR
Florida .....	...	CPA	CPA	SR	CPA	DA	CPA	DA	DA	DA	DA	CPA	DA	DA	DA
Georgia .....	SR	SR	...	SR	DA	DA	SR	SR	DA	DA	DA	CPA	DA	SR	SR
Hawaii .....	CPA	CPA	CPA	SR	SR	SR	CPA	SR	DA	SR	CPA	SR	SR	SR	SR
Idaho .....	SR	SR	...	SR	...	...	SR	SR	DA	DA	SR	SR	DA	CPA	SR
Illinois .....	CPA	CPA	...	SR	SR	SR	SR	SR	SR	DA	CPA	...	DA	SR	SR
Indiana .....	CPA	CPA	CPA	SR	CPA	SR	CPA	SR	DA	DA	SR	SR	DA	DA	SR
Iowa .....	CPA	CPA	SR	SR	CPA	CPA	CPA	SR	SR	SR	CPA	CPA	SR	SR	SR
Kansas .....	...	CPA	CPA	SR	SR	SR	CPA	SR	SR	CPA	CPA	CPA	SR	SR	SR
Kentucky .....	CPA	CPA	CPA	SR	CPA	CPA	CPA	SR	SR	SR	CPA	SR	SR	CPA	SR
Louisiana .....	CPA	CPA	SR	SR	CPA	SR	SR	SR	SR	SR	CPA	CPA	SR	SR	CPA
Maine .....	SR	CPA	SR	SR	CPA	CPA	CPA	SR	DA	DA	CPA	SR	DA	SR	SR
Maryland .....	SR	CPA	CPA	SR	SR	SR	SR	SR	SR	SR	CPA	CPA	SR	CPA	SR
Massachusetts .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Michigan .....	CPA	SR	SR	SR	CPA	SR	SR	SR	DA	DA	CPA	CPA	SR	DA	SR
Minnesota .....	SR	CPA	CPA	SR	SR	SR	CPA	SR	SR	DA	SR	SR	SR	CPA	SR
Mississippi .....	SR	CPA	SR	SR	SR	SR	SR	SR	DA	DA	SR	SR	DA	DA	SR
Missouri .....	CPA	CPA	SR	SR	CPA	CPA	SR	SR	DA	SR	CPA	DA	SR	SR	SR
Montana .....	...	DA	CPA	DA	SR	DA	SR	SR	DA	DA	CPA	DA	DA	SR	...
Nebraska .....	...	SR	SR	SR	CPA	SR	CPA	CPA	DA	SR	CPA	DA	DA	CPA	SR
Nevada .....	SR	CPA	SR	SR	SR	SR	CPA	SR	DA	SR	SR	SR	DA	SR	SR
New Hampshire .....	CPA	CPA	CPA	SR	CPA	CPA	CPA	SR	SR	SR	CPA	CPA	SR	CPA	SR
New Jersey .....	CPA	CPA	CPA	SR	CPA	...	CPA	SR	SR	SR	CPA	CPA	SR	CPA	SR
New Mexico .....	CPA	SR	CPA	SR	CPA	SR	CPA	SR	SR	SR	CPA	CPA	SR	DA	SR
New York .....	CPA	SR	CPA	DA	CPA	DA	SR	SR	DA	DA	CPA	...	DA	DA	DA
North Carolina .....	...	CPA	CPA	SR	SR	SR	CPA	DA	DA	DA	SR	...	DA	SR	DA
North Dakota .....	...	CPA	DA	DA	SR	CPA	SR	DA	DA	DA	CPA	DA	DA	DA	DA
Ohio .....	SR	CPA	CPA	SR	CPA	SR	SR	SR	SR	SR	CPA	CPA	SR	DA	SR

See footnotes at end of table.

## STATE PERSONNEL ADMINISTRATION: FUNCTIONS — Continued

<i>State or other jurisdiction</i>	<i>Administers merit testing (a)</i>	<i>Establishes qualifications</i>	<i>Provides human resource information system (a)</i>	<i>Human resource planning</i>	<i>Classification</i>	<i>Position allocation</i>	<i>Compensation (a)</i>	<i>Recruitment</i>	<i>Selection</i>	<i>Performance evaluation (a)</i>	<i>Position audits</i>	<i>Other personnel function audits</i>	<i>Employee promotion</i>	<i>Employee assistance &amp; counseling</i>	<i>Human resource development</i>
Oklahoma .....	CPA	CPA	CPA	DA	CPA	CPA	CPA	CPA	DA	CPA	CPA	CPA	DA	SR	SR
Oregon .....	...	SR	CPA	SR	CPA	DA	CPA	SR	DA	DA	CPA	CPA	DA	CPA	SR
Pennsylvania .....	CPA	CPA	CPA	SR	CPA	CPA	CPA	SR	DA	CPA	SR	CPA	DA	CPA	SR
Rhode Island .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina .....	DA	CPA	CPA	SR	SR	...	SR	SR	DA	SR	SR	SR	DA	DA	SR
South Dakota .....	CPA	SR	CPA	CPA	CPA	CPA	CPA	SR	SR	CPA	CPA	CPA	SR	...	CPA
Tennessee .....	CPA	CPA	CPA	SR	CPA	CPA	CPA	DA	CPA	CPA	CPA	CPA	CPA	...	SR
Texas .....	DA	SR	DA	DA	DA	DA	SR	DA	DA	DA	SR	SR	DA	DA	DA
Utah .....	CPA	SR	CPA	CPA	CPA	SR	SR	SR	SR	DA	CPA	CPA	DA	DA	CPA
Vermont .....	...	CPA	CPA	SR	CPA	CPA	CPA	CPA, SR	DA	DA	CPA	CPA	DA	CPA	CPA, DA, SR
Virginia .....	...	SR	CPA	SR	SR	SR	SR	SR	DA	SR	SR	SR	DA	SR	SR
Washington .....	SR	SR	CPA	SR	SR	DA	CPA	SR	SR	CPA	SR	CPA	DA	CPA	SR
West Virginia .....	CPA	CPA	SR	...	CPA	CPA	CPA	...	...	CPA	CPA	CPA	...	...	...
Wisconsin .....	CPA	SR	SR	SR	SR	SR	SR	SR	SR	DA	SR	CPA	SR	DA	SR
Wyoming .....	...	SR	SR	...	SR	CPA	SR	SR	SR	SR	CPA	...	DA	...	...

STATE PERSONNEL ADMINISTRATION: FUNCTIONS — Continued

State or other jurisdiction	Training	Employee health & wellness programs	Affirmative action	Labor & employee relations	Retirement	Employee incentive	Productivity system	Customer surveys	Child care/elder care	Workers compensation	Group health insurance	Deferred compensation	Drug testing	Budget recommendations to legislature	Cafeteria benefits
Alabama .....	SR	(b)	DA	DA	(b)	SR	DA	DA	...	(b)	(b)	(b)	DA	DA	(b)
Alaska .....	SR	DA	SR	CPA	(c)	...	...	DA	...	(c)	(c)	(c)	SR	CPA	(c)
Arizona .....	...	CPA	...	...	...	...	...	...	...	...	...	...	...	...	...
Arkansas .....	CPA, SR	CPA, SR	DA	CPA	DA	CPA, DA	CPA, DA	CPA, DA	CPA, DA	DA	CPA	CPA	CPA	CPA	CPA
California .....	SR	SR	...	...	DA	SR	SR	SR	SR	...	...	...	...	SR	CPA
Colorado .....	SR	DA	DA	...	...	DA	...	SR	SR	SR	CPA	CPA	DA	CPA	CPA
Connecticut .....	SR	SR	SR	...	CPA	...	...	SR	CPA	CPA	...	...	DA	...	...
Delaware .....	CPA, SR	CPA	SR	CPA	...	SR	...	...	CPA	CPA	...	...	DA	...	...
Florida .....	SR	DA	SR	SR	...	DA	DA	SR	SR	DA	CPA	CPA	SR	DA	DA
Georgia .....	SR	SR	SR	...	...	...	...	SR	...	...	...	...	SR	SR	CPA
Hawaii .....	SR	CPA	SR	SR	CPA	SR	SR	SR	...	SR	CPA	CPA	SR	CPA	CPA
Idaho .....	SR	SR	SR	...	...	...	...	SR	...	...	...	...	DA	CPA	...
Illinois .....	SR	SR	SR	SR	CPA	CPA	DA	DA	SR	SR	CPA	...	DA	SR	CPA
Indiana .....	SR	SR	SR	SR	SR	CPA	SR	SR	SR	CPA	CPA	CPA	SR	SR	CPA
Iowa .....	SR	SR	SR	SR	CPA	SR	SR	SR	...	CPA	CPA	CPA	SR	CPA	CPA
Kansas .....	SR	CPA	SR	CPA	DA	SR	...	SR	DA	CPA	CPA	CPA	CPA	CPA	CPA
Kentucky .....	SR	CPA	SR	...	O	SR	SR	SR	SR	CPA	CPA	SR	DA	SR	...
Louisiana .....	SR	CPA	SR	SR	O	SR	SR	SR	SR	SR	CPA	SR	DA	SR	SR
Maine .....	SR	CPA	SR	SR	O	...	...	SR	...	SR	CPA	O	DA	DA	...
Maryland .....	SR	CPA	SR	CPA	DA	SR	...	SR	...	DA	CPA	DA	CPA	CPA	...
Massachusetts .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Michigan .....	SR	DA	SR	SR	DA	DA	DA	SR	...	DA	...	...	SR	DA	DA
Minnesota .....	SR	SR	SR	CPA	...	...	...	SR	...	SR	CPA	SR	SR	CPA	...
Mississippi .....	SR	DA	DA	DA	DA	DA	SR	DA	DA	SR	SR	DA	DA	SR	DA
Missouri .....	CPA, DA	DA	DA	CPA	DA	CPA	SR	SR	DA	DA	DA	DA	DA	CPA, SR	DA
Montana .....	SR	CPA	SR	SR	CPA	SR	...	...	CPA	DA	CPA	CPA	DA	CPA	CPA
Nebraska .....	SR	DA	CPA	CPA	DA	DA	DA	...	CPA	DA	DA	DA	DA	O	O
Nevada .....	SR	O	SR	SR	O	SR	DA	DA	...	...	O	O	DA	DA	...
New Hampshire .....	SR	SR	SR	CPA	DA	SR	SR	SR	...	CPA	CPA	CPA	SR	CPA	...
New Jersey .....	SR	SR	SR	SR	...	SR	SR	CPA	DA	...	...	...	SR	...	...
New Mexico .....	SR	DA	SR	DA	DA	DA	DA	DA	DA	SR	DA	DA	SR	SR	DA
New York .....	DA	CPA	CPA	DA	DA	DA	DA	DA	DA	SR	CPA	CPA	DA	DA	CPA
North Carolina .....	SR	DA	SR	...	...	...	DA	SR	DA	SR	SR	SR	DA	SR	CPA
North Dakota .....	SR	DA	DA	DA	DA	DA	DA	DA	DA	SR	DA	DA	DA	SR	DA
Ohio .....	SR	SR	SR	SR	SR	SR	DA	DA	SR	CPA	CPA	DA	CPA	SR	...

See footnotes at end of table.

## STATE PERSONNEL ADMINISTRATION: FUNCTIONS — Continued

State or other jurisdiction	Training	Employee health & wellness programs	Affirmative action	Labor & employee relations	Retirement	Employee incentive	Productivity system	Customer surveys	Child caretaker care	Workers compensation	Group health insurance	Deferred compensation	Drug testing	Budget recommendations to legislature	Cafeteria benefits
Oklahoma .....	SR	DA	SR	CPA	DA	SR	SR	SR	CPA	DA	DA	DA	DA	DA	DA
Oregon .....	SR	CPA	CPA	CPA	CPA	SR	CPA	SR	DA	CPA	CPA	CPA	SR	CPA	CPA
Pennsylvania .....	SR	DA	SR	SR	CPA	DA	...	DA	CPA	CPA	CPA	CPA	SR	CPA	...
Rhode Island .....	...	...	SR	SR	...	SR	SR	CPA	DA	DA	CPA	CPA	DA	CPA	CPA
South Carolina .....	SR	...	SR	SR	CPA	SR	SR	CPA	DA	DA	CPA	CPA	DA	CPA	CPA
South Dakota .....	CPA	CPA	CPA	CPA	O	CPA	...	...	...	CPA	CPA	O	CPA	SR	CPA
Tennessee .....	DA	...	SR	SR	SR	SR	SR	CPA	...	SR	SR	DA	...	SR	SR
Texas .....	DA	DA	DA	DA	CPA	DA	DA	DA	...	CPA	CPA	CPA	CPA	SR	CPA
Utah .....	SR	CPA	DA	CPA	CPA	CPA	...	...	CPA	CPA	CPA	CPA	CPA, SR	CPA	...
Vermont .....	CPA, DA, SR	CPA	CPA	CPA	CPA	DA	...	CPA, DA, SR	CPA	CPA	CPA	CPA	CPA	CPA, SR	...
Virginia .....	SR	SR	...	...	SR	SR	...	SR	...	SR	CPA	SR	DA	CPA	...
Washington .....	SR	DA	SR	SR	...	DA	SR	DA	SR	DA	DA	DA	DA	CPA	...
West Virginia .....	...	...	...	...	CPA	...	...	...	...	CPA	CPA	CPA	DA	...	...
Wisconsin .....	SR	DA	SR	SR	CPA	DA	DA	...	DA	SR	CPA	CPA	DA	CPA	...
Wyoming .....	SR	DA	...	DA	...	...	...	CPA	...	DA	DA	DA	...	...	...

Sources: The Council of State Governments survey, January 2002 and National Association of State Personnel Executives, State Personnel Office: Roles and Functions, Fourth Edition, 1999.

Note: See above referenced source for more detailed information.

Key:

CPA — Functions performed in centralized personnel agency.

DA — Functions performed in a decentralized agency.

O — Functions performed by other agency.

SR — Functions are a shared responsibility.

... — Not applicable; or state did not respond to survey.

(a) Other functions are as follows: Iowa, SR: Safety, Records, ADA, FMLA & Other leave programs, CPA: Unemployment Insurance, Pre-tax Accounts; Kansas, CPA: State Civil Service Board; Kentucky, CPA: Section 125 Flexible Spending Account; Vermont, CPA: Tuition reimbursements; West Virginia, CPA: Layoffs.

(b) In Alabama, employee health & wellness programs, retirement, workers' compensation, group health insurance, deferred compensation, and cafeteria benefits are part of a centralized agency but not the personnel department.

(c) In Alaska, retirement, group health insurance, deferred compensation, and cafeteria benefits are designated to an agency or division within the department of administration but not connected with the division personnel.

**Table 8.6**  
**CLASSIFICATION AND COMPENSATION PLANS**

<i>State or other jurisdiction</i>	<i>Legal basis for classification</i>	<i>Current number of classifications in state</i>	<i>Requirement for periodic comprehensive classification review plan</i>	<i>Date of most recent comprehensive review of classification</i>	<i>Legal basis for compensation plan</i>	<i>Compensation schedules determined by:</i>
Alabama .....	S	1,362	★	1989 (d)	J, M	P
Alaska .....	C, S, CB	994	...	...	J, M, G, F, V	L
Arizona .....	S, R	1,450	...	(e)	J, M	P
Arkansas .....	S	1,619	...	1991	J, M	L
California .....	C, S	4,000	...	(f)	J, M, G, F, V	P
Colorado .....	C, S, R	793 (b)	...	(g)	J, M, F, V	P, (x)
Connecticut .....	S, R	4,050	★	(h)	J (u)	P, (y), CB
Delaware .....	S	1,400	...	1987	J, M, F	GV, L
Florida .....	S	3,142 (c)	★	1994 (i)	J, M, G	P (c)
Georgia .....	C, S, R, EO	3,258	...	...	J, M, F	P, (z), (aa)
Hawaii .....	S	1,700	...	...	S	CB, (bb)
Idaho .....	S	1,208	...	...	J, M, F	L, GV
Illinois .....	S, CB	990	...	(d)	J, M, G, F, V	P
Indiana .....	S	1,385	...	(j)	(v)	P
Iowa .....	S, R	814	...	2001	J, M, F, V	CB
Kansas .....	S	692	★	(d)	M, F, V	GV
Kentucky .....	S	1,472	...	1997	J, M, V	GV, P
Louisiana .....	C	2,889	...	(k)	J, M, G, F	GV, P
Maine .....	S	1,555	...	...	J, CB	S, CB
Maryland .....	S	2,000	...	...	J, M, F	S, GV, L, P, CB (gg)
Massachusetts .....	...	...	...	...	...	...
Michigan .....	C (a)	1,289	...	(f)	J, M, F, V	(a)
Minnesota .....	S	2,000	...	...	J, M, F	CB
Mississippi .....	S	2,582	...	(e)	J, M, G, F, V	(cc)
Missouri .....	S, R	1,030	...	...	R	GV, P, L
Montana .....	S	1,500	...	...	J, M, V	L
Nebraska .....	S	1,450	...	(l)	J, M	P, CB
Nevada .....	S, R	1,351	...	(m)	J, M, F, V	GV, L, (dd)
New Hampshire .....	S, CB	1,000	...	(n)	J, M, CB	P, L, CB
New Jersey .....	S, R	8,300	...	(o)	J, F	P, CB
New Mexico .....	S	1,176	★	(p)	J, F	(z)
New York .....	S	4,738	...	(q)	J, M, G, V	(ee), CB
North Carolina .....	S, R	3,015	...	(f)	J, M, G, F, V	GV, P, L
North Dakota .....	S	977	...	(e)	J, M	P
Ohio .....	S, CB	2,500	...	(f)	(w)	L, CB
Oklahoma .....	S	370	...	(f)	J, M, V	P
Oregon .....	S	800	...	(r)	J, M, V	P, CB
Pennsylvania .....	S, R, EO, CB	2,800	...	(d)(e)	J, M, V	GV
Rhode Island .....	...	...	...	...	...	...
South Carolina .....	S, R	450	★	(e)	J, M, F	P
South Dakota .....	S	540	...	...	S	P
Tennessee .....	S	1,766	...	(f)	J, M	P
Texas .....	S	906	★	(s)	J, M	L
Utah .....	S	2,577	...	(e)	J, M	L
Vermont .....	S, CB	1,300	...	1985 (i)	J, V	CB (ff)
Virginia .....	S	300	★	2001	J, M, G, F	GV, P, L
Washington .....	S, R	1,733	...	...	J, M, F, V	P
West Virginia .....	S	790	...	(h)	J, M, F, V	P
Wisconsin .....	S	1,950	...	(d)	J, M, V	L
Wyoming .....	...	475	...	(t)	J, M	P

See footnotes at end of table.

## CLASSIFICATION AND COMPENSATION PLANS - Continued

Sources: The Council of State Governments survey, January 2002 and National Association of State Personnel Executives, *State Personnel Office: Roles and Functions*, Fourth Edition, 1999.

**Key:**

★ — Yes

. . . — No; or state did not respond to survey.

C — Constitution.

F — Performance.

G — Geographic.

J — Job Analysis.

L — Legislature.

M — Market.

P — Personnel Department.

S — Statute.

R — Regulation.

V — Longevity/Seniority.

CB — Collective Bargaining.

GV — Governor.

EO — Executive Order.

N.A. — Not available.

(a) In Michigan, the civil service commission, appointed by the governor, must approve collective bargaining agreements for exclusively represented employers. The employee relations board makes recommendations for non-exclusively represented employers.

(b) In Colorado, as of July 1, 1999, the number of classifications should have dropped to 681.

(c) In Florida, Career Service has 1,658 classifications, Selected Exempt Service has 1,066, and Senior Management Service has 418.

(d) Continually or ongoing.

(e) As evidence of need arises.

(f) Not on a schedule.

(g) No mandate to review the system in its entirety, but periodically certain

groups are studied each year.

(h) Every 5 years.

(i) Undergoing a review currently.

(j) Periodically.

(k) The goal for the next review is 3-5 years.

(l) Nebraska is reviewing their system now after 25 years.

(m) Approximately every 10 years.

(n) Every 5-10 years.

(o) Periodically, based on need, review specific occupational categories.

(p) Determined by executive management.

(q) Infrequently.

(r) Review by occupational families.

(s) Every 2 years.

(t) Try to do occupational reviews on a 5-year basis.

(u) Objective job evaluation point system.

(v) Equitable distribution of funds allocated by the legislature.

(w) Point factor evaluation system.

(x) Annual Salary Survey.

(y) Office of Policy & Management.

(z) State Personnel Board.

(aa) In Georgia, the 38 schedules in the compensation plan include 12 for special occupational plans such as teachers and physicians, 2 for hourly paid employees and 19 for agencies with independent salary authority such as the general assembly, law department and authorities.

(bb) Legislative approval.

(cc) Duties, labor market.

(dd) Personnel commission.

(ee) Negotiations.

(ff) Then funded/approved by Legislature.

(gg) Basic structures set by statute. Actual rates approved by the Governor with final review by the Legislature. Input from the Personnel Dept. and the Collective Bargaining process.

# PERSONNEL

**Table 8.7**  
**SELECTED EMPLOYEE LEAVE POLICIES**

State or other jurisdiction	Annual leave			Sick leave			
	Accrual 1st year (in days/year)	Accrual 5th year (in days/year)	Employees reimbursed for unused leave	Accrual 1st year (in days/year)	Employees reimbursed for unused sick leave	Types of leave reimbursed	Child care offered on state property
Alabama .....	13	16.25	★	13	...	A	...
Alaska .....	15	24	★	15	...	P, A (v)	...
Arizona .....	12	15	★ (k)	12	(k)	V, C (w)	★
Arkansas .....	12	15	★	12	(l)	A	...
California .....	17	22	★	12	...	V, A, P, (x)	★
Colorado .....	12	15	★ (m)	10	(m)	A	★
Connecticut .....	(a)	(a)	★	...	★	V	★
Delaware .....	15	15	★	15	★	A (y)	...
Florida .....	13	15.5	★ (n)	13	★ (n)	A, C (z)	★
Georgia .....	15	18	★	15	...	A (aa)	★
Hawaii .....	12 (qq)	18 (qq)	★ (o)	15 (qq)	(o)	V, C (bb)	...
Idaho .....	12	15	...	12	...	...	...
Illinois .....	10	10	★	12	★	V	★
Indiana .....	15 (oo)	18 (pp)	★ (cc)	9	...	V (cc)	★
Iowa .....	10	15	...	18	★ (u)	...	...
Kansas .....	12 (b)	15.3 (b)	★ (ww)	12	★ (xx)	A	...
Kentucky .....	12	15	★	12	★ (c)	A, C	★ (uu)
Louisiana .....	(d)	(d)	★ (p)	(s)	(p)	A (dd)	...
Maine .....	12	15	★	12	...	V, C, P (nn)	...
Maryland .....	(e)	(e)	★	15 (t)	...	A	...
Massachusetts .....	...	...	...	...	...	...	...
Michigan .....	19 (f)	17.225 (f)	★	13	(q)	A	...
Minnesota .....	13	16.25	★	13	★	V	...
Mississippi .....	18	21	★	12	...	P	...
Missouri .....	15	15	★ (rr)	15	(ss)	A, C (tt)	...
Montana .....	15	15	★	12	★	V	...
Nebraska .....	12	12	★	12	...	V	...
Nevada .....	15	15	★	15	★	A, C	...
New Hampshire .....	12	15	★	15	★	A, (ee), (ff)	...
New Jersey .....	12	15	★	12	★	V (gg)	★
New Mexico .....	10 to 12	12 to 15	★	12	...	A	...
New York .....	13	18	★	13	...	A, (hh)	★
North Carolina .....	11.75	16.75	★	12	...	V	...
North Dakota .....	8	10	...	8	★	...	...
Ohio .....	10	15	★	10	★	P, V, (ii)	...
Oklahoma .....	15	18	★	15	(yy)	A	★
Oregon .....	12	15	★	12	...	V	...
Pennsylvania .....	7 (g)	15	★	13	★	A, P	★
Rhode Island .....	...	...	...	...	...	...	...
South Carolina .....	15	15	...	15	...	...	★
South Dakota .....	15	15	★	14	★	A (vv)	...
Tennessee .....	12 (h)	18 (h)	★	12	...	A, C	★
Texas .....	10.5	13.5	★	12	...	A	...
Utah .....	13	16.25	★	13	★	(jj)	★
Vermont .....	...	...	...	...	...	...	...
Virginia .....	4 hours (i)	5 hours (i)	★ (i)	8 (kk)	...	A, C, V	★ (ll)
Washington .....	12	15	...	12	★	A	...
West Virginia .....	15	18	★ (r)	18	(r)	A (r)	★
Wisconsin .....	(j)	(j)	...	16.25	(mm)	...	...
Wyoming .....	12	15	★	12	★	V	★

See footnotes at end of table.

## SELECTED EMPLOYEE LEAVE POLICIES — Continued

*Sources:* The Council of State Governments' survey, January 2002, National Association of State Personnel Executives, *State Personnel Office: Roles and Functions*, Fourth Edition, 1999.

*Note:* See above referenced source for more detailed information.

*Key:*

★ — Yes

. . . — No; or state did not respond to survey.

A — Annual leave.

C — Compensatory leave.

P — Personal leave.

V — Vacation leave.

(a) In Connecticut, 120 total vacation days can be carried over from year to year.

(b) In Kansas, annual leave can be carried over according to the following: Less than 5 years, 18 days; 5-10 years, 22 days; 10-less than 15 years, 26 days; and more than 15 years, 30 days.

(c) In Kentucky, the amount of annual leave that can be carried over from year to year varies with years of service, but the maximum is 440 hours.

(d) In Louisiana, the accrual rate is as follows: 1st year, .0461 hr./hrs. worked; and 5th year, .0692 hr./hrs. worked.

(e) In Maryland, the accrual rate is as follows: 1st year and 5th year, 1 hr./26 hrs. worked. The maximum number of hours of annual leave can be accrued according to the following: 1-5 years, 80 hours maximum; 6-10 years, 120 hours maximum; 11-20 years, 160 hours maximum; and 21 years, 200 hours maximum.

(f) In Michigan, annual leave can be carried over according to the following: 1-5 years, 30 days; 5-10 years, 31.88 days; 10-15 years, 33.75 days; and 15-20 years, 35.63 days.

(g) In Pennsylvania, management gets 10 days.

(h) In Tennessee, annual leave can be carried over according to the following: 1-5 years, 30 days; 5-10 years, 36 days; 10-20 years, 39 days; and 20+ years, 42 days.

(i) In Virginia, annual leave can be carried over according to the following: 1-5 years, 24 days; 5-10 years, 30 days; 10-20 years, 36 days; and 20+ years, 42 days.

(j) In Wisconsin, annual leave is accrued and may be carried over with agency approval according to the following: 1-5 years, 10 days; 5-10 years, 15 days; 11-15 years, 17 days; 16-20 years, 20 days; 21-25 years, 22 days; and 25+ years, 25 days. Designated career executive positions receive an extra 5 days

(k) In Arizona, sick leave in excess of 500 hours is reimbursed on a partial basis at retirement only.

(l) In Arkansas, as of July 1, 1999, sick leave not used is reimbursed upon retirement.

(m) In Colorado, sick leave not used is reimbursed upon retirement only and then only one-fourth of the accrued time.

(n) In Florida, the state reimburses employees for sick leave not used upon separation of employment if they have 10 years of service. Twenty-five percent of sick leave is paid up to 480 hours.

(o) In Hawaii, if employee is vested in retirement system, sick leave is used as additional service time.

(p) In Louisiana, sick leave can be converted to retirement benefit upon retirement.

(q) In Michigan, for employees hired on or after October 1, 1980, unused sick leave is not paid. For employees hired before October 1, 1980, 50 percent of unused sick leave is paid at death or retirement.

(r) In West Virginia, sick leave can be converted to either service credit or insurance premium payment on retirement.

(s) In Louisiana, .0461 hr./hrs. worked.

(t) In Maryland, an employee cannot exceed 120 hours of sick leave each year.

(u) In Iowa, employees are reimbursed for unused sick leave up to \$2,000.

(v) In Alaska, annual leave for other bargaining units.

(w) In Arizona, compensatory time for overtime earned.

(x) Holiday.

(y) Paid in full.

(z) Special compensatory time.

(aa) Up to 45 days.

(bb) All by exception.

(cc) In Indiana, up to 30 days vacation (unused at time of expiration).

(dd) In Louisiana, can be paid for up to 300 hours of annual leave; upon retirement, balance can be applied.

(ee) Floating holidays.

(ff) Bonus.

(gg) Earned and unused.

(hh) Overtime compensation.

(ii) Sick leave.

(jj) Comp hours, Excess hours, Converted sick, Vacation hours.

(kk) In Virginia, there are an additional 4 days for family personal leave.

(ll) In Virginia, only at selected locations.

(mm) In Wisconsin, upon reaching retirement age, can convert unused sick leave to post-retirement health insurance credits

(nn) Subject to accrual limits.

(oo) In Indiana, 12 vacation days, 3 personal days.

(pp) In Indiana, 12 vacations days, 3 bonus vacation days, 3 personal days.

(qq) Both accrued leave and sick leave are 21 days for employees hired on or before July 1, 2001.

(rr) Only at termination.

(ss) Converted at retirement (168 hours = 1 month retirement credit)

(tt) Annual leave - only at termination; Compensatory time - if possible without funding constraints.

(uu) Being piloted in selected facilities.

(vv) 1/4 of sick leave up to 480 hours paid after seven years of service.

(ww) Upon separation from state service.

(xx) Upon retirement.

(yy) In Oklahoma, up to 960 hours (120 days) earned sick leave may be applied toward retirement credit.



Table 8.8  
STATE EMPLOYEES: PAID HOLIDAYS\*\*

<i>State or other jurisdiction</i>	<i>Major holidays (a)</i>	<i>Martin Luther King's Birthday (b)</i>	<i>Lincoln's Birthday</i>	<i>President's Day (c)</i>	<i>Washington's Birthday (c)</i>	<i>Good Friday</i>	<i>Memorial Day (d)</i>	<i>Columbus Day (e)</i>	<i>Veteran's Day</i>	<i>Day after Thanksgiving</i>	<i>Day before or after Christmas</i>	<i>Day before or after New Year's</i>	<i>Election Day (f)</i>	<i>Other (g)</i>
Alabama .....	★	★	.....	.....	★ (i)	.....	★	★	★	.....	.....	.....	.....	★
Alaska .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	★
Arizona (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	★
Arkansas .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	★
California .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	★
Colorado (m) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Connecticut (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Delaware .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Florida (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Georgia (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Hawaii .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Idaho .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Illinois .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Indiana .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Iowa .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Kansas (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Kentucky (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Louisiana .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Maine (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Maryland .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Massachusetts .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Michigan .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Minnesota .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Mississippi (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Missouri .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Montana (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Nebraska (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Nevada (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
New Hampshire .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
New Jersey .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
New Mexico .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
New York .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
North Carolina .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
North Dakota (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....
Ohio (k) .....	★	★	.....	.....	.....	.....	★	.....	★	.....	.....	.....	.....	.....

See footnotes at end of table.

# STATE EMPLOYEES: PAID HOLIDAYS\*\* — Continued

<i>State or other jurisdiction</i>	<i>Major holidays (a)</i>	<i>Martin Luther King's Birthday (b)</i>	<i>Lincoln's Birthday</i>	<i>President's Day (c)</i>	<i>Washington's Birthday (c)</i>	<i>Good Friday</i>	<i>Memorial Day (d)</i>	<i>Columbus Day (e)</i>	<i>Veteran's Day</i>	<i>Day after Thanksgiving</i>	<i>Day before or after Christmas</i>	<i>Day before or after New Year's</i>	<i>Election Day (f)</i>	<i>Other (g)</i>
Alabama (k) .....	★	★	...	★	...	...	★	...	★	★	...	...	...	...
Oregon (k) .....	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Pennsylvania .....	★	★	...	★	...	...	...	...	...	...	...	...	...	...
Rhode Island .....	★	★	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina (k) .....	★	...	...	...	★	...	...	...	...	...	(1)	...	★ (s)	...
South Dakota .....	★	★	...	★	...	...	...	...	...	...	...	...	...	...
Tennessee .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Texas (u) .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Utah .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Vermont (k) .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Virginia .....	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Washington .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
West Virginia .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Wisconsin .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Wyoming .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Dist. of Columbia .....	★	★	...	...	...	...	...	...	...	...	...	...	...	...

\*\* Holidays in addition to any other authorized paid personal leave granted state employees.

Source: The Council of State Governments' survey of state personnel offices, January 2002.

Note: In some states, the governor may proclaim additional holidays or select from a number of holidays for observance by state employees. In some states, the list of paid holidays is determined by the personnel department at the beginning of each year; as a result, the number of holidays may change from year to year. Number of paid holidays may also vary across some employee classifications. Dates are given for 2002. If a holiday falls on a weekend, generally employees get the day preceding or following.

Key:

★ — Paid holiday granted.

... — Paid holiday not granted.

(a) New Year's Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

(b) Third Monday in January.

(c) Generally, third Monday in February; Washington's Birthday or President's Day. In some states the holiday is called President's Day or Washington-Lincoln Day. Most frequently, this day recognizes George Washington and Abraham Lincoln.

(d) Last Monday in May in all states indicated, except Vermont where holiday is observed on May 30. Generally, states follow the federal government's observance (last Monday in May) rather than the traditional Memorial Day (May 30).

(e) Second Monday in October.

(f) General election day only, unless otherwise indicated. In Indiana, primary and general election days.

(g) Additional holidays:

Alabama—Mardi Gras Day (day before Ash Wednesday) in Baldwin and Mobile Counties only; in other counties, state employees receive one floating holiday. Confederate Memorial Day (fourth Monday in April). Jefferson Davis' Birthday (first Monday in June).

Alaska—Seward's Day (last Monday in March). Alaska Day (October 18).

Arkansas—Employee's birthday.

California—One personal day.

Delaware—Return Day, after 12 noon (Thursday after a general election) in Sussex County only.

Florida—One personal day.

Georgia—Confederate Memorial Day (April 26).

Hawaii—Prince Johan Kūhio Kalanianaʻole Day (March 26), King Kamehameha I Day (June 11), Admissions Day (third Friday in August).

Illinois—Three personal holidays per year.

Iowa—Two floating holidays.

Kansas—Discretionary day (taken whenever employee chooses with supervisor's approval).

Louisiana—Mardi Gras Day (day before Ash Wednesday). Inauguration Day (every four years, in Baton Rouge only).

Maine—Patriot's Day (third Monday in April).

Massachusetts—Patriot's Day (third Monday in April). Evacuation Day (March 17) and Bunker Hill Day (June 17).

Minnesota—One floating holiday.

Mississippi—Confederate's Memorial Day (last Monday in April).

Missouri—Harry Truman's Birthday (May 8).

Nebraska—Arbor Day (last Friday in April).

**STATE EMPLOYEES: PAID HOLIDAYS\*\* — Continued**

Nevada—Nevada Day (last Friday in October).

New Mexico—One personal holiday to permanent incumbents who have completed the one year probationary period.

Rhode Island—Victory Day (second Monday in August).

South Carolina—One floating holiday.

South Dakota—Native American's Day (second Monday in October).

Texas—Confederate Heroes Day (January 19), Texas Independence Day (March 2), Cesar Chavez Day (March 31), San Jacinto Day (April 21), Emancipation Day (June 19) and Lyndon Johnson's Birthday (August 27). A state employee may observe Kosh Hashanah, Yom Kippur and Good Friday in lieu of any state holiday on which the employee's agency is required to be open.

Utah—Pioneer Day (July 24).

Vermont—Town Meeting Day (first Tuesday in March), Battle of Bennington Day (August 16).

Virginia - Lee-Jackson Day, the Friday preceding the 3rd Monday in January

Washington—One floating holiday.

West Virginia—West Virginia Day (June 20).

Wisconsin - 3.5 floating personal holidays

District of Columbia—Inauguration Day (January 20, every four years).

(h) Also for Robert E. Lee's Birthday.

(i) Also for Thomas Jefferson's Birthday.

(j) Floating holiday; employee may take the holiday on another day. State offices are open.

(k) If a holiday falls on a Saturday, it is observed on the Friday before. If it falls on a Sunday, observed on the fol-

lowing Monday. In Oregon, it is rescheduled if it falls on someone's scheduled day off.

(l) At the discretion of the governor. In South Carolina, the day after Christmas is an established holiday.

(m) In Colorado, agencies have the discretion to observe an alternate holiday schedule in lieu of statutory holidays.

(n) In Georgia, Robert E. Lee's Birthday is observed on the day after Thanksgiving, and Washington's birth day is observed the day after Christmas.

(o) In Indiana, Lincoln's Birthday is observed on the day after Thanksgiving, and Washington's birthday is observed the day before Christmas.

(p) In Kentucky half day. In Wisconsin not a paid holiday. Employees have an additional half-day of personal leave time each calendar year.

(q) In New Mexico, President's Day is observed on the day after Thanksgiving.

(r) In North Dakota, if the day before Christmas is a weekday, state offices close at noon.

(s) In South Carolina, election day is a holiday in even-numbered years.

(t) In Tennessee, state employees have selected by ballot to observe Columbus Day on the day after Thanksgiving during the past few years.

(u) In Texas, a holiday is not observed if it falls on Saturday or Sunday.

(v) In Texas, a state employee may observe Good Friday in lieu of any state holiday on which the employee's agency is required to be open.

(w) Called Human Rights Day; celebrates Martin Luther King, Jr. and others who worked for human rights.

(x) Half day on Christmas Eve and New Year's Eve if they fall on Monday, Tuesday, Wednesday or Thursday.

(y) In West Virginia, both general and primary elections are holidays.

(z) Called Martin Luther King, Jr./Wyoming Equality Day.

**Table 8.9**  
**ALTERNATIVE WORKING ARRANGEMENTS FOR STATE EMPLOYEES**

<i>State</i>	<i>Flextime</i>	<i>Share leave</i>	<i>Telecommute</i>	<i>Job sharing</i>	<i>Incentives/credits for not using sick leave</i>
Alabama .....	★	★	...	...	...
Alaska .....	★	★	★	★	...
Arizona .....	★	★	★	★	★
Arkansas .....	★	...	★	★	★
California .....	★	★	★	★	...
Colorado .....	★	★	★	★	★
Connecticut .....	★	★	...	★	...
Delaware .....	★	...	...	...	...
Florida .....	★	★	★	...	...
Georgia .....	★	★	★	★	★
Hawaii .....	★	★	★	★	★
Idaho .....	★	★	★	★	★
Illinois .....	★	★	★	★	★
Indiana .....	★	...	★	★	...
Iowa .....	★	★	★	★	★
Kansas .....	★	★	★	★	★
Kentucky .....	★	★	★	N.A.	★(d)
Louisiana .....	★	...	★	★	...
Maine .....	★	...	...	...	...
Maryland .....	★	★	★	★	★
Massachusetts .....	★	★	★	★	...
Michigan .....	N.A.	★	N.A.	★	...
Minnesota .....	★	N.A.	★	★	...
Mississippi .....	★	★	...	...	...
Missouri .....	★	★	★ (limited)	★	...
Montana .....	★	★	★	★	★
Nebraska .....	★	...	★	★	...
Nevada .....	★	★	★	★	★
New Hampshire .....	★	...	...	★	★
New Jersey .....	(a) -----				
New Mexico .....	★	★	★	★	★
New York .....	★(c)	★	★	★	...
North Carolina .....	★	★	N.A.	★	...
North Dakota .....	★	★	★	★	★
Ohio .....	★	★	...	...	★
Oklahoma .....	★	★	...	...	...
Oregon .....	★	★	★	★	★
Pennsylvania .....	★	...	...	★	★
Rhode Island .....	...	...	...	★	★
South Carolina .....	★	★	★	★	(b)
South Dakota .....	★	★	★	★	...
Tennessee .....	★	★	★	★	...
Texas .....	★	...	★	★	★(d)
Utah .....	★	★	★	★	★
Vermont .....	★	★	★	★	★
Virginia .....	★	★	★	★	★
Washington .....	★	★	★	★	★
West Virginia .....	★	★	★	★	★
Wisconsin .....	★	★	★	★	★
Wyoming .....	★	★	★	★	...

Source: The Council of State Governments survey, January 2002.

Key:

★ — Yes

... — No

N.A. — Not applicable.

(a) Information not available.

(b) 90 days may be credited towards retirement.

(c) Not currently in use.

(d) Unused sick leave converts to service credit upon retirement.

**Table 8.10**  
**SUMMARY OF STATE GOVERNMENT EMPLOYMENT: 1953-2000**

Year (October)	Employment (in thousands)						Monthly payrolls (in millions of dollars)			Average monthly earnings of full-time employees		
	Total, full-time and part-time			Full-time equivalent								
	All	Education	Other	All	Education	Other	All	Education	Other	All	Education	Other
1953 .....	1,082	294	788	966	211	755	\$278.6	\$73.5	\$205.1	\$289	\$320	\$278
1954 .....	1,149	310	839	1,024	222	802	300.7	78.9	221.8	294	325	283
1955 .....	1,199	333	866	1,081	244	837	325.9	88.5	237.4	302	334	290
1956 .....	1,268	353	915	1,136	250	886	366.5	108.8	257.7	321	358	309
1957 (April) .....	1,300	375	925	1,153	257	896	372.5	106.1	266.4	320	355	309
1958 .....	1,408	406	1,002	1,259	284	975	446.5	123.4	323.1	355	416	333
1959 .....	1,454	443	1,011	1,302	318	984	485.4	136.0	349.4	373	427	352
1960 .....	1,527	474	1,053	1,353	332	1,021	524.1	167.7	356.4	386	439	365
1961 .....	1,625	518	1,107	1,435	367	1,068	586.2	192.4	393.8	409	482	383
1962 .....	1,680	555	1,126	1,478	389	1,088	634.6	201.8	432.8	429	518	397
1963 .....	1,775	602	1,173	1,558	422	1,136	696.4	230.1	466.3	447	545	410
1964 .....	1,873	656	1,217	1,639	460	1,179	761.1	257.5	503.6	464	560	427
1965 .....	2,028	739	1,289	1,751	508	1,243	849.2	290.1	559.1	484	571	450
1966 .....	2,211	866	1,344	1,864	575	1,289	975.2	353.0	622.2	522	614	483
1967 .....	2,335	940	1,395	1,946	620	1,326	1,105.5	406.3	699.3	567	666	526
1968 .....	2,495	1,037	1,458	2,085	694	1,391	1,256.7	477.1	779.6	602	687	544
1969 .....	2,614	1,112	1,501	2,179	746	1,433	1,430.5	554.5	876.1	655	743	597
1970 .....	2,755	1,182	1,573	2,302	803	1,499	1,612.2	630.3	981.9	700	797	605
1971 .....	2,832	1,223	1,609	2,384	841	1,544	1,741.7	681.5	1,060.2	731	826	686
1972 .....	2,957	1,267	1,690	2,487	867	1,619	1,936.6	746.9	1,189.7	778	871	734
1973 .....	3,013	1,280	1,733	2,547	887	1,660	2,158.2	822.2	1,336.0	843	952	805
1974 .....	3,155	1,357	1,798	2,653	929	1,725	2,409.5	932.7	1,476.9	906	1,023	855
1975 .....	3,271	1,400	1,870	2,744	952	1,792	2,652.7	1,021.7	1,631.1	964	1,080	909
1976 .....	3,343	1,434	1,910	2,799	973	1,827	2,893.7	1,111.5	1,782.1	1,031	1,163	975
1977 .....	3,491	1,484	2,007	2,903	1,005	1,898	3,194.6	1,234.4	1,960.1	1,096	1,237	1,031
1978 .....	3,539	1,508	2,032	2,966	1,016	1,950	3,483.0	1,332.9	2,150.2	1,167	1,311	1,102
1979 .....	3,699	1,577	2,122	3,072	1,046	2,026	3,869.3	1,451.4	2,417.9	1,257	1,399	1,193
1980 .....	3,753	1,599	2,154	3,106	1,063	2,044	4,284.7	1,608.0	2,676.6	1,373	1,523	1,305
1981 .....	3,726	1,603	2,123	3,087	1,063	2,024	4,667.5	1,768.0	2,899.5	1,507	1,671	1,432
1982 .....	3,747	1,616	2,131	3,083	1,051	2,032	5,027.7	1,874.0	3,153.7	1,625	1,789	1,551
1983 .....	3,816	1,666	2,150	3,116	1,072	2,044	5,345.5	1,989.0	3,357.0	1,711	1,850	1,640
1984 .....	3,898	1,708	2,190	3,177	1,091	2,086	5,814.9	2,178.0	3,637.0	1,825	1,991	1,740
1985 .....	3,984	1,764	2,220	2,990	945	2,046	6,328.6	2,433.7	3,884.9	1,935	2,155	1,834
1986 .....	4,068	1,800	2,267	3,437	1,256	2,181	6,801.4	2,583.4	4,226.9	2,052	2,263	1,956
1987 .....	4,115	1,804	2,310	3,491	1,264	2,227	7,297.8	2,758.3	4,539.5	2,161	2,396	2,056
1988 .....	4,236	1,854	2,381	3,606	1,309	2,297	7,842.3	2,928.6	4,913.7	2,260	2,490	2,158
1989 .....	4,365	1,925	2,440	3,709	1,360	2,349	8,443.1	3,175.0	5,268.1	2,372	2,627	2,259
1990 .....	4,503	1,984	2,519	3,840	1,418	2,432	9,083.0	3,426.0	5,657.0	2,472	2,732	2,359
1991 .....	4,521	1,999	2,522	3,829	1,375	2,454	9,437.0	3,550.0	5,887.0	2,479	2,530	2,433
1992 .....	4,595	2,050	2,545	3,856	1,384	2,472	9,828.0	3,774.0	6,054.0	2,562	2,607	2,521
1993 .....	4,673	2,112	2,562	3,891	1,436	2,455	10,288.2	3,999.3	6,288.9	2,722	3,034	2,578
1994 .....	4,694	2,115	2,579	3,917	1,442	2,475	10,554.2	4,176.8	6,489.3	2,776	3,073	2,640
1995 .....	4,719	2,120	2,598	3,971	1,469	2,502	10,926.5	4,173.3	6,753.2	2,854	3,138	2,725
1996 .....	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)
1997 (March) .....	4,733	2,114	2,619	3,987	1,484	2,503	11,413.1	4,372.0	7,041.1	2,968	3,251	2,838
1998 (March) .....	4,758	2,173	2,585	3,985	1,511	2,474	11,845.2	4,632.1	7,213.1	3,088	3,382	2,947
1999 (March) .....	4,818	2,229	2,588	4,034	1,541	2,493	12,564.7	4,957.0	7,607.7	3,236	3,544	3,087
2000 (March) .....	4,877	2,259	2,618	4,083	1,563	2,520	13,279.1	5,255.3	8,023.8	3,374	3,692	3,219

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Detail may not add to totals due to rounding.

Key:

... — Not applicable

(a) Due to a change in the reference period, from October to March, the October 1996 Annual Survey of Government Employment and Payroll was not concluded. This change in collection period was effective, beginning with the March 1997 survey.

**Table 8.11**  
**EMPLOYMENT AND PAYROLLS OF STATE AND LOCAL GOVERNMENTS,**  
**BY FUNCTION: MARCH 2000**

Functions	All employees, full-time and part-time (in thousands)			March payrolls (in millions of dollars)			Average March earnings of full-time employees
	Total	State government	Local government	Total	State government	Local government	
<b>All functions</b> .....	17,976	4,877	13,099	\$46,681,428	\$13,279,136	\$33,402,292	\$3,224
<b>Education:</b> .....							
Higher education .....	2,613	2,089	524	5,791,390	4,783,683	1,007,706	3,731
Instructional personnel only .....	927	677	250	2,811,570	2,263,991	547,578	5,153
Elementary/Secondary schools .....	7,011	56	6,955	17,589,692	148,122	17,441,570	3,067
Instructional personnel only .....	4,739	40	4,699	13,814,894	120,568	13,694,327	3,360
Libraries .....	174	1	173	282,493	1,324	281,168	2,657
Other Education .....	114	114	0	323,484	323,484	0	3,223
<b>Selected functions:</b> .....							
Streets and Highways .....	569	252	317	1,612,273	772,144	840,129	2,985
Public Welfare .....	529	233	296	1,399,202	657,390	741,812	2,835
Hospitals .....	1,004	431	573	2,724,963	1,201,247	1,523,716	2,959
Police protection .....	935	103	832	3,224,630	379,630	2,845,000	3,807
Police Officers .....	676	62	615	2,616,020	256,512	2,359,508	4,064
Fire protection .....	410	0	410	1,176,396	0	1,176,396	4,128
Firefighters only .....	379	0	379	1,101,738	0	1,101,738	4,186
Natural Resources .....	211	166	45	565,674	460,284	105,390	3,199
Correction .....	697	464	233	2,091,520	1,396,970	694,551	3,075
Social Insurance .....	94	94	0	94	94	0	3,246
Financial Admin. ....	421	169	252	1,142,971	520,791	622,180	3,117
Judicial and Legal .....	418	158	260	1,366,521	587,383	779,138	3,553
Other Government Admin. ....	476	59	417	843,271	179,667	663,604	3,231
Utilities .....	483	36	447	1,664,463	157,248	1,507,215	3,685
State Liquor stores .....	9	9	0	17,067	17,067	0	2,576
Other and unallocable .....	1,807	443	1,364	8,089,955	2,072,239	6,017,717	3,123

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

# PUBLIC EMPLOYMENT

**Table 8.12**

## STATE AND LOCAL GOVERNMENT EMPLOYMENT, BY STATE: MARCH 2000

State or other jurisdiction	All employees (full-time and part-time)			Full-time equivalent employment						
	Total	State	Local	Number			Number per 10,000 population			2000 Population
				Total	State	Local	Total	State	Local	
United States .....	17,976,392	4,877,420	13,098,972	15,077,703	4,082,694	10,995,009	536	145	391	281,422
Alabama .....	293,992	94,254	199,738	261,297	79,631	181,666	588	179	409	4,447
Alaska .....	59,138	26,388	32,750	48,240	22,885	25,355	769	365	404	627
Arizona .....	287,904	78,964	208,940	246,771	64,846	181,925	481	126	355	5,131
Arkansas .....	175,786	56,667	119,119	145,191	48,791	96,400	543	183	361	2,673
California .....	2,065,636	444,069	1,621,567	1,676,902	355,327	1,321,575	495	105	390	33,872
Colorado .....	290,813	81,536	209,277	230,059	65,726	164,333	535	153	382	4,301
Connecticut .....	203,955	74,225	129,730	176,373	65,820	110,553	518	193	325	3,406
Delaware .....	50,969	28,267	22,702	44,814	23,743	21,071	572	303	269	784
Florida .....	869,197	207,430	661,767	765,298	185,170	580,128	479	116	363	15,982
Georgia .....	523,655	142,467	381,188	453,736	120,028	333,708	554	147	408	8,186
Hawaii .....	82,923	67,750	15,173	69,078	54,832	14,246	570	452	118	1,212
Idaho .....	96,766	29,759	67,007	73,632	22,647	50,985	569	175	394	1,294
Illinois .....	767,568	151,173	616,395	620,353	127,661	492,692	500	103	397	12,419
Indiana .....	379,904	105,837	274,067	314,472	82,595	231,877	517	136	381	6,080
Iowa .....	222,442	66,461	155,981	175,887	55,200	120,687	601	189	412	2,926
Kansas .....	215,031	52,726	162,305	170,635	42,588	128,047	635	158	476	2,688
Kentucky .....	262,140	91,622	170,518	223,270	74,137	149,133	552	183	369	4,042
Louisiana .....	315,279	112,504	202,775	279,354	94,796	184,558	625	212	413	4,469
Maine .....	100,114	25,070	75,044	72,017	20,568	51,449	565	161	404	1,275
Maryland .....	308,123	97,633	210,490	273,939	91,487	182,452	517	173	345	5,296
Massachusetts .....	382,297	114,124	268,173	327,848	95,582	232,266	516	151	366	6,349
Michigan .....	643,958	179,100	464,858	492,461	141,891	350,570	496	143	353	9,938
Minnesota .....	366,675	88,154	278,521	279,334	73,421	205,913	568	149	419	4,919
Mississippi .....	216,143	63,756	152,387	188,259	55,541	132,718	662	195	466	2,845
Missouri .....	362,318	109,463	252,855	299,414	91,425	207,989	535	163	372	5,595
Montana .....	66,552	23,226	43,326	51,588	17,920	33,668	572	199	373	902
Nebraska .....	133,786	35,852	97,934	107,625	29,797	77,828	629	174	455	1,711
Nevada .....	98,022	25,777	72,245	83,896	22,444	61,452	420	112	308	1,998
New Hampshire .....	83,791	24,580	59,211	64,461	18,776	45,685	522	152	370	1,236
New Jersey .....	523,123	150,177	372,946	449,099	133,126	315,973	534	158	376	8,414
New Mexico .....	135,052	57,900	77,152	117,469	47,813	69,656	646	263	383	1,819
New York .....	1,323,475	279,988	1,043,487	1,174,570	250,974	923,596	619	132	487	18,976
North Carolina .....	521,536	141,581	379,955	451,010	123,302	327,708	560	153	407	8,049
North Dakota .....	58,955	20,688	38,267	38,305	15,772	22,533	597	246	351	642
Ohio .....	724,658	173,716	550,942	595,404	136,346	459,058	524	120	404	11,353
Oklahoma .....	239,220	80,173	159,047	198,843	64,419	134,424	576	187	390	3,451
Oregon .....	227,117	66,088	161,029	177,781	53,343	124,438	520	156	364	3,421
Pennsylvania .....	637,027	181,292	455,735	537,573	149,721	387,852	438	122	316	12,281
Rhode Island .....	65,235	24,047	41,188	55,714	19,569	36,145	532	187	345	1,048
South Carolina .....	262,329	90,274	172,055	233,796	78,697	155,099	583	196	387	4,012
South Dakota .....	65,402	17,174	48,228	41,473	13,376	28,097	549	177	372	755
Tennessee .....	340,779	94,370	246,409	299,002	81,075	217,927	526	143	383	5,689
Texas .....	1,310,462	303,795	1,006,667	1,178,291	268,924	909,367	565	129	436	20,852
Utah .....	158,273	59,863	98,410	122,159	49,331	72,828	547	221	326	2,233
Vermont .....	49,398	15,261	34,137	36,323	13,632	22,691	596	224	373	609
Virginia .....	462,142	147,462	314,680	387,644	118,588	269,056	548	168	380	7,079
Washington .....	378,885	145,133	233,752	305,466	112,476	192,990	518	191	327	5,894
West Virginia .....	110,925	38,369	72,556	92,954	32,034	60,920	514	177	337	1,808
Wisconsin .....	359,530	77,532	281,998	283,490	63,697	219,793	529	119	410	5,364
Wyoming .....	51,343	13,703	37,640	39,798	11,204	28,594	806	227	579	494
Dist. of Columbia .....	46,649	0	46,649	45,335	0	45,335	793	0	793	572

Source: U.S. Department of Commerce, Bureau of the Census, January 2002

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.

**Table 8.13**  
**STATE AND LOCAL GOVERNMENT PAYROLLS AND AVERAGE EARNINGS**  
**OF FULL-TIME EMPLOYEES, BY STATE: MARCH 2000**

State or other jurisdiction	Amount of payroll (in thousands of dollars)			Percentage of March payroll		Average earnings of full-time state and local government employees (dollars)		
	Total	State government	Local governments	State government	Local government	All	Education employees	Other
United States .....	\$46,681,428	\$13,279,136	\$33,402,292	28	72	\$3,224	\$3,194	\$3,255
Alabama .....	648,471	216,753	431,718	33	67	2,551	2,316	2,509
Alaska .....	176,937	85,564	91,372	48	52	3,830	3,683	3,932
Arizona .....	702,760	189,316	513,444	27	73	2,971	2,709	3,120
Arkansas .....	339,701	136,619	203,082	40	60	2,399	2,266	2,321
California .....	6,585,355	1,511,190	5,074,166	23	77	4,145	3,603	4,273
Colorado .....	718,573	242,332	476,241	34	66	3,250	3,004	3,404
Connecticut .....	654,482	247,170	407,312	38	62	3,876	3,751	3,804
Delaware .....	138,421	73,717	64,704	53	47	3,193	3,340	3,001
Florida .....	2,187,495	568,501	1,618,994	26	74	2,932	2,737	3,093
Georgia .....	1,211,889	339,148	872,741	28	72	2,734	2,814	2,646
Hawaii .....	205,776	158,645	47,131	77	23	3,020	2,991	3,043
Idaho .....	185,487	64,093	121,395	35	65	2,635	2,537	2,746
Illinois .....	1,952,825	408,846	1,543,979	21	79	3,334	3,226	3,444
Indiana .....	847,800	239,060	608,740	28	72	2,782	2,928	2,600
Iowa .....	493,938	187,724	306,214	38	62	3,009	3,025	2,989
Kansas .....	432,223	123,743	308,479	29	71	2,632	2,552	2,728
Kentucky .....	554,553	217,910	336,643	39	61	2,571	2,544	2,605
Louisiana .....	672,245	258,988	413,256	39	61	2,454	2,459	2,449
Maine .....	185,565	58,897	126,668	32	68	2,720	2,681	2,774
Maryland .....	918,470	297,177	621,293	32	68	3,460	3,591	3,327
Massachusetts .....	1,107,522	345,257	762,265	31	69	3,484	3,342	3,629
Michigan .....	1,643,982	503,742	1,140,240	31	69	3,634	3,801	3,435
Minnesota .....	878,461	259,001	619,461	29	71	3,424	3,334	3,530
Mississippi .....	421,045	147,962	273,083	35	65	2,309	2,392	2,226
Missouri .....	774,619	236,807	537,812	31	69	2,678	2,756	2,598
Montana .....	131,742	51,034	80,707	39	61	2,683	2,789	2,564
Nebraska .....	278,314	71,305	207,009	26	74	2,706	2,529	2,741
Nevada .....	295,336	73,661	221,675	25	75	3,717	3,619	3,778
New Hampshire .....	179,045	55,177	123,869	31	69	2,902	2,919	2,880
New Jersey .....	1,720,697	528,150	1,192,547	31	69	4,000	4,162	3,830
New Mexico .....	300,139	131,020	169,119	44	56	2,619	2,623	2,615
New York .....	4,442,887	951,088	3,491,799	21	79	3,939	3,910	3,960
North Carolina .....	1,228,125	362,401	865,724	30	70	2,791	2,889	2,693
North Dakota .....	101,568	42,564	59,004	42	58	2,798	3,045	2,529
Ohio .....	1,790,541	434,583	1,355,958	24	76	3,173	3,292	3,058
Oklahoma .....	480,402	176,783	303,620	37	63	2,451	2,397	2,512
Oregon .....	555,143	167,221	387,921	30	70	3,313	3,255	3,361
Pennsylvania .....	1,721,565	503,793	1,217,772	29	71	3,335	3,561	3,107
Rhode Island .....	193,977	71,392	122,585	37	63	3,628	3,620	3,637
South Carolina .....	589,466	211,506	377,960	36	64	2,564	2,555	2,573
South Dakota .....	98,321	34,779	63,542	35	65	2,495	2,502	2,486
Tennessee .....	773,384	218,959	554,425	28	72	2,671	2,703	2,641
Texas .....	3,154,703	813,300	2,341,403	26	74	2,744	2,733	2,759
Utah .....	325,968	135,423	190,545	42	58	2,854	2,748	2,986
Vermont .....	97,400	42,321	55,079	43	57	2,787	2,675	2,959
Virginia .....	1,120,521	367,529	752,992	33	67	3,018	3,046	2,986
Washington .....	1,058,450	373,142	685,308	35	65	3,730	3,739	3,723
West Virginia .....	236,009	84,838	151,170	36	64	2,578	2,828	2,233
Wisconsin .....	892,928	230,570	662,358	26	74	3,322	3,398	3,228
Wyoming .....	100,413	28,437	71,976	28	72	2,639	2,767	2,526
Dist. of Columbia .....	175,788	0	175,788	0	100	3,923	3,541	4,041

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.



# PUBLIC EMPLOYMENT

**Table 8.14**  
**STATE GOVERNMENT EMPLOYMENT (FULL-TIME EQUIVALENT),**  
**FOR SELECTED FUNCTIONS, BY STATE: MARCH 2000**

State	All functions	Education		Selected functions							Judicial and legal administration
		Higher education (a)	Other education (b)	Highways	Public welfare	Hospitals	Corrections	Police protection	Natural resources	Financial and other governmental administration	
United States .....	4,082,694	1,415,791	146,787	246,988	229,217	409,906	458,721	101,265	148,679	217,046	153,637
Alabama .....	79,631	32,478	3,570	3,803	3,795	11,173	4,372	1,353	2,278	3,166	3,046
Alaska .....	22,885	4,367	3,409	2,729	1,724	234	1,597	440	1,992	1,490	1,199
Arizona .....	64,846	24,820	2,988	3,034	5,635	710	9,582	1,902	2,359	3,949	1,346
Arkansas .....	48,791	17,542	2,982	3,395	2,159	3,953	3,766	1,151	2,373	2,386	412
California .....	355,327	123,673	4,737	21,018	3,688	30,750	47,283	12,843	14,063	26,055	3,615
Colorado .....	65,726	37,231	1,301	3,046	1,897	3,846	6,097	1,144	1,376	2,617	3,428
Connecticut .....	65,820	15,084	6,379	3,613	4,804	10,501	9,003	1,724	818	3,989	4,138
Delaware .....	23,743	7,158	323	1,605	1,675	2,234	2,423	900	445	1,083	1,447
Florida .....	185,170	50,002	2,816	10,050	13,887	6,488	28,354	4,468	8,562	8,608	17,743
Georgia .....	120,028	40,314	7,777	5,986	9,413	12,085	19,336	2,210	4,783	4,264	1,294
Hawaii .....	54,832	8,531	24,918	950	810	3,395	2,396	0	1,240	1,277	2,140
Idaho .....	22,647	8,314	582	1,667	1,716	994	1,619	468	1,947	1,775	451
Illinois .....	127,661	42,461	2,993	8,246	14,331	10,157	15,761	4,074	4,176	8,492	3,110
Indiana .....	82,595	46,691	1,140	4,293	5,007	5,162	6,488	1,971	2,698	3,050	1,151
Iowa .....	55,200	24,089	1,181	2,920	2,834	7,931	3,368	995	3,016	2,348	2,477
Kansas .....	42,588	18,075	605	3,436	2,660	2,841	3,594	992	881	2,444	2,095
Kentucky .....	74,137	25,154	4,144	5,548	6,712	5,243	3,691	2,070	3,742	4,485	4,627
Louisiana .....	94,796	28,569	3,354	5,679	5,519	20,620	7,745	1,650	4,966	4,038	1,739
Maine .....	20,568	6,126	1,301	2,686	2,033	382	1,170	383	1,258	1,503	592
Maryland .....	91,487	27,664	2,023	4,748	7,370	5,769	11,641	2,411	2,185	5,097	4,067
Massachusetts .....	95,582	25,680	1,099	4,267	7,521	8,663	7,029	5,469	1,236	6,798	10,228
Michigan .....	141,891	67,687	873	3,104	13,385	13,148	18,403	3,213	4,950	4,445	2,013
Minnesota .....	73,421	35,072	4,447	5,171	2,627	4,871	3,711	938	3,153	3,966	2,074
Mississippi .....	55,541	17,634	1,651	3,292	3,089	10,990	4,242	1,182	3,549	1,691	646
Missouri .....	91,425	27,492	2,131	6,440	8,170	13,556	11,544	2,247	2,629	3,644	3,872
Montana .....	17,920	6,284	608	1,991	1,523	568	1,062	404	1,331	1,208	198
Nebraska .....	29,797	10,007	539	2,243	2,783	4,626	1,992	682	1,696	943	729
Nevada .....	22,444	7,404	135	1,615	1,006	1,006	2,935	859	1,009	1,909	668
New Hampshire .....	18,776	6,657	313	1,917	1,446	756	1,245	429	573	803	913
New Jersey .....	133,126	28,156	16,569	7,452	6,049	15,138	9,485	3,731	2,777	6,552	13,529
New Mexico .....	47,813	19,843	925	2,325	1,556	6,327	4,002	633	1,776	2,242	2,726
New York .....	250,974	46,424	4,625	13,124	6,698	47,521	35,629	5,659	3,277	18,778	18,209
North Carolina .....	123,302	43,049	2,931	11,902	1,393	15,901	19,121	3,361	3,919	4,006	5,982
North Dakota .....	15,772	6,575	350	925	429	1,059	565	220	1,413	909	406
Ohio .....	136,346	64,318	2,268	7,199	2,122	12,069	18,147	2,597	3,814	9,105	2,733
Oklahoma .....	64,419	25,538	2,143	3,017	6,264	3,061	6,086	1,790	2,141	2,701	2,613
Oregon .....	53,343	13,811	1,022	3,532	5,678	5,060	4,536	1,423	2,919	5,360	3,037
Pennsylvania .....	149,721	50,592	3,282	13,810	11,975	13,855	14,958	5,638	6,643	11,102	2,643
Rhode Island .....	19,569	5,312	1,094	832	1,562	1,187	1,822	304	539	1,552	1,140
South Carolina .....	78,697	25,134	2,764	4,942	5,036	8,834	9,096	3,305	2,515	2,940	695
South Dakota .....	13,376	4,767	414	989	986	1,045	867	278	819	648	515
Tennessee .....	81,075	34,489	2,061	4,565	5,320	9,525	6,242	1,846	3,378	3,309	1,985
Texas .....	268,924	89,790	4,714	15,340	20,744	32,866	47,544	3,633	11,765	11,146	5,054
Utah .....	49,331	25,046	1,045	1,778	3,181	5,112	2,982	782	1,095	1,859	1,562
Vermont .....	13,632	4,921	472	1,009	1,157	166	988	509	566	1,143	591
Virginia .....	118,588	47,482	2,943	10,435	2,054	13,342	15,674	2,603	3,103	5,093	3,419
Washington .....	112,476	46,034	4,073	6,563	5,539	8,688	8,078	2,220	5,439	4,096	1,695
West Virginia .....	32,034	11,602	1,434	5,059	78	1,649	1,266	1,067	1,985	2,489	1,244
Wisconsin .....	63,697	27,554	1,165	1,942	1,378	3,867	9,381	904	2,832	3,830	2,018
Wyoming .....	11,204	3,094	174	1,756	799	982	803	190	680	663	383

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

(a) Includes instructional and other personnel.

(b) Includes instructional and other personnel in elementary and secondary schools.

**Table 8.15**  
**STATE GOVERNMENT PAYROLLS FOR SELECTED FUNCTIONS,**  
**BY STATE: MARCH 2000**  
**(In thousands of dollars)**

State	Education			Selected functions							
	All functions	Higher education (a)	Other education (b)	Highways	Public welfare	Hospitals	Corrections	Police protection	Natural resources	Financial and other governmental administration	Judicial and legal administration
United States .....	13,279,136	\$4,783,683	\$471,606	\$772,144	\$657,390	\$1,201,247	\$1,396,970	\$379,630	\$460,284	\$700,458	\$587,383
Alabama .....	216,753	91,607	11,289	8,534	10,124	26,503	11,482	4,167	6,423	9,495	10,088
Alaska .....	85,564	15,757	11,767	11,217	5,253	820	6,297	2,039	7,535	5,504	4,948
Arizona .....	189,316	79,822	6,948	8,830	13,853	2,083	25,819	6,718	6,917	10,904	5,423
Arkansas .....	136,619	56,305	7,839	9,445	5,369	10,241	7,954	3,163	6,062	6,152	2,090
California .....	1,511,190	525,558	18,418	94,049	14,347	130,849	199,375	59,315	54,441	94,578	19,248
Colorado .....	242,332	141,492	4,382	10,669	6,693	11,762	20,322	5,083	4,975	9,380	12,716
Connecticut .....	247,170	57,689	23,429	12,377	18,197	41,768	32,168	7,508	2,818	14,297	15,488
Delaware .....	73,717	25,119	1,215	4,099	4,639	5,275	7,194	3,589	1,342	3,057	4,461
Florida .....	568,501	173,606	7,959	29,153	33,447	15,180	95,551	11,810	22,993	28,261	58,087
Georgia .....	339,148	127,511	24,456	15,112	22,442	29,809	44,765	6,685	12,714	13,014	6,329
Hawaii .....	158,645	30,464	67,414	2,748	2,284	8,915	6,461	0	3,975	4,094	7,009
Idaho .....	64,093	23,580	1,763	4,504	4,737	2,285	4,292	1,573	5,690	4,971	2,039
Illinois .....	408,846	122,853	10,459	29,856	47,990	19,829	52,335	17,941	12,313	27,707	17,635
Indiana .....	239,060	144,982	3,353	10,603	11,247	12,196	15,989	5,613	7,481	8,192	5,796
Iowa .....	187,724	85,085	3,924	8,167	8,726	28,492	10,445	3,689	9,426	7,382	8,938
Kansas .....	123,743	55,792	1,859	9,921	7,314	7,075	9,133	2,894	2,612	6,965	6,155
Kentucky .....	217,910	80,594	13,961	15,388	17,450	14,482	8,813	6,740	9,946	13,144	13,186
Louisiana .....	258,988	88,017	9,665	13,814	13,723	48,634	18,408	5,007	12,878	11,486	6,587
Maine .....	58,897	17,491	3,610	7,173	5,336	1,075	2,914	1,336	3,610	4,433	1,987
Maryland .....	297,177	91,203	7,027	16,925	21,033	16,204	36,203	10,298	7,594	17,121	13,497
Massachusetts ....	345,257	92,615	4,329	17,166	26,060	25,970	27,882	20,206	5,243	23,861	36,783
Michigan .....	503,742	236,106	2,919	11,627	46,408	43,171	67,280	13,300	17,530	16,037	8,575
Minnesota .....	259,001	121,403	16,035	19,058	7,785	13,912	12,767	3,994	11,234	14,284	8,887
Mississippi .....	147,962	57,985	4,500	7,552	6,625	24,736	8,124	3,190	8,462	4,921	2,960
Missouri .....	236,807	81,572	5,337	17,798	17,252	31,358	23,958	6,610	6,984	8,821	11,781
Montana .....	51,034	19,880	1,510	5,718	3,860	1,354	2,689	1,159	3,674	3,117	853
Nebraska .....	71,305	22,289	1,674	5,921	6,163	9,942	4,938	2,164	3,521	2,684	2,454
Nevada .....	73,661	22,708	481	5,554	3,302	3,496	9,885	2,936	3,191	6,069	2,974
New Hampshire ...	55,177	21,633	857	5,312	3,799	1,966	3,489	1,523	1,545	2,174	2,926
New Jersey .....	528,150	121,968	68,335	29,126	21,742	48,111	37,403	19,218	11,032	24,546	52,096
New Mexico .....	131,020	56,525	2,439	5,751	3,617	16,218	10,320	2,219	4,914	6,053	8,337
New York .....	951,088	181,889	16,991	45,233	22,216	158,760	127,184	26,697	11,982	61,615	84,711
North Carolina ..	362,401	137,688	8,779	29,163	4,022	42,541	50,807	11,413	11,444	11,459	19,694
North Dakota ....	42,564	19,375	887	2,372	1,018	2,139	1,272	597	3,444	2,401	1,363
Ohio .....	434,583	192,842	8,712	25,533	7,929	31,531	58,838	9,524	11,461	32,802	10,735
Oklahoma .....	176,783	70,714	5,846	7,276	17,503	9,200	14,518	5,123	5,115	7,855	8,914
Oregon .....	167,221	43,490	3,195	11,098	17,337	12,661	14,842	4,955	9,359	17,428	9,870
Pennsylvania .....	503,793	182,314	10,726	41,586	38,962	37,823	47,367	22,786	23,848	35,327	13,414
Rhode Island .....	71,392	17,688	4,246	2,921	6,798	4,394	7,498	1,334	1,939	5,041	4,387
South Carolina ...	211,506	76,478	7,558	11,371	11,847	17,433	20,896	8,597	7,248	8,837	2,693
South Dakota ....	34,779	13,263	975	2,585	2,192	2,128	1,936	818	2,090	1,769	1,571
Tennessee .....	218,959	98,140	5,437	10,190	13,251	26,337	14,123	5,248	8,364	9,692	7,547
Texas .....	813,300	316,396	13,820	41,756	50,531	102,684	107,338	12,141	35,289	34,388	19,428
Utah .....	135,423	66,608	2,941	5,900	8,787	11,774	8,295	2,506	3,352	5,477	5,159
Vermont .....	42,321	15,242	1,485	3,057	3,344	434	2,864	2,056	2,008	3,269	2,052
Virginia .....	367,529	161,369	9,076	29,739	6,314	36,902	36,954	9,531	10,392	15,748	13,161
Washington .....	373,142	146,546	13,436	25,605	18,219	31,692	25,940	8,328	18,212	13,804	7,570
West Virginia ....	84,838	35,171	3,915	12,440	121	3,053	2,540	2,909	5,309	6,008	3,578
Wisconsin .....	230,570	110,538	3,999	6,694	4,330	12,191	27,439	2,779	8,446	12,997	10,139
Wyoming .....	28,437	8,721	427	4,458	1,851	1,860	1,668	602	1,908	1,837	1,065

Source : U.S. Department of Commerce, Bureau of the Census, January 2002.

Key:

(a) Includes instructional and other personnel.

(b) Includes instructional and other personnel in elementary and secondary schools.

# The Digital Transformation of State Government

By Ed Janairo

*The demand for e-government services – that is, the delivery of government services through the Internet – continues to increase as citizens and businesses spend more and more time online. There is the expectation that e-government will make government institutions more efficient, accountable and accessible to the public. The states have made significant progress toward these ends as many government services and associated transactions may now be fully executed over the Internet. States are moving further in the development of e-government as services and their related agencies are integrated with one another, a trend which will likely have a tremendous impact on the structure of state government in the near future.*

Major milestones already mark the short history of e-government. From the opening of [www.whitehouse.gov](http://www.whitehouse.gov) in 1993<sup>1</sup> to the recent implementation of fully functional, customer-focused portals, e-government has met many of the expectations of citizens, businesses and government officials. For many state officials, e-government holds the promise of better and more responsive government, and despite its relative youth, there are many indications that the change to digital government is a change for the better. State-government Web sites put a growing number of government services online, making them more efficient and accessible to citizens. Many e-government sites also aid in holding government more accountable to citizens. They allow for broader disclosure of government activity by easily disseminating information, and they provide several electronic means for contacting officials and for submitting comments and questions to agencies. Further, states are also introducing sophisticated e-government portals that integrate several online services and are ‘citizen-centric.’ This essay looks at these expectations and the growing demand for e-government and also examines the various phases of development that e-government has undergone in the past several years. Practitioners and researchers typically identify three phases in the history of e-government. This essay reviews the first two phases and considers the directions e-government will take in its nascent third phase.<sup>2</sup>

## The Demand for E-Government

The first e-government site went online about nine years ago. Since then, there has been tremendous growth in the number of government Web sites, with 93 percent of federal, state and local government agencies maintaining some sort of Web site.<sup>3</sup> But even as the supply of e-government services has increased, so has the demand from citizens and businesses. The growth of the World Wide Web, spurred by increasingly inexpensive technology and great commercial suc-

cess, has helped make the Internet an essential part of American life. The number of Web servers (that is, computers that host Web sites on the Internet) grew from 10,022 in 1994 to over 36 million in 2001.<sup>4</sup> The percentage of Americans who use the Internet grew from 6.7 percent in 1995 to nearly 59 percent in January 2002, or approximately 164 million people.<sup>5</sup> A recent study estimates that 67 percent of U.S. citizens go online.<sup>6</sup>

As more citizens use the Internet and as they grow accustomed to the level of service delivered to them by private-sector e-commerce, they come to expect the same kind of services from government. A recent report published by The Council for Excellence in Government shows there is a growing demand for e-government. The 2000 report indicates that 45 percent of Internet users in the United States have visited a state-government Web site and that a majority of Americans believe that it should be either a high or medium-level priority for government to invest further in e-government services.<sup>7</sup> The report, based on surveys conducted by Hart-Teeter, shows that although many Internet users in the United States are concerned about online privacy and security, they still see great promise in a flourishing e-government environment. Also, according to the surveys, the most desired benefits of e-government are: the ability to hold government more accountable to citizens, greater access to public information, more efficient and cost-effective government and more convenient government services.<sup>8</sup>

Other studies report that citizens want e-government systems to meet very specific needs. The Center for Technology in Government at the State University of New York in Albany reports in a recent study that of the many requested online services, renewing a driver’s license was typically the first choice. This was followed by voter registration, obtaining state-park information and making park reservations. Other frequently requested technologies include those that provide one-stop shopping for government services and

the ability to access specific government information, such as medical or health care data. Also, the study, which compiles the results of several surveys, indicates that citizens are willing to pay small fees for online government services in order to defray the costs of the technology.<sup>9</sup> So indeed, the public expects much from e-government. (See the table in this chapter titled “Selected State Online Services” for an overview of state government services that are available online.)

### **State Government Response to the Demand for E-Government**

Many state governments have also gone to great lengths to gauge the interest and demand for e-government services. Anticipating the needs and desires of constituents has resulted in exceptional success for some states, according to a recent report by the U.S. General Services Administration. According to the report, the state of Washington, a leader in e-government, conducted continuous polling of citizens to assess their e-government needs and to respond to their comments and criticisms. “As a result of continuous citizen focus,” the report states, “the State of Washington has won many awards for its use of information technology for service delivery to its citizens as well as management, operations, education and other uses.”<sup>10</sup>

The state of Texas also recently completed a study to determine citizen expectations of e-government and to assess the use of e-government services in the state, according to the GSA report. One aim of the study was to gauge how many Texans actually use the Internet and to determine why some citizens may be reluctant to get online. The study revealed that poorer and older Texans were less likely to use the Internet than other groups of people. As a result, the state considered how to make computers more accessible and how it could educate people to use computer-based government services. Also, the study found that the services for which Texans are most willing to pay include the ability to renew driver’s licenses, pay traffic tickets, enroll in courses, file taxes and request personal information online.<sup>11</sup> Texas was able to respond to citizen input and now has one of the more robust e-government systems in the country.

One sign that states are responding to this growing demand for e-government services is the growing number of executive and legislative leadership positions that they create in order to oversee policies related to information technology. Most states now recognize that the transformation to digital government is an all-encompassing endeavor that requires information-technology leadership at a statewide level. A recent

compendium of state information-technology statistics compiled by the National Association of State Chief Information Officers (NASCIO) indicates that most states now have a statewide executive officer overseeing the state’s information-technology systems. (See the table in this chapter titled “State Information Technology Offices and Committees.”) These positions typically carry the title of chief information officer or chief technology officer. Many of these positions are relatively new and their creation reflects the growing importance of e-government in the states. Moreover, the NASCIO compendium shows that 30 states have house committees and 26 states have senate committees specifically overseeing information-technology legislation.<sup>12</sup> These, too, are mainly recent additions to the state legislatures and reflect the fact that state governments recognize information technology and e-government as priorities.

### **How the States Have Fared**

Many state governments have already had great success in reaching constituents through e-government Web sites in more efficient, more convenient and less expensive ways than in the past. Certainly, many states are not as advanced as others in the transition to digital government, yet almost all states find themselves well into what has been referred to as the “first phase” of e-government. This phase is characterized by the posting of documents and downloadable forms, the creation of online brochures for state agencies and the establishment of a basic Web presence, all of which are done mainly through static Web pages. Sites developed in this phase are designed to convey information to citizens and businesses and they allow for only the most elementary user interaction, such as downloading forms and documents.

Currently, most states are well into the second phase of e-government, which marks a major step in the digital transformation of government. In this phase, government agencies use the Web to bring services directly to citizens and businesses. Using Web sites that are often highly sophisticated, agencies are able to conduct secure transactions that frequently involve monetary exchange and the authentication of a user’s identity. Such transactions include paying taxes, purchasing licenses and permits, reserving state-park campsites, renewing a vehicle’s registration and bidding on state contracts. States and agencies involved in this second phase of e-government implementation are enjoying most notice and success now, for as one may imagine, these sorts of online services meet the immediate and everyday needs of citizens and businesses.

Many states offer online services related to the own-

ership and operation of automobiles. Like many state Web sites, Pennsylvania's "PA Port" state portal provides easy access to a Department of Motor Vehicles page that allows motorists to renew their vehicle registrations over the Internet. Citizens can conduct secure transactions on the site, using major credit cards as payment.<sup>13</sup> Similarly, Virginia allows motorists to order custom license plates through its "My Virginia" state portal. Through this site, motorists can select one of several license plate designs and submit a personalized message to appear on the plate.<sup>14</sup> Some states, such as California, provide real-time traffic monitoring through the state portal Web site. California has over 400 video cameras that monitor traffic conditions on major highways and provide streaming video service to visitors of the site.<sup>15</sup>

The payment of taxes is another e-government function that is tremendously popular with constituents. The Massachusetts Department of Revenue Web site, for example, provides an easy-to-use online tax-payment system that can be used by most filers in the commonwealth. This site also provides guidelines for paying personal-income tax by phone or through the assistance of a third-party tax preparer.<sup>16</sup> Many states also provide a range of business tax services online. Virginia's "VATaxOnline" site, for example, allows businesses to pay corporate-income taxes, sales and use taxes and withholding taxes.<sup>17</sup> Another service that benefits businesses is an online procurement system. Maryland's "eMaryland Marketplace," for example, allows agencies to post requests for vendor bids on the Web. Registered vendors can then submit bids for these contracts online. Through this system, agencies have obtained lower prices for goods and services and vendors have saved a significant amount of money by eliminating travel costs necessary in order to make sales visits.<sup>18</sup>

The list of fully executable online services continues to grow, and many e-government applications now match the functionality of many private-sector e-commerce sites. Citizens have generally been pleased with the services they receive from these forms of digital government. According to a recent poll, 85 percent of the visitors to a state government site said that the site was helpful.<sup>19</sup> This may also reflect the fact that states have not only made advances in utilizing highly functional technology, but they have also made strides to ensure that they post explicit contact information such as e-mail addresses and phone numbers and that their sites are more accessible to the disabled and to non-English speakers. There are also a growing number of state government sites with an alternative foreign-language site and with explicit

security and privacy statements, albeit the number is relatively small.

The quality of e-government sites is indeed increasing, yet there is room for greater improvement. A recent exhaustive Brown University study assesses the quality of state-government Web sites through a methodology that reflects the needs and concerns of citizens. The report describes the methodology in this way:

Our project adopts a 'citizen's perspective' on e-government. In our analysis of government web-sites, we looked for material that would aid an average citizen logging onto a site. This included contact information that would enable a citizen to find out who to call or write at an agency if there was a problem to be dealt with, material on information, services, and databases, features that would facilitate e-government access by special populations such as the handicapped and non-English speakers, interactive features that would facilitate democratic outreach, and visible statements that would reassure citizens worried about privacy and security.<sup>20</sup>

This was the second such study led by Darrell West of Brown University. In the 2001 report's summary of the findings, West indicates that government Web sites generally improved over the previous year, noting that there were advances on virtually every performance benchmark. According to the study, a larger amount of government information was online than in the year before. There was a 13 percent increase over the previous year in the number of fully executable online services. There was, however, wide variation from state to state in the number of Web sites that posted security and privacy notices or were accessible by those with disabilities. See the table in this chapter titled "State Web Site Features" for selected state-by-state findings from this study.

One advance that the Brown University study notes is the appearance of a greater number of portals. The study says that much of the value of portals lies in the fact that they "reduce the need to log on to different agency websites [in order to obtain] services or find information. Instead, citizens can engage in 'one-stop' shopping, and find what they need through a single site that integrates a variety of government websites."<sup>21</sup> Certainly, it is one thing to put a bevy of government services online one at a time. It is another endeavor to coordinate them all so that they are presented in a citizen-centric manner and to ensure that they are sufficiently integrated in order to eliminate redundancy in the steps users must take to obtain different kinds of information or services. This level of

integration is a current trend in e-government applications that characterizes the third phase of e-government's development.

### **Moving into the Next Phase of E-Government**

This third phase of e-government, now in an early stage of development, is certainly the most complex and far-reaching. In this phase, the concern is not only with the implementation of online services, but with the creation of a full-service, citizen-centric online presence that integrates the resources and functions of many agencies. In this third phase, a state's online presence is designed with the needs of citizens and businesses as its organizing principle. This design principle departs from the common practice of organizing a state Web site according to bureaucratic hierarchies, which often leads to a confusing and maze-like online presence.

State-portal technology achieves this citizen-centric online presence. In general, portals are Web sites that serve as a user's primary gateway into the World Wide Web, or as an entryway into a conglomeration of related and integrated Web sites. Yahoo.com or MSN.com are notable private-sector portals. Many states have taken their cue from private-sector portals such as these and have created sites whose functionality and elegance sometimes rival their commercial models. In such a portal, state government is viewed as an enterprise, and bureaucratic barriers seem to disappear. State government appears to be one seamless whole with many different coordinated and integrated parts. As citizens use such a portal, they come to view state government as a single entity – with a single point of contact – that will allow them to obtain several government services from a single location.

But what is most striking about this third phase of e-government is that with the creation of the appearance that state government is one seamless whole on the Web, there is the concomitant phenomenon that bureaucracies actually become more integrated. The integration cannot occur only at the Web-site level. In order for the third phase of e-government implementation to be successful and for the whole gamut of electronic services and information that a state offers to be conveniently accessible, agencies must actually integrate their efforts, share data and skills, and break down bureaucratic barriers that may have traditionally put them at cross purposes.

So the third phase of e-government is one in which not only are the technologies in place to execute transactions online, but there is also the administrative, political and managerial will to re-engineer governmental structures and interagency relationships. The next generation of e-government implementation

involves viewing the project from a citizen-centric perspective rather than an agency-centric perspective.

A recent report by the Progressive Policy Institute articulates a vision of an e-government environment in which government agencies provide services to constituents with levels of convenience, accountability and efficiency that can come about only by breaking down bureaucratic barriers. According to the report, a state can succeed in this third phase of e-government by following several recommendations. First, government sites should be intergovernmental sites. They should be created so that related services that might be provided by local, state and federal governments can be found on one page. For example, a state's tax page should also have information regarding, or at least links to, local and federal tax-related Web sites.<sup>22</sup> There should also be e-government coordinators that can cut through bureaucratic barriers. Since e-government should ultimately transcend bureaucratic distinctions, these coordinators would champion the e-government effort and facilitate cooperation and integration.<sup>23</sup> The report also recommends that governments not view Web directories as customer-focused e-government. Often a Web directory of government officials and agencies is an unwieldy list of cryptic acronyms and little known agency names and has little other information. The report suggests that "[t]rue customer-focused e-government means that the top-level portal must contain all the essential information rather than simply an 'A to Z' government Web directory."<sup>24</sup> Further, the federal government should allow state and local governments to use the ".gov" domain extension more freely. Currently, the federal General Services Administration greatly restricts the use of this domain extension. More liberal use of this domain extension would make it easier for citizens to remember state government Web sites and to find government information.<sup>25</sup>

Perhaps the report's strongest recommendation, however, is the general suggestion that states should design Web sites according to consumer needs rather than according to bureaucratic structures. This is a theme touched on earlier and it is at the core of this third phase of e-government. When citizen-centric systems are in place then it is a sign that bureaucracies are also becoming increasingly citizen-centric. That is, the structure of government is more accessible to citizens and government is better suited to meet citizens' needs. In order for this level of service to occur on e-government sites, there must be a high level of coordination by several agencies and an integration of their services.

There are several excellent state-government sites that demonstrate this third phase of e-government. For



example, the “Access Washington” site,<sup>26</sup> North Carolina’s “NC@Your Service”<sup>27</sup> and the “My California” state portal<sup>28</sup> are all citizen-centric state portals. North Carolina’s state site, for example, is neatly divided into pages for citizens, business users and government employees. This is a significant departure from those state Web sites that segregate the site by agency name. This practice often proves to be confusing for site visitors who are not familiar with the functions and relationships between various agencies. So, for example, if a visitor is interested in environmental issues and the “Adopt a Highway” program, he does not have to figure out whether to go to the state environmental protection agency, the state highway department or any other department. Rather, there is a simple link called “Environment” which takes the user to a link for the “Adopt a Highway” program. The user never has to know whose jurisdiction the program is under in order to find the relevant pages.

Another citizen-centric feature of advanced e-government sites is the personalization of the site. California’s portal, for example, allows the user to personalize the home page so that the user can select which agency links should appear on the home page and pick which of the nearly 60 online government services should be listed.<sup>29</sup> Again, for a typical user to personalize a state page, the Web site architects cannot expect the user to have knowledge of all of the state’s agencies and their functions. Services must be categorized in a citizen-centric fashion. Further, the fact that a user can tailor a state’s home page to his or her interests, selecting what varied services and links he or she desires, reflects the high degree of collaboration among agencies that went into the creation of such a portal. Also reflecting this collaboration is the portal search feature, which searches the full range of agency sites.<sup>30</sup> Moreover, the management of a consistent design for each page in a site not only can guarantee an easily navigable site for the user but also reflects the interagency cooperation that allows for the uniformity of several agencies’ pages. So many of the bureaucratic barriers that may have traditionally inhibited such collaboration must of necessity come down in order for third phase e-government to thrive.

A recent article in *Governing* magazine reveals how Michigan’s recent work in e-government has required a drastic change in the way state agencies work with each other.<sup>31</sup> In launching the “e-Michigan” initiative, which includes the creation of a portal for the state, Gov. Engler recognized that success in the movement toward a digital government would require unprecedented collaboration and coordination among agencies. If government services were to go online in one cen-

tralized location, with one uniform interface for each service, and if these services were to be integrated with one another, then agencies would have to integrate their operations. The article states that taking such an enterprise-wide view of e-government “requires fundamental cultural changes in the work force, sharing of information across agency lines and alteration in the way many agencies conduct their business.”<sup>32</sup>

To lead this enterprise approach to state government, the governor selected a state official with years of experience interacting with agency heads as the director of state government affairs. Moreover, she was widely known as a trusted and close advisor to the governor, a fact that emphasized how seriously he regarded this initiative. The article states that Gov. Engler brought together nearly 150 agency information-technology executives and Web masters, a gathering that not only made clear his commitment to an enterprise approach to e-government, but also conveyed to those present that the success of Michigan’s e-government initiative relied on the cooperation of many agencies. The *Governing* article describes the challenge that the state Web developers faced: “For the webmasters, a key e-Michigan objective was to develop a new state Web portal. The tangle of Web services available until recently grew up in individual agencies with limited resources. It was confusing to users because there was no common navigation, no search function across agencies and no common look and feel.”<sup>33</sup>

The state portal, Michigan.gov, now integrates dozens of online services from dozens of agencies. Though the integration of the various technologies was difficult, “far more difficult,” the article indicates, “is bringing about the formidable cultural and institutional changes to tie everything together behind the scenes.”<sup>34</sup>

States such as Michigan are recognizing that to meet the demands and expectations citizens and businesses have of e-government, they must move forward to the next phase of digital government. To move to this next phase, there must be a re-engineering of state government. As Michigan has discovered, such a task is daunting, yet it is not unrealistic. States are continuing to have great success in the development of second-phase e-government services and these implementations are necessary to meet the current demands of e-government. Yet states must move to the next phase of e-government’s development: the fully customer-focused digital government. States recognize this fact and in increasing numbers they are implementing integrated full-service portals. As the states move into this next phase of e-government, they are likely to discover, as Michigan and other states have, that these “front-

end” changes in a state’s Web presence will also require drastic “back-end” changes; that is, changes in the ways agencies collaborate, share information and resources, and integrate their services.

## Notes

<sup>1</sup> For a timeline of the history of the Internet, see Robert Zakon, “Hobbes’ Internet Timeline v5.3,” <<http://www.zakon.org/robert/internet/timeline>>.

<sup>2</sup> An especially cogent account of the phases of development in e-government can be found in Andrew Leigh and Robert Atkinson, *Breaking Down Bureaucratic Barriers*, Progressive Policy Institute, November 2001, <[http://www.ppionline.org/documents/digigov\\_Nov01.pdf](http://www.ppionline.org/documents/digigov_Nov01.pdf)>

<sup>3</sup> Council for Excellence in Government, *E-Government: The Next American Revolution*, September 2000, 23, <[http://www.excelgov.org/egovpoll/report/poll\\_report.PDF](http://www.excelgov.org/egovpoll/report/poll_report.PDF)>.

<sup>4</sup> Zakon.

<sup>5</sup> Nua Internet, “How Many Online? U.S. & Canada,” January 2002, <[http://www.nua.ie/surveys/how\\_many\\_online/n\\_america.html](http://www.nua.ie/surveys/how_many_online/n_america.html)>.

<sup>6</sup> Council for Excellence in Government, *E-Government: To Connect, Protect and Serve Us*, November 2001, 5, <<http://www.excelgov.org/techcon/0225poll/report.PDF>>.

<sup>7</sup> Council for Excellence in Government, *E-Government: The Next American Revolution*, 7.

<sup>8</sup> Council for Excellence in Government, *E-Government: The Next American Revolution*, 6.

<sup>9</sup> M. Cook, *What Citizens Want From E-Government*, The Center for Technology in Government, University at Albany/SUNY, <[http://www.ctg.albany.edu/resources/htmlrpt/e-government/what\\_citizens\\_want.html](http://www.ctg.albany.edu/resources/htmlrpt/e-government/what_citizens_want.html)>.

<sup>10</sup> J. Clark, *Citizens’ Expectations for Electronic Government Services* (Washington, D.C.: Office of Intergovernmental Solutions, U.S. General Services Agency, 2000), 4.

<sup>11</sup> Clark, 32.

<sup>12</sup> National Association for State Chief Information Officers, *NASCIO 2002 Compendium of Digital Government in the States*, 2002, <<https://www.nascio.org/publications/2002compendium.cfm>>.

<sup>13</sup> See <<http://www.dmv.state.pa.us/>>.

<sup>14</sup> See <<http://www.vipnet.org/portal/services/citizenservices.htm>>.

<sup>15</sup> To go directly to the traffic-monitoring page, see <<http://video.dot.ca.gov/>>.

<sup>16</sup> See <<http://www.dor.state.ma.us/options/options.htm>>.

<sup>17</sup> See <<http://www.tax.state.va.us/>>.

<sup>18</sup> See <<http://www.emarylandmarketplace.com/>>.

<sup>19</sup> Council for Excellence in Government, *E-Government: To Connect, Protect and Serve Us*.

<sup>20</sup> Darrell M. West, *State and Federal E-Government in the United States*, 2001, September 2001, <<http://www.insidepolitics.org/egovt01us.html>>.

<sup>21</sup> West.

<sup>22</sup> Leigh and Atkinson, 12.

<sup>23</sup> Leigh and Atkinson, 13.

<sup>24</sup> Leigh and Atkinson, 12.

<sup>25</sup> Leigh and Atkinson, 11.

<sup>26</sup> See <<http://access.wa.gov>>.

<sup>27</sup> See <<http://www.ncgov.com>>.

<sup>28</sup> See <<http://www.ca.gov>>.

<sup>29</sup> See <[http://my.ca.gov/state/portal/myca\\_homepage.jsp](http://my.ca.gov/state/portal/myca_homepage.jsp)>.

<sup>30</sup> See this search feature on the My California Home Page, <[http://my.ca.gov/state/portal/myca\\_homepage.jsp](http://my.ca.gov/state/portal/myca_homepage.jsp)>.

<sup>31</sup> Ellen Perlman, “Thinking Big,” *Governing* (August 2001): 32-38.

<sup>32</sup> Perlman, 34.

<sup>33</sup> Perlman, 34.

<sup>34</sup> Perlman, 36.

## About the Author

**Ed Janairo** is a technology analyst at The Council of State Governments. He researches and writes on the states and digital government and he works in the information technology field.



**Table 8.16**  
**STATE INFORMATION TECHNOLOGY OFFICES AND COMMITTEES**

<i>State or other jurisdiction</i>	<i>Name of IT office</i>	<i>Location</i>	<i>Director's title</i>	<i>House committee</i>	<i>Senate committee</i>
Alabama .....	Dept. of Finance, Information Svcs. Div.	F	CIO	N	N
Alaska .....	-----N.A.-----				
Arizona .....	Govt. Information Technology Agency	IT	CIO/D (g)	Y	N
Arkansas .....	Ofc. of the CIO;	IT	CIO (h)	Y	Y
	Dept. of Information Systems	IT	D (h)	Y	Y
California .....	Dept. of Information Technology	IT	CIO/D (i)	Y	Y
Colorado .....	Governor's Ofc. of Innovation & Technology	G	ST/CTO	Y	N
Connecticut .....	Dept. of Information Technology	IT	CIO	Y	Y
Delaware .....	Dept. of Technology & Information	IT	CIO	Y	N
Florida .....	-----N.A.-----				
Georgia .....	Georgia Technology Authority	IT	CIO(k)	N	Y
Hawaii .....	Information & Communication Svcs. Div.	(a)	(l)	N	N
Idaho .....	Dept. of Administration	A	CIO/D (m)	Y	Y
Illinois .....	Illinois Technology Ofc.	G	CTO	Y	N
Indiana .....	Information Technology Oversight Comm.	IT	CIO	Y	Y
Iowa .....	Information Technology Dept.	A	CIO	Y	Y
Kansas .....	Kansas Ofc. of Information Technology	A	CITO	Y (Jt)	Y (Jt)
Kentucky .....	Governor's Ofc. for Technology	G	CIO	Y	Y
Louisiana .....	Office of Information Technology	A	CIO	N	N
Maine .....	Office of the CIO;	(b)	CIO (n)	N	N
	Bureau of Information Svcs.	(b)	D (n)	N	N
Maryland .....	Dept. of Budget & Mgmt., Ofc. of Information Technology	F	CIO	N	N
Massachusetts .....	Exec. Ofc. For Admn. & Finance, Information Technology Div.	A	CIO/D (o)	Y	Y
Michigan .....	Michigan Dept. of Information Technology (DIT or MDIT)	IT	CIO/D (p)	Y	Y
Minnesota .....	Dept. of Admn., Ofc. of Technology	A	(q)	N	N
Mississippi .....	Dept. of Information Technology Svcs.	IT	D	Y	Y
Missouri .....	Ofc. of Information Technology	A	CIO	N	N
Montana .....	Information Technology Svcs. Div., Dept. of Admn.	A	CIO	Y	Y
Nebraska .....	Information Mgmt. Svcs. Div., Dept. of Administrative Svcs.	A	(r)	N	(j)
Nevada .....	Dept. of Information Technology	IT	CIO	Y	Y
New Hampshire .....	Dept. of Administrative Svcs.	A	D (s)	Y	Y
New Jersey .....	Office of Information Technology (OIT)	(c)	CIO	Y	N
New Mexico .....	Information Technology Mgmt. Ofc.	G	CIO	Y	Y
New York .....	New York State Ofc. for Technology	(d)	(t)	N	N
North Carolina .....	Ofc. of Information Technology Svcs.	G	State CIO	Y	Y
North Dakota .....	Information Technology Dept.	A	CIO	Y	Y
Ohio .....	Computer Svcs. Div.	A	CIO (u)	N	N
Oklahoma .....	Information Svcs. Div.	F	D	Y	Y
Oregon .....	-----N.A.-----				
Pennsylvania .....	Ofc. For Information Technology	A	(v)	Y	Y
Rhode Island .....	Dept. of Admin.	A	CIO	N	N
South Carolina .....	Ofc. of the State CIO	(e)	CIO	N	N
South Dakota .....	Bureau of Information & Telecommunications	IT	CIS	N	N
Tennessee .....	Ofc. for Information Resources, Dept. of Finance & Admin.	F	(x)	N	N
Texas .....	Dept. of Information Resources (DIR)	IT	CIO	Y	Y
Utah .....	Div. of Information Technology Svcs.	G	CIO	Y	Y
Vermont .....	Office of the CIO	A	CIO (x)	N	N
Virginia .....	Secretariat of Technology	IT	ST	Y (Jt)	Y (Jt)
Washington .....	Washington State Dept. of Information Svcs. (DIS)	IT	D	Y	Y
West Virginia .....	Governor's Ofc. of Technology	G	CTO	Y	Y
Wisconsin .....	Dept. of Electronic Govt.	IT	CIO (aa)	Y (Jt)	Y (Jt)
Wyoming .....	Dept. of Admn. & Information	A	D	N	N
District of Columbia .....	Ofc. of the Chief Technology Officer	(f)	CTO	N	N

Source: The National Association of State Chief Information Officers, January 2002.

**Key:**

A - Administrative department.

CIO - Chief Information Officer.

CIS - Chief of Information Systems.

CITO - Chief Information Technology Officer.

CTO - Chief Technology Officer.

D - Director.

ST - Secretary of Technology.

F - Finance/revenue department.

G - Governor's office.

IT - The IT office is a department unto itself.

Y - Yes.

N - No.

N.A. - Not available.

Jt - Joint House and Senate committee.

(a) Department of Accounting and General Services.

(b) Department of Administration and Finance.

(c) The CIO is located within the governor's office, OIT is an "in-but-not-of" agency out of the Department of Treasury.

(d) NYS Office for Technology is its own department; its chairperson is in the

## STATE INFORMATION TECHNOLOGY OFFICES AND COMMITTEES — Continued

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governor's office.

(e) The Budget and Control Board, which consists of five elected officials (Governor, State Treasurer, Comptroller General, Committee Chair of the Senate Finance Committee, and Committee Chair of the House Ways and Means Committee) and chaired by the Governor.

(f) Under the City Administrator.

(g) Chief Information Officer and Director of the Government Information Technology Agency.

(h) Arkansas has two executive branch IT directors. Titles are: Chief Information Officer & Director (Department of Information Systems).

(i) Chief Information Officer, State of California, Director, Department of Information Technology.

(j) Not applicable (no senate chamber).

(k) Chief Information Officer, The State of Georgia, & Executive Director, Georgia Technology Authority.

(l) Administrator (sub-cabinet level).

(m) Also currently the Director of the Department of Administration and

Chairman of Information Technology Resource Management Council.

(n) Chief Information Officer and the Director of the Bureau of Information Services share responsibilities. The CIO is responsible largely for policy while the Director provides direct services.

(o) Chief Information Officer and Director of the Information Technology Division.

(p) Chief Information Officer and Director of the Michigan Department of Information Technology.

(q) Commissioner of Administration.

(r) Division Administrator.

(s) Director, Division of Information Technology Management.

(t) New York State's Director of State Operations is the Chairperson of the NYS Office for Technology (OFT); OFT's director reports to the chairperson.

(u) Chief Information Officer, Department of Administrative Services.

(v) Deputy Secretary for Information Technology.

(w) Commissioner.

(x) Chief Information Officer and Deputy Secretary of Administration.

**Table 8.17**  
**SELECTED STATE ONLINE SERVICES**

<i>State or other jurisdiction</i>	<i>Personal-income tax filing online</i>	<i>Business tax filing of any sort online</i>	<i>Business license search or renewal</i>	<i>Purchase replacement driver's license (a)</i>	<i>Register vehicle (auto, boat, etc.) online (a)</i>	<i>Order license plates - vanity, specialty plates</i>	<i>Fishing or hunting license online (a)</i>	<i>State park camp or cabin site reservations</i>	<i>Online vendor registration or procurement systems</i>	<i>Online traffic updates or real-time monitoring</i>
Alaska .....	...	...	★	...	★	★	★	...	...	...
Alabama .....	...	★	★	...	...	...	...	...	...	...
Arkansas .....	★	...	★	...	★	...	★	...	★	...
Arizona .....	★	...	★	★	★	★	★	...	...	★
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 .....	★	★	★	...	★	...	★	★	★	★
Wisconsin .....	...	...	★	...	★	...	★	...	★	★
West Virginia .....	★	...	...	...	...	★	...	...	...	★
Wyoming .....	...	★	★	...	...	...	...	★	...	...
District of Columbia .....	★	★	★	...	...	★	...	...	★	...

Source: The Council of State Governments survey of state web sites, March 2002.

Key:

★ - Service available

... - Service not available

(a) Also includes renewal.

**Table 8.18**  
**STATE WEBSITE FEATURES**

<i>Percentage of state web sites showing:</i>						
<i>State</i>	<i>Privacy features</i>	<i>Security policy</i>	<i>Disability access</i>	<i>Foreign language translation</i>	<i>Online publications</i>	<i>Online services</i>
Alabama .....	6%	3%	6%	0%	85%	18%
Alaska .....	9	0	26	0	88	26
Arizona .....	9	6	12	0	74	35
Arkansas .....	15	6	24	3	97	33
California .....	41	13	22	9	100	41
Colorado .....	3	6	31	3	94	19
Connecticut .....	39	36	48	9	97	18
Delaware .....	24	9	27	9	94	21
Florida .....	55	6	21	12	100	27
Georgia .....	12	3	9	6	100	27
Hawaii .....	12	15	18	3	100	18
Idaho .....	28	16	3	9	100	19
Illinois .....	12	9	58	3	100	30
Indiana .....	85	85	15	6	97	38
Iowa .....	18	3	12	9	100	24
Kansas .....	24	6	33	3	91	33
Kentucky .....	29	23	31	3	97	34
Louisiana .....	9	6	21	3	97	21
Maine .....	23	6	60	0	97	34
Maryland .....	47	25	39	11	89	25
Massachusetts .....	61	58	12	6	94	18
Michigan .....	41	35	24	0	97	35
Minnesota .....	17	9	54	3	100	20
Mississippi .....	11	3	6	6	89	20
Missouri .....	23	6	31	3	97	26
Montana .....	3	3	38	3	97	15
Nebraska .....	13	3	25	0	94	34
Nevada .....	48	39	3	3	97	21
New Hampshire .....	3	0	35	0	91	3
New Jersey .....	30	27	10	3	93	33
New Mexico .....	6	6	6	0	100	15
New York .....	32	16	29	10	100	26
North Carolina .....	28	13	25	13	100	25
North Dakota .....	26	0	48	0	84	26
Ohio .....	32	29	10	3	94	35
Oklahoma .....	3	3	15	0	88	12
Oregon .....	0	0	47	21	94	29
Pennsylvania .....	32	32	23	0	100	39
Rhode Island .....	16	6	47	6	72	9
South Carolina .....	13	16	16	3	90	23
South Dakota .....	0	4	18	0	86	21
Tennessee .....	68	68	16	6	94	32
Texas .....	81	25	28	38	88	34
Utah .....	25	25	28	3	75	25
Vermont .....	13	13	20	0	100	13
Virginia .....	58	15	39	3	85	18
Washington .....	77	63	47	3	83	20
West Virginia .....	16	10	10	0	87	19
Wisconsin .....	11	11	26	0	96	19
Wyoming .....	4	4	32	0	80	0

Source: Darrell M. West, Taubman Center for Public Policy, Brown University.  
The full report, *State and Federal E-Government in The United States, 2001* (September 2001), is available on-line at <http://www.InsidePolitics.org>.

**Table 8.19**  
**STATE PUBLIC UTILITY COMMISSIONS**

State or other jurisdiction	Regulatory authority	Members		Selection of Chair	Length of commissioners terms (in years)	Number of full-time employees
		Number	Selection			
Alabama .....	Public Service Commission	3	E	E	4	122
Alaska .....	Regulatory Commission of Alaska	5	GL	G	6	61
Arizona .....	Corporation Commission	3	E	C	6	310.5
Arkansas .....	Public Service Commission	3	GS	G	6	N.A.
California .....	Public Utilities Commission	5	GS	G	6	969
Colorado .....	Public Utilities Commission	3	GS	G	4	99
Connecticut .....	Department of Public Utility Control	5	GL	C	4	150
Delaware .....	Public Service Commission	5	GS	G	5	N.A.
Florida .....	Public Service Commission	5	GS (a)	C	4	386
Georgia .....	Public Service Commission	5	E	(b)	6	89
Hawaii .....	Public Utilities Commission	3	GS	G	6	N.A.
Idaho .....	Public Utilities Commission	3	GS	C	6	N.A.
Illinois .....	Commerce Commission	5	GS	G	5	348
Indiana .....	Utility Regulatory Commission	5	G	G	4	N.A.
Iowa .....	Utilities Board	3	GS	GS	6	75
Kansas .....	State Corporation Commission	3	GS	C	4	N.A.
Kentucky .....	Public Service Commission	3	GS	G	4	127
Louisiana .....	Public Service Commission	5	E	C	6	108
Maine .....	Public Utilities Commission	3	GS	G	6	53
Maryland .....	Public Service Commission	5	GS	G	N.A.	N.A.
Massachusetts .....	Department of Telecommunications and Energy	5	G	G	3	N.A.
Michigan .....	Public Service Commission	3	GS	G	6	189
Minnesota .....	Public Utilities Commission	5	GS	G	6	N.A.
Mississippi .....	Public Service Commission	3	E	C	4	142
Missouri .....	Public Service Commission	5	GS	G	6	N.A.
Montana .....	Public Service Commission	5	E	C	4	39
Nebraska .....	Public Service Commission	5	E	C	6	46
Nevada .....	Public Service Commission	3	G	G	4	87
New Hampshire .....	Public Utilities Commission	3	GC	GC	6	70
New Jersey .....	Board of Public Utilities	3	GS	G	6	388
New Mexico .....	Public Regulation Commission	5	E	C	4	N.A.
New York .....	Public Service Commission	5	GS	G	6	N.A.
North Carolina .....	Utilities Commission	7	GL	G	8	147(e)
North Dakota .....	Public Service Commission	3	E	C	6	41
Ohio .....	Public Utilities Commission	5	GS (c)	G	5	353
Oklahoma .....	Corporation Commission	3	E	C	6	N.A.
Oregon .....	Public Utility Commission	3	GS	G	4	120
Pennsylvania .....	Public Utility Commission	5	GS	G	5	533
Rhode Island .....	Public Utilities Commission	3	GS	G	6	11
South Carolina .....	Public Service Commission	7	L	(b)	4	128
South Dakota .....	Public Utilities Commission	3	E	C	6	22
Tennessee .....	Tennessee Regulatory Authority	3	G, L	C	6	N.A.
Texas .....	Public Utility Commission	3	GS	G	6	221
Utah .....	Public Service Commission	3	GS	G	6	15
Vermont .....	Public Service Board	3	GS	G	6	N.A.
Virginia .....	State Corporation Commission	3	L	(b)	6	590
Washington .....	Utilities & Transportation Commission	3	GS	G	6	N.A.
West Virginia .....	Public Service Commission	3	GS	G	6	N.A.
Wisconsin .....	Public Service Commission	3	GS	G	6	185
Wyoming .....	Public Service Commission	3	GS	C	6	26
Dist. of Columbia .....	Public Service Commission	3	MC	MC	4	68
Puerto Rico*	Public Service Commission	5	GS	GS	4	264
U.S. Virgin Islands*	Public Service Commission	7(d)	G	E	3 (d)	4

Sources: Survey by The Council of State Governments, January 2002 and state web sites. Information noted by an \* is from *The Book of the States 2000-2001*.

**Key:**

N.A. — Not available.

G — Appointed by Governor.

GC — Appointed by Governor, with consent of the Governor's Council.

C — Elected by the Commission.

GS — Appointed by the Governor, with consent of Senate.

L — Appointed by the Legislature.

GL — Appointed by Governor, with consent of entire Legislature.

MC — Appointed by the Mayor, with consent of City Council.

E — Elected by the public.

(a) Governor chooses candidates from a list developed by a nine member nominating committee.

(b) Chairmanship rotates annually, South Carolina rotates biannually.

(c) Applicants are screened by PUC Nominating Council. Four names then provided to governor.

(d) 7 voting members; 2 non-voting members are appointed for indefinite terms.

(e) Employee numbers are authorized positions and include employees of a separate public advocacy body.

**Table 8.20**  
**SELECTED REGULATORY FUNCTIONS OF STATE PUBLIC UTILITY COMMISSIONS**

State or other jurisdiction	Agency has authority to:									
	Control rates of privately owned utilities on sales to ultimate consumers of		Prescribe temporary rates, pending investigation		Require prior authorization of the changes		Suspend proposed rate changes		Initiate rate investigation on its own motion	
	Electric	Gas	Electric	Gas	Electric	Gas	Electric	Gas	Electric	Gas
Alabama .....	★	★	★	★	★	★	★	★	★	★
Alaska .....	★	★	★	★	★	★	★	★	★	★
Arizona .....	★	★	★	★	★	★	...	...	★	★
Arkansas .....	★	★	★	★	★	★	★	★	★	★
California .....	★	★	★	★	★	★	★	★	★	★
Colorado .....	★	★	★ (b)	★ (b)	★	★	★	★	★	★
Connecticut .....	★ (a)	★	★	★	★	★	★	★	★	★
Delaware .....	★	★	★	★	★	★	★	★	★	★
Florida .....	★	★	★ (c)	★ (c)	★	★	★	★	★	★
Georgia .....	★	...	★	★	★	★	★	(l)	★	★
Hawaii .....	★	★	★	★	★	★	★	★	★	★
Idaho .....	★	★	★	★	★ (d)	★ (d)	★	★	★	★
Illinois .....	★	★	★	★	★	★	★	★	★	★
Indiana .....	★	★	★	★	★	★	★	★	★	★
Iowa .....	★	★	★	★	★	★	★	★	★	★
Kansas .....	★	★	★	★	★	★	★	★	★	★
Kentucky .....	★	★	★	★	★	★	★	★	★	★
Louisiana .....	★	★ (e)	★	★	★	★	★	★	★	★
Maine .....	★	★	★	★	★	★	★	★	★	★
Maryland .....	★	★	★	★	★	★	★	★	★	★
Massachusetts .....	★	★	★	★	★	★	★	★	★	★
Michigan .....	★	★	★ (f)	★ (f)	★	★	(g)	(g)	★	★
Minnesota .....	★	★ (h)	★	★	★	★	★	★	★	★
Mississippi .....	★	★	★	★	★	★	★	★	★	★
Missouri .....	★	★	★	★	★	★	★	★	★	★
Montana .....	★	★	★	★	★	★	★	★	★	★
Nebraska (i) .....	...	...	...	...	...	...	...	...	...	...
Nevada .....	★	★	★	★	★	★	★	★	★	★
New Hampshire .....	★	★	★	★	★	★	★	★	★	★
New Jersey .....	★	★	★	★	★	★	★	★	★	★
New Mexico .....	★	★	★ (j)	★ (j)	★	★	★	★	★	★
New York .....	★	★	★	★	★	★	★	★	★	★
North Carolina .....	★	★	★	★	★	★	★	★	★	★
North Dakota .....	★	★	★	★	★	★	★	★	★	★
Ohio .....	★	★	★	★	★	★	★	★	★	★
Oklahoma .....	★	★	★	★	★	★	★	★	★	★
Oregon .....	★	★	★	★	★	★	★	★	★	★
Pennsylvania .....	★ (k)	★ (l)	★	★	★	★	★	★	★	★
Rhode Island .....	★	★	★	★	★	★	★	★	★	★
South Carolina .....	★	★	...	...	★	★	...	...	★	★
South Dakota .....	★	★	★	★	★	★	★	★	★	★
Tennessee .....	★	★	★ (j)	★ (j)	★	★	★	★	★	★
Texas .....	★	...	★	...	★	...	★	...	★	...
Public Utilities Comm. ....	...	★	...	★	...	★	...	★	...	★
Railroad Comm. ....	...	★	...	★	...	★	...	★	...	★
Utah .....	★	★	★	★	★	★	...	★	★	★
Vermont .....	★	★	★	★	★	★	★	★	★	★
Virginia .....	★	★	★	★	★	★	★	★	★	★
Washington .....	★	★	★	★	★	★	★	★	★	★
West Virginia .....	★	★	★	★	★	★	★	★	★	★
Wisconsin .....	★	★	★	★	★	★	(g)	(g)	★	★
Wyoming .....	★	★	★	★	★	★	★	★	★	★
Dist. of Columbia .....	★	★	★	★	★	★	★	★	★	★
Puerto Rico .....	...	...	...	...	...	...	...	...	...	...
U.S. Virgin Islands .....	...	...	★	...	★	...	...	...	...	...

See footnotes at end of table.

### SELECTED REGULATORY FUNCTIONS OF STATE PUBLIC UTILITY COMMISSIONS - Continued

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*Source:* Survey by The Council of State Governments, January 2002.

*Note:* Full names of commissions are shown in the Chapter 8 table entitled, "State Public Utility Commissions."

*Key:*

★ — Yes

. . . — No

(a) Except for licensed electric suppliers.

(b) No specific statutory authority.

(c) Under Florida statute, utility may apply for interim increase, which must be granted if it proves that it is currently earning below the range of its last authorized rate of return.

(d) Rates become effective after expiration of suspension period if Commission does not take action.

(e) Except no authority over rates charged to industrial customers by any gas

company.

(f) Interim rates may be prescribed after statutory requirements are met.

(g) Rate changes do not go into effect until approved by Commission.

(h) Rates not regulated for gas utilities serving fewer than 650 customers.

(i) Telephone is the only regulated utility with jurisdiction limited to rate increases for basic exchange service of more than 10 percent during a 12-month period. State has no private power companies. Natural gas is provided by private companies through franchise granted by each local jurisdiction.

(j) Emergency only.

(k) The Commission regulates only the distribution rates of the electric distribution company and the generation charges of the provider of last resort.

(l) The Commission regulates only the distribution rates of the natural gas distribution company and the gas supply charges of the supplier of last resort.

**Table 8.21**  
**LOBBYISTS: DEFINITIONS AND PROHIBITED ACTIVITIES**

State or other jurisdiction	Definition of a lobbyist includes							Prohibited activities involving lobbyists					
	Legislative lobbying	Administrative agency lobbying	Elective officials as lobbyists	Public employees as lobbyists	Compensation standard	Expenditure standard	Time standard	Making campaign contributions at any time	Making campaign contributions during legislative sessions	Making expenditures in excess of \$ per official per year	Solicitation by officials or employees for contributions or gifts	Contingent compensation	Other
Alabama .....	★	★	...	★	...	★	★	★	★	...	★	★	...
Alaska .....	...	★	...	...	★	...	...	(hh)	...	...	★	...	...
Arizona .....	★	★	...	...	...	...	...	...	★	...	...	★	...
Arkansas .....	★	★	★	★	...	...	...	...	...	...	...	...	(r)
California .....	★	★	...	★	★	...	★	(a)	(b)	...	(c)	★	(d)
Colorado .....	★	...	★	...	★	★	...	★	★	...	...	★	...
Connecticut .....	★	★	...	...	★	...	★	...	★	...	...	★	(d)(e)
Delaware .....	★	★	...	...	...	...	...	...	...	...	(o)	★	(ii)(jj)(kk)
Florida .....	★	★	...	★	★	★	...	★	...	...	★	★	...
Georgia .....	★	...	...	★	★	★	...	...	★	...	...	★	(f)
Hawaii .....	★	★	...	...	★	★	★	...	...	...	...	★	...
Idaho .....	★	...	★	★	★	...	...	...	...	...	★	★	...
Illinois .....	★	★	...	...	...	...	...	...	...	...	...	★	(g)
Indiana .....	★	...	...	...	★	★	...	...	...	...	...	...	(g)(f)(h)
Iowa .....	★	★	...	...	...	...	...	...	★	(i)	★	★	...
Kansas .....	★	★	...	...	...	★	...	...	★	\$ 40 (j)	★	★	...
Kentucky .....	★	★	...	...	★	★	...	★	...	\$100	★	★	...
Louisiana .....	★	...	...	...	★	★	...	...	★(k)	...	★	...	(l)
Maine .....	★	(m)	...	(n)	★	★	...	...	★	...	(o)	★	...
Maryland .....	★	★	...	...	...	...	...	...	...	...	★	★	(p)
Massachusetts .....	★	★	...	...	★	★	...	...	...	...	...	★	(d)
Michigan .....	★	★	...	★	★	★	★	...	...	...	...	★	(d)(q)(r)
Minnesota .....	★	★	...	★	...	...	...	...	★	★	(s)	★	(t)
Mississippi .....	★	★	...	★	...	★	...	...	...	...	...	★	...
Missouri .....	★	★	★	★	★	★	★	...	...	...	...	...	(u)
Montana .....	★	★	...	★	...	★	...	...	...	...	...	...	(v)
Nebraska .....	★	...	...	...	...	...	...	...	...	...	★(w)	★	...
Nevada .....	★	...	★	★	...	...	...	...	★	(d)	★	★	(x)
New Hampshire .....	★	...	...	...	★	...	...	...	...	...	...	...	...
New Jersey .....	★	★	...	...	★	★	★	...	...	...	...	...	...
New Mexico .....	★	★	...	...	...	...	...	...	★	...	...	★	★
New York .....	★	★	...	...	★	★	★	...	...	\$75	...	...	...
North Carolina .....	★	...	...	(y)	...	...	...	...	★	...	...	★	...
North Dakota .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Ohio .....	★	★	...	★	★	★	...	...	...	...	★	★	(y)(z)(aa)
Oklahoma .....	★	(mm)	...	...	★	...	...	...	...	★	★	...	(bb)
Oregon .....	★	...	★	★	...	★	★	...	★	...	(cc)	★	...
Pennsylvania .....	★	★	...	...	★	...	...	...	...	...	...	★	★
Rhode Island .....	★	...	...	★	...	...	...	...	...	...	...	★	...
South Carolina .....	★	★	★	★	...	★	★	★	★	(dd)	★	★	(d)(dd)
South Dakota .....	★	...	...	★	...	...	★	...	...	...	★	★	...
Tennessee .....	★	★	★	★	...	...	...	...	★	★	...	...	...
Texas .....	★	★	...	...	★	★	★	...	★	(ee)	...	★	(e)(f)(ff)
Utah .....	★	★	★ (ii)	★ (jj)	★	(kk)	...	...	★	...	(ll)	★	★ (mm)
Vermont .....	★	★	...	★	★	★	...	★	★	...	★	★	...
Virginia .....	★	...	...	...	...	...	...	...	...	...	...	★	...
Washington .....	★	★	★	★	★	★	★	...	★	...	...	★	...
West Virginia .....	★	★	...	...	★	★	...	...	...	...	(gg)	...	...
Wisconsin .....	★	★	...	★	★	...	★	...	★	...	...	★	...
Wyoming .....	★	...	...	★	...	...	...	...	...	...	...	...	(z)
Dist. of Columbia .....	★	★	...	...	★	★	★	...	...	\$100	...	...	...

See footnotes at end of table.



## LOBBYISTS: DEFINITIONS AND PROHIBITED ACTIVITIES — Continued

*Sources:* The Council of State Governments' survey, January 2002, The Council on Governmental Ethics Law and state statutes and rule books.

*Key:*

★ — Application exists.

. . . — Not applicable.

- (a) Cannot deliver a contribution in the state capitol or any state building.
- (b) Does not apply to campaign contributions. Cannot act as an agent or intermediary in the making of any gift or to arrange for the making of any gift by any other person.
- (c) No prohibition on officials soliciting but officials may only accept gifts from a single source in any calendar year with a total value of \$250.
- (d) Lobbyists making gifts in excess of the following thresholds to state officials: California, \$10, per year; Connecticut, \$50 for gifts per year, \$150 for food and drink per year; Michigan, \$47 per month per official (as of 2002); Nevada, \$100 for gifts per year; South Carolina, anything of value.
- (e) Giving of fees and honoraria banned; "necessary expenses" allowed.
- (f) Offering or proposing anything which may be reasonably construed to improperly influence a legislator's official acts, decisions or votes. Lobbying without registering.
- (g) Expenditures without full disclosure; lobbying without registering.
- (h) Legislative officials, full-time public officials or employees may not receive compensation for lobbying. Lobbying without registering, if compensated.
- (i) Expenditures in excess of \$3 per official in any one calendar day.
- (j) The \$40. limit applies to all elected, state office holders.
- (k) Only if the contribution is made during an undisclosed fundraiser.
- (l) State employees prohibited from lobbying.
- (m) Governor only.
- (n) Only registration required (no fee).
- (o) Prohibited in criminal code.
- (p) Lobbyist cannot solicit, serve on committees or transmit funds relating to legislative elections. By order of the speaker of the House and president of the Senate, legislators cannot hold fund-raisers during the legislative session. Legislators are prohibited from receiving certain nominal gifts from regulated lobbyists if the cost exceeds \$20. Regulated lobbyists are prohibited from making a gift to an official or employee that cannot be accepted by that official or employee. Lobbyist campaign finance activity limitation was extended to also include elections for governor, lt. gov., attorney general and comptroller. Fundraising restrictions during session were extended to include governor, lt. gov., attorney general and comptroller.
- (q) State senators or representatives may not lobby for balance of term when they resign from office. This prohibition does not apply to other public officials.
- (r) The Campaign Finance Act prohibits state senators or representatives from accepting payment for an appearance, speech, article, or any activity related to or associated with the performance of duties as an elected official.
- (s) Officials can solicit contributions but may not accept gifts.
- (t) A district court overturned provisions prohibiting commercial use of lobbyist information filed with the Campaign Finance and Public Disclosure Board.

(u) Employment of non-registered lobbyists.

(v) A state officer or employee may not lobby on behalf of an organization while on the job. A public officer, legislator, or public employee may not accept a gift worth \$50 or more that would influence "a reasonable person's" professional judgment, or that would serve as a reward for a professional decision.

(w) If over \$50 per month.

(x) Instigating the introduction of legislation for the purpose of obtaining employment to lobby in opposition thereto. Making false statements or misrepresentation to legislators or in a registration report concerning lobbying activities. Except during specified periods, acting as a lobbyist without being registered.

(y) State government agency liaisons lobbying on issues concerning their agency (no fee).

(z) Lobbying without registering.

(aa) A legislator is prohibited from accepting the following from a legislative agent: travel or lodging, over \$75 aggregated/year for meals, and \$75 aggregated year for gifts.

(bb) May not knowingly make a false statement or representation of fact to legislative, judicial or executive branches; nor knowingly provide, to same, a copy of a document which contains a false statement without written notification of such; nor appear, during session, on the floor of the House or Senate in the absence of an express invitation.

(cc) During regular or special session.

(dd) Lobbyists' principals cannot offer to pay for lodging, transportation, meals, entertainment, beverages, etc, unless all members of the General Assembly, the House or the Senate, or one of the Committees, subcommittees, legislative caucuses or county legislative delegations are invited.

(ee) Expenditures in excess of \$500 per year for entertainment or gifts.

(ff) Lobbying without registering; giving loans or gifts of cash to legislators; pleasure trips; appearing, during session, on the floor of the House or Senate without an invitation; knowingly making a false statement or misrepresentation of fact to a member of legislative or executive branch; giving awards or mementos that exceed \$500; represent opposing parties on the same matter without making full disclosure to the Ethics Commission and obtaining the clients' written consent.

(gg) Officials can only solicit for charitable purposes.

(hh) Alaska law prohibits lobbyists from giving campaign contributions to candidates for the legislature other than to the candidate(s) that are campaigning to represent the district in which the lobbyist is registered to vote.

(ii) An elected official is not considered a lobbyist when acting in his official capacity on matters pertaining to their office.

(jj) A state official is not considered a lobbyist when acting within the scope of employment.

(kk) An individual is not required to make expenditures to be considered a lobbyist.

(ll) There is no law prohibiting the solicitation of contributions.

(mm) The office of the Governor and the Corporation Commission are the only two executive branch agencies/offices included in the definition of lobbying.

**Table 8.22**  
**LOBBYISTS: REGISTRATION AND REPORTING**

<i>State or other jurisdiction</i>	<i>Agency which administers registration and reports requirements for lobbyists</i>	<i>Frequency</i>	<i>Legislation/administrative action seeking to influence</i>	<i>Expenditures benefiting public officials or employees</i>	<i>Compensation received [broken down by employer(s)]</i>	<i>Total compensations received</i>	<i>Categories of expenditures</i>	<i>Total expenditures</i>	<i>Contributions received from other for lobbying purposes</i>	<i>Other</i>	<i>Number of registered lobbyists</i>
<b>Alabama</b> .....	Ethics Comm.	Quarterly	★	...	...	...	...	...	...	...	541
<b>Alaska</b> .....	Public Offices Comm.	Monthly (b)	★	★	★	★	★	★	★ (c)	...	207
<b>Arizona</b> .....	Secretary of State	Annually	...	★	...	...	(ll)	★	...	...	3,170
<b>Arkansas</b> .....	Ethics Comm. (d)	Monthly and quarterly	...	★	...	...	...	★	...	(c)	352
<b>California</b> .....	Fair Political Practices Comm. Secretary of State	Quarterly	★	★	★	★	...	★	★	(e)	949
<b>Colorado</b> .....	Secretary of State	Monthly	★	★	★	★	★	★	...	...	500
<b>Connecticut</b> .....	State Ethics Comm.	Monthly (a,f)	★	(g)	★	★	★	★	...	★	4,000
<b>Delaware</b> .....	Public Integrity Comm.	Quarterly	★	★	...	...	★	★	...	(rr)	200
<b>Florida</b> .....	Jt. Legislative Mgt. Cmte.	Quarterly	...	★	...	...	★	★	★	...	1,257
<b>Georgia</b> .....	Ethics Comm.	Monthly (b)	★	★	...	...	...	...	...	...	1,200
<b>Hawaii</b> .....	State Ethics Comm.	Jan., March, May	★	★	★	★	★	★	★	...	210
<b>Idaho</b> .....	Secretary of State	Monthly (a) and annually	★	★	...	...	★	★	...	...	327
<b>Illinois</b> .....	Secretary of State	Semi-annually and annually	...	★	...	...	★	★	...	(c,h,i,j)	2,788
<b>Indiana</b> .....	Lobby Registration Comm.	Semi-annually	★	★	...	...	★	★	...	(k)	1,400
<b>Iowa</b> .....	Secretary of Senate, Clerk of House	Monthly (l)	★	★	...	...	...	★	...	...	531
<b>Kansas</b> .....	Ethics Comm.	(m)	★	★	...	...	★	...	...	...	570
<b>Kentucky</b> .....	Legislative Ethics Comm.	(n)	★	★	★	...	★	★	...	...	600
<b>Louisiana</b> .....	Board of Ethics	Semi-annually-registration	★	★ (o)	...	...	...	★	...	(p)	540
<b>Maine</b> .....	Comm. on Gov't'l. Ethics	Monthly (a) and after session	★	★	★	★	★	★	...	...	400
<b>Maryland</b> .....	Ethics Comm.	Semi-annually	★	★	★	★	★	★	(q)	...	609
<b>Massachusetts</b> .....	Secretary of State	Semi-annually	★	★	★	★	★	★	...	...	650
<b>Michigan</b> .....	Secretary of State	Semi-annually	★	★ (r)	...	...	★	★	...	(s)	1,026
<b>Minnesota</b> .....	Campaign Finance & Public Disclosure Board	Three times a year	★	★	...	...	...	★	...	(t)	13,300
<b>Mississippi (u)</b> .....	Secretary of State	Annually and 2 times per session	★	★	★	★	★	★	...	...	...
<b>Missouri</b> .....	Ethics Comm.	Semi-annually and annually (a)	★	★	...	...	★	★	...	(q)(v)	950
<b>Montana</b> .....	Commr. of Political Practices	Bi-annual registration; monthly reporting during session & then annually	★	★	★	★	★	★	(w)	...	600
<b>Nebraska</b> .....	Accountability & Disclosure Comm.	Quarterly	★	★	...	★	★	★	(x)	(i)	317
<b>Nevada</b> .....	Legislative Counsel Bureau	Monthly (a) and after session	...	★	...	...	★	★	...	...	805
<b>New Hampshire</b> .....	Secretary of State	April, Aug., Dec.	★	★	★	...	★	★	...	...	551
<b>New Jersey</b> .....	Election Law Enforcement Comm.	Annually and quarterly	★	★	★	★	★	★	★	...	517
<b>New Mexico</b> .....	Secretary of State	Before, during & after session	★	★	...	...	★	★	★	...	1,000
<b>New York</b> .....	Temporary State Comm. on Lobbying	Bi-monthly and semi-annually	★ (nn)	★	★	★	★	★	...	...	2,010
<b>North Carolina</b> .....	Secretary of State	After session and year end	...	...	(y)	...	★	...	...	...	568
<b>North Dakota</b> .....	Secretary of State	(z)	...	...	...	...	...	...	...	(aa)	242
<b>Ohio</b> .....	Office of the Legislative Inspector General	Every four months	★	★	...	...	★	★	...	...	1,259
<b>Oklahoma</b> .....	Ethics Comm.	Biennially	...	★	...	...	...	...	...	(bb)	466
<b>Oregon</b> .....	Gov't standards & Practices Comm.	(cc)	★	...	...	...	★	★	...	...	600
<b>Pennsylvania</b> .....	State Ethics Comm.	Quarterly and upon termination	★	★	★ (rr)	★ (rr)	★ (ss)	★	...	★ (ee)	744
<b>Rhode Island</b> .....	Secretary of State	(dd)	★	★	★	★	★	★	...	...	300
<b>South Carolina</b> .....	Ethics Comm.	Apr.10, Oct. 10 and year end	★	★	★	★	★	★	★	★ (ee)	821
<b>South Dakota</b> .....	Secretary of State	After session	★	...	...	...	★	★	...	...	505
<b>Tennessee</b> .....	Registry of Election Finance	Semi-annually	...	★ (nn)	...	...	...	...	...	...	500
<b>Texas</b> .....	Ethics Comm.	Monthly and annually	★	★ (ff)	★	★	★	★	...	...	1,567
<b>Utah</b> .....	Lieutenant Governor	(gg)	★	★	...	...	(oo)	★	...	...	490
<b>Vermont</b> .....	Secretary of State	March 25, July 25 and year end (hh)	★	★	...	...	...	...	...	(ii)	350

See footnotes at end of table.

LOBBYISTS: REGISTRATION AND REPORTING — Continued

State or other jurisdiction	Agency which administers registration and reports requirements for lobbyists	Frequency	Legislation/administrative action seeking to influence	Expenditures benefiting public officials or employees	Compensation received (broken down by employer(s))	Total compensations received	Categories of expenditures	Total expenditures	Contributions received from other for lobbying purposes	Other	Number of registered lobbyists
Virginia .....	Secretary of State	Yearly	★	...	★	★	★	★	...	★	750
Washington .....	Public Disclosure Comm.	Monthly	★	★	★	★	★	★	★	...	1,000
West Virginia .....	Ethics Comm.	After session, annually, and mid-session	...	★	...	...	★	★	...	...	441
Wisconsin .....	Ethics Board	Biennially	★	(jj)	★	★	★	★	...	(kk)	714
Wyoming .....	Secretary of State	Yearly	...	★	...	...	★	★	...	...	450
Dist. of Columbia ...	Office of Campaign Finance	Biennially	★	★	★	★	★	★	★	...	214

Sources: The Council of State Governments' survey, January 2002; The Council on Governmental Ethics Laws, *Lobbying: 2001 Update* and state statutes and rules books.

Key:

★— Application exists.

... — Not applicable.

(a) During legislative session. In Missouri, filed with the secretary of Senate and clerk of the House.

(b) During legislative session, quarterly thereafter.

(c) Must make separate disclosure report.

(d) Reporting forms are filed with the secretary of state.

(e) Campaign contributions made; lump sum reporting of overhead and other payments in connection with lobbying activities.

(f) Also, first, second and fourth quarters.

(g) In detail, if over \$10 per person.

(h) Entertainment expense.

(i) Disclosure of honoraria or other money loaned, promised or paid to official or staff of legislative or executive branches of state government.

(j) Categories of expenditures exceeding thresholds.

(k) Compensation and reimbursement to others, receptions, and entertainment. Compensated lobbyists must report on behalf of each client by filing an activity report naming the client.

(l) In the Senate, reports are required only if \$15 or more is provided to senators or their staff on any one day.

(m) February, March, April, May, September, and January.

(n) Initial registration begins seven days after engagement to lobby. Updated registration forms are due not later than the 15th day of January, February, March, April, May and September of even-numbered years; the 15th day of January, May and September of odd-numbered years.

(o) Reporting applies to expenditures made with respect to legislators only.

(p) Expenditures for individual legislators which exceed \$50 on an occasion or \$250 in a reporting period, expenditures for recognized groups of legislators, and expenditures for individual legislators for out-of-state speaking engagements.

(q) To a limited extent.

(r) Food and beverage expenditures for public officials are disclosed. Expenditures for persons who are not public officials are not disclosed. Travel and lodging in excess of \$625 provided to a public official must be disclosed.

(s) Financial transactions of \$950 or more are disclosed. Gifts in excess of \$47 to a single public official are prohibited.

(t) Metropolitan governmental unit action seeking to influence.

(u) Effective January 1, 1995, Mississippi will require lobbyists to disclose the name of the government official whenever anything of value is given by a lobbyist.

(v) Business relationships with public officials, if over \$50

(w) If over \$250.

(x) Must report names and addresses of persons giving more than \$100.

(y) In North Carolina, the principal shall estimate and report the compensation paid or promised directly or indirectly, to all lobbyists based on estimated

time, effort and expense in connection with lobbying activities on behalf of the principal. If a lobbyist is a full-time employee of the principal, or is compensated by means of an annual fee or retainer, the principal shall estimate and report the portion of all such lobbyists' salaries or retainers that compensate the lobbyists for lobbying.

(z) As a result of a law change by the 1995 Legislative Assembly, the registration period is now from July 1 to June 30 of following year. The reporting requirements are for the same period of time.

(aa) Any expenditure over \$25 per occasion.

(bb) By whom the lobbyist is reimbursed, retained or employed to lobby, and on whose behalf the lobbying is done.

(cc) Even-numbered years: January 31, July 31; odd-numbered years: January 31, April 30, July 31.

(dd) At specified times during legislative session and at end of legislative session.

(ee) Reports required from lobbyist's principal.

(ff) In detail, if over \$50 per person.

(gg) After the session, annually, seven days before a general election, and seven days after the end of a special session or veto override session. All lobbyists must file a year-end report on Jan. 10, even if the lobbyist has not made expenditures.

(hh) January 20 for preceding year; March 10 for January and February.

(ii) A lobbyist who is compensated, in whole or in part, by an employer for the purpose of lobbying on behalf of another person, group or coalition is required to provide the name of the employer, the name of the person, group or coalition on whose behalf he/she lobbies and a description of the matters for which lobbying has been engaged by the employer.

(jj) Prohibited.

(kk) Daily record of time spent on lobbying on each reported bill, budget topic and administrative rule. Reports filed by lobbyist's employer.

(ll) Food and beverage expenditures for public officials are disclosed. Expenditures for persons who are not public officials are not disclosed.

(mm) New York's Lobbying Act of 2000 requires a description of the subject lobbied or expected to be lobbied, as well as listing the legislative bill number and the rule, regulation, and ratemaking number lobbied or expected to be lobbied.

(nn) Lobbyist only have to disclose campaign contributions exceeding \$100 made to benefit legislative and executive branch officials or candidates for state public office.

(oo) Lobbyist must break down their expenditures into three categories: travel expenditures; expenditures not exceeding \$50 per person; expenditures exceeding \$50 per person (lobbyist must report the name of the official benefited).

(pp) Lobbyist must break down expenditures into six categories: food and refreshments; entertainment; lodging expenses; travel of more than 100 miles; recreation; and gifts. If expenditures exceed \$50 per diem, lobbyist must report name of official who benefited.

(qq) Compensation is reportable but it is not broken out. It is included in total of all expenditures for lobbying.

(rr) Must report all contributions to a principal in excess of 10% of principals total resources.

**Table 8.23**  
**STATE ETHICS AGENCIES: JURISDICTION**

Subject area																		Jurisdiction Over							
State		Agency		Ethics (a)	Campaign Finance	Lobbying	Election Administration		Other	State Elected Officials		Legislators	Judges	State Appointed Officials	Executive Branch Employees	Legislative Employees	Judicial Employees	Local Elected Officials	Local Appointed Officials	Local Employees	State Colleges & Universities	Other			
Alabama	.....	Ethics Comm.	Y	Y	Y	EL	N	N	N	N	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	Y		
Alaska	.....	Public Ofcs. Comm.; Select Cmte. on Legislatv. Ethics	Y	Y	Y	EL	N	N	(s)	N	Y	Y	Y	N	Y	N	Y	N	Y	N	Y	Y	Y		
Arizona	.....	Ethics Comm.	Y	Y	Y	EL	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Arkansas	.....	Fair Political Practices Comm.;	Y	Y	Y	EL	N	N	(m)	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
California	.....	L.A. City Ethics Comm.;	Y	Y	Y	EL	N	N	(c)	N	N	(c)	N	N	(c)	N	(c)	N	Y	Y	Y	Y	Y		
	.....	Oakland Public Ethics Comm.;	Y	Y	Y	N.A.	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y		
	.....	San Francisco Ethics Comm.	Y	Y	Y	EL	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y		
Colorado	.....	Dept. of State	Y	Y	Y	EL	Y	Y	N	N	Y	Y	(d)	Y	Y	Y	Y	N	Y	Y	Y	Y	Y		
Connecticut	.....	State Ethics Comm.	Y	Y	Y	EL	N	N	N	N	Y	Y	(d)	Y	Y	Y	Y	Y	(e)	(e)	N	Y	Y		
Delaware	.....	Public Integrity Comm.	Y	Y	Y	EL	N	N	N	N	Y	Y	(d)	Y	Y	Y	Y	Y	(e)	(e)	N	Y	Y		
Florida	.....	Comm. on Ethics	Y	Y	Y	E	Y	Y	N	N	N	N	N	Y	Y	Y	Y	N	Y	Y	(e)	Y	Y		
	.....	Miami-Dade Comm. on Ethics & Public Trust (b)	Y	Y	Y	EL	Y	Y	N	N	N	N	N	N	Y	N	N	N	Y	Y	Y	Y	Y		
Georgia	.....	State Ethics Comm. (b)	N	Y	Y	L	N	N	(v)	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Hawaii	.....	State Ethics Comm.;	Y	Y	Y	EL	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	N	N	N	Y	Y		
Idaho	.....	Honolulu Ethics Comm.	Y	Y	Y	EL	Y	Y	N	N	Y	N	N	N	N	N	N	N	Y	Y	Y	Y	N		
Illinois	.....	Secretary of State/Sunshine Div.	N	Y	Y	Y	Y	Y	N	N	Y	N	Y	Y	N	N	N	N	Y	Y	Y	Y	N		
Indiana	.....	Chicago Bd. of Ethics	Y	Y	Y	EL	N	N	N	N	Y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	N		
Iowa	.....	State Ethics Comm.	Y	Y	Y	N	N	N	N	N	Y	N	N	N	Y	Y	N	N	N	N	N	N	Y		
	.....	Ethics & Camp. Discl. Bd.	Y	Y	Y	E	N	N	N	N	Y	(f)	N	N	Y	Y	N	N	N	N	N	N	Y		
Kansas	.....	Govtl. Ethics Comm.	Y	Y	Y	EL	N	N	N	N	Y	Y	N	Y	Y	Y	Y	N	Y	N	N	Y	Y		
Kentucky	.....	Exec. Branch Ethics Comm.;	Y	Y	Y	E	N	N	N	N	Y	Y	N	Y	Y	Y	N	N	Y	N	N	N	Y		
	.....	Legisltv. Ethics Comm.	Y	Y	Y	L	N	N	N	N	Y	Y	N	N	N	N	(g)	N	N	N	N	N	N		
Louisiana	.....	Ethics Admin. Program	Y	Y	Y	L	N	N	N	N	Y	Y	N	N	Y	N	Y	Y	N	N	Y	Y	N		
Maine	.....	Comm. on Govtl.	Y	Y	Y	EL	N	N	N	N	Y	Y	Y	N	N	N	N	N	(h)	N	N	Y	Y		
	.....	Ethic/Election Practices	Y	Y	Y		N	N	N	N	Y	Y	Y	N	N	N	(g)	N	N	N	N	N	N		
Maryland	.....	State Ethics Comm.	Y	N	Y	EL	N	N	(q)	N	Y	(i)	N	N	Y	Y	Y	Y	N	N	N	Y	Y		
Massachusetts	.....	State Ethics Comm.	Y	Y	Y	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Michigan	.....	State Bd. of Ethics (b)	Y	Y	Y	N	N	N	N	N	Y	Y	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y		
Minnesota	.....	Camp. Finance & Public Discl. Bd.	Y	Y	Y	EL	N	N	N	N	Y	Y	Y	(f)	Y	(f)	N	N	(g)	(g)	(g)	N	N		
Mississippi	.....	Ethics Comm. (b)	Y	Y	Y	EL	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Missouri	.....	Ethics Comm.	Y	Y	Y	EL	N	N	N	N	Y	Y	Y	Y	Y	Y	(i)	(i)	Y	Y	Y	Y	Y		
Montana	.....	Comm. of Public Practices	Y	Y	Y	EL	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Nebraska	.....	Accountability & Discl. Comm.	Y	Y	Y	EL	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Nevada	.....	Comm. on Ethics (b)	Y	Y	Y	N	N	N	N	N	Y	Y	Y	(d)	Y	Y	N	N	Y	Y	N	Y	(d)		
New Hampshire	.....	Exec. Comm. On Ethical Stds.	Y	N	N	N	N	N	N.A.	N	N	N	N	N	Y	Y	N	N	N	N	N	N	Y		

See footnotes at end of table.

## STATE ETHICS AGENCIES: JURISDICTION — Continued

Commission on Ethics and Government Accountability																		
Subject area										Jurisdiction Over								
State	Agency	Ethics (a)	Campaign Finance	Lobbying	Election Administration	Other	State Elected Officials	Legislators	Judges	State Appointed Officials	Executive Branch Employees	Legislative Employees	Judicial Employees	Local Elected Officials	Local Appointed Officials	Local Employees	State Colleges & Universities	Other
New Mexico	Secretary of State	Y	Y	EL	Y		Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	(d)
New York	State Ethics Comm.; Legislv. Ethics Comm.; NYC Conflicts of Interest Bd.	Y	N	N	N		Y	Y	N	Y	N	Y	N	N	N	N	N	
North Carolina	Bd. of Ethics	Y	N	N	N		N	N	N	N	N	N	N	N	N	N	N	
North Dakota	Secretary of State	N	Y	EL	Y		Y	Y	N	Y	N	N	N	N	N	N	N	
Ohio	Ethics Comm.; Legislv. Ethics Comm./Ofc. of Leg. Insp. Gen.	Y	N	EL	N		N	Y	N	Y	N	N	N	N	N	N	N	(w)
Oklahoma	Ethics Comm.	Y	Y	EL	N		Y	Y	Y	Y	Y	Y	Y	(k)	N	N	Y	
Oregon	Govt. Standards & Practices Comm.		N	EL	N	(u)	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	(r)
Pennsylvania	Ethics Comm.	Y	N	EL	N		Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	
Rhode Island	Ethics Comm.	Y	N	N	N		Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	
South Carolina	Ethics Comm. (b)	Y	Y	EL	N		Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	
South Dakota	Secretary of State (b)	N	Y	EL	Y		Y	Y	Y	N	N	N	N	N	N	N	N	
Tennessee	Registry of Election Finance (b)	(l)	Y	EL	N		Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	
Texas	Ethics Comm.	Y	Y	EL	N		Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	
Utah						N/A												
Vermont						N/A												
Virginia	Secretary of the Commonwealth	Y	N	N	N		Y	N	Y	Y	Y	N	Y	N	N	N	Y	
Washington	Public Disc'l. Bd.; Executive Ethics Bd.; Comm. on Judicial Conduct; Legislv. Ethics Bd.;	Y	N	EL	N		Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	
	Ofc. of State Procurement; Seattle Ethics & Elections Comm.	Y	N	(g)	N		N	N	N	N	N	N	Y	N	N	N	N	
West Virginia	Ethics Comm. (b)	Y	Y	N	N	(x)	N	N	M	N	N	N	M	Y	Y	Y	Y	(r)
Wisconsin	Ethics Bd.	Y	N	EL	N		Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	
Wyoming						N/A												

Source: The Council on Governmental Ethics Laws, *Ethics Update* 2000.

Key:

E - Executive branch jurisdiction

L - Legislative branch jurisdiction

Y - Yes

N - No

N.A. - Not available.

(a) Ethics jurisdiction often includes administration of personal financial disclosures.

(b) Information is from previous year.

(c) Local.  
(d) Financial disclosure.

(e) Conditional.

(f) Campaign finance.

(g) Some.

(h) Limited.

(i) Disclosure.

(j) Gifts.

(k) County.

(l) Conflict of interest.

(m) Campaigns.

(n) Consultants.

(o) Contractors.

(p) Legislative candidates.

(q) Lobbyist disclosure.

(r) Lobbyists.

(s) Open meetings.

(t) Party chairs.

(u) Public meetings.

(v) Vendor disclosure.

(w) Vendors.

(x) Whistleblower.

Table 8.24

## STATE ETHICS AGENCIES: ADVISORY OPINIONS, INVESTIGATIONS &amp; TRAINING

State	Agency	Advisory Opinions		Investigations		Estimated number per year	Training	
		Authority to issue	Binding on inquirer	Authority to investigate	Respond to complaint		Agency trains	Optional or required
Alabama	State Ethics Comm.	Y	Y	Y	Y	262	Y	O
Alaska	Public Ofcs. Comm.;	Y	Y	N	Y	10-15	N.A.	N.A.
	Select Cmte. on Legislatv. Ethics	Y	Y	N	Y	2	Y	O
Arizona				N.A.				
Arkansas	Ethics Comm.	Y	N	Y	Y	180	Y	O
California	Fair Political Practices Comm.;	Y	Y	Y	Y	N.A.	Y	R
	L.A. City Ethics Comm.;	Y	Y	Y	Y	30	Y	B
	Oakland Public Ethics Comm.;	Y	N	Y	Y	22	N	N.A.
	San Francisco Ethics Comm.	Y	Y	Y	Y	21	Y	O
Colorado	Dept. of State	Y	N	N	N	N.A.	N	N.A.
Connecticut	State Ethics Comm.	Y	Y	Y	Y	55	Y	O
Delaware	Public Integrity Comm.	Y	N	Y	Y	5	Y	O
Florida	Comm. on Ethics;	Y	Y	N	Y	110	Y	O
	Miami-Dade Co. Comm. On Ethics & Public Trust (b)	Y	Y	(a)	Y	150-175	Y	O
Georgia	State Ethics Comm. (b)	Y	N	Y	Y	100+	Y	O
Hawaii	State Ethics Comm.;	Y	(c)	Y	Y	33	Y	O
	Honolulu Ethics Comm.	Y	N	Y	Y	N.A.	Y	O
Idaho	Secretary of State/Sunshine Div. (b)		(d)	Y	Y	5	N	N.A.
Illinois	Chicago Bd. of Ethics;	Y	N (e)	Y	Y	15	Y	B
	Cook Co. Bd. of Ethics	Y	N	Y	Y	3	Y	(f)
Indiana	State Ethics Comm.	Y	Y (g)	Y	Y	15	Y	R
Iowa	Ethics & Camp. Discl. Bd.	Y	Y	Y	Y	3	N	N.A.
Kansas	Govtl. Ethics Comm.	Y	Y	Y	Y	7	Y	O
Kentucky	Exec. Branch Ethics Comm.;	Y	Y	Y	Y	25	Y	O
	Legislvt. Ethics Comm.	Y	Y	(h)	Y	1	Y	B
Louisiana	Ethics Admn. Program	Y	N	Y	Y	105	Y	O
Maine	Comm. on Govtl.	Y	(i)	Y	Y	3	Y	R
Maryland	Ethic/Election Practices							
	State Ethics Comm.	Y	Y	Y	Y	19	Y	B
Massachusetts	State Ethics Comm.	Y	Y	Y	Y	67	Y	O
Michigan	State Bd. of Ethics (b)	Y	Y	Y	Y	1	N	N.A.
Minnesota	Camp. Finance & Public	Y	N	Y	Y	40	N	N.A.
	Discl. Bd.							
Mississippi	Ethics Comm. (b)	Y	N	Y	Y	90	Y	O
Missouri	Ethics Comm.	Y	(j)	N	Y	N.A.	Y	O
Montana	Commr. of Public Practices	Y	Y	Y	Y	20	N	N.A.
Nebraska	Accountability & Discl. Comm.	Y	N	Y	Y	43	Y	O
Nevada	Comm. on Ethics (b)	Y	Y	Y	Y	N.A.	Y	O
New Hampshire				N.A.				
New Jersey	Exec. Comm. on Ethical Stds.	Y	Y	Y	Y	37	Y	O
New Mexico	Secretary of State	N	N.A.	N	(k)	3	Y	N.A.
New York	State Ethics Comm.;	Y	Y	Y	Y	32	Y	O
	Legislvt. Ethics Comm.;	Y	Y	Y	Y	(l)	Y	O
	NYC Conflicts of Interest Bd.	Y	Y	Y	Y	35	Y	O
North Carolina	Bd. of Ethics	Y	Y	Y	Y	4	Y	O
North Dakota	Secretary of State (b)	N	N.A.		(m)		N	N.A.
Ohio	Ethics Comm.;	Y	N	Y	Y	42	Y	B
	Legislvt. Ethics Comm./Ofc. of Leg. Insp. Gen.	Y	Y	Y	Y	6	Y	O
Oklahoma	Ethics Comm.	Y	N	Y	Y	19	Y	O
Oregon	Govt. Standards & Practices	Y	Y	Y	Y	125	Y	O
	Comm.							
Pennsylvania	Ethics Comm.	Y	Y	Y	Y	100	Y	O
Rhode Island	Ethics Comm.	Y	N	Y	Y	6	Y	O
South Carolina	Ethics Comm. (b)	Y	Y	Y	Y	50	Y	O
South Dakota	Secretary of State (b)	N	N.A.	N	N	N.A.	N	N.A.
Tennessee	Registry of Election Finance (b)	Y	Y	Y	Y	1	N	N.A.
Texas	Ethics Comm.	Y	Y	Y	Y	90	Y	O
Utah				N.A.				
Vermont				N.A.				

See footnotes at end of table.

**STATE ETHICS AGENCIES: ADVISORY OPINIONS, INVESTIGATIONS & TRAINING — Continued**

State	Agency	Advisory Opinions		Investigations			Training	
		Authority to issue	Binding on inquirer	Authority to investigate On own initiative	Respond to complaint	Estimated number per year	Agency trains	Optional or required
Virginia .....	Secretary of the Commonwealth	N	N.A.	N	N	N.A.	N	N.A.
Washington .....	Public Disclosure Comm.;	Y	Y (n)	Y	Y	40	Y	O
	Exec. Ethics Bd.;	Y	Y	Y	Y	45	Y	O
	Comm. on Judicial Conduct;	N	N.A.	Y	Y	298	Y	O
	Legislvt. Ethics Board;	Y	Y	Y	Y	8	Y	B
	Ofc. Of State Procurement;	N	N.A.	Y	Y	N.A.	Y	O
	Seattle Ethics & Elections Comm.	Y	Y	Y	Y	40	Y	O
West Virginia .....	Ethics Comm. (b)	Y	Y	N	Y	6	Y	O
Wisconsin .....	Ethics Bd.	Y	Y	Y	Y	5	Y	B
Wyoming .....	.....			N.A.				

Source: The Council on Governmental Ethics Laws, *Ethics Update* 2000.

Key:

Y - Yes

N - No

B - Both

O - Optional

R- Required

N.A. - Not available

(a) Limited.

(b) Information is from previous year.

(c) Code is silent, but commission will enforce.

(d) Informal written guidance only.

(e) May be relied upon by requestor.

(f) Department's option.

(g) Also non-binding informal opinions.

(h) Somewhat.

(i) Inconclusive.

(j) Advisory opinion can be a legal defense.

(k) Investigations with Attorney General.

(l) Number of investigations is confidential.

(m) Informal investigations only.

(n) Public Disclosure Commission has discretion to make binding.

Table 8.25

## STATE ETHICS AGENCIES: PERSONAL FINANCIAL DISCLOSURE STATEMENTS

Who must file with agency															
State	Agency	Statewide elected official		Candidates for statewide office		Candidates for legislature		Agency heads		Judges	Board or commission members		Number filed per year	Reviews or audits conducted	Reviews or audits available electronically
		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Alabama	State Ethics Comm.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	26,000	Y	N
Alaska	Public Ofcs. Comm.; Select Cmte. on Legislatv. Ethics	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	1,970	Y	N
Arizona	Ethics Comm.									(a)					
Arkansas	Fair Political Practices Comm.;	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N.A.	Y	N
California	L.A. City Ethics Comm.;	Y	(d)	(d)	(d)	(d)	(d)	(d)	(d)	N	(d)	(s)	30,000	Y	N
	Oakland Public Ethics Comm.;									(e)		(t)	9,000	Y	N
	San Francisco Ethics Comm.	(d)	(d)	(d)	(d)	(d)	(d)	(d)	(d)	N	N		500	Y	N
Colorado	Dept. of State	Y	Y	Y	Y	Y	Y	N	N	Y	N	(u)	500	N	N
Connecticut	State Ethics Comm.	Y	N	Y	N	Y	Y	Y	Y	Y	N	(v)	1,401	Y	N
Delaware	Public Integrity Comm.	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	(w)	300	Y	N
Florida	Comm. on Ethics	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	(x)	42,000	N	N
Georgia	State Ethics Comm. (b)						(f)						6,000	(g)	(h)
Hawaii	State Ethics Comm.;	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	(y)	1,600	Y	Y
	Honolulu Ethics Comm.	(d)	(d)	(d)	(d)	(d)		Y	Y	N	N		553	Y	N
Idaho	Secretary of State/Sunshine Div. (b)	N	N	N	N	N	N	N	N	N	N		N.A.	N.A.	N.A.
Illinois	Chicago Bd. of Ethics;	(d)	(d)	(d)	(d)	(d)		Y	Y	N	Y	(z)	7,500	Y	N
	Cook Co. Bd. of Ethics									(e)					
Indiana	State Ethics Comm.	Y	Y	N	N	N	N	Y	Y	N	(g)	(aa)	375	Y	N
Iowa	Ethics & Camp. Discl. Bd.	Y	Y	N	N	N		Y	Y	N	Y		600	Y	N
Kansas	Govtl. Ethics Comm.	Y	Y	Y	Y	Y	Y	Y	Y	N	N	(u)	6,200	Y	N
Kentucky	Exec. Branch Ethics Comm.;	Y	Y	N	Y	Y	N	Y	Y	N	(h)	(bb)	1,200	Y	N
	Legislv. Ethics Comm.	N	N	Y	Y	Y	N	N	N	N	N	(cc)	100	Y	N
Louisiana	Ethics Adm. Program	(f)	(f)	N	N	N	N	N	N	N	(j)		20	N	Y
Maine	Comm. on Govtl.	N	N	Y	Y	Y	Y	N	N	N	N		186	N	N
Maryland	Ethic/Election Practices														
	State Ethics Comm.	Y	Y	Y	Y	Y		Y	Y	(g)	(h)		8,800	(h)	N
Massachusetts	State Ethics Comm.	Y	Y	Y	Y	Y	Y	Y	Y	Y	(h)		4,601	Y	N
Michigan	State Bd. of Ethics (b)	N	N	N	N	N	N	N	N	N	N				
Minnesota	Camp. Finance & Public	Y	Y	Y	Y	Y	Y	Y	Y	N	Y		1,300	Y	Y
	Discl. Bd.														
Mississippi	Ethics Comm. (b)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	(dd)	6,100	Y	N
Missouri	Ethics Comm.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	(ee)	9,500	N	N
Montana	Comm. of Public Practices	Y	Y	Y	Y	Y	Y	Y	Y	N	N		450	Y	N
Nebraska	Accountability & Discl. Comm.	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	(ff)	3,000	N	N
Nevada	Comm. on Ethics (b)	Y	Y	Y	Y	Y		N	N	Y	Y	(ff)	N.A.	Y	N
New Hampshire								N.A.							
New Jersey	Exec. Comm. on Ethical Stds.	N	N	N	N	N	N	Y	Y	N	Y	(gg)	2,000	Y	N
New Mexico	Secretary of State	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		N.A.	N	N
New York	State Ethics Comm.;	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	(hh)	17,000	Y	N
	Legislv. Ethics Comm.;	N	N	Y	Y	Y	N	N	N	N	N	(ii)	4,029	Y	N
	NYC Conflicts of Interest Bd.	(d)	(d)	(d)	(d)	(d)	(d)	(d)	(d)	N	N	(jj)	12,000	Y	N
North Carolina	Bd. of Ethics	(h)	N	N	N	N	N	Y	Y	Y	Y	(kk)	2,000	Y	N
North Dakota	Secretary of State (b)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		N.A.	N	N

See footnotes at end of table.



## STATE ETHICS AGENCIES: PERSONAL FINANCIAL DISCLOSURE STATEMENTS — Continued

State	Agency	Who must file with agency					Number of audits filed per year	Reviews or audits conducted	Reviews or audits available electronically
		Statewide elected official	Candidates for statewide office	Legislators	Candidates for legislature	Agency heads	Judges	Board or commission members	Other
Ohio	Ethics Comm.; Legislative Ethics Comm./Off. of Leg. Insp. Gen.	Y	Y	(p)	(p)	Y	(a)	Y	(ll)
		N	N	Y	Y	N	N	N	(mm)
Oklahoma	Ethics Comm.	Y	Y	Y	Y	Y	Y	Y	(nn)
Oregon	Govt. Standards & Practices Comm.	Y	Y	Y	Y	Y	Y	Y	(ll)
Pennsylvania	Ethics Comm.	Y	Y	Y	Y	Y	N	Y	(ff)
Rhode Island	Ethics Comm.	Y	Y	Y	Y	Y	Y	(n)	(o)
South Carolina	Ethics Comm. (b)	Y	Y	Y	Y	Y	Y	Y	3,915
									10,000
South Dakota	Secretary of State (b)	Y	Y	Y	Y	Y	Y	Y	(oo)
Tennessee	Registry of Election Finance (b)	Y	Y	Y	Y	Y	Y	(d)	115-250
Texas	Ethics Comm.	Y	Y	Y	Y	Y	Y	Y	350
Utah		Y	Y	Y	Y	Y	Y	Y	2,957
Vermont						N.A.			(m)
						N.A.			
Virginia	Secretary of the Commonwealth	Y	Y	N	N	Y	Y	Y	15,000
Washington	Public Disclosure Comm.; Exec. Ethics Bd.; Comm. on Judicial Conduct; Legislative Ethics Board;	Y	Y	Y	Y	Y	Y	Y	6,000
	Off. of State Procurement; Seattle Ethics & Elections Comm.					(l)			
	Ethics Comm. (b)					(l)			
West Virginia	Ethics Bd.	N	N	N	N	Y	(k)	(k)	(tr)
Wisconsin		Y	Y	Y	Y	Y	Y	Y	(ss)
Wyoming		Y	Y	Y	Y	Y	Y	Y	(tt)
						N.A.			

Source: The Council on Governmental Ethics Laws, *Ethics Update* 2000.

Key:

Y - Yes  
N - No

N.A. - Not available

(a) See Alaska Public Offices Commission.

(b) Information is from previous year.

(c) Disclosures are filed with Secretary of State.

(d) Local.

(e) Financial disclosure statements are not filed with this agency.

(f) Agency is the enforcement office, but not where reports are filed.

(g) Limited.

(h) Some.

(i) Governor.

(j) Gambling Control Board only.

(k) Municipal.

(l) See Washington Public Disclosure Commission.

(m) Cursory.

(n) Yes, if appointed by the governor or general assembly.

(o) Randomly.

(p) See Ohio Legislative Ethics Commission.

(q) With Court.

(r) Certain other employees.

(s) Multi-county board members.

(t) Decision making employees.

(u) Certain others must file.

(v) Policy makers in executive branch.

(w) Agency division directors.

(x) Locals file locally.

(y) Division heads, purchasing &amp; fiscal agents.

(z) Some.

(aa) Purchasing agents.

(bb) Senior management.

(cc) Major management personnel (LRC).

(dd) Local school board members.

(ee) Judicial candidates.

(ff) Local officials.

(gg) Casino control &amp; gaming enforcement employees.

(hh) Certain political party chairs.

(ii) Legislative employees.

(jj) Deputy agency heads, procurement officials.

(kk) Plus some others.

(ll) Local &amp; school officials.

(mm) Certain legislative staff.

(nn) County officials.

(oo) Certain local officials.

(pp) Others file locally (county).

(qq) Local officials, candidates.

(rr) Local officials, employees, candidates.

(ss) County elected officials.

(tt) District attorneys.

**Table 8.26**  
**STATE AID FOR LIBRARIES**  
**(Fiscal Year 2000)**

<i>State or other jurisdiction</i>	<i>Number of public libraries (a)</i>	<i>Individual public libraries</i>	<i>Public library systems</i>	<i>Other individual libraries</i>	<i>Multitype library systems</i>	<i>Single agency or library (b)</i>	<i>Library construction</i>	<i>Other assistance</i>	<i>Total</i>
<b>United States .....</b>	9,046	\$325,636,000	\$149,823,000	\$15,989,000	\$79,369,000	\$49,097,000	\$43,174,000	\$30,695,000	\$693,784,000
Alabama .....	208	4,531,000	789,000	0	754,000	0	125,000	0	6,200,000
Alaska .....	86	754,000	0	153,000	0	458,000	0	0	1,365,000
Arizona .....	39	435,000	0	0	0	450,000	33,000	88,000	1,006,000
Arkansas .....	40	1,611,000	3,218,000	0	0	0	0	0	4,829,000
California .....	178	54,712,000	850,000	845,000	3,457,000	7,446,000	0	145,000	67,455,000
Colorado .....	113	200,000	0	271,000	2,669,000	2,429,000	0	162,000	5,730,000
Connecticut .....	194	1,455,000	0	11,000	783,000	1,465,000	1,787,000	0	5,501,000
Delaware .....	31	1,803,000	0	25,000	0	0	1,366,000	0	3,194,000
Florida .....	77	0	33,248,000	370,000	2,934,000	1,766,000	4,261,000	500,000	43,079,000
Georgia .....	57	0	27,508,000	0	0	1,750,000	0	0	29,258,000
Hawaii .....	1	0	0	0	0	0	0	0	0
Idaho .....	105	114,000	0	174,000	167,000	0	156,000	0	612,000
Illinois .....	628	18,986,000	0	1,130,000	22,908,000	1,819,000	2,010,000	3,554,000	5,407,000
Indiana .....	238	4,444,000	0	66,000	3,620,000	0	0	73,000	8,203,000
Iowa .....	533	757,000	0	0	144,000	0	1,000	1,435,000	2,336,000
Kansas .....	316	2,816,000	0	112,000	1,211,000	100,000	0	43,000	4,282,000
Kentucky .....	116	6,134,000	0	0	0	0	658,000	0	6,793,000
Louisiana .....	65	1,500,000	0	0	0	0	265,000	0	1,765,000
Maine .....	268	65,000	0	0	227,000	0	0	0	292,000
Maryland .....	24	25,441,000	1,591,000	0	0	3,783,000	0	7,085,000	37,901,000
Massachusetts .....	371	10,305,000	0	31,000	15,374,000	6,830,000	24,453,000	1,729,000	58,723,000
Michigan .....	383	17,456,000	4,991,000	209,000	605,000	964,000	0	403,000	24,627,000
Minnesota .....	134	320,000	9,208,000	24,000	1,146,000	665,000	501,000	95,000	11,957,000
Mississippi .....	49	32,000	8,159,000	0	0	0	22,000	0	8,214,000
Missouri .....	155	5,278,000	0	0	21,000	120,000	0	427,000	5,846,000
Montana .....	79	25,000	295,000	0	0	0	10,000	302,000	632,000
Nebraska .....	237	773,000	0	52,000	659,000	145,000	33,000	373,000	2,035,000
Nevada .....	23	1,115,000	0	64,000	123,000	17,000	195,000	89,000	1,603,000
New Hampshire .....	228	0	0	0	0	0	14,000	0	14,000
New Jersey .....	304	11,208,000	719,000	70,000	3,344,000	905,000	0	0	16,247,000
New Mexico .....	75	505,000	0	0	0	0	0	400,000	905,000
New York .....	747	45,692,000	31,099,000	5,529,000	6,120,000	506,000	1,001,000	8,175,000	98,122,000
North Carolina .....	75	17,337,000	0	554,000	0	0	177,000	1,170,000	19,238,000
North Dakota .....	82	528,000	0	0	0	60,000	25,000	0	614,000
Ohio .....	250	131,000	568,000	15,000	1,575,000	9,125,000	235,000	2,767,000	14,415,000
Oklahoma .....	115	817,000	1,329,000	665,000	0	0	62,000	0	2,873,000
Oregon .....	125	1,192,000	52,000	295,000	517,000	0	174,000	252,000	2,481,000
Pennsylvania .....	460	42,702,000	3,336,000	4,704,000	8,956,000	2,003,000	2,025,000	107,000	63,834,000
Rhode Island .....	48	4,986,000	0	33,000	0	847,000	1,646,000	19,000	7,532,000
South Carolina .....	41	7,523,000	0	25,000	0	0	950,000	0	8,498,000
South Dakota .....	111	86,000	0	118,000	0	0	48,000	0	253,000
Tennessee .....	194	1,708,000	466,000	0	16,000	1,491,000	326,000	0	4,008,000
Texas .....	529	437,000	7,994,000	118,000	2,040,000	1,482,000	281,000	0	12,353,000
Utah .....	70	2,355,000	0	199,000	0	0	0	111,000	2,666,000
Vermont .....	191	10,000	0	2,000	0	6,000	89,000	0	108,000
Virginia .....	90	17,263,000	0	0	0	0	147,000	0	17,409,000
Washington .....	67	596,000	0	96,000	0	1,382,000	0	981,000	3,054,000
West Virginia .....	97	9,023,000	0	0	0	0	97,000	188,000	9,308,000
Wisconsin .....	375	394,000	14,404,000	3,000	0	1,084,000	0	0	15,884,000
Wyoming .....	23	78,000	0	27,000	0	0	0	23,000	128,000
<b>Dist. of Columbia ....</b>	1	0	0	0	0	0	0	0	0

Source: U.S. Department of Education, National Center for Education Statistics, State Library Agencies Survey, Fiscal Year 2000.

Note: Because of rounding, details may not sum to totals

(a) Source for this column: U.S. Department of Education, National Center

for Education Statistics, Federal-State Cooperative System for Public Library Data (FSCS), Public Libraries Survey, Fiscal Year 1999.

(b) Financial assistance to a single agency or library providing a state-wide service.



## Chapter Nine

# STATE POLICIES and PROGRAMS

“Given the expanding mission of emergency management, the increasing destructiveness of disasters and limited resources to respond, states are relying on each other for assistance.”

— **Trina Hembree**

“One of the biggest challenges facing the Medicaid program is how to meet the growing need for health and long-term care coverage at a time when health care costs are rising and state and federal fiscal resources are constrained.”

— **Diane Rowland**

“Welfare reform in 2002 and beyond will break new ground in developing more effective strategies for meeting the needs of welfare recipients and the working poor. It will also provide a critical testing ground for the shape of federalism and domestic policy over the next decade.”

— **Barry Van Lare**

“While the federal role in the environment remains important... the states now have the lead role in implementing environmental policy, and perhaps in forming it as well.”

— **R. Steven Brown**

The No Child Left Behind Act contains the president’s four basic education reform principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods that have been proven to work.

— **U.S. Department of Education**

“Governors and state legislatures have renewed their interest in how higher education is governed and especially in what is expected of public universities.”

— **Ran Coble and Sam Watts**



## Future Challenges of State Emergency Management

By Trina Hembree

*The mission of emergency management has expanded in recent years beyond traditional disaster preparedness and response. A strengthened national program incorporating today's all-hazards approach to emergency preparedness is needed if states are to meet the evolving challenges of overall public safety and domestic security. The challenge of terrorism preparedness, in particular, is to avoid creating a separate response mechanism for terrorist events, and to focus on enhancing the nation's existing emergency-management system, which has been tested and proven effective in the nation's largest disasters.*

Emergency management as a discipline has been shaped by historical events, both national and international. During World War II, it became apparent for the first time that the nation was susceptible to enemy attack. As a result, the first organization and function of what is called "civil defense" was established. Attack preparedness was mandated as a joint federal, state and local government responsibility. The terrorist attacks of September 11, 2001 demonstrate that the nation needs to develop a capacity reminiscent of the past, when there existed a robust emergency-management and response capability. A strengthened national program incorporating today's all-hazards approach to emergency preparedness is needed if states are to meet the evolving challenges of overall public safety and domestic security.

The mission of emergency management has expanded in recent years beyond traditional disaster preparedness and response. Agencies are lending their expertise to assist with activities such as: planning for school safety and special events, such as the Olympics; coordinating planning and response efforts to address foreign animal disease; and preparing for domestic terrorism. Emergency managers are skilled at identifying potential trouble spots, developing and exercising plans and readying resources for rapid deployment in an emergency. Emergency managers can coordinate resources and assistance available from numerous state agencies and volunteer organizations. These skills can be applied to special events and coordinated efforts involving personnel in law enforcement, public health, fire service and emergency medicine, who all must know their roles in emergencies.

Funding for emergency-management programs has not kept pace with new missions. Federal funds for basic preparedness activities have been stagnant for the last nine years. As states struggle to balance their budgets, emergency-management programs are rarely the recipients of additional resources. In fiscal year 2002, agency budgets ranged from \$947,000 to \$869 million, including disaster appropriations. The national average for emergency-management agency budgets was \$50.6

million, up slightly from an average of \$49 million in fiscal year 2000. These budgets support an average of 86 full-time employees. Staffing levels in individual agencies range from 13 to 524 full-time employees. (See the table in this chapter on "State Emergency Management: Agency Budget, Staffing and Structure.")

Since no state is immune to disaster, states must also determine ways to pay for response and recovery efforts. Even those events that receive a presidential disaster declaration, which triggers federal assistance, require a cost-share by the state, sometimes totaling millions of dollars. Most states appropriate funds immediately following a disaster. Twenty-two states have a separate disaster fund for which monies are appropriated annually or as needed to ensure an adequate amount is available at all times. Others have a disaster trust fund based on revenue received from specified sources, such as a tax on insurance policies or a certain percentage of tax receipts specified by statute. Many states use a combination of funding sources to cover disaster costs. While federal disaster assistance can be available for large-scale disasters and emergencies, most events never receive presidential disaster declarations and must be handled by state and local governments. To ensure that states have sufficient resources to assist local jurisdictions and disaster victims, at least 14 states have established their own disaster-assistance programs. These programs vary in terms of eligibility requirements, local government contributions, scope and level of assistance. Each is tailored to meet the needs of the states. (See the table in this chapter on "Disaster Funding Sources.")

Given the expanding mission of emergency management, the increasing destructiveness of disasters and limited resources to respond, states are relying on each other for assistance. The Emergency Management Assistance Compact (EMAC) is an interstate mutual-aid agreement that allows states to share personnel, resources and equipment across state lines during times of disaster. To become a member of the compact, EMAC legislation must be passed by the state legislature and signed into law by the governor. It addresses

tort liability and reimbursement issues prior to the disaster so that when assistance is needed it can be provided quickly, efficiently and in a cost-effective manner. Today, 46 states and 2 territories are members of EMAC.

The organization of emergency-management agencies within government varies among states. Most reside within the department of public safety or military. Other agencies are given cabinet status and are located within the governor's office. Regardless of the agencies' organizational structure for daily activities, state emergency managers have direct access to governors during times of disaster or emergency. In 31 states, the governor appoints the emergency-management director, as this is a position of importance in protecting the lives and property of citizens. The emergency-management director is appointed by the adjutant general in 11 states, appointed by the secretary of public safety in five states and the position is civil service in four states. The public has come to expect a swift and effective disaster response, and it looks to state government to provide it. (See the table in this chapter on "State Emergency Management: Agency Budget, Staffing and Structure.")

The nation's emergency-management system has been preparing for another terrorist attack since the 1995 bombing of the Alfred P. Murrah federal building in Oklahoma City. State and local terrorism-response plans have been developed and tested, threat and needs assessments have been completed to identify vulnerabilities and resource requirements, and federal grant funds have been utilized to train and purchase response equipment for firefighters, police and emergency medical personnel. Despite these efforts, the nation was unable to predict the terrorist events that unfolded on September 11, 2001. All states had emergency-preparedness coordinating bodies in place before the attacks on the World Trade Center and the Pentagon. Disaster-response structures have not changed since then, but in many cases they have been augmented by new entities or new functions within existing entities to better address and prepare specifically for terrorist threats. Currently, 18 states have an office or position for homeland security.<sup>1</sup> Several of these are cabinet-level offices with individuals appointed by the governor. Other governors have appointed the state emergency-management director to also serve as the homeland-security coordinator. Homeland-security offices serve to promote greater awareness within the state of the importance of terrorism preparedness and to bring together key agencies and partner organizations, including the private sector, to find ways to quickly and

effectively enhance the state's ability to respond to terrorism. Today, 34 states and the District of Columbia have established a terrorism task force or working group made up of key state agencies and others in order to provide a coordinated and integrated approach to terrorism preparedness.<sup>2</sup> Many of these have been in place for several years and are now expanded or refocused in light of recent events.

The challenge of terrorism preparedness is to avoid creating a separate response mechanism for terrorist events, and to focus on enhancing the nation's existing emergency-management system, which has been tested and proven effective in the nation's largest disasters. Terrorism does present a unique challenge, as "crisis" and "consequence" management must occur simultaneously. Law-enforcement personnel must do their jobs to preserve the crime scene and conduct an investigation as emergency responders work to save lives and restore essential services such as power, water and transportation. Coordination is required among law enforcement, emergency management, first responders and emergency medical personnel. Governors, legislators and all state officials need to be concerned with terrorism preparedness and provide the necessary resources to develop a basic statewide capability to respond to any catastrophic disaster. Interagency and intergovernmental planning and coordination are essential. Regional planning and the use of interstate and intrastate mutual aid will enhance response efforts. States should review their laws and authorities to ensure that governors and other officials can respond to a given situation without encroaching on the civil liberties of citizens. Emerging issues related to terrorism preparedness include critical infrastructure protection, port security and the prevention of cyber-terrorism.

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### Notes

<sup>1</sup> Alabama, Alaska, Arizona, Colorado, Connecticut, Delaware, Florida, Illinois, Iowa, Louisiana, Massachusetts, Missouri, New York, North Dakota, South Carolina, South Dakota, Tennessee and Virginia.

<sup>2</sup> Alabama, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington,

West Virginia, Wisconsin, Wyoming and Washington D.C.

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### About the Author

**Trina Hembree** is executive director of the National Emergency Management Association (NEMA), an affiliate of The Council of State Governments. NEMA represents state directors of emergency management in the 50 states, the District of Columbia and the U.S. territories. She is the author and editor of several national publications and articles and frequently lectures on emergency management.



**Table 9.1**  
**STATE EMERGENCY MANAGEMENT: AGENCY STRUCTURE, BUDGET AND STAFFING**

<i>State or other jurisdiction</i>	<i>Position appointed</i>	<i>Appointed/ selected by</i>	<i>Reports to</i>	<i>Organizational structure</i>	<i>Agency budget* (dollars in thousands)</i>	<i>Full-time employee positions</i>
Alabama .....	★	G	G	Governor's Office	68,186	41
Alaska .....	★	G	ADJ	Military Department	4,530	45
Arizona .....	★	ADJ	ADJ	Military Department	5,056	48
Arkansas .....	★	G	G	Governor's Office	124,128	65
California .....	★	G	G	Governor's Office	869,354	524
Colorado .....	...	CS	ED	Department of Local Affairs	5,135	24
Connecticut .....	★	G	ADJ	Military Department	4,979	31
Delaware .....	★	G	SPS	Department of Public Safety	3,445	30
Florida .....	★	G	SCA	Department of Community Affairs	300,000	116
Georgia .....	★	G	G	Governor's Office	6,700	100
Hawaii .....	★	ADJ	ADJ	Military Department	1,500	31
Idaho .....	...	ADJ	ADJ	Military Division	2,376	22
Illinois .....	★	G	G	Governor's Office	216,000	76
Indiana .....	★	G	G	Governor's Office	1,746	46
Iowa .....	★	G	ADJ/G	Department of Public Defense	3,750	48
Kansas .....	★	ADJ	ADJ	Adjutant General	14,489	20
Kentucky .....	★	G	ADJ	Military Department	3,200	80
Louisiana .....	★	ADJ	ADJ	Governor's Office	47,845	26
Maine .....	★	G	ADJ	Military Department	947	18
Maryland .....	...	CS	ADJ	Military Department	6,252	40
Massachusetts .....	★	G	SPS	Department of Public Safety	37,000	73
Michigan .....	★	CS	DSP	Department of State Police	30,062	48
Minnesota .....	★	CPS	CPS	Department of Public Safety	76,561	54
Mississippi .....	★	G	G	Governor's Office	91,277	66
Missouri .....	★	ADJ	ADJ/G	Department of Public Safety	6,277	70
Montana .....	★	ADJ	ADJ	Military Department	1,750	21
Nebraska .....	★	ADJ	ADJ	Military Department	2,916	27
Nevada .....	★	G	G	Department of Public Safety	2,500	18
New Hampshire .....	★	G	G	Governor's Office	5,500	46
New Jersey .....	★	G	G	Department of Public Safety	60,000	1530 (a)
New Mexico .....	★	SPS	SPS	Department of Public Safety	6,000	27
New York .....	★	G	G	Military and Naval Affairs	19,400	113
North Carolina .....	★	CC/SPS	SPS	Crime Control & Public Safety	10,400	150
North Dakota .....	★	ADJ	ADJ	Adjutant General	34,930	20
Ohio .....	★	G	LG/DPS	Department of Public Safety	42,834	82
Oklahoma .....	★	G	G	Governor's Office	175,000	31
Oregon .....	★	G	G	Governor's Office	87,000	34
Pennsylvania .....	★	G	G	Governor's Office	51,950	140
Rhode Island .....	★	ADJ	ADJ	Military Department	1,300	16
South Carolina .....	★	ADJ	ADJ/G	Adjutant General	3,300	46
South Dakota .....	★	G	ADJ	Military & Veterans Affairs	1,800	19
Tennessee .....	★	G	ADJ	Military Department	8,840	75
Texas .....	★	CA	CA	Department of Public Safety	3,500	74
Utah .....	★	CPS	CPS	Department of Public Safety	11,000	50
Vermont .....	★	CPS	CPS	Department of Public Safety	2,688	13
Virginia .....	★	G	SPS/G	Department of Public Safety	9,189	78
Washington .....	★	G	AG	Military Department	117,973	73
West Virginia .....	★	G	SPS	Military Affairs/ Public Safety	60,000	26
Wisconsin .....	★	G	G	Military Affairs	18,000	44
Wyoming .....	...	CS	AG	Military Department	5,900	21
District of Columbia .....	★	M	DM	Department of Public Safety	3,700	39
Puerto Rico .....	★	G	G	Governor's Office	7,100	0
U.S. Virgin Islands .....	★	G	ADJ	Adjutant General	1,034	22

Source: The National Emergency Management Association, February 2002.

Note: \* These figures include disaster appropriations.

Key:

★ - Yes

... - No

G - Governor

LG - Lieutenant Governor

ADJ - Adjutant General

M - Mayor

DM - Deputy Mayor

SPS - Public Safety Secretary

SCA - Secretary of Community Affairs

CPS - Commissioner of Public Safety

CA - Chief of Administration

CS - Civil Service

CC - Crime Control/Public Safety Secretary

DPS - Director of Public Safety

DSP - Director of State Police

ED -Executive Director Local Affairs

(a) This number includes all employees of The Department of Public Safety, not just those employed in emergency management. A more detailed breakdown was not available.

**Table 9.2**  
**STATE DISASTER FUNDING SOURCES**

<i>State</i>	<i>Legislative appropriation (a)</i>	<i>Separate fund (b)</i>	<i>Trust fund (c)</i>	<i>Multiple funds</i>	<i>Other (d)</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 .....	...	★	...	...	...

Source: The National Emergency Management Association, February 2002.

Key:

★ - Yes

... - No

(a) Legislative appropriation: Funds are appropriated by the legislature for specific incidents after each major disaster occurs.

(b) Separate fund: A separate disaster fund exists and funds are appropriated as needed to maintain adequate funding

at all times.

(c) Disaster trust fund: A disaster trust fund exists in which revenues from specified sources are deposited and used as needed for a specific purpose. Examples include a tax on insurance policies or a certain percentage of tax receipts.

(d) Other: More than one fund exists and money is obligated from each fund depending upon the type of disaster or situation that has occurred.

# Medicaid: A Future Challenge For the States

By Diane Rowland

*Medicaid is a broad and multifaceted program that is jointly financed by the federal and state governments in order to address the needs of low-income families, the elderly and those with chronic, disabling health conditions. It is an essential part of the health coverage and financing system in every state and is the largest source of federal financial assistance to the states. Balancing the growing responsibilities for coverage of vulnerable populations with fiscal realities will undoubtedly be a major challenge in the years ahead.*

Today, Medicaid is the primary source of health and long-term care assistance for one in 10 Americans, accounting for 16 percent of our nation's spending on health care.<sup>1</sup> Jointly financed by the federal and state governments, Medicaid has evolved from a program providing medical assistance to the welfare population to a broad and multifaceted safety net addressing the needs of low-income families, the elderly and those with chronic, disabling health conditions. It is an essential part of the health coverage and financing system in every state and now represents the largest source of federal financial assistance to the states, accounting for over 40 percent of all grant-in-aid payments to states.<sup>2</sup>

Medicaid will undoubtedly remain at the forefront of state policy in the years to come. Over 40 million low-income children and adults already depend on Medicaid for assistance, and many more could potentially benefit from expansion of its safety net. Yet, as the program has grown in responsibility and scope, it has also grown as a fiscal concern for the states and federal government that share in its financing. The current economic downturn has added new pressure as high levels of unemployment propel more people to turn to Medicaid for health coverage just as state revenues are least available to expand to meet growing demand.

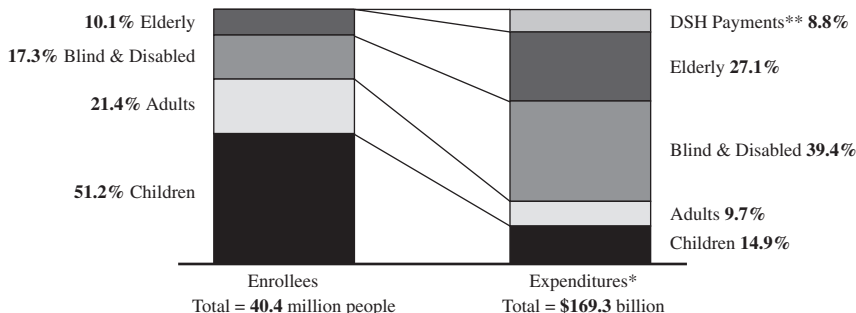
Balancing the growing responsibilities for coverage of vulnerable populations with fiscal realities will undoubtedly be a critical issue for both the states and federal governments in the coming years. This chapter examines Medicaid's current role and the issues and challenges it faces in the future.

## Medicaid's Role in the Health System

Medicaid reaches some of the nation's poorest and most disadvantaged populations to provide basic health insurance coverage for low-income families, acute and long-term care services for low-income people with disabling conditions, and supplemental coverage to Medicare, plus long-term care for low-income and disabled Medicare beneficiaries. The scope and composition of the program varies across states, depending on how states elect to structure their programs within federal eligibility and benefits guidelines.

From the perspective of who is served, Medicaid is predominantly a program assisting low-income families, but from the perspective of how Medicaid dollars are spent, Medicaid funds primarily serve the low-income aged and disabled populations. Adults and children in low-income families make up nearly three quarters (73 percent) of enrollees, but account for only 25 percent of spending (see Figure A).<sup>3</sup> In contrast, the

**Figure A: Medicaid Enrollees and Expenditures by Enrollment Group, 1998**



Source: Urban Institute estimates, based on HCFA-2082 and HCFA-64 Reports

elderly and disabled account for 27 percent of enrollees and the majority (67 percent) of spending, largely due to their intensive use of acute-care services and the costliness of long-term care in institutional settings. In 1998, the most recent year for which detailed data is available, the average annual per capita cost for a child on Medicaid was \$1,225, compared to \$9,558 per disabled beneficiary and \$11,235 per elderly beneficiary (see Figure B).<sup>4</sup>

In meeting its many responsibilities, Medicaid has become a major source of payment in the nation's health care system. It accounts for 16.7 percent of all personal health care spending and 17 percent of hospital care expenditures.<sup>5</sup> Because it is the only significant public program that provides financing for long-term care, Medicaid covers 70 percent of nursing-home residents and nearly half (48 percent) of nursing-home costs nationwide.<sup>6</sup> The program also plays a vital role in covering the increasing cost of prescription medication: in 2000, Medicaid paid for over 17 percent of all prescription-drug spending in the nation.<sup>7</sup>

Because it is administered and partially financed by states, Medicaid also plays a very important role at the state level. On average, states spend 15 percent of their general-fund expenditures on Medicaid, making it the second largest budget item (after elementary and secondary education, which accounts for 36 percent of spending).<sup>8</sup> Not only is Medicaid a significant source of state spending, it is also a key source of federal revenue

for states. Medicaid is the largest source of federal funding to states, accounting for 42 percent of federal dollars to states in 2000, up from 29 percent in 1989.<sup>9</sup> Medicaid financing not only helps states insure their vulnerable populations, but it also helps support states' safety net of clinics and hospitals that serve low-income and uninsured populations. In addition, the program is a key third-party resource to supplement funding for state public-health efforts such as tuberculosis control and family-planning programs.

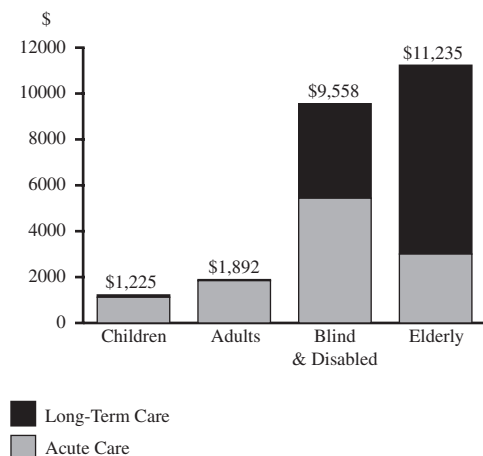
### Providing Insurance to Low-Income Families

States are on the front lines in trying to provide coverage for our nation's 38 million uninsured children and nonelderly adults. Lack of health coverage is a problem for many populations in a state, but the issue disproportionately affects low-income populations, who are most likely to work in situations where their employers do not provide health insurance. Nationwide, nearly two-thirds of the uninsured live on incomes below 200 percent of poverty (roughly \$30,000 for a family of three).<sup>10</sup> While uninsured rates vary across the country, 20 states have over 30 percent of their low-income nonelderly residents without health insurance (see Figure C and the table in this chapter entitled "Health Insurance Coverage of the Low-Income Nonelderly").<sup>11</sup>

Medicaid plays a critical, but limited, role in helping to provide health coverage to low-income families. Today, Medicaid insures 21 million children and 8.6 million low-income adults, covering one in four American children and 40 percent of all births.<sup>12</sup> As an insurer of low-income families, Medicaid covers 37 percent of the poor and 17 percent of the near-poor nonelderly population and helps fill the gaps in employer-sponsored coverage.<sup>13</sup> For most of the families covered through Medicaid, private health insurance is unavailable or unaffordable; with Medicaid they gain access to a broad range of medical, dental, vision and behavioral-health services, including preventive care, acute care and long-term care, with little or no cost-sharing.

With the availability of additional resources to states to broaden coverage for low-income children through the State Children's Health Insurance Program (SCHIP), states have additional tools that can be used to help reduce lack of insurance for low-income children. By providing states with the option (as well as increased federal matching funds) to extend coverage to all uninsured children in families with incomes up to 200 percent of poverty (or higher in some states where Medicaid eligibility levels were already high), SCHIP in combination with Medicaid now provides the foundation

**Figure B: Medicaid Expenditures Per Enrollee by Acute and Long-Term Care, 1998**



Note: Expenditures do not include DSH, adjustments, or administrative costs.

Source: Urban Institute estimates based on HCFA-2082 and HCFA-64 Reports.

dation for achieving coverage of nearly all low-income children. Currently, 40 states cover children with incomes at least up to 200 percent of the federal poverty line (see the table in this chapter entitled “Medicaid/CHIP Eligibility and Enrollment Simplification”), and, as a result, 84 percent of all low-income uninsured children are eligible for either Medicaid or a separate SCHIP program.<sup>14</sup>

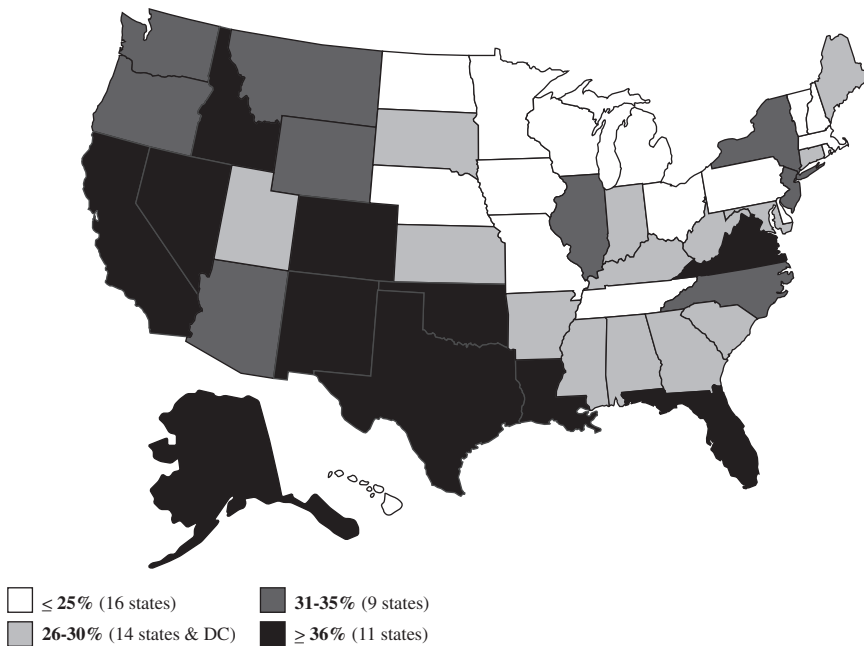
The challenge for coverage of children is how to translate eligibility into enrollment. Recognizing that the complexity of the enrollment process often deters participation, many states have moved aggressively to shorten application forms, reduce documentation requirements, simplify the process and encourage enrollment through outreach. Over 40 states have now eliminated the asset test and face-to-face interview for children, and others are renewing coverage on an annual basis (see the table entitled “Medicaid/CHIP Eligibility and Enrollment Simplification”). Due to this combination of simplification and expansion of eligibility, Medicaid now covers more than 20 million children, and another 3 million low-income children are

now assisted by SCHIP.<sup>15</sup> As states move to make enrolling children easier for working families and reach more uninsured low-income children, the recent decline in the number of uninsured children will hopefully continue.

The extension of coverage to low-income adults is more complex. The increases in coverage for children resulting from expansions and improvements in Medicaid and enactment of SCHIP do not extend to the low-income parents of these children or other childless adults. Parents can qualify for Medicaid if their income falls below levels set by the state, but in most states these levels are exceedingly low. In 31 states, parents are ineligible for Medicaid if their income exceeds the poverty level, and in about half of these states, parents are not eligible if their income is more than half the poverty line, which was just over \$7,000 per year for a family of three in 2001.<sup>16</sup>

States have the ability to broaden Medicaid coverage of parents through the more liberal accounting of income permitted as part of welfare reform (under Section 1931 of the Social Security Act) or through the

**Figure C: Uninsured Rates Among the Nonelderly Low-Income Population by State, 1999-2000**



National Average = 31%

Note: Low-income defined as < 200% of poverty level, or \$27,476 for a family of three in 2000.

Source: Urban Institute and Kaiser Commission on Medicaid and the Uninsured, analysis of 2-year pooled data from March 2000 and 2001 *Current Population Survey*, 2002.

use of waivers. Use of these options is a key component of improving insurance coverage of the low-income population and has also been demonstrated to improve outreach and enrollment of children. However, states that did not take advantage of these options in times of economic growth may be even less likely to do so in times of budget crises. Providing full-family coverage for low-income children and their parents is likely to remain a major policy debate as most states struggle to reduce their uninsured population while balancing their budgets.

However, even extending coverage to all low-income parents leaves a substantial share of the low-income uninsured population without coverage. Among the low-income uninsured adult population, less than six million are parents, but over 13 million are childless adults.<sup>17</sup> In general, Medicaid does not provide coverage for childless adults unless they are aged, blind or disabled. Although a few states have waivers to extend some coverage to this group, financing care for childless adults is likely to remain outside the purview of most Medicaid programs for the near future.

As we enter 2002, states have clearly been trying to reach out and insure more low-income children through Medicaid and SCHIP and, in several states, to broaden coverage to more parents. These efforts have helped to simplify program enrollment and contribute

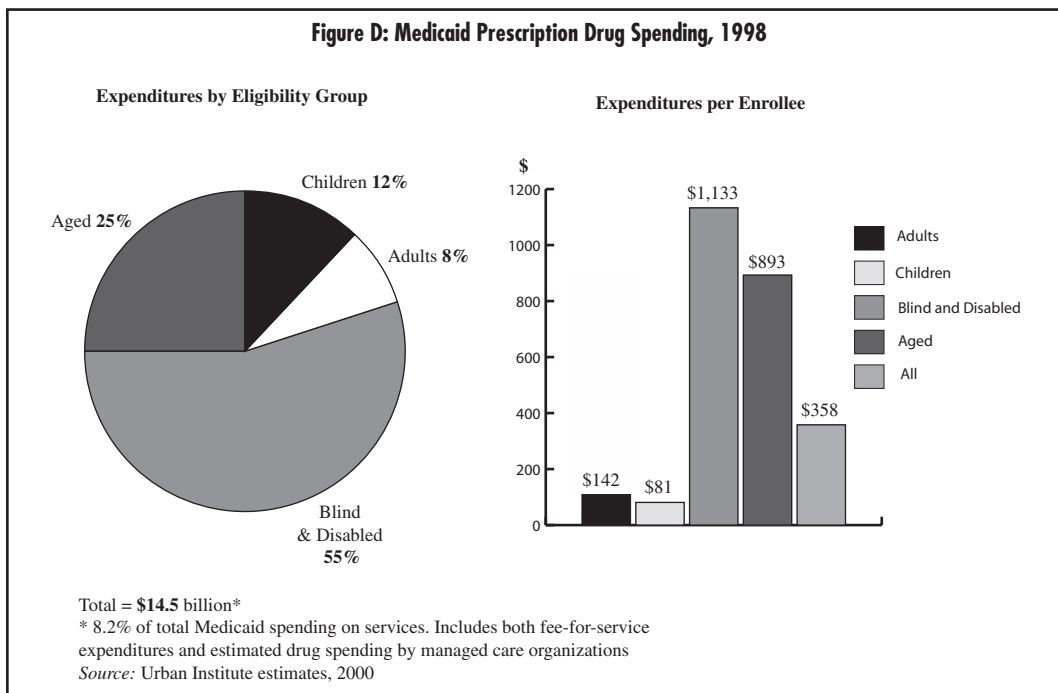
to a modest decline in the number of uninsured Americans. There will be pressure to do more in the future, but the goal of improving coverage is now facing a new pressure from the slowing of the economy and the rising number of unemployed workers who are losing their employer coverage.

### Meeting the Health Needs of the Disabled and Elderly

Just as the economic downturn places new stress on state efforts to extend health-insurance coverage to more low-income families, Medicaid's growing role as the health and long-term care safety net for low-income disabled and elderly people is also a future challenge to states. Medicaid now assists nearly seven million disabled and five million elderly low-income people, and changes in the population and patterns of health care delivery are likely to increase the program's responsibility in caring for these vulnerable groups. Most of Medicaid's elderly and about a third of disabled beneficiaries also have Medicare coverage; Medicaid's continuing role as a supplement to Medicare for these individuals is therefore also intertwined with broader policy debates over Medicare reform.

Medicaid provides a crucial acute and long-term care support system for low-income people with severe disabilities, ranging from people with physical impair-

**Figure D: Medicaid Prescription Drug Spending, 1998**



ments to those with severe mental or emotional conditions to those with specific disabling conditions, such as HIV/AIDS. For many disabled Americans, private-insurance coverage does not cover necessary services, is not available due to pre-existing condition exclusions, or is simply prohibitively expensive. Medicaid coverage provides an essential link to a broad array of services in the community or in institutions. Currently, Medicaid is the source of coverage for one in five nonelderly persons with a specific, chronic disability who live in the community and the single largest source of public financing for HIV/AIDS-related care.<sup>18</sup>

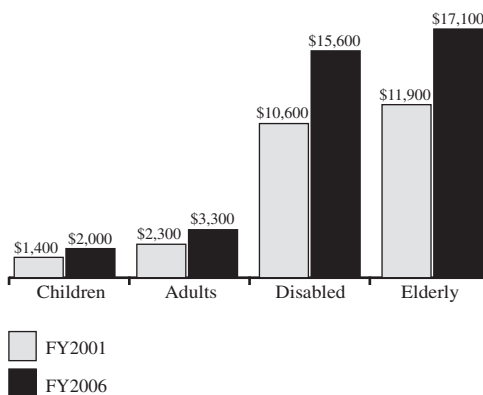
The complex and often intense health needs of the disabled population, coupled with greater use of community-based or institutional long-term care services, make the disabled more expensive on a per capita basis than children or non-disabled adults. The disability population accounts for 17 percent of Medicaid enrollees, but nearly 40 percent of all spending (see Figure A).<sup>19</sup> Many of the Medicaid services that the disabled population requires are among the most costly. For example, as shown in Figure D, in 1998, they accounted for 55 percent of all Medicaid prescription-drug spending, with per capita annual drug expenses of \$1,133 compared to \$81 for children and \$893 for the elderly.<sup>20</sup>

Medicaid also plays a vital role in filling gaps in the Medicare program for low-income elderly and disabled Medicare beneficiaries. Thirty-seven percent of elderly and nearly 60 percent of disabled Medicare beneficiaries live on incomes below twice the poverty level.<sup>21</sup> Medicare's benefits gaps and financial obligations can impose significant financial burdens on low-income beneficiaries, many of whom have more extensive health care needs than the average beneficiary but cannot afford costly private coverage to supplement Medicare. For 4.6 million elderly and two million disabled Medicare beneficiaries, Medicaid serves as a supplementary insurance program,<sup>22</sup> providing additional coverage for services not covered by Medicare (notably, prescription drugs and long-term care) and helping to cover Medicare's Part B premiums and cost-sharing requirements.

This dual eligible population – elderly and disabled individuals covered by both Medicare and Medicaid – includes many of Medicare and Medicaid's most vulnerable beneficiaries. These dual eligibles account for a disproportionate share of spending under Medicaid due to their use of costly long-term care services and prescription drugs.

As health costs – and especially prescription-drug spending – rise, expenditures for the disabled and elderly

**Figure E: Projected Total Medicaid Spending Per Enrollee, 2001-2006**



*Note:* Includes federal and state spending on benefits.

*Source:* Center on Budget and Policy Priorities based on CBO baseline for January 2001, April 2001.

erly can be expected to grow as well. Increases in per capita spending, as well as increases in the number of disabled enrollees on Medicaid and the aging of the population, will push spending upward. As shown in Figure E, annual per capita spending for the disabled is expected to increase from \$10,000 to over \$15,000 during the next five years, and annual per capita spending for the elderly is expected to increase from \$12,000 to over \$17,000.<sup>23</sup> Growth in prescription-drug spending and pressure to expand home and community-based care for the disabled (prompted by the recent Olmstead Supreme Court decisions) are major contributors to this projected increase.

Growth in the disabled population, coupled with the aging of our population, will particularly put pressure on Medicaid's role as the primary source of long-term care coverage. In the next 30 years, the elderly population is expected to nearly double, with major increases in the population over 85 – those at greatest risk of needing long-term care. In the absence of long-term care reform to replace Medicaid's role in financing home and institutional care, Medicaid's responsibility for financing and assuring quality of care in nursing homes and residential facilities is likely to continue to grow.

Medicaid's future role in coverage of the disabled and elderly populations also will be largely shaped by future Medicare policy. Proposals to restructure Medicare or rely more heavily on Medicare managed care have important implications for beneficiaries with Medicaid and the state programs that serve them. Most notably, enactment of a prescription-drug benefit under



Medicare could have a substantial impact on state Medicaid spending if Medicare takes over some responsibility for prescription-drug coverage of the six million Medicare beneficiaries who are dual eligibles. Alternatively, if no action is taken on this issue, more elderly and disabled Medicare beneficiaries may look to Medicaid for needed assistance.

### Rising Costs and Fiscal Pressures

One of the biggest challenges facing the Medicaid program is how to meet the growing need for health and long-term care coverage at a time when health care costs are rising and state and federal fiscal resources are constrained. Health-care costs, particularly those for prescription drugs, have begun to rise more rapidly than in past years: in 2000, national health expenditures for prescription drugs increased over 17 percent from the previous year, and hospital and physician services increased 5 and 6 percent, respectively.<sup>24</sup> These rising costs are reflected in increases in health insurance premiums for employers, which are now rising rapidly again after moderating in the mid-1990s (see Figure F). From 2000 to 2001, premiums rose 11 percent, and increases this year are expected to be even higher.<sup>25</sup>

Cost increases in the private market put pressure on Medicaid programs to keep pace as a major purchaser of care. In order to maintain access to care for its beneficiaries, Medicaid programs are being pushed to raise payment rates for health plans and providers and pay for the escalating cost of prescription drugs.

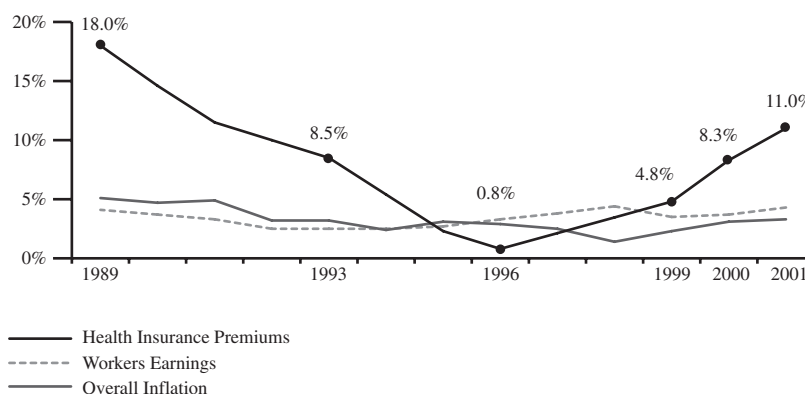
For example, in a recent survey, state Medicaid officials reported that the top reasons for Medicaid expen-

diture growth in FY2001 were pharmacy costs (48 states); provider rate increases (31 states); enrollment increases from eligibility expansions and growth of the disabled population (27 states) and increased costs for long-term care (24 states).<sup>26</sup> Many states indicated that these cost increases are due to the need to increase provider rates in a competitive labor market to assure participation and maintain access to care. Evolving patterns of health-care utilization – with greater reliance on prescription drugs and home and community-based services for long-term care – mean these cost pressures are likely to continue.

The return of rising health-care costs and upward pressure on Medicaid budgets comes at a time when the downturn in our nation's economy has left many states fiscally constrained. In the summer of 2001, many states were reporting that projected expenditure growth for Medicaid was exceeding state revenue growth. After September 11 and the economic slowdown, the situation has worsened. By the end of December 2001, 39 states were reporting budget shortfalls for fiscal year 2002.<sup>27</sup>

The continuing economic downturn is likely to exacerbate this situation. Medicaid is a means-tested health program – as more people lose their jobs and health insurance and experience reductions in their incomes, more people qualify for Medicaid assistance. Thus, in the absence of changes in state eligibility policy, rising unemployment increases Medicaid enrollment; for each one percent increase in the unemployment rate, an additional 1.6 million people can be expected to enroll in Medicaid.<sup>28</sup> At the same time, ris-

**Figure F: Health Insurance Premium Increases Compared with other Indicators, 1989-2001**



Source: HIAA Employer Sponsored Health Insurance Survey, 1989-91; KPMG Survey of Employer-Sponsored Health Benefits, 1993, 1996; KFF/HRET Survey of Employer-Sponsored Health Benefits, 1999-2001; Bureau of Labor Statistics, 1989-2001.



ing unemployment also expands the uninsured population, putting additional pressure on Medicaid to expand to cover the newly unemployed and uninsured.

The challenge for states and their Medicaid programs is how to meet the growing demand for coverage when fiscal resources are constrained. Some states are trying to hold the line and not reduce funding this year, but others have already initiated budget-reduction actions for fiscal 2002.<sup>29</sup> States are considering, and some have implemented, reductions in provider payments, eligibility and/or benefits; capping enrollment in the SCHIP program; or putting planned expansions on hold. Others are planning to use the new waiver authority (the Health Insurance Flexibility and Accountability Demonstration Initiative, or HIFA) to alter eligibility and benefits under Medicaid to address budget problems.

Because states make different decisions about what populations to cover, what benefits to provide and what amounts to pay for services, the scope and cost of the program and the nature of the responses to fiscal pressure will continue to vary widely across the states. In the past, budget constraints led many states to employ creative financing mechanisms that allowed them to draw down more federal matching funds without commensurate increases in state matching funds. Many of these approaches have now been curtailed by federal regulation and legislation, but we may see new schemes develop as states try to balance their budgets.

### **Facing the Future and Balancing Priorities**

As a safety net for the most vulnerable and needy Americans, Medicaid has faced the daunting challenge of serving low-income people whose health and social needs are extremely complex. This charge catapults Medicaid into many of our country's most difficult health and social issues – urban violence, teen pregnancy, substance abuse and HIV/AIDS. In the face of these challenges, Medicaid has done a remarkable job to improve health care for millions of low-income Americans.

Medicaid has demonstrated the importance of health care coverage and has achieved remarkable success in helping to close gaps in access to care and improve health status and satisfaction with the health care system among the poor. The value of Medicaid is underscored by the contrast in outcomes between the poor with Medicaid and the uninsured poor, where studies consistently show that the uninsured lag well behind those with Medicaid, while those with Medicaid fare comparably to the privately insured. For the elderly and disabled, Medicaid has provided an essential safety net, both filling gaps in acute-care cov-

erage and being the major support for long-term care services in the community and in institutions.

The challenge for the future is how to maintain and build on these achievements in light of the downturn in the economy. Obviously, the length and depth of the recession will affect the priorities and responses of the states. Medicaid is a vital and important program for millions of low-income Americans, assisting our nation's poorest and most vulnerable populations. It provides a solid building block on which to expand coverage for low-income families and helps reduce the number of uninsured while providing coverage to low-income elderly and disabled individuals who rely on the program for long-term care and to fill in Medicare's gaps. However, these priorities must be balanced against the pressure from growing health care costs and the difficulty of trimming spending for the elderly and disabled and long-term care. Given Medicaid's role as our health and long-term care safety net, it is essential that attempts to constrain costs not compromise the care available to the poorest and sickest people in our nation.

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### **Notes**

<sup>1</sup> Urban Institute and Kaiser Commission on Medicaid and the Uninsured, unpublished analysis of March 2001 *Current Population Survey*, 2002; K. Levit *et al.*, "Inflation Spurs Health Spending in 2000," *Health Affairs* (Jan./Feb. 2002, 21(1)): 172-81.

<sup>2</sup> National Association of State Budget Officers, *2000 State Expenditure Report*, Summer 2001, <<http://www.nasbo.org/Publications/PDFs/00exrpt.pdf>>.

<sup>3</sup> Urban Institute, unpublished estimates based on HCFA-2082 and HCFA-64 reports.

<sup>4</sup> Urban Institute, unpublished estimates.

<sup>5</sup> K. Levit *et al.*

<sup>6</sup> M. Niefeld, E. O'Brien and J. Feder, *Long-Term Care: Medicaid's Role and Challenges* (Washington, D.C.: The Kaiser Commission on Medicaid and the Uninsured, 1999); K. Levit *et al.*

<sup>7</sup> K. Levit *et al.*

<sup>8</sup> National Association of State Budget Officers.

<sup>9</sup> National Association of State Budget Officers.

<sup>10</sup> Urban Institute and Kaiser Commission on Medicaid and the Uninsured, unpublished analysis of March 2001 *Current Population Survey*, 2002.

<sup>11</sup> Urban Institute and Kaiser Commission, unpublished analysis of March 2001 *Current Population Survey*, 2002.

<sup>12</sup> Kaiser Commission on Medicaid and the Uninsured, *Medicaid: A Primer* (Washington, D.C.: The Kaiser Commission on Medicaid and the Uninsured, 2001).

<sup>13</sup> Urban Institute and Kaiser Commission on Medicaid and the Uninsured, unpublished analysis of March 2001 *Current Population Survey*, 2002.

<sup>14</sup> Center on Budget and Policy Priorities, *Start Healthy, Stay Healthy: State Eligibility Table*, 2001, <<http://www.cbpp.org/shsh/elig.htm>>; L. Dubay, J. Haley and G. Kenney, *Children's Eligibility for Medicaid and SCHIP: A View from 2000* (Washington, D.C.: The Urban Institute, 2002).

<sup>15</sup> Urban Institute, unpublished estimates based on HCFA 2082 and HCFA 64 reports, 2000; V. Smith, D. Rousseau and J. Guyer, *CHIP Program Enrollment: December 2000* (Washington, D.C.: The

Kaiser Commission on Medicaid and the Uninsured, 2001).

<sup>16</sup> Kaiser Commission on Medicaid and the Uninsured, unpublished analysis of June 2001 data from the Center on Budget and Policy Priorities, 2001.

<sup>17</sup> Urban Institute, unpublished simulations based on *Current Population Survey*, prepared for the Kaiser Commission on Medicaid and the Uninsured, 2001.

<sup>18</sup> A. Schneider, V. Strohmeier and R. Ellberger, *Medicaid Eligibility for Individuals with Disabilities* (Washington, D.C.: The Kaiser Commission on Medicaid and the Uninsured, 2000); T. Westmoreland, *Medicaid & HIV/AIDS Policy* (Washington, D.C.: The Henry J. Kaiser Family Foundation, 1999).

<sup>19</sup> Urban Institute, unpublished estimates based on HCFA-2082 and HCFA-64 reports.

<sup>20</sup> A. Schneider and L. Elam, *Medicaid: Purchasing Prescription Drugs* (Washington, D.C.: The Kaiser Commission on Medicaid and the Uninsured, 2002).

<sup>21</sup> Urban Institute, unpublished analysis of March 2000 *Current Population Survey*.

<sup>22</sup> Urban Institute, unpublished analysis of 1998 Medicare Current Beneficiary Survey.

<sup>23</sup> L. Ku and J. Guyer, *Medicaid Spending: Rising Again, But Not to Crisis Levels* (Washington, D.C.: Center on Budget and Policy Priorities, 2001).

<sup>24</sup> K. Levit *et al.*

<sup>25</sup> Kaiser Family Foundation and Health Research and Educational Trust, *Employer Health Benefits: 2001 Annual Survey* (Washington D.C.: Kaiser Family Foundation, 2001).

<sup>26</sup> V. Smith and E. Ellis, *Medicaid Budgets Under Stress: Survey Findings for State Fiscal Year 2000, 2001, and 2002* (Washington, D.C.: The Kaiser Commission on Medicaid and the Uninsured, 2001).

<sup>27</sup> National Association of State Budget Officers, *State Budget Update* (Washington, D.C.: National Association of State Budget Officers, December 2001).

<sup>28</sup> J. Holahan and B. Garrett, "Rising Unemployment and Medicaid," *Urban Institute: Health Policy Online*, October 16, 2001, <[http://www.urban.org/pdfs/HPOOnline\\_1.PDF](http://www.urban.org/pdfs/HPOOnline_1.PDF)>.

<sup>29</sup> V. Smith and M. Lanoye, *Medicaid and State Budgets: An October 2001 Update* (Washington, D.C.: The Kaiser Commission on Medicaid and the Uninsured, 2001).

## About the Author

**Diane Rowland** is the executive vice president of the Henry J. Kaiser Family Foundation and executive director of the Kaiser Commission on Medicaid and the Uninsured. She also holds an appointment as adjunct associate professor in the Department of Health Policy and Management at the School of Public Health of the Johns Hopkins University. Dr. Rowland is a noted authority on health policy and health care for poor and disadvantaged populations.

**Table 9.3**  
**HEALTH INSURANCE COVERAGE OF THE LOW-INCOME NONELDERLY**  
**(LESS THAN 200% OF POVERTY) BY STATE, 1999-2000**

State or other jurisdiction	Low-income nonelderly (thousands)	Percent of state nonelderly with low incomes	Percent distribution by coverage type			
			Employer	Medicaid	Other (a)	Uninsured
United States .....	80,604	33.3%	32.2%	26.8%	9.5%	31.5%
Alabama .....	1,483	38.1	32.8	28.8	11.3	27.0
Alaska .....	170	28.8	22.5	31.7	8.6	37.2
Arizona .....	1,771	41.3	31.4	23.0	10.6	34.9
Arkansas .....	945	42.6	35.2	24.7	12.1	28.0
California .....	11,988	39.0	25.1	30.4	7.8	36.7
Colorado .....	951	25.2	29.9	17.7	13.9	38.5
Connecticut .....	622	22.0	37.6	26.6	7.3	28.5
Delaware .....	216	31.5	33.8	35.9	6.6	23.6
Florida .....	4,497	36.0	31.4	22.4	10.1	36.2
Georgia .....	2,444	35.0	40.0	21.4	9.9	28.8
Hawaii .....	359	35.0	41.3	23.8	9.9	24.9
Idaho .....	393	35.5	31.8	22.3	10.4	35.5
Illinois .....	3,287	30.1	34.8	25.4	8.3	31.5
Indiana .....	1,460	28.8	43.1	21.1	8.6	27.1
Iowa .....	649	26.5	41.3	22.0	14.4	22.3
Kansas .....	721	32.3	37.1	17.8	15.2	29.9
Kentucky .....	1,171	33.9	34.3	26.7	9.3	29.7
Louisiana .....	1,719	45.7	29.6	23.6	9.8	37.0
Maine .....	321	28.7	35.7	28.1	9.5	26.8
Maryland .....	1,050	24.0	43.1	18.1	10.4	28.5
Massachusetts .....	1,643	30.2	30.6	40.5	8.9	20.0
Michigan .....	2,453	27.5	32.4	33.7	9.6	24.3
Minnesota .....	958	22.3	36.8	27.7	14.0	21.5
Mississippi .....	980	40.8	35.7	29.3	7.7	27.3
Missouri .....	1,316	27.0	34.8	31.3	12.6	21.3
Montana .....	318	41.2	26.7	22.7	16.5	34.1
Nebraska .....	432	29.9	31.9	24.5	19.0	24.7
Nevada .....	596	34.2	36.8	17.7	8.8	36.7
New Hampshire .....	256	23.2	38.8	29.7	10.7	20.7
New Jersey .....	1,779	25.0	33.0	25.6	8.4	32.9
New Mexico .....	722	46.2	23.3	26.3	7.9	42.5
New York .....	5,684	35.2	25.2	36.1	7.4	31.3
North Carolina .....	2,210	33.6	36.5	22.2	10.6	30.8
North Dakota .....	178	34.5	36.0	20.6	19.2	24.2
Ohio .....	3,065	30.5	39.5	27.2	8.6	24.7
Oklahoma .....	1,128	40.6	29.7	19.8	13.5	37.0
Oregon .....	949	31.6	29.4	29.7	6.9	34.0
Pennsylvania .....	3,013	29.5	38.9	29.2	12.2	19.7
Rhode Island .....	212	26.0	33.1	34.7	12.1	20.0
South Carolina .....	1,138	34.6	36.5	24.7	10.7	28.1
South Dakota .....	185	31.0	35.4	17.8	19.5	27.2
Tennessee .....	1,742	35.3	32.2	40.2	8.6	19.0
Texas .....	7,203	39.6	29.9	20.0	7.5	42.6
Utah .....	677	33.8	44.8	18.9	9.3	26.9
Vermont .....	177	31.9	29.7	42.4	9.8	18.2
Virginia .....	1,558	25.8	35.1	14.3	13.1	37.5
Washington .....	1,595	30.9	30.3	28.7	9.9	31.1
West Virginia .....	641	43.1	29.5	31.0	9.4	30.1
Wisconsin .....	1,272	26.6	39.2	27.8	11.7	21.4
Wyoming .....	138	32.4	31.3	22.6	13.0	33.1
District of Columbia .....	160	36.1	27.1	38.0	9.1	25.8

Sources: Urban Institute and Kaiser Commission on Medicaid and the Uninsured, analysis of March 2001 and March 2000 *Current Population Survey*.

(a) Other includes private non-group and other public insurance (mostly Medicare and military-related). Medicaid includes CHIP. The 2000 federal poverty level for a family of three was \$13,738.

**Table 9.4**  
**MEDICAID/CHIP ELIGIBILITY FOR FAMILIES AND ENROLLMENT SIMPLIFICATION FOR CHILDREN, 2002**

State or other jurisdiction	Medicaid/CHIP income eligibility limit for children (percent of poverty)	Medicaid income eligibility limit for working parents (percent of poverty)	Simplification measures for children (a)		
			Eliminated asset test	Eliminated face-to-face interview	12-month continuous eligibility
United States .....	200% (median)	66% (median)	44 states	47 states	17 states
Alabama .....	200	21	★	...	★
Alaska .....	200	79	★	★	...
Arizona .....	200	107	★	★	...
Arkansas .....	200	21	★	★	...
California .....	250	107	★	★	★
Colorado .....	185	42	...	★	...
Connecticut .....	300	157	★	★	★
Delaware .....	200	122	★	★	...
Florida .....	200	66	★	★	...
Georgia .....	235	62	★	★	...
Hawaii .....	200	100	★	★	...
Idaho .....	150	33	...	★	★
Illinois .....	185	56	★	★	★
Indiana .....	200	31	★	★	★
Iowa .....	200	87	★	★	...
Kansas .....	200	40	★	★	★
Kentucky .....	200	75	★	★	...
Louisiana .....	200	22	★	★	★
Maine .....	200	157	★	★	★
Maryland .....	300	43	★	★	...
Massachusetts (b) .....	200	133	★	★	...
Michigan .....	200	63	★	★	...
Minnesota .....	275	275	★	★	...
Mississippi .....	200	38	★	★	★
Missouri .....	300	107	★	★	...
Montana .....	150	69	...	★	...
Nebraska .....	185	55	★	★	★
Nevada .....	200	90	...	★	...
New Hampshire .....	300	62	★	★	...
New Jersey .....	350	200	★	★	...
New Mexico .....	235	58	★	★	★
New York .....	250	133	★	...	...
North Carolina .....	200	62	★	★	★
North Dakota .....	140	110	★	★	...
Ohio .....	200	100	★	★	...
Oklahoma .....	185	48	★	★	...
Oregon .....	170	100	...	★	...
Pennsylvania (b) .....	200	56	★	★	...
Rhode Island .....	250	192	★	★	...
South Carolina .....	150	100	★	★	★
South Dakota .....	200	65	★	★	...
Tennessee .....	(c)	81	★	...	...
Texas .....	200	32	...	★	...
Utah .....	200	55	...	...	...
Vermont .....	300	192	★	★	...
Virginia .....	200	31	★	★	...
Washington .....	250	200	★	★	★
West Virginia .....	200	28	★	★	★
Wisconsin .....	185	185	★	★	...
Wyoming .....	133	65	★	★	★
District of Columbia .....	200	200	★	★	...

Sources: Kaiser Commission on Medicaid and the Uninsured, analysis of data collected by the Center on Budget and Policy Priorities, 2002.

Notes: The 2002 federal poverty level for a family of three was \$15,020. Eligibility limits for parents are based on a family of three and take into account states' earnings disregard policies. In some states, disregards have a significant effect on eligibility thresholds for parents. Parent eligibility level information current as of 2001.

Key:

★ - Measure implemented.

... - No measure implemented.

(a) Includes only states that have implemented for both Medicaid and CHIP. Data collected March 2001.

(b) Massachusetts and Pennsylvania provide state-financed coverage to children with incomes above CHIP levels.

(c) Eligibility under Tennessee's TennCare program has no upper income limit.

**Table 9.5**  
**HEALTH INSURANCE COVERAGE**  
**PERSONS WITH OR WITHOUT HEALTH INSURANCE COVERAGE BY STATE: 2000**

<i>State or other jurisdiction</i>	<i>Total (a)</i>	<i>Persons covered (a)</i>	<i>Percent covered</i>	<i>Persons not covered (a)</i>	<i>Percent not covered</i>
<b>United States</b> .....	276,540	237,857	86.0	38,683	14.0
Alabama .....	4,450	3,851	86.5	600	13.5
Alaska .....	647	522	80.7	125	19.3
Arizona .....	4,917	4,124	83.9	793	16.1
Arkansas .....	2,625	2,261	86.1	364	13.9
California .....	34,735	28,454	81.9	6,281	18.1
Colorado .....	4,228	3,665	86.7	563	13.3
Connecticut .....	3,319	3,056	92.1	263	7.9
Delaware .....	787	795	89.6	82	10.4
Florida .....	15,157	12,537	82.7	2,620	17.3
Georgia .....	7,773	6,638	85.4	1,135	14.6
Hawaii .....	1,156	1,039	89.9	117	10.1
Idaho .....	1,257	1,061	84.4	196	15.6
Illinois .....	12,286	10,627	86.5	1,659	13.5
Indiana .....	5,818	5,117	87.9	701	12.1
Iowa .....	2,863	2,615	91.3	248	8.7
Kansas .....	2,607	2,346	88.5	301	11.5
Kentucky .....	3,975	3,320	87.1	513	12.9
Louisiana .....	4,233	3,493	80.9	810	19.1
Maine .....	1,266	1,106	88.5	145	11.5
Maryland .....	5,119	4,618	90.2	501	9.8
Massachusetts .....	6,256	5,661	90.5	595	9.5
Michigan .....	9,946	8,964	90.1	982	9.9
Minnesota .....	4,784	4,354	91.0	430	9.0
Mississippi .....	2,789	2,425	86.9	364	13.1
Missouri .....	5,516	4,930	89.4	586	10.6
Montana .....	876	714	81.5	162	18.5
Nebraska .....	1,658	1,494	90.1	164	9.9
Nevada .....	1,991	1,680	84.4	311	15.6
New Hampshire .....	1,240	1,155	93.2	85	6.8
New Jersey .....	8,306	7,257	87.4	1,049	12.6
New Mexico .....	1,793	1,366	76.2	427	23.8
New York .....	18,409	15,608	84.8	2,802	15.2
North Carolina .....	7,521	6,541	87.0	980	13.0
North Dakota .....	607	538	88.7	69	11.3
Ohio .....	11,539	10,284	89.1	1,255	10.9
Oklahoma .....	3,287	2,651	80.7	636	19.3
Oregon .....	3,400	2,935	88.7	465	13.7
Pennsylvania .....	11,968	11,063	89.1	905	7.6
Rhode Island .....	936	881	80.7	55	5.9
South Carolina .....	3,769	3,321	86.3	448	11.9
South Dakota .....	697	615	88.2	82	11.8
Tennessee .....	5,580	5,003	89.7	577	10.3
Texas .....	20,592	16,167	78.5	4,425	21.5
Utah .....	2,210	1,913	86.6	296	13.4
Vermont .....	631	564	89.3	67	10.7
Virginia .....	6,978	6,091	87.3	886	12.7
Washington .....	5,855	5,075	86.7	780	13.3
West Virginia .....	1,778	1,524	85.7	254	14.3
Wisconsin .....	5,419	5,032	92.9	386	7.1
Wyoming .....	489	418	85.6	70	14.4
Dist. of Columbia .....	506	434	85.6	73	14.4

Source: U.S. Census Bureau and Bureau of Labor Statistics, December 2001.

Key:

(a) In thousands.

## Emerging Issues in Welfare Reform

By Barry Van Lare

*As states continue to implement the Temporary Assistance to Needy Families (TANF) block grant, they will need to address issues such as rapidly approaching time limits on federal assistance and the importance of enhancing supports to promote job retention and advancement. In addition, as Congress considers the reauthorization of TANF and other income-security programs, states will want to give close attention to both programmatic aspects of any reauthorization proposal and to their impact on state and local flexibility.*

Needs-tested cash assistance to low-income families remains a major concern for state governments across the nation. This is true even as such programs become an ever-smaller portion of state and local expenditures. This concern reflects the strong emotional and political feelings associated with welfare, the well-being of children, family stability, personal responsibility and the importance of work.

Over the past five years, the nation has seen unprecedented changes in needs-tested income-support programs for families. The enactment in 1996 of the Temporary Assistance for Needy Families (TANF) block grant provided states broad new flexibility in the design and implementation of welfare programs, while requiring a new emphasis on work and other efforts to promote self-sufficiency. The implementation of those changes was accompanied by rapid reductions in welfare caseloads across the country and increased workforce participation by single mothers. While recession and increasing unemployment rates raise concerns that caseloads will again begin to rise, there seems to be little likelihood that they will approach their pre-reform levels.

The authorization for the TANF program will end September 30, 2002. While the initial enactment of TANF was accompanied by considerable controversy, reauthorization discussions to date seem to accept the basic structure of TANF. Rather than questioning the underlying structure of the program, advocates are suggesting a variety of incremental changes. As a result, most of the major decisions regarding the structure of needs-tested income-support programs for families will be focused at the state level. However, amendments to TANF as a result of reauthorization may significantly alter the ways in which states may be able to address a number of issues.

As the nation continues to discuss reauthorization and as states once again review their decisions regarding the implementation of TANF, they will need to look at several fundamental issues, including: 1) the current status of the implementation of welfare reform, including caseload numbers and variations in state-level implementation; 2) the impact of changing economic

conditions; 3) lessons from formal research and evaluation studies, and from welfare-leaver studies and administrative data; 4) the appropriate federal role relating to TANF and other federal programs for low-income families; and 5) emerging trends that will demand or encourage action at the state level.

### Current Status of Welfare Reform Implementation

As noted above, in the past five years, there has been an unprecedented reduction in welfare caseloads across the nation. While the rates of reduction have varied significantly, every state has seen at least some significant reduction, and a number of states have seen caseloads shrink by more than 60 percent. (See the table in this chapter entitled "Reductions in State TANF Caseloads.") While experts may argue about what portion of this reduction is due to reform and what portion is due to the strong economy during the 1990s, the reductions themselves have changed public perceptions about welfare recipients and have focused new attention on the needs of working-poor families. Increasingly, TANF funds are being spent on programs and services, rather than on cash assistance. There is growing interest and experimentation in issues such as job retention and career advancement. There is an increasing focus on what needs to happen to support recipients who have gone to work.

These changes have come within a federal framework that has established strict time limits on the receipt of cash assistance and that requires states to place an increasing percentage of TANF recipients in work or work-related activities. Almost all states responded by creating a variety of "work first" programs that have emphasized the importance of early job search and job placement.

While most state programs are characterized by this common focus, the specifics of programs vary considerably. In some states work-related services may now reside in workforce-development agencies. In other states both nonprofit and for profit providers play a larger role in delivering services. Moreover, other program requirements and services also vary across the states. Benefit differences, which existed prior to

TANF, still exist (see the table in this chapter titled “TANF Benefit Levels: 1995-2001”). Child-care programs also vary, as some states are beginning to develop a seamless system of child care to encourage recipients to go to work. Some states are developing integrated service-delivery systems, while others are maintaining traditional agency structures. Many states have expanded earnings disregards, but the level and duration of such disregards vary considerably. A few states have developed programs to extend time limits for working recipients, while others have set time limits much shorter than the federal limit. Some states have adopted full-family sanctions, while others have opted to continue benefits to children in sanctioned families.

Depending on your point of view, these differences are either appropriate variations reflecting the needs and priorities of different states, or they are examples of the need for more uniform policies and procedures. In any event, welfare reform is an ongoing process and is likely to produce continuing diversity as states experiment. At the same time, as states learn more about what works and what doesn’t, this experimentation may lead to a growing, fact-based consensus about the best way to structure and deliver critical human services.

### **The Impact of Changes in the Economy**

It was clear early in the reform process that experts could not agree on the degree to which a strong economy had contributed to caseload reductions. It is equally clear that it may be difficult to predict how the current recession may impact caseload growth. Indeed, it may be that the impact is relatively small, since a significant number of recipients have been working, and the loss of their jobs would not increase caseloads. The impact may instead be on the size of the welfare grant they receive and on the disposable income of recipients who lose their earnings.

In addition, we have yet to determine the degree to which the unemployment system may help cushion the recession’s impact on former recipients. It is possible that unemployment insurance may at least slow the return of recipients to the rolls. The most recent data on caseload growth shows a continuing but slowing decline in total national caseload. However, it also shows that the majority of states are beginning to experience caseload increases.

### **Lessons from the Welfare Reform**

TANF has been one of the most extensively studied social policies in the history of the United States. The demonstration projects that preceded welfare reform

have been subject to intensive and rigorous evaluations. Moreover, the federal government and the foundation community have invested large sums in additional evaluations and studies. States and localities have also devoted significant resources to tracking what has happened to welfare leavers and are making extensive use of administrative-data systems to track the earnings of former recipients. Numerous charitable organizations and advocacy groups are also monitoring former recipients and their use of charitable resources.

Unfortunately, much of this knowledge may be difficult to use in the reauthorization process for a number of reasons. First, many studies will not be completed prior to the reauthorization. Second, many studies are monitoring the results of only partial implementation, since it has taken states considerable time to fully implement new programs and new services. Finally many states have been modifying their programs on a regular basis, so that there is no single program to evaluate.

However, some findings appear clear. As noted above, work effort has increased significantly. Second, reforms that produce clear increases in net income appear to provide more positive results for children. Data is also emerging on the impact of a variety of programs and program components on the well-being of children and adolescents. While results appear mixed, at least some studies suggest that further research should focus on welfare reform’s impact on children in sanctioned families and on the need for additional supportive services for adolescents with working parents.

Clearly, additional information is needed before we can draw definitive conclusions about the impact of particular interventions.

### **Reauthorization: The Federal Dimension**

Although it is tempting to discuss specific program changes in the context of federal legislation, it seems most likely that the most critical elements of the federal debate will center around the dimensions of devolution and the role of the federal government in supporting needs-tested income-support programs for families.

The TANF block grant gave states unprecedented flexibility to design income-assistance programs to address their individual priorities and needs. It was hailed as the forerunner of a new relationship between the states and the federal government. Unfortunately, the history of block grants demonstrates that it has been almost impossible to maintain either flexibility or funding levels. Block grants are among the first items of federal spending to be cut in hard times, and Congress is generally content to add earmarks and requirements in response to the demands of a wide variety of inter-



est groups. The reauthorization of the TANF block grant will provide a critical test of the national commitment to both the block-grant concept and the ability to sustain general funding for the critical issue of income assistance.

Probably the most critical issue at the federal level relates to the level of funding for the TANF program. TANF has been funded at a level of approximately \$16 billion per year in federal dollars. States have been required to contribute 75 to 80 percent of their pre-TANF funds to programs supporting low-income families. These maintenance of effort dollars (MOE) can either be combined with federal TANF dollars or segregated and spent for state-only programs. Federal and state dollars that are combined are subject to federal requirements relating to things such as time limits, work requirements, and detailed reporting on a case-by-case basis. MOE dollars can be spent under more flexible guidelines and are subject to less stringent reporting requirements.

During the first few years of TANF, states collectively accumulated relatively large unspent balances of federal TANF dollars. In some cases this was due to a policy decision to develop a reserve to assist during periods of economic decline. In others it reflected a combination of uncertainty about allowable costs and the time needed to bring new programs and services to scale as caseloads declined.

Although we are in the midst of an economic downturn and although most states are currently spending at a rate that will fully utilize current appropriations, caseload increases to date have been relatively small in absolute numbers, and there is still a considerable balance of unspent TANF dollars. As a result, some argue that there is no need to maintain the present level of federal funding for the TANF block grant. Others argue that the states have only begun to see the impact of the recession on caseloads and income-assistance expenditures and that more money will be required. Moreover, they argue that the maintenance of caseload reductions requires a continued investment in prevention and retention and advancement activities for former and potential recipients. Finally, they argue that traditional caseload numbers do not reflect the real workload, since case openings and closings remain high as the system processes more recipients who remain on the rolls for shorter periods of time.

If Congress decides to maintain the current level of federal support for TANF, the pressure for program modifications may be somewhat modified. If Congress decides to reduce the current level of support or to earmark funds for specific purposes, the pressure for program changes will probably increase as states and

advocacy groups alike seek to preserve the components they think are most critical.

Congress may also be asked to address funding disparities among the states. By using historical expenditures as the primary method of determining the allocation of the new TANF block grant, Congress froze into place a system that provided much higher per capita federal funding in some states. Although TANF included special funding for caseload and benefit adjustments in some states, these provisions were limited and have expired. Congress will face considerable pressure to restore these supplemental funds and may be called on to provide low-benefit states with the additional resources needed to respond more equitably to the needs of low-income families in future years. The primary question is whether these funds will come from the existing block grant or whether additional funds will be provided.

Another important decision that will be made in the reauthorization process relates to the goals of the TANF program. The four purposes of the TANF legislation are to: 1) provide assistance to needy families so that the children may be cared for in their homes or in the homes of relatives; 2) end the dependency of needy parents on government benefits by promoting job preparation work, and marriage; 3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and 4) encourage the formation and maintenance of two-parent families.

There is a growing movement to add poverty reduction as a specific objective or goal of the TANF programs. Proponents point to the fact that many of those families that leave welfare are still poor. They argue that welfare reform will not succeed until it raises families out of poverty and that the inclusion of specific poverty-reduction goals would force states to develop programs to reduce poverty. Critics argue that the causes of poverty are complex and that they require policies and programs that go well beyond the welfare system. They also note that the federal government bears an important responsibility for reducing poverty and that it should not be able to devolve that responsibility to the states through general language in the TANF block grant. Even if the goals of TANF are not amended, some groups are apt to seek provisions that would require or encourage states to devote more time and attention to the other goals of the TANF program, particularly the promotion of marriage and the reduction of out-of-wedlock births.

Finally there is the question of flexibility. Will the reauthorized TANF legislation continue to provide states with broad flexibility in the design of state



income-support programs, or will it be amended to mandate or preclude a broader range of services?

On a national level, a wide array of advocacy groups are focusing on specific changes they would like to see incorporated in a reauthorized TANF. Some of those changes, like proposals to remove or extend time limits, relate to the basic structure of the TANF program. Other changes, like provisions to limit full-family sanctions or to change the definition of activities that count as work for federal purposes, may have a lesser impact on the basic structure of the program, but would serve to limit the flexibility and options available to a state. Still other changes would earmark funding or require states to develop programs in specific areas. Examples of such changes that are being widely discussed are initiatives designed to expand the role of government in promoting marriage and stable families.

Proponents for more federal mandates argue that they are needed to ensure that state programs meet some minimum standard and that there is greater uniformity across the country. They argue that some state options create unnecessary hardships for some families and that some jurisdictions have been overly harsh and are discouraging poor families from seeking the assistance they need. Others argue that the current work-first emphasis discourages self-sufficiency by forcing recipients into dead-end jobs and that there is a need for a better balance in approaches, with more resources being made available for human-capital development through education and training.

Opponents of more mandates point to the successes that states have encountered using a wide variety of programs and approaches. They also note that fears regarding a “race to the bottom” were unfounded, and they argue that additional federal requirements may discourage innovation and the tailoring of programs designed to meet local needs. They argue that the broad spectrum of programs at the state and local level is good and that reauthorization should protect and expand that flexibility. Proponents of this flexibility argue that decisions regarding specific program changes, such as those described above, should be left to states and localities.

In both cases, the key questions in addition to the goals and funding of TANF appear to be:

- Are there additional activities that should be permitted under the TANF program?
- Are there current mandated activities that should be eliminated or made optional?
- Are there permitted activities that should be prohibited?
- Are there additional activities that should be mandated?

Unfortunately, as noted above, much of the data needed to make informed decisions in these areas is not available. Although governments and foundations have invested unprecedented resources in the evaluation of welfare reform and devolution, definitive findings will not be available in most cases until well after the next set of reauthorization decisions must be made. Moreover, the impact of critical provisions of time limits may not be clearly evident, since a relatively small portion of the current caseload has remained on assistance continuously and most will not reach their time limits until after September 30, 2002. Some argue that the lack of data makes it premature to make any major changes in TANF and that such changes should wait until the nation has greater experience with the program. Others argue that preliminary data raises important questions that should be addressed. The latter group points to data that suggests that many welfare leavers remain in poverty and that some welfare leavers, particularly those subject to sanction, appear to be worse off than when they were on welfare. They also point to emerging findings that suggest that reforms may be having negative effects on some children, particularly adolescents.

### **Trends and Issues Confronting States and Localities**

At best, the direction of federal legislation is uncertain. While there is considerable discussion of possible substantive changes, the fundamental issue will likely be funding. Funding levels are apt to be somewhat affected by the recession’s impact on caseload numbers, but even more so by its impact on federal revenues and the competing demands for funds for anti-terrorism efforts, social security and health care reform.

It is possible that the reauthorization debate will merely lead to incremental changes and that a more fundamental discussion of both the federal role and appropriate policy options will wait until a later time. However, it is likely that growing fiscal problems and rapidly approaching time limits will not allow states to postpone their own consideration of TANF changes at the state level. Moreover, some states are likely to develop their own programs and policies to address issues being discussed at the federal level or to anticipate changes that might be included in the federal legislation.

Several factors will have a major impact on the states. The most important include: the needs of the working poor; the needs of TANF recipients with multiple barriers to employment; concerns with family formation, child and adolescent well-being, and reduction in out-of-wedlock births; the role of religious and non-

profit organizations; increased focus on job retention and advancement; opportunities for integration with the workforce system; and the need for better information to support decision-making.

Welfare reform has, as noted above, been accompanied by a significant increase in the number of single parents who are working. Unfortunately many of these new workers are unable to earn enough money to become self-sufficient. In many cases, states have responded to this problem by disregarding a portion of earnings when calculating welfare benefits. As a result, working families see an increase in disposable income, but they remain on the rolls for extended periods of time, and they may lose their eligibility for federally-funded benefits before their income exceeds the poverty level. Without congressional action, states will be forced to choose between continuing benefits to low-income workers using maintenance of effort (MOE) dollars or state funds, or ending such benefits and leaving many workers little better off than when they were on welfare. Alternatively, states may seek to provide support by subsidizing wages or increasing the availability of non-assistance benefits, such as child care and transportation.

While some welfare leavers are able to obtain and maintain stable employment, a considerable number continue to cycle on and off welfare a number of times before finding stable employment. Even then, not all of those who remain employed have the skills needed to secure wages that will make them fully self-sufficient. Increasingly, states will be called upon to develop programs that will address the problems of retention and advancement. While some states have attempted to respond to these challenges through the development of new programs in the public sector, there is a growing recognition that such programs may require more extensive public and private partnerships. They require partnerships with employers that address the needs of working parents and that respond to the training and development needs of the employers. They require partnerships with communities to provide the support needed for working families and their children.

While the new programs developed under TANF have succeeded in moving unprecedented numbers of welfare recipients off the rolls, there are significant numbers who have not yet been willing or able to find work. In many cases, these longer-term welfare recipients face multiple barriers and may require more intensive services if they are to find employment. In some cases states have made an effort to identify this population and to provide enhanced services early. However, in many cases, these harder-to-serve recipients have received little in the nature of enhanced serv-

ices and may need new attention as time limits loom and as available exemptions are used. Although many states still attempt to serve these recipients within the traditional welfare context, there are also new programs designed to provide better-trained professionals to work with clients with multiple barriers. In addition, there are emerging efforts to look at the interaction with other service providers, particularly vocational-rehabilitation and mental-health and substance-abuse treatment programs. There are also efforts to explore the use of supported-work settings and transitional employment.

The Bush administration is calling new attention to the issue of marriage and family formation as one of the possible longer-term solutions to poverty and dependency. Although government initiatives in this area are fraught with considerable controversy, it seems possible that TANF reauthorization will contain provisions that will provide additional funding and/or mandates for new state activity in this area. Even without federal mandates, a number of states are beginning to experiment with programs and services designed to encourage and support marriage. The challenge will be to find interventions that promote marriage without disadvantaging single-parent families or providing incentives that trap women in abusive situations. Early efforts may focus on reducing marriage penalties in a variety of programs, but there will also be numerous efforts to look more broadly. Ongoing evaluation of new initiatives can provide hard data on what works and doesn't work in this area.

During the 1990s, the teen pregnancy rate declined substantially. However, the total number of children born out of wedlock is large, and children in single-parent households experience much higher rates of poverty. New and expanded efforts to reduce the number of out-of-wedlock births will remain high on the list of public priorities.

In addition to promoting marriage, the administration is working to create a more even playing field for religious organizations that seek to help meet the needs of low-income populations. The demand for increasing roles for religious organizations, nonprofits and community organizations is also being played out at the state and local levels, as is a need to respond to continuing pressure to allow the private sector to contract to deliver services. These pressures pose particular challenges for states that need to look both at their contracting procedures and at ways and means to ensure that all providers are being monitored and held accountable for the quality of the services that they provide.

Another concern that states will want to address relates to the impact of welfare reform on the well-

being of children. Unfortunately, a clear picture is yet to emerge. Early studies lack data on the reform's impact on young children and appear to point to largely neutral or positive outcomes for younger school-age children. These early studies suggest some negative outcomes for adolescents. While there is legitimate reason to be concerned about those outcomes as they relate to children of welfare leavers, there is also reason to be concerned about the status of the children whose mothers remain on welfare or leave due to sanctions. There will be continuing debate as to whether these outcomes result from the characteristics of those mothers who need welfare, or whether they are a product of the welfare system itself. However, there is a growing recognition that such children will need increasing support. Solutions range from closer connections between welfare and child-welfare systems to a focus on developing community infrastructures that will support working parents.

Increasingly, states are examining the relationship between welfare and workforce systems. The recent recession, the first in almost a decade, has focused attention on the need for safety-net programs that are designed to meet temporary needs of individuals who lose work during economic downturns. In addition, research on advancement and retention demonstrates that many adults will face job or personal crises that may make it impossible to work for short periods of time. States will need to better understand the role that workforce programs can play in providing a continuing short-term safety net for individuals who are already committed to workforce participation. In the short term, this may require changes in the unemployment system, but it may also lead to the development of new strategies for promoting workforce attachment through changes in other programs as well.

The continued emphasis on workforce participation is also apt to raise new questions about the need to better integrate welfare and workforce programs, particularly as they relate to employment and training programs. There will be increasing interest in bringing welfare agencies into the one-stop system and in state-level organizational changes that will lead to the better integration of welfare and workforce programs.

Together these trends raise a number of related issues. First, there is a growing need for information that allows governments, service providers, and workers to make better decisions about the types of programs and services that will be most effective in addressing the underlying causes of dependency and in facilitating workforce participation and child well-being. Too often, states have relied on the federal government or foundations to fund such research. They

can no longer afford this luxury and the challenges will be to find their own resources and to look for new opportunities to collaborate with others in assessing specific solutions. Such collaboration needs to look both across state lines and across differing delivery systems. As better research suggests more effective programs and services, national organizations and others will need to look at new mechanisms to provide the technical assistance required to speed implementation of these programs and services across state lines.

### Conclusion

Welfare reform in 2002 and beyond will break new ground in developing more effective strategies for meeting the needs of welfare recipients and the working poor. It will also provide a critical testing ground for the shape of federalism and domestic policy over the next decade. States can play a critical role in shaping the decision-making process and by taking the lead in developing new, more effective approaches to addressing these complex challenges.

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### About the Author

**Barry L. Van Lare** is executive director of The Finance Project and manages the Welfare Information Network, a clearinghouse of information on welfare and workforce development programs. He was deputy executive director of the National Governors Association, directed the federal welfare program from 1977 to 1980 and directed human service programs in New York and Washington.

**Table 9.6**  
**REDUCTIONS IN STATE TANF CASELOADS: JANUARY 1996 to SEPTEMBER 2001**

<i>State or other jurisdiction</i>	<i>January 1996</i>	<i>September 2001</i>	<i>Percent change (%)</i>
United States .....	4,627,941	2,119,571	-54
Alabama .....	43,396	18,353	-58
Alaska .....	11,979	5,637	-53
Arizona .....	64,442	40,787	-37
Arkansas .....	23,140	11,906	-49
California .....	904,940	459,736	-49
Colorado .....	35,611	10,855	-70
Connecticut .....	58,124	25,692	-56
Delaware .....	10,266	5,722	-44
Florida .....	215,512	61,169	-72
Georgia .....	135,274	52,847	-61
Hawaii .....	22,075	12,520	-43
Idaho .....	9,211	1,312	-86
Illinois .....	225,796	55,679	-75
Indiana .....	52,254	47,073	-10
Iowa .....	33,559	20,367	-39
Kansas .....	25,811	13,644	-47
Kentucky .....	72,131	33,308	-54
Louisiana .....	72,104	25,114	-65
Maine .....	20,472	9,418	-54
Maryland .....	75,573	28,786	-62
Massachusetts .....	90,107	44,641	-50
Michigan .....	180,790	71,920	-60
Minnesota .....	58,510	42,438	-27
Mississippi .....	49,185	16,835	-66
Missouri .....	84,534	45,965	-46
Montana .....	11,276	5,191	-54
Nebraska .....	14,136	10,678	-24
Nevada .....	15,824	8,960	-43
New Hampshire .....	9,648	5,786	-40
New Jersey .....	113,399	43,394	-62
New Mexico .....	34,368	19,321	-44
New York .....	437,694	212,581	-51
North Carolina .....	114,449	43,414	-62
North Dakota .....	4,976	3,036	-39
Ohio .....	209,830	84,219	-60
Oklahoma .....	40,692	14,157	-65
Oregon .....	35,421	16,247	-54
Pennsylvania .....	192,952	88,005	-54
Rhode Island .....	21,775	14,778	-32
South Carolina .....	46,772	18,161	-61
South Dakota .....	6,189	2,715	-56
Tennessee .....	100,884	62,481	-38
Texas .....	265,233	132,292	-50
Utah .....	15,072	8,172	-46
Vermont .....	9,210	5,442	-41
Virginia .....	66,244	29,315	-56
Washington .....	99,395	53,190	-46
West Virginia .....	36,674	14,059	-62
Wisconsin .....	65,386	19,670	-70
Wyoming .....	4,975	481	-90
District of Columbia .....	25,717	16,291	-37
Guam .....	2,097	2,760 (a)	32
Puerto Rico .....	51,370	31,273 (a)	-39
U.S. Virgin Islands .....	1,437	778 (a)	-46

Sources: The Welfare Information Network, January 2002. 1996 data from the Administration for Children and Families (ACF); 2001 data from the Center for Law and Policy. For additional information see <http://www.clasp.org>.

Key:

(a) Data for Guam, Puerto Rico and Virgin Islands is for June 2000 from the Administration for Children and Families (ACF).

**Table 9.7**  
**TANF BENEFIT LEVELS FOR A FAMILY OF THREE: 1995-2001**

State or other jurisdiction	Dollars per month					
	July 1995	March 1998	March 1999	January 2000	June 2001	June 2001/ July 1995 (a)
Alabama .....	\$164	\$164	\$164	\$164	\$164	1.00
Alaska .....	923	923	923	923	923	1.00
Arizona .....	347	347	347	347	347	1.00
Arkansas .....	204	204	204	204	204	1.00
California (b) .....	607	565/538	611/582	626/596	645/614	1.06/1.01
Colorado .....	356	356	356	356	356	1.00
Connecticut .....	543	543	543	543	543	1.00
Delaware .....	338	338	338	338	338	1.00
Florida .....	303	303	303	303	303	1.00
Georgia .....	280	280	280	280	280	1.00
Hawaii (c) .....	712	712/570	712/570	712/570	712/570	1.00/0.80
Idaho .....	317	276	276	293	293	0.92
Illinois .....	377	377	377	377	377	1.00
Indiana .....	288	288	288	288	288	1.00
Iowa .....	426	426	426	426	426	1.00
Kansas .....	294	294	294	294	386	1.31
Kentucky .....	228	262	262	262	262	1.15
Louisiana .....	190	190	190	190	240	1.26
Maine .....	418	418	439	461	461	1.10
Maryland .....	377	388	399	417	439	1.16
Massachusetts .....	579	579	579	579	633	1.09
Michigan .....	459	459	459	459	459	1.00
Minnesota .....	532	532	536	536	536	1.01
Mississippi .....	120	120	120	170	170	1.42
Missouri .....	292	292	292	292	292	1.00
Montana .....	401	450	461	469	494 (d)	1.23
Nebraska .....	364	364	364	364	364	1.00
Nevada .....	348	348	348	348	348	1.00
New Hampshire .....	550	550	550	575	600	1.09
New Jersey .....	424	424	424	424	424	1.00
New Mexico (e) .....	304	389	489	439	439	1.44
New York (f) .....	577	577	577	577	577	1.00
North Carolina .....	236	272	272	272	272	1.15
North Dakota .....	431	457	457	457	457	1.06
Ohio .....	341	341	362	373	373	1.09
Oklahoma .....	307	292	292	292	292	0.95
Oregon .....	460	460	460	460	460	1.00
Pennsylvania .....	403	403	403	403	403	1.00
Rhode Island .....	554	554	554	554	554	1.00
South Carolina .....	200	200	201	203	203	1.02
South Dakota .....	430	430	430	430	430	1.00
Tennessee .....	185	185	185	185	185	1.00
Texas .....	188	188	188	201	201	1.07
Utah .....	426	426	451	451	451	1.06
Vermont .....	616	611	611	622	629	1.02
Virginia .....	291	291	291	291	320	1.10
Washington .....	546	546	546	546	546	1.00
West Virginia .....	253	253	278	328	453	1.79
Wisconsin (g) .....	518	673	673	673	673	1.30
Wyoming .....	340	340	340	340	340	1.00
District of Columbia .....	420	379	379	379	379	0.90

Source: The Welfare Information Network, January 2002. Data are from tables prepared for the Administration for Children and Families (ACF).

Notes: The benefit levels are for a family of three (one adult, two children) with no income; In some states, benefits vary by regions. Benefits are shown for the region with the largest TANF caseload.

(a) This column presents the ratio between the two benefit levels. The Bureau of Labor Statistics' Consumer Price Index (CPI) for Urban Consumers increased 18.1% over this time period. Thus, a state's benefit levels kept up with inflation only if the number in this column is 1.18 or higher.

(b) California has a two-tiered benefit system for exempt and non-exempt recipients and for urban and rural areas.

(c) In December 1996, Hawaii implemented a policy that provides the higher benefit amount to all families for two months and to exempt families (e.g. child-only cases) on an ongoing basis. Non-exempt families face a lower benefit amount after two months on assistance.

(d) Effective July 1, 2001.

(e) New Mexico provided a \$100 housing subsidy in March 1999. The housing subsidy was decreased to \$50 in the subsequent year.

(f) New York has a benefit of \$703 in Suffolk County.

(g) Wisconsin has a benefit of \$688 for a family in its transition program (primarily adults with disabilities).

## Trends in State Government Progress in Environmental Protection

By R. Steven Brown

*During the past 10 years, states have become the primary environmental-protection stewards of the nation. Five policy indicators show the growth of the states' role: delegated programs, fiscal commitments, enforcement of environmental laws, development of innovative programs and contributions to environmental information. This article reviews research conducted over the past 15 years at The Council of State Governments, the Environmental Council of the States and elsewhere that documents this growth.*

Over 30 years ago, Congress centralized authority over environmental protection in Washington D.C. when it established the U.S. Environmental Protection Agency (EPA) and passed major federal environmental legislation, including the Clean Air Act and the Clean Water Act. Almost immediately, the EPA began working with the states to implement this federal legislation. During the first decade, states created environmental agencies; created or expanded programs to deal with air, water and waste problems; and passed laws and issued regulations that largely mirrored the federal pieces. During the second decade, states continued this effort, adding more programs and expanding those already in place as new federal rules came into being. By the mid to late 1980s, most states were running at least some of the federal environmental programs, but not all parts of them. However, state participation in environmental protection had really not yet reached its stride. Between 1990 and the end of the century, states were poised to make extraordinary progress in protecting the environment.

This progress can be seen in several areas: 1) the number of federal programs that states began to run, 2) funding that states committed to environmental protection, 3) the commitment of states to the enforcement of environmental laws, 4) innovative approaches that states take to solving environmental problems, and 5) the role the states play in producing most of the information we have about the quality of the environment.

While the federal role in the environment remains important, this article presents the results of research that shows that the states now have the lead role in implementing environmental policy, and perhaps in forming it as well.

### Delegations

When a state administers a federal program, the program is generally said to be "delegated." However, "delegated" is often a generic term. The federal acts may allow the U.S. Environmental Protection Agency to "delegate," "authorize" or "approve" all – or more often, parts – of a federal statute to a state. Whatever the term, the concept is clear: Congress intended that

the states should have the option to administer much of the nation's environmental law. This section presents the latest research the Environmental Council of the States (ECOS), the national organization of the state environmental agencies, has conducted on what states are doing to implement federal laws.

The first known publication on this subject was produced in 1993 by The Council of State Governments, based on previously unpublished research done by Environmental Protection Agency.<sup>1</sup> Since 1998, ECOS has collected information on the number of federal environmental programs delegated to the states. ECOS repeated the 1993 study in 1998, again in 1999, and most recently in 2001.

The first report, in 1993, found that about 40 percent of the programs eligible to be delegated actually had been delegated, partially delegated or otherwise approved. In 1998, ECOS updated this report and presented the resulting information on its web site. In the intervening five years, ECOS found that the number of delegated programs had risen to over 70 percent. That is, over a five-year period, states increased the number of the federal programs they operate by about 75 percent.

ECOS completed its most recent update of this data in the summer of 2001.<sup>2</sup> ECOS inquired about 37 programs in 53 states, territories and the District of Columbia, using the same program categories as in previous studies to assure comparability. This means that ECOS was looking at 1,961 possible delegated programs across the nation.

We found that 223, or 11.5 percent, of the programs investigated were not eligible to be delegated and that the state had not created a comparable program on its own. For the remaining delegable programs, 1,365, or 79.5 percent, had been "delegated." In this context, "delegated" means one of the following: completely delegated; partially delegated (sometimes only partial delegation is possible); delegation had been applied for; the program had been delegated on an "interim" basis; the state had an EPA-approved program; or the state had created its own program if the program was not able to be delegated. Twenty-one programs fit into no category and were not counted.



### Trends in Delegations

States now administer nearly 80 percent of the federal programs that they are eligible to operate. These delegations increased from about 40 percent in 1993 to about 70 percent of the major programs in 1998. Since then, the rate of increase has slowed. From 1998 to 2001, the delegations rose from the 70 percent rate to just below 80 percent of the major programs. Between the first report in 1993 and the most recent in 2001, the number of programs delegated to states rose over 213 percent.

Although we expect states to continue to assume responsibility for federal programs, we expect the rate of that assumption to slow further as the states assume the last of the easily delegated programs. The remainder will probably never be delegated for a variety of reasons. Some will be those programs that are not truly delegable, but ones for which states implement their own programs that function similarly to delegated programs. Others will be “niche programs” in which there are very few sources in a particular state and therefore are no pressing economies of scale that might warrant delegation.

### State Environmental Spending: Background and Methodology

Like many other areas of environmental protection, the amount of money spent on the environment has changed a great deal over the last 15 years or so. The data presented in this section, which covers the four-year span from 1986 to 2000, helps to demonstrate the states’ commitment to environmental protection.

The first comprehensive compilation of state spending on the environment and natural resources was in CSG’s 1988 *Resource Guide to State Environmental Management*, which contained spending data from fiscal 1986.<sup>3</sup> Subsequent reports from CSG covered fiscal 1988, 1991, 1994 and 1996. In 2001, ECOS published a report for FY 2001, using the same methodology. These reports give us data for six years, over a 13-year period.<sup>4</sup>

For all years except 2000, the data collected was for actual amounts spent. For 2000, budgeted funds were included for many states, along with the actual amounts spent for a few. Because data for actual amounts spent cannot be compiled until the state books are closed, there was typically a two-year delay. That is, the data for 1986 was actually collected in 1988. However, the data for FY 2000 was collected in 2000 and 2001, so it was largely for budgeted amounts.

These reports also did not differentiate between the funding for “delegated” and “non-delegated” programs. This was for several reasons. First, the reports did not assume that only money spent on programs delegated from the Environmental Protection Agency had value to the environment. Second, the authors did not want to have to separate out programs authorized and funded by the states themselves that were not part of the delegated program, because we believed this would be too difficult. Finally, the natural resource programs in some states are much more integrated into the “environmental” agency than in others. Rather than count them in some states, and not in others, we decided to count them everywhere. The only exceptions are for states with mining-reclamation programs and marine/coastal programs. Although every state has some kind of mining rule, even if it is just gravel pits, states with large coal-mining programs usually have a very large budget for this item, and that is what was included. Of course, some states have coastal programs and some don’t. Aside from these exceptions, the data was intended to be comparable.

The authors of these previous reports also decided to distribute indirect costs to the 15 programs described in Table B. For example, programs like a separate legal arm of the agency or an agency-wide environmental laboratory were prorated and added to the individual categories. In this way we captured all the expenditures in a state agency or agencies and distributed them accordingly. This may mean, however, that the state-by-state figures for individual programs, such as air or water quality, may appear to people familiar with those

**Table A. Growth in State Assumption of Federal Environmental Programs**

<i>Programs delegated</i>	<i>1993</i>	<i>1998</i>	<i>2001</i>
Number of States/Territories Reviewed	50	53	53
Number of Delegable Programs Reviewed	22	22	34
Percent of Programs Delegated to States	39.5	64.9	75.5
Percent Increase in Delegated Programs (1993 to 1998, 1998 to 2001)		74.4	22.3
Percent Increase in Delegated Programs from 1993 to 2001			213.4



budgets to be inflated.

Starting in 1991, the reports began to show the contribution to state environmental expenditures from Congress through the U.S. Environmental Protection Agency. Later, we were able to provide these data for all years. States may obtain federal funding from other sources, such as the Department of Interior (mining reclamation), the National Oceanic and Atmospheric Agency (coastal zone management) and others. However, the single largest federal source is from EPA. Most other state funds come from either user fees or the state general fund. This latter source may vary widely from one state to the next, with some, such as Louisiana, having all fees, and some relying much less on fees. Table C presents all sources of state environmental spending.

### State Environmental Spending Trends

In 2000, states budgeted just over \$13.5 billion for environmental and natural resources, the most ever (see Table B).<sup>5</sup> Over \$4.4 billion was budgeted for water programs, including water quality, water resources, marine/coastal and drinking water. This was the single largest budget category. Lands programs – such as forestry, land use management, soil conservation, mining reclamation and geological survey – were second, with \$3.1 billion budgeted. Money budgeted for waste and toxics management – such as hazardous

waste, solid waste, nuclear waste and pesticides – was third, at nearly \$2.9 billion. Fish and wildlife management was fourth, with nearly \$2.2 billion, and air programs were fifth at \$880 million.

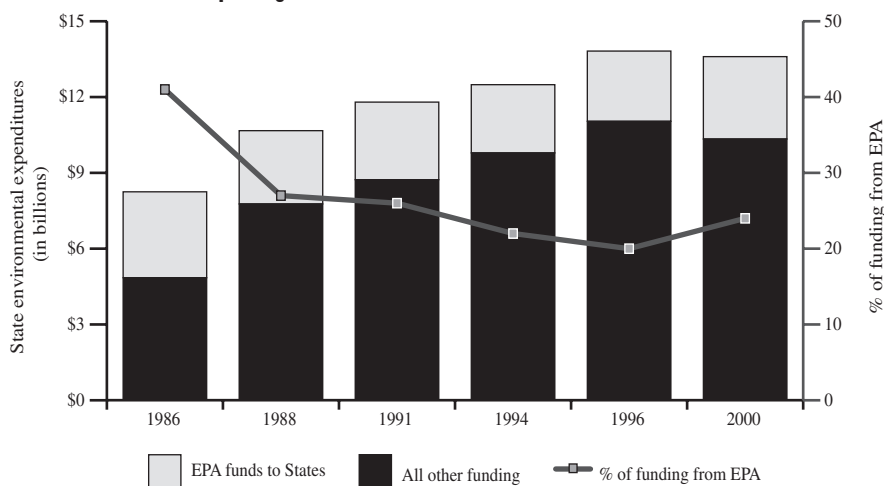
In fiscal 2000, EPA's budget was \$7.4 billion. During the same fiscal year, states spent about \$13.5 billion, which means that collectively, states continued to spend about twice as much as the U.S. Environmental Protection Agency.

According to the 2001 Federal Budget, EPA supplied the states with \$3.26 billion in FY 2000, including a small amount for tribes. This means about 24 percent of the total amount budgeted by states last year came from the agency. The last time this contribution was calculated was in 1996, when it was about 20 percent. So the EPA's contribution rose somewhat during that four-year period, with most of the increase in the basic grants for air, water, waste and drinking-water programs.

Federal contributions from EPA have nevertheless declined sharply over the entire period for which data is available. As shown in Figure A and Table D, states relied heavily on EPA funding in 1986, getting 41 percent of their funds from that source. But a mere two years later, state spending had increased from \$8.25 billion to \$10.67 billion, and the EPA contribution had decreased to 27 percent. In spite of the passage of the Safe Drinking Water Act Amendments of 1986 and

**Table B. State Environmental and Natural Resource Budgets, FY 2000**

<i>Media</i>	<i>Program</i>	<i>Budget</i>	<i>Subtotal</i>
Water	Drinking Water	\$702,793,752	
	Marine and Coastal Programs	373,948,092	
	Water Quality	2,144,027,717	
	Water Resources	1,258,742,346	4,479,511,907
Land	Forestry	1,220,910,856	
	Geological Survey	154,919,436	
	Soil Conservation	200,445,616	
	Land Management	1,143,671,456	
	Mining Reclamation	398,849,417	3,118,796,781
Waste and Toxics	Hazardous Waste	1,404,520,882	
	Nuclear Waste	47,476,293	
	Pesticides Control	210,671,225	
	Solid Waste	1,224,341,397	2,887,009,797
Fish and Wildlife	Fish and Wildlife	2,192,359,084	2,192,359,084
Air	Air Quality	880,380,988	880,380,988
Total			13,558,058,557

**Figure A. State Environmental Spending, 1986 - 2000**

Note: All dollar figures are in billions, adjusted to year 2000 dollars.

1996, the Clean Air Act Amendments of 1990 and the establishment of the leaking-underground-storage-tank trust fund in 1987, federal funding from EPA to states declined 4.1 percent from 1986 to 2000, from \$3.4 billion to \$3.26 billion. During this same period, total state funding rose from \$8.25 billion to \$13.6 billion, nearly a 65 percent increase.

Federal funding to states for environmental and natural-resources purposes comes not only from the Environmental Protection Agency, however. Table C, which includes all federal environmental funding to states, shows similar data as that presented in Table D, but also includes other federal sources besides the EPA. Some of these sources, which are detailed in the federal budget and are too long to reproduce here, may not really be contributions to states. For example, forestry includes "private and international" forestry along with state work. NOAA includes "operations, research, and

facilities." At least two categories, Parks and Recreation and Historic Preservation, are not included in the CSG/ECOS totals.

In any case, the data shows that states still are the source of at least two-thirds of the funding spent at the state level. Other research that has been conducted on the states' financial contributions to environmental protection corroborates what is presented here.<sup>6</sup> States continue to be the principal governmental source of finances for environmental and natural-resource protection. Over the fourteen years for which we have intermittent data, the states' financial commitment to environmental protection has grown far faster than the commitment of their federal partners.

### Enforcement and Compliance

Enforcement of environmental law is a key indicator of commitment to environmental protection.

**Table C. Sources of State Environmental Funds**

	1986	1988	1991	1994	1996	2000	Percent change from 1986 to 2000
All Federal Funds to States	\$4.25	3.75	4.04	3.73	3.82	4.46	4.9%
State General Fund and User Fees	4.00	6.92	7.76	8.76	10.00	9.14	128.5
Total State Environmental Spending	8.25	10.67	11.8	12.49	13.82	13.6	64.8
Percent of Funding from Federal Sources	52%	35	34	30	28	33	

*Notes:*

All dollar figures in billions, adjusted to year 2000 dollars.

Sources: The Council of State Governments, ECOS, Federal 2001 Budget.

**Table D. EPA Contributions to State Environmental Funds**

	1986	1988	1991	1994	1996	2000	Percent change from 1986 to 2000
EPA funds to States (a)	\$3.40	2.90	3.07	2.70	2.78	3.26	-4.1%
All other funding	4.85	7.77	8.73	9.79	11.04	10.34	113.2
Total State Environmental Spending (b)	8.25	10.67	11.80	12.49	13.82	13.60	64.8
Percent of Funding from EPA	41%	27	26	22	20	24	

*Notes:*

All dollar figures in billions, adjusted to year 2000 dollars. All years are fiscal years.

(a) The United States Office of Budget and Management, *Budget of the United States Government, Fiscal Year 2002*, Historical Tables: 233, 241, 250, January

15, 2002, <http://w3.access.gpo.gov/usbudget/fy2002/maindown.html>.

(b) R. Steven Brown, et al., *Resource Guide to State Environmental Management*, 5th ed., (Lexington, KY: The Council of State Governments, 1999), 32. See also 1st, 2nd, 3rd and 4th editions.

However, the research on this important component is piecemeal, usually focusing on the problems in a few states, on one media, under one administration, and so on.<sup>7</sup>

Starting in 1995, EPA's Office of Enforcement and Compliance Assurance (OECA) began publishing the *Annual Report on Enforcement and Compliance Assurance Accomplishments*. These documents were, in their early versions, attempts to explain to the public what the new office was working on and what its priorities were. Although the emphasis was on EPA activities, the agency included state actions as well, although usually in the appendix. For example, in the first year, a figure near the front of the report showed that states conducted 11,334 of the total 13,580 enforcement actions, or about 83 percent. The very next year the report did not mention state contributions at all. Whether or not the OECA report included state contributions continued to vary in subsequent years. Additionally, the reports were always limited to "formal" enforcement actions, which excluded what many states considered to be an important component: notices of violations (NOVs). "Informal" actions like the NOVs were never included. When these reports were the only national picture of enforcement available, Congress and the public were sometimes receiving incomplete snapshots about state contributions to enforcement.

In 2000, ECOS recognized that the time had come to show what states had been doing for years to help with environmental enforcement. In 2001, ECOS published its *Report to Congress: State Environmental Agency Contributions to Enforcement and Compliance*.<sup>8</sup>

Measuring the results of enforcement and compliance activities is a troublesome business. There are few measures available that allow direct links between enforcement actions and environmental improvements.

For this reason, nearly all enforcement measures have traditionally been "activities," such as number of inspections, number of violations cited, number of orders issued, and so on. In its report, ECOS looked at some alternatives to these types of measures (such as compliance rates), but presented traditional enforcement measures, adding a few not previously measured, such as "notice of violations sent" and "citizens' complaints."

The ECOS report contains information on the following topics: 1) the total number of regulated sites in each state for each reporting program; 2) total number of on-site inspections; 3) total number of evaluations or assessments; 4) total number of sites in "significant non-compliance," according to EPA's definition; 5) total number of sites in significant violation using the state's definition; 6) citizen complaints; 7) a description of each enforcement mechanism the state might use, from the least to the most severe; 8) data on the number of times these enforcement mechanisms were used; 9) the penalties collected from the use of the enforcement mechanisms; 10) total enforcement cases managed by each state program; 11) the compliance rate for each state program; 12) the statistics that each state would prefer to report to EPA to best demonstrate its enforcement efforts; and 13) data currently reported to EPA that state program-administrators believe has little value in demonstrating their enforcement efforts.

### Trends in Enforcement and Compliance

It is not possible to present the results of all this research in an overview such as this. However, certain data stands out as exemplary of the work the states do on environmental enforcement.

For example, states reported that they made at least 501,000 compliance inspections and 449,000 off-site compliance evaluations during 1999, the most recent year for which data is available. Some of these inspec-

**Table E. Use of "Informal" Enforcement Mechanisms by State Environmental Agencies, 1995-1999**

	<i>No. States Reporting</i>	<i>1995</i>	<i>1996</i>	<i>1997</i>	<i>1998</i>	<i>1999</i>	Increased Severity ↓
Oral Warnings	38	3,710	3,788	3,825	4,523	6,714	
Warning Letters	38	18,651	26,689	22,618	28,057	30,456	
Notices of Violation	50	24,211	35,127	38,646	37,159	36,798	
Consent Agreements	31	3,227	3,347	4,145	5,063	7,347	
<b>Total</b>		<b>49,799</b>	<b>68,951</b>	<b>69,234</b>	<b>74,802</b>	<b>81,315</b>	

*Note:* Because data were supplied more often for more recent years, readers are cautioned not to interpret this data as an indication of increased enforcement.

In some states, consent agreements are considered to be "formal" actions.

tions arose from citizens' complaints about environmental problems, of which the states received just over 88,000 in 1999. These activities may lead states to discover when a violation has occurred.

If so, an enforcement action is warranted. The states told ECOS that they had used the notice of violation (NOV) and/or "warning letter" enforcement methods at least 67,000 times in 1999. These NOV's and warning letters are usually the first step taken to notify a regulated entity that the agency believes it is in violation of an environmental rule. The next typical level of enforcement is the issuance of a consent agreement, a document that spells out the charges and what the regulated entity will do to return to compliance. At least 7,300 of these were issued in 1999 (see Table E).

All these actions described in the preceding paragraph are "informal" and had not been tracked by EPA – and in some cases, by the states themselves. Nevertheless, they are used by every state and are the

fundamental first steps of enforcement.

Previous national compilations presented to Congress had not included the actions listed in Table E. For example, in 1999, EPA's Office of Enforcement and Compliance reported that the states conducted 8,188 formal administrative actions, but NOV's and warning letters were not usually included in this total, and neither were consent orders or verbal warnings. Since EPA conducted 3,532 formal administrative actions that year, in 1999, states performed nearly 70 percent of all actions, according to EPA's calculations. However, NOV's and warning letters are also administrative actions. Table F shows that if just the NOV's and warning letters are added, the state contribution to environmental-enforcement actions is about 90 percent.

Naturally, ECOS was interested in trends for all the data presented in the first six tables. For this table, ECOS only counted data from state programs that were

**Table F. Contribution of States to Administrative Environmental Enforcement**

<i>Administrative Enforcement Action Types</i>	<i>EPA's Calculation for 1999</i>	<i>ECOS' Calculation for 1999</i>
State Oral Warnings	Not included	6,714
State Formal Administrative Actions	8,188	8,188
State Warning Letters	Not included	30,456
State Notices of Violations	Not included	36,798
EPA Formal Administrative Actions	3,532	3,532
EPA's Notices of Violations	Not included	5,211
<b>Total</b>	<b>11,720</b>	<b>84,185</b>
<b>Percent of Total Conducted by States</b>	<b>70 %</b>	<b>90 %</b>

*Notes:*

(a) EPA's data are from the Office of Enforcement and Compliance Assurance's *Annual Report on Enforcement and Compliance Assurance Accomplishments*.

(b) This table only presents data for "administrative" actions, not judicial and other types of actions.

(c) EPA provided the count for its notices of violations to ECOS by letter dated March 22, 2001.

able to provide figures for each of the five years we requested. Fortunately, this was a significant portion of the total response (about two-thirds on average for each data item). This data is presented in Table G, "Trends in State Enforcement and Compliance, 1995-1999." Readers are cautioned that the totals in Table G are generally lower than those in previous tables, because ECOS dropped totals for any state that was unable to provide five years of data, in order to be able to compare similar data across the five years.

The trends fall into four groups: high growth, moderate growth, low growth and decline. The first group, high growth, includes two items. The greatest increases were for use of consent orders, which grew over 55 percent between 1995 and 1999, and for inspections, which grew by 18 percent between 1995 and 1999. One state, New York, had a large growth in the use of consent orders, accounting for much of this growth. Citizens' complaints also grew during those years, but not quite as much – 16.2 percent. The next group included oral warnings, which grew by 9.3 percent, and notices of violation, with 8.1 percent growth. All but one of the remaining measures grew less than 5 percent. The number of significant violations – the one measure that declined – remained essentially flat, decreasing by less than 1 percent.

What might these trends tell us? As the number of the early enforcement actions – those first actions that

states take, such as warning letters – has increased during the last five years, the number of significant violations has decreased, despite an 18 percent increase in inspections.

There are nearly one million sites, facilities and incidences listed in this table for which we have five years of continuous data. This does not mean there are necessarily one million different sites, because some sites are regulated by more than one environmental law, but there are about one million places regulated that we can list here. For 1999, these sites were inspected or evaluated about 475,000 times (296,807 inspections plus 178,858 evaluations). A single facility may have been inspected or evaluated numerous times in a year, but overall, the states looked at about half of these sites. In 1999, the states found over 11,500 significant violations. Again, a single facility may have received multiple violations, but overall, just over 1 percent of all sites had a significant violation, or about 2.4 percent of those assessed. The data suggests, then, that about 97.6 percent of the regulated sites for which the states made compliance assessments are not in "significant non-compliance."

### Trends in Innovations

CSG knows as much about state innovations as any organization in the United States, having tracked them for nearly 60 years now. In 1996, ECOS also began

**Table G. Trends in State Enforcement and Compliance, 1995 to 1999**

<i>Trend</i>	<i>No. of States Included</i>	<i>1995</i>	<i>1996</i>	<i>1997</i>	<i>1998</i>	<i>1999</i>	<i>Percent change from 1995 to 1999</i>
<b>Determining Compliance</b>							
Sites/Facilities/Incidents	33	925,079	931,207	948,602	959,049	969,673	4.60%
Inspections	49	243,476	274,979	282,503	287,979	296,807	18.00
Evaluations/Assessments	33	170,939	173,931	178,661	179,002	178,858	4.40
Citizens' Complaints	26	49,373	52,705	55,080	54,845	58,884	16.20
<b>Issuing Violations</b>							
Significant Violations	27	11,631	11,350	11,033	11,468	11,535	-0.80
<b>Initial Enforcement Steps</b>							
Oral Warnings	11	3,694	3,741	3,772	3,953	4,073	9.30
Warning Letters	36	12,232	17,175	11,520	12,057	12,886	5.10
Notices of Violation	41	26,648	28,532	26,048	29,771	29,012	8.10
Consent Agreements	27	3,227	3,302	3,284	4,185	5,011	55.30

*Notes:* The numbers provided for each year are based on comparable data sources: States that were able to provide all five years of data. The numbers in this

table should not be used as national totals because not all states are included.

**Table H. Percentage of Data Collected by States in Six of EPA's National Systems**

<i>EPA Data System (a)</i>	<i>Type of Data in System</i>	<i>Percent of Data Collected by States</i>
AIRS/AFS	Air pollution - stationary sources	99%
AIRS/AQS	Air pollution - ambient sources	99
SDWIS	Drinking water	99
PCS	Wastewater discharges	83
STORET	Waterway quality	90
BRS	Hazardous waste	92

Notes:

(a) Aerometric Information Retrieval System/AIRS Facility Subsystem (AIRS/AFS); Aerometric Information Retrieval System/Air Quality Subsystem (AIRS/AQS); Biennial Reporting System (BRS); Permit Compliance System (PCS); Safe Drinking Water Information System

(SDWIS); Water Quality Information System (STORET). Toxic Chemical Release Inventory System (TRIS) also contains environmental pollutant data and was included in the study. However, reports are submitted simultaneously to the states and EPA for this system.

asking its members to cite their innovations each year at the ECOS Annual Meeting. Starting in 1997, ECOS began to publish them. From 1996 to 1999, ECOS members reported 148, 108, 91 and 103 innovations respectively. For the combined years 2000 and 2001, 140 were presented.<sup>9</sup> These innovations, covering every aspect of environmental management, are indicative of the states' interest and abilities in solving problems. Four of these innovations received CSG's Innovations Awards and several others were finalists.

However, ECOS discovered that some innovations faced significant barriers to adoption. Ideas that the states wanted to try might be rejected or set aside by the Environmental Protection Agency for a variety of reasons. In 1998, states and EPA negotiated the "Joint EPA/State Agreement to Pursue Regulatory Innovation," which outlined how innovative proposals would be processed through EPA. Previously, new ideas had to be sold on their merits and proceed through an uncertain review path at the agency. This agreement was designed to stabilize the process for consideration of such proposals. As of November 2001, about 40 of these innovations were in various stages of review by EPA.

### Environmental Information

The collection and use of environmental information is key to understanding how the nation is meeting its environmental-management goals. Much of the governmental data about the environment is collected because of requirements in various federal statutes – many of which, as we have demonstrated, are delegated to the states. This data is assembled at the federal level into national data systems, which are housed at the Environmental Protection Agency, and seven of which are major sources of information about environ-

ment quality. These seven cover: air quality and monitoring, hazardous waste, water quality, drinking water and toxics.

In 1999, ECOS worked with EPA to produce a report on the contributions of the states to these national data systems.<sup>10</sup> This report established that the state agencies, environmental and others, were responsible for the collection and submission of 83 to 99 percent of the environmental-pollutant data contained in six key EPA data systems. The mean of these percentages is 94 percent (see Table H). The seventh data system was a joint effort between EPA and the states.

Clearly, states are not only significant contributors to national information about our environment, without state efforts, the nation would have very little information at all.

### Conclusion

States have proven to be serious about their responsibilities as stewards of the environment and have more than fulfilled the expectations of the 1972 Congress that drafted some of the original legislation envisioning the state role in the federal environmental protection system. In fact, 30 years later, the states are leaders in environmental protection. Whether the yardstick is delegation, fiscal commitment, enforcement, information gathering or innovations, the states are responsible for an increasing, and perhaps surprising, amount of the work done to protect the nation's environment.

### Notes

<sup>1</sup> R. Steven Brown *et al.*, *Resource Guide to State Environmental Management*, 3rd ed. (Lexington, KY: The Council of State Governments, 1993), 104-107.

<sup>2</sup> R. Steven Brown, K. Smaczniak and M. Jones, "Working for a Living-States Implement Growing Number of National

Environmental Laws for EPA,” *Ecostates* (Fall 2001): 3-6.

<sup>3</sup> R. Steven Brown *et al.*, *Resource Guide to State Environmental Management* (Lexington, KY: The Council of State Governments, 1988), 81-94.

<sup>4</sup> R. Steven Brown, “States Put Their Money Where the Environment Is: State Environmental Spending,” *Ecostates* (Spring 2001): 22-28.

<sup>5</sup> The amount for 1996 was \$12.59 billion. However, when the 1996 figure is adjusted for inflation, it is \$13.82 billion in year 2000 dollars.

<sup>6</sup> Described in Brown, “States Put Their Money Where the Environment Is: State Environmental Spending,” 27-28.

<sup>7</sup> For example, see John Coequet and Richard Wiles, *Prime Suspects: The Law Breaking Polluters America Fails to Inspect*, (Washington, D.C.: Environmental Working Group, 2000). See also the EPA Office of the Inspector General’s various reports on state and federal performance on water programs, hazardous waste programs, etc.

<sup>8</sup> R. Steven Brown and Valerie Green, *Report to Congress: State Environmental Agency Contributions to Enforcement and*

*Compliance* (Washington, D.C.: Environmental Council of the States, 2001).

<sup>9</sup> Environmental Council of the States, *1998 State Environmental Innovations* (Washington, D.C.: Environmental Council of the States, 1998); *1999 State Environmental Innovations* (ECOS, 1999); *2000-2001 State Environmental Innovations* (ECOS, 2001).

<sup>10</sup> Environmental Council of the States and the U.S. Environmental Protection Agency, *Environmental Pollutant Reporting Data: Data Collection by State Agencies* (Washington, D.C.: Environmental Protection Agency, 1999).

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### About the Author

**R. Steven Brown** is the acting executive director of the Environmental Council of the States. He helped to form ECOS while at The Council of State Governments, where he led efforts on environment, technology and public safety for 11 years. He is the author of numerous books and articles on the environment and technology.



# Public Higher-Education Governance: A Comparison of State Structures and Key Trends

By Ran Coble and Sam Watts

*States have adopted three basic structures for central higher-education boards to address the governance of individual public institutions and the statewide coordination of higher-education policy and planning. Current trends in higher-education policy include changes to governance structures, implementation of accountability measures, growing pressures on state budgets and an enrollment boom.*

## Overview of Governance Systems

The structures of higher-education systems in the United States reflect the individuality of each of the 50 states. Each state has its own history and culture in higher education, its own political structure and leadership, and its own geography and demographics – all of which influence higher-education governance. Over time, each state has forged its own path toward the common goals of public higher education: teaching, research and public service. Further, each state is unique in how it chooses to combine or divide authority for the two principal responsibilities of higher-education boards – the governance of individual public institutions and the statewide coordination of higher-education policy and planning. States have adopted three basic structures for central higher-education boards to address those responsibilities: consolidated governing-board systems, coordinating-board systems and planning-agency systems. (See the table in this chapter titled “Powers of Central Higher-Education Boards to Set Higher-Education Policy.”)

## Consolidated Governing-Board Systems

In 24 states, governance of all public higher education is centralized into either one or two governing boards. Usually, there is either one statewide board whose primary duty is to govern all public postsecondary institutions in the state, or there are two multicampus boards that divide the governance of the state’s public institutions between them. For example, Georgia’s Board of Regents governs all four-year and two-year institutions, while the University of North Carolina Board of Governors oversees all 16 public universities in the state but does not oversee the state’s 59 community colleges.

## Coordinating-Board Systems

Coordinating-board systems are comprised of two major types: regulatory and advisory.

*Type 1: Regulatory Coordinating-Board Systems.* Twenty-one states have regulatory boards with the authority to approve and eliminate academic programs

at public institutions and to exercise some degree of regulatory power over university budgets. Some regulatory boards present consolidated budgets, some may reject proposed budgets from individual campuses, and some review and submit individual campus budgets to the governor and the legislature. In Alabama, for example, the Alabama Commission on Higher Education receives individual budget requests directly from each public postsecondary institution, creates a consolidated budget request based upon the information it receives and presents this consolidated budget to the legislature.

*Type 2: Advisory Coordinating-Board Systems.* Three states have advisory coordinating boards that have no real power, though their recommendations may be influential. They have the authority to review university budgets, existing academic programs and proposals to create new academic programs, but their role is limited to providing advice to the state legislature, governor or other higher-education boards.

## Planning-Agency Systems

In two states, Michigan and Delaware, there is no statewide board charged with higher-education coordination or governance. Instead, a planning agency facilitates communication among institutions and education sectors and performs a voluntary planning function. Governance is the responsibility of institutional boards on each campus or of multicampus boards. For example, in Michigan, the State Board of Education has limited power to coordinate higher-education functions, but most responsibilities for governance are handled by campus-level boards for Michigan’s 15 public universities, 29 two-year public institutions and 66 private institutions.

## Emerging Trends

Policy-makers should be aware of four key trends that affect how states will govern their higher education in the future. First, state legislatures are beginning a second wave of changes to public university and community-college governance. Second, at least 11



states have implemented new accountability measures for public colleges and universities, and governors and legislatures are linking additional money for higher education to important state goals. Third, since 1996, most state legislatures have been appropriating funds to colleges and universities at a rate significantly ahead of inflation, but the demographics of a fourth trend – an enrollment boom over the next decade – threaten to dilute this gain.

### ***Trend Number 1:***

#### ***Changes in Higher-Education Governance***

Between 1950 and 1970, 47 states established either coordinating or governing boards for public higher education. Now, a second wave of changes in higher-education governance has begun, with changes in 12 states. In 1999, Kansas centralized its system and created a new Board of Regents to coordinate both public and private higher education and to govern all six public universities, 19 community colleges, five technical colleges, six technical schools and a municipal university. Louisiana voters amended their constitution in 1998 to create a new 17-member board to oversee a system of 50 community colleges and trade schools. By contrast, Illinois decentralized and abolished its Board of Governors and Board of Regents in 1995 and gave seven universities their own governing boards. In 2000, West Virginia abolished its State College System Board of Directors and the University System Board of Trustees, giving each institution its own governing board, but the legislature also created a new Higher Education Policy Commission. Eight other states have made changes over the last decade – Florida, Kentucky, Maryland, Massachusetts, Nebraska, New Jersey, South Carolina and Texas – and Colorado, Hawaii and Tennessee are also contemplating changes to their governance systems.

### ***Trend Number 2: More Accountability Demanded of Higher Education***

There is a new drive toward accountability in higher education. Governors have started demanding more accountability from public colleges and universities, and state legislators are linking additional money in higher education to “important state goals,” says Earl S. Mackey, vice chancellor for external relations of the Ohio Board of Regents. “As requests for new funds are made, legislators are raising important questions about outcomes, including the impact on the economy, competitiveness, workforce skills and individual students,” Mackey says. “Over time, it is likely these questions will come to dominate the debate on higher-education

budgets.”<sup>1</sup> About five percent of the Ohio system’s budget is used to reward institutions for keeping tuition low, obtaining outside support for economically important research, and producing skilled graduates in a timely manner. Additionally, *State Policy Reports* notes that Ohio State University has launched a new program that offers financial incentives to academic departments to improve their positions in rankings compiled by *U.S. News & World Report* and the National Research Council. The goal is to push 20 of Ohio State’s programs into the national top 20 and 10 programs to the top 10 by 2010.<sup>2</sup>

At least 10 other states have implemented new accountability measures for higher education. Some states – such as Kansas, New Jersey and New Mexico – began linking only a small share of their higher-education appropriations to performance. By contrast, Colorado’s Commission on Higher Education will base at least 75 percent of its annual recommendations for new money on colleges’ performance, based on such factors as graduation rates, class sizes and faculty productivity. South Carolina’s Commission on Higher Education is in the process of implementing a system to distribute 100 percent of its money based on 37 performance indicators in nine areas, including instructional quality, quality of faculty, administrative efficiency, graduates’ achievements and institutional cooperation and collaboration. Arkansas, California, Hawaii, Louisiana and Virginia have also implemented new accountability measures.

The drive toward accountability also was highlighted in a 1998 poll of governors conducted for the Education Commission of the States in Denver, Colorado. Almost all of the 35 governors responding said they believed universities should be more accountable for meeting local, state and regional needs and that it is important for states to link spending on universities to the institutions’ performance. The governors also want to put more emphasis on faculty productivity, to give students incentives to pursue particular careers, and to reorganize the sectors of education into a seamless system covering kindergarten through college.<sup>3</sup>

### ***Trend Number 3: Higher-Education Budgets Are a Higher Priority Now, But Are Highly Subject to Economic Swings***

The good news for public higher education is that only elementary and secondary education were given a higher priority when governors were asked where more state money should go. And recent figures compiled by the National Conference of State Legislatures

in Denver show that public elementary and secondary education was the only sector that outpaced higher education in the growth of its state support in fiscal year 2000. Higher education's slice of state budget pies – its share of aggregate general-fund appropriations – dropped from 13.7 percent in fiscal year 1986 to 12.3 percent in fiscal 1996.<sup>4</sup> However, in subsequent years, most legislatures appropriated funds to public colleges and universities at a rate significantly ahead of inflation. In fiscal 2000, nine states included double-digit percentage increases for higher education in their budgets – Florida, Maine, Maryland, Mississippi, Montana, Nebraska, South Carolina, Texas and Virginia. Still, one area where state boards are trying to secure additional funding is for increasing faculty salaries, and this issue is often hard to sell. Legislators contend that “it is awfully hard to go home to districts, where farms are foreclosing every day, and argue that professors who make \$35,000, \$45,000, \$50,000 a year are not being paid enough,” says Laura J. Glatt, vice chancellor for administrative affairs in the Kansas University System.<sup>5</sup>

Optimism among state higher-education officials is tempered by recent declines in state revenues and by predictions of the late Harold A. Hovey, who served as president of State Policy Research and as the top budget officer in both Illinois and Ohio. Hovey estimated that 39 states will have deficits by 2006 if current economic assumptions hold. Hovey described higher education as “a balance wheel in state finance,” which means it receives higher-than-average appropriations when times are good (as in the late 1990s) and lower-than-average appropriations when times are bad (as in the late 1980s and early 1990s). Consequently, if predictions of state deficits come to pass, the outlook for higher education is not very good, said Hovey.<sup>6</sup>

In January 2002, The Center for the Study of Education Policy at Illinois State University issued a report that shows the effect of the economic downturn on higher-education budgets. Five states adopted budgets for the 2001-2002 fiscal year that reduced higher-education spending. Eighteen states withheld a portion of the amounts they had planned to spend on higher education in this fiscal year. By contrast, 15 states increased spending on higher education by seven percent or more. Overall, the study found that appropriations for higher education in 2001-2002 rose an average of 4.6 percent among the 50 states.<sup>7</sup>

Over the last few years, university administrators have been reacting to these budget trends with at least two types of measures. First, they are increasing tuition. According to the College Board's annual survey of tuition and financial aid, public colleges

increased tuition for 2001-2002 by an average of 7.7 percent, with three states imposing double-digit tuition increases.<sup>8</sup> Second, since personnel costs are a significant portion of their budgets, university administrators are cutting overall costs by decreasing the proportion of full-time positions on their faculties. The National Center for Education Statistics reports that 40 percent of all higher-education institutions took steps to reduce the number of full-time positions on their faculties from 1993 to 1998.<sup>9</sup>

#### ***Trend Number 4: Expected Enrollment Boom***

Complicating state budgets for higher education is the projected boom in student enrollment over the next decade. The U.S. Department of Education says full-time college enrollment has risen 11 percent nationwide since 1990 and will increase another 19 percent by 2010. The “baby boom echo” will create a demand for more classroom buildings, dormitories and faculty. The states with the largest percentage increases in high school graduates are Nevada, Arizona, Florida and North Carolina.

North Carolina was on the leading edge of addressing the enrollment boom in 2000, when voters approved a \$3.1 billion higher-education bond package, the largest such package ever passed in the nation. By early 2002, at least eight other states were examining or had already launched efforts to pass bond packages for higher education.

#### **Observations About Governance Systems**

The most important factors influencing the structure of each state's higher-education system are those that are unique to that state: its political and higher-education culture, constitution, history, population demographics, geography and pattern of economic development, among other factors.

Michigan, North Dakota and North Carolina have unique provisions concerning higher education embedded in their state constitutions. Michigan's constitution contains provisions that guard institutional autonomy and thus is one of only two states with a planning-agency structure, electing to keep governing duties in the hands of each individual campus. North Dakota's constitution spells out the name, location and mission of eight higher-education institutions that the state must maintain and even includes the location of a school of forestry. North Carolina's constitution mandates, “The General Assembly shall provide that the benefits of the University of North Carolina and other public institutions of higher education, as far as practicable, be extended to the people of the State free of expense,” which explains why the average tuition for

North Carolina residents is consistently among the lowest in the nation.

Forty-three boards have master-planning duties in setting long-term goals for higher education – 20 consolidated governing boards, 20 regulatory coordinating boards, two advisory coordinating boards and one planning agency. Centralized master planning for higher-education systems appears to be a primary reason states create higher-education boards or agencies.

Members of 43 central higher-education boards are appointed by state governors, either with or without approval of the state senate. Alternatively, in five states, the governor or another public official appoints a portion of the board, with the state legislature electing the remaining board members. Only in North Carolina and New York is the entire membership of the central, state-level board elected by the legislature. Two other states – Nevada and Michigan – are unusual in that they have chosen election by the public for the members of their central higher-education boards.

Thirty-five states have a central board responsible for coordinating statewide higher-education policy and planning for all public postsecondary institutions, and another eight states have a central board with limited planning and administrative duties for all public postsecondary colleges and universities. Only seven states have no central board or agency charged with planning or coordinating higher-education policy and planning for both the two-year and four-year public colleges and universities.

Alabama has the largest number of historically black colleges and universities, with 13, while North Carolina has the largest number of such public four-year institutions, with five.

The percentage of minorities enrolled in four-year public institutions is larger than the percentage of minorities in the population as a whole in only in 14 states – California, Florida, Iowa, Kentucky, Maine, Maryland, Minnesota, New York, Oklahoma, Oregon, Tennessee, Vermont, Washington and West Virginia.

### Why States Change Their Governance Systems

Aims C. McGuinness, Jr. of the National Council for Higher Education Management Systems identifies eight recurrent concerns that may lead to reconsideration or restructuring of a state's higher-education governance system: 1) actual or perceived duplication of high-cost graduate and professional programs; 2) conflict between the aspirations of institutions, often under separate governing boards, in the same geographic area; 3) legislative reaction to lobbying by individual campuses; 4) frustrations with barriers to student transfer; 5) proposals to close, merge or change the missions

of particular colleges or universities; 6) inadequate coordination among institutions offering one- and two-year vocational, technical, occupational and transfer programs; 7) concerns about an existing state board's effectiveness; and 8) a proposal for a "superboard" to bring all of public higher education under one roof.

When concerns such as these are raised and changes are considered, it is natural that the decision-makers look to other states to find examples of systems and structures that are working well. States initially may be tempted simply to copy higher-education models that have worked successfully for another state. McGuinness cautions against this practice, saying:

States often begin reorganization debates with either of two misconceptions – each of which has an element of truth. One is that the state's needs will be better met if state policy deliberately fosters the autonomy and performance of individual colleges and universities; in other words, the less state involvement the better. Alternatively, others will argue that the sum of institutional needs is not the same as the state's needs. They will argue that institutional needs can only be understood in the context of a public agenda framed in terms of the state's long-range education, social and economic priorities. If each college and university is able to pursue its mission without regard to this broader framework, the result will be unnecessary program duplication. Important statewide concerns such as minority access and achievement or student transfer and articulation between and among institutions will not be addressed. The danger is that debates will be shaped by the assumption that one but not the other of these two perspectives must rule: either institutional autonomy is an absolute good and state involvement must be kept at a minimum, or state priorities must rule and institutional autonomy must be constrained by those priorities.<sup>10</sup>

### Conclusion

Governors and state legislatures have renewed their interest in how higher education is governed and especially in what is expected of public universities. State elected officials are increasingly looking to public universities for help on issues such as job training, teacher preparation and research on key state public-policy issues, while still wanting universities to perform well

in educating and instructing undergraduates. State officials seem willing to put more money into higher education, but they are demanding increased accountability, just as they did in the drive for public-school reform. However, rising enrollment is going to put pressure on state-university budgets and in 2002, an economic downturn is causing state revenues to decline, putting further pressure on state budgets.

This essay was largely excerpted from *Governance and Coordination of Public Higher Education in All 50 States*, published by the North Carolina Center for Public Policy Research.

## Notes

<sup>1</sup> As quoted in Peter Schimdt, "States Make Healthy Increases In Spending on Higher Education," *The Chronicle of Higher Education*, June 25, 1999, sec. A, 39.

<sup>2</sup> Marcia Howard, ed., "Is Higher Ed the First Casualty of a Slowing Economy?" *State Policy Reports* 19, 11 (June 2001): 16.

<sup>3</sup> Peter Schimdt, "Governors Want Fundamental Changes in Colleges, Question Place of Tenure," *The Chronicle of Higher Education*, June 19, 1998, sec. A, 38.

<sup>4</sup> Peter Schimdt, "More Money for Public Higher Education," *The Chronicle of Higher Education*, June 12, 1998, sec. A, p. 30.

<sup>5</sup> As quoted in Peter Schimdt, "Public Universities Appeal for Funds to Improve Faculty Salaries," *The Chronicle of Higher Education*, February 26, 1999, sec. A, 28.

<sup>6</sup> "What's Ahead for Higher Ed?" *State Policy Reports* 17, 6 (September 1999): 22. State Policy Research prepared *State Spending for Higher Education in the Next Decade: The Battle to Sustain Current Support* for the National Center for Public Policy and Higher Education in San Jose, California.

<sup>7</sup> Peter Schimdt, "State Spending on Higher Education Grows by Smallest Rate in 5 Years," *The Chronicle of Higher Education*, January 18, 2002, sec. A, 20.

<sup>8</sup> Andrew Brownstein, "Tuition Rise Sharply, and This Time Public Colleges Lead the Way," *The Chronicle of Higher Education*, November 2, 2001, sec. A, 52.

<sup>9</sup> Piper Fogg, "Colleges Have Cut Proportion of Full-Time Faculty Members, Study Finds," *The Chronicle of Higher Education*, November 2, 2001, sec. A, 17.

<sup>10</sup> Aims C. McGuinness, Jr., "State Coordinating and Governing Boards," *1997 State Postsecondary Education Structures Sourcebook* (Denver, CO: Education Commission of the States, 1997), 31-33.

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## About the Authors

**Ran Coble** has been executive director of the North Carolina Center for Public Policy Research since 1981. The center, a nonpartisan, nonprofit organization in Raleigh, North Carolina, conducts studies of state-level policies. **Sam Watts** is a policy analyst with the center who studies higher-education issues.

**Table 9.8**  
**POWERS OF CENTRAL HIGHER-EDUCATION BOARDS TO SET HIGHER-EDUCATION POLICY**

<i>State</i>	<i>Name of Board</i>	<i>Type of Board</i>	<i>Advise governor and/or legislature on higher-ed issues</i>	<i>Propose new legislation or changes to existing higher-ed laws</i>	<i>Identify statewide higher-ed priorities</i>	<i>Conduct master planning for higher ed</i>
Alabama	Commission on Higher Education	RCB	★ (a)	★ (a)	★ (a)	★ (a)
Alaska (c)	Board of Regents, University of Alaska	CGB	...	...	...	...
Arizona	Board of Regents	RCB	★	...	...	...
Arkansas	Higher Education Coordinating Board	RCB	★ (a)	★ (a)	★	★
California	Postsecondary Education Commission	ACB	★	...	★ (b)	★
Colorado	Commission on Higher Education	RCB	...	...	...	★
Connecticut	Board of Governors for Higher Education	RCB	★	★ (a)	★	★
Delaware	Higher Education Commission	PA	★	★	★ (b)	...
Florida (c)	State Board Of Regents	CGB	★ (a)	★ (a)	★ (a)	★ (a)
Georgia	Board of Regents, University of Georgia	CGB	★ (a)	...	...	★ (a)
Hawaii	Board of Regents, University of Hawaii	CGB	...	...	...	...
Idaho	State Board of Education	CGB	...	★ (b)	...	...
Illinois	State Board of Higher Education	RCB	...	...	...	★
Indiana	Commission for Higher Education	RCB	★	...	...	★
Iowa (d)	State Board of Regents	CGB	★ (a)	★ (a)	★ (a)	★ (a)
Kansas	State Board of Regents	CGB	...	...	...	★
Kentucky	Council on Postsecondary Education	RCB	★	...	★	★
Louisiana	Board of Regents	RCB	...	...	...	★
Maine	Board of Trustees, University of Maine	CGB	★ (a)	...	...	★
Maryland	Higher Education Commission	RCB	...	...	...	★
Massachusetts	Board of Higher Education	RCB	...	...	...	★
Michigan	State Board of Education	PA	...	...	...	★
Minnesota (c)(e)	Board of Regents, University of Minnesota;	CGB	...	...	...	★
Mississippi	Board of Trustees, Minnesota State System	CGB	...	...	...	★
Missouri	Board of Trustees, State Institutions of Higher Learning	CGB	...	...	...	★
Montana	Coordinating Board for Higher Education	RCB	★	★ (a)	★ (a)(b)	★ (a)(b)
Nebraska	Board of Regents of Higher Education	CGB	...	...	...	...
Nevada	Coordinating Commission for Postsecondary Education	RCB	...	★	★	★
New Hampshire (c)	Board of Regents, University and Community College System	CGB	...	...	★ (a)	★
New Jersey	Board of Trustees, University System	CGB	★ (a)	★ (a)	★ (a)	★ (a)
New Mexico	Commission on Higher Education	RCB	...	...	...	★
New York	Board of Regents	RCB	...	★	★	★
North Carolina	Board of Governors, University of North Carolina	CGB	★	...	...	★
North Dakota	State Board of Education	CGB	...	★ (b)	...	★
Ohio	Board of Regents	RCB	★	...	...	★
Oklahoma	State Regents for Higher Education	RCB	★ (a)	★ (a)(b)	★ (a)	★ (a)
Oregon	State Board of Higher Education	CGB	...	...	...	★
Pennsylvania	Board of Education	ACB	...	...	...	★
Rhode Island	Board of Governors for Higher Education	CGB	...	...	...	★
South Carolina	Commission on Higher Education	RCB	★	★ (a)(b)	★ (a)(b)	★

See footnotes at end of table.

# POWERS OF CENTRAL HIGHER-EDUCATION BOARDS TO SET HIGHER-EDUCATION POLICY - Continued

State	Name of Board	Type of Board	Advise governor and/or legislature on higher-ed issues	Propose new legislation or changes to existing higher-ed laws	Identify state's higher-ed priorities	Conduct master planning for higher ed
South Dakota	Board of Regents	CGB	...	...	...	★
Tennessee	Higher Education Commission	RCB	...	...	...	★
Texas	Higher Education Coordinating Board	RCB	★	...	...	★
Utah	State Board of Regents	CGB	★(a)	★(a)	★(a)	★(a)
Vermont (e)	Board of Trustees, University of Vermont; Board of Trustees, Vermont State Colleges	CGB	...	...	...	...
Virginia	State Council of Higher Education	RCB	...	...	...	...
Washington	Higher Education Coordinating Board	RCB	★	★(b)	★	★
West Virginia	...	...	(f)	...	...	...
Wisconsin	Board of Regents, University of Wisconsin	CGB	...	...	...	...
Wyoming (c)	Board of Trustees, University of Wyoming	CGB	★(a)	★(a)	...	...

Source: North Carolina Center for Public Policy Research, *Governance and Coordination of Public Higher Education* in all 50 States, 2000.

Key:

★ - Yes

... - No

CGB - Consolidated Governing Board

RCB - Regulatory Coordinating Board

ACB - Advisory Coordinating Board

PA - Planning Agency

(a) Information as to this function was provided directly by the respective state board.

(b) This is a conditional grant of power. The respective board has the power to provide advice and recommendations only.

(c) Florida also has an advisory coordinating board that supplements the work of Florida's State Board of Regents, the state's consolidated governing board. Alaska, Minnesota, New Hampshire and Wyoming have plan-

ning agencies located in the states' CGB structure that supplement the work of the governing board.

(d) Though many powers exercised by the Iowa State Board of Regents may not be specifically enumerated in the statutes, the Board has very broad governance authority.

(e) Minnesota and Vermont each have a consolidated governing board system with two consolidated governing boards that govern a segment of the higher education institutions within their respective states.

(f) The West Virginia legislature passed a bill in March 2000 affecting the governance of higher education in the state. Both the State College System Board of Directors and the University System Board of Trustees were abolished on June 30, 2000. A Higher Education Policy Commission was created in July 2000 for policy development and other statewide issues. The Policy Commission employs a Chancellor, Vice Chancellor for Health Sciences, Vice Chancellor for Administration and Vice Chancellor for Community and Technical Colleges and Workforce Education. During the transition year of July 1, 2000 to June 30, 2001, a statewide governing board was the governing board for public higher education. Each institution in the state has its own governing board which assumed governance authority on July 1, 2001.



**Table 9.9**  
**NUMBER OF INSTITUTIONS OF HIGHER EDUCATION AND BRANCHES,**  
**BY LEVEL OF CONTROL OF INSTITUTION AND STATE: 2000-2001**

State or other jurisdiction	Total	4 years and above			2 years but less than 4 years		
		Public	Private		Public	Private	
			Not-for-profit	For-profit		Not-for-profit	For-profit
United States .....	4,182	622	1,551	277	1,076	144	512
Alabama .....	76	18	17	5	29	5	2
Alaska .....	9	3	3	0	2	0	1
Arizona .....	75	5	11	15	20	5	19
Arkansas .....	47	11	10	0	22	2	2
California .....	419	32	151	48	111	21	56
Colorado .....	75	14	12	18	15	1	15
Connecticut .....	46	10	19	1	12	1	3
Delaware .....	10	2	4	0	3	1	0
Florida .....	164	11	48	35	28	6	36
Georgia .....	125	21	34	12	51	4	3
Hawaii .....	21	3	5	3	7	1	2
Idaho .....	14	4	3	1	3	1	2
Illinois .....	181	12	83	20	48	6	12
Indiana .....	98	14	41	5	14	3	21
Iowa .....	64	3	37	3	15	2	4
Kansas .....	59	9	21	1	23	2	3
Kentucky .....	69	8	26	1	18	1	15
Louisiana .....	85	14	11	2	46	0	12
Maine .....	33	8	13	0	7	1	4
Maryland .....	58	14	20	6	16	1	1
Massachusetts .....	117	15	77	0	16	6	3
Michigan .....	108	15	59	2	29	1	2
Minnesota .....	113	11	34	7	41	3	17
Mississippi .....	42	9	12	0	17	2	2
Missouri .....	116	13	53	10	18	4	18
Montana .....	24	6	5	0	11	2	0
Nebraska .....	38	7	15	0	7	2	7
Nevada .....	15	3	1	3	3	0	5
New Hampshire .....	25	5	14	1	4	0	1
New Jersey .....	58	14	20	1	19	2	2
New Mexico .....	44	6	9	5	21	1	2
New York .....	327	47	168	11	44	24	33
North Carolina .....	120	16	42	0	59	1	2
North Dakota .....	21	6	4	0	9	1	1
Ohio .....	175	24	67	3	37	2	42
Oklahoma .....	50	15	15	4	14	0	2
Oregon .....	56	8	25	3	17	1	2
Pennsylvania .....	263	46	101	4	21	13	78
Rhode Island .....	13	2	9	1	1	0	0
South Carolina .....	62	12	23	0	21	2	4
South Dakota .....	25	9	6	4	5	1	0
Tennessee .....	87	10	44	4	14	3	12
Texas .....	201	42	54	6	67	5	27
Utah .....	24	6	3	4	4	1	6
Vermont .....	25	5	16	1	1	1	1
Virginia .....	96	15	32	14	24	1	10
Washington .....	79	11	24	4	34	0	6
West Virginia .....	36	12	10	0	3	0	11
Wisconsin .....	68	13	29	5	18	1	2
Wyoming .....	9	1	0	0	7	0	1
District of Columbia .....	17	2	11	4	0	0	0

Source: U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), Fall 2000.

**Table 9.10**  
**AVERAGE SALARY OF FULL-TIME INSTRUCTIONAL FACULTY IN INSTITUTES OF**  
**HIGHER EDUCATION, BY CONTROL OF INSTITUTION AND STATE: 1998-1999**

State or other jurisdiction	Public Institutions						Private Institutions					
	All Institutions	All Institutions	4-year institutions				All Institutions	4-year institutions				
			Total	University	Other 4-year	2-year		Total	University	Other 4-year	2-year	
United States .....	\$54,097	\$53,319	\$55,948	\$61,148	\$52,520	\$47,285	\$55,981	\$56,284	\$73,212	\$48,828	\$34,821	
Alabama .....	46,218	47,344	49,326	53,630	46,411	42,277	40,350	40,657	...	40,657	27,057	
Alaska .....	51,550	52,457	52,387	53,525	51,689	60,021	39,696	39,696	...	39,696	...	
Arizona .....	56,067	56,551	59,163	62,358	50,071	51,576	45,043	45,043	...	45,043	...	
Arkansas .....	42,162	42,590	45,677	52,733	43,618	38,823	39,889	40,076	...	40,076	24,607	
California .....	63,778	63,587	67,699	85,636	64,219	58,849	64,571	64,910	81,278	56,213	29,299	
Colorado .....	52,188	51,717	54,947	62,577	48,783	38,583	55,702	55,702	58,577	52,209	...	
Connecticut .....	64,235	62,669	65,792	72,951	59,113	53,217	65,909	66,313	86,741	58,154	33,696	
Delaware .....	61,136	61,598	64,831	67,485	50,570	45,627	56,410	56,613	...	56,613	...	
Florida .....	50,200	52,058	55,144	60,808	52,084	43,396	49,999	50,453	63,525	46,389	23,719	
Georgia .....	52,220	53,091	55,215	63,076	53,344	41,610	49,830	50,498	75,900	43,605	31,644	
Hawaii .....	56,044	55,796	61,130	63,250	49,444	47,317	58,741	58,741	...	58,741	...	
Idaho .....	46,465	46,267	47,551	51,998	45,625	38,898	47,101	40,666	...	40,666	49,693	
Illinois .....	56,469	54,514	55,145	60,625	50,700	53,455	59,738	59,993	79,645	47,485	33,104	
Indiana .....	51,806	51,216	53,589	56,862	47,792	36,309	53,082	53,306	77,764	45,941	33,106	
Iowa .....	50,484	54,050	61,341	65,001	51,530	38,334	44,383	44,448	54,559	43,137	34,531	
Kansas .....	44,649	46,488	50,404	53,397	43,653	38,010	33,255	33,711	...	33,711	26,555	
Kentucky .....	46,413	48,115	50,558	57,391	46,558	39,277	40,259	40,263	...	40,263	...	
Louisiana .....	45,705	43,820	44,885	51,840	42,931	35,248	54,570	54,587	62,655	42,468	...	
Maine .....	49,498	47,035	48,854	53,165	46,692	39,923	53,994	54,507	...	54,507	27,158	
Maryland .....	54,432	52,998	55,601	63,448	51,727	48,510	56,961	56,993	72,617	47,949	...	
Massachusetts .....	63,234	53,669	58,587	67,123	55,214	42,328	68,540	68,826	78,640	57,967	37,463	
Michigan .....	57,615	59,965	63,080	68,357	53,846	58,510	45,281	45,418	47,720	45,164	19,927	
Minnesota .....	52,028	53,877	58,742	73,577	51,360	46,683	47,603	47,750	...	47,750	36,428	
Mississippi .....	42,825	43,385	46,751	49,513	44,830	39,111	38,274	39,200	...	39,200	26,342	
Missouri .....	50,085	50,103	52,349	62,290	50,395	42,663	50,048	50,310	67,678	40,549	36,037	
Montana .....	43,944	45,356	47,495	49,599	42,666	33,076	34,696	35,018	...	35,018	30,229	
Nebraska .....	46,759	47,970	51,091	57,362	46,505	35,422	43,056	43,056	50,745	38,903	...	
Nevada .....	55,113	55,225	60,922	64,471	48,549	45,947	41,846	41,846	...	41,846	...	
New Hampshire .....	53,286	50,444	53,947	56,659	49,188	36,564	56,906	57,098	...	57,098	22,090	
New Jersey .....	64,922	64,535	67,421	75,264	64,702	57,458	65,906	66,045	80,498	55,135	28,075	
New Mexico .....	44,875	45,471	49,698	52,504	42,256	34,600	36,096	36,096	...	36,096	...	
New York .....	59,692	57,451	59,098	65,973	58,060	54,233	61,872	62,075	73,688	53,748	31,081	
North Carolina .....	51,400	51,219	55,004	66,700	50,322	32,583	51,799	51,997	77,202	40,308	34,897	
North Dakota .....	38,976	39,510	41,138	42,630	37,965	34,371	35,039	36,790	...	36,790	26,407	
Ohio .....	53,428	55,065	57,813	59,392	52,392	45,647	49,698	49,904	72,237	47,517	26,555	
Oklahoma .....	44,874	45,604	48,335	54,229	43,078	37,556	41,963	42,226	51,960	38,088	27,245	
Oregon .....	47,893	47,643	49,749	53,007	46,201	45,347	48,753	48,753	...	48,753	...	
Pennsylvania .....	58,161	58,891	60,193	66,162	56,836	51,526	57,301	47,801	79,156	51,373	31,663	
Rhode Island .....	58,374	55,762	59,241	63,882	51,431	44,984	60,306	60,306	...	60,306	...	
South Carolina .....	44,912	45,946	51,342	58,003	44,366	35,014	40,412	40,539	...	40,539	33,262	
South Dakota .....	39,571	40,351	41,875	42,719	40,704	32,918	36,115	36,115	...	36,115	...	
Tennessee .....	46,762	46,269	49,539	58,882	46,556	36,502	47,850	48,019	72,519	39,152	24,849	
Texas .....	49,071	47,955	51,630	58,338	46,133	41,321	53,879	54,231	64,320	46,301	26,217	
Utah .....	50,154	47,660	50,137	54,425	43,215	38,144	56,417	56,598	57,711	43,290	41,565	
Vermont .....	47,936	49,775	49,775	53,548	40,246	...	46,223	47,587	...	47,587	24,371	
Virginia .....	52,758	54,015	57,557	62,616	54,489	42,389	48,634	48,725	...	48,725	30,800	
Washington .....	48,513	48,321	53,990	58,082	47,205	41,117	49,294	49,294	...	49,294	...	
West Virginia .....	43,783	45,016	45,577	52,958	42,183	37,307	37,386	37,386	...	37,386	...	
Wisconsin .....	52,648	54,209	55,801	69,211	51,071	51,871	45,953	45,953	57,323	42,648	...	
Wyoming .....	41,039	41,039	48,243	48,243	...	33,820	...	...	...	...	...	
District of Columbia ....	63,779	52,805	52,805	...	52,805	...	64,265	64,265	65,609	51,478	...	
America Samoa .....	25,265	25,265	...	...	...	25,265	...	...	...	...	...	
Guam .....	50,166	50,166	52,506	...	52,506	45,790	...	...	...	...	...	
No. Mariana Islands ...	35,175	35,175	...	...	...	35,175	...	...	...	...	...	
Puerto Rico .....	39,670	41,188	41,263	40,338	41,836	36,759	24,929	25,203	...	25,203	15,456	
U.S. Virgin Islands ....	49,421	49,421	49,421	...	49,421	...	...	...	...	...	...	

Source: U.S. Department of Education, National Center for Education Statistics, 1998-99 Integrated Postsecondary Education Data System, "Salaries, Tenure, and Fringe Benefits of Full-Time Instructional Faculty

Survey" (August 2000).

Key:

... - Data not applicable.



**Table 9.11**  
**ESTIMATED UNDERGRADUATE TUITION AND FEES AND ROOM AND BOARD RATES IN INSTITUTIONS**  
**OF HIGHER EDUCATION, BY CONTROL OF INSTITUTION AND STATE: 1998-1999 AND 1999-2000**

State or other jurisdiction	Public 4-year 1998-1999				Public 4-year 1999-2000 (a)				Private 4-year 1998-1999				Private 4-year 1999-2000 (a)				Public 2-year tuition only (in-state)			
	Total	Tuition (in-state)	Room	Board	Total	Tuition (in-state)	Room	Board	Total	Tuition	Room	Board	Total	Tuition	Room	Board	1998-1999	1999-2000 (a)	1999-2000 (a)	1999-2000 (a)
<b>United States</b> .....	\$8,024	\$3,229	\$8,265	\$3,351	\$2,402	\$2,513	1,996	1,913	12,952	8,423	\$13,911	\$20,805	\$14,690	\$3,234	\$2,881	\$1,323	\$1,336			
Alabama .....	6,558	2,620	6,742	2,833	1,913	1,996	1,913	1,913	12,952	8,423	13,548	8,970	2,134	2,444	1,521	1,486				
Alaska .....	8,403	2,761	8,333	2,855	2,790	2,688	2,688	2,790	12,598	8,093	13,728	8,547	2,024	3,156	1,968	1,486				
Arizona .....	6,985	2,158	7,362	2,252	2,452	2,658	2,452	2,452	12,332	7,349	13,964	7,639	3,401	2,924	857	901				
Arkansas .....	6,172	2,582	6,416	2,582	1,884	1,884	1,884	1,884	11,961	7,910	12,040	8,403	1,805	1,833	981	1,059				
California .....	9,035	2,617	9,183	2,559	3,128	3,497	3,497	3,128	20,830	13,884	22,751	15,683	3,733	3,335	396	317				
Colorado .....	7,840	2,687	7,994	2,775	2,813	2,405	2,405	2,813	19,459	12,914	20,013	13,334	3,349	3,330	1,574	1,548				
Connecticut .....	9,902	4,352	10,136	4,435	2,641	3,060	3,060	2,641	26,102	18,921	27,212	19,783	4,062	3,367	1,814	1,892				
Delaware .....	9,515	4,481	9,876	4,481	2,399	2,834	2,834	2,399	13,455	7,886	13,726	8,128	3,023	2,575	1,440	1,616				
Florida .....	7,283	2,024	7,474	2,244	2,481	2,749	2,749	2,481	17,889	12,033	18,405	12,530	3,035	2,839	1,307	1,330				
Georgia .....	7,457	2,453	7,295	2,524	2,317	2,454	2,454	2,317	17,578	11,871	18,620	12,678	3,402	2,541	1,206	1,384				
Hawaii .....	8,182	2,873	8,056	2,965	2,939	2,152	2,152	2,939	14,943	7,107	15,171	7,533	3,415	4,223	1,004	1,052				
Idaho .....	6,321	2,381	6,323	2,458	1,732	2,405	2,405	1,732	16,007	13,914	20,881	12,852	1,759	2,275	1,186	1,253				
Illinois .....	8,812	3,843	9,002	4,038	2,560	2,381	2,381	2,560	19,874	14,479	20,825	15,674	2,601	2,549	1,424	1,502				
Indiana .....	8,584	3,493	8,845	3,646	2,817	2,212	2,212	2,817	19,408	13,347	18,691	14,069	2,120	2,502	2,124	2,127				
Iowa .....	6,762	2,869	7,210	2,998	2,000	1,866	1,866	2,018	14,218	10,132	14,998	10,678	1,921	2,399	1,343	1,310				
Kansas .....	6,236	2,393	6,324	2,439	1,913	1,845	1,845	1,913	13,267	9,086	13,990	9,701	2,067	2,222	1,240	1,318				
Kentucky .....	6,222	2,516	6,481	2,723	1,714	1,714	1,714	1,766	19,712	14,003	20,623	14,582	3,057	2,984	925	876				
Louisiana .....	5,919	2,390	5,910	2,430	2,512	2,456	2,456	2,512	25,476	19,677	26,785	20,759	2,943	3,083	2,837	2,586				
Maine .....	8,926	4,065	9,089	4,122	2,580	3,213	3,213	2,580	23,958	16,982	24,785	17,881	3,925	2,990	2,250	2,262				
Maryland .....	10,512	4,358	10,345	4,552	2,423	2,685	2,685	2,423	26,757	19,123	27,860	20,098	4,213	3,549	2,122	1,926				
Massachusetts .....	9,099	4,023	9,212	4,105	2,423	2,415	2,415	2,423	14,898	10,256	15,354	10,542	2,430	2,381	1,680	1,747				
Michigan .....	9,205	4,267	9,513	4,538	2,559	2,182	2,182	2,559	19,688	14,909	20,475	15,594	2,426	2,455	2,375	2,359				
Minnesota .....	7,561	3,835	7,665	3,800	1,684	1,762	1,762	1,684	11,928	8,346	12,569	8,824	1,872	1,874	968	968				
Mississippi .....	6,015	2,860	6,456	2,872	2,008	2,477	2,477	2,008	16,168	11,156	16,839	11,805	2,604	2,429	1,411	1,443				
Missouri .....	7,728	3,555	7,815	3,701	2,318	2,033	2,033	2,318	13,005	8,665	13,335	8,865	1,933	2,537	1,891	1,961				
Montana .....	7,054	2,796	7,463	3,011	2,298	2,330	2,330	2,298	14,865	10,709	15,613	11,271	2,157	2,185	1,350	1,372				
Nebraska .....	6,482	2,627	7,258	2,930	2,512	2,030	2,030	2,512	13,095	7,379	12,881	7,365	3,200	2,316	1,170	1,208				
Nevada .....	7,912	1,959	7,812	2,034	1,935	3,033	3,033	1,935	21,457	15,695	23,213	16,588	3,824	2,801	3,706	3,744				
New Hampshire .....	10,532	5,750	11,052	6,083	2,517	3,678	3,678	2,517	22,632	15,839	23,154	16,125	3,636	3,394	2,054	2,149				
New Jersey .....	10,977	4,955	11,450	5,255	2,239	2,021	2,021	2,239	14,877	9,778	14,771	9,795	2,428	2,548	648	823				
New Mexico .....	6,433	2,183	6,600	2,340	2,683	3,332	3,332	2,683	23,054	15,806	24,047	16,596	4,241	3,210	2,543	2,554				
New York .....	9,698	3,912	9,998	3,983	2,683	2,054	2,054	2,683	17,752	12,833	18,678	13,538	2,512	2,629	585	778				
North Carolina .....	6,525	1,959	6,483	2,054	2,244	1,278	1,278	2,244	10,610	7,380	10,932	7,658	1,426	1,847	1,841	1,893				
North Dakota .....	6,615	2,689	6,994	2,990	2,727	2,896	2,896	2,727	19,825	14,101	20,748	14,840	2,879	3,029	2,457	2,377				
Ohio .....	9,428	4,254	9,900	4,495	2,509	2,896	2,896	2,509	19,825	14,101	20,748	14,840	2,879	3,029	2,457	2,377				

See footnotes at end of table.

# ESTIMATED UNDERGRADUATE TUITION AND FEES AND ROOM AND BOARD RATES IN INSTITUTIONS OF HIGHER EDUCATION, BY CONTROL OF INSTITUTION AND STATE: 1998-1999 AND 1999-2000 — Continued

State or other jurisdiction	Public 4-year 1998-1999				Public 4-year 1999-2000 (a)				Private 4-year 1998-1999				Private 4-year 1999-2000 (a)				Public 2-year tuition only (in-state)			
	Total	Tuition (in-state)	Total	Tuition (in-state)	Total	Tuition (in-state)	Room	Board	Total	Tuition	Total	Tuition	Total	Tuition	Room	Board	1998-1999	1999-2000	1999-2000 (a)	1999-2000 (a)
Oklahoma .....	5,740	2,072	5,735	2,183	5,735	2,183	1,512	2,040	13,768	9,375	14,409	9,908	2,102	2,399	2,102	2,399	1,193	1,239	1,193	1,239
Oregon .....	8,755	3,560	9,065	3,582	9,065	3,582	2,356	3,127	21,068	15,693	22,023	16,555	2,719	2,749	2,719	2,749	1,629	1,584	1,629	1,584
Pennsylvania .....	10,085	5,336	10,534	5,610	10,534	5,610	2,610	2,314	22,798	16,350	23,651	17,013	3,484	3,153	3,484	3,153	2,164	2,115	2,164	2,115
Rhode Island .....	10,284	4,166	10,595	4,318	10,595	4,318	3,321	2,955	23,992	16,846	25,124	17,704	3,797	3,624	3,797	3,624	1,746	1,746	1,746	1,746
South Carolina .....	7,989	3,515	7,703	3,638	7,703	3,638	2,143	1,923	15,494	11,206	16,501	12,066	2,269	2,166	2,269	2,166	1,220	1,338	1,220	1,338
South Dakota .....	6,264	3,038	6,520	3,210	6,520	3,210	1,386	1,924	14,546	10,334	15,008	10,681	1,971	2,356	1,971	2,356	2,627	2,747	2,627	2,747
Tennessee .....	6,386	2,497	6,555	2,698	6,555	2,698	2,016	1,841	16,312	11,526	17,020	12,156	2,563	2,301	2,563	2,301	1,238	1,314	1,238	1,314
Texas .....	6,756	2,432	7,497	2,644	7,497	2,644	2,296	2,556	15,271	10,544	16,032	11,233	2,403	2,397	2,403	2,397	890	895	890	895
Utah .....	6,196	2,153	6,299	2,147	6,299	2,147	1,636	2,516	7,570	3,400	7,893	3,525	2,228	2,139	2,228	2,139	1,459	1,500	1,459	1,500
Vermont .....	12,238	6,776	12,478	6,913	12,478	6,913	3,432	2,135	23,852	17,677	24,629	18,500	3,437	2,892	3,437	2,892	2,716	2,846	2,716	2,846
Virginia .....	8,980	4,163	8,619	3,733	8,619	3,733	2,611	2,275	17,319	12,246	17,853	12,682	2,527	2,644	2,527	2,644	1,405	1,140	1,405	1,140
Washington .....	7,985	3,148	8,314	3,357	8,314	3,357	2,410	2,547	19,700	14,401	20,313	14,939	2,787	2,588	2,787	2,588	1,591	1,649	1,591	1,649
West Virginia .....	6,755	2,338	7,105	2,549	7,105	2,549	2,233	2,323	16,263	11,617	17,047	12,290	2,094	2,664	2,094	2,664	1,473	1,579	1,473	1,579
Wisconsin .....	6,730	3,112	7,268	3,313	7,268	3,313	2,012	1,943	18,604	13,432	19,385	14,367	2,492	2,527	2,492	2,527	2,115	2,115	2,115	2,115
Wyoming .....	6,830	2,330	7,091	2,416	7,091	2,416	1,846	2,829	...	...	...	...	...	...	...	...	1,235	1,320	1,235	1,320
District of Columbia .....	...	2,010	...	2,070	...	2,070	...	...	24,840	17,168	25,381	18,044	4,591	2,745	4,591	2,745	...	...	...	...

Source: U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), "Fall Enrollment" and "Institutional Characteristics" surveys. (This table was prepared in September 2000.)

Note: Data are for the entire academic year and are average charges. Tuition and fees were weighted by the number of full-time-equivalent undergraduates in 1998, but are not adjusted to reflect student residency. Room

and board are based on full-time students. Detail may not sum to totals due to rounding.

Key:

(a) Preliminary data based on fall 1998 enrollments.

... Data not applicable.

## Education Reform: The No Child Left Behind Act of 2001

*Editor's Note: The following is the executive summary of the No Child Left Behind Act of 2001, prepared by the U.S. Department of Education on January 7, 2002. More detailed information and the text of the act are available through the department's Web site at <http://www.ed.gov/offices/OESE/esea/index.html>.*

"These reforms express my deep belief in our public schools and their mission to build the mind and character of every child, from every background, in every part of America."

– President George W. Bush, January 2001

Three days after taking office in January 2001 as the 43rd President of the United States, George W. Bush announced *No Child Left Behind*, his framework for bipartisan education reform that he described as "the cornerstone of my Administration." President Bush emphasized his deep belief in our public schools, but an even greater concern that "too many of our neediest children are being left behind," despite the nearly \$200 billion in federal spending since the passage of the Elementary and Secondary Education Act of 1965 (ESEA). The president called for bipartisan solutions based on accountability, choice and flexibility in federal education programs.

Less than a year later, despite the unprecedented challenges of engineering an economic recovery while leading the nation in the war on terrorism following the events of September 11, President Bush secured passage of the landmark *No Child Left Behind* Act of 2001 (NCLB Act). The new law reflects a remarkable consensus – first articulated in the President's *No Child Left Behind* framework – on how to improve the performance of America's elementary and secondary schools while at the same time ensuring that no child is trapped in a failing school.

The NCLB Act, which reauthorizes the ESEA, incorporates the principles and strategies proposed by President Bush. These include increased accountability for states, school districts and schools; greater choice for parents and students, particularly those attending low-performing schools; more flexibility for states and local educational agencies (LEAs) in the use of federal education dollars; and a stronger emphasis on reading, especially for our youngest children.

### Increased Accountability

The NCLB Act will strengthen Title I accountability by requiring states to implement statewide accountability systems covering all public schools and students. These systems must be based on challenging state standards in reading and mathematics, annual testing for all students in grades three through eight, and annual statewide progress objectives ensuring that

all groups of students reach proficiency within 12 years. Assessment results and state progress objectives must be broken out by poverty, race, ethnicity, disability and limited English proficiency to ensure that no group is left behind. School districts and schools that fail to make adequate yearly progress (AYP) toward statewide proficiency goals will, over time, be subject to improvement, corrective action and restructuring measures aimed at getting them back on course to meet state standards. Schools that meet or exceed AYP objectives or close achievement gaps will be eligible for State Academic Achievement Awards.

### More Choices for Parents and Students

The NCLB Act significantly increases the choices available to the parents of students attending Title I schools that fail to meet state standards, including immediate relief-beginning with the 2002-03 school year, for students in schools that were previously identified for improvement or corrective action under the 1994 ESEA reauthorization.

LEAs must give students attending schools identified for improvement, corrective action or restructuring the opportunity to attend a better public school, which may include a public charter school, within the school district. The district must provide transportation to the new school, and must use at least five percent of its Title I funds for this purpose, if needed.

For students attending persistently failing schools (those that have failed to meet state standards for at least three of the four preceding years), LEAs must permit low-income students to use Title I funds to obtain supplemental educational services from the public- or private-sector provider selected by the students and their parents. Providers must meet state standards and offer services tailored to help participating students meet challenging state academic standards.

To help ensure that LEAs offer meaningful choices, the new law requires school districts to spend up to 20 percent of their Title I allocations to provide school choice and supplemental educational services to eligible students.

In addition to helping ensure that no child loses the opportunity for a quality education because he or she is trapped in a failing school, the choice and supplemental service requirements provide a substantial incentive for low-performing schools to improve. Schools that want to avoid losing students – along with the portion of their annual budgets typically associated with those students – will have to improve or, if they fail to make AYP for five years, run the risk of reconstitution under a restructuring plan.

### **Greater Flexibility for States, School Districts and Schools**

One important goal of *No Child Left Behind* was to breathe new life into the “flexibility for accountability” bargain with states first struck by President George H.W. Bush during his historic 1989 education summit with the nation’s governors at Charlottesville, Virginia. Prior flexibility efforts have focused on the waiver of program requirements; the NCLB Act moves beyond this limited approach to give states and school districts unprecedented flexibility in the use of federal education funds in exchange for strong accountability for results.

New flexibility provisions in the NCLB Act include authority for states and LEAs to transfer up to 50 percent of the funding they receive under four major state grant programs to any one of the programs, or to Title I. The covered programs include Teacher Quality State Grants, Educational Technology, Innovative Programs, and Safe and Drug-Free Schools.

The new law also includes a competitive State Flexibility Demonstration Program that permits up to seven states to consolidate the state share of nearly all federal state-grant programs – including Title I, Part A Grants to Local Educational Agencies – while providing additional flexibility in their use of Title V Innovation funds. Participating states must enter into five-year performance agreements with the secretary covering the use of the consolidated funds, which may be used for any educational purpose authorized under the ESEA. As part of their plans, states also must enter into up to 10 local performance agreements with LEAs, which will enjoy the same level of flexibility granted under the separate Local Flexibility Demonstration Program.

The new competitive Local Flexibility Demonstration Program would allow up to 80 LEAs, in addition to the 70 LEAs under the State Flexibility Demonstration Program, to consolidate funds received under Teacher Quality State Grants, Educational Technology State Grants, Innovative Programs, and

Safe and Drug-Free Schools programs. Participating LEAs would enter into performance agreements with the secretary of education and would be able to use the consolidated funds for any ESEA-authorized purpose.

### **Putting Reading First**

*No Child Left Behind* stated President Bush’s unequivocal commitment to ensuring that every child can read by the end of third grade. To accomplish this goal, the new Reading First initiative would significantly increase the federal investment in scientifically based reading instruction programs in the early grades. One major benefit of this approach would be reduced identification of children for special education services due to a lack of appropriate reading instruction in their early years.

The NCLB Act fully implements the President’s Reading First initiative. The new Reading First State Grant program will make six-year grants to states, which will make competitive subgrants to local communities. Local recipients will administer screening and diagnostic assessments to determine which students in grades K-3 are at risk of reading failure, and provide professional development for K-3 teachers in the essential components of reading instruction.

The new Early Reading First program will make competitive six-year awards to LEAs to support early language, literacy and pre-reading development of pre-school-age children, particularly those from low-income families. Recipients will use instructional strategies and professional development drawn from scientifically based reading research to help young children to attain the fundamental knowledge and skills they will need for optimal reading development in kindergarten and beyond.

### **Other Major Program Changes**

The *No Child Left Behind* Act of 2001 also put the principles of accountability, choice and flexibility to work in its reauthorization of other major ESEA programs. For example, the new law combines the Eisenhower Professional Development and Class Size Reduction programs into a new Improving Teacher Quality State Grants program that focuses on using practices grounded in scientifically based research to prepare, train and recruit high-quality teachers. The new program gives states and LEAs flexibility to select the strategies that best meet their particular needs for improved teaching that will help them raise student achievement in the core academic subjects. In return for this flexibility, LEAs are required to demonstrate annual progress in ensuring that all teachers teaching in core

academic subjects within the state are highly qualified.

The NCLB Act also simplified federal support for English language instruction by combining categorical bilingual and immigrant education grants that benefited a small percentage of limited English proficient students in relatively few schools into a state formula program. The new formula program will facilitate the comprehensive planning by states and school districts needed to ensure implementation of programs that benefit all limited English proficient students by helping them learn English and meet the same high academic standards as other students.

Other changes will support state and local efforts to

keep our schools safe and drug-free, while at the same time ensuring that students – particularly those who have been victims of violent crimes on school grounds – are not trapped in persistently dangerous schools. As proposed in *No Child Left Behind*, states must allow students who attend a persistently dangerous school, or who are victims of violent crime at school, to transfer to a safe school. States also must report school safety statistics to the public on a school-by-school basis, and LEAs must use Federal Safe and Drug-Free Schools and Communities funding to implement drug and violence prevention programs of demonstrated effectiveness.

Table 9.12  
EDUCATION ACCOUNTABILITY: STATE PERFORMANCE INDICATORS

Student Achievement Indicators																			
State	Assessment score/achievement	ACT and/or SAT scores	Adv. Placement (AP) courses: access	AP courses: access	Attendance rate/truancy	Class size	Demographics / Socioeconomic data	Discipline/safety	Dropout rate	English language learners/special needs	Enrollment	Expulsion rate	Graduation rate/completion rate	Mobility	Promotion/retention rate (advancement)	Student/ administrator ratio	Student/teacher ratio	Suspension rate	Transition to postsecondary education
Alabama	P	...	...	...	S	...	S	S	S	...	S	...	S	S	...	...	...	...	S
Alaska (a)	S	...	...	...	S	...	...	...	S	...	S	...	S	S	S	...	...	...	...
Arizona	P	...	...	...	S	...	...	S	...	...	S	...	S	S	S	...	...	...	...
Arkansas	S	S	...	...	S	...	S	S	S	...	S	...	S	S	S	...	...	...	...
California	P	...	...	...	P	S	S	S	S	S	...	S	P	S	...	...	...	S	...
Colorado	P	P	...	...	S	...	...	S	S	...	S	...	S	...	...	...	...	...	S
Connecticut	S	S	...	...	...	S	S	...	S	S	S	...	...	S	...	...	...	...	...
Delaware	P	S	...	...	...	S	S	S	S	S	S	...	S	S	S	S	S	S	S
Florida	P	...	...	...	S	...	S	S	S	S	...	S	S	...	S	...	...	...	...
Georgia	P	P	...	...	S	...	S	...	S	S	...	...	S	...	S	...	...	...	...
Hawaii	S	...	...	...	S	...	S	S	...	S	S	...	S	S	...	...	...	S	...
Idaho	S	S	...	...	S	...	S	S	S	...	S	...	...	S	...	...	...	...	...
Illinois	P	S	...	...	P	S	P	...	S	S	...	...	P	S	...	S	S	...	...
Indiana	P	P	...	P	P	P	P (b)	P	...	S	S	P	P	P	...	...	S	P	P
Iowa	S	...	...	...	...	...	...	...	...	...	...	...	S	...	...	...	...	...	S
Kansas	P	...	...	P	P	...	S	P	P	S	S	...	P	...	...	...	...	...	...
Kentucky	P	...	...	...	P	...	...	S	P	...	S	S	...	...	P	...	S	...	P
Louisiana	P	S	S	...	P	S	S	S	P	...	...	S	S	...	...	...	...	S	...
Maine	S	...	...	...	...	...	S	...	...	S	S	...	S	...	...	...	...	...	S
Maryland (d)	P	...	...	...	P	...	...	...	P	S	S	...	...	S	...	...	...	...	...
Massachusetts	P	...	...	...	S	...	S	...	S	S	S	S	...	...	...	...	...	...	S
Michigan	P	...	...	...	...	...	S	...	S	...	S	...	S	...	...	...	S	...	...
Minnesota	S	...	...	...	...	...	S	...	...	S	...	...	S	...	...	...	...	...	...
Mississippi	P	S	S	...	P	...	S	...	S	...	...	...	S	...	...	...	S	...	...
Missouri	P	P	P	...	P	...	S	...	P	S	S	...	S	...	...	P	P	...	P
Montana	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nebraska (e)	P	P	P	...	...	...	...	...	P	...	...	...	...	...	...	...	...	...	...
Nevada	P	...	...	...	P	...	...	S	S	...	...	S	...	S	S	...	S	S	...
New Hampshire	S	...	...	...	S	...	S	S	S	...	...	...	...	...	...	...	...	...	S
New Jersey	P	S	S	...	S	S	S	P	S	S	S	...	S	...	...	...	S	...	S

See footnotes at end of table.

EDUCATION ACCOUNTABILITY: STATE PERFORMANCE INDICATORS — Continued

Student Achievement Indicators																			
State	Assessment scores/achievement	ACT and/or SAT scores	Adv. Placement (AP) courses: access	AP courses: access	Attendance rate/truancy	Class size	Demographics / Socioeconomic data	Discipline/safety	Dropout rate	English language learners/special needs	Enrollment	Expulsion rate	Graduation rate/completion rate	Mobility	Promotion/retention rate (advancement)	Student/ administrator ratio	Student/teacher ratio	Suspension rate	Transition to postsecondary education
New Mexico	P	...	...	...	S	...	S	S	P	S	S	...	...	S	...	...	...	...	...
New York	P	...	...	...	S	...	S	...	P	S	S	...	S	...	...	...	...	...	...
North Carolina	P	...	...	...	S	...	S	...	S	S	S	...	S	...	S	...	S	...	S
North Dakota	...	S	...	...	S	...	S	...	...	S	S	...	S	...	...	...	S	...	...
Ohio	P	...	...	...	P	...	S	S	S	...	S	S	P	...	S	...	S	S	...
Oklahoma	P	P	P	...	P	...	...	...	P	...	S	...	P	...	...	...	S	P	...
Oregon	P	...	...	...	P	...	S	...	P	S	...	...	S	...	...	...	...	...	...
Pennsylvania	P	S	...	...	P	...	...	...	...	S	...	...	P	...	...	...	...	...	...
Rhode Island	...	S	...	...	...	...	S	...	...	S	...	...	...	...	...	...	...	S	...
South Carolina (f)	P	...	...	...	P	...	...	...	P	...	...	...	P	...	...	...	(g)	...	...
South Dakota	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tennessee	P	P	...	...	P	...	S	...	P	S	S	S	...	...	P	...	...	S	...
Texas	P	S	...	S	P	...	...	...	P	S	...	...	S	S	...	...	S	...	S
Utah	...	S	S	S	S	S	S	S	S	S	S	...	...	S	...	...	S	...	...
Vermont	S	S	...	S	S	S	S	...	S	...	S	...	...	...	S	...	S	...	S
Virginia	P	...	S	...	S	...	...	S	S	...	...	...	...	...	...	...	...	...	...
Washington	...	...	...	...	S	S	S	...	P	...	S	S	S	...	S	...	...	S	...
West Virginia	P	...	...	S	S	S	...	...	P	...	S	...	S	...	S	...	...	S	S
Wisconsin	S	...	S	S	S	...	S	...	...	S	...	...	S	...	S	...	...	S	S
Wyoming	S	...	...	...	S	...	S	...	S	...	...	...	S	...	...	...	...	S	...

See footnotes at end of table.

EDUCATION ACCOUNTABILITY: STATE PERFORMANCE INDICATORS — Continued

State	Student Achievement Indicators														Expenditures & use of resources	
	Professional staff							Program								
	Student/school improvement in academic performance	Attendance	Diversity	Evaluation	Experience	Leadership	Preparation/ certification	Salary levels	Professional/staff development	Working in area of certification	Curriculum	Learning climate	Mission and/or goals statement	Parental and/or community involvement		Parental satisfaction/opinion
Alabama .....	P	...	...	...	...	...	...	...	...	...	...	...	...	...	...	P
Alaska (a) .....	S	...	...	...	...	...	...	...	...	...	...	...	...	...	...	S
Arizona .....	P	...	...	...	S	...	S	...	...	...	S	...	S	S	P	S
Arkansas .....	...	...	...	...	...	...	S	...	...	...	...	...	...	...	...	S
California .....	P	P	...	S	...	S	...	S	S	...	...	S	...	...	...	S
Colorado .....	P	S	...	...	S	...	...	S	S	...	...	...	...	...	...	S
Connecticut .....	S	...	...	...	S	...	S	...	...	...	...	...	S	...	...	S
Delaware .....	P	...	...	...	...	...	...	...	...	...	...	...	...	...	...	S
Florida .....	P	...	S	...	...	...	...	S	...	...	...	...	...	...	...	...
Georgia .....	P	...	...	...	S	...	S	...	...	...	...	...	...	...	...	S
Hawaii .....	...	...	...	...	S	...	...	...	...	...	...	...	S	...	S	S
Idaho .....	...	...	S (c)	...	...	...	...	S	...	...	...	...	S	...	...	S
Illinois .....	...	...	S	...	S	...	...	S	...	...	...	...	S	S	...	S
Indiana .....	P	S	...	...	...	...	P	S	P	...	...	...	...	P	...	P
Iowa .....	S	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kansas .....	P	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kentucky .....	P	...	...	...	S	...	S	...	S	...	...	...	...	S	...	S
Louisiana .....	P	...	...	...	S	...	P	...	...	...	...	...	...	...	...	S
Maine .....	...	...	...	...	...	...	S	S	...	...	...	...	...	...	...	S
Maryland (d) .....	S	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Massachusetts .....	P	...	...	...	...	...	...	S	...	...	...	...	...	...	...	S
Michigan .....	P	...	...	S	...	...	...	S	...	...	S	...	...	S	...	S
Minnesota .....	S	...	...	...	S	...	S	S	...	...	...	...	...	...	...	S
Mississippi .....	...	...	...	...	...	...	S	...	...	...	...	...	...	...	...	S
Missouri .....	...	...	...	...	S	...	S	S	...	...	...	...	...	...	...	P
Montana .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nebraska (e) .....	P	...	...	...	...	...	P	...	P	...	...	...	...	...	...	...
Nevada .....	...	S	...	...	...	...	...	...	S	S	S	...	...	S	...	S
New Hampshire .....	...	...	...	...	...	...	...	...	...	...	...	S	...	...	...	...
New Jersey .....	...	S	...	...	...	...	...	...	...	...	...	...	...	S	...	S

See footnotes at end of table.



EDUCATION ACCOUNTABILITY: STATE PERFORMANCE INDICATORS — Continued

State	Student Achievement Indicators															Expenditures & use of resources
	Professional staff										Program					
	Student/school improvement in academic performance	Attendance	Diversity	Evaluation	Experience	Leadership	Preparation/ certification	Salary levels	Professional/staff development	Working in area of certification	Curriculum	Learning climate	Mission and/or goals statement	Parental and/or community involvement	Parental satisfaction/opinion	
New Mexico	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New York	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
North Carolina	P	...	S	...	...	...	...	...	S	...	...	...	...	...	...	...
North Dakota	...	...	...	...	S	...	...	S	...	...	S	...	...	...	...	...
Ohio	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Oklahoma	P	P	...	...	...	...	...	...	...	P	...	...	...	...	...	S
Oregon	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	S
Pennsylvania	...	...	...	...	S	...	...	...	...	...	...	...	...	...	...	S
Rhode Island	...	S	...	...	...	...	...	...	...	...	...	S	...	...	...	...
South Carolina (f)	P	S	...	...	...	...	...	...	...	...	...	...	...	(g)	...	...
South Dakota	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tennessee	P	...	...	...	...	...	...	...	S	...	...	...	...	...	...	S
Texas	P	...	...	...	...	...	...	...	S	...	...	...	...	...	...	S
Utah	...	...	...	...	S	...	...	...	...	...	...	...	...	S	...	S
Vermont	S	...	...	...	...	...	...	...	...	...	...	...	...	...	...	S
Virginia	P	...	...	...	...	...	...	...	...	...	...	...	...	...	...	S
Washington	...	...	...	...	...	...	...	...	S	...	...	...	S	...	...	S
West Virginia	P	...	...	...	S	...	...	...	...	...	...	...	...	S	...	S
Wisconsin	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	S
Wyoming	S	...	...	...	S	...	...	...	...	...	...	...	...	...	...	S

Source: Education Commission of the States, January 2002. See <http://www.ecs.org> for the full report, *State Performance Indicators*, January 2002.

Note: The indicators are either measures of gains in student achievement or elements perceived to influence those gains. They have two primary functions. The "S" indicator provides the type of underlying data to better inform the public about its schools. The "P" indicator determines whether a district or school qualifies for a reward or if the state needs to intervene in some way to help improve performance.

Key:

P - Evaluative indicators that trigger rewards and/or sanctions.

S - Informative indicators for reporting or additional indicators for gauging performance.

... - Not applicable.

(a) Alaska will set its primary indicators by summer 2002.

(b) Breakout of programs, i.e., vocational education, special education, gifted and talented, remedial education. (c) Explanation of teacher evaluations must be reported.

(d) In law, national standardized testing may not be the only measure for evaluating of education accountability.

(e) Indicators for second increment of awards; after seven years of receiving awards use extra certification endorsement, advanced degrees; mentors, dropout rates, access to high-level and gifted/talented courses; meeting special poverty factors with good performance.

(f) Proposed indicators - state board is to finalize.

(g) Necessary for accreditation of grades two and below.

**Table 9.13**  
**MEMBERSHIP AND ATTENDANCE IN PUBLIC ELEMENTARY AND**  
**SECONDARY SCHOOLS, BY STATE: 1999-2000 AND 2000-2001**

State or other jurisdiction	1999-2000			2000-2001		
	Estimated average daily membership (ADM)	Estimated average daily attendance (ADA)	ADA as a percent of ADM	Estimated average daily membership (ADM)	Estimated average daily attendance (ADA)	ADA as a percent of ADM
United States .....	...	43,161,573	...	...	43,640,151	...
Alabama .....	732,940	705,550	96.3	739,174	713,607	96.5
Alaska .....	132,200	113,653	86.0	132,058	113,400	85.9
Arizona .....	854,853	795,176	93.0	864,093	803,771	93.0
Arkansas .....	456,257	440,645	96.6	457,731	447,736	97.8
California .....	...	5,693,496	...	...	5,776,935	...
Colorado .....	...	656,700	...	...	671,097	...
Connecticut .....	550,710	528,260	95.9	554,600	532,600	96.0
Delaware .....	112,144	105,311	93.9	114,348	107,397	93.9
Florida .....	2,300,341	2,137,477	92.9	2,341,597	2,175,812	92.9
Georgia .....	1,422,941	1,326,323	93.2	1,457,620	1,368,944	93.9
Hawaii .....	183,096	170,818	93.3	184,156	171,790	93.3
Idaho .....	...	230,528	...	...	231,080	...
Illinois .....	1,988,779	1,855,334	93.3	2,013,313	1,879,302	93.3
Indiana .....	950,436	909,086	95.6	954,613	913,937	95.7
Iowa .....	490,945	467,888	95.3	491,187	468,119	95.3
Kansas .....	442,205	419,278	94.8	444,755	422,334	95.0
Kentucky .....	611,812	576,222	94.2	618,200	577,444	93.4
Louisiana .....	756,847	708,975	93.7	749,084	702,339	93.8
Maine .....	206,890	195,071	94.3	205,235	193,510	94.3
Maryland .....	843,308	788,493	93.5	857,755	802,873	93.6
Massachusetts .....	969,480	903,754	93.2	983,397	917,631	93.3
Michigan .....	...	1,564,814	...	...	1,578,805	...
Minnesota .....	855,613	799,075	93.4	868,810	809,429	93.2
Mississippi .....	493,156	468,764	95.1	493,667	469,444	95.1
Missouri .....	...	838,871	...	...	851,812	...
Montana .....	155,420	142,027	91.4	153,678	140,270	91.3
Nebraska .....	284,805	261,844	91.9	284,839	263,668	92.6
Nevada .....	309,405	288,531	93.3	327,871	305,822	93.3
New Hampshire .....	198,336	187,501	94.5	204,344	193,173	94.5
New Jersey .....	1,242,619	1,163,087	93.6	1,259,748	1,178,974	93.6
New Mexico .....	324,253	291,828	90.0	324,984	292,486	90.0
New York .....	2,856,318	2,584,305	90.5	2,893,061	2,616,971	90.5
North Carolina .....	1,218,095	1,155,585	94.9	1,238,888	1,175,555	94.9
North Dakota .....	118,141	112,597	95.3	118,072	111,986	94.8
Ohio .....	1,785,000	1,650,000	92.4	1,780,000	1,640,000	92.1
Oklahoma .....	623,043	586,254	94.1	628,151	591,250	94.1
Oregon .....	510,753	473,258	92.7	516,871	479,416	92.8
Pennsylvania .....	1,803,000	1,682,200	93.3	1,802,000	1,681,300	93.3
Rhode Island .....	153,249	141,493	92.3	154,807	143,065	92.4
South Carolina .....	650,895	624,456	95.9	658,482	631,644	95.9
South Dakota .....	128,114	120,819	94.3	126,546	119,649	94.6
Tennessee .....	894,076	842,347	94.2	896,660	844,451	94.2
Texas .....	...	3,691,551	...	...	3,728,781	...
Utah .....	474,087	448,581	94.6	473,487	448,013	94.6
Vermont .....	104,789	99,282	94.7	108,105	102,457	94.8
Virginia .....	1,120,156	1,065,670	95.1	1,130,466	1,078,669	95.4
Washington .....	1,000,146	937,137	93.7	1,018,390	954,231	93.7
West Virginia .....	283,160	267,347	94.4	282,279	266,344	94.4
Wisconsin .....	846,652	794,078	93.8	855,119	802,019	93.8
Wyoming .....	91,060	85,910	94.3	90,200	85,321	94.6
Dist. of Columbia .....	70,054	64,323	91.8	69,010	63,489	92.0

Source: Adapted from National Education Association, *Rankings & Estimates: Rankings of the States 2000 and Estimates of School Statistics 2001*. © NEA, Washington, D.C. 2001. All rights reserved.

Note: Average Daily Membership (ADM) for the school year is an average obtained by dividing the aggregate days of membership by the number of days in which school is in session. Pupils are "members" of a school from the date they are placed on the current roll until they leave permanently. Membership is the total number of pupils belonging—the sum of those present and those absent.

Average Daily Attendance (ADA) for the school year is the aggregate days pupils were actually present in school divided by the number of days school was actually in session.

Key:

... — Not available.

**Table 9.14**  
**ENROLLMENT, AVERAGE DAILY ATTENDANCE AND CLASSROOM TEACHERS**  
**IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS, BY STATE: 2000-2001**

<i>State or other jurisdiction</i>	<i>Total enrollment (a)</i>	<i>Estimated average daily attendance (a)</i>	<i>Classroom teachers (a)</i>	<i>Pupils per teacher based on enrollment</i>	<i>Pupils per teacher based on average daily attendance</i>
United States .....	46,990,466	43,640,151	2,940,816	16.0	14.8
Alabama .....	733,396	713,607	47,803	15.3	14.9
Alaska .....	140,254	113,400	8,043	17.4	14.1
Arizona .....	868,144	803,771	45,775	19.0	17.6
Arkansas .....	454,427	447,736	29,174	15.6	15.3
California .....	5,986,872	5,776,935	297,648	20.1	19.4
Colorado .....	723,633	671,097	41,607	17.4	16.1
Connecticut .....	558,860	532,600	41,266	13.5	12.9
Delaware .....	115,742	107,397	7,471	15.5	14.4
Florida .....	2,428,121	2,175,812	134,921	18.0	16.1
Georgia .....	1,457,620	1,368,944	91,140	16.0	15.0
Hawaii .....	182,328	171,790	11,217	16.3	15.3
Idaho .....	245,830	231,080	13,846	17.8	16.7
Illinois .....	2,070,778	1,879,302	128,642	16.1	14.6
Indiana .....	992,946	913,937	58,747	16.9	15.6
Iowa .....	495,927	468,119	34,431	14.4	13.6
Kansas .....	473,464	422,334	33,019	14.3	12.8
Kentucky .....	635,159	577,444	41,138	15.4	14.0
Louisiana .....	753,673	702,339	49,593	15.2	14.2
Maine .....	207,580	193,510	15,500	13.4	12.5
Maryland .....	860,264	802,873	51,621	16.7	15.6
Massachusetts .....	977,000	917,631	70,100	13.9	13.1
Michigan .....	1,716,258	1,578,805	97,620	17.6	16.2
Minnesota .....	869,043	809,429	57,330	15.2	14.1
Mississippi .....	499,820	469,444	30,732	16.3	15.3
Missouri .....	904,085	851,812	64,447	14.0	13.2
Montana .....	155,860	140,270	10,297	15.1	13.6
Nebraska .....	288,316	263,668	20,721	13.9	12.7
Nevada .....	340,758	305,822	18,339	18.6	16.7
New Hampshire .....	210,611	193,173	14,052	15.0	13.7
New Jersey .....	1,268,336	1,178,974	95,738	13.2	12.3
New Mexico .....	324,984	292,486	20,333	16.0	14.4
New York .....	2,873,492	2,616,971	205,652	14.0	12.7
North Carolina .....	1,277,747	1,175,555	82,163	15.6	14.3
North Dakota .....	113,434	111,986	8,064	14.1	13.9
Ohio .....	1,821,000	1,640,000	115,765	15.7	14.2
Oklahoma .....	631,910	591,250	41,170	15.3	14.4
Oregon .....	550,749	479,416	28,980	19.0	16.5
Pennsylvania .....	1,811,033	1,681,300	117,200	15.5	14.3
Rhode Island .....	156,719	143,065	12,494	12.5	11.5
South Carolina .....	661,312	631,644	44,041	15.0	14.3
South Dakota .....	127,437	119,649	9,224	13.8	13.0
Tennessee .....	905,410	844,451	56,797	15.9	14.9
Texas .....	4,033,697	3,728,781	274,345	14.7	13.6
Utah .....	475,832	448,013	22,664	21.0	19.8
Vermont .....	105,980	102,457	8,549	12.4	12.0
Virginia .....	1,149,818	1,078,669	89,876	12.8	12.0
Washington .....	1,020,357	954,231	50,951	20.0	18.7
West Virginia .....	285,785	266,344	20,791	13.7	12.8
Wisconsin .....	881,330	802,019	58,224	15.1	13.8
Wyoming .....	91,194	85,321	6,835	13.3	12.5
Dist. of Columbia .....	76,139	63,489	4,719	16.1	13.5

Source: Adapted from National Education Association, *Rankings & Estimates: Rankings of the States 2000 and Estimates of School Statistics 2001*.

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Key:

(a) Estimated.

**Table 9.15**  
**AVERAGE ANNUAL SALARY OF INSTRUCTIONAL STAFF IN PUBLIC**  
**ELEMENTARY AND SECONDARY SCHOOLS: 1979-1980 TO 2000-2001**

State or other jurisdiction	Average annual salary for: (in unadjusted dollars)							
	1979-80	1989-90	1994-95	1995-96	1996-97	1998-99	1999-00	2000-01
Alabama .....	\$13,338	\$26,200	\$32,597	\$32,459	\$33,744	\$35,820	\$36,689	\$37,956
Alaska .....	27,697	43,161	48,929	50,516	52,033	46,845	47,262	46,986
Arizona .....	16,180	33,529	41,325	42,870	44,157	35,025	35,650	36,302
Arkansas .....	12,704	23,296	29,677	30,607	31,526	32,350	33,386	34,476
California .....	18,626	39,309	42,538	44,027	45,349	45,400	47,680	48,923
Colorado .....	16,840	31,832	35,712	36,353	37,445	38,025	38,163	39,284
Connecticut .....	16,989	41,888	53,020	51,951	52,067	51,584	51,780	52,100
Delaware .....	16,845	34,620	40,668	42,177	43,085	43,164	44,435	47,047
Florida .....	14,875	30,275	33,617	34,411	34,983	35,916	36,722	37,824
Georgia .....	14,547	29,541	34,507	35,786	37,933	39,675	41,023	42,216
Hawaii .....	20,436	32,956	37,319	37,057	36,986	40,377	40,578	41,980
Idaho .....	14,110	24,758	31,063	32,285	33,277	34,063	35,162	36,375
Illinois .....	18,271	33,912	42,448	42,411	44,235	45,569	46,486	48,053
Indiana .....	16,256	31,905	37,569	38,832	39,998	41,163	41,850	43,055
Iowa .....	15,776	27,619	32,622	33,529	34,480	34,927	35,678	36,479
Kansas .....	14,513	30,154	36,709	37,626	38,379	37,405	38,453	39,432
Kentucky .....	15,350	27,482	34,232	33,115	34,109	35,526	36,380	37,234
Louisiana .....	14,020	25,036	27,629	28,167	29,013	32,510	33,109	34,253
Maine .....	13,743	27,831	33,182	33,994	35,015	34,906	35,561	36,256
Maryland .....	18,308	37,520	42,300	42,958	42,988	42,526	44,048	44,997
Massachusetts .....	18,900	40,175	48,543	52,663	54,244	45,075	46,250	47,523
Michigan .....	20,682	37,286	48,507	50,764	52,288	48,207	48,695	49,975
Minnesota .....	16,654	33,340	38,615	37,680	38,811	39,458	39,802	40,577
Mississippi .....	12,274	25,079	27,870	28,712	28,648	29,530	31,857	32,957
Missouri .....	14,543	28,166	32,466	33,870	34,887	34,746	35,656	36,764
Montana .....	15,080	29,526	30,052	30,908	31,836	31,356	32,121	32,930
Nebraska .....	14,236	27,024	32,803	34,023	35,045	32,880	33,284	34,175
Nevada .....	17,290	31,970	36,553	37,879	39,179	38,883	39,390	40,172
New Hampshire .....	13,508	29,798	39,564	42,188	43,455	37,405	37,734	38,303
New Jersey .....	18,851	37,485	49,196	50,435	51,949	51,193	52,174	53,281
New Mexico .....	15,406	25,790	28,866	29,389	30,271	32,398	32,554	33,785
New York .....	20,400	40,000	48,300	48,754	50,218	49,437	50,173	50,920
North Carolina .....	14,445	28,952	32,360	31,622	32,571	36,098	39,419	41,167
North Dakota .....	13,684	23,788	26,515	27,153	27,905	28,976	29,863	30,891
Ohio .....	16,100	32,467	37,867	39,038	40,087	40,566	41,436	42,716
Oklahoma .....	13,500	23,944	28,928	30,584	31,000	31,149	31,298	34,434
Oregon .....	16,996	32,100	40,100	40,980	42,210	42,883	40,919	42,333
Pennsylvania .....	17,060	34,110	45,422	47,087	48,500	48,457	48,321	49,500
Rhode Island .....	18,425	36,704	41,464	42,900	44,188	45,650	47,041	48,474
South Carolina .....	13,670	28,453	31,512	33,155	34,219	34,506	36,081	37,327
South Dakota .....	13,010	22,120	25,726	27,354	27,767	28,552	29,072	30,265
Tennessee .....	14,193	27,949	32,452	34,412	35,093	36,500	36,328	37,074
Texas .....	14,729	28,549	31,444	33,861	35,217	35,041	37,567	38,614
Utah .....	17,403	24,591	29,672	31,780	33,000	32,950	34,946	36,049
Vermont .....	13,300	29,012	36,681	37,054	38,167	36,800	37,714	38,651
Virginia .....	14,655	31,656	34,587	35,535	36,602	37,475	38,123	40,197
Washington .....	19,735	31,828	37,752	39,594	39,591	38,692	41,013	42,101
West Virginia .....	14,395	23,842	33,051	33,296	34,360	34,244	35,008	35,764
Wisconsin .....	16,335	32,445	37,534	39,212	40,389	40,657	41,153	41,646
Wyoming .....	16,830	29,047	32,300	32,493	32,626	33,500	34,140	34,189
Dist. of Columbia .....	23,027	32,638	42,088	39,663	40,854	47,150	47,076	48,651

Sources: U.S. Department of Education, National Center for Education Statistics, Statistics of State School Systems; National Education Association, Rankings & Estimates: *Rankings of the States 2000 and Estimates of School Statistics* 2001. © NEA, Washington, D.C. 2001. All rights reserved

Note: Instructional staff includes supervisors, principals, classroom teachers, librarians and other related instructional staff information for the years 1992-93 and 1993-94 can be located in *The Book of the States*, Volume 32, 1998-99.

**Table 9.16**  
**STATE COURSE REQUIREMENTS FOR HIGH SCHOOL GRADUATION**

State or other jurisdiction	Years of instruction in . . .								Last known revision or effective date
	All courses	English/ language arts	Social studies	Mathematics	Science	Physical education/ health	Electives	Other courses	
<b>Alabama (a)</b> .....	24	4	4	4	4	1.5	5.5	.5 fine arts, .5 computer applications	1995
<b>Alaska (b)</b> .....	21	4	3	2	2	1	9	...	1997
<b>Arizona (c)</b> .....	20	4	2.5	2	2	...	8	.5 free enterprise, 1 fine arts or vocational education	1996
<b>Arkansas (d)</b> .....									
College prep diploma .....	21	4	3	3	3	1	4	2 foreign language	2002
Technical diploma .....	21	4	2	3	3	1	...	6 vocational courses	2002
<b>California (e)</b> .....	13	3	3	2	2	2	As prescribed locally	1 (includes foreign language, or visual performing arts)	1990
<b>Colorado (f)</b> .....	...	...	...	...	...	...	...	...	1998
<b>Connecticut (g)</b> .....	20	4	3	3	2	1	6	1 arts or vocational education	1996
<b>Delaware (h)</b> .....									
Standard diploma .....	20	4	3	2	2	1.5	6.5	1 computer literacy	1999
Standard diploma .....	22	4	3	3	3	1.5	...	1 computer literacy, 3 Career Pathway, 3.5 additional academic coursework	2000
Standard diploma .....	22	4	3	3	3	1.5	...	1 computer literacy, 1 visual and performing arts, 3 Career Pathway, 2.5 additional academic coursework	2001
<b>Florida (i)</b> .....	24	4	2.5	3	3	1	9	.5 economics, 1 practical arts career education or exploratory career education (f)	1997
<b>Georgia (j)</b> .....									
Vocational diploma .....	21	4	3	3	3	1	2	1 computer technology, 4 vocational education units	1997
College prep. diploma .....	21	4	3	3	3	1	4	2 foreign language, 1 fine arts, vocational education, computer technology or junior ROTC	
<b>Hawaii (k)</b> .....									
Standard diploma .....	22	4	4	3	3	2	6	...	1997
Recognition Diploma .....	24	4	4	3	3	2	6	2 foreign language, performing/fine arts or vocational education	1997
<b>Idaho (l)</b> .....	21	4	2.5	2	2	1.5	6	.5 reading, .5 speech or debate, 2 humanities	2001
<b>Illinois (m)</b> .....	16	3	2	2	1	4.5	2.25	1 music, art, foreign language or vocational education, .25 consumer education	1995
<b>Indiana (n)</b> .....	19.5	4	2	2	2	1.5	8	...	1995
<b>Iowa (o)</b> .....	...	...	...	...	...	...	...	...	1998
<b>Kansas (p)</b> .....	21	4	3	2	2	1	9	...	
<b>Kentucky (q)</b> .....	22	4	3	3	3	1	7	1 visual and performing arts	1997
<b>Louisiana (r)</b> .....									
Standard diploma .....	23	4	3	3	3	2	8	...	1998
Regents diploma .....	24	4	4	4	3	2	4	3 foreign language, 1 fine arts	1998
<b>Maine (s)</b> .....	16	4	2	2	2	1.5	3.5	1 fine arts	1992
<b>Maryland (t)</b> .....	21	4	3	3	3	1	3	1 fine arts, 2 foreign language or	1997
<b>Massachusetts (u)</b> .....	...	...	1	...	...	4	...	local boards determine remaining requirements	1994
<b>Michigan (v)</b> .....	...	...	...	...	...	...	...	1 civics	1997
<b>Minnesota (w)</b> .....	...	...	...	...	...	...	...	...	2000
<b>Mississippi (x)</b> .....	20	4	3	3	2	0.5	6	1 arts, .5 computer education	1998
<b>Missouri (y)</b> .....	20	4	3	3	3	0.5	4.5	1 arts, .5 computer education,	1988
<b>Montana (z)</b> .....	20	4	2	2	2	1	7	1 fine arts, 1 practical/vocational arts	1993
<b>Nebraska (aa)</b> .....	200 high school credit hours	...	...	...	...	...	...	...	1996
<b>Nevada (bb)</b> .....	22.5	4	2	2	2	2.5	8.5	1 arts/humanities, .5 computer literacy	1997
<b>New Hampshire (cc)</b> .....	19.75	4	2	2	2	1.25	7	.5 arts, .5 computer education, .5 business/economics	1993
<b>New Jersey (dd)</b> .....	22	4	3	3	2	4	4.5	1 fine, practical or performing arts; .5 consumer education	1996
<b>New Mexico (ee)</b> .....	23	4	3	3	2	1	9	1 communication skills	1997
<b>New York (ff)</b> .....									
Local diploma .....	18.5	4	4	2	2	2.5	5	1	1996
Regents diploma .....	18.5	4	4	2	2	2.5	5	1 art and/or music, 3 second language	2000

See footnotes at end of table.

## STATE COURSE REQUIREMENTS FOR HIGH SCHOOL GRADUATION — Continued

State or other jurisdiction	Years of instruction in . . .								Last known revision or effective date
	All courses	English/language arts	Social studies	Mathematics	Science	Physical education/health	Electives	Other courses	
<b>North Carolina (gg)</b> .....	20	4	3	3	3	1	6	...	1993
<b>North Dakota (hh)</b> .....	17	4	3	2	2	1	5	...	1994
<b>Ohio (ii)</b> .....	18	3	2	2	1	1	9	...	1998
	21	4	3	3	2	1	8	...	2001
	21	4	3	3	3	1	7	...	2003
<b>Oklahoma (jj)</b> .....	20	4	2	2	2	...	8	1 visual arts, 1 general music	1996
	21	4	2	3	2	...	8	1 visual arts, 1 general music	2000
<b>Oregon (kk)</b> .....	22	3	3.5	2	2	2	9	1 applied arts, fine arts or foreign language	1997
<b>Pennsylvania (ll)</b> .....	21	4	3	3	3	1	5	2 arts/humanities or computer science	1993
<b>Rhode Island (mm)</b> .....									
Standard diploma .....	16	4	2	2	2	...	6	...	1989
College preparatory .....	18	4	2	3	2	...	4	2 foreign language, .5 computer, .5 arts	...
<b>South Carolina (nn)</b> .....									
Tech prep .....	20	4	3	3	2	1	7	...	2000
Tech prep .....	24	4	3	4	3	1	7	1 computer science, 1 vocational unit	2001
College prep .....	24	4	3	4	3	1	7	1 computer science, 1 foreign language	2001
<b>South Dakota (oo)</b> .....	20	4	3	2	2	...	8	.5 computer science, .5 fine arts	1996
<b>Tennessee (pp)</b> .....									
Technical preparatory .....	20	4	3	3	3	1	2	4 units in particular technical area	1994
University preparatory .....	20	4	3	3	3	1	3	2 foreign language, 1 fine arts	1994
<b>Texas (qq)</b> .....	22	4	2.5	3	2	2	5.5	1 world history/geography or approved science, .5 economics,	1997
<b>Utah (rr)</b> .....	24	3	3	2	2	2	9.5	1.5 arts, 1 applied technical education	1997
<b>Vermont (ss)</b> .....	14.5	4	3	2	2	...	1.5	1 arts, 1 additional unit in science or math	1997
<b>Virginia (tt)</b> .....									
Standard diploma .....	22	4	3	3	3	2	6	1 fine or practical arts	1998
Advanced studies .....	24	4	4	4	4	2	2	3 foreign language, 1 fine or practical arts	1998
<b>Washington (uu)</b> .....	19	3	2.5	2	2	2	5.5	1 occupational education, 1 fine/visual or performing arts	1998
<b>West Virginia (vv)</b> .....	21	4	3	2	2	2	7	1 foreign language, performing arts or fine arts	...
	24	4	4	4	4	2	2	3 foreign language, 1 fine or practical arts	1999
<b>Wisconsin (ww)</b> .....	21.5	4	3	2	2	2	8	...	1995
<b>Wyoming (xx)</b> .....	13 (xx)	4	3	3	3	...	(xx)	...	1997
<b>Dist. of Columbia (yy)</b> .....	23.5	4	3.5	3	3	1.5	3.5	2 foreign language, 1 social values/life skills, 1 career/vocational, .5 art, .5 music	1996

Source: Education Commission of the States, *Clearinghouse Notes*, November 1998, [www.ecs.org](http://www.ecs.org).

## Key:

... — No requirement.

(a) In Alabama, passing graduation exams in reading, language, math, science, and social studies is required. Math requirement includes algebra I and geometry. Science includes 1 biology and 1 physical science. Physical education requirement consists of 1 in PE and .5 in health. Demonstration of computer literacy through related coursework is required.

(b) In Alaska, students must pass a competency exam in reading, writing and math. Electives are established by the local board of education.

(c) In Arizona, The state board of education adopts competency tests in reading, writing and math. Language arts requirement must include .5 of speech/debate. Social studies requirement consists of 1 world history/geography and 1.5 in U.S./Arizona history and constitutions.

(d) In Arkansas, basic competencies are tested in grades 4, 8, and 11 or 12 in science, math, English, history and social studies. Science includes 1 life science and one physical science. Physical education consists of .5 in PE and .5 in health and safety. Arkansas also issues a college preparatory and technical diploma beyond the basic diploma. The college prep diploma maintains the total units required but defines courses which must be taken in social studies, math and science. The technical diploma also defines courses which must be completed in social studies, math and science; eliminates electives; and adds 6 units in sequential and related vocational credits to the other category. Legislation in 1997 eliminates the three diploma types and creates a common core curriculum for all students beginning with the graduating class of 2002. Requirements remain the same as the current basic diploma. Math requirement then includes 1 in algebra or equivalent and 1 in geometry or equivalent.

Science requirement then includes 1 in biology or equivalent and 1 in physical science.

(e) In California, electives are left to the discretion of the local board of education. Social studies consists of 1 U.S. history and geography; 1 world history, culture and geography; .5 American government and .5 in economics. Science includes biological and physical sciences.

(f) In Colorado, legislation in 1998 implemented a statewide assessment program as part of the indicators for state accreditation. Beginning with the spring semester of 2001, the program requires all 10th graders to take an assessment in reading, writing and math. Beginning with the spring semester of 2003, 12th graders scoring below proficient on the 10th grade assessment will retake the assessment. Results of the retake exam will be included as accreditation indicators. Colorado is a local control state where the curriculum and other graduation requirements are left to the discretion of the individual local districts.

(g) In Connecticut, 50 hours of community service may be used for .5 credits towards graduation requirements.

(h) In Delaware, the student testing program assesses performance of 10th graders in reading, writing and math. In June of 2000, only those students passing exams will be eligible for a diploma. Requirements for the graduating class of 2000 increases the total to 22, increases both math and science to 3 units, eliminates electives and changes the other requirement to 7.5 to consist of 3 in career pathways (academic, visual and performing arts, foreign language or vocational education program), 1 in computer literacy and 3.5 in additional academic, visual and performing arts, foreign languages and/or vocational technical education program units. The graduating classes of 2001 and beyond retain these same requirements except that 1 unit of visual and performing arts will be required as part of the 7.5 other course requirement.

(i) In Florida, all 11th grade students must pass competency tests. Social stud-

## STATE COURSE REQUIREMENTS FOR HIGH SCHOOL GRADUATION — Continued

ies requirement consists of 1 American history, 1 world history and .5 in American government. Two of the science units must be in laboratory sciences. Physical education consists of .5 in PE and .5 in life management skills. Beginning in the 1997-98 school year, 1 math credit must be in algebra 1 or higher. School boards may award .5 credits for 75 hours of community service. Students must achieve a 2.0 GPA to graduate.

(j) In Georgia, all 11th grade students must pass a curriculum based assessment exam prior to graduation. Georgia issues a college preparatory or vocational diploma. The math requirement includes 1 algebra unit. The vocational diploma other requirement consists of 4 vocational diploma units and 1 in computer technology. For the college preparatory diploma the other requirement consists of 2 in foreign language and 1 in computer technology and/or fine arts and/or vocational education and/or junior ROTC and/or foreign language.

(k) In Hawaii, the state test of essential competencies (HSTEC) is administered to 10th grade students. Passing is required to graduate. Physical education requirement consists of 1 in PE, .5 in health and .5 in guidance. For a diploma with a board of education recognition endorsement, students must add 2 units in foreign language, performing/fine arts or vocational education (total 24 units) and maintain a 3.0 GPA.

(l) In Idaho, to qualify for graduation the state board of education requires either a C average in core subjects, demonstrated competency on statewide achievement test and direct writing assessment in the 11th grade or validation of student achievement through an approved, locally developed, core competency plan. Science requirement includes 1 in laboratory science. Physical education requirement consists of 1 in PE and .5 in health. The social studies requirement includes 1 U.S. history and 1 in American government. Effective July 1, 2000, the requirement is increased to 2.5 adding .5 in economics.

(m) In Illinois, passing end of course exam in American history and government is required to graduate. Social studies requirement includes 1 in U.S. history and .5 in American government. Science requirement may include 1 unit in computer technology. Physical education requirement consists of 4 in PE and .5 in health. Students may test out of consumer education requirement.

(n) In Indiana, obtaining the educational proficiency standard through the Indiana statewide testing for educational progress program is required for graduation. Statute requires state board to determine grade level for the test, but it must be given higher than 9th grade. Students must successfully complete a course concerning the constitutions of the U.S. and Indiana to graduate. Social studies requirement includes 1 in U.S. history and .5 in U.S. government. Physical education requirement is 1 in PE and .5 in health and safety.

(o) In Iowa, legislation in 1998 requires the establishment of a set of core academic indicators in reading, math, and science for grade 11. Graduation requirements are determined on a local level guided by an established minimum education program which must be offered in public schools. Requirements include 1 unit of U.S. history and .5 in American government. All students must participate in physical education each semester unless they are specifically excused.

(p) In Kansas, passing a course in Kansas history and government between the 7th and 12th grade is required for graduation. The language arts requirement includes 3 English units. The social studies requirement includes 1 American history and .5 in American government. The physical education requirement may include .5 units in health.

(q) In Kentucky, an assessment exam is given in reading, math, science, social studies, and writing during 11th grade. A writing portfolio is required in 12th grade. Passing is not tied to graduation. Social studies units incorporate U.S. history, economics, government, world geography and world civilization. Math requirements include algebra 1 and geometry. Physical education requirement consists of .5 in PE and .5 in health.

(r) In Louisiana, passing state graduation test is required. Social studies requirement consists of 1 in American history, 1 in world history/geography/civilization, .5 in civics and .5 in free enterprise. Math requirement includes algebra. Science requirement includes biology. Physical education requirement is 1.5 in PE and .5 in health. Louisiana honors curriculum (to receive a Regent's diploma) increases the total unit requirement to 24. Social studies and math are increased to 4, electives are reduced to 4 and the other requirement is increased to 3 which consists of 2 in foreign language and 1 in fine arts.

(s) In Maine, students must pass computer proficiency standards. Social studies requirement includes 1 in American history and government. Science requirement includes 1 year of laboratory study. Physical education requirement consists of 1 in PE and .5 in health.

(t) In Maryland, passage of English, math and government exams is required for graduation. Biology may be included at the discretion of the local district. Completion of a state approved career and technology program may substitute for the advanced technology units. Additionally, 75 clock hours of student com-

munity service is required for graduation.

(u) In Massachusetts, competency determination in math, science and technology, history and social studies, foreign languages, and English, at the 10th grade level based on comprehensive diagnostic assessment is required for graduation. Social studies unit requirement is in American history. Local boards determine all remaining requirements.

(v) In Michigan, state assessment tests are administered in communications skills, math, science and social studies. Students passing tests receive a state endorsement on their diplomas. Local boards may issue diploma for completion of their established requirements regardless of whether the student receives the state endorsement. All remaining requirements are established by the local board. The state board establishes academic curriculum content standards model setting forth desired learning objectives in math, science, reading, history, geography, economics, American governance and writing.

(w) In Minnesota, students must pass a state test, or approved alternative test, in writing composition, reading and math. Testing usually begins in the 10th grade depending on the district. A "profile of learning" requirement has been enacted which requires students to complete 24 of 48 standards in broad academic areas prior to graduation.

(x) In Mississippi, students must demonstrate minimum performance standards in reading, writing and math on state examination. Social studies requirement consists of 1 in U.S. history, 1 in world history, .5 in U.S. government and .5 in Mississippi studies. PE requirement is in health. For the graduating class of 2002, electives are reduced to 4.5 units, science is increased to 3 units and other is increased to 2 units with the addition of a .5 unit of keyboarding.

(y) In Missouri, students must pass an end of course exam in the principles of the constitutions of the U.S. and Missouri prior to graduation. Social studies requirement includes .5 in U.S. and state government.

(z) In Montana, PE requirement is in health.

(aa) In Nebraska, all students are required to complete a minimum of 200 high school credit hours prior to graduation. A minimum of 80 percent of these hours must be completed in core curriculum subjects. Local boards determine requirements.

(bb) In Nevada, students must pass the Nevada high school proficiency examinations in reading, math and writing for graduation. Social studies requirements consist of 1 in American history and 1 in American government. Physical education requirement is 2 in PE and .5 in health. Computer literacy may be waived by demonstration of competency.

(cc) In New Hampshire, social studies requirement includes 1 U.S. and New Hampshire history and government. Science requirement is 1 physical science and 1 biological science. Physical education requirement is 1 PE and .25 health. Computer education requirement may be met through examination or course prior to high school.

(dd) In New Jersey, passing statewide proficiency examination in the 11th grade in reading, writing, and math is required for graduation. Social studies requirement consists of 2 U.S. history and 1 world history/cultures. Science requirement must be fulfilled with natural or physical sciences.

(ee) In New Mexico, students must pass a state competency exam in order to receive a diploma. If exam is not passed, student receives a certificate of completion upon exit at the completion of 12th grade. Social studies requirement consists of government and economics, world and U.S. history and geography. Science requirement includes 1 lab component.

(ff) In New York, passage of comprehensive exams in English, math, U.S. history and government, science and global studies is required for graduation. Within an established range, local districts may determine passing scores. New York issues either a local or Regent's diploma. Requirements for a Regent's diploma include more stringent course difficulty sequencing and additional exams. A minimum sequence of three units in a second language is required for the Regent's diploma. Physical education requirement includes .5 of health. Only the health unit may be counted towards total graduation credit.

(gg) In North Carolina, state competency examination is required for graduation. Social studies requirement consists of 1 in government and economics, 1 in U.S. history and 1 in world studies. Math requirement includes 1 in algebra I. Science requirement includes 1 in biology and 1 in physical science.

(hh) In North Dakota, Social Studies requirement includes 1 in world history and 1 in U.S. history, both with strong geography components. The math requirement may include business math. The state department of public instruction sets the state minimum of 17 total units. State recommends that school districts establish their requirements at a minimum of 20 units.

(ii) In Ohio, passage of exams for proficiency in reading, writing, math, science and citizenship are required for graduation. Social studies requirement includes .5 in U.S. history and .5 in U.S. government. Physical education requirement consists of .5 in PE and .5 in health. A graduation requirement

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exists to complete 3 units in a subject other than English and are considered a minor.

(jj) In Oklahoma, competency tests are administered in math, science, English, history, geography and culture, and the arts during the 11th grade. However, they are not tied to graduation requirements. Social studies requirement includes U.S. and Oklahoma history. For the graduating class of 2000 total units increase to 21 by increasing math to 3.

(kk) In Oregon, certificates of initial mastery are issued to sophomores for demonstrated proficiency in core subject areas. Certificates of initial mastery are not required to graduate. A statewide assessment is given to 10th graders in math, English, science and history. Physical education requirement consists of 1 in PE and 1 in health.

(ll) In Pennsylvania, students must achieve 52 state academic performance standards and locally developed student learning outcomes. Students must also complete a project in one or more areas of concentrated studies. Pennsylvania is phasing out the required units in individual subject system. Graduation requirements are now based on the local districts' submission of a strategic plan, fulfillment of the state performance standards and local student learning outcomes.

(mm) In Rhode Island, students are required to take educational assessment examinations in reading, writing, and math during 10th grade. The social studies requirement includes 1 in U.S. history and government.

(nn) In South Carolina, passage of an exit examination in reading, writing, and math is required for graduation. Students are allowed four opportunities to pass the examination. South Carolina uses a technical preparation track and a college preparation track to fulfill course requirements. Technical track students who will graduate in the year 2000 must use electives to complete a career major which consists of four sequential units in an occupational program. Social studies requirement includes 1 in U.S. history, .5 in U.S. government and .5 in Economics. Physical education requirement may be met with junior ROTC.

(oo) In South Dakota, Language Arts requirement includes 1.5 in writing, 1 in literature (of which .5 is American literature) and .5 in speech. The social studies requirement includes .5 in U.S. history, .5 in U.S. government, and .5 in geography. Science requirement is in laboratory sciences. Students may complete the computer studies requirement through demonstrated mastery of basic course content.

(pp) In Tennessee, passage of the Tennessee comprehensive assessment program tests are required to obtain a full diploma. Certificates of attendance or unsatisfactory performance are issued to students not passing the examination. Math requirement includes algebra. Science includes biology. Tennessee issues

a university preparation or a technical preparation diploma.

(qq) In Texas, students must pass the secondary exit level assessment instruments in English and math or pass the end of course instruments in algebra I and English II and either biology I or U.S. history. Social studies requirement consists of 1 in world history or world geography, 1 in U.S. history and .5 in U.S. government. Math requirement must include algebra I. Science requirement must include 1 from biology I, chemistry I or physics I. Physical education requirement consists of 1.5 in PE and .5 in health.

(rr) In Utah, assessment of student mastery of required core subjects occurs at the completion of 8th, 10th and 12 grade. Implementation is the responsibility of local districts. The state does not require passage to graduate. Required elective areas are divided into college entry or applied technology clusters.

(ss) In Vermont, statewide academic examinations are administered in math, science, English and social studies in order to qualify for a "governor's diploma." Social studies requirement includes 1 U.S. history and 1 world history. Science requirement consists of 1 physical and 1 natural science.

(tt) In Virginia, students must pass all components of the literacy passport test in order to graduate. End of course standards of learning tests for certain courses are also required. The science requirement for both the standard and advanced studies diploma is in laboratory courses.

(uu) In Washington, assessment tests are given to 11th graders to assess strengths and weaknesses. Beginning with the 2000-2001 school year, passing assessment examinations result in issuance of a certificate of mastery which is required for graduation. Social studies requirement consists of 1 U.S. history and government, .5 Washington state history and government and 1 world history. Science requires 1 laboratory course.

(vv) In West Virginia, students in grades 9-11 take the Stanford Achievement Test to assess basic skills. Physical education requirement consists of 1 in PE and 1 in health. For the freshman class entering in fall of 1999, total units increase to 24. Math (to include algebra and 1 higher math) is increased to 3. Science (to include coordinated and thematic science and 1 higher science) is increased to 3. Electives are reduced to 4. Students must also graduate with "work base learning" requirements which are determined by local boards.

(ww) In Wyoming, legislation in 1997 requires the state board of education to establish, through testing or other means, a requirement for each student to demonstrate mastery of the common core of knowledge and skills in order to earn a high school diploma. The means and process to establish this requirement have not been implemented. Social studies requirement includes history and American government. Electives are determined by the local school board. Thirteen units are required plus the elective units as determined by the school board in order to obtain the total units.



**Table 9.17**  
**GENERAL REVENUE OF PUBLIC SCHOOL SYSTEMS, BY SOURCE: 1998-1999**  
(In thousands of dollars)

State or other jurisdiction	Intergovernmental					From own sources						
	Total (a)	Total	Directly from federal government	From state		From other local governments	Total	Taxes	Parent government contributions	Current charges		
				Federal aid distributed by state	Other					School lunch	Other	
United States .....	\$349,231,260	\$200,445,342	\$2,360,938	\$21,853,133	\$172,461,328	\$3,769,943	\$148,785,918	\$102,395,197	\$25,278,775	\$5,081,751	\$4,174,685	\$11,855,510
Alabama .....	4,467,293	3,481,808	20,832	372,263	2,752,653	336,060	985,485	494,457	0	101,416	155,568	234,044
Alaska .....	1,242,971	927,316	110,599	76,554	740,163	0	315,655	0	249,136	10,460	27,396	28,663
Arizona .....	5,049,070	2,890,005	145,700	350,008	2,259,753	134,544	2,159,065	1,782,747	0	83,200	69,937	223,181
Arkansas .....	2,653,527	1,792,176	13,012	219,370	1,558,565	1,229	861,351	668,163	0	42,501	85,230	65,457
California .....	40,359,713	27,441,757	293,022	3,306,901	23,695,095	146,739	12,917,956	9,598,074	498,901	432,867	185,332	2,202,782
Colorado .....	4,699,926	2,252,939	31,714	203,225	2,004,039	13,961	2,446,987	1,985,465	0	75,387	149,135	237,000
Connecticut .....	5,372,938	2,561,515	14,569	193,996	2,074,271	278,679	2,811,423	0	2,742,609	54,468	6,381	7,965
Delaware .....	980,685	708,077	8,155	53,330	646,592	0	272,608	221,182	0	12,196	0	39,230
Florida .....	17,092,648	9,986,912	100,285	1,166,642	8,719,985	0	7,105,736	5,829,518	0	245,408	445,592	585,218
Georgia .....	10,376,725	5,925,335	30,616	642,252	5,148,120	104,347	4,451,390	3,933,376	0	162,647	45,728	309,639
Hawaii .....	1,328,217	1,297,487	45,750	84,797	1,166,940	0	30,730	0	0	15,915	4,831	9,984
Idaho .....	1,404,340	964,716	11,377	85,384	867,752	203	439,624	355,005	0	21,276	3,350	59,993
Illinois .....	15,767,095	6,772,685	49,203	1,040,529	5,665,008	17,945	8,994,410	7,996,630	0	194,993	151,292	651,495
Indiana .....	7,957,804	4,537,916	9,788	367,893	4,094,272	65,963	3,419,888	2,858,423	0	160,651	109,761	291,053
Iowa .....	3,495,018	1,967,108	11,655	174,401	1,776,000	5,052	1,527,910	1,239,253	0	78,969	111,797	97,891
Kansas .....	3,369,375	2,376,823	16,467	185,405	2,093,218	81,733	992,552	788,319	0	70,716	21,704	111,813
Kentucky .....	4,185,859	2,978,194	23,000	356,440	2,584,984	13,770	1,207,665	1,017,701	0	82,751	11,226	95,987
Louisiana .....	4,640,059	2,914,715	44,800	488,151	2,364,871	16,893	1,725,344	1,532,204	0	43,547	20,978	128,615
Maine .....	1,642,680	828,938	4,779	84,109	740,050	0	813,742	315,389	446,241	14,500	5,849	31,763
Maryland .....	6,845,120	3,058,711	44,341	327,675	2,686,695	0	3,786,409	0	3,485,882	85,491	130,510	84,526
Massachusetts .....	8,320,839	4,526,535	18,032	395,568	3,571,654	541,281	3,794,304	0	3,520,307	102,101	60,221	111,675
Michigan .....	14,682,808	10,559,971	124,893	893,932	9,519,308	21,838	4,122,837	3,138,575	115,814	187,426	119,609	561,413
Minnesota .....	6,732,043	4,426,855	17,285	304,863	3,873,937	230,770	2,305,188	1,712,034	0	144,815	64,300	384,039
Mississippi .....	2,529,048	1,718,210	13,277	326,082	1,374,920	3,931	810,838	585,637	2,249	42,771	44,365	135,816
Missouri .....	6,192,263	3,517,100	22,101	381,104	2,964,597	149,298	2,675,163	2,205,636	0	111,662	161,252	196,613
Montana .....	1,043,997	677,648	47,596	67,615	466,300	96,137	366,349	286,133	0	13,824	32,041	34,351
Nebraska .....	2,161,022	971,695	29,607	121,356	805,824	14,908	1,189,327	1,020,765	0	42,678	58,189	67,695
Nevada .....	2,085,119	1,416,815	5,845	86,182	1,324,474	314	668,304	531,816	0	24,717	50,862	60,909
New Hampshire .....	1,442,814	186,155	6,696	51,528	127,705	226	1,256,659	962,103	232,075	30,296	6,103	26,082
New Jersey .....	14,504,807	6,599,945	28,476	506,194	5,870,448	194,827	7,904,862	6,494,517	549,644	194,236	32,235	634,230
New Mexico .....	2,067,814	1,787,164	111,478	165,871	1,509,815	0	280,650	193,853	0	21,873	18,464	46,460
New York .....	30,060,198	14,775,196	23,865	1,770,988	12,605,931	374,412	15,285,002	9,440,575	4,716,690	232,749	55,115	839,873
North Carolina .....	8,475,267	6,115,475	42,352	514,790	5,558,333	0	2,359,792	0	2,017,730	202,574	52,284	87,204
North Dakota .....	726,484	385,948	43,366	48,712	287,048	6,822	340,536	259,975	0	17,320	20,561	42,680
Ohio .....	14,390,122	6,862,443	56,777	730,910	6,041,429	33,327	7,527,679	6,331,788	0	257,881	482,942	455,068

See footnotes at end of table.

## GENERAL REVENUE OF PUBLIC SCHOOL SYSTEMS, BY SOURCE: 1998-1999 — Continued

State or other jurisdiction	Total (a)	Total	Intergovernmental		From other local governments		From own sources			
			Directly from federal government	Federal aid distributed by state	Other	Total	Taxes	Parent government contributions	Current charges	
									School lunch	Other
Oklahoma .....	3,782,954	2,561,811	41,403	292,005	2,158,427	69,976	896,797	0	58,985	178,127
Oregon .....	4,044,943	2,660,902	89,695	194,695	2,299,646	76,866	1,025,853	0	54,664	96,705
Pennsylvania .....	15,577,670	6,975,914	44,436	875,212	5,963,486	92,780	7,886,100	0	251,048	59,919
Rhode Island .....	1,351,705	698,401	4,640	73,264	568,748	51,749	0	628,429	16,084	1,006
South Carolina .....	4,356,760	2,662,279	4,006	338,394	2,278,900	40,979	1,407,183	0	66,932	118,221
South Dakota .....	822,324	391,861	30,983	53,762	295,753	11,363	379,314	0	17,799	4,096
Tennessee .....	5,039,794	3,143,574	19,309	398,561	2,369,846	355,858	0	1,415,183	105,955	248,816
Texas .....	26,019,990	13,004,017	248,816	1,912,846	10,802,214	40,141	11,406,870	0	447,872	212,837
Utah .....	2,424,271	1,659,034	14,432	159,867	1,481,463	3,272	599,533	0	45,723	17,877
Vermont .....	890,520	730,524	4,220	48,594	677,199	511	123,417	0	12,543	4,436
Virginia .....	8,233,274	3,931,147	56,545	361,814	3,512,788	0	0	4,031,920	144,877	28,713
Washington .....	7,239,847	5,195,902	117,337	369,163	4,696,554	12,848	1,526,665	0	90,208	146,818
West Virginia .....	2,189,724	1,552,839	6,561	182,304	1,355,717	8,257	550,038	0	22,450	7,879
Wisconsin .....	7,374,543	4,438,628	23,605	300,319	4,051,567	63,137	2,935,915	0	117,697	45,512
Wyoming .....	779,161	523,251	10,180	47,803	408,271	56,997	227,975	0	11,650	1,198
Dist. of Columbia .....	758,072	122,970	23,460	99,510	0	0	0	625,965	982	2,385
										5,770

Source: U.S. Department of Commerce, Bureau of the Census, January 2002.

Note: Revenue from state sources for state dependent school systems is included as intergovernmental revenue from state rather than as parent government contributions. Detail may not add to totals due to rounding.

(a) To avoid duplication, interschool system transactions are excluded.

**Table 9.18**  
**SUMMARY OF STATE GOVERNMENT DIRECT EXPENDITURES FOR EDUCATION, BY STATE: 1999**  
(In thousands of dollars)

State	Elementary and secondary				Higher education				Other education					
	Total (a)	Total	Current operation	Capital outlay		Total	Current operation	Capital outlay		Total	Current operation	Capital outlay		
				Total	Construction			Total	Construction			Total	Construction	
United States .....	\$318,601,796	\$187,667,587	\$2,317,584	\$607,747	\$408,546	\$109,813,926	\$91,437,322	\$11,150,219	\$7,037,966	\$21,120,283	\$10,052,674	\$535,923	\$272,501	\$10,083,340
Alabama .....	5,751,997	3,138,573	0	0	0	2,197,528	1,996,294	201,234	111,655	415,896	285,867	3,921	0	126,108
Alaska .....	1,325,244	945,423	211,721	72,338	10,586	326,733	313,927	12,806	0	53,088	47,402	1,206	3	4,480
Arizona .....	4,735,867	2,645,044	0	0	0	1,696,354	1,435,031	134,659	61,689	394,469	125,972	3,567	299	132,942
Arkansas .....	3,666,635	2,230,367	3,040	0	0	1,123,991	918,238	205,753	154,446	312,277	187,367	21,432	11,809	102,184
California .....	44,005,476	28,054,077	356	0	0	13,605,254	9,792,771	1,186,780	913,047	2,346,145	1,106,074	4,225	0	1,200,084
Colorado .....	4,604,079	2,222,577	2,631	0	0	2,188,487	1,967,036	202,217	133,434	193,015	93,145	3,287	1,151	95,983
Connecticut .....	1,898,643	1,067,304	980	0	0	1,112,559	1,067,304	45,255	9,457	274,611	159,648	21,902	11,014	92,937
Delaware .....	1,303,377	623,176	0	0	0	513,627	487,545	51,362	28,666	141,294	97,603	1,191	0	42,138
Florida .....	13,475,034	9,116,768	0	0	0	3,576,272	2,551,323	422,036	251,223	781,994	293,463	22,873	13,007	465,658
Georgia .....	9,904,593	5,900,571	0	0	0	3,104,114	2,635,523	468,591	275,168	899,908	420,046	69,210	37,869	410,652
Hawaii .....	1,778,197	1,069,321	904,406	164,915	137,248	686,280	607,307	78,973	52,101	22,596	17,720	151	0	4,725
Idaho .....	1,537,180	949,380	0	0	0	523,569	438,281	67,574	35,925	64,231	36,960	5,527	4,236	21,744
Illinois .....	10,853,204	6,193,794	0	0	0	3,482,136	2,767,496	304,240	155,053	1,177,274	511,424	25,576	15,580	618,991
Indiana .....	7,160,843	3,429,532	0	0	0	3,280,576	2,973,038	307,538	171,169	450,735	199,250	5,408	3,952	246,077
Iowa .....	3,833,785	2,038,179	0	0	0	1,497,034	1,328,687	165,304	66,696	298,572	143,641	4,584	3,089	150,347
Kansas .....	3,718,056	2,278,094	0	0	0	1,268,107	1,072,972	136,445	75,267	171,855	65,580	38,195	36,622	68,080
Kentucky .....	4,920,636	2,707,075	0	0	0	1,845,575	1,618,528	227,047	133,640	367,986	209,708	17,883	687	140,395
Louisiana .....	5,142,948	2,899,400	0	0	0	1,789,394	1,632,350	157,044	70,012	454,154	270,780	13,026	3,404	169,256
Maine .....	1,221,224	682,144	8,018	242	102	446,452	404,944	41,508	23,267	92,628	57,873	634	0	34,121
Maryland .....	5,162,642	2,679,704	0	72	72	2,079,943	1,824,495	133,924	107,118	402,995	190,870	4,709	843	207,231
Massachusetts .....	5,851,290	3,383,029	0	0	0	1,927,752	1,789,532	138,220	74,507	540,509	342,849	2,137	0	195,523
Michigan .....	16,200,622	10,245,435	0	0	0	5,408,372	4,424,564	670,512	434,485	546,815	183,247	3,368	1,509	360,200
Minnesota .....	7,110,380	4,118,853	0	0	0	2,444,816	2,207,796	237,020	151,925	546,711	238,809	4,183	0	231,520
Mississippi .....	3,179,212	1,727,923	0	0	0	1,179,947	912,516	91,534	50,350	271,342	125,045	14,861	7,155	130,781
Missouri .....	5,731,961	3,484,366	0	0	0	1,857,025	1,483,074	190,291	110,303	390,570	215,857	4,484	0	170,227
Montana .....	1,106,648	531,928	0	0	0	462,978	367,627	90,589	74,008	111,742	79,595	104	28	32,043
Nebraska .....	1,907,313	904,128	0	0	0	893,641	768,270	77,167	52,712	109,544	57,312	4,393	0	42,099
Nevada .....	2,051,345	1,307,545	0	0	0	683,121	577,717	105,404	87,565	60,679	39,341	169	46	21,169
New Hampshire .....	706,836	229,692	98	0	0	418,583	388,361	29,908	15,105	58,561	16,378	1,837	490	40,346
New Jersey .....	8,514,253	5,512,613	847,692	133,504	74,672	2,594,647	2,191,177	252,223	156,816	406,993	103,398	825	825	302,770
New Mexico .....	2,800,929	1,698,285	0	0	0	965,530	905,578	59,952	137,114	71,836	2,238	183	63,040	0
New York .....	18,747,907	12,319,685	0	0	0	4,952,437	4,113,194	318,447	1,475,785	382,121	35,687	30,718	915,659	0
North Carolina .....	10,584,681	6,160,900	72,305	50,349	0	3,906,045	2,936,045	331,592	207,736	517,736	296,108	14,453	6,967	207,175
North Dakota .....	862,986	371,139	0	0	0	436,702	398,756	23,696	37,558	35,145	38,987	708	377	15,344
Ohio .....	12,324,473	7,029,349	0	0	0	4,361,845	3,732,055	546,867	359,093	933,279	199,019	54,228	26,664	680,032

See footnotes at end of table.

# SUMMARY OF STATE GOVERNMENT DIRECT EXPENDITURES FOR EDUCATION, BY STATE: 1999

State	Elementary and secondary						Higher education						Other education					
	Total (a)	Total	Current operation	Capital outlay		Assistance & subsidies	Current operation	Capital outlay		Assistance & subsidies	Current operation	Capital outlay		Assistance & subsidies	Current operation	Capital outlay		Assistance & subsidies
				Total	Construction			Total	Construction			Total	Construction			Total	Construction	
Oklahoma .....	4,177,647	2,411,453	18,358	0	0	1,554,022	1,451,662	101,939	32,708	212,172	113,057	4,942	1,961	89,220	154,117	154,117	0	74,181
Oregon .....	4,294,376	2,496,934	0	0	0	1,559,948	1,185,616	163,240	316,528	237,494	154,117	438	0	74,181	154,117	154,117	0	74,181
Pennsylvania .....	11,712,443	5,863,934	0	42,760	42,760	4,760,720	3,594,750	503,650	376,558	1,583,867	1,003,867	25,678	13,701	554,195	1,003,867	25,678	13,701	554,195
Rhode Island .....	1,077,921	571,610	51,444	0	0	368,930	356,147	12,783	3,212	137,381	91,694	6,403	5,422	33,223	91,694	6,403	5,422	33,223
South Carolina .....	4,423,952	2,341,506	92,109	461	0	1,737,450	1,539,969	197,481	144,894	344,996	170,471	25,810	21,176	139,924	170,471	25,810	21,176	139,924
South Dakota .....	662,500	366,043	0	0	0	255,246	230,108	25,138	8,079	41,211	31,645	459	0	9,107	31,645	459	0	9,107
Tennessee .....	5,223,733	2,739,648	0	0	0	2,204,635	1,761,011	443,624	335,217	279,450	180,829	6,166	3,126	92,455	180,829	6,166	3,126	92,455
Texas .....	20,566,051	11,912,441	81,404	0	0	7,713,602	6,235,331	632,168	345,956	940,008	548,254	4,918	300	386,657	940,008	548,254	4,918	300
Vermont .....	3,394,755	1,715,328	0	0	0	1,527,951	1,393,059	134,524	65,932	151,844	102,578	1,153	5	48,113	102,578	1,153	5	48,113
Virginia .....	1,050,155	638,889	0	0	0	340,370	305,542	34,828	20,019	70,896	28,477	453	0	41,966	28,477	453	0	41,966
Washington .....	8,239,358	4,674,855	23,022	0	0	3,074,413	2,773,452	300,961	143,513	490,090	227,322	11,377	547	249,327	490,090	227,322	11,377	547
West Virginia .....	8,571,666	4,859,622	0	143,106	143,106	3,165,848	2,692,442	473,406	356,539	546,196	185,448	9,976	6,287	347,358	546,196	185,448	9,976	6,287
Wisconsin .....	2,406,356	1,465,773	0	0	0	760,021	715,528	44,493	17,770	180,562	170,523	23,654	178	39,275	180,562	23,654	178	39,275
Wyoming .....	6,977,798	4,414,507	0	0	0	2,187,138	1,999,206	187,932	107,388	376,153	160,343	2,088	1,271	213,506	160,343	2,088	1,271	213,506
	755,419	468,283	0	0	0	237,294	174,157	18,776	2,858	49,842	26,644	226	0	22,972	49,842	226	0	22,972

*Source:* U.S. Department of Commerce, Bureau of Census, January 2002.

*Note:* Detail may not add to totals due to rounding.

(a) To avoid duplication, interschool school systems transactions are excluded.

**Table 9.19**  
**TRENDS IN STATE PRISON POPULATION, 1999 - 2000**

State or other jurisdiction	Total population			Sentenced to more than 1 year			
	Advance 2000	1999	Percentage change 1999-2000	Advance 2000	1999	Percentage change 1999-2000	Incarceration rate 2000 (a)
<b>United States</b> .....	1,381,892	1,363,701	1.3	1,252,830	1,195,498	1.3	478
Federal .....	145,416	135,246	7.5	125,044	114,275	9.4	45
State .....	1,236,476	1,228,455	0.7	1,196,093	1,189,799	0.5	432
<b>Alabama (f)</b> .....	26,225	24,658	...	24,123	24,109	...	549
<b>Alaska (b)</b> .....	4,173	3,949	5.7	2,128	2,325	-8.5	341
<b>Arizona (e)</b> .....	26,510	25,986	2.0	25,412	23,944	6.1	515
<b>Arkansas</b> .....	11,915	11,415	4.4	11,851	11,336	4.5	458
<b>California</b> .....	163,001	163,067	0.0	160,412	160,517	-0.1	474
<b>Colorado</b> .....	16,833	15,670	7.4	16,833	15,670	7.4	403
<b>Connecticut (b)</b> .....	18,355	18,639	-1.5	13,155	13,032	0.9	398
<b>Delaware (b)</b> .....	6,921	6,983	-0.9	3,937	3,730	5.5	513
<b>Florida (e)</b> .....	71,319	69,596	2.5	71,318	69,594	2.5	462
<b>Georgia (e)</b> .....	44,232	42,091	5.1	44,141	42,008	5.1	550
<b>Hawaii (b)</b> .....	5,053	4,903	3.1	3,553	3,817	-6.9	302
<b>Idaho</b> .....	5,526	4,842	14.1	5,526	4,842	14.1	430
<b>Illinois (d)(e)</b> .....	45,281	44,660	1.4	45,281	44,660	1.4	371
<b>Indiana</b> .....	20,125	19,309	4.2	20,081	19,260	4.3	335
<b>Iowa (d)(e)</b> .....	7,955	7,232	10.0	7,955	7,232	10.0	276
<b>Kansas (d)</b> .....	8,344	8,567	-2.6	8,344	8,567	-2.6	312
<b>Kentucky</b> .....	14,919	15,317	-2.6	14,919	15,317	2.6	373
<b>Louisiana</b> .....	35,047	34,066	2.9	35,047	34,066	2.0	801
<b>Maine</b> .....	1,679	1,716	-2.2	1,635	1,663	-1.7	129
<b>Maryland</b> .....	23,538	23,095	1.9	22,490	22,184	1.4	429
<b>Massachusetts (c)</b> .....	10,722	11,356	-5.6	9,479	10,282	-7.8	252
<b>Michigan</b> .....	47,718	46,617	2.4	47,718	46,617	2.4	480
<b>Minnesota</b> .....	6,238	5,969	4.5	6,238	5,955	4.8	128
<b>Mississippi</b> .....	20,241	18,247	10.9	19,239	17,410	10.5	688
<b>Missouri</b> .....	27,323	26,155	4.5	27,299	26,133	4.5	494
<b>Montana</b> .....	3,105	2,951	5.2	3,105	2,951	5.2	348
<b>Nebraska</b> .....	3,895	3,688	5.6	3,816	3,632	5.1	228
<b>Nevada</b> .....	10,012	9,494	5.5	9,921	9,413	5.4	518
<b>New Hampshire</b> .....	2,257	2,257	0.0	2,257	2,257	0.0	185
<b>New Jersey (d)</b> .....	29,784	31,493	-5.4	29,784	31,493	-5.4	362
<b>New Mexico</b> .....	5,342	5,124	4.3	4,887	4,730	3.3	279
<b>New York (e)</b> .....	70,198	72,899	-3.7	70,198	72,899	-3.7	383
<b>North Carolina</b> .....	31,266	31,123	0.5	27,043	26,672	1.4	347
<b>North Dakota</b> .....	1076	943	14.1	994	866	14.8	158
<b>Ohio (d)</b> .....	45,833	46,842	-2.2	45,833	46,842	-2.2	406
<b>Oklahoma (d)</b> .....	23,181	22,393	3.5	23,181	22,393	3.5	685
<b>Oregon</b> .....	10,630	9,860	7.8	10,603	9,840	7.8	316
<b>Pennsylvania</b> .....	36,847	36,525	0.9	36,844	36,525	0.9	307
<b>Rhode Island (b)</b> .....	3,286	3,003	9.4	1,966	1,908	3.0	197
<b>South Carolina</b> .....	21,778	22,008	-1.0	21,017	21,228	-1.0	532
<b>South Dakota</b> .....	2,616	2,506	4.4	2,613	2,498	4.6	353
<b>Tennessee (d)(e)</b> .....	22,166	22,502	-1.5	22,166	22,502	-1.5	399
<b>Texas (d)</b> .....	157,997	163,190	-3.2	150,107	154,865	-3.1	730
<b>Utah</b> .....	5,630	5,322	5.8	5,526	5,164	7.0	254
<b>Vermont (b)</b> .....	1,697	1,536	10.5	1,313	1,178	11.5	218
<b>Virginia</b> .....	30,168	29,789	1.3	29,643	29,088	1.9	422
<b>Washington</b> .....	14,915	14,590	2.2	14,666	14,558	0.7	251
<b>West Virginia</b> .....	3,856	3,532	9.2	3,795	3,532	7.4	211
<b>Wisconsin</b> .....	20,612	20,415	1.0	20,013	19,699	1.6	376
<b>Wyoming</b> .....	1,680	1,713	-1.9	1,680	1,713	-1.9	349
<b>Dist. of Columbia (b)</b> .....	7,456	8,652	-13.8	5,008	6,730	-25.6	971

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Bulletin, Prisoners in 2000* (August 2001).

Key:

(a) The number of prisoners with sentences of more than one year per 100,000 residents.

(b) Prisons and jails form one integrated system. Data include total jail and prison population.

(c) The incarceration rate includes an estimated 6,200 inmates sentenced to more than 1 year but held in local jails or houses of corrections.

(d) "Sentenced to more than 1 year" includes some inmates "sentenced to 1 year or less."

(e) Population figures are based on custody counts.

(f) Alabama counts for 1999 were for fiscal year ending September 30.

**Table 9.20**  
**MOVEMENT OF ADULTS IN STATE PRISON SYSTEMS: 1998**

State or other jurisdiction	Prisoner population (1/1/98)	Total admitted -1998	Number of sentenced prisoners admitted during 1998					Other admissions
			New court commitments	Parole or other conditional release violators returned	Escapees and AWOLs returned	Returns from appeal or bond	Transfers from other jurisdictions	
<b>United States</b> .....	1,195,211	615,226	381,646	209,782	7,175	845	4,541	11,237
Federal .....	94,987	39,188	34,376	3,630	N.A.	N.A.	969	213
State .....	1,100,224	576,038	347,270	206,152	7,175	845	3,572	11,024
<b>Alabama (f)</b> .....	21,731	7,750	6,664	700	217	64	41	64
<b>Alaska (a)(b)(c)</b> .....	2,571	2,647	1,612	993	40	0	2	0
<b>Arizona (e)</b> .....	22,353	10,175	7,709	2,398	15	1	52	0
<b>Arkansas (b)</b> .....	9,936	6,204	3,732	1,694	14	19	1	744
<b>California (b)</b> .....	152,739	134,485	46,529	87,539	209	N.A.	208	0
<b>Colorado (b)(h)</b> .....	13,461	6,881	4,585	1,951	322	5	18	0
<b>Connecticut (a)</b> .....	11,920	1,933	947	849	131	6	0	0
<b>Delaware (a)</b> .....	3,264	1,888	1,118	513	33	0	2	222
<b>Florida (e)</b> .....	64,574	25,524	21,937	2,362	167	15	49	994
<b>Georgia (e)</b> .....	35,894	15,471	11,329	4,078	51	2	11	0
<b>Hawaii (a)(c)(d)</b> .....	3,448	3,481	2,003	1,408	26	N.A.	N.A.	44
<b>Idaho</b> .....	3,948	2,621	1,331	N.A.	N.A.	N.A.	N.A.	1,290
<b>Illinois (b)(e)</b> .....	40,788	27,362	19,655	6,802	892	13	N.A.	0
<b>Indiana (d)</b> .....	17,730	10,566	9,495	1,052	17	N.A.	2	0
<b>Iowa (e)</b> .....	6,938	4,798	3,312	660	618	41	101	66
<b>Kansas (d)</b> .....	7,911	4,517	2,886	1,595	8	N.A.	N.A.	28
<b>Kentucky</b> .....	14,600	7,989	6,171	1,700	88	..	0	30
<b>Louisiana</b> .....	29,265	17,079	7,367	8,853	97	440	34	288
<b>Maine</b> .....	1,542	795	449	303	8	10	25	0
<b>Maryland (b)(c)(d)</b> .....	21,088	11,078	7,552	3,408	102	N.A.	9	7
<b>Massachusetts (b)(c)</b> .....	10,847	3,227	2,154	682	16	N.A.	375	0
<b>Michigan (e)</b> .....	44,771	14,435	8,024	4,453	1,067	0	10	881
<b>Minnesota</b> .....	5,306	4,307	3,001	1,306	N.A.	N.A.	N.A.	0
<b>Mississippi (d)(g)</b> .....	13,676	6,670	5,301	454	44	N.A.	0	871
<b>Missouri</b> .....	23,664	13,660	7,822	3,965	760	15	0	1,098
<b>Montana (b)</b> .....	2,541	1,289	638	616	33	N.A.	2	0
<b>Nebraska</b> .....	3,329	1,791	1,462	309	20	N.A.	0	0
<b>Nevada (b)(d)</b> .....	9,024	4,773	3,617	794	N.A.	N.A.	N.A.	362
<b>New Hampshire</b> .....	2,168	1,000	629	358	13	N.A.	0	0
<b>New Jersey (b)(d)</b> .....	28,361	16,801	9,938	6,822	0	41	N.A.	0
<b>New Mexico</b> .....	4,649	2,347	1,631	671	10	1	34	0
<b>New York (d)</b> .....	69,108	28,871	19,497	7,613	1,092	83	568	18
<b>North Carolina (b)</b> .....	27,567	11,403	9,582	1,681	111	0	0	29
<b>North Dakota</b> .....	715	765	613	150	1	1	0	0
<b>Ohio (b)</b> .....	48,016	20,637	17,652	2,961	6	17	1	0
<b>Oklahoma (b)(d)</b> .....	20,542	7,297	6,302	879	116	0	0	0
<b>Oregon (i)</b> .....	7,589	3,688	2,267	1,271	51	28	N.A.	71
<b>Pennsylvania</b> .....	34,964	10,679	6,650	3,665	72	14	102	176
<b>Rhode Island (a)(b)</b> .....	2,100	991	700	270	10	0	10	1
<b>South Carolina</b> .....	20,264	8,914	6,521	2,140	48	7	N.A.	198
<b>South Dakota (b)</b> .....	2,242	1,337	1,087	208	5	0	4	33
<b>Tennessee (b)</b> .....	16,659	8,770	4,855	3,836	53	N.A.	26	0
<b>Texas (b)</b> .....	140,351	59,340	34,876	23,784	0	0	N.A.	680
<b>Utah</b> .....	4,280	3,076	1,378	1,683	7	8	0	0
<b>Vermont (a)</b> .....	830	824	211	122	94	N.A.	2	395
<b>Virginia</b> .....	27,524	10,152	8,659	1,493	N.A.	N.A.	N.A.	0
<b>Washington (b)</b> .....	13,214	7,151	6,211	788	139	11	0	2
<b>West Virginia (b)</b> .....	3,148	1,444	1,259	181	2	0	2	0
<b>Wisconsin</b> .....	15,698	8,785	4,790	1,567	N.A.	..	0	2,428
<b>Wyoming (d)</b> .....	1,549	757	461	287	3	3	3	0
<b>Dist. of Columbia (a)(b),...</b>	9,827	7,613	3,099	2,285	347	0	1,878	4

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Correctional Populations in the United States 1998*, (February 2002).

Key:

... — Not applicable.

N.A. — Not available.

(a) Figures include both jail and prison inmates; jails and prisons are combined in one system.

(b) Data by sentence length may be slightly incorrect.

(c) Some or all data for the admission categories are estimated.

(d) New court commitments may include a small number of other admissions.

(e) Data are for custody rather than jurisdiction counts.

(f) Other admissions may include other conditional release violators returned.

(g) Other admissions may include returns from appeal/bond.

(h) Escape and AWOL data are estimated.

(i) Oregon's transfers may be included in any other admission category.

## MOVEMENT OF ADULTS IN STATE PRISON SYSTEMS: 1998 — Continued

State or other jurisdiction	Number of sentenced prisoners released during 1998								
	Total released -1998	Conditional releases	Unconditional releases	Escapees and AWOLs	Out on appeal or bond	Transfers to other jurisdictions	Deaths	Other releases	Prisoner population (12/31/98)
United States .....	561,020	406,050	126,086	6,530	797	4,856	3,018	13,683	1,248,370
Federal .....	29,708	2,148	23,939	N.A.	N.A.	246	223	3,152	103,682
State .....	531,312	403,902	102,147	6,530	797	4,610	2,795	10,531	1,144,688
Alabama .....	7,280	4,420	2,375	221	86	43	76	59	22,214
Alaska (a)(c)(e) .....	2,677	1,862	746	41	3	21	4	0	2,541
Arizona (d) .....	8,573	6,917	1,268	10	0	4	62	312	23,955
Arkansas (b)(c) .....	5,579	4,854	584	13	40	42	35	11	10,561
California (c)(f) .....	129,800	122,094	2,603	319	N.A.	32	284	4,468	157,424
Colorado (c)(i) .....	6,030	4,387	1,103	347	14	0	26	153	14,312
Connecticut (a) .....	1,660	1,104	238	94	1	52	33	138	12,193
Delaware (a)(b) .....	1,941	454	911	0	0	356	9	211	3,211
Florida (d) .....	22,905	8,674	13,504	144	1	97	207	278	67,193
Georgia (d) .....	12,607	8,602	3,431	47	N.A.	429	98	0	38,758
Hawaii (a)(e) .....	3,259	2,042	205	27	125	7	11	842	3,670
Idaho .....	2,486	2,127	331	17	0	0	11	0	4,083
Illinois (c)(d) .....	25,099	22,662	1,409	894	11	N.A.	99	24	43,051
Indiana .....	9,280	8,603	614	17	N.A.	0	46	0	19,016
Iowa (d) .....	4,342	3,366	748	3	56	100	7	62	7,394
Kansas .....	4,245	3,910	301	6	7	N.A.	21	0	8,183
Kentucky .....	7,602	3,739	3,629	93	N.A.	4	30	107	14,987
Louisiana .....	14,116	13,179	671	103	N.A.	76	80	7	32,228
Maine .....	606	352	229	6	4	12	2	1	1,731
Maryland (b)(c)(e) .....	10,626	9,205	1,225	118	N.A.	16	46	16	21,540
Massachusetts (b)(c)(e) .....	3,330	953	1,923	16	0	414	24	0	10,744
Michigan (d) .....	13,327	10,500	1,174	1,249	105	10	96	193	45,879
Minnesota .....	4,056	3,544	504	N.A.	N.A.	N.A.	8	0	5,557
Mississippi (h) .....	4,491	2,193	2,170	73	N.A.	0	49	6	15,855
Missouri .....	12,374	10,636	1,036	622	20	16	42	2	24,950
Montana (c) .....	1,096	839	216	20	4	10	7	0	2,734
Nebraska .....	1,532	702	809	16	N.A.	0	5	0	3,588
Nevada (c) .....	4,146	2,255	1,862	N.A.	2	N.A.	27	0	9,651
New Hampshire .....	999	768	206	13	0	0	8	4	2,169
New Jersey (c) .....	14,041	9,654	4,116	0	102	0	69	100	31,121
New Mexico .....	2,264	1,421	712	1	1	11	2	116	4,732
New York .....	27,978	24,197	1,648	1,117	105	676	213	22	70,001
North Carolina (c) .....	11,726	6,560	5,007	111	0	0	48	0	27,244
North Dakota .....	646	499	140	1	5	0	1	0	834
Ohio (c) .....	20,203	11,643	8,372	4	43	1	140	0	48,450
Oklahoma (c) .....	6,947	3,104	3,685	101	0	0	57	0	20,892
Oregon (j) .....	2,677	2,584	4	64	7	N.A.	13	5	8,600
Pennsylvania .....	9,270	7,285	1,608	72	4	39	127	135	36,373
Rhode Island (a)(c) .....	916	877	6	6	3	17	6	1	2,175
South Carolina .....	7,942	4,134	3,488	39	11	0	70	200	21,236
South Dakota (c) .....	1,162	793	356	6	1	4	2	0	2,417
Tennessee (b)(c) .....	7,691	5,288	2,168	63	N.A.	124	48	0	17,738
Texas (c) .....	55,181	40,550	12,922	0	N.A.	N.A.	373	1,336	144,510
Utah .....	2,954	2,673	253	7	16	2	3	0	4,402
Vermont (a) .....	695	608	81	0	0	0	1	5	959
Virginia (g) .....	9,004	4,193	4,743	3	N.A.	N.A.	65	0	28,672
Washington (c) .....	6,204	3,983	2,037	123	15	0	41	5	14,161
West Virginia (c) .....	1,114	686	410	11	2	0	5	0	3,478
Wisconsin .....	6,464	4,523	195	N.A.	...	0	34	1,712	17,606
Wyoming .....	735	420	277	3	3	28	4	0	1,571
Dist. of Columbia (a)(b)(c)(f) .....	9,434	3,284	3,894	269	N.A.	1,967	20	N.A.	8,144

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Correctional Populations in the United States* 1998, (February 2002).

Key:

... — Not applicable.

N.A. — Not available.

(a) Figures include both jail and prison inmates; jails and prisons are combined in one system.

(b) Unconditional releases may include some releases to probation or appeal/bond.

(c) Data for inmates by sentence length may be slightly incorrect.

(d) Data for custody rather than jurisdiction.

(e) Some or all data for release categories are estimated.

(f) The District of Columbia was unable to report deaths by sex.

(g) Virginia's transfers may be included in the conditional release category.

(h) Other releases may include releases to appeal/bond.

(i) Escape and AWOL data are estimates.

(j) Oregon's transfers may be included in any other release category.

**Table 9.21**  
**STATE PRISON CAPACITIES, 2000**

State or other jurisdiction	Rated capacity	Operational capacity	Design capacity	Population as a percent of capacity: (a)	
				Highest capacity	Lowest capacity
Federal .....	95,374	...	...	131	131
Alabama .....	...	22,806	22,806	101	101
Alaska .....	2,603	2,691	2,603	102	106
Arizona .....	...	24,947	24,947	106	106
Arkansas (c) .....	10,576	10,576	10,576	105	105
California .....	...	154,697	80,467	101	194
Colorado .....	...	12,826	11,607	98	108
Connecticut (b) .....	...	...	...	...	...
Delaware .....	...	4,206	3,192	...	...
Florida .....	83,026	75,842	56,101	81	120
Georgia .....	...	45,156	...	90	90
Hawaii .....	...	3,406	2,481	106	145
Idaho .....	5,228	5,030	4,454	95	112
Illinois .....	32,995	32,995	28,211	137	161
Indiana .....	15,383	19,829	...	91	117
Iowa .....	6,772	6,772	6,772	117	117
Kansas .....	8,786	...	...	95	95
Kentucky .....	11,445	11,196	...	96	99
Louisiana .....	19,448	19,701	...	99	100
Maine .....	1,428	1,641	1,460	100	115
Maryland .....	...	23,659	...	99	99
Massachusetts .....	...	...	9,162	113	113
Michigan .....	...	48,974	...	97	97
Minnesota .....	6,321	6,321	6,321	96	96
Mississippi (c) .....	...	18,027	...	100	100
Missouri .....	...	28,498	...	96	96
Montana .....	...	1,400	896	112	175
Nebraska .....	...	2,963	2,371	129	161
Nevada (c) .....	10,599	...	8,292	91	117
New Hampshire .....	2,500	2,286	2,216	91	103
New Jersey .....	...	...	17,122	141	141
New Mexico (c) .....	...	5,736	5,828	92	93
New York .....	62,773	67,412	55,446	105	127
North Carolina .....	29,107	...	29,107	107	107
North Dakota .....	1,005	952	1,005	92	97
Ohio .....	39,927	...	...	114	114
Oklahoma (c) .....	...	23,150	...	95	95
Oregon .....	...	10,132	...	100	100
Pennsylvania .....	25,690	33,180	25,690	111	143
Rhode Island .....	3,717	3,717	3,878	88	92
South Carolina .....	...	23,512	22,229	89	94
South Dakota .....	...	2,619	...	97	97
Tennessee (c) .....	17,958	17,555	...	95	97
Texas (c)(d) .....	161,736	158,501	161,736	96	98
Utah .....	...	4,637	4,881	86	91
Vermont .....	1,301	1,361	1,184	96	111
Virginia .....	32,166	...	...	91	91
Washington .....	9,466	13,562	13,562	110	158
West Virginia .....	3,123	3,253	3,123	94	98
Wisconsin .....	...	11,739	...	131	131
Wyoming .....	1,314	1,303	1,251	96	101
Dist. of Columbia .....	4,586	4,586	...	83	83

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Prisoners in 2000* (August 2001).

Key:

... — Not available.

(a) Population counts are based on the number of inmates held in facilities operated by the jurisdiction. Excludes inmates held in local jails, in other

States, or in private facilities.

(b) Connecticut no longer reports capacity due to a law passed in 1995.

(c) Includes capacity of private and contract facilities and inmates housed in them.

(d) Excludes capacity of county facilities and inmates housed in them.



**Table 9.22**  
**ADULTS ON PROBATION, 2000**

State or other jurisdiction	Probation population				Percent change during 2000	Number on probation on 12/31/00 per 100,000 adult residents
	1/1/00	Entries	Exits	12/31/00		
<b>United States</b> .....	3,779,922	2,032,089	1,974,081	3,839,532	1.6	1,836
<b>Federal</b> .....	32,843	14,476	15,497	31,539	-4.0	15
<b>State</b> .....	3,747,079	2,017,613	1,958,584	3,807,993	1.6	1,821
<b>Alabama (b)</b> .....	40,595	17,570	17,538	40,627	0.1	1,222
<b>Alaska</b> .....	4,547	1,806	1,593	4,760	4.7	1,091
<b>Arizona (b)</b> .....	55,960	36,793	33,002	60,751	6.7	1,614
<b>Arkansas</b> .....	28,505	14,174	12,326	30,353	6.5	1,523
<b>California</b> .....	332,414	161,471	150,740	343,145	3.2	1,394
<b>Colorado (b)</b> .....	48,733	22,006	23,655	47,084	-3.4	1,471
<b>Connecticut (a)</b> .....	55,070	30,000	30,000	55,070	...	2,148
<b>Delaware</b> .....	20,976	10,976	11,900	20,052	-4.4	3,404
<b>Florida (b)</b> .....	291,631	242,758	237,966	294,786	1.1	2,390
<b>Georgia (b)</b> .....	307,686	94,636	93,978	308,344	0.2	5,124
<b>Hawaii</b> .....	15,707	5,920	6,102	15,525	-1.2	1,695
<b>Idaho (c)</b> .....	36,436	30,093	31,437	35,091	...	3,794
<b>Illinois</b> .....	134,270	63,103	58,344	139,029	3.5	1,515
<b>Indiana</b> .....	105,071	89,431	86,829	107,673	2.5	2,390
<b>Iowa</b> .....	19,675	18,870	17,398	21,147	7.5	964
<b>Kansas</b> .....	16,785	21,071	21,860	15,996	-4.7	810
<b>Kentucky</b> .....	18,988	16,003	14,381	20,610	8.5	676
<b>Louisiana</b> .....	35,118	13,831	13,095	35,854	2.1	1,103
<b>Maine</b> .....	7,524	6,339	6,075	7,788	3.5	800
<b>Maryland</b> .....	81,286	43,623	41,057	83,852	3.2	2,128
<b>Massachusetts</b> .....	46,267	39,484	40,513	45,233	-2.2	933
<b>Michigan (b)</b> .....	170,041	123,593	120,056	173,676	2.1	2,365
<b>Minnesota</b> .....	113,265	81,300	80,097	114,468	1.1	3,151
<b>Mississippi</b> .....	13,427	8,231	5,561	15,118	12.6	731
<b>Missouri</b> .....	52,493	21,929	24,437	49,975	-4.8	1,199
<b>Montana (b)</b> .....	5,906	3,127	2,990	6,043	2.3	899
<b>Nebraska</b> .....	20,462	13,192	12,171	21,483	5.0	1,704
<b>Nevada</b> .....	11,787	4,770	4,368	12,189	3.4	820
<b>New Hampshire (a)(b)</b> .....	3,629	2,798	2,798	3,629	...	392
<b>New Jersey</b> .....	128,984	62,406	60,780	130,610	1.3	2,064
<b>New Mexico</b> .....	9,878	7,451	6,817	10,512	6.4	802
<b>New York</b> .....	183,068	44,298	35,396	191,970	4.9	1,344
<b>North Carolina</b> .....	105,095	58,930	58,076	105,949	0.8	1,741
<b>North Dakota</b> .....	2,783	1,677	1,671	2,789	0.2	579
<b>Ohio (b)</b> .....	184,246	131,868	122,387	194,875	5.8	2,302
<b>Oklahoma (b)</b> .....	28,075	14,548	11,551	30,994	10.4	1,212
<b>Oregon</b> .....	44,777	17,810	16,388	46,199	3.2	1,794
<b>Pennsylvania (b)</b> .....	118,770	47,287	45,023	121,034	1.9	1,293
<b>Rhode Island</b> .....	21,753	7,759	6,548	22,964	5.6	2,869
<b>South Carolina</b> .....	48,585	11,449	17,151	42,883	-11.7	1,428
<b>South Dakota</b> .....	3,790	3,229	2,805	4,214	11.2	763
<b>Tennessee</b> .....	39,596	25,226	27,118	40,829	3.1	952
<b>Texas</b> .....	446,685	200,076	204,510	442,251	-1.0	2,955
<b>Utah</b> .....	9,397	4,885	4,454	9,828	4.6	649
<b>Vermont</b> .....	9,199	5,833	5,729	9,303	1.1	2,017
<b>Virginia</b> .....	32,098	27,275	25,418	33,955	5.8	636
<b>Washington (b)</b> .....	159,748	66,852	67,428	160,977	0.8	3,675
<b>West Virginia (b)</b> .....	6,070	3,019	3,031	6,058	-0.2	431
<b>Wisconsin</b> .....	53,258	25,291	24,277	54,272	1.9	1,359
<b>Wyoming</b> .....	3,841	2,480	2,226	4,115	7.1	1,128
<b>Dist. of Columbia</b> .....	12,129	9,067	7,534	12,061	-0.6	2,639

Sources: U.S. Department of Justice, Bureau of Justice Statistics, Probation and Parole in the United States, 2000, (August 2001).

Key:

... — Not calculated.

(a) All data are estimated.

(b) Data for entries and exits were estimated for nonreporting agencies.

(c) Data include estimates for misdemeanors based on admissions.

**Table 9.23**  
**ADULTS ON PAROLE, 2000**

State or other jurisdiction	Parole population				Percent change during 2000	Number on parole on 12/31/00 per 100,000 adult residents
	1/1/00	2000		12/31/00		
		Entries	Exits			
United States .....	714,457	470,412	459,411	725,527	1.5	347
Federal .....	71,005	28,807	27,228	73,328	3.3	35
State .....	643,452	441,605	432,183	652,199	1.4	312
Alabama (b) .....	4,875	2,185	1,566	5,494	12.7	165
Alaska (c) .....	498	333	324	507	1.8	116
Arizona (c) .....	3,715	7,096	7,337	3,474	-6.5	92
Arkansas .....	7,752	5,960	4,259	9,453	21.9	474
California (c) .....	114,046	154,154	150,553	117,647	3.2	478
Colorado .....	5,263	4,323	4,086	5,500	4.5	172
Connecticut .....	1,526	1,780	1,438	1,868	22.4	73
Delaware .....	634	127	182	579	-8.7	98
Florida .....	6,418	4,871	4,451	6,046	-5.8	49
Georgia .....	22,003	10,339	10,728	21,556	-2.0	358
Hawaii .....	2,252	1,020	768	2,504	11.2	273
Idaho .....	1,317	897	771	1,443	9.6	156
Illinois .....	31,833	27,404	29,038	30,199	-5.1	329
Indiana (c) .....	4,539	5,165	4,787	4,917	8.3	109
Iowa .....	2,514	2,747	2,498	2,763	9.9	126
Kansas (c) .....	5,909	5,656	7,736	3,829	-35.2	194
Kentucky (c) .....	4,868	2,195	3,080	4,909	0.8	161
Louisiana .....	20,716	13,624	11,480	22,860	10.3	704
Maine .....	28	3	3	28	0.0	3
Maryland .....	15,007	8,052	8,916	14,143	-5.8	359
Massachusetts .....	4,304	3,817	3,631	3,703	-14.0	76
Michigan .....	15,541	10,163	9,951	15,753	1.4	215
Minnesota .....	3,151	3,453	3,532	3,072	-2.5	85
Mississippi (c) .....	1,356	772	532	1,596	17.7	77
Missouri (c) .....	11,448	8,863	7,954	12,357	7.9	297
Montana (c) .....	549	617	545	621	13.1	92
Nebraska .....	568	596	691	473	-16.7	38
Nevada .....	3,847	3,278	3,069	4,056	5.4	273
New Hampshire (a) (b) ....	944	492	492	944	...	102
New Jersey .....	12,968	15,666	13,735	14,899	14.9	235
New Mexico (c) .....	1,630	1,676	1,636	1,670	2.5	127
New York .....	57,956	26,877	26,975	57,858	-0.2	405
North Carolina .....	4,389	4,305	5,342	3,352	-23.6	55
North Dakota .....	152	227	263	116	-23.7	24
Ohio .....	15,776	11,267	9,545	18,248	15.7	216
Oklahoma .....	1,527	861	563	1,825	19.5	71
Oregon .....	17,273	7,700	7,141	17,832	3.2	693
Pennsylvania (b) .....	85,666	27,065	30,729	82,002	-4.3	876
Rhode Island .....	397	406	449	353	-11.1	44
South Carolina .....	4,612	886	1,258	4,240	-8.1	141
South Dakota .....	1322	980	821	1,481	12.0	268
Tennessee .....	7,328	4,164	2,453	8,094	10.5	189
Texas .....	109,310	33,823	31,414	111,719	2.2	747
Utah .....	3,252	2,427	2,413	3,266	0.4	216
Vermont .....	750	361	209	902	20.3	196
Virginia .....	5,860	3,754	4,466	5,148	-12.2	96
Washington .....	200	12	52	160	-20.0	4
West Virginia .....	1158	650	696	1112	-4.0	79
Wisconsin .....	8,944	5,918	5,432	9,430	5.4	236
Wyoming .....	458	355	299	514	12.2	141
Dist. of Columbia .....	5,103	2,243	1,894	5,684	11.4	1244

Sources: U.S. Department of Justice, Bureau of Justice Statistics, *Probation and Parole in the United States, 2000*, (August 2001).

Key:

... — Number not known.

(a) All data are estimated.

(b) Data for entries and exits were estimated for nonreporting agencies.

(c) Data do not include parolees in one or more of the following categories: absconder, out of state, or inactive.

**Table 9.24**  
**CAPITAL PUNISHMENT**  
**(As of Winter 2002)**

<i>State or other jurisdiction</i>	<i>Capital offenses</i>	<i>Minimum age</i>	<i>Prisoners under sentence of death</i>	<i>Method of execution</i>
Alabama .....	Intentional murder with 1 of 18 aggravating factors.	16	188	Electrocution
Alaska .....	...	...	...	...
Arizona .....	First degree murder accompanied by at least 1 of 10 aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	16	128	Lethal gas or lethal injection (a)
Arkansas .....	Capital murder with 1 of 9 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.	16	40	Lethal injection or electrocution (b)
California .....	First-degree murder with special circumstances; train-wrecking; treason; perjury causing execution.	18	607	Lethal gas or lethal injection
Colorado .....	First-degree murder with at least 1 of 13 aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	18	6	Lethal injection
Connecticut .....	Capital felony with 9 categories of aggravated homicide. Capital sentencing excludes persons determined to be mentally retarded.	18	7	Lethal injection
Delaware .....	First-degree murder with certain aggravating circumstances.	16	19	Hanging or lethal injection (c)
Florida .....	First-degree murder; felony murder; capital drug-trafficking. Capital sentencing excludes persons determined to be mentally retarded.	17	386	Electrocution or lethal injection
Georgia .....	Murder; kidnapping with bodily injury or ransom where the victim dies; aircraft hijacking; treason. Capital sentencing excludes persons determined to be mentally retarded.	17	127	Lethal injection
Hawaii .....	...	...	...	...
Idaho .....	First-degree murder; aggravated kidnapping.	16	21	Firing Squad or lethal injection (d)
Illinois (l) .....	First-degree murder with 1 of 18 aggravating circumstances.	18	173	Lethal injection
Indiana .....	Murder with 15 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.	16	39	Lethal injection
Iowa .....	...	...	...	...
Kansas .....	Capital murder, with 7 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.	18	4	Lethal injection
Kentucky .....	Murder with aggravating factors; kidnapping with aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	16	41	Electrocution or lethal injection (e)
Louisiana .....	First-degree murder; aggravated rape of victim under age 12; treason.	16	93	Lethal injection
Maine .....	...	...	...	...
Maryland .....	First-degree murder, either premeditated or in the commission of a felony, provided that certain death eligibility requirements are satisfied. Capital sentencing excludes persons determined to be mentally retarded.	18	15	Lethal injection or gas chamber (i)
Massachusetts .....	...	...	...	...
Michigan .....	...	...	...	...
Minnesota .....	...	...	...	...
Mississippi .....	Capital murder; aircraft piracy.	16	68	Lethal injection
Missouri .....	First-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	16	75	Lethal injection or lethal gas
Montana .....	Capital murder with 9 aggravating circumstances.	16	6	Lethal injection
Nebraska .....	First-degree murder with a finding of at least 1 statutorily-defined aggravating circumstance. Capital sentencing excludes persons determined to be mentally retarded.	18	7	Electrocution
Nevada .....	First-degree murder with 10 aggravating circumstances.	16	88	Lethal injection
New Hampshire .....	Capital murder.	17	0	Lethal injection or hanging (f)
New Jersey .....	Purposeful or knowing murder by one's own conduct; contract murder; solicitation by command or threat in furtherance of a narcotics conspiracy.	18	18	Lethal injection
New Mexico .....	First-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	18	4	Lethal injection
New York .....	First-degree murder with 1 of 10 aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	18	6	Lethal injection
North Carolina .....	First-degree murder.	17	226	Lethal injection
North Dakota .....	...	...	...	...
Ohio .....	Aggravated murder with at least 1 of 8 aggravating circumstances.	18	204	Lethal injection
Oklahoma .....	First-degree murder in conjunction with a finding of at least 1 of 8 statutorily defined aggravating circumstances.	16	120	Lethal injection, electrocution or firing squad (h)
Oregon .....	Aggravated murder.	18	30	Lethal injection
Pennsylvania .....	First-degree murder with 17 aggravating circumstances.	16	247	Lethal injection
Rhode Island .....	...	...	...	...
South Carolina .....	Murder with 1 of 10 aggravating circumstances.	16	76	Electrocution or lethal injection

## CAPITAL PUNISHMENT — Continued

State or other jurisdiction	Capital offenses	Prisoners under sentence of death		Method of execution
		Minimum age		
<b>South Dakota</b> .....	First-degree murder with 1 of 10 aggravating circumstances.	16	5	Lethal injection
<b>Tennessee</b> .....	First-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	18	104	Lethal injection or electrocution (j)
<b>Texas</b> .....	Criminal homicide with 1 of 8 aggravating circumstances.	17	455	Lethal injection
<b>Utah</b> .....	Aggravated murder; aggravated assault by a prisoner serving a life sentence if serious bodily injury is intentionally caused.	16	11	Lethal injection or firing squad
<b>Vermont</b> .....	...	...	...	...
<b>Virginia</b> .....	First-degree murder with 1 of 9 aggravating circumstances.	16	29	Electrocution or lethal injection
<b>Washington</b> .....	Aggravated first-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	18	15	Lethal injection or hanging
<b>West Virginia</b> .....	...	...	...	...
<b>Wisconsin</b> .....	...	...	...	...
<b>Wyoming</b> .....	First-degree murder.	16	2	Lethal injection or lethal gas (k)
<b>Dist. of Columbia</b> .....	...	...	...	...

Source: NAACP Legal Defense and Educational Fund Inc., *Death Row*, U.S.A. Winter 2002 (February 2002).

Note: There were 9 prisoners sentenced to death in more than one state, one prisoner in 3 states.

Key:

... — No capital punishment statute.

(a) Arizona authorizes lethal injection for persons sentenced after 11/15/92; those sentenced before that date may select lethal injection or lethal gas.

(b) Arkansas authorizes lethal injection for persons committing a capital offense on or after 7/4/83; those who committed the offense before that date may select lethal injection or electrocution.

(c) Delaware authorizes lethal injection for those whose capital offense occurred after 6/13/86; those who committed the offense before that date may select lethal injection or hanging.

(d) Idaho authorizes lethal injection and firing squad at the election of the Director of the Department of Corrections. The firing squad will be used if lethal injection is "impractical."

(e) Inmates in Kentucky were given a choice between lethal injection and electro-

cution. Those sentenced after March 31, 1998 will be executed by lethal injection.

(f) New Hampshire authorizes hanging only if lethal injection cannot be given.

(g) The age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; then the age may be 14.

(h) Oklahoma authorizes electrocution if lethal injection is ever held to be unconstitutional and firing squad if both lethal injection and electrocution are held unconstitutional.

(i) Maryland authorizes lethal injection for those whose capital offenses occurred as of 3/25/94. People who committed the offense before that date may select lethal injection or gas chamber.

(j) Tennessee authorizes lethal injection for those sentenced after January 1, 1999. As of May 3, 1998, those currently on death row will choose between the electric chair and lethal injection.

(k) Wyoming authorizes lethal gas if lethal injection is ever held to be unconstitutional.

(l) On January 31, 2000 Illinois Governor George H. Ryan declared a moratorium on executions until a commission conducts a review of the administration of the death penalty.

**Table 9.25**  
**STATE RECEIPTS FOR HIGHWAYS BY REGION: 2000**  
(In thousands of dollars)

State or other jurisdiction	State highway user tax revenues (a)	Road and crossing tolls (a)	Other state imposts, general fund revenues (b)	Misc. income	Bond proceeds (c)	Federal highway administration	Transfers from local governments	Total receipts
<b>United States</b> .....	\$44,244,016	\$4,741,845	\$6,545,254	\$2,732,961	\$8,177,719	\$23,546,419	\$1,487,952	\$91,476,166
<b>Eastern Region</b>								
Connecticut .....	510,622	136	49829	146,217	150,680	406,859	5,120	1,269,463
Delaware .....	200,268	144,856	4,105	41,477	212,968	119,504	...	723,178
Maine .....	232,501	56,156	312,380	3,273	...	147,261	...	751,571
Massachusetts .....	903,628	196,480	679919	271,026	927,242	489,739	4	3,468,038
New Hampshire .....	170,118	60,213	8434	19,895	...	129,145	8,475	396,280
New Jersey .....	1,082,367	679,529	437991	186,413	2,124,716	591,343	...	5,102,359
New York .....	1,497,920	883,108	79,086	92,171	1,403,742	1,143,316	18,359	5,117,702
Pennsylvania .....	2,437,756	467,988	29,396	173,035	1,928	898,564	17,856	4,026,523
Rhode Island .....	79,285	11,385	4078	8,996	30,850	132,779	...	267,353
Vermont .....	152,271	...	98	10,366	...	108,127	1,226	272,088
Regional average .....	726,672	277,761	160,532	95,287	693,161	416,664	8,507	2,139,456
<b>Midwest Region</b>								
Illinois .....	2,137,434	345,356	256,926	62,318	177,328	853,412	27,700	3,860,474
Indiana .....	958,225	85,325	...	18,037	245,731	629,351	22,566	1,959,235
Iowa .....	741,176	...	303,821	13,883	...	351,330	...	1,410,210
Kansas .....	482,816	61,198	160,134	61,747	356,229	302,351	15,999	1,440,474
Michigan .....	1,611,654	31,557	320,835	73,288	...	745,327	32,611	2,815,272
Minnesota .....	1,219,229	...	2,954	79,132	35,707	374,628	19,376	1,731,026
Nebraska .....	324,686	...	144,973	6,578	...	214,323	28,044	718,604
North Dakota .....	157,092	...	58,470	1,697	...	160,869	17,357	395,485
Ohio .....	1,901,671	177,310	6,766	101,263	249,431	658,730	30,828	3,125,999
South Dakota .....	151,967	...	49,098	5,825	...	198,626	6,252	411,768
Wisconsin .....	1,000,236	...	1191	35,787	...	506,832	67,972	1,612,018
Regional average .....	971,471	140,149	130,517	41,778	212,885	454,162	26,871	1,770,960
<b>Southern Region</b>								
Alabama .....	682,958	...	21,670	1,747	...	541,448	14,416	1,262,239
Arkansas .....	517,410	...	12,954	26,456	178,909	285,149	16,369	1,037,247
Florida .....	1,963,352	564,494	99,912	127,847	273,948	1,006,699	45,168	4,081,420
Georgia .....	616,852	21,497	410,643	79,789	3,000	720,389	...	1,852,170
Kentucky .....	1,059,631	13,572	2,370	62,404	...	532,451	...	1,670,428
Louisiana .....	631,090	30,966	149,762	30,059	...	420,114	51	1,262,042
Maryland .....	985,581	140,979	79,803	45,485	75,494	340,018	1,987	1,669,347
Mississippi .....	516,103	...	100,117	13,711	...	282,152	14,823	926,906
Missouri .....	839,917	...	221,344	20,418	255,250	675,673	25,637	2,038,239
North Carolina .....	1,243,172	1,590	554,915	82,202	...	737,293	...	2,619,172
Oklahoma .....	664,567	132,344	159,480	42,980	...	306,188	11,627	1,317,186
South Carolina .....	441,910	...	78,756	22,826	...	327,029	1,539	872,060
Tennessee .....	916,100	26	28,495	15,563	...	452,359	27,268	1,439,811
Texas .....	3,437,617	97,059	27,573	140,376	...	1,792,062	157,564	5,652,251
Virginia .....	1,459,478	88,315	402,362	56,150	219,540	481,067	44,673	2,751,585
West Virginia .....	521,679	51,983	67,917	22,004	110,000	334,648	59	1,108,290
Regional average .....	1,031,089	103,893	151,130	49,376	159,449	577,171	27,783	1,972,525
<b>Western Region</b>								
Alaska .....	51,306	15,900	102,060	22,500	...	309,593	...	501,359
Arizona .....	762,787	...	351,893	56,676	255,894	431,890	254,680	2,113,820
California .....	4,487,434	286,449	149,815	231,754	...	1,724,064	472,152	7,351,668
Colorado .....	789,175	...	240,717	34,247	554,265	302,361	37,708	1,958,473
Hawaii .....	120,956	...	2,841	19,673	...	82,668	...	226,138
Idaho .....	314,116	...	...	...	...	186,852	3,662	504,630
Montana .....	233,384	...	...	2,256	...	245,832	2,776	484,248
Nevada .....	357,959	...	...	15,053	...	162,327	...	535,339
New Mexico .....	448,714	...	31,819	24,754	307,185	296,383	...	1,108,855
Oregon .....	624,767	...	37,529	24,145	...	337,191	...	1,023,632
Utah .....	380,064	197	267,926	37,226	...	228,790	8,566	922,769
Washington .....	1,003,921	95,877	...	47,666	27,682	478,284	26,718	1,680,148
Wyoming .....	131,363	...	7,097	6,217	...	239,917	764	385,358
Regional average .....	746,611	99,606	132,411	43,514	286,257	386,627	100,878	1,445,880
Regional average without California .....	434,876	37,325	130,235	26,401	286,257	275,174	47,839	953,731
Dist. of Columbia .....	87,751	...	25,000	8,353	...	123,112	...	244,216

Source: U.S. Department of Transportation, *Federal Highway Administration, Highway Statistics, 2000*.

Note: Detail may not add to totals due to rounding.

Key:

... - Not applicable.

(a) Amounts shown represent only those highway-user revenues that were

expended on state or local roads. Amounts expended on non-highway purposes are excluded.

(b) Amounts shown represent gross general fund appropriations for highways reduced by the amount of highway-user revenues placed in the state general fund

(c) Bonds issued for and redeemed by refunding are excluded.

**Table 9.26**  
**STATE DISBURSEMENTS FOR HIGHWAYS BY REGION: 2000**  
(In thousands of dollars)

State or other jurisdiction	Capital outlay				Maintenance & traffic services	Administration & highway police	Interest	Bond retirement (c)	Grants-in-aid to local governments	Total disbursements
	Federal-aid highways (a)			Other roads & streets						
	National highway system (b)	Other federal aid systems	Total							
United States .....	\$29,773,018	\$12,459,698	\$5,383,688	\$47,616,404	\$12,962,185	\$11,225,921	\$3,028,628	\$3,065,992	\$11,003,898	\$88,903,028
Eastern Region										
Connecticut .....	388,669	144,893	35,369	568,931	86,174	164,523	174,512	270,529	39,709	1,304,378
Delaware .....	164,098	18,629	114,921	297,648	94,184	113,569	47,945	41,295	...	594,641
Maine .....	80,463	66,579	77,686	224,728	161,991	41,917	16,023	23,315	19,597	487,571
Massachusetts .....	1,904,472	161,951	171,715	2,238,138	196,062	377,686	295,225	219,320	197,913	3,524,244
New Hampshire .....	111,453	50,656	27,580	189,689	57,718	73,047	29,092	14,338	23,584	387,468
New Jersey .....	1,352,920	302,885	338,448	1,994,253	339,196	476,805	440,021	267,604	117,000	3,634,879
New York .....	1,798,097	581,380	203,064	2,582,541	918,949	499,852	468,106	608,182	229,195	5,306,825
Pennsylvania .....	1,856,121	234,405	233,120	2,323,646	1,129,830	556,646	164,140	141,393	200,966	4,516,621
Rhode Island .....	62,474	46,259	20,794	129,527	51,198	32,092	23,921	18,899	...	255,637
Vermont .....	53,389	50,380	34,809	138,578	45,639	77,241	1,029	2,008	22,629	287,124
Regional average .....	777,216	165,802	125,751	1,068,768	308,094	241,338	166,001	160,688	106,324	2,029,939
Midwest Region										
Illinois .....	1,132,287	673,043	30,923	1,836,253	408,319	354,161	112,330	150,147	585,370	3,446,580
Indiana .....	636,262	340,058	58,809	1,035,129	265,093	145,075	61,140	26,054	380,786	1,913,277
Iowa .....	527,779	161,624	6,678	696,081	127,518	144,650	...	...	525,390	1,493,639
Kansas .....	390,119	222,297	85,047	697,463	113,890	113,510	72,740	48,095	160,772	1,206,470
Michigan .....	867,221	193,044	1,076,214	2,136,479	228,573	301,407	27,810	19,251	34,438	2,747,958
Minnesota .....	270,370	321,980	105,008	697,358	322,383	172,958	7,786	9,315	482,676	1,692,476
Nebraska .....	244,081	139,445	408	383,934	85,022	54,219	...	...	221,730	744,905
North Dakota .....	95,665	77,820	6,587	180,072	92,682	53,247	...	...	58,537	384,538
Ohio .....	976,071	576,045	98,306	1,650,422	353,467	279,123	80,138	132,293	855,117	3,350,560
South Dakota .....	234,425	60,150	51,694	346,269	38,959	41,700	...	...	38,762	465,690
Wisconsin .....	506,629	318,531	61,638	886,798	147,946	185,686	45,182	42,269	355,385	1,663,266
Regional average .....	534,628	280,367	143,756	958,751	198,532	167,794	58,161	61,061	336,269	1,737,214
Southern Region										
Alabama .....	380,638	283,930	55,154	719,722	145,625	174,206	894	3,510	202,266	1,246,223
Arkansas .....	257,221	195,451	15,381	468,053	141,782	58,146	...	...	149,406	817,387
Florida .....	1,346,377	1,038,762	63,197	2,448,336	638,258	370,408	256,144	225,096	269,706	4,207,948
Georgia .....	326,903	728,779	50,590	1,106,272	161,475	137,166	67,879	94,400	20	1,567,212
Kentucky .....	636,126	247,239	194,887	1,078,252	216,794	187,219	72,986	85,795	9,717	1,650,763
Louisiana .....	359,699	283,338	124,956	767,993	169,903	263,168	16,040	35,081	48,368	1,300,553
Maryland .....	355,926	193,609	44,976	594,511	247,271	186,464	44,844	111,950	414,373	1,599,413
Mississippi .....	431,568	211,462	54,222	697,252	80,338	117,346	16,053	21,685	106,518	1,039,192
Missouri .....	712,918	239,820	53,688	1,006,426	372,909	189,029	1,648	...	248,166	1,818,178
North Carolina .....	547,339	585,078	331,792	1,464,209	525,556	393,604	10,933	166,75	210,353	2,621,330
Oklahoma .....	527,660	185,181	96,311	809,152	133,364	156,985	62,271	40,170	215,387	1,417,329
South Carolina .....	277,595	186,477	37,977	502,049	231,833	155,559	16,699	6,605	57,473	970,218
Tennessee .....	441,160	362,325	32,659	836,144	242,017	143,790	...	...	217,860	1,439,811
Texas .....	2,313,353	946,069	162,005	3,421,427	1,021,985	762,999	46,502	7,600	404,011	5,664,524
Virginia .....	544,264	369,562	356,839	1,270,665	777,712	299,177	79,146	41,063	210,366	2,678,129
West Virginia .....	438,751	180,570	54,561	673,882	304,069	123,282	26,616	42,485	...	1,170,434
Regional average .....	618,594	389,853	108,075	1,116,522	338,181	232,409	51,333	56,317	184,266	1,950,540
Western Region										
Alaska .....	186,727	70,831	64,054	321,612	118,010	59,088	...	...	2,649	501,359
Arizona .....	684,541	111,137	164,459	960,137	83,103	223,509	77,085	175,540	495,777	2,015,151
California .....	2,247,625	328,442	145,267	2,271,334	783,928	1,537,688	...	...	1,707,275	6,750,225
Colorado .....	597,798	83,563	48,768	720,129	247,168	135,024	4,748	...	274,841	1,391,910
Hawaii .....	98,110	37,009	13,185	148,304	22,195	50,611	17,896	19,446	13,816	272,268
Idaho .....	159,251	70,837	30,601	260,689	70,332	45,050	...	...	115,533	491,604
Montana .....	150,335	108,705	40,978	300,018	69,874	64,810	2,316	11,355	25,434	473,807
Nevada .....	252,420	59,728	112,132	424,280	69,874	99,639	...	...	57,191	650,984
New Mexico .....	241,041	196,298	25,672	463,011	137,711	450,853	28,658	25,003	57,186	1,162,422
Oregon .....	238,109	79,210	40,432	357,751	194,330	182,689	283	...	275,324	1,010,377
Utah .....	589,089	95,042	7,069	691,200	88,079	111,762	42,406	...	138,893	1,072,340
Washington .....	537,935	153,636	12,771	704,342	282,088	235,483	59,360	64,274	507,602	1,853,149
Wyoming .....	148,884	74,345	47,557	270,786	72,649	33,459	...	...	18,831	395,725
Regional average .....	471,682	112,983	57,818	607,969	172,257	248,436	29,094	59,124	283,873	1,387,794
Regional average without California .....	323,687	95,028	50,640	469,355	121,284	140,998	29,094	59,124	165,256	940,925
Dist. of Columbia .....	90,590	11,209	62,730	164,529	47,160	18,494	10,081	3,952	...	244,216

Source: U.S. Department of Transportation, Federal Highway Administration, Highway Statistics, 2000.

Key:

... — Not applicable.

(a) Includes all roads eligible for Federal aid. All arterials, urban collectors, and rural major collectors are eligible.

(b) In 1995, Congress approved the Official National Highway System (NHS).

(c) Bonds issued for and redeemed by refunding are excluded.



## Chapter Ten

# STATE PAGES





**Table 10.1**  
**OFFICIAL NAMES OF STATES AND JURISDICTIONS, CAPITALS, ZIP CODES**  
**AND CENTRAL SWITCHBOARDS**

<i>State or other jurisdiction</i>	<i>Name of state capitol (a)</i>	<i>Capital</i>	<i>Zip code</i>	<i>Area code</i>	<i>Central switchboard</i>
Alabama, State of .....	State House	Montgomery	36130	334	242-7100
Alaska, State of .....	State Capitol	Juneau	99801	907	465-4648
Arizona, State of .....	State Capitol	Phoenix	85007	602	542-4900
Arkansas, State of .....	State Capitol	Little Rock	72201	501	682-3000
California, State of .....	State Capitol	Sacramento	95814	916	657-9900
Colorado, State of .....	State Capitol	Denver	80203	303	866-5000
Connecticut, State of .....	State Capitol	Hartford	06106	860	240-0100
Delaware, State of .....	Legislative Hall	Dover	19903	302	739-4114
Florida, State of .....	The Capitol	Tallahassee	32399	850	488-4441
Georgia, State of .....	State Capitol	Atlanta	30334	404	656-2000
Hawaii, State of .....	State Capitol	Honolulu	96813	808	587-0221
Idaho, State of .....	State Capitol	Boise	83720	208	332-1000
Illinois, State of .....	State House	Springfield	62706	217	782-2000
Indiana, State of .....	State House	Indianapolis	46204	317	232-1000
Iowa, State of .....	State Capitol	Des Moines	50319	515	281-5011
Kansas, State of .....	Statehouse	Topeka	66612	785	296-0111
Kentucky, Commonwealth of .....	State Capitol	Frankfort	40601	502	564-3317
Louisiana, State of .....	State Capitol	Baton Rouge	70804	225	342-4479
Maine, State of .....	State House Station	Augusta	04333	207	287-6826
Maryland, State of .....	State House	Annapolis	21401	410	946-5400
Massachusetts, Commonwealth of .....	State House	Boston	02133	617	722-2000
Michigan, State of .....	State Capitol	Lansing	48909	517	373-0184
Minnesota, State of .....	State Capitol	St. Paul	55155	651	296-3962
Mississippi, State of .....	State Capitol	Jackson	39215	601	359-3770
Missouri, State of .....	State Capitol	Jefferson City	65101	573	751-2000
Montana, State of .....	State Capitol	Helena	59620	406	444-3111
Nebraska, State of .....	State Capitol	Lincoln	68509	402	471-2311
Nevada, State of .....	State Capitol	Carson City	89701	775	684-5670
New Hampshire, State of .....	State House	Concord	03301	603	271-1110
New Jersey, State of .....	State House	Trenton	08625	609	292-6000
New Mexico, State of .....	State Capitol	Santa Fe	87501	505	986-4600
New York, State of .....	State Capitol	Albany	12224	518	474-8390
North Carolina, State of .....	State Capitol	Raleigh	27601	919	733-4111
North Dakota, State of .....	State Capitol	Bismarck	58505	701	328-2000
Ohio, State of .....	Statehouse	Columbus	43215	614	466-2000
Oklahoma, State of .....	State Capitol	Oklahoma City	73105	405	521-2011
Oregon, State of .....	State Capitol	Salem	97310	503	986-1848
Pennsylvania, Commonwealth of .....	Main Capitol Building	Harrisburg	17120	717	787-2121
Rhode Island and Providence Plantations, State of .....	State House	Providence	02903	401	222-2653
South Carolina, State of .....	State House	Columbia	29211	803	212-6200
South Dakota, State of .....	State Capitol	Pierre	57501	605	773-3011
Tennessee, State of .....	State Capitol	Nashville	37243	615	741-2001
Texas, State of .....	State Capitol	Austin	78701	512	463-4630
Utah, State of .....	State Capitol	Salt Lake City	84114	801	538-3000
Vermont, State of .....	State House	Montpelier	05633	802	828-2231
Virginia, Commonwealth of .....	State Capitol	Richmond	23219	804	698-7410
Washington, State of .....	Legislative Building	Olympia	98504	360	635-9993
West Virginia, State of .....	State Capitol	Charleston	25305	304	558-3456
Wisconsin, State of .....	State Capitol	Madison	53702	608	266-0382
Wyoming, State of .....	State Capitol	Cheyenne	82002	307	777-7220
District of Columbia .....	District Building	...	20004	202	724-8000
American Samoa, Territory of .....	Maota Fono	Pago Pago	96799	684	633-4116
Guam, Territory of .....	Congress Building	Hagatna	96910	671	472-8931
No. Mariana Islands, Commonwealth of .....	Civic Center Building	Saipan	96950	670	664-0992
Puerto Rico, Commonwealth of .....	The Capitol	San Juan	00902	787	721-7000
U.S. Virgin Islands, Territory of .....	Capitol Building	Charlotte Amalie, St. Thomas	00804	340	774-0880

(a) In some instances the name is not official.

**Table 10.2**  
**HISTORICAL DATA ON THE STATES**

<i>State or other jurisdiction</i>	<i>Source of state lands</i>	<i>Date organized as territory</i>	<i>Date admitted to Union</i>	<i>Chronological order of admission to Union</i>
Alabama .....	Mississippi Territory, 1798 (a)	March 3, 1817	Dec. 14, 1819	22
Alaska .....	Purchased from Russia, 1867	Aug. 24, 1912	Jan. 3, 1959	49
Arizona .....	Ceded by Mexico, 1848 (b)	Feb. 24, 1863	Feb. 14, 1912	48
Arkansas .....	Louisiana Purchase, 1803	March 2, 1819	June 15, 1836	25
California .....	Ceded by Mexico, 1848	(c)	Sept. 9, 1850	31
Colorado .....	Louisiana Purchase, 1803 (d)	Feb. 28, 1861	Aug. 1, 1876	38
Connecticut .....	Fundamental Orders, Jan. 14, 1638; Royal charter, April 23, 1662 (e)	...	Jan. 9, 1788 (f)	5
Delaware .....	Swedish charter, 1638; English charter, 1638 (e)	...	Dec. 7, 1787 (f)	1
Florida .....	Ceded by Spain, 1819	March 30, 1822	March 3, 1845	27
Georgia .....	Charter, 1732, from George II to Trustees for establishing the Colony of Georgia (e)	...	Jan. 2, 1788 (f)	4
Hawaii .....	Annexed, 1898	June 14, 1900	Aug. 21, 1959	50
Idaho .....	Treaty with Britain, 1846	March 4, 1863	July 3, 1890	43
Illinois .....	Northwest Territory, 1787	Feb. 3, 1809	Dec. 3, 1818	21
Indiana .....	Northwest Territory, 1787	May 7, 1800	Dec. 11, 1816	19
Iowa .....	Louisiana Purchase, 1803	June 12, 1838	Dec. 28, 1846	29
Kansas .....	Louisiana Purchase, 1803 (d)	May 30, 1854	Jan. 29, 1861	34
Kentucky .....	Part of Virginia until admitted as state	(c)	June 1, 1792	15
Louisiana .....	Louisiana Purchase, 1803 (g)	March 26, 1804	April 30, 1812	18
Maine .....	Part of Massachusetts until admitted as state	(c)	March 15, 1820	23
Maryland .....	Charter, 1632, from Charles I to Calvert (e)	...	April 28, 1788 (f)	7
Massachusetts .....	Charter to Massachusetts Bay Company, 1629 (e)	...	Feb. 6, 1788 (f)	6
Michigan .....	Northwest Territory, 1787	Jan. 11, 1805	Jan. 26, 1837	26
Minnesota .....	Northwest Territory, 1787 (h)	March 3, 1849	May 11, 1858	32
Mississippi .....	Mississippi Territory (i)	April 7, 1798	Dec. 10, 1817	20
Missouri .....	Louisiana Purchase, 1803	June 4, 1812	Aug. 10, 1821	24
Montana .....	Louisiana Purchase, 1803 (j)	May 26, 1864	Nov. 8, 1889	41
Nebraska .....	Louisiana Purchase, 1803	May 30, 1854	March 1, 1867	37
Nevada .....	Ceded by Mexico, 1848	March 2, 1861	Oct. 31, 1864	36
New Hampshire .....	Grants from Council for New England, 1622 and 1629; made Royal province, 1679 (e)	...	June 21, 1788 (f)	9
New Jersey .....	Dutch settlement, 1618; English charter, 1664 (e)	...	Dec. 18, 1787 (f)	3
New Mexico .....	Ceded by Mexico, 1848 (b)	Sept. 9, 1850	Jan. 6, 1912	47
New York .....	Dutch settlement, 1623; English control, 1664 (e)	...	July 26, 1788 (f)	11
North Carolina .....	Charter, 1663, from Charles II (e)	...	Nov. 21, 1789 (f)	12
North Dakota .....	Louisiana Purchase, 1803 (k)	March 2, 1861	Nov. 2, 1889	39
Ohio .....	Northwest Territory, 1787	May 7, 1800	March 1, 1803	17
Oklahoma .....	Louisiana Purchase, 1803	May 2, 1890	Nov. 16, 1907	46
Oregon .....	Settlement and treaty with Britain, 1846	Aug. 14, 1848	Feb. 14, 1859	33
Pennsylvania .....	Grant from Charles II to William Penn, 1681 (e)	...	Dec. 12, 1787 (f)	2
Rhode Island .....	Charter, 1663, from Charles II (e)	...	May 29, 1790 (f)	13
South Carolina .....	Charter, 1663, from Charles II (e)	...	May 23, 1788 (f)	8
South Dakota .....	Louisiana Purchase, 1803	March 2, 1861	Nov. 2, 1889	40
Tennessee .....	Part of North Carolina until land ceded to U.S. in 1789	June 8, 1790 (l)	June 1, 1796	16
Texas .....	Republic of Texas, 1845	(c)	Dec. 29, 1845	28
Utah .....	Ceded by Mexico, 1848	Sept. 9, 1850	Jan. 4, 1896	45
Vermont .....	From lands of New Hampshire and New York	(c)	March 4, 1791	14
Virginia .....	Charter, 1609, from James I to London Company (e)	...	June 25, 1788 (f)	10
Washington .....	Oregon Territory, 1848	March 2, 1853	Nov. 11, 1889	42
West Virginia .....	Part of Virginia until admitted as state	(c)	June 20, 1863	35
Wisconsin .....	Northwest Territory, 1787	April 20, 1836	May 29, 1848	30
Wyoming .....	Louisiana Purchase, 1803 (d)(j)	July 25, 1868	July 10, 1890	44
Dist. of Columbia .....	Maryland (m)	...	...	...
American Samoa .....	-----Became a territory, 1900-----	...	...	...
Guam .....	Ceded by Spain, 1898	Aug. 1, 1950	...	...
No. Mariana Islands .....	...	March 24, 1976	...	...
Puerto Rico .....	Ceded by Spain, 1898	...	July 25, 1952 (n)	...
U.S. Virgin Islands .....	-----Purchased from Denmark, March 31, 1917-----	...	...	...

See footnotes at end of table.

## HISTORICAL DATA ON THE STATES — Continued

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*Key:*

- (a) By the Treaty of Paris, 1783, England gave up claim to the 13 original Colonies, and to all land within an area extending along the present Canadian 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, border east to the source of the St. Mary's down that river to the ocean. The major part of Alabama was acquired by the Treaty of Paris, and the lower portion from Spain in 1813.
- (b) Portion of land obtained by Gadsden Purchase, 1853.
- (c) No territorial status before admission to Union.
- (d) Portion of land ceded by Mexico, 1848.
- (e) One of the original 13 Colonies.
- (f) Date of ratification of U.S. Constitution.
- (g) West Feliciana District (Baton Rouge) acquired from Spain, 1810; added to Louisiana, 1812.
- (h) Portion of land obtained by Louisiana Purchase, 1803.
- (i) See footnote (a). The lower portion of Mississippi also was acquired from Spain in 1813.
- (j) Portion of land obtained from Oregon Territory, 1848.
- (k) The northern portion of the Red River Valley was acquired by treaty with Great Britain in 1818.
- (l) Date Southwest Territory (identical boundary as Tennessee's) was created.
- (m) Area was originally 100 square miles, taken from Virginia and Maryland. Virginia's portion south of the Potomac was given back to that state in 1846. Site chosen in 1790, city incorporated 1802.
- (n) On this date, Puerto Rico became a self-governing commonwealth by compact approved by the U.S. Congress and the voters of Puerto Rico as provided in U.S. Public Law 600 of 1950.

**Table 10.3**  
**STATE STATISTICS**

State or other jurisdiction	Land area		Population		Percentage change 1990 to 2000	Density per square mile	No. of Representatives in Congress	Capital	Population	Rank in state	Largest city	Population
	In square miles	Rank in nation	Size	Rank in nation								
Alabama .....	50,744	28	4,447,100	23	10.1	87.6	7	Montgomery	201,568	2	Birmingham	242,820
Alaska .....	571,951	1	626,932	48	14.0	1.1	1	Juneau	30,711	2	Anchorage	260,283
Arizona .....	113,635	6	5,130,632	20	40.0	45.2	6	Phoenix	1,321,045	1	Phoenix	1,321,045
Arkansas .....	52,068	27	2,673,400	33	13.7	51.3	4	Little Rock	183,133	7	Little Rock	183,133
California .....	155,959	3	33,871,648	1	13.6	217.2	52	Sacramento	407,018	7	Los Angeles	3,694,820
Colorado .....	103,718	8	4,301,261	24	30.6	41.5	6	Denver	544,636	1	Denver	544,636
Connecticut .....	4,845	48	3,405,565	29	3.6	702.9	6	Hartford	121,578	3	Bridgeport	139,529
Delaware .....	1,954	49	783,600	45	17.6	401.0	1	Dover	32,135	2	Wilmington	72,664
Florida .....	53,927	26	15,982,378	4	23.5	296.4	23	Tallahassee	150,624	8	Jacksonville	735,617
Georgia .....	57,906	21	8,186,453	10	26.4	141.4	11	Atlanta	416,474	1	Atlanta	416,474
Hawaii .....	6,423	47	1,211,537	42	9.3	188.6	2	Honolulu	371,657	1	Honolulu	371,657
Idaho .....	82,747	11	1,293,953	39	28.5	15.6	2	Boise	185,787	1	Boise	187,787
Illinois .....	55,584	24	12,419,293	5	8.6	223.4	20	Springfield	111,454	6	Chicago	2,896,016
Indiana .....	33,867	38	6,080,485	14	9.7	169.5	10	Indianapolis	791,926	1	Indianapolis	791,926
Iowa .....	55,869	23	2,926,324	30	5.4	52.4	5	Des Moines	198,682	1	Des Moines	198,682
Kansas .....	81,815	13	2,688,418	32	8.5	32.9	4	Topeka	122,377	4	Wichita	344,284
Kentucky .....	39,728	36	4,041,769	25	9.6	101.7	6	Frankfort	27,741	7	Lexington-Fayette (b)	256,231
Louisiana .....	43,562	33	4,468,976	22	5.9	102.6	7	Baton Rouge	227,818	2	New Orleans	484,674
Maine .....	30,862	39	1,274,923	40	3.8	41.3	2	Augusta	18,560	9	Portland	64,249
Maryland .....	9,774	42	5,296,486	19	10.8	541.9	8	Annapolis	35,838	7	Baltimore	651,154
Massachusetts .....	7,840	45	6,349,097	13	5.5	809.8	10	Boston	589,141	1	Boston	589,141
Michigan .....	56,804	22	9,938,444	8	6.9	175.0	16	Lansing	119,128	6	Detroit	951,270
Minnesota .....	79,610	14	4,919,479	21	12.4	61.8	8	St. Paul	287,151	2	Minneapolis	382,618
Mississippi .....	46,907	31	2,844,658	31	10.5	60.6	5	Jackson	184,256	1	Jackson	184,256
Missouri .....	68,886	18	5,595,211	17	9.3	81.2	9	Jefferson City	39,636	15	Kansas City	441,545
Montana .....	145,552	4	902,195	44	12.9	6.2	1	Helena	25,780	6	Billings	89,847
Nebraska .....	76,872	15	1,711,263	38	8.4	22.3	3	Lincoln	225,581	2	Omaha	390,007
Nevada .....	109,826	7	1,998,257	35	66.3	18.2	2	Carson City	52,457	6	Las Vegas	478,434
New Hampshire .....	8,968	44	1,235,786	41	11.4	137.8	2	Concord	40,687	3	Manchester	107,006
New Jersey .....	7,417	46	8,414,350	9	8.6	1,134.5	13	Trenton	85,403	9	Newark	273,546
New Mexico .....	121,356	5	1,819,046	36	20.1	15.0	3	Santa Fe	62,203	3	Albuquerque	448,607
New York .....	47,214	30	18,976,457	3	5.5	401.9	31	Albany	95,688	6	New York City	8,008,278
North Carolina .....	48,711	29	8,049,313	11	21.4	165.2	12	Raleigh	276,093	2	Charlotte	540,828
North Dakota .....	68,976	17	642,200	47	0.5	9.3	1	Bismarck	55,532	2	Fargo	90,599
Ohio .....	40,948	35	11,353,140	7	4.7	277.3	19	Columbus	711,470	1	Columbus	711,470
Oklahoma .....	68,667	19	3,450,654	27	9.7	50.3	6	Oklahoma City	506,132	1	Oklahoma City	506,132
Oregon .....	95,997	10	3,421,399	28	20.4	35.6	5	Salem	136,924	3	Portland	529,121
Pennsylvania .....	44,817	32	12,281,054	6	3.4	274.0	21	Harrisburg	48,950	13	Philadelphia	1,517,550
Rhode Island .....	1,045	50	1,048,319	43	4.5	1,003.2	2	Providence	173,618	1	Providence	173,618
South Carolina .....	30,110	40	4,012,012	26	15.1	133.2	6	Columbia	116,278	1	Columbia	116,278

See footnotes at end of table.

## STATE STATISTICS — Continued

State or other jurisdiction	Land area		Population		Percentage change 1990 to 2000	Density per square mile	No. of Representatives in Congress	Capital	Population	Rank in state	Largest city	Population
	In square miles	Rank in nation	Size	Rank in nation								
South Dakota .....	75,885	16	754,844	46	8.5	9.9	1	Pierre	13,876	7	Sioux Falls	123,975
Tennessee .....	41,217	34	5,689,283	16	16.7	138.0	9	Nashville	569,891 (c)	2	Memphis	650,100
Texas .....	261,797	2	20,851,820	2	22.8	79.6	30	Austin	656,562	4	Houston	1,953,631
Utah .....	82,144	12	2,233,169	34	29.6	27.2	3	Salt Lake City	181,743	1	Salt Lake City	181,743
Vermont .....	9,250	43	608,827	49	8.2	65.8	1	Montpelier	8,035	13	Burlington	38,889
Virginia .....	39,594	37	7,078,515	12	14.4	178.8	11	Richmond	197,790	4	Virginia Beach	425,257
Washington .....	66,544	20	5,894,121	15	21.1	88.6	9	Olympia	42,514	18	Seattle	563,374
West Virginia .....	24,078	41	1,808,344	37	0.8	75.1	3	Charleston	53,421	1	Charleston	53,421
Wisconsin .....	54,310	25	5,363,675	18	9.6	98.8	9	Madison	208,054	2	Milwaukee	596,974
Wyoming .....	97,100	9	493,782	51	8.9	5.1	1	Cheyenne	53,011	1	Cheyenne	53,011
Dist. of Columbia .....	63	...	572,059	50	-5.7	9,378.0	1 (a)	...	...	...	...	...
American Samoa .....	77	...	57,291	...	22.0	...	1 (a)	Pago Pago	4,278	3	Tafuna	8,409
Guam .....	210	...	154,805	...	...	...	1 (a)	Hagana	1,100	18	Dededo	42,980
No. Mariana Islands .....	181	...	69,221	...	...	...	...	Saipan	62,392	1	Saipan	62,392
Puerto Rico .....	3,427	...	3,808,610	...	...	...	1 (a)	San Juan	421,958	1	San Juan	421,958
U.S. Virgin Islands .....	134	...	108,612	...	...	...	1 (a)	Charlotte Amalie, St. Thomas	11,004	1	Charlotte Amalie, St. Thomas	11,004

Source: U.S. Department of Commerce, Bureau of the Census. (2000 estimated.)

Key:

... — Not applicable

(a) Delegate with privileges to vote in committees and the Committee of the Whole.

(b) Coextensive with Fayette County.

(c) This city is part of a consolidated city-county government and is coextensive with Davidson County.

# Alabama

Nickname .....	The Heart of Dixie
Motto .....	<i>Aldemus Jura Nostra Defendere</i> (We Dare Defend Our Rights)
Horse .....	Racking Horse
Flower .....	Camellia
Bird .....	Yellowhammer
Tree .....	Southern (Longleaf) Pine
Song .....	<i>Alabama</i>
Insect .....	Monarch Butterfly
Rock .....	Marble
Entered the Union .....	December 14, 1819
Capital .....	Montgomery

## LEGISLATURE

President of the Senate .....	Lt. Gov. Steve Windom
President Pro Tem of the Senate .....	Lowell Ray Barron
Secretary of the Senate .....	McDowell Lee

Speaker of the House .....	Seth Hammett
Speaker Pro Tem of the House .....	Demetrius C. Newton
Clerk of the House .....	William G. Pappas

2002 Regular Session .....	Jan. 8-April 22
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## EXECUTIVE BRANCH

Governor .....	Don Siegelman
Lieutenant Governor .....	Steve Windom
Secretary of State .....	Jim Bennett
Attorney General .....	Bill Pryor
Treasurer .....	Lucy Baxley

## SUPREME COURT

Roy Moore, Chief Justice
Champ Lyons
Jean Brown
Harold See
Bernard Harwood
Lyn Stewart
Gorman Houston
Tom Woodall
Douglas Johnstone

## STATISTICS

Land Area (square miles) .....	50,744
Rank in Nation .....	28th
Population .....	4,447,100
Rank in Nation .....	23rd
Density per square mile .....	87.6
Number of Representatives in Congress .....	7
Capital City .....	Montgomery
Population .....	201,568
Rank in State .....	2nd
Largest City .....	Birmingham
Population .....	242,820
Number of Places over 10,000 Population .....	57

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.al.us">http://www.state.al.us</a>
Governor's Website .....	<a href="http://www.governor.state.al.us">http://www.governor.state.al.us</a>
State Legislative Website .....	<a href="http://www.legislature.state.al.us">http://www.legislature.state.al.us</a>
State Judicial Website .....	<a href="http://www.judicial.state.al.us">http://www.judicial.state.al.us</a>

# Alaska

Nickname .....	The Last Frontier
Motto .....	<i>North to the Future</i>
Flower .....	Forget-Me-Not
Marine Mammal .....	Bowhead Whale
Bird .....	Willow Ptarmigan
Tree .....	Sitka Spruce
Song .....	<i>Alaska's Flag</i>
Fish .....	King Salmon
Fossil .....	Woolly Mammoth
Sport .....	Dog Mushing
Gem .....	Jade
Mineral .....	Gold
Purchased from Russia by the	
United States .....	March 30, 1867
Entered the Union .....	January 3, 1959
Capital .....	Juneau

## LEGISLATURE

President of the Senate .....	Rick Halford
Secretary of the Senate .....	Heidi Vogel

Speaker of the House .....	Brian Porter
Chief Clerk of the House .....	Suzanne Lowell

2002 Regular Session .....	Jan. 14-May 15
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## EXECUTIVE BRANCH

Governor .....	Tony Knowles
Lieutenant Governor .....	Fran Ulmer
Attorney General .....	Bruce M. Botelho
Treasurer .....	Neil Slotnick

## SUPREME COURT

Dana Fabe, Chief Justice
Walter Carpeneti
Alexander O. Bryner
Robert L. Eastaugh

## STATISTICS

Land Area (square miles) .....	571,951
Rank in Nation .....	1st
Population .....	626,932
Rank in Nation .....	48th
Density per square mile .....	1.1
Number of Representatives in Congress .....	1
Capital City .....	Juneau
Population .....	30,711
Rank in State .....	2nd
Largest City .....	Anchorage
Population .....	260,283
Number of Places over 10,000 Population .....	4

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.ak.us">http://www.state.ak.us</a>
Governor's Website .....	<a href="http://www.gov.state.ak.us">http://www.gov.state.ak.us</a>
State Legislative Website .....	<a href="http://www.legis.state.ak.us">http://www.legis.state.ak.us</a>
State Judicial Website .....	<a href="http://www.state.ak.us/courts">http://www.state.ak.us/courts</a>

# Arizona

Nickname .....The Grand Canyon State  
 Motto .....*Ditat Deus (God Enriches)*  
 Flower.....Blossom of the Saguaro Cactus  
 Bird.....Cactus Wren  
 Tree.....Palo Verde  
 Songs.....*Arizona March Song and Arizona*  
 Gemstone.....Turquoise  
 Official Neckwear.....Bola Tie  
 Entered the Union.....February 14, 1912  
 Capital.....Phoenix

## LEGISLATURE

President of the Senate .....Randall Gnant  
 President Pro Tem of the Senate.....Lori Daniels  
 Secretary of the Senate.....Charmion Billington

Speaker of the House .....Jim Weiers  
 Speaker Pro Tem of the House.....Jake Flake  
 Chief Clerk of the House .....Norman L. Moore

2002 Regular Session .....Jan. 8-April 20

## EXECUTIVE BRANCH

Governor .....Jane Dee Hull  
 Secretary of State .....Betsey Bayless  
 Attorney General.....Janet Napolitano  
 Treasurer.....Carol Springer

## SUPREME COURT

Thomas Zlaket, Chief Justice  
 Frederick J. Martone  
 Stanley Feldman  
 Ruth McGregor  
 Charles Jones

## STATISTICS

Land Area (square miles).....113,635  
 Rank in Nation.....6th  
 Population.....5,130,632  
 Rank in Nation.....20th  
 Density per square mile.....45.2  
 Number Representatives in Congress.....6  
 Capital City.....Phoenix  
 Population.....1,321,045  
 Rank in State.....1st  
 Largest City.....Phoenix  
 Number of Places over 10,000 Population.....48

## STATE INTERNET ADDRESSES

Official State Website .....<http://www.az.gov>  
 Governor's Website .....<http://www.governor.state.az.us>  
 State Legislative Website .....<http://www.azleg.state.az.us>  
 State Judicial Website.....<http://www.supreme.state.az.us>

# Arkansas

Nickname.....The Natural State  
 Motto.....*Regnat Populus (The People Rule)*  
 Flower.....Apple Blossom  
 Bird.....Mockingbird  
 Tree.....Pine  
 Song.....*Arkansas*  
 Gem.....Diamond  
 Entered the Union.....June 15, 1836  
 Capital.....Little Rock

## GENERAL ASSEMBLY

President of the Senate .....Lt. Gov. Winthrop Rockefeller  
 President Pro Tem of the Senate.....Mike Beebe  
 Secretary of the Senate.....Ann Cornwell

Speaker of the House.....Shane Broadway  
 Speaker Pro Tem of the House.....Phillip T. Jacobs  
 Chief Clerk of the House.....Jo Renshaw

2002 Regular Session .....No Regular Session

## EXECUTIVE BRANCH

Governor.....Mike Huckabee  
 Lieutenant Governor.....Winthrop Rockefeller  
 Secretary of State.....Sharon Priest  
 Attorney General.....Mark Pryor  
 Treasurer.....Jimmie Lou Fisher

## SUPREME COURT

W.H. Arnold, Chief Justice  
 Thomas A. Glaze  
 Robert L. Brown  
 Jim Hannah  
 Annabelle Clinton  
 Imber Ray Thornton  
 Donald L. Corbin

## STATISTICS

Land Area (square miles).....52,068  
 Rank in Nation.....27th  
 Population.....2,673,400  
 Rank in Nation.....33rd  
 Density per square mile.....51.3  
 Number of Representatives in Congress.....4  
 Capital City.....Little Rock  
 Population.....183,133  
 Rank in State.....1st  
 Largest City.....Little Rock  
 Number of Places over 10,000 Population.....33

## STATE INTERNET ADDRESSES

Official State Website .....<http://www.state.ar.us>  
 Governor's Website .....<http://www.state.ar.us/governor>  
 State Legislative Website .....<http://www.arkleg.state.ar.us>  
 State Judicial Website .....<http://courts.state.ar.us>



# California

Nickname .....	The Golden State
Motto .....	<i>Eureka</i> (I Have Found It)
Animal .....	Grizzly Bear
Flower .....	Golden Poppy
Bird .....	California Valley Quail
Tree .....	California Redwood
Song .....	<i>I Love You, California</i>
Fossil .....	Saber-Toothed Cat
Marine Mammal .....	California Gray Whale
Entered the Union .....	September 9, 1850
Capital .....	Sacramento

## LEGISLATURE

President of the Senate .....	Lt. Gov. Cruz Bustamante
President Pro Tem of the Senate .....	John L. Burton
Secretary of the Senate .....	Gregory Schmidt

Speaker of the Assembly .....	Herb J. Wesson Jr.
Speaker Pro Tem of the Assembly .....	Fred Keeley
Chief Clerk of the Assembly .....	E. Dotson Wilson

2002 Regular Session .....	Jan. 7-Aug. 31
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## EXECUTIVE BRANCH

Governor .....	Gray Davis
Lieutenant Governor .....	Cruz M. Bustamante
Secretary of State .....	Bill Jones
Attorney General .....	Bill Lockyer
Treasurer .....	Philip N. Angelides

## SUPREME COURT

Ronald M. George, Chief Justice
Joyce L. Kennard
Marvin R. Baxter
Carlos R. Moreno
Janice R. Brown
Kathryn M. Werdegarr
Ming W. Chin

## STATISTICS

Land Area (square miles) .....	155,959
Rank in Nation .....	3rd
Population .....	33,871,648
Rank in Nation .....	1st
Density per Square Mile .....	217.2
Number of Representatives in Congress .....	52
Capital City .....	Sacramento
Population .....	407,018
Rank in State .....	7th
Largest City .....	Los Angeles
Population .....	3,694,820
Number of Places over 10,000 Population .....	352

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.ca.gov">http://www.ca.gov</a>
Governor's Website .....	<a href="http://www.governor.ca.gov">http://www.governor.ca.gov</a>
State Legislative Website .....	<a href="http://www.leginfo.ca.gov">http://www.leginfo.ca.gov</a>
State Judicial Website .....	<a href="http://www.courtinfo.ca.gov">http://www.courtinfo.ca.gov</a>

# Colorado

Nickname .....	The Centennial State
Motto .....	<i>Nil Sine Numine</i> (Nothing Without Providence)
Flower .....	Columbine
Bird .....	Lark Bunting
Tree .....	Blue Spruce
Song .....	<i>Where the Columbines Grow</i>
Fossil .....	Stegosaurus
Gemstone .....	Aquamarine
Animal .....	Bighorn Sheep
Entered the Union .....	August 1, 1876
Capital City .....	Denver

## GENERAL ASSEMBLY

President of the Senate .....	Stan Matsunaka
President Pro Tem of the Senate .....	Ed Perlmutter
Secretary of the Senate .....	Karen Goldman

Speaker of the House .....	Doug Dean
Speaker Pro Tem of the House .....	Brad Young
Chief Clerk of the House .....	Judith Rodrigue

2002 Regular Session .....	Jan. 9-May 8
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## EXECUTIVE BRANCH

Governor .....	Bill Owens
Lieutenant Governor .....	Joe Rogers
Secretary of State .....	Donetta L. Davidson
Attorney General .....	Ken Salazar
Treasurer .....	Mike Coffman

## SUPREME COURT

Mary Mullarkey, Chief Justice
Rebecca L. Kourlis
Nathan B. Coats
Alex J. Martinez
Gregory J. Hobbs, Jr.
Nancy E. Rice

## STATISTICS

Land Area (square miles) .....	103,718
Rank in Nation .....	8th
Population .....	4,301,261
Rank in Nation .....	24th
Density per square mile .....	41.5
Number of Representatives in Congress .....	6
Capital City .....	Denver
Population .....	544,636
Rank in State .....	1st
Largest City .....	Denver
Number of Places over 10,000 Population .....	47

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.co.us">http://www.state.co.us</a>
Governor's Website .....	<a href="http://www.state.co.us/gov_dir/governor_office.html">http://www.state.co.us/gov_dir/governor_office.html</a>
State Legislative Website .....	<a href="http://www.state.co.us/gov_dir/stateleg.html">http://www.state.co.us/gov_dir/stateleg.html</a>
State Judicial Website .....	<a href="http://www.courts.state.co.us">http://www.courts.state.co.us</a>

# Connecticut

Nickname .....	The Constitution State
Motto .....	<i>Qui Transtulit Sustinet</i> (He Who Transplanted Still Sustains)
Animal .....	Sperm Whale
Flower .....	Mountain Laurel
Bird .....	American Robin
Tree .....	White Oak
Song .....	<i>Yankee Doodle</i>
Mineral .....	Garnet
Insect .....	European "Praying" Mantis
Entered the Union .....	January 9, 1788
Capital .....	Hartford

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. M. Jodi Rell
President Pro Tem of the Senate .....	Kevin B. Sullivan
Clerk of the Senate .....	Thomas P. Sheridan

Speaker of the House .....	Moirra K. Lyons
Clerk of the House .....	Garey E. Coleman

2002 Regular Session .....	Feb. 6-May 8
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## EXECUTIVE BRANCH

Governor .....	John G. Rowland
Lieutenant Governor .....	M. Jodi Rell
Secretary of State .....	Susan Bysiewicz
Attorney General .....	Richard Blumenthal
Treasurer .....	Denise L. Nappier

## SUPREME COURT

William J. Sullivan, Chief Justice
Richard N. Palmer
David M. Borden
Christine S. Vertefeuille
Joette Katz
Peter T. Zarella
Flemming L. Norcott, Jr.

## STATISTICS

Land Area (square miles) .....	4,845
Rank in Nation .....	48th
Population .....	3,405,565
Rank in Nation .....	29th
Density per square mile .....	702.9
Number of Representatives in Congress .....	6
Capital City .....	Hartford
Population .....	121,576
Rank in State .....	3rd
Largest City .....	Bridgeport
Population .....	139,529
Number of Places over 10,000 Population .....	94

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.ct.us">http://www.state.ct.us</a>
Governor's Website .....	<a href="http://www.state.ct.us/governor">http://www.state.ct.us/governor</a>
State Legislative Website .....	<a href="http://www.cga.state.ct.us">http://www.cga.state.ct.us</a>
State Judicial Website .....	<a href="http://www.jud.state.ct.us">http://www.jud.state.ct.us</a>

# Delaware

Nickname .....	The First State
Motto .....	<i>Liberty and Independence</i>
Flower .....	Peach Blossom
Bird .....	Blue Hen Chicken
Tree .....	American Holly
Song .....	<i>Our Delaware</i>
Fish .....	Sea Trout
Entered the Union .....	December 7, 1787
Capital .....	Dover

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. John Carney, Jr.
President Pro Tem of the Senate .....	Thomas B. Sharp
Secretary of the Senate .....	Bernard J. Brady

Speaker of the House .....	Terry R. Spence
Clerk of the House .....	JoAnn M. Hedrick

2002 Regular Session .....	Jan. 15-June 30
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## EXECUTIVE BRANCH

Governor .....	Ruth Ann Minner
Lieutenant Governor .....	John Carney, Jr.
Secretary of State .....	Harriet N. Windsor-Smith
Attorney General .....	M. Jane Brady
Treasurer .....	Jack A. Markell

## SUPREME COURT

E. Norman Veasey, Chief Justice
Myron T. Steele
Carolyn Berger
Joseph T. Walsh
Randy J. Holland

## STATISTICS

Land Area (square miles) .....	1,954
Rank in Nation .....	49th
Population .....	783,600
Rank in Nation .....	45th
Density per square mile .....	401.0
Number of Representatives in Congress .....	1
Capital City .....	Dover
Population .....	32,135
Rank in State .....	2nd
Largest City .....	Wilmington
Population .....	72,664
Number of Places over 10,000 Population .....	8

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://delaware.gov">http://delaware.gov</a>
Governor's Website .....	<a href="http://www.state.de.us/governor">http://www.state.de.us/governor</a>
State Legislative Website .....	<a href="http://www.legis.state.de.us">http://www.legis.state.de.us</a>
State Judicial Website .....	<a href="http://courts.state.de.us">http://courts.state.de.us</a>

# Florida

Nickname .....	The Sunshine State
Motto .....	<i>In God We Trust</i>
Animal .....	Florida Panther
Flower .....	Orange Blossom
Bird .....	Mockingbird
Tree .....	Sabal Palmetto Palm
Song .....	<i>The Swanee River (Old Folks at Home)</i>
Marine Mammal .....	Manatee
Saltwater Mammal .....	Porpoise
Gem .....	Moonstone
Shell .....	Horse Conch
Entered the Union .....	March 3, 1845
Capital .....	Tallahassee

## LEGISLATURE

President of the Senate .....	John M. McKay
President Pro Tem of the Senate .....	Ginny Brown-Waite
Secretary of the Senate .....	Faye W. Blanton

Speaker of the House .....	Tom Feeney
Speaker Pro Tem of the House .....	Sandra L. Murman
Clerk of the House .....	John B. Phelps

2002 Regular Session .....	Jan. 22-March 22
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## EXECUTIVE BRANCH

Governor .....	Jeb Bush
Lieutenant Governor .....	Frank T. Brogan
Secretary of State .....	Katherine Harris
Attorney General .....	Robert A. Butterworth
Treasurer/Insurance Commr. ....	Tom Gallagher

## SUPREME COURT

Charles T. Wells, Chief Justice
Barbara J. Pariente
Harry Lee Anstead
Peggy A. Quince
Major B. Harding
Leander J. Shaw, Jr.
R. Fred Lewis

## STATISTICS

Land Area (square miles) .....	53,927
Rank in Nation .....	26th
Population .....	15,982,378
Rank in Nation .....	4th
Density per square mile .....	296.4
Number of Representatives in Congress .....	23
Capital City .....	Tallahassee
Population .....	150,624
Rank in State .....	8th
Largest City .....	Jacksonville
Population .....	735,617
Number of Places over 10,000 Population .....	269

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.myflorida.com">http://www.myflorida.com</a>
Governor's Website .....	<a href="http://www.state.fl.us/eog">http://www.state.fl.us/eog</a>
State Legislative Website .....	<a href="http://www.leg.state.fl.us">http://www.leg.state.fl.us</a>
State Judicial Website .....	<a href="http://www.flcourts.org">http://www.flcourts.org</a>

# Georgia

Nickname .....	The Empire State of the South
Motto .....	<i>Wisdom, Justice and Moderation</i>
Flower .....	Cherokee Rose
Bird .....	Brown Thrasher
Tree .....	Live Oak
Song .....	<i>Georgia on My Mind</i>
Butterfly .....	Tiger Swallowtail
Insect .....	Honeybee
Fish .....	Largemouth Bass
Entered the Union .....	January 2, 1788
Capital .....	Atlanta

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. Mark Taylor
President Pro Tem of the Senate .....	Terrell Starr
Secretary of the Senate .....	Frank Eldridge Jr.

Speaker of the House .....	Thomas B. Murphy
Speaker Pro Tem of the House .....	Jack Connell
Clerk of the House .....	Robert E. Rivers Jr.

2002 Regular Session .....	Jan. 14-March 22
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## EXECUTIVE BRANCH

Governor .....	Roy E. Barnes
Lieutenant Governor .....	Mark Taylor
Secretary of State .....	Cathy Cox
Attorney General .....	Thurbert E. Baker
Treasurer .....	W. Daniel Ebersole

## SUPREME COURT

Robert Benham, Chief Justice
Carol W. Hunstein
George H. Carley
Leah J. Sears
Norman S. Fletcher
Hugh P. Thompson
P. Harris Hines

## STATISTICS

Land Area (square miles) .....	57,906
Rank in Nation .....	21st
Population .....	8,186,453
Rank in Nation .....	10th
Density per square mile .....	141.4
Number of Representatives in Congress .....	11
Capital City .....	Atlanta
Population .....	416,474
Rank in State .....	1st
Largest City .....	Atlanta
Number of Places over 10,000 Population .....	81

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.ga.us">http://www.state.ga.us</a>
Governor's Website .....	<a href="http://www.gagovernor.org">http://www.gagovernor.org</a>
State Legislative Website .....	<a href="http://www.legis.state.ga.us">http://www.legis.state.ga.us</a>
State Judicial Website .....	<a href="http://www.georgiacourts.org">http://www.georgiacourts.org</a>

# Hawaii

Nickname .....The Aloha State  
 Motto .....*Ua Mau Ke Ea O Ka Aina I Ka Pono*  
 (The Life of the Land Is Perpetuated in Righteousness)  
 Flower .....Native Yellow Hibiscus  
 Bird .....Hawaiian Goose (Nene)  
 Tree .....*Kukue Tree (Candlenut)*  
 Song .....*Hawaii Pono*  
 Entered the Union .....August 21, 1959  
 Capital .....Honolulu

## LEGISLATURE

President of the Senate .....Robert Bunda  
 Vice President of the Senate .....Colleen Hanabusa  
 Chief Clerk of the Senate .....Paul T. Kawaguchi

Speaker of the House .....Calvin K.Y. Say  
 Vice Speaker of the House .....Sylvia Luke  
 Chief Clerk of the House .....Patricia A. Mau-Shimizu

2002 Regular Session .....Jan. 16-May 3

## EXECUTIVE BRANCH

Governor .....Benjamin J. Cayetano  
 Lieutenant Governor .....Mazie Hirono  
 Attorney General .....Earl I. Anzai  
 Treasurer .....Neal Miyahira

## SUPREME COURT

Ronald T.Y. Moon, Chief Justice  
 Paula A. Nakayama  
 Simeon R. Acoba, Jr.  
 Mario R. Ramil  
 Steven H. Levinson

## STATISTICS

Land Area (square miles) .....6,423  
 Rank in Nation .....47th  
 Population .....1,211,537  
 Rank in Nation .....42nd  
 Density per square mile .....188.6  
 Number of Representatives in Congress .....2  
 Capital City .....Honolulu  
 Population .....371,657  
 Rank in State .....1st  
 Largest City .....Honolulu  
 Number of Places over 10,000 Population .....20

## STATE INTERNET ADDRESSES

Official State Website .....<http://www.hawaii.gov>  
 Governor's Website .....<http://gov.state.hi.us>  
 State Legislative Website .....<http://www.capitol.hawaii.gov>  
 State Judicial Website .....<http://www.state.hi.us/jud>

# Idaho

Nickname .....The Gem State  
 Motto .....*Esto Perpetua* (Let It Be Perpetual)  
 Flower .....Syringa  
 Bird .....Mountain Bluebird  
 Tree .....Western White Pine  
 Song .....*Here We Have Idaho*  
 Horse .....Appaloosa  
 Gemstone .....Idaho Start Garnett  
 Entered the Union .....July 3, 1890  
 Capital .....Boise

## LEGISLATURE

President of the Senate .....Lt. Gov. Jack Riggs  
 President Pro Tem of the Senate .....Robert L. Geddes  
 Secretary of the Senate .....Jeannine Wood

Speaker of the House .....Bruce Newcomb  
 Chief Clerk of the House .....Pamm Juker

2002 Regular Session .....Jan. 7-April 6

## EXECUTIVE BRANCH

Governor .....Dirk Kempthorne  
 Lieutenant Governor .....Jack Riggs  
 Secretary of State .....Pete T. Cenarrusa  
 Attorney General .....Alan G. Lance  
 Treasurer .....Ron G. Crane

## SUPREME COURT

Linda Copple Trout  
 Gerald F. Schroeder  
 Daniel Eismann  
 Jesse R. Walters, Jr.  
 Wayne L. Kidwell

## STATISTICS

Land Area (square miles) .....82,747  
 Rank in Nation .....11th  
 Population .....1,293,953  
 Rank in Nation .....39th  
 Density per square mile .....15.6  
 Number of Representatives in Congress .....2  
 Capital City .....Boise  
 Population .....185,787  
 Rank in State .....1st  
 Largest City .....Boise  
 Number of Places over 10,000 Population .....16

## STATE INTERNET ADDRESSES

Official State Website .....<http://www.state.id.us>  
 Governor's Website .....<http://www2.state.id.us/gov>  
 State Legislative Website .....<http://www2.state.id.us/legislat>  
 State Judicial Website .....<http://www2.state.id.us/judicial>

# Illinois

Nickname .....	The Prairie State
Motto .....	<i>State Sovereignty-National Union</i>
Animal .....	White-tailed Deer
Flower .....	Native Violet
Bird .....	Cardinal
Tree .....	White Oak
Song .....	<i>Illinois</i>
Mineral .....	Fluorite
Fish .....	Bluegill
Entered the Union .....	December 3, 1818
Capital .....	Springfield

## GENERAL ASSEMBLY

President of the Senate .....	James Philip
Secretary of the Senate .....	Jim Harry

Speaker of the House .....	Michael J. Madigan
House Chief Clerk .....	Anthony D. Rossi

2002 Regular Session .....	Jan. 9-Jan. 7, 2003
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## EXECUTIVE BRANCH

Governor .....	George H. Ryan, Sr.
Lieutenant Governor .....	Corinne G. Wood
Secretary of State .....	Jesse White
Attorney General .....	Jim Ryan
Treasurer .....	Judy Baar Topinka

## SUPREME COURT

Moses W. Harrison II, Chief Justice
Thomas L. Kilbride
Thomas R. Fitzgerald
Mary Ann G. McMorrow
Charles E. Freeman
Robert R. Thomas
Rita B. Garman

## STATISTICS

Land Area (square miles) .....	55,584
Rank in Nation .....	24th
Population .....	12,419,293
Rank in Nation .....	5th
Density per square mile .....	223.4
Number of Representatives in Congress .....	20
Capital City .....	Springfield
Population .....	111,454
Rank in State .....	6th
Largest City .....	Chicago
Population .....	2,896,016
Number of Places over 10,000 Population .....	209

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.il.us">http://www.state.il.us</a>
Governor's Website .....	<a href="http://www.state.il.us/gov">http://www.state.il.us/gov</a>
State Legislative Website .....	<a href="http://www.legis.state.il.us">http://www.legis.state.il.us</a>
State Judicial Website .....	<a href="http://www.state.il.us/court">http://www.state.il.us/court</a>

# Indiana

Nickname .....	The Hoosier State
Motto .....	<i>Crossroads of America</i>
Flower .....	Peony
Bird .....	Cardinal
Tree .....	Tulip Poplar
Song .....	<i>On the Banks of the Wabash, Far Away</i>
Poem .....	<i>Indiana</i> by Franklin Maples
Stone .....	Limestone
Entered the Union .....	December 11, 1816
Capital .....	Indianapolis

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. Joseph E. Kernan
President Pro Tem of the Senate .....	Robert D. Garton
Principal Secretary of the Senate .....	Mary C. Mendel

Speaker of the House .....	John R. Gregg
Speaker Pro Tem of the House .....	Chester F. Dobis
Principal Clerk of the House .....	Lee A. Smith

2002 Regular Session .....	Jan. 18-March 14
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## EXECUTIVE BRANCH

Governor .....	Frank L. O'Bannon
Lieutenant Governor .....	Joseph E. Kernan
Secretary of State .....	Sue Anne Gilroy
Attorney General .....	Steve Carter
Treasurer .....	Tim Berry

## SUPREME COURT

Randall T. Shepard, Chief Justice
Robert D. Rucker
Ted Boehm
Frank Sullivan Jr.
Brent E. Dickson

## STATISTICS

Land Area (square miles) .....	35,867
Rank in Nation .....	38th
Population .....	6,080,485
Rank in Nation .....	14th
Density per square mile .....	169.5
Number of Representatives in Congress .....	10
Capital City .....	Indianapolis
Population .....	791,926
Rank in State .....	1st
Largest City .....	Indianapolis
Number of Places over 10,000 Population .....	69

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.in.us">http://www.state.in.us</a>
Governor's Website .....	<a href="http://www.in.gov/gov">http://www.in.gov/gov</a>
State Legislative Website .....	<a href="http://www.in.gov/legislative">http://www.in.gov/legislative</a>
State Judicial Website .....	<a href="http://www.in.gov/judiciary">http://www.in.gov/judiciary</a>

# Iowa

Nickname.....	The Hawkeye State
Motto .....	<i>Our Liberties We Prize and Our Rights We Will Maintain</i>
Flower .....	Wild Rose
Bird .....	Eastern Goldfinch
Tree .....	Oak
Song .....	<i>The Song of Iowa</i>
Stone .....	Geode
Entered the Union .....	December 28, 1846
Capital.....	Des Moines

## GENERAL ASSEMBLY

President of the Senate.....	Mary E. Kramer
President Pro Tem of the Senate .....	Andy McKean
Secretary of the Senate .....	Michael E. Marshall

Speaker of the House.....	Brent Siegrist
Speaker Pro Tem of the House.....	Steve Sukup
Chief Clerk of the House .....	Margaret A. Thomson

2002 Regular Session .....	Jan. 14-April 25
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## EXECUTIVE BRANCH

Governor.....	Thomas J. Vilsack
Lieutenant Governor .....	Sally J. Pederson
Secretary of State .....	Chet Culver
Attorney General .....	Thomas J. Miller
Treasurer .....	Michael L. Fitzgerald

## SUPREME COURT

Lewis A. Lavarato, Chief Justice
Linda K. Neuman
Mark S. Cady
Michael J. Streit
James H. Carter
Marsha K. Ternus
Jerry L. Larson

## STATISTICS

Land Area (square mile) .....	55,869
Rank in Nation.....	23rd
Population .....	2,926,324
Rank in Nation.....	30th
Density per square mile.....	52.4
Number of Representatives in Congress .....	5
Capital City .....	Des Moines
Population.....	198,682
Rank in State.....	1st
Largest City .....	Des Moines
Number of Places over 10,000 Population .....	35

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.state.ia.us">http://www.state.ia.us</a>
Governor's Website.....	<a href="http://www.state.ia.us/governor">http://www.state.ia.us/governor</a>
State Legislative Website.....	<a href="http://www.legis.state.ia.us">http://www.legis.state.ia.us</a>
State Judicial Website.....	<a href="http://www.judicial.state.ia.us">http://www.judicial.state.ia.us</a>

# Kansas

Nickname .....	The Sunflower State
Motto .....	<i>Ad Astra per Aspera</i> (To the Stars through Difficulties)
Animal .....	American Buffalo
Flower.....	Wild Native Sunflower
Bird .....	Western Meadowlark
Tree .....	Cottonwood
Song .....	<i>Home on the Range</i>
Reptile.....	Ornate Box Turtle
Insect.....	Honeybee
Entered the Union .....	January 29, 1861
Capital .....	Topeka

## LEGISLATURE

President of the Senate.....	Dave Kerr
Vice President of the Senate .....	Sandy Praeger
Secretary of the Senate .....	Pat Saville

Speaker of the House.....	Kent Glasscock
Speaker Pro tem of the House.....	Clay Aurand
Chief Clerk of the House .....	Janet E. Jones

2002 Regular Session .....	Jan. 14-May 24
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## EXECUTIVE BRANCH

Governor.....	Bill Graves
Lieutenant Governor .....	Gary Sherrer
Secretary of State .....	Ron Thornburgh
Attorney General.....	Carla J. Stovall
Treasurer .....	Tim Shallenburger

## SUPREME COURT

Kay McFarland, Chief Justice
Edward Larson
Bob Abbott
Tyler C. Lockett
Donald L. Allegrucci
Fred N. Six
Robert E. Davis

## STATISTICS

Land Area (square miles).....	81,815
Rank in Nation.....	13th
Population .....	2,686,418
Rank in Nation.....	32nd
Density per square mile .....	32.9
Number of Representatives in Congress .....	4
Capital City .....	Topeka
Population .....	122,377
Rank in State.....	4th
Largest City .....	Wichita
Population .....	344,284
Number of Places over 10,000 Population .....	32

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.ks.us">http://www.state.ks.us</a>
Governor's Website .....	<a href="http://www.accesskansas.org/governor">http://www.accesskansas.org/governor</a>
State Legislative Website.....	<a href="http://www.kslegislature.org">http://www.kslegislature.org</a>
State Judicial Website.....	<a href="http://www.kscourts.org">http://www.kscourts.org</a>

# Kentucky

Nickname.....	The Bluegrass State
Motto .....	<i>United We Stand, Divided We Fall</i>
Animal .....	Gray Squirrel
Flower .....	Goldenrod
Bird .....	Cardinal
Tree .....	Tulip Poplar
Song .....	<i>My Old Kentucky Home</i>
Fossil .....	Brachiopod
Fish .....	Kentucky Bass
Entered the Union .....	June 1, 1792
Capital .....	Frankfort

## GENERAL ASSEMBLY

President of the Senate.....David L. Williams  
President Pro Tem of the Senate.....Richard L. Roeding  
Chief Clerk of the Senate.....Barbara Ferguson

Speaker of the House ..... Jody Richards  
Speaker Pro Tem of the House ..... Larry Clark  
Chief Clerk of the House ..... Lois Pulliam

2002 Regular Session .....Jan. 8-April 3

## EXECUTIVE BRANCH

Governor.....	Paul E. Patton
Lieutenant Governor.....	Stephen Henry
Secretary of State.....	John Y. Brown III
Attorney General.....	Albert Benjamin Chandler III
Treasurer.....	Jonathan Miller

**SUPREME COURT**

Joseph E. Lambert, Chief Justice  
James Keller  
William S. Cooper  
Janet L. Stumbo  
J. William Graves  
Donald C. Wintersheimer  
Martin E. Johnstone

## STATISTICS

Land Area (square miles).....	39,728
Rank in Nation.....	36th
Population.....	4,041,769
Rank in Nation.....	25th
Density per square mile.....	101.7
Number of Representatives in Congress.....	6
Capital City.....	Frankfort
Population.....	27,741
Rank in State.....	7th
Largest City.....	Lexington-Fayette
Population.....	256,231
Number of Places over 10,000 Population.....	43

## STATE INTERNET ADDRESSES

Official State Website.....<http://www.state.ky.us>  
Governor's Website.....<http://gov.state.ky.us>  
Legislative Website.....<http://www.lrc.state.ky.us>  
Judicial Website.....<http://www.kycourts.net>

# Louisiana

Nickname.....The Pelican State  
Motto.....*Union, Justice and Confidence*  
Flower.....Magnolia  
Bird.....Eastern Brown Pelican  
Tree.....Bald Cypress  
Songs.....*Give Me Louisiana and  
You Are My Sunshine*  
Crustacean.....Crawfish  
Dog.....Catahoula Leopard  
Entered the Union.....April 30, 1812  
Capital.....Baton Rouge

## LEGISLATURE

President of the Senate.....John J. Hainkel Jr.  
President Pro Tem of the Senate .....Louis J. Lambert  
Secretary of Senate .....Michael S. Baer III

Speaker of the House .....Charles W. Dewitt Jr.  
Speaker Pro Tem of the House.....C.E. Bruneau Jr.  
Clerk of the House and Chief of Staff.....Alfred W. Speer

2002 Regular Session .....April 29-June 14

## EXECUTIVE BRANCH

Governor .....	Mike Foster Jr.
Lieutenant Governor .....	Kathleen B. Blanco
Secretary of State .....	W. Fox McKeithen
Attorney General .....	Richard P. Ieyoub Jr.
Treasurer .....	John Kennedy

**SUPREME COURT**

Pascal F. Calogero Jr., Chief Justice  
Chet D. Traylor  
Bernette Joshua Johnson  
Jeffrey P. Victory  
Catherine D. Kimball  
John L. Weimer  
Jeannette Theriot Knoll

## STATISTICS

Land Area (square miles).....	43,562
Rank in Nation.....	33rd
Population.....	4,468,976
Rank in Nation.....	22nd
Density per square mile.....	102.6
Number of Representatives in Congress.....	7
Capital City.....	Baton Rouge
Population.....	227,818
Rank in State.....	2nd
Largest City.....	New Orleans
Population.....	484,674
Number of Places over 10,000 Population.....	53

## STATE INTERNET ADDRESSES

Official State Website.....<http://www.state.la.us>  
Governor's Website .....<http://www.gov.state.la.us>  
Legislative Website .....<http://www.legis.state.la.us>  
Judicial Website .....[http://www.state.la.us/gov\\_judicial.htm](http://www.state.la.us/gov_judicial.htm)

# Maine

Nickname .....	The Pine Tree State
Motto .....	<i>Dirigo</i> (I Direct or I Lead)
Animal .....	Moose
Flower .....	White Pine Cone and Tassel
Bird .....	Chickadee
Tree .....	White Pine
Song .....	<i>State of Maine Song</i>
Fish .....	Landlocked Salmon
Mineral .....	Tourmaline
Entered the Union .....	March 15, 1820
Capital .....	Augusta

## LEGISLATURE

President of the Senate .....	Richard A. Bennett
President Pro Tem of the Senate .....	Michael H. Michaud
Secretary of the Senate .....	Pamela L. Cahill

Speaker of the House .....	Michael V. Saxl
Clerk of the House .....	Millicent M. MacFarland

2002 Regular Session .....	Jan. 2-April 17
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## EXECUTIVE BRANCH

Governor .....	Angus S. King Jr.
Secretary of State .....	Dan A. Gwadosky
Attorney General .....	G. Steven Rowe
Treasurer .....	Dale McCormick

## SUPREME JUDICIAL COURT

Leigh Ingalls Saufley, Chief Justice
Robert W. Clifford
Donald G. Alexander
Howard H. Dana Jr.
Susan Calkins
Paul L. Rudman

## STATISTICS

Land Area (square miles) .....	30,862
Rank in Nation .....	39th
Population .....	1,274,923
Rank in Nation .....	40th
Density per square mile .....	41.3
Number of Representatives in Congress .....	2
Capital City .....	Augusta
Population .....	18,560
Rank in State .....	9th
Largest City .....	Portland
Population .....	64,249
Number of Places over 10,000 Population .....	20

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.me.us">http://www.state.me.us</a>
Governor's Website .....	<a href="http://www.state.me.us/governor">http://www.state.me.us/governor</a>
Legislative Website .....	<a href="http://www.janus.state.me.us/legis">http://www.janus.state.me.us/legis</a>
Judicial Website .....	<a href="http://www.courts.state.me.us">http://www.courts.state.me.us</a>

# Maryland

Nicknames .....	The Old Line State and Free State
Motto .....	<i>Fatti Maschii, Parole Femine</i> (Manly Deeds, Womanly Words)
Flower .....	Black-eyed Susan
Bird .....	Baltimore Oriole
Tree .....	White Oak
Song .....	<i>Maryland, My Maryland</i>
Dog .....	Chesapeake Bay Retriever
Boat .....	The Skipjack
Fish .....	Striped Bass
Entered the Union .....	April 28, 1788
Capital .....	Annapolis

## GENERAL ASSEMBLY

President of the Senate .....	Thomas V. Mike Miller Jr.
President Pro Tem of the Senate .....	Ida G. Ruben
Secretary of the Senate .....	William B.C. Addison Jr.

Speaker of the House .....	Casper R. Taylor Jr.
Speaker Pro Tem of the House .....	Thomas E. Dewberry
Clerk of the House .....	Mary Monahan

2002 Regular Session .....	Jan. 9-April 8
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## EXECUTIVE BRANCH

Governor .....	Parris N. Glendening
Lieutenant Governor .....	Kathleen Kennedy Townsend
Secretary of State .....	John T. Willis
Attorney General .....	J. Joseph Curran Jr.
Treasurer .....	Richard N. Dixon

## COURT OF APPEALS

Robert M. Bell, Chief Judge
John C. Eldridge
Lynne A. Battaglia
Irma S. Raker
Dale R. Cathell
Howard S. Chasanow
Alan M. Wilner

## STATISTICS

Land Area (square miles) .....	9,774
Rank in Nation .....	42nd
Population .....	5,171,634
Rank in Nation .....	19th
Density per square mile .....	525.3
Number of Representatives in Congress .....	8
Capital City .....	Annapolis
Population .....	33,585
Rank in State .....	22nd
Largest City .....	Baltimore
Population .....	645,593
Number of Places over 10,000 Population .....	99

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.md.us">http://www.state.md.us</a>
Governor's Website .....	<a href="http://www.gov.state.md.us">http://www.gov.state.md.us</a>
Legislative Website .....	<a href="http://www.mlis.state.md.us">http://www.mlis.state.md.us</a>
Judicial Website .....	<a href="http://www.state.md.us/gov_judicial.htm">http://www.state.md.us/gov_judicial.htm</a>



# Massachusetts

Nickname .....	The Bay State
Motto .....	<i>Ense Petit Placidam Sub Libertate Quietem</i> (By the Sword We Seek Peace, but Peace Only under Liberty)
Animal .....	Morgan Horse
Flower .....	Mayflower
Bird .....	Chickadee
Tree .....	American Elm
Song .....	<i>All Hail to Massachusetts</i>
Fish .....	Cod
Marine Mammal .....	Right Whale
Insect .....	Ladybug
Dog .....	Boston Terrier
Beverage .....	Cranberry Juice
Gem .....	Rhodenite
Mineral .....	Babingtonite
Entered the Union .....	February 6, 1788
Capital .....	Boston

## GENERAL COURT

President of the Senate .....	Thomas F. Birmingham
Clerk of the Senate .....	Patrick F. Scanlan

Speaker of the House .....	Thomas M. Finneran
Clerk of the House .....	Steven T. James

2002 Regular Session .....	Jan. 2-Dec. 31
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## EXECUTIVE BRANCH

Acting Governor .....	Jane M. Swift
Lieutenant Governor .....	Vacant
Secretary of the Commonwealth .....	William F. Galvin
Attorney General .....	Thomas Reilly
Treasurer & Receiver General .....	Shannon P. O'Brien

## SUPREME JUDICIAL COURT

Margaret H. Marshall, Chief Justice
Roderick L. Ireland
Robert J. Cordy
Martha B. Sosman
Judith A. Cowin
Francis X. Spina
John M. Greaney

## STATISTICS

Land Area (square miles) .....	7840
Rank in Nation .....	45th
Population .....	6,349,097
Rank in Nation .....	13th
Density per square mile .....	809.8
Number of Representatives in Congress .....	10
Capital City .....	Boston
Population .....	589,141
Rank in State .....	1st
Largest City .....	Boston
Number of Places over 10,000 Population .....	183

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.mass.gov">http://www.mass.gov</a>
Governor's Website .....	<a href="http://www.state.ma.us/gov">http://www.state.ma.us/gov</a>
Legislative Website .....	<a href="http://www.state.ma.us/legis">http://www.state.ma.us/legis</a>
Judicial Website .....	<a href="http://www.state.ma.us/courts">http://www.state.ma.us/courts</a>

# Michigan

Nickname .....	The Wolverine State
Motto .....	<i>Si Quæris Peninsulam Amoenam Circumspice</i> (If You Seek a Pleasant Peninsula, Look About You)
Flower .....	Apple Blossom
Bird .....	Robin
Tree .....	White Pine
Song .....	<i>Michigan, My Michigan</i>
Stone .....	Petoskey Stone
Gem .....	Chlorastrolite
Fish .....	Brook Trout
Reptile .....	Painted Turtle
Entered the Union .....	January 26, 1837
Capital .....	Lansing

## LEGISLATURE

President of the Senate .....	Lt. Gov. Dick Posthumus
President Pro Tem of the Senate .....	John J. H. Schwarz
Secretary of the Senate .....	Carol Morey Vimenti

Speaker of the House .....	Rick Johnson
Speaker Pro Tem of the House .....	Patricia Birkholz
Clerk of the House .....	Gary L. Randall

2002 Regular Session .....	Jan. 9-Dec. 31
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## EXECUTIVE BRANCH

Governor .....	John Engler
Lieutenant Governor .....	Dick Posthumus
Secretary of State .....	Candice Miller
Attorney General .....	Jennifer M. Granholm
Treasurer .....	Douglas B. Roberts

## SUPREME COURT

Maura D. Corrigan, Chief Justice
Clifford W. Taylor
Marilyn Kelly
Robert P. Young Jr.
Stephen J. Markman

## STATISTICS

Land Area (square miles) .....	56,804
Rank in Nation .....	22nd
Population .....	9,938,444
Rank in Nation .....	8th
Density per square mile .....	175.0
Number of Representatives in Congress .....	16
Capital City .....	Lansing
Population .....	119,128
Rank in State .....	6th
Largest City .....	Detroit
Population .....	951,270
Number of Places over 10,000 Population .....	115

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.michigan.gov">http://www.michigan.gov</a>
Governor's Website .....	<a href="http://www.michigan.gov/gov">http://www.michigan.gov/gov</a>
Legislative Website .....	<a href="http://www.michiganlegislature.org">http://www.michiganlegislature.org</a>
Judicial Website .....	<a href="http://www.courts.michigan.gov">http://www.courts.michigan.gov</a>

# Minnesota

Nickname .....	The North Star State
Motto.....	<i>L'Etoile du Nord</i> (The North Star)
Flower.....	Pink and White Lady-Slipper
Bird.....	Common Loon
Tree.....	Red Pine
Song.....	<i>Hail! Minnesota</i>
Fish.....	Walleye
Grain.....	Wild Rice
Mushroom.....	Morel
Entered the Union.....	May 11, 1858
Capital .....	St. Paul

## LEGISLATURE

President of the Senate.....	Don Samuelson
Secretary of the Senate.....	Patrick E. Flahaven

Speaker of the House.....	Steven A. Sviggum
Speaker Pro Tem of the House.....	Ron Abrams, Lynda Boudreau, Steve Dehler
Chief Clerk of the House.....	Edward A. Burdick

2002 Regular Session .....	Jan. 29-May 20
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## EXECUTIVE BRANCH

Governor .....	Jesse Ventura
Lieutenant Governor.....	Mae Schunk
Secretary of State.....	Mary Kiffmeyer
Attorney General .....	Mike Hatch
Treasurer .....	Carol C. Johnson

## SUPREME COURT

Kathleen A. Blatz, Chief Justice
Joan Ericksen Lancaster
Paul H. Anderson
Alan C. Page
Russell A. Anderson
Edward C. Stringer
James H. Gilbert

## STATISTICS

Land Area (square miles).....	79,610
Rank in Nation.....	14th
Population .....	4,919,479
Rank in Nation .....	21st
Density per square mile .....	61.8
Number of Representatives in Congress .....	8
Capital City .....	St. Paul
Population .....	287,151
Rank in State.....	2nd
Largest City.....	Minneapolis
Population .....	382,618
Number of Places over 10,000 Population .....	83

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.state.mn.us">http://www.state.mn.us</a>
Governor's Website.....	<a href="http://www.governor.state.mn.us">http://www.governor.state.mn.us</a>
Legislative Website.....	<a href="http://www.leg.state.mn.us">http://www.leg.state.mn.us</a>
Judicial Website.....	<a href="http://www.courts.state.mn.us">http://www.courts.state.mn.us</a>

# Mississippi

Nickname .....	The Magnolia State
Motto.....	<i>Virtute et Armis</i> (By Valor and Arms)
Animal.....	White-tailed Deer
Flower.....	Magnolia
Bird.....	Mockingbird
Water Mammal .....	Bottlenosed Dolphin
Tree .....	Magnolia
Song .....	<i>Go, Mississippi</i>
Fish .....	Black Bass
Beverage.....	Milk
Entered the Union .....	December 10, 1817
Capital .....	Jackson

## LEGISLATURE

President of the Senate .....	Lt. Gov. Amy Tuck
President Pro Tem of the Senate.....	Travis Little
Secretary of the Senate .....	John O. Gilbert

Speaker of the House.....	Timothy A. Ford
Speaker Pro Tem of the House.....	Robert G. Clark Jr.
Clerk of the House.....	F. Edwin Perry

2002 Regular Session .....	Jan. 8-April 7
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## EXECUTIVE BRANCH

Governor .....	Ronnie Musgrove
Lieutenant Governor .....	Amy Tuck
Secretary of State .....	Eric Clark
Attorney General .....	Mike Moore
Treasurer.....	Marshall G. Bennett

## SUPREME COURT

Edwin Lloyd Pittman, Chief Justice
Chuck Easley
George C. Carlson Jr.
James E. Graves Jr.
Kay B. Cobb
Chuck R. McRae
Oliver E. Diaz Jr.
William L. Waller Jr.

## STATISTICS

Land Area (square miles).....	46,907
Rank in Nation.....	31st
Population .....	2,844,658
Rank in Nation .....	31st
Density per square mile .....	60.6
Number of Representatives in Congress .....	5
Capital City .....	Jackson
Population .....	184,256
Rank in State .....	1st
Largest City.....	Jackson
Number of Places over 10,000 Population .....	37

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.ms.gov">http://www.ms.gov</a>
Governor's Website.....	<a href="http://www.governor.state.ms.us">http://www.governor.state.ms.us</a>
Legislative Website.....	<a href="http://www.ls.state.ms.us">http://www.ls.state.ms.us</a>
Judicial Website.....	<a href="http://www.mscc.state.ms.us">http://www.mscc.state.ms.us</a>

# Missouri

Nickname .....	The Show Me State
Motto .....	<i>Salus Populi Suprema Lex Esto</i> (The Welfare of the People Shall Be the Supreme Law)
Flower .....	White Hawthorn Blossom
Bird .....	Bluebird
Insect .....	Honeybee
Tree .....	Flowering Dogwood
Song .....	<i>Missouri Waltz</i>
Rock .....	Mozarkite
Mineral .....	Galena
Fossil .....	Crinoid
Entered the Union .....	August 10, 1821
Capital .....	Jefferson City

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. Joe Maxwell
President Pro Tem of the Senate .....	Peter Kinder
Secretary of the Senate .....	Terry L. Spieler

Speaker of the House .....	Jim Kreider
Speaker Pro Tem of the House .....	Mark Abel
Clerk of the House .....	Ted Wedel

2002 Regular Session .....	Jan. 9-May 30
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## EXECUTIVE BRANCH

Governor .....	Bob Holden
Lieutenant Governor .....	Joe Maxwell
Secretary of State .....	Matt Blunt
Attorney General .....	Jeremiah W. Nixon
Treasurer .....	Nancy Farmer

## SUPREME COURT

Stephen N. Limbaugh Jr., Chief Justice
William Ray Price Jr.
Duane Benton
Ronnie L. White
Laura Denvir Stith
Michael A. Wolff
John C. Holstein

## STATISTICS

Land Area (square miles) .....	68,886
Rank in Nation .....	18th
Population .....	5,595,211
Rank in Nation .....	17th
Density per square mile .....	81.2
Number of Representatives in Congress .....	9
Capital City .....	Jefferson City
Population .....	39,636
Rank in State .....	15th
Largest City .....	Kansas City
Population .....	441,545
Number of Places over 10,000 Population .....	72

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.mo.us">http://www.state.mo.us</a>
Governor's Website .....	<a href="http://www.gov.state.mo.us">http://www.gov.state.mo.us</a>
Legislative Website .....	<a href="http://www.moga.state.mo.us">http://www.moga.state.mo.us</a>
Judicial Website .....	<a href="http://www.osca.state.mo.us">http://www.osca.state.mo.us</a>

# Montana

Nickname .....	The Treasure State
Motto .....	<i>Oro y Plata</i> (Gold and Silver)
Animal .....	Grizzly Bear
Flower .....	Bitterroot
Bird .....	Western Meadowlark
Tree .....	Ponderosa Pine
Song .....	<i>Montana</i>
State Ballad .....	<i>Montana Melody</i>
Gem Stones .....	Sapphire and Agate
State Fossil .....	Duck-billed Dinosaur
Entered the Union .....	November 8, 1889
Capital .....	Helena

## LEGISLATURE

President of the Senate .....	Thomas A. Beck
President Pro Tem of the Senate .....	Walter McNutt
Secretary of the Senate .....	Rosana Skelton

Speaker of the House .....	Dan McGee
Speaker Pro Tem of the House .....	Doug Mood
Chief Clerk of the House .....	Marilyn Miller

2002 Regular Session .....	No Regular Session
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## EXECUTIVE BRANCH

Governor .....	Judy Martz
Lieutenant Governor .....	Karl Ohs
Secretary of State .....	Bob Brown
Attorney General .....	Mike McGrath
Treasurer .....	Scott Darkenwald

## SUPREME COURT

Karla M. Gray, Chief Justice
James C. Nelson
Patricia Cotter
James Regnier
William Leaphart
Terry N. Triewweiler

## STATISTICS

Land Area (square miles) .....	145,552
Rank in Nation .....	4th
Population .....	902,195
Rank in Nation .....	44th
Density per square mile .....	6.2
Number of Representatives in Congress .....	1
Capital City .....	Helena
Population .....	25,780
Rank in State .....	6th
Largest City .....	Billings
Population .....	89,847
Number of Places over 10,000 Population .....	7

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.mt.us">http://www.state.mt.us</a>
Governor's Website .....	<a href="http://www.discoveringmontana.com/gov2">http://www.discoveringmontana.com/gov2</a>
Legislative Website .....	<a href="http://leg.state.mt.us">http://leg.state.mt.us</a>
Judicial Website .....	<a href="http://www.lawlibrary.state.mt.us">http://www.lawlibrary.state.mt.us</a>

# Nebraska

Nickname .....	The Cornhusker State
Motto .....	<i>Equality Before the Law</i>
Mammal .....	White-tailed Deer
Flower .....	Goldenrod
Bird .....	Western Meadowlark
Tree .....	Western Cottonwood
Song .....	<i>Beautiful Nebraska</i>
Insect .....	Honeybee
Gemstone .....	Blue Agate
Entered the Union .....	March 1, 1867
Capital .....	Lincoln

## LEGISLATURE

President of the Legislature .....	Lt. Gov. David E. Heineman
Speaker of the Legislature .....	Douglas A. Kristensen
Chairperson of Executive Board, Legislative Council .....	George Coordsen
Vice Chairperson of Executive Board, Legislative Council .....	Jim Cudaback
Clerk of the Legislature .....	Patrick J. O'Donnell
2002 Regular Session .....	Jan. 9-April 15

## EXECUTIVE BRANCH

Governor .....	Mike Johanns
Lieutenant Governor .....	David E. Heineman
Secretary of State .....	John Gale
Attorney General .....	Don B. Stenberg
Treasurer .....	Loralee Byrd

## SUPREME COURT

John Hendry, Chief Justice  
Lindsey Miller-Lerman  
William Connolly  
Kenneth C. Stephan  
John Gerrard  
John F. Wright  
Michael McCormack

## STATISTICS

Land Area (square miles) .....	76,872
Rank in Nation .....	15th
Population .....	1,711,263
Rank in Nation .....	38th
Density per square mile .....	22.3
Number of Representatives in Congress .....	3
Capital City .....	Lincoln
Population .....	225,581
Rank in State .....	2nd
Largest City .....	Omaha
Population .....	390,007
Number of Places over 10,000 Population .....	17

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.ne.us">http://www.state.ne.us</a>
Governor's Website .....	<a href="http://gov.nol.org">http://gov.nol.org</a>
Legislative Website .....	<a href="http://www.unicam.state.ne.us">http://www.unicam.state.ne.us</a>
Judicial Website .....	<a href="http://court.nol.org">http://court.nol.org</a>

# Nevada

Nickname .....	The Silver State
Motto .....	<i>All for Our Country</i>
Animal .....	Desert Bighorn Sheep
Flower .....	Sagebrush
Bird .....	Mountain Bluebird
Tree .....	Bristlecone Pine and Single-leaf Pinon
Song .....	<i>Home Means Nevada</i>
Fish .....	Lahontan Cutthroat Trout
Fossil .....	Ichtyosaur
Entered the Union .....	October 31, 1864
Capital .....	Carson City

## LEGISLATURE

President of the Senate .....	Lt. Gov. Lorraine T. Hunt
President Pro Tem of the Senate .....	Lawrence E. Jacobsen
Secretary of the Senate .....	Claire J. Clift
Speaker of the Assembly .....	Richard Perkins
Speaker Pro Tem of the Assembly .....	Wendell Williams
Chief Clerk of the Assembly .....	Jacqueline Sneddon
2002 Regular Session .....	No Regular Session

## EXECUTIVE BRANCH

Governor .....	Kenny C. Guinn
Lieutenant Governor .....	Lorraine T. Hunt
Secretary of State .....	Dean Heller
Attorney General .....	Frankie Sue Del Papa
Treasurer .....	Brian K. Krolicki

## SUPREME COURT

A. William Maupin, Chief Justice  
Robert E. Rose  
Deborah A. Agosti  
Miriam Shearing  
Nancy A. Becker  
Cliff Young  
Myron Leavitt

## STATISTICS

Land Area (square miles) .....	109,826
Rank in Nation .....	7th
Population .....	1,998,257
Rank in Nation .....	35th
Density per square mile .....	18.2
Number of Representatives in Congress .....	2
Capital City .....	Carson City
Population .....	52,457
Rank in State .....	6th
Largest City .....	Las Vegas
Population .....	478,434
Number of Places over 10,000 Population .....	17

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.nv.us">http://www.state.nv.us</a>
Governor's Website .....	<a href="http://www.gov.state.nv.us">http://www.gov.state.nv.us</a>
Legislative Website .....	<a href="http://www.leg.state.nv.us">http://www.leg.state.nv.us</a>
Judicial Website .....	<a href="http://silver.state.nv.us/elec_judicial.htm">http://silver.state.nv.us/elec_judicial.htm</a>

# New Hampshire

Nickname.....The Granite State  
 Motto.....*Live Free or Die*  
 Animal.....White-tailed Deer  
 Flower.....Purple Lilac  
 Bird.....Purple Finch  
 Tree.....White Birch  
 Song.....*Old New Hampshire*  
 Insect.....Ladybug  
 Gem.....Smoky Quartz  
 Entered the Union.....June 21, 1788  
 Capital.....Concord

## GENERAL COURT

President of the Senate.....Arthur P. Klemm Jr.  
 President Pro Tem of the Senate.....Carl R. Johnson  
 Acting Clerk of the Senate.....Tammy L. Wright

Speaker of the House.....Gene Chandler  
 Speaker Pro Tem of the House.....Robert Clegg Jr.  
 Clerk of the House.....Karen O. Wadsworth

2002 Regular Session.....Jan. 2-June 30

## EXECUTIVE BRANCH

Governor.....Jeanne Shaheen  
 Secretary of State.....William M. Gardner  
 Attorney General.....Philip T. McLaughlin  
 Treasurer.....Georgie A. Thomas

## SUPREME COURT

David A. Brock, Chief Justice  
 James E. Duggan  
 John T. Broderick Jr.  
 Joseph P. Nadeau  
 Linda S. Dalianis

## STATISTICS

Land Area (square miles).....8,968  
 Rank in Nation.....44th  
 Population.....1,235,786  
 Rank in Nation.....41st  
 Density per square mile.....137.8  
 Number of Representatives in Congress.....2  
 Capital City.....Concord  
 Population.....40,687  
 Rank in State.....3rd  
 Largest City.....Manchester  
 Population.....107,006  
 Number of Places over 10,000 Population.....30

## STATE INTERNET ADDRESSES

Official State Website.....<http://www.state.nh.us>  
 Governor's Website.....<http://www.state.nh.us/governor>  
 Legislative Website.....<http://www.gencourt.state.nh.us>  
 Judicial Website.....<http://www.state.nh.us/courts>

# New Jersey

Nickname.....The Garden State  
 Motto.....*Liberty and Prosperity*  
 Animal.....Horse  
 Flower.....Violet  
 Bird.....Eastern Goldfinch  
 Tree.....Red Oak  
 Insect.....Honeybee  
 Entered the Union.....December 18, 1787  
 Capital.....Trenton

## LEGISLATURE

Dem. President of the Senate.....Richard J. Codey  
 Rep. President of the Senate.....John O. Bennett  
 Dem. President Pro Tem of the Senate.....Shirley K. Turner  
 Rep. President Pro Tem of the Senate.....Joseph A. Palaia  
 Secretary of the Senate.....Donna M. Phelps

Speaker of the Assembly.....Albio Sires  
 Speaker Pro Tem of the Assembly.....Donald Tucker  
 Clerk of the General Assembly.....Christine Riebe

2002 Regular Session.....Jan. 8-Jan. 14, 2003

## EXECUTIVE BRANCH

Governor.....James E. McGreevey  
 Secretary of State.....Regena L. Thomas  
 Attorney General.....David Samson  
 Treasurer.....John E. McCormac

## SUPREME COURT

Deborah Poritz, Chief Justice  
 Gary S. Stein  
 James H. Coleman Jr.  
 Peter G. Verniero  
 Virginia Long  
 James Zazzali

## STATISTICS

Land Area (square miles).....7,417  
 Rank in Nation.....46th  
 Population.....8,414,350  
 Rank in Nation.....9th  
 Density per square mile.....1,134.5  
 Number of Representatives in Congress.....13  
 Capital City.....Trenton  
 Population.....85,403  
 Rank in State.....9th  
 Largest City.....Newark  
 Population.....273,546  
 Number of Places over 10,000 Population.....168

## STATE INTERNET ADDRESSES

Official State Website.....<http://www.state.nj.us>  
 Governor's Website.....<http://www.state.nj.us/governor>  
 Legislative Website.....<http://www.njleg.state.nj.us>  
 Judicial Website.....<http://www.judiciary.state.nj.us>

# New Mexico

Nickname .....	The Land of Enchantment
Motto .....	<i>Crescit Eundo</i> (It Grows As It Goes)
Flower .....	Yucca (Our Lord's Candles)
Bird .....	Chaparral Bird
Tree .....	Pinon
Songs .....	<i>Asi es Nuevo Mexico and</i> <i>O, Fair New Mexico</i>
Gem .....	Turquoise
Fossil .....	Coelophysis Dinosaur
Animal .....	Black Bear
Entered the Union .....	January 6, 1912
Capital .....	Santa Fe

## LEGISLATURE

President of the Senate .....	Lt. Gov. Walter D. Bradley
President Pro Tem of the Senate .....	Richard Romero
Chief Clerk of the Senate .....	Margaret Larragoite

Speaker of the House .....	Ben Lujan
Chief Clerk of the House .....	Stephen R. Arias

2002 Regular Session .....	Jan. 15-Feb. 14
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## EXECUTIVE BRANCH

Governor .....	Gary E. Johnson
Lieutenant Governor .....	Walter D. Bradley
Secretary of State .....	Rebecca Vigil-Giron
Attorney General .....	Patricia Madrid
Treasurer .....	Michael A. Montoya

## SUPREME COURT

Patricio Serna, Chief Justice
Petra Maes
Joseph E. Baca
Pamela B. Minzner
Gene E. Franchini

## STATISTICS

Land Area (square miles) .....	121,356
Rank in Nation .....	5th
Population .....	1,819,046
Rank in Nation .....	36th
Density per square mile .....	15.0
Number of Representatives in Congress .....	3
Capital City .....	Santa Fe
Population .....	62,203
Rank in State .....	3rd
Largest City .....	Albuquerque
Population .....	448,607
Number of Places over 10,000 Population .....	21

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.nm.us">http://www.state.nm.us</a>
Governor's Website .....	<a href="http://www.governor.state.nm.us">http://www.governor.state.nm.us</a>
Legislative Website .....	<a href="http://legis.state.nm.us">http://legis.state.nm.us</a>
Judicial Website .....	<a href="http://www.nmcourts.com">http://www.nmcourts.com</a>

# New York

Nickname .....	The Empire State
Motto .....	<i>Excelsior</i> (Ever Upward)
Animal .....	American Beaver
Fish .....	Brook Trout
Flower .....	Rose
Bird .....	Bluebird
Tree .....	Sugar Maple
Song* .....	<i>I Love New York</i>
Gem .....	Garnet
Fossil .....	Eurypterus Remipes
Entered the Union .....	July 26, 1788
Capital .....	Albany

## LEGISLATURE

President of the Senate .....	Lt. Gov. Mary O. Donohue
Temporary President and Majority Leader of the Senate .....	Joseph L. Bruno
Secretary of the Senate .....	Steven M. Boggess

Speaker of the Assembly .....	Sheldon Silver
Speaker Pro Tem of the Assembly .....	Ivan C. Lafayette
Acting Clerk of the Assembly .....	Karen McCann

2002 Regular Session .....	Jan. 9-Jan. 8, 2003
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## EXECUTIVE BRANCH

Governor .....	George E. Pataki
Lieutenant Governor .....	Mary O. Donohue
Secretary of State .....	Randy A. Daniels
Attorney General .....	Eliot Spitzer
Treasurer .....	George H. Gasser

## COURT OF APPEALS

Judith S. Kaye, Chief Justice
Albert M. Rosenblatt
Carmen B. Ciparick
George Bundy Smith
Victoria A. Graffeo
Richard C. Wesley
Howard A. Levine

## STATISTICS

Land Area (square miles) .....	47,214
Rank in Nation .....	30th
Population .....	18,976,457
Rank in Nation .....	3rd
Density per square mile .....	401.9
Number of Representatives in Congress .....	31
Capital City .....	Albany
Population .....	95,658
Rank in State .....	6th
Largest City .....	New York City
Population .....	8,008,278
Number of Places over 10,000 Population .....	188

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.ny.us">http://www.state.ny.us</a>
Governor's Website .....	<a href="http://www.state.ny.us/governor">http://www.state.ny.us/governor</a>
Legislative Website .....	<a href="http://leginfo.state.ny.us">http://leginfo.state.ny.us</a>
Judicial Website .....	<a href="http://www.courts.state.ny.us">http://www.courts.state.ny.us</a>

# North Carolina

Nickname .....	The Tar Heel State and Old North State
Motto .....	<i>Esse Quam Videri</i> (To Be Rather Than to Seem)
Flower .....	Dogwood
Bird .....	Cardinal
Tree .....	Long Leaf Pine
Song .....	<i>The Old North State</i>
Mammal .....	Grey Squirrel
Dog .....	Plott Hound
Beverage .....	Milk
Vegetable .....	Sweet Potato
Entered the United States .....	November 21, 1789
Capital .....	Raleigh

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. Beverly Perdue
President Pro Tem of the Senate .....	Marc Basnight
Principal Clerk of the Senate .....	Janet Pruitt
Speaker of the House .....	James B. Black
Speaker Pro Tem of the House .....	Joe Hackney
Principal Clerk of the House .....	Denise Weeks

2002 Regular Session ..... May 13-July 26

## EXECUTIVE BRANCH

Governor .....	Michael F. Easley
Lieutenant Governor .....	Beverly Perdue
Secretary of State .....	Elaine F. Marshall
Attorney General .....	Roy A. Cooper III
Treasurer .....	Richard H. Moore

## SUPREME COURT

I. B. Lake Jr., Chief Justice  
Robert F. Orr  
G.K. Butterfield Jr.  
Sarah Parker  
Robert H. Edmunds Jr.  
George L. Wainwright Jr.  
Mark D. Martin

## STATISTICS

Land Area (square miles) .....	48,711
Rank in Nation .....	29th
Population .....	8,049,313
Rank in Nation .....	11th
Density per square mile .....	165.2
Number of Representatives in Congress .....	12
Capital City .....	Raleigh
Population .....	276,093
Rank in State .....	2nd
Largest City .....	Charlotte
Population .....	540,828
Number of Places over 10,000 Population .....	65

## STATE INTERNET ADDRESSES

Official State Website ..... <http://www.ncgov.com>  
Governor's Website ..... <http://www.governor.state.nc.us>  
Legislative Website ..... <http://www.ncleg.net>  
Judicial Website ..... <http://www.nccourts.org>

# North Dakota

Nickname .....	Peace Garden State
Motto .....	<i>Liberty and Union, Now and Forever, One and Inseparable</i>
Flower .....	Wild Prairie Rose
Bird .....	Western Meadowlark
Tree .....	American Elm
Song .....	<i>North Dakota Hymn</i>
March .....	<i>Spirit of the Land</i>
Fossil .....	Teredo Petrified Wood
Fish .....	Northern Pike
Entered the Union .....	November 2, 1889
Capital .....	Bismarck

## LEGISLATIVE ASSEMBLY

President of the Senate .....	Lt. Gov. Jack Dalrymple
President Pro Tem of the Senate .....	Karen K. Krebsbach
Secretary of the Senate .....	William R. Horton
Speaker of the House .....	LeRoy G. Bernstein
Clerk of the House .....	Mark L. Johnson
2002 Regular Session .....	No Regular Session

## EXECUTIVE BRANCH

Governor .....	John Hoeven
Lieutenant Governor .....	Jack Dalrymple
Secretary of State .....	Alvin A. Jaeger
Attorney General .....	Wayne Stenehjem
Treasurer .....	Kathi Gilmore

## SUPREME COURT

Gerald W. VandeWalle, Chief Justice  
William A. Neumann  
Carol Ronning Kapsner  
Dale V. Sandstrom  
Mary Muehlen Maring

## STATISTICS

Land Area (square miles) .....	68,976
Rank in Nation .....	17th
Population .....	642,200
Rank in Nation .....	47th
Density per square mile .....	9.3
Number of Representatives in Congress .....	1
Capital City .....	Bismarck
Population .....	55,532
Rank in State .....	2nd
Largest City .....	Fargo
Population .....	90,599
Number of Places over 10,000 Population .....	9

## STATE INTERNET ADDRESSES

Official State Website ..... <http://www.state.nd.us>  
Governor's Website ..... <http://www.governor.state.nd.us>  
Legislative Website ..... <http://www.state.nd.us/lr>  
Judicial Website ..... <http://www.court.state.nd.us>

# Ohio

Nickname.....	The Buckeye State
Motto.....	<i>With God, All Things Are Possible</i>
Animal.....	White-tailed Deer
Flower.....	Scarlet Carnation
Bird.....	Cardinal
Tree.....	Buckeye
Song.....	<i>Beautiful Ohio</i>
Stone.....	Ohio Flint
Insect.....	Ladybug
Entered the Union.....	March 1, 1803
Capital.....	Columbus

## GENERAL ASSEMBLY

President of the Senate.....	Richard H. Finan
President Pro Tem of the Senate.....	Doug White
Clerk of the Senate.....	Matthew T. Schuler

Speaker of the House.....	Larry Householder
Speaker Pro Tem of the House.....	Gary W. Cates
Legislative Clerk of the House.....	Laura P. Clemens

2002 Regular Session.....	Jan. 7-Dec. 31
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## EXECUTIVE BRANCH

Governor.....	Bob Taft
Lieutenant Governor.....	Maureen O'Connor
Secretary of State.....	J. Kenneth Blackwell
Attorney General.....	Betty D. Montgomery
Treasurer.....	Joseph T. Deters

## SUPREME COURT

Thomas J. Moyer, Chief Justice
Alice Robie Resnick
Deborah L. Cook
Evelyn Lundberg Stratton
Andrew Douglas
Francis E. Sweeney
Paul E. Pfeifer

## STATISTICS

Land Area (square miles).....	40,948
Rank in Nation.....	35th
Population.....	11,353,140
Rank in Nation.....	7th
Density per square mile.....	277.3
Number of Representatives in Congress.....	19
Capital City.....	Columbus
Population.....	711,470
Rank in State.....	1st
Largest City.....	Columbus
Number of Places over 10,000 Population.....	175

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.state.oh.us">http://www.state.oh.us</a>
Governor's Website.....	<a href="http://www.state.oh.us/gov">http://www.state.oh.us/gov</a>
Legislative Website.....	<a href="http://www.state.oh.us/ohio/legislat.htm">http://www.state.oh.us/ohio/legislat.htm</a>
Judicial Website.....	<a href="http://www.sconet.state.oh.us">http://www.sconet.state.oh.us</a>

# Oklahoma

Nickname.....	The Sooner State
Motto.....	<i>Labor Omnia Vincit</i> (Labor Conquers All Things)
Animal.....	American Buffalo
Flower.....	Mistletoe
Bird.....	Scissor-tailed Flycatcher
Tree.....	Redbud
Song.....	<i>Oklahoma</i>
Rock.....	Barite Rose (Rose Rock)
Grass.....	Indiangrass
Entered the Union.....	November 16, 1907
Capital.....	Oklahoma City

## LEGISLATURE

President of the Senate.....	Lt. Gov. Mary Fallin
President Pro Tem of the Senate.....	Stratton Taylor
Secretary of the Senate.....	Michael Clingman

Speaker of the House.....	Larry E. Adair
Speaker Pro Tem of the House.....	Terry Matlock
Chief Clerk/Administrator of the House.....	Larry Warden

2002 Regular Session.....	Feb. 4-May 31
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## EXECUTIVE BRANCH

Governor.....	Frank Keating
Lieutenant Governor.....	Mary Fallin
Secretary of State.....	Mike Hunter
Attorney General.....	W. A. Drew Edmondson
Treasurer.....	Robert Butkin

## SUPREME COURT

Rudolph Hargrave, Chief Justice
Marian P. Opala
Daniel Boudreau
Hardy Summers
Ralph B. Hodges
Joseph M. Watt
Yvonne Kauger
James Winchester
Robert E. Lavender

## STATISTICS

Land Area (square miles).....	68,667
Rank in Nation.....	19th
Population.....	3,450,654
Rank in Nation.....	27th
Density per square mile.....	50.3
Number of Representatives in Congress.....	6
Capital City.....	Oklahoma City
Population.....	506,132
Rank in State.....	1st
Largest City.....	Oklahoma City
Number of Places over 10,000 Population.....	38

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.state.ok.us">http://www.state.ok.us</a>
Governor's Website.....	<a href="http://www.state.ok.us/~governor">http://www.state.ok.us/~governor</a>
Legislative Website.....	<a href="http://www.lsh.state.ok.us">http://www.lsh.state.ok.us</a>
Judicial Website.....	<a href="http://www.oscn.net">http://www.oscn.net</a>



# Oregon

Nickname .....The Beaver State  
 Motto .....*She Flies with Her Own Wings*  
 Animal .....American Beaver  
 Flower .....Oregon Grape  
 Bird .....Western Meadowlark  
 Tree .....Douglas Fir  
 Song .....*Oregon, My Oregon*  
 Gemstone .....Sunstone  
 Insect .....Oregon Swallowtail Butterfly  
 Entered the Union .....February 14, 1859  
 Capital .....Salem

## LEGISLATIVE ASSEMBLY

President of the Senate .....Gene Derfler  
 Secretary of the Senate .....Judy Hall

Speaker of the House .....Mark Simmons  
 Chief Clerk of the House .....Ramona Kenady

2002 Regular Session .....No Regular Session

## EXECUTIVE BRANCH

Governor .....John A. Kitzhaber  
 Secretary of State .....Bill Bradbury  
 Attorney General .....Hardy Myers  
 Treasurer .....Randall Edwards

## SUPREME COURT

Wallace P. Carson Jr., Chief Justice  
 W. Michael Gillette  
 Thomas A. Balmer  
 Susan Leeson P  
 aul J. De Muniz  
 R. William Riggs  
 Robert D. Durham

## STATISTICS

Land Area (square miles) .....95,997  
 Rank in Nation .....10th  
 Population .....3,421,399  
 Rank in Nation .....28th  
 Density per square mile .....35.6  
 Number of Representatives in Congress .....5  
 Capital City .....Salem  
 Population .....136,924  
 Rank in State .....3rd  
 Largest City .....Portland  
 Population .....529,121  
 Number of Places over 10,000 Population .....49

## STATE INTERNET ADDRESSES

Official State Website .....<http://www.oregon.gov>  
 Governor's Website .....<http://www.governor.state.or.us>  
 Legislative Website .....<http://www.leg.state.or.us>  
 Judicial Website .....<http://www.ojd.state.or.us>

# Pennsylvania

Nickname .....The Keystone State  
 Motto .....*Virtue, Liberty and Independence*  
 Animal .....White-tailed Deer  
 Flower .....Mountain Laurel  
 Game Bird .....Ruffed Grouse  
 Tree .....Hemlock  
 Insect .....Firefly  
 Fossil .....Phacops rana  
 Entered the Union .....December 12, 1787  
 Capital .....Harrisburg

## GENERAL ASSEMBLY

President of the Senate .....Lt. Gov. Robert Jubelirer  
 Secretary-Parliamentarian of the Senate .....Mark R. Corrigan

Speaker of the House .....Matthew J. Ryan  
 Chief Clerk of the House .....Ted Mazia

2002 Regular Session .....Jan. 2-Nov. 30

## EXECUTIVE BRANCH

Governor .....Mark S. Schweiker  
 Lieutenant Governor .....Robert Jubelirer  
 Secretary of State .....Kim Pizzingrilli  
 Attorney General .....D. Michael Fisher  
 Treasurer .....Barbara Hafer

## SUPREME COURT

Stephen A. Zappala, Chief Justice  
 Russell M. Nigro  
 Ralph J. Cappy  
 Thomas G. Saylor  
 Ronald D. Castille  
 Sandra Shultz Newman  
 John P. Flaherty

## STATISTICS

Land Area (square miles) .....44,817  
 Rank in Nation .....32nd  
 Population .....12,281,054  
 Rank in Nation .....6th  
 Density per square mile .....274.0  
 Number of Representatives in Congress .....21  
 Capital City .....Harrisburg  
 Population .....48,950  
 Rank in State .....13th  
 Largest City .....Philadelphia  
 Population .....1,517,550  
 Number of Places over 10,000 Population .....106

## STATE INTERNET ADDRESSES

Official State Website .....<http://www.state.pa.us>  
 Governor's Website .....[http://sites.state.pa.us/PA\\_Exec/Governor](http://sites.state.pa.us/PA_Exec/Governor)  
 Legislative Website .....<http://www.legis.state.pa.us>  
 Judicial Website .....<http://www.courts.state.pa.us>

# Rhode Island

Nicknames.....	Little Rhody and Ocean State
Motto.....	<i>Hope</i>
Animal.....	Quahog
Flower.....	Violet
Bird.....	Rhode Island Red
Tree.....	Red Maple
Song.....	<i>Rhode Island</i>
Rock.....	Cumberlandite
Mineral.....	Bowenite
Entered the Union.....	May 29, 1790
Capital.....	Providence

## GENERAL ASSEMBLY

President of the Senate.....	Lt. Gov. Charles J. Fogarty
President Pro Tem of the Senate.....	John C. Revens Jr.
Clerk of the Senate.....	Raymond T. Hoyas Jr.

Speaker of the House.....	John B. Harwood
Speaker Pro Tem of the House.....	Mabel M. Anderson
Clerk of the House.....	Louis D'Antuono

2002 Regular Session.....	Jan. 8-June 28
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## EXECUTIVE BRANCH

Governor.....	Lincoln C. Almond
Lieutenant Governor.....	Charles J. Fogarty
Secretary of State.....	Edward S. Inman III
Attorney General.....	Sheldon Whitehouse
Treasurer.....	Paul J. Tavares

## SUPREME COURT

Frank J. Williams, Chief Justice
Maureen McKenna Goldberg
John P. Bourcier
Victoria Lederberg
Robert G. Flanders Jr.

## STATISTICS

Land Area (square mile).....	1,045
Rank in Nation.....	50th
Population.....	1,048,319
Rank in Nation.....	43rd
Density per square mile.....	1,003.2
Number of Representatives in Congress.....	2
Capital City.....	Providence
Population.....	173,618
Rank in State.....	1st
Largest City.....	Providence
Number of Places over 10,000 Population.....	32

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.state.ri.us">http://www.state.ri.us</a>
Governor's Website.....	<a href="http://www.governor.state.ri.us">http://www.governor.state.ri.us</a>
Legislative Website.....	<a href="http://www.rilin.state.ri.us">http://www.rilin.state.ri.us</a>
Judicial Website.....	<a href="http://www.courts.state.ri.us">http://www.courts.state.ri.us</a>

# South Carolina

Nickname.....	The Palmetto State
Motto.....	<i>Animis Opibus Parati</i> (Prepared in Mind and Resources) and <i>Dum Spiro Spero</i> (While I breathe, I Hope)
Animal.....	White-tailed Deer
Flower.....	Yellow Jessamine
Bird.....	Carolina Wren
Tree.....	Palmetto
Songs.....	<i>Carolina</i> and <i>South Carolina on My Mind</i>
Stone.....	Blue Granite
Fish.....	Striped Bass
Entered the Union.....	May 23, 1788
Capital.....	Columbia

## GENERAL ASSEMBLY

President of the Senate.....	Lt. Gov. Bob Peeler
President Pro Tem of the Senate.....	Glenn F. McConnell
Clerk and Director of Senate Research.....	Jeffrey S. Gossett

Speaker of the House.....	David H. Wilkins
Speaker Pro Tem of the House.....	W. Douglas Smith
Clerk of the House.....	Sandra K. McKinney

2002 Regular Session.....	Jan. 8-June 6
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## EXECUTIVE BRANCH

Governor.....	James Hovis Hodges
Lieutenant Governor.....	Bob Peeler
Secretary of State.....	Jim Miles
Attorney General.....	Charlie Condon
Treasurer.....	Grady L. Patterson Jr.

## SUPREME COURT

Jean Hoefer Toal, Chief Justice
Costa M. Pleicones
E.C. Burnett III
John H. Waller Jr.
James E. Moore

## STATISTICS

Land Area (square miles).....	30,110
Rank in Nation.....	40th
Population.....	4,012,012
Rank in Nation.....	26th
Density per square mile.....	133.2
Number of Representatives in Congress.....	6
Capital City.....	Columbia
Population.....	116,278
Rank in State.....	1st
Largest City.....	Columbia
Number of Places over 10,000 Population.....	44

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.myscgov.com">http://www.myscgov.com</a>
Governor's Website.....	<a href="http://www.state.sc.us/governor">http://www.state.sc.us/governor</a>
Legislative Website.....	<a href="http://www.scstatehouse.net">http://www.scstatehouse.net</a>
Judicial Website.....	<a href="http://www.judicial.state.sc.us">http://www.judicial.state.sc.us</a>

# South Dakota

Nicknames.....	The Mt. Rushmore State
Motto.....	<i>Under God the People Rule</i>
Animal.....	Coyote
Flower.....	American Pasque
Bird.....	Chinese ring-necked pheasant
Tree.....	Black Hills Spruce
Song.....	<i>Hail, South Dakota</i>
Mineral.....	Rose Quartz
Fish.....	Walleye
Insect.....	Honeybee
Grass.....	Western Wheat Grass
Entered the Union.....	November 2, 1889
Capital.....	Pierre

## LEGISLATURE

President of the Senate.....	Lt. Gov. Carole Hillard
President Pro Tem of the Senate.....	Arnold Brown
Secretary of the Senate.....	Patricia Adam

Speaker of the House.....	Scott Eccarius
Speaker Pro Tem of the House.....	Matthew Michels
Chief Clerk of the House.....	Karen Gerdes

2002 Regular Session.....	Jan. 8-March 15
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## EXECUTIVE BRANCH

Governor.....	William J. Janklow
Lieutenant Governor.....	Carole Hillard
Secretary of State.....	Joyce Hazeltine
Attorney General.....	Mark Barnett
Treasurer.....	Richard D. Butler

## SUPREME COURT

David E. Gilbertson, Chief Justice
Robert A. Amundson
Richard W. Sabers
John K. Konenkamp

## STATISTICS

Land Area (square miles).....	75,885
Rank in Nation.....	16th
Population.....	754,844
Rank in Nation.....	46th
Density per square mile.....	9.9
Number of Representatives in Congress.....	1
Capital City.....	Pierre
Population.....	13,876
Rank in State.....	7th
Largest City.....	Sioux Falls
Population.....	123,975
Number of Places over 10,000 Population.....	9

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.state.sd.us">http://www.state.sd.us</a>
Governor's Website.....	<a href="http://www.state.sd.us/governor">http://www.state.sd.us/governor</a>
Legislative Website.....	<a href="http://legis.state.sd.us">http://legis.state.sd.us</a>
Judicial Website.....	<a href="http://www.state.sd.us/state/judicial">http://www.state.sd.us/state/judicial</a>

# Tennessee

Nickname.....	The Volunteer State
Motto.....	<i>Agriculture and Commerce</i>
Animal.....	Raccoon
Flower.....	Iris
Bird.....	Mockingbird
Tree.....	Tulip Poplar
Wildflower.....	Passion Flower
Songs.....	<i>When It's Iris Time in Tennessee;</i> <i>The Tennessee Waltz; My Homeland, Tennessee</i> <i>My Tennessee; and Rocky Top</i>
Insects.....	Lady Beetle and Firefly
Gem.....	Freshwater Pearl
Rocks.....	Limestone and Agate
Entered the Union.....	June 1, 1796
Capital.....	Nashville

## GENERAL ASSEMBLY

Speaker of the Senate.....	Lt. Gov. John S. Wilder
Speaker Pro Tem of the Senate.....	Robert Rochelle
Chief Clerk of the Senate.....	Russell Humphrey

Speaker of the House.....	James O. Naifeh
Speaker Pro Tem of the House.....	Lois M. DeBerry
Chief Clerk of the House.....	Burney T. Durham

2002 Regular Session.....	Jan. 8-June 28
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## EXECUTIVE BRANCH

Governor.....	Don Sundquist
Lieutenant Governor.....	John S. Wilder
Secretary of State.....	Riley Darnell
Attorney General.....	Paul G. Summers
Treasurer.....	Stephen D. Adams

## SUPREME COURT

Frank F. Drowota III, Chief Justice
Adolpho A. Birch Jr.
E. Riley Anderson
Janice M. Holder
William M. Barker

## STATISTICS

Land Area (square miles).....	41,217
Rank in Nation.....	34th
Population.....	5,689,283
Rank in Nation.....	16th
Density per square mile.....	138.0
Number of Representatives in Congress.....	9
Capital City.....	Nashville
Population.....	569,891
Rank in State.....	2nd
Largest City.....	Memphis
Population.....	650,100
Number of Places over 10,000 Population.....	50

## STATE INTERNET ADDRESSES

Official State Website.....	<a href="http://www.tennesseeanytime.org">http://www.tennesseeanytime.org</a>
Governor's Website.....	<a href="http://www.state.tn.us/governor">http://www.state.tn.us/governor</a>
Legislative Website.....	<a href="http://www.legislature.state.tn.us">http://www.legislature.state.tn.us</a>
Judicial Website.....	<a href="http://www.tsc.state.tn.us">http://www.tsc.state.tn.us</a>

# Texas

Nickname .....	The Lone Star State
Motto .....	<i>Friendship</i>
Flower .....	Bluebonnet (Buffalo Clover, Wolf Flower)
Bird .....	Mockingbird
Tree .....	Pecan
Song .....	<i>Texas, Our Texas</i>
Stone .....	Petrified Palmwood
Gem .....	Texas Blue Topaz
Grass .....	Side Oats Grama
Dish .....	Chili
Seashell .....	Lightning Whelk
Fish .....	Guadalupe Bass
Entered the Union .....	December 29, 1845
Capital .....	Austin

## LEGISLATURE

President of the Senate .....	Lt. Gov. Bill Ratliff
President Pro Tem of the Senate .....	Mike Moncrief
Secretary of the Senate .....	Patsy Spaw

Speaker of the House .....	James E. Laney
Speaker Pro Tem of the House .....	D. R. Uher
Chief Clerk of the House .....	Sharon Carter

2002 Regular Session .....	No Regular Session
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## EXECUTIVE BRANCH

Governor .....	Rick Perry
Lieutenant Governor .....	Bill Ratliff
Secretary of State .....	Gwyn Shea
Attorney General .....	John Cornyn
Comptroller of Public Accounts .....	Carole Keeton Rylander

## SUPREME COURT

Thomas R. Phillips, Chief Justice
Wallace Jefferson
James A. Baker
Harriett O'Neill
Craig Enoch
Priscilla R. Owen
Deborah G. Hankinson
Xavier Rodriguez
Nathan L. Hecht

## STATISTICS

Land Area (square miles) .....	261,797
Rank in Nation .....	2nd
Population .....	20,851,820
Rank in Nation .....	2nd
Density per square mile .....	79.6
Number of Representatives in Congress .....	30
Capital City .....	Austin
Population .....	656,562
Rank in State .....	4th
Largest City .....	Houston
Population .....	1,953,631
Number of Places over 10,000 Population .....	208

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.tx.us">http://www.state.tx.us</a>
Governor's Website .....	<a href="http://www.governor.state.tx.us">http://www.governor.state.tx.us</a>
Legislative Website .....	<a href="http://www.capitol.state.tx.us">http://www.capitol.state.tx.us</a>
Judicial Website .....	<a href="http://www.courts.state.tx.us">http://www.courts.state.tx.us</a>

# Utah

Nickname .....	The Beehive State
Motto .....	<i>Industry</i>
Flower .....	Sego Lily
Animal .....	Rocky Mountain Elk
Bird .....	California Seagull
Tree .....	Blue Spruce
Fish .....	Rainbow Trout
Song .....	<i>Utah, We Love Thee</i>
Gem .....	Topaz
Insect .....	Honeybee
Entered the Union .....	January 4, 1896
Capital .....	Salt Lake City

## LEGISLATURE

President of the Senate .....	L. Alma Mansell
Secretary of the Senate .....	Annette B. Moore

Speaker of the House .....	Martin R. Stephens
Speaker Pro Tem of the House .....	Richard M. Siddoway
Chief Clerk of the House .....	Carole E. Peterson

2002 Regular Session .....	Jan. 14-March 1
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## EXECUTIVE BRANCH

Governor .....	Michael O. Leavitt
Lieutenant Governor .....	Olene S. Walker
Attorney General .....	Mark L. Shurtleff
Treasurer .....	Edward T. Alter

## SUPREME COURT

Richard C. Howe, Chief Justice
Leonard H. Russon
Christine M. Durham
Michael J. Wilkins
Matthew B. Durrant

## STATISTICS

Land Area (square miles) .....	82,144
Rank in Nation .....	12th
Population .....	2,233,169
Rank in Nation .....	34th
Density per square mile .....	27.2
Number of Representatives in Congress .....	3
Capital City .....	Salt Lake City
Population .....	181,743
Rank in State .....	1st
Largest City .....	Salt Lake City
Number of Places over 10,000 Population .....	43

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.utah.gov">http://www.utah.gov</a>
Governor's Website .....	<a href="http://www.governor.utah.gov">http://www.governor.utah.gov</a>
Legislative Website .....	<a href="http://www.le.state.ut.us">http://www.le.state.ut.us</a>
Judicial Website .....	<a href="http://courtlink.utcourts.gov">http://courtlink.utcourts.gov</a>

# Vermont

Nickname .....	The Green Mountain State
Motto .....	<i>Freedom and Unity</i>
Animal .....	Morgan Horse
Flower .....	Red Clover
Bird .....	Hermit Thrush
Tree .....	Sugar Maple
Song .....	<i>Hail, Vermont!</i>
Insect .....	Honeybee
Beverage .....	Milk
Entered the Union .....	March 4, 1791
Capital .....	Montpelier

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. Douglas A. Racine
President Pro Tem of the Senate .....	Peter E. Shumlin
Secretary of the Senate .....	David A. Gibson

Speaker of the House .....	Walter E. Freed
Clerk of the House .....	Donald G. Milne

2002 Regular Session .....	Jan. 8-May 8
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## EXECUTIVE BRANCH

Governor .....	Howard Dean
Lieutenant Governor .....	Douglas A. Racine
Secretary of State .....	Deborah L. Markowitz
Attorney General .....	William H. Sorrell
Treasurer .....	James H. Douglas

## SUPREME COURT

Jeffrey L. Amestoy, Chief Justice
James L. Morse
John A. Dooley III
Marilyn S. Skogland
Denise R. Johnson

## STATISTICS

Land Area (square miles) .....	9,250
Rank in Nation .....	43rd
Population .....	608,827
Rank in Nation .....	49th
Density per square mile .....	65.8
Number of Representatives in Congress .....	1
Capital City .....	Montpelier
Population .....	8,035
Rank in State .....	13th
Largest City .....	Burlington
Population .....	38,889
Number of Places over 10,000 Population .....	8

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.vt.us">http://www.state.vt.us</a>
Governor's Website .....	<a href="http://www.gov.state.vt.us">http://www.gov.state.vt.us</a>
Legislative Website .....	<a href="http://www.leg.state.vt.us">http://www.leg.state.vt.us</a>
Judicial Website .....	<a href="http://www.vermontjudiciary.org">http://www.vermontjudiciary.org</a>

# Virginia

Nickname .....	The Old Dominion
Motto .....	<i>Sic Semper Tyrannis</i> (Thus Always to Tyrants)
Animal .....	Foxhound
Flower .....	Dogwood
Bird .....	Cardinal
Tree .....	Dogwood
Song .....	<i>Carry Me Back to Old Virginia</i>
Shell .....	Oyster
Entered the Union .....	June 25, 1788
Capital .....	Richmond

## GENERAL ASSEMBLY

President of the Senate .....	Lt. Gov. Tim Kaine
President Pro Tem of the Senate .....	John H. Chichester
Clerk of the Senate .....	Susan Clarke Schaar

Speaker of the House .....	S. Vance Wilkins Jr.
Clerk of the House .....	Bruce F. Jamerson

2002 Regular Session .....	Jan. 9-March
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## EXECUTIVE BRANCH

Governor .....	Mark Warner
Lieutenant Governor .....	Tim Kaine
Secretary of the Commonwealth .....	Anita A. Rimler
Attorney General .....	Jerry W. Kilgore
Treasurer .....	Jody M. Wagner

## SUPREME COURT

Harry L. Carrico, Chief Justice
Lawrence L. Koontz Jr.
Leroy R. Hassell Sr.
Elizabeth B. Lacy
Barbara M. Kennan
Donald W. Lemons
Cynthia D. Kinser

## STATISTICS

Land Area (square miles) .....	39,594
Rank in Nation .....	37th
Population .....	7,078,515
Rank in Nation .....	12th
Density per square miles .....	178.8
Number of Representatives in Congress .....	11
Capital City .....	Richmond
Population .....	197,790
Rank in State .....	4th
Largest City .....	Virginia Beach
Population .....	425,257
Number of Places over 10,000 Population .....	80

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.va.us">http://www.state.va.us</a>
Governor's Website .....	<a href="http://www.governor.state.va.us">http://www.governor.state.va.us</a>
Legislative Website .....	<a href="http://legis.state.va.us">http://legis.state.va.us</a>
Judicial Website .....	<a href="http://www.courts.state.va.us">http://www.courts.state.va.us</a>

# Washington

Nickname .....	The Evergreen State
Motto .....	<i>Alki</i> (Chinook Indian word meaning By and By)
Flower .....	Coast Rhododendron
Bird .....	Willow Goldfinch
Tree .....	Western Hemlock
Song .....	<i>Washington, My Home</i>
Dance .....	Square Dance
Gem .....	Petrified Wood
Entered the Union .....	November 11, 1889
Capital .....	Olympia

## LEGISLATURE

President of the Senate .....	Lt. Gov. Brad Owen
President Pro Tem of the Senate .....	Rosa Franklin
Secretary of the Senate .....	Tony Cook

Speaker of the House .....	Frank Chopp
Speaker Pro Tem of the House .....	Val Ogden
Chief Clerk of the House .....	Cynthia Zehnder

2002 Regular Session .....	Jan. 14-March 14
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## EXECUTIVE BRANCH

Governor .....	Gary Locke
Lieutenant Governor .....	Brad Owen
Secretary of State .....	Sam Reed
Attorney General .....	Christine O. Gregoire
Treasurer .....	Michael J. Murphy

## SUPREME COURT

Gerry L. Alexander, Chief Justice
Barbara A. Madsen
Bobbe J. Bridge
Susan J. Owens
Tom Chambers
Richard B. Sanders
Faith Ireland
Charles Z. Smith
Charles W. Johnson

## STATISTICS

Land Area (square miles) .....	66,544
Rank in Nation .....	20th
Population .....	5,894,121
Rank in Nation .....	15th
Density per square mile .....	88.6
Number of Representatives in Congress .....	9
Capital City .....	Olympia
Population .....	42,514
Rank in State .....	18th
Largest City .....	Seattle
Population .....	596,974
Number of Places over 10,000 Population .....	99

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://access.wa.gov">http://access.wa.gov</a>
Governor's Website .....	<a href="http://www.governor.wa.gov">http://www.governor.wa.gov</a>
Legislative Website .....	<a href="http://www.leg.wa.gov">http://www.leg.wa.gov</a>
Judicial Website .....	<a href="http://www.courts.wa.gov">http://www.courts.wa.gov</a>

# West Virginia

Nickname .....	The Mountain State
Motto .....	<i>Montani Semper Liberi</i> (Mountaineers Are Always Free)
Animal .....	Black Bear
Flower .....	Rhododendron
Bird .....	Cardinal
Tree .....	Sugar Maple
Songs .....	<i>West Virginia, My Home Sweet Home;</i> <i>The West Virginia Hills;</i> <i>and This is My West Virginia</i>
Fruit .....	Apple
Fish .....	Brook Trout
Entered the Union .....	June 20, 1863
Capital .....	Charleston

## LEGISLATURE

President of the Senate .....	Earl Ray Tomblin
President Pro Tem of the Senate .....	William R. Sharpe Jr.
Clerk of the Senate .....	Darrell E. Holmes

Speaker of the House of Delegates .....	Robert S. Kiss
Speaker Pro Tem of the House of Delegates .....	John Pino
Clerk of the House of Delegates .....	Gregory M. Gray

2002 Regular Session .....	Jan. 9-April 2
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## EXECUTIVE BRANCH

Governor .....	Bob Wise
Secretary of State .....	Joe Manchin
Attorney General .....	Darrell V. McGraw Jr.
Treasurer .....	John D. Perdue

## SUPREME COURT OF APPEALS

Warren M. McGraw, Chief Justice
Elliot E. Maynard
Joseph Albright
Larry Starcher
Robin Davis

## STATISTICS

Land Area (square miles) .....	24,078
Rank in Nation .....	41st
Population .....	1,808,344
Rank in Nation .....	37th
Density per square mile .....	75.1
Number of Representatives in Congress .....	3
Capital City .....	Charleston
Population .....	53,421
Rank in State .....	1st
Largest City .....	Charleston
Number of Places over 10,000 Population .....	16

## STATE INTERNET ADDRESSES

Official State Website .....	<a href="http://www.state.wv.us">http://www.state.wv.us</a>
Governor's Website .....	<a href="http://www.state.wv.us/governor">http://www.state.wv.us/governor</a>
Legislative Website .....	<a href="http://www.legis.state.wv.us">http://www.legis.state.wv.us</a>
Judicial Website .....	<a href="http://www.state.wv.us/wvsca">http://www.state.wv.us/wvsca</a>

# Wisconsin

Nickname*	The Badger State
Motto	<i>Forward</i>
Animal	Badger
Flower	Wood Violet
Bird	Robin
Tree	Sugar Maple
Song	<i>On, Wisconsin!</i>
Fish	Muskellunge
Mineral	Galena
Entered the Union	May 29, 1848
Capitol	Madison

## LEGISLATURE

President of the Senate	Fred Risser
President Pro Tem of the Senate	Gary R. George
Chief Clerk of the Senate	Donald J. Schneider

Speaker of the Assembly	Scott R. Jensen
Speaker Pro Tem of the Assembly	Stephen J. Freese
Assistant Chief Clerk of the Assembly	Patrick Fuller

2002 Regular Session	Jan. 22-May 15
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## EXECUTIVE BRANCH

Governor	Scott McCallum
Lieutenant Governor	Margaret A. Farrow
Secretary of State	Douglas J. LaFollette
Attorney General	James E. Doyle
Treasurer	Jack C. Voight

## SUPREME COURT

Shirley S. Abrahamson, Chief Justice
David T. Prosser Jr.
William A. Bablitch
Diane S. Sykes
Ann Walsh Bradley
Jon P. Wilcox
N. Patrick Crooks

## STATISTICS

Land Area (square miles)	54,310
Rank in Nation	25th
Population	5,363,675
Rank in Nation	18th
Density per square mile	98.8
Number of Representatives in Congress	9
Capital City	Madison
Population	208,054
Rank in State	2nd
Largest City	Milwaukee
Population	596,974
Number of Places over 10,000 Population	75

## STATE INTERNET ADDRESSES

Official State Website	<a href="http://www.wisconsin.gov">http://www.wisconsin.gov</a>
Governor's Website	<a href="http://www.wisgov.state.wi.us">http://www.wisgov.state.wi.us</a>
Legislative Website	<a href="http://www.legis.state.wi.us">http://www.legis.state.wi.us</a>
Judicial Website	<a href="http://www.courts.state.wi.us">http://www.courts.state.wi.us</a>

\* .....unofficial

# Wyoming

Nicknames	The Equality State and The Cowboy State
Motto	<i>Equal Rights</i>
Animal	Bison
Flower	Indian Paintbrush
Bird	Western Meadowlark
Tree	Cottonwood
Song	<i>Wyoming</i>
Gem	Jade
Entered the Union	July 10, 1890
Capital	Cheyenne

## LEGISLATURE

President of the Senate	Henry H.R. Coe
Vice President of the Senate	Grant Larson
Chief Clerk of the Senate	Diane Harvey

Speaker of the House	Rick Tempest
Speaker Pro Tem of the House	Randall Luthi
Chief Clerk of the House	A. Marvin Helart

2002 Regular Session	Feb. 11-March 5
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## EXECUTIVE BRANCH

Governor	Jim Geringer
Secretary of State	Joe Meyer
Attorney General	Hoke MacMillan
Treasurer	Cynthia M. Lummis

## SUPREME COURT

Larry L. Lehman, Chief Justice
Marilyn S. Kite
T. Michael Golden
Barton R. Voigt
William U. Hill

## STATISTICS

Land Area (square miles)	97,100
Rank in Nation	9th
Population	493,782
Rank in Nation	50th
Density per square mile	5.1
Number of Representatives in Congress	1
Capital City	Cheyenne
Population	53,011
Rank in State	1st
Largest City	Cheyenne
Number of Places over 10,000 Population	8

## STATE INTERNET ADDRESSES

Official State Website	<a href="http://www.state.wy.us">http://www.state.wy.us</a>
Governor's Website	<a href="http://www.state.wy.us/governor/governor_home.html">http://www.state.wy.us/governor/governor_home.html</a>
Legislative Website	<a href="http://legisweb.state.wy.us">http://legisweb.state.wy.us</a>
Judicial Website	<a href="http://www.courts.state.wy.us">http://www.courts.state.wy.us</a>

# District of Columbia

Motto .....	<i>Justitia Omnibus</i> (Justice to All)
Flower .....	American Beauty Rose
Bird .....	Wood Thrush
Tree .....	Scarlet Oak
Became U.S. Capital .....	December 1, 1800

## COUNCIL OF THE DISTRICT OF COLUMBIA

Chair .....	Linda W. Cropp
Chair Pro Tem .....	Jack Evans
Secretary to the Council .....	Phyllis Jones

## EXECUTIVE BRANCH

Mayor .....	Anthony Williams
Secretary of the District of Columbia .....	Beverly D. Rivers
Corporation Counsel .....	Robert Rigsby
Treasurer .....	N. Anthony Calhoun

## DISTRICT OF COLUMBIA COURT OF APPEALS

Annice M. Wagner, Chief Justice
Frank E. Schwelb
Michael W. Farrell
Inez Smith-Reid
Warren R. King
John M. Steadman
Vanessa Ruiz
John A. Terry

## STATISTICS

Land Area (square miles) .....	63
Population .....	572,059
Density per square mile .....	9378.0
Delegate to Congress* .....	1

\*Committee voting privileges only.

## INTERNET ADDRESSES

Official Website .....	<a href="http://dc.gov">http://dc.gov</a>
Mayor's Website .....	<a href="http://dc.gov/mayor/index.htm">http://dc.gov/mayor/index.htm</a>
Legislative Website .....	<a href="http://www.dccouncil.washington.dc.us">http://www.dccouncil.washington.dc.us</a>
Judicial Website .....	<a href="http://www.dccbar.org/dcca">http://www.dccbar.org/dcca</a>

# American Samoa

Motto .....	<i>Samoa-Maumua le Atua</i> (Samoa, God Is First)
Flower .....	Paogo (Ula-fala)
Plant .....	Ava
Song .....	<i>Amerika Samoa</i>
Became a Territory of the United States .....	1900
Capital .....	Pago Pago

## LEGISLATURE

President of the Senate .....	Lutu Tenari S. Fuimaono
President Pro Tem of the Senate .....	Faiivae A. Galeai
Secretary of the Senate .....	Leo'o V. Ma'o

Speaker of the House .....	Matagi Mailo Ray McMoore
Vice Speaker .....	Savali Talavou Ale
Chief Clerk of the House .....	Fialupe Lutu

Session convenes .....	Jan. 10, 2003
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## EXECUTIVE BRANCH

Governor .....	Tauese P. F. Sunia
Lieutenant Governor .....	Togiola T.A. Tulafono
Attorney General .....	Fiti Sunia
Treasurer .....	Aitofele Sunia

## HIGH COURT

Michael Kruse, Chief Justice
Lyle Richmond

## STATISTICS

Land Area (square miles) .....	77
Population .....	57,291
Density per square mile .....	744.0
Delegate to Congress .....	1
Capital City .....	Pago Pago
Population .....	4,278
Rank in Territory .....	3rd
Largest City .....	Tafuna
Population .....	8,409

## INTERNET ADDRESSES

Official Website .....	<a href="http://www.government.as">http://www.government.as</a>
Governor's Website .....	<a href="http://www.government.as/gov.htm">http://www.government.as/gov.htm</a>
Legislative Website .....	<a href="http://www.government.as/legislative.htm">http://www.government.as/legislative.htm</a>
Judicial Website .....	<a href="http://www.government.as/highcourt.htm">http://www.government.as/highcourt.htm</a>



## Guam

Nickname.....	Hub of the Pacific
Flower .....	Puti Tai Nobio (Bougainvillea)
Bird.....	Toto (Fruit Dove)
Tree .....	Ifit (Intsiabijuga)
Song .....	<i>Stand Ye Guamanians</i>
Stone .....	Latte
Animal.....	Iguana
Ceded to the United States	
by Spain.....	December 10, 1898
Became a Territory.....	August 1, 1950
Request to become a	
Commonwealth Plebiscite .....	November 1987
Capital.....	Hagatna

### LEGISLATURE

Speaker.....	Antonio R. Unpingco
Vice Speaker.....	Lawrence F. Kasperbauer
Clerk of the Legislature.....	Cecilia Taitano
Legislative Secretary of the Senate .....	Joanne M.S. Brown
2002 Regular Session.....	Jan. 7, 2002- no limit on session

### EXECUTIVE BRANCH

Governor .....	Carl T. C. Gutierrez
Lieutenant Governor .....	Madeleine Z. Bordallo
Attorney General.....	John F. Tarantino
Treasurer.....	Y' Asela A. Pereira

### SUPREME COURT

Peter C. Siguenza Jr., Chief Justice
F. Philip Carbullido

### STATISTICS

Land Area (square miles).....	210
Population .....	154,805
Density per square mile .....	737.1
Delegate to Congress .....	1
Capital.....	Hagatna
Population .....	1,100
Rank in Territory.....	18th
Largest City .....	Dededo
Population .....	42,980

### INTERNET ADDRESSES

Official Website.....	<a href="http://ns.gov.gu">http://ns.gov.gu</a>
Governor's Website .....	<a href="http://ns.gov.gu/webtax/govoff.html">http://ns.gov.gu/webtax/govoff.html</a>
Legislative Website .....	<a href="http://www.guam.net/gov/senate">http://www.guam.net/gov/senate</a>
Judicial Website .....	<a href="http://www.justice.gov.gu">http://www.justice.gov.gu</a>

## Northern Mariana Islands

Flower.....	Plumeria
Bird.....	Marianas Fruit Dove
Tree .....	Flame Tree
Song.....	<i>Gi TaloGi Halom Tasi</i>
Administered by the United States	
a trusteeship for the United Nations .....	July 18, 1947
Voters approved a proposed constitution .....	June 1975
U.S. president signed covenant agreeing to	
commonwealth status for	
the islands .....	March 24, 1976
Became a self-governing	
Commonwealth .....	January 9, 1978
Capital .....	Saipan

### LEGISLATURE

President of the Senate .....	Paul A. Manglona
Vice President of the Senate .....	David M. Cing
Clerk of the Senate.....	Nicolasa B. Borja

Speaker of the House .....	Heinz S. Hofschneider
Vice Speaker of the House.....	Manuel Agulto Tenorio
Clerk of the House .....	Evelyn C. Fleming

First Regular Session.....	Feb. 2002
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### EXECUTIVE BRANCH

Governor.....	Juan N. Babauta
Lieutenant Governor .....	Diego Benavente
Acting Attorney General .....	Romona V. Manglona
Treasurer .....	Antoinette S. Calvo

### COMMONWEALTH SUPREME COURT

Miguel S. Demapan, Chief Justice
Alexandro C. Castro

### STATISTICS

Land Area (square miles).....	181
Population .....	69,221
Density per square mile .....	382.4
Capital City.....	Saipan
Population .....	62,392
Largest City.....	Saipan

### INTERNET ADDRESSES

Official Website.....	<a href="http://www.saipan.com">http://www.saipan.com</a>
Governor's Website.....	<a href="http://www.mariana-islands.gov.mp">http://www.mariana-islands.gov.mp</a>
Legislative Website.....	<a href="http://www.saipan.com/gov/branches/senate">http://www.saipan.com/gov/branches/senate</a>
Judicial Website.....	<a href="http://cnmilaw.org/htmlpage/hpg34.htm">http://cnmilaw.org/htmlpage/hpg34.htm</a>

# Puerto Rico

Nickname .....	Island of Enchantment
Motto .....	<i>Joannes Est Nomen Ejus</i> (John is Thy Name)
Flower .....	Maga
Bird .....	Reinita
Tree .....	Ceiba
Song .....	<i>La Borinquena</i>
Became a Territory of the United States .....	December 10, 1898
Became a self-governing Commonwealth .....	July 25, 1952
Capital .....	San Juan

## LEGISLATIVE ASSEMBLY

President of the Senate .....	Antonio J. Fas Alzamora
Vice President of the Senate .....	Velda Gonzalez de Modesti
Secretary of the Senate .....	Jose Ariel Nazario-Alvarez

Speaker of the House .....	Carlos Vizcarrondo Irizarrry
Speaker Pro Tem .....	Not Available
Clerk of the House .....	Nester Duprey-Salgado

## EXECUTIVE BRANCH

Governor .....	Sila M. Calderón
Secretary of State .....	Ferdinand Mercado
Attorney General .....	Anabelle Rodriguez
Treasurer .....	Juan Flores Galarza

## SUPREME COURT

Jose A. Andreu-Garcia, Chief Justice
Miriam Naviera-Merly
Baltasar Corrada del Rio
Franciso Rebollo-Lopez
Jamie B. Fuster-Berlinger
Efrain E. Rivera-Perez
Federico Hernandez-Denton

## STATISTICS

Land Area (square miles) .....	3,427
Population .....	3,808,610
Density per square mile .....	1,111.3
Delegate to Congress* .....	1
Capital City .....	San Juan
Population .....	421,958
Largest City .....	San Juan

\*Committee voting privileges only.

## INTERNET ADDRESSES

Official State Website .....	<a href="http://www.puertorico.pr">http://www.puertorico.pr</a>
Governor's Website .....	<a href="http://www.fortaleza.gobierno.pr">http://www.fortaleza.gobierno.pr</a>
Senate Website .....	<a href="http://www.camaradepuertorico.org">http://www.camaradepuertorico.org</a>
House Website .....	<a href="http://www.camaradepuertorico.org">http://www.camaradepuertorico.org</a>
Judicial Website .....	<a href="http://www.tribunalpr.org">http://www.tribunalpr.org</a>

# U.S. Virgin Islands

Nickname .....	The American Paradise
Motto .....	United in Pride and Hope
Flower .....	The Yellow Cedar
Bird .....	Yellow Breast or Banana Quit
Song .....	<i>Virgin Islands March</i>
Purchased from Denmark .....	March 31, 1917
Capital .....	Charlotte Amalie, St. Thomas

## LEGISLATURE

President .....	Vargrave A. Richards
Vice President .....	Judy M. Gomez
Legislative Secretary of the Senate .....	Norman Jn. Baptiste

## EXECUTIVE BRANCH

Governor .....	Charles W. Turnbull
Lieutenant Governor .....	Gerard Luz James II
Attorney General .....	Iver A. Stirdiron
Treasurer .....	Bernice A. Turnbull

## TERRITORIAL COURT

Raymond L. Finch, Chief Justice
Geoffrey W. Barnard
Thomas Moore

## STATISTICS

Land Area (square miles)* .....	134
Population .....	108,612
Density per square mile .....	810.5
Delegate to Congress** .....	1
Capital City .....	Charlotte Amalie, St. Thomas
Population .....	11,004
Largest City .....	Charlotte Amalie, St. Thomas

\*The U.S. Virgin Islands is comprised of three large islands (St. Croix, St. John, St. Thomas) and 50 smaller islands and cays.

\*\*Committee voting privileges only.

## INTERNET ADDRESSES

Official Website .....	<a href="http://www.usvi.org">http://www.usvi.org</a>
Governor's Website .....	<a href="http://www.usvi.org">http://www.usvi.org</a>
Legislative Website .....	<a href="http://www.senate.gov.vi">http://www.senate.gov.vi</a>
Judicial Website .....	<a href="http://www.vid.uscourts.gov">http://www.vid.uscourts.gov</a>



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