Contents

FOREWORD ................................................................. xvii

Chapter One
STATE CONSTITUTIONS .................................................. 1
A review of constitutional revision and actions on proposals in the states during 1992-
93, including general information on state constitutions, amendment procedures, and
constitutional commissions. Includes a special essay on the term limits movement in
the states.

ESSAYS
State Constitutions and Constitutional Revision, 1992-93
Janice C. May ................................................................. 2
Term Limits in the States
Thad Beyle and Rich Jones ........................................... 28

TABLES
Constitutions
A State Constitutional Changes by Method of Initiation 1986-87,
B Substantive Changes in State Constitutions: Proposed and
1.1 General Information on State Constitutions
(As of January 1, 1994) .................................................. 19
1.2 Constitutional Amendment Procedure: By the Legislature
(Constitutional Provisions) ............................................... 21
1.3 Constitutional Amendment Procedure: By Initiative
(Constitutional Provisions) ............................................... 23
1.4 Procedures for Calling Constitutional Conventions
(Constitutional Provisions) ............................................... 24
1.5 State Constitutional Commissions
(Operative during January 1, 1992 - January 1, 1994) ......... 26
1.6 State Constitutional Conventions
(Operative during January 1, 1992 - January 1, 1994) ......... 27

Elections
A Term Limits in the States: Federal and State Legislators ....... 29
B The Term Limits Movement and the Governors ................. 30

Chapter Two
STATE EXECUTIVE BRANCH ............................................. 35
An overview of the states’ chief executives, other constitutional officers, and executive
branch activities in 1992-93. Current information on the office of governor — including
qualifications for office, compensation, powers, cabinet systems — and the duties;
qualifications for office, annual salaries, methods of selection, and length of terms
for selected executive branch officials. Includes information on lieutenant governors,
secretaries of state, attorneys general, and state treasurers.
CONTENTS

ESSAYS
The Governors, 1992-93
Thad L. Beyle ................................................. 36
The Executive Branch: Organization and Issues, 1992-93
Thad L. Beyle ................................................. 65

TABLES
Governors
B Cost of Gubernatorial Campaigns, Most Recent Election .... 39
C Total Cost of Gubernatorial Elections: 1977-1993 ........ 41
2.1 The Governors, 1994 ...................................... 50
2.2 The Governors: Qualifications for Office ................... 52
2.3 The Governors: Compensation ................................ 53
2.4 The Governors: Powers ...................................... 55
2.5 Gubernatorial Executive Orders: Authorization,
   Provisions, Procedures ...................................... 57
2.6 State Cabinet Systems ...................................... 59
2.7 The Governors: Provisions and Procedures for Transition .... 61
2.8 Impeachment Provisions in the States ................. 63
Executive Branch
2.9 Constitutional and Statutory Provisions for Length and
   Number of Terms of Elected State Officials ................ 70
2.10 Selected State Administrative Officials:
   Methods of Selection ...................................... 72
2.11 Selected State Administrative Officials: Annual Salaries ... 77
Lieutenant Governors
2.12 Lieutenant Governors: Qualifications and Terms ......... 83
2.13 Lieutenant Governors: Powers and Duties ............... 84
Secretaries of State
2.14 Secretaries of State: Qualifications for Office .......... 86
2.15 Secretaries of State: Election and Registration Duties ... 87
2.16 Secretaries of State: Custodial, Publication and
   Legislative Duties ........................................ 89
Attorneys General
2.17 Attorneys General: Qualifications for Office ............ 90
2.18 Attorneys General: Prosecutorial and Advisory Duties .... 91
2.19 Attorneys General: Consumer Protection Activities,
   Subpoena Powers and Antitrust Duties ..................... 92
2.20 Attorneys General: Duties to Administrative Agencies
   and Other Responsibilities ............................... 93
Treasurers
2.21 Treasurers: Qualifications for Office ................. 94
2.22 Treasurers: Duties of Office ............................ 95

Chapter Three
STATE LEGISLATIVE BRANCH ........................................ 97
An overview of state legislatures and legislative processes in the states, with special
emphasis on activities during 1992-93. Includes basic information on the legislatures —
such as legal provisions for legislative sessions and a variety of information on legis-
lative procedures — along with legislative compensation, statistics on 1992 and 1993
bill introductions and enactments, committee appointments and procedures, and re-
view of administrative regulations.
STATE JUDICIAL BRANCH

An exploration of the current status of state judicial systems, with a focus on efforts to make the judiciary more accessible to the public and on long-term planning goals for state courts. Includes information on the state courts of last resort, intermediate appellate courts and general trial courts, as well as the selection and compensation of judges and judicial administrators.

The Council of State Governments
CONTENTS

ESSAY

Accessing the Judicial System: The States’ Response
Erick B. Low ................................................................. 168

TABLES

Judiciary
A Selected Recent State Court Strategic Planning Efforts .................................. 178
4.1 State Courts of Last Resort ................................................. 184
4.2 State Intermediate Appellate Courts and General Trial Courts: Number of Judges and Terms ......................................................... 186
4.3 Qualifications of State Appellate Courts and General Trial Courts .................... 188
4.4 Selection and Retention of Judges ............................................ 190
4.5 Methods for Removal of Judges and Filling of Vacancies .............................. 193
4.6 Compensation of Judges of Appellate Courts and General Trial Courts ................. 200
4.7 Selected Data on Court Administrative Offices .................................. 202

Chapter Five
STATE ELECTIONS, CAMPAIGN FINANCE & INITIATIVES ........................................... 203

A review of election legislation and developments in campaign financing and initiatives across the states in recent years. Includes information on which state offices will be up for election in the years 1994-2003, formulas for election dates, voting statistics, campaign finance laws, and procedures for initiatives, referenda and recalls.

ESSAYS

Election Legislation, 1992-93
Richard G. Smoika and Ronald D. Michaelson ................................................ 204

Financing State and Local Elections: Recent Developments
Frederick M. Herrmann and Ronald D. Michaelson ........................................... 227

Initiatives in the 1980s and 1990s
David Kehler and Robert M. Stern .................................................. 279

TABLES

Elections
5.1 State Executive Branch Officials to be Elected: 1994-2003 .................. 209
5.2 State Legislatures: Members to be Elected: 1994-2003 .................. 213
5.3 Methods of Nominating Candidates for State Offices .......................... 217
5.4 Election Dates for National, State and Local Elections
(Formulas) ........................................................................ 219
5.5 Polling Hours: General Elections ............................................. 221
5.6 Voter Registration Information .................................................. 223
5.7 Voting Statistics for Gubernatorial Elections .................................... 224
5.8 Voter Turnout in Non-Presidential Election Years: 1982, 1986, and 1990 .......................................................... 225

Campaign Finance
A Distribution of Political Action Committee (PAC) Funds in Selected States: 1987 or 1988 State Legislative Elections .................. 229
B Use of Surplus Funds by Candidates after an Election ...................... 231
C Agency Expenditure Budgets (as of 1992) ............................................. 232
D Enforcement Authority of Surveyed Agencies ...................................... 236

vi The Book of the States 1994-95
5.10 Campaign Finance Laws: General Filing Requirements
(As of January 1992) .............................................. 244
5.11 Campaign Finance Laws: Limitations on Contributions
by Organizations (As of January 1992) ....................... 254
5.12 Campaign Finance Laws: Limitations on Contributions
by Individuals (As of January 1992) ........................ 260
5.13 Campaign Finance Laws: Limitations on Expenditures
(As of January 1992) .............................................. 267
5.14 Funding of State Elections: Tax Provisions and Public
Financing (As of January 1992) ................................. 276

Initiative/Referendum/Recall
A Statutory Initiative Petition Signature
Geographic Distribution Requirements, by State: 1992 ...... 280
B Number of Statewide Initiatives Appearing on the Ballot,
by State: 1981-1992 .............................................. 284
C Number of Statewide Initiatives on the Ballot,
by Year: 1981-92 .................................................. 284
5.15 Statewide Initiative and Referendum ...................... 294
5.16 State Initiatives: Requesting Permission to Circulate
a Petition .......................................................... 295
5.17 State Initiatives: Circulating the Petition ................. 296
5.18 State Initiatives: Preparing the Initiative to be Placed
on the Ballot ....................................................... 298
5.19 State Initiatives: Voting on the Initiative ................. 300
5.20 State Referendums: Requesting Permission to Circulate
a Citizen Petition .................................................. 301
5.21 State Referendums: Circulating the Citizen Petition .. 302
5.22 State Referendums: Preparing the Citizen Petition
Referendum to be Placed on the Ballot ....................... 303
5.23 State Referendums: Voting on the Citizen Petition
Referendum .......................................................... 304
5.24 State Recall Provisions: Applicability to State Officials
and Petition Circulation ......................................... 305
5.25 State Recall Provisions: Petition Review, Appeal
and Election ......................................................... 307

Chapter Six
STATE FINANCES ...................................................... 309

A focus on the states' financial situation, with an update on recent trends in taxation
and tax collections, and federal spending in the states. Includes information on state
budgetary procedures and funds management activities, their revenue sources, expendi-

ESSAYS
The Road To Recovery?
Douglas J. Olberding ............................................. 310
State Government Finances, 1992
Henry S. Wulf ..................................................... 323
Trends in State Taxation, 1992-93
Ronald Alt ......................................................... 356
State Tax Collections in 1992
Gerard T. Reifler .................................................. 375

The Council of State Governments VII
TABLES

Fiscal Issues
A  Summary of State Budget Actions, FY 1992 to FY 1994 .......................... 311

Budget
6.1  State Budgetary Calendars ..................................................... 316
6.2  Officials or Agencies Responsible for Budget Preparation, ......... 317
    Review and Controls
6.3  State Balanced Budgets: Constitutional and Statutory Provisions, .... 320
    Gubernatorial and Legislative Authority
6.4  Revenue Estimating Practices .................................................. 322

Finances
A  Sources of State Revenue and Change from 1991 to 1992 .......... 325
B  Growth Rates for Major Tax Sources ........................................ 326
C  State Expenditures by Character and Object .............................. 326

Management of Funds
6.5  Allowable State Investments .................................................... 332
6.6  Cash Management Programs and Services ................................. 334
6.7  Demand Deposits ................................................................. 336

Revenue and Expenditure
6.8  Summary Financial Aggregates, By State: 1991 ......................... 338
6.9  Summary Financial Aggregates, By State: 1992 ......................... 339
6.10  National Totals of State Government Finances for ............... 340
      Selected Years: 1980-92
6.11  State General Revenue, By Source and By State: 1991 .......... 342
6.12  State General Revenue, By Source and By State: 1992 .......... 344
6.13  State Expenditure, By Character and Object ......................... 346
      and By State: 1991
6.14  State Expenditure, By Character and Object ......................... 348
      and By State: 1992
6.15  State General Expenditure, By Function and By State: 1991 ..... 350
6.16  State General Expenditure, By Function and By State: 1992 ..... 352
6.17  State Debt Outstanding at End of Fiscal Year, ................. 354
      By State: 1991
6.18  State Debt Outstanding at End of Fiscal Year, ................. 355
      By State: 1992

Taxes
6.19  Agencies Administering Major State Taxes ......................... 361
      (As of January 1994)
6.20  State Tax Amnesty Programs .............................................. 363
      (November 22, 1982-Present)
6.21  State Excise Tax Rates (As of January 1, 1994) .................. 364
6.22  Food and Drug Sales Tax Exemptions (As of January 1, 1994) .... 366
6.23  State Individual Income Taxes (As of January 1, 1994) ........ 367
6.25  Range of State Corporate Income Tax Rates ......................... 370
      (As of January 1, 1994)
6.26  State Severance Taxes: 1993 .............................................. 372
A  Percent Distribution of State Tax Collections by Major Tax Category 376
Chapter Seven
STATE MANAGEMENT, REGULATION & PERSONNEL .......................... 405

An overview of several components of state administration and regulation, including recent reforms in state management, personnel, and lobby laws. Includes information on state personnel systems, information resource management, and regulatory activities. Statistics on state government employment and payrolls, as well as public employee retirement systems, are presented for 1991 and 1992.

ESSAYS
Reforming State Management and Personnel Systems
Julie Cencula Olberding .................................................. 406

Government Employment in 1992
Meredith De Hart ...................................................... 435

Finances of State-Administered Public Employee-Retirement Systems
Henry S. Wulf .......................................................... 449

State Lobby Laws in the 1990s
Joyce Bullock ....................................................... 486
CONTENTS

TABLES

State Management
A Purchasing Thresholds: Dollar Amount Below Which Agencies Permitted to Obtain Own Quotations .......................... 409
B Forms of Privatization and Frequency of Use in State Programs and Services ......................................................... 411

Personnel
7.1 The Office of State Personnel Executive: Selection, Placement and Structure ................................................................. 413
7.2 State Personnel Administration: Functions ............................................... 415
7.3 Classification and Compensation Plans ............................................... 420
7.4 Selected Employee Leave Policies ....................................................... 422
7.5 State Employees: Paid Holidays ............................................................. 424
7.6 Civil Service Reform in the States .......................................................... 427
7.7 Downsizing: State Work Force Reduction .............................................. 428

Information/Records Management
7.8 Information Resource Management: Chief Information Officers ...................................................................................... 429
7.9 Information Resource Management: State Commissions, Central Organizations and Budgets ........................................... 431
7.10 State Aid for Public Libraries ............................................................... 432

State Purchasing
7.11 State Purchasing: Buy-American Laws and Other Practices ............................................................................................... 433
7.12 State Purchasing of Recycled Products .................................................. 434

Public Employment
C Average Pay of Full-Time Employees: October 1992 ............... 437
7.14 Employment and Payrolls of State and Local Governments, By Function: October 1991 ....................................................... 440
7.15 Employment and Payrolls of State and Local Governments, By Function: October 1992 ....................................................... 440
7.16 State and Local Government Employment, By State: October 1991 ........................................................................... 441
7.17 State and Local Government Employment, By State: October 1992 ............................................................................... 442
7.18 State and Local Government Payrolls and Average Earnings of Full-Time Employees, By State: October 1991 ......................... 443
7.19 State and Local Government Payrolls and Average Earnings of Full-Time Employees, By State: October 1992 ......................... 444
7.20 State Government Employment (Full-Time Equivalent), for Selected Functions, By State: October 1991 ......................... 445
7.21 State Government Employment (Full-Time Equivalent), for Selected Functions, By State: October 1992 ................................. 446
7.22 State Government Payrolls for Selected Functions, By State: October 1991 ........................................................................ 447
7.23 State Government Payrolls for Selected Functions, By State: October 1992 ........................................................................ 448
Retirement
7.26 Membership and Benefit Operations of State Administered Employee Retirement Systems: Last Month of Fiscal Year 1990-91 ........................................ 458
7.27 Membership and Benefit Operations of State-Administered Employee Retirement Systems: Last Month of Fiscal Year 1991-92 ........................................ 460

Licensure/Regulation
7.31 State Regulation of Selected Non-Health Occupations and Professions: 1993 ........................................ 468
7.32 State Regulation of Health Occupations and Professions: 1993 ........................................ 469
7.33 Status of Mandatory Continuing Education for Selected Professions: 1993 ........................................ 475

Minimum Age
7.34 Minimum Age for Specified Activities ........................................ 476

Motor Vehicles
7.35 State Motor Vehicle Registrations: 1992 ........................................ 477
7.36 Motor Vehicle Operators Licenses: 1992 ........................................ 478
7.37 Motor Vehicle Laws (As of 1993) ........................................ 479
7.38 State No-Fault Motor Vehicle Insurance Laws ........................................ 481

Public Utility Commissions
7.39 State Public Utility Commissions ........................................ 483
7.40 Selected Regulatory Functions of State Public Utility Commissions ........................................ 484

Lobbying
7.41 Lobbyists: Definitions and Prohibited Activities ........................................ 490
7.42 Lobbyists: Registration and Reporting ........................................ 492

Chapter Eight
STATE PROGRAMS & ISSUES ........................................ 495

A review of several state program and issue areas — including education, corrections and criminal justice, environmental management, labor, health care, and highways — with current information and statistics. Includes a special feature on innovators in state government.

ESSAYS

Innovators in State Government
Dennis O. Grady and Keon S. Chi ........................................ 496

The Council of State Governments  xi
CONTENTS

The National Education Goals Panel: State and National Partnerships in Education Reform
Leslie A. Lawrence and Cynthia D. Prince ........................................ 507

The Federalization of Crime and Justice in the United States
Rhonda Reeves ................................................................................. 525

Emerging Models for Environmental Management
R. Steven Brown .............................................................................. 539

Labor Legislation, 1992-93
Richard R. Nelson ........................................................................... 547

Occupational Safety and Health
Arlene Perkins ................................................................................ 553

State Health Care Reform Initiatives
Elizabeth Buerger .......................................................................... 564

TABLES

Innovations
A Distribution of Innovators’ Sample by Region and Policy Area ........................................ 497
B Personal Characteristics of Innovators ........................................ 497
C Employment Characteristics of Innovators .................................. 498
D Rating of Information Sources by Sample .................................. 499
E Ranking of Information Sources by Policy Area ......................... 500
F Ranking of Groups Involved in Innovations’ Development .......... 500
G Comparison of Group Involvement in Innovation Development, Controlling for Impact of Innovation on Agency Operations ........................................ 501
H Ranking of Groups Involved in Innovations’ Implementation ........ 502
I Comparison of Group Involvement in Innovation Implementation, Controlling for Innovations Requiring Change in Agency’s Enabling Legislation ................................... 503
J Professional Involvement of Innovators by Characteristics of Innovators ........................................ 504
K Innovative States By Reputation .................................................. 505

Elementary/Secondary Education
A National Education Goals Panel .................................................. 509
8.2 Enrollment, Average Daily Attendance and Classroom Teachers in Public Elementary and Secondary Schools, By State: 1992-93 ........................................ 513
8.3 Average Annual Salary of Instructional Staff in Public Elementary and Secondary Schools: 1939-40 to 1992-93 ........................................ 514
8.4 State Course Requirements for High School Graduation .......... 515

Higher Education
8.5 Number of Institutions of Higher Education and Branches, By Type, Control of Institution and State: 1992-93 ........................................ 518
8.6 Average Salary of Full-Time Instructional Faculty in Institutes of Higher Education, By Type and Control of Institution and State: 1991-92 ........................................ 519
8.7 Estimated Undergraduate Tuition and Fees and Room and Board Rates in Institutions of Higher Education, By Control of Institution and State: 1992-93 ........................................ 520

xii The Book of the States 1994-95
CONTENTS

Education Revenue/Expenditure
8.8 General Revenue of Public School Systems, By Source: 1990-91 .................................................. 521
8.9 Summary of State Government Direct Expenditures for Education, By State: 1992 .............................. 523

Criminal Justice/Corrections
8.11 Adults Admitted to State Prisons, 1991 ............................. 531
8.12 State Prison Capacities, 1992 ........................................ 532
8.13 Adults on Probation, 1990 ............................................ 533
8.14 Adults on Parole, 1990 ................................................. 534
8.15 State Death Penalty (As of December 1992) ..................... 536

Environment
8.16 Summary of State Environmental and Natural Resource Expenditures, Fiscal Year 1991 .......................... 544
8.17 State Environmental and Natural Resources Spending By Category, Fiscal Year 1991 .......................... 545

Labor
8.18 Maximum Benefits for Temporary Total Disability Provided by Workers' Compensation Statutes (As of January 1994) ... 555
8.19 Selected State Child Labor Standards Affecting Minors Under 18 in Non-Farm Employment (As of January 1994) .... 557
8.20 Changes in Basic Minimum Wages in Non-Farm Employment Under State Law: Selected Years 1968 to 1994 .............. 561
8.21 Status of Approved State Plans Developed in Accordance with the Federal Occupational Safety and Health Act (As of February 1994) ......................................... 563

Health
A Health Care Reform in Selected States: Summaries of Legislation .......................................................... 565
8.22 1991 Expenditures and Average Annual Growth in Expenditures, 1980-91, for Hospital Care, Physician Services and Prescription Drug Purchases in Retail Outlets by State .... 569

Highways
8.23 Total Road and Street Mileage: 1992 ................................ 570
8.24 State Receipts for Highways: 1992 .................................. 571
8.25 State Disbursements for Highways: 1992 ......................... 572
8.26 Apportionment of Federal-Aid Highway Funds: Fiscal 1993 ... 573

Chapter Nine
INTERGOVERNMENTAL AFFAIRS ................................................. 575

A recap of recent developments in the relations between the federal government and the states, the states and local governments, and the impact of free trade agreements on the states. Includes statistics on federal aid and state intergovernmental revenues and expenditures for 1991 and 1992.

ESSAYS
Developments in Federal-State Relations, 1992-93
John Kincaid ................................................................. 576

The Political Dynamics of State-Local Relations, 1991-93
Joseph F. Zimmerman and Julie M. Clark ........................... 588

The Council of State Governments xiii
State Aid to Local Governments, Fiscal 1992
Henry S. Wulf ................................................................. 600

The Effects of Free Trade Agreements on State Sovereignty
Benjamin J. Jones .......................................................... 616

The Council of State Governments
Deborah A. Gona ............................................................... 622

TABLES

Federal Aid
9.1 Total Federal Grants to State and Local Governments,
   By State: 1984-1993 ....................................................... 587

State Aid Programs
A Percent Distribution of State Aid, Selected Years 1976-1992 .... 601
B Per Capita State Aid Distribution, 1992 .................. 603

Intergovernmental Payments
9.2 Summary of State Intergovernmental Payments:
   1940 to 1992 ............................................................... 604
9.3 State Intergovernmental Expenditure, By State:
   1986 to 1992 .................. 605
9.4 Per Capita State Intergovernmental Expenditure, By Function
   and By State: 1991 ....................................................... 606
9.5 Per Capita State Intergovernmental Expenditure, By Function
   and By State: 1992 ....................................................... 607
9.6 State Intergovernmental Expenditure, By Function and
   By State: 1991 ............................................................... 608
9.7 State Intergovernmental Expenditure, By Function and
   By State: 1992 ............................................................... 609
9.8 State Intergovernmental Expenditure, By Type of Receiving
   Government and By State: 1991 ....................................... 610
9.9 State Intergovernmental Expenditure, By Type of Receiving
   Government and By State: 1992 ....................................... 611
9.10 State Intergovernmental Revenue from Federal and Local
    Governments: 1991 ..................................................... 612
9.11 State Intergovernmental Revenue from Federal and Local
    Governments: 1992 ..................................................... 614

Chapter Ten
STATE PAGES ........................................................................ 631

A variety of statistics and information about the states — including capitals, population, land areas, historical data, elected executive branch officials, legislative leaders, and judges of the state high courts. State mottos, flowers, songs, birds and other items unique to the states and other U.S. jurisdictions also are presented.

TABLES
10.1 Official Names of States and Jurisdictions, Capitals, Zip
    Codes and Central Switchboards .................................. 632
10.2 Historical Data on the States ......................................... 633
10.3 State Statistics ............................................................. 635

INDEX .............................................................................. 665