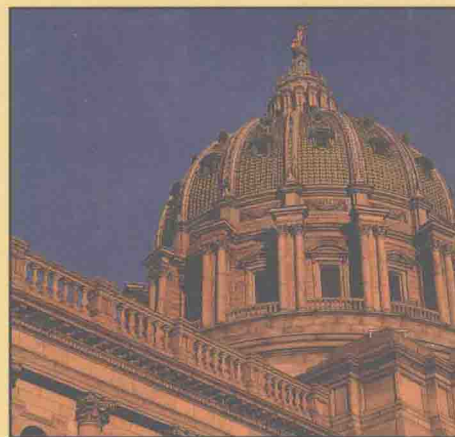




B O W M A N / K E A R N E Y

STATE
AND LOCAL
GOVERNMENT

F O U R T H E D I T I O N



*Fourth
Edition*

STATE AND LOCAL GOVERNMENT

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*To those who do,
from those who
teach. And
especially for
Rachel, Roxanne,
Carson, Joel,
Laura, Nicole,
and Andrew.*

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PREFACE

This book is unabashedly pro-government—state and local government, that is. Despite the drumbeat of criticism of government and public officials in the mass media, we like politics and public service. We believe that government can be a force for good in society. We do acknowledge some of the concerns voiced by critics of government. Yes, there continue to be inefficiencies, and sure, there are some politicians who, once elected, seem to forget the interests of the people back home, not to mention what their parents taught them. But by and large, state and local governments work well. On a daily basis, they tackle some of the toughest problems imaginable. And in the faces of their critics, they design and implement creative and successful solutions to problems ranging from felonies to street paving.

In the fourth edition of our text, we attempt to capture the immediacy and vitality of state and local governments as they address the challenges facing the American people. A major goal is to foster continuing student interest and involvement in state and local politics, policy, and public service. Many of the students who read earlier editions of this text now work in state and local government. Some have run successfully for public office. We want readers of the fourth edition, too, to know that state and local government is a place where one person can still make a difference and serve a cause. For students who go on to graduate study in political science, public administration, or related fields, states and localities are fertile fields for research. And for students taking this course because they “have to” and who claim to dislike politics and government, we invite them to keep an open mind as they explore the contemporary world of politics at the grassroots.

The Theme of State and Local Government

This book revolves around a central theme: the increased capacity and responsiveness of state and local governments. In a way, this is yesterday’s news. It has been decades since these levels of government were routinely dismissed as outmoded and ineffective. But state and local governments continue to be proactive, expanding their capacity to address effectively the myriad problems confronting their citizens. From Alaska to Wyoming, they are increasingly more responsive to their rapidly changing environment and the demands of their citizens.

Our confidence in these governments does not blind us, however, to the varying capabilities of the fifty states and more than 87,000 units of local government. Some are better equipped to operate effectively than others. Many state and local governments benefit from talented leadership, a problem-solving focus, and an engaged citizenry. Others do not fare so well. The important point is that, as a group, states and localities are the driving forces—the prime movers—in the U.S. federal system. Even those perennially clustered at the lower end of various ratings scales have made quantum leaps in their capability and responsiveness.

Major Changes in the Fourth Edition

The political landscape of state and local government is forever changing. As a consequence, the fourth edition incorporates many new topics and emerging issues, without sacrificing the central theme of increased government capacity and responsiveness. There has been one minor organizational change: based on reviewers' requests, the chapter on state legislatures has been moved to precede the chapter on governors.

The 1996 and 1998 election results have been included, as have 1998 decisions of the U.S. Supreme Court that pertain to state and local issues. The challenges resulting from Congress's continuing actions to devolve program and service-delivery responsibilities to state and local governments (the "devolution revolution") are described throughout the fourth edition, including policy changes associated with the 1996 federal welfare reform law. Most chapters contain new Policy Innovation boxes to showcase some of the bold new actions states and localities are taking to reinvent government. For example, Maine's Clean Elections Act is highlighted in Chapter 5. Fighting gender bias in the courtrooms is included in Chapter 9. In Chapter 16, a Policy Innovation box illustrates new approaches to fighting crime, and in Chapter 17, Florida's pioneering Healthy Kids program is discussed.

A new feature of the fourth edition is Pondering Politics boxes. Brief explanations of real political and policy problems are followed by questions for the reader to consider. These boxes help students to understand various points of view on current policy debates and, by posing questions, to think critically about and discuss the issues involved.

Finally, the fourth edition has been made "Internet friendly." References to web sites are found at the end of each chapter. These sites can be accessed through the book's web site. They are intended to guide students who are interested in exploring topics in greater detail and depth.

In addition to the chapter-by-chapter links, the Bowman/Kearney web site makes a number of other resources available to students and instructors. An interactive U.S. map explores the similarities and differences among the states. Our Evolution of Devolution time line illustrates how the capacity and responsibilities of state and local governments have increased over time. On-line chapter quizzes allow students to test their understanding of important concepts. The site is accessible through the Houghton Mifflin College Division home page at <http://www.hmco.com/college>.

Updating the Content

As in the first three editions, this book provides thorough and completely updated coverage of state and local institutions, processes, and policies. It is intended to be a "stand-alone" text.

In Chapter 1, we introduce the functions of nonnational governments and explore the theme of capacity and responsiveness. Federalism's central importance is recognized in Chapter 2, which traces the twists and turns of the fed-

eral system, from the scribblings of the Framers to the Supreme Court's latest pronouncements on the Tenth Amendment. The fundamental legal underpinnings of state governments—their constitutions—are discussed in Chapter 3. Chapter 4 explores citizen participation and elections, focusing on the increased access of citizens and the demands they are making on government. Chapter 5, "Political Parties, Interest Groups, and Campaigns," includes new material on party factions and negative campaigning.

Coverage of the three branches of government—legislative, executive, and judicial—is updated, including the results of the 1998 elections. Responses of state legislatures to the devolution revolution are illustrated in Chapter 6. Several new governors are featured in Chapter 7. Chapter 8, "Public Administration: Budgeting and the Bureaucracy," offers expanded coverage on privatization as a strategy for reinventing government and delivering public services, as well as new material on affirmative action policy. In Chapter 9, the policymaking role of judges is emphasized. In addition, new material is included on the application of computer technology in the criminal justice system.

Local governments, although still considered to be creatures of the state, are not treated as afterthoughts in this book. Two chapters focus on localities: Chapter 10 is devoted to the multiple types and structures of local government and Chapter 11 to leadership and governance. Chapter 10 includes an updated discussion on city revenues and fiscal stress, while Chapter 11 examines new leadership approaches of mayors and city councils. The critical issues surrounding state-local relations are the topics of Chapter 12 and Chapter 13, with the former focusing on the political issues linking the two levels and the latter emphasizing the growing interdependence of state and local financial systems.

Five policy chapters illustrate the proactive nature of state and local governments in responding to change and citizen demands. The role for states and localities is different in each policy area. Chapter 14 examines economic development initiatives in the context of interstate and inter-regional competition for jobs and business. Chapter 15 focuses on the ever-important topic of public education; it includes examples of many of the most recent education reform efforts, including magnet schools and voucher plans. Criminal justice policy is the subject of Chapter 16. Crime statistics have been updated, as have some of the early results of community policing initiatives, prison privatization, and "three strikes" laws. Social welfare and health care policy are featured in Chapter 17. The 1996 welfare reform law is discussed in light of state reform efforts designed to move former AFDC recipients from welfare to work, and new state programs aimed at plugging the gaps in the federal health system are examined. Finally, Chapter 18 takes a look at how state and local governments are designing new programs and approaches to tackle some of the persistent problems in environmental protection.

Features of the Text

Much effort has been invested in making this book accessible to the student. Each chapter opens with an outline and closes with a summary to help struc-

ture student learning. Photographs provide visual images to bring the world of state and local government to life for the reader. Maps, tables, and figures provide recent information in an engaging format. Boxes throughout the chapters showcase the innovative, the unusual, and the insightful in state and local politics. The new Pondering Politics boxes illustrate real-world problems and present provocative questions for the student's consideration, and the Policy Innovation boxes highlight creative attempts at problem-solving made by various states and localities. References to web sites encourage student curiosity, engagement, and individual research.

A glossary of key terms is located in the margins of the text. A very helpful Instructor's Resource Manual with Test Items, written by Jeffrey Greene of the University of Montana, is available to the instructor. The manual features learning objectives, chapter overviews, suggested readings and lecture topics, multiple-choice questions, terms for identification, and essay questions. A set of transparencies showing the figures in the book is also available on adoption.

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A. O' M. B.

R. C. K.

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The People: Designers and Consumers of Government

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From Capacity to Proactivity

With appropriate oratorical flourishes, the governor of Wisconsin, Tommy Thompson, delivered his 1998 State of the State message to the people of the Badger State. Although parts of the speech were specific to the state—the references to the Green Bay Packers, for example—many of the themes resonated beyond Wisconsin's borders. Tax relief, economic development, crime, health care, and education improvement were topics in countless gubernatorial State of the State addresses throughout the country. Governor Thompson's themes were universal; his upbeat, "we can do it together" exhortations have been echoed in one state capitol after another. In the governor's words: "We are young. We are bold. We are strong. And we are charging forever forward. Ladies and gentlemen, as great as our state stands today, our greatest days lie on the horizon. Tonight I will unveil another aggressive and innovative agenda, the path that leads us to that horizon."¹ In Wisconsin and elsewhere, state and local governments are indeed leading the country into the twenty-first century.

The Study of State and Local Government

The study of state and local government has typically received short shrift in the survey of U.S. politics.² Scholars and journalists tend to focus on glamorous and imperial presidents, a rancorous and gridlocked Congress, and an independent and powerful Supreme Court. National issues capture the lion's share of media attention. Even people who are fierce partisans of nonnational—that is, state and local—governments frequently feel that the action takes place away from center stage. Yet state and local politics are fascinating theater, precisely because of their involvement in our day-to-day lives. Instead of international battles over the trade imbalance or the debt owed U.S. banks by Third World nations, we have disputes between New York and New Jersey over business exodus and commuter taxes. Instead of record-setting national budget deficits, we have **jurisdictions** that engage in inventive actions to live within their financial means. And rather than deciding which weapons systems will protect the nation from the attacks of evil empires, state and local governments are charged with providing for the immediate safety and well-being of citizens—in our homes, on the streets, at the workplace. The concerns of state and local governments are fundamental, the real concerns of the American public: budgets, education, welfare, health care, crime. These are the issues that affect all of us.

jurisdiction

The territorial limit
under a government
authority

From Sewers to Science: The Functions of State and Local Governments

State and local governments are busy. They exist, in large measure, to provide services to the public. This is no easy task. Nonnational governments must offer services efficiently, effectively, and fairly, and they must do so with limited financial resources. The high costs of inefficient government lead to higher taxes and thus to greater citizen displeasure with government, which in turn can lead to tax revolts and taxpayer exodus. A government performs effectively if it accomplishes what it sets out to do. Another expectation is that government function fairly—that its services be delivered in an equitable manner. It is no wonder, then, that state and local governments constantly experiment with new programs and new systems for delivering services, all the while seeking efficiency, effectiveness, and equity. For instance, the massive restructuring of Wyoming's state government was intended, according to the governor, to produce "a better method of delivering services from the state government to the citizens."³

Each year, the Ford Foundation sponsors "Innovations in American Government" awards to recognize the creativity that abounds in governments throughout the nation. Ten jurisdictions are selected for the prestigious and lucrative (\$100,000) prize. The criteria for the awards are that the government's innovation be original, successful, and easily replicated by other jurisdictions.