

# CHAPTER SUMMARY \* \* \* \* \*

## Structure and Function of State Government

### ★ STATE CONSTITUTIONS

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State constitutions:

- provide for separation of powers among three branches—legislative, executive, and judicial;
- establish local governments and define their powers and duties;
- specify the kinds of taxes that may be levied and limit the ways certain revenues may be spent;
- establish boards and commissions that directly affect citizens' lives;
- contain a bill of rights; many include protections not in the national Constitution.

State constitutions can be amended in four ways. Every state legislature can propose an amendment. Eighteen states allow a popular initiative in which a percentage of registered voters can petition to have the proposed amendment considered. A constitutional convention, a gathering of citizens who are usually elected, can propose amendments. Many states allow constitutional commissions—appointed experts—to propose amendments. All states but one require that amendments be ratified by popular vote.

### ★ THE THREE BRANCHES

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Most state constitutions defined the county as the basic voting district without regard to population. In 1964 the Supreme Court issued the “one person, one vote” ruling, which requires that voting districts be based on roughly equal populations. State legislators are elected from legislative districts.

State legislatures have the power to tax and spend, pass laws, and check the powers of the state executive branch. Every state but one, Nebraska, has a bicameral legislature—one with two houses.

Most state legislatures are organized like the United States Congress but on a smaller scale. A Speaker of the House presides over the lower chamber and appoints committee members. Either a lieutenant governor or a chosen member presides over state senates.

The legislative process is similar at the state and federal levels. Any lawmaker may introduce a bill, but committees do most of the legislative work. After an identical bill is approved by both chambers, it goes to the governor for signature. About one-fourth of the bills introduced each year become laws.

Every state has an executive branch headed by a governor. Governors carry out state laws, oversee preparation of the budget, plan for economic growth, and manage the executive departments.

They propose legislation and appoint some state judges. Governors also negotiate interstate compacts—cooperative agreements among states. All governors function as commander in chief of the state National Guard, which maintains law and order in emergencies. All governors have the veto power, and they can also exercise item vetoes, or reject only part of a bill.

Most states have a lieutenant governor, an office similar to the vice president. The attorney general supervises a state’s legal affairs. The secretary of state is in charge of all official state documents. The state treasurer manages revenues and expenditures.

State judicial systems usually include:

- minor courts that hear a broad range of civil matters and petty crimes;
- general trial courts that hear civil matters and cases involving serious crimes;
- appeals courts that review the decisions of lower courts;
- a supreme court that interprets the state constitution and is the court of final appeal on state law.

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## Chapter 23 Summarycontinued

### ★ STATE GOVERNMENT POLICY

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State governments frequently offer incentives, such as tax credits, to attract new businesses. They also regulate many business activities, especially those that involve banking, insurance, and public utilities. A public utility is an organization that supplies necessary services, such as electricity. States protect consumers from unfair trade practices and set standards for factory safety, child labor, and minimum wages. State governments provide workers' compensation, payments to people unable to work because of a job-related injury, and unemployment compensation benefits.

State governments must strike a balance between economic development and environmental protection. They regulate industries whose waste products will cause pollution. Most have waste-management programs. State governments are also concerned with the conservation and protection of natural resources and wildlife. Many states preserve waterways; limit strip mining, which destroys topsoil; and prohibit industrial development on certain lands.

State criminal codes define felonies, or serious crimes, and punishments, but local governments are mainly responsible for enforcing those laws. Mandatory sentencing is a system of fixed, required sentences for certain crimes. Shock incarceration involves shorter sentences in a military-style

environment. House arrest requires that an offender be confined to his or her home.

Health, education, and welfare programs account for 60 percent of state expenditures. Local school districts administer public education, but the state sets many policies regarding attendance and graduation requirements. State health services work in five broad areas:

- personal health;
- health resources;
- laboratories;
- aid to local health departments;
- environmental health, or pollution control and waste management.

Public welfare, or human services, refers to government efforts to maintain basic health and living conditions for people who have insufficient resources. Four federal programs help state governments provide these services. One of them, Medicaid, provides money to help people who cannot afford necessary medical services. Most states also administer general assistance programs for individuals who do not fall into federally mandated categories of eligibility.

### ★ FINANCING STATE GOVERNMENT

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Taxes raise almost half the revenue of state governments. A general sales tax is levied on a broad range of items. A selective sales tax, or excise tax, is imposed on certain items such as gasoline. Most states levy personal and corporate income taxes. States also impose various other taxes and collect license fees; most operate lotteries.

Intergovernmental revenue, or money distributed by one level of government to another, accounts for 20 percent of state revenues. Grants-in-aid are sums provided for specific purposes. State officials prefer block grants—money provided for general

purposes—because they offer more freedom in how funds can be spent. Recently federal funding to state governments has declined, but regulatory mandates have increased. A mandate is a formal order given by a higher authority. In response to complaints about unfunded mandates, Congress curbed many federal requirements with the Unfunded Mandate Reform Act (UMRA).

States borrow money by issuing bonds. A bond is a contractual promise to repay a certain sum plus interest by a specified date. In most states voters must approve new bond issues.

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**CHAPTER SUMMARY** \* \* \* \* \* 

## Structure and Function of State Government

★ **DIRECTIONS** In the space provided, write the word or phrase that best completes each sentence.

1. Every state constitution contains a \_\_\_\_\_ of \_\_\_\_\_; many include protections not in the national Constitution.
2. A constitutional \_\_\_\_\_ is a gathering of citizens, who are usually elected, to propose amendments to a constitution.
3. The Supreme Court's one person, \_\_\_\_\_ ruling requires that voting districts be based on roughly equal population.
4. Every state has an executive branch headed by a \_\_\_\_\_, who carries out state laws.
5. Forty-four states have \_\_\_\_\_, an office similar to that of vice president.
6. In state court systems, general \_\_\_\_\_ courts hear civil matters and cases involving serious crimes.
7. A \_\_\_\_\_ is an organization that supplies necessary services, such as electricity.
8. \_\_\_\_\_, \_\_\_\_\_, and welfare programs account for 60 percent of state expenditures.
9. \_\_\_\_\_ raise almost one-half of state revenues.
10. \_\_\_\_\_ revenue, or money distributed by one level of government to another, accounts for 20 percent of state revenues.


**Organizing Information** Write the responsibilities associated with each branch of state government under the appropriate heading.

| STATE GOVERNMENT |           |          |
|------------------|-----------|----------|
| Legislative      | Executive | Judicial |
|                  |           |          |
|                  |           |          |
|                  |           |          |
|                  |           |          |

- hears cases involving crimes
- passes laws
- negotiates interstate compacts
- commands National Guard
- levies taxes and approves spending
- interprets the state constitution

**Critical Thinking** Answer the following question on a separate sheet of paper.

11. What kinds of policies do you think states may set with respect to school attendance and graduation requirements?

**CHAPTER SUMMARY** \* \* \* \* \*  \* \* \* \* \*

## Structure and Function of Local Government

**★ STRUCTURE OF LOCAL GOVERNMENT** \*\*\*\*\*

Local governments depend on the state government that establishes them. State constitutions set forth the powers of local governments and the form of government a locality may adopt.

The county, normally the largest political subdivision of a state, traditionally has exercised the greatest influence in rural areas and in the South. An elected county board governs most counties. It makes decisions concerning the budget, taxes, and zoning codes. County governments also supervise elections, issue licenses, and oversee county public services.

Townships, which exist mostly in New England and the Midwest, are usually subdivisions of counties. In some states, the primary functions of township government are road construction and maintenance. In others, they provide a wide variety of services. A municipality is an urban unit of government, such as a town, borough, city, or urban district, that has legal rights granted by the state through a charter. A special district is a unit of local government created to carry out a specific function, such as a school district.

A municipal government forms when a state legislature grants it permission to incorporate. Generally a community must have a certain minimum population and present petitions signed by a specific number of residents. After approval, the state issues a charter, defining the rights and powers of the municipal corporation.

The most common municipal government is the mayor-council form. The chief executive is an elected mayor, and an elected council wields legislative powers. Council members may represent individual districts or be elected by the city at large. In a strong-mayor system, the mayor has veto powers and can take many actions without council approval.

The commission form of municipal government combines executive and legislative powers in an elected commission. Each commissioner heads a specific executive department. The council-manager form of municipal government has an elected council which appoints a manager as chief executive. Most managers are trained public administrators. Managers answer to the council.

**★ SERVING LOCALITIES** \*\*\*\*\*

| SERVICES PROVIDED BY LOCAL GOVERNMENTS   |
|--|
| Provide most of the money for and make key decisions about <b>public schools</b> .   |
| Provide <b>police protection</b> , the second largest expenditure after utilities.   |
| Provide <b>fire protection</b> —either through volunteer or professional firefighters.   |
| Mandate and implement <b>zoning laws</b> to regulate land and building use. The zoning board may rule that certain districts be used only for homes or for businesses. Zoning laws allow the local government to regulate growth, preserve neighborhoods, and prevent the decrease of land values. |
| Oversee <b>water service</b> . Smaller communities may contract with private companies to supply water. Pollution or shortages may require special regulations that restrict use or limit consumption.   |
| Provide <b>sanitation services</b> . The high costs of maintaining sewage treatment plants have forced some smaller communities to contract with private companies for sewage and sanitation services.   |
| Provide and encourage the use of <b>mass transit</b> to reduce pollution and road maintenance costs.   |
| Offer <b>social services</b> . The unemployed receive cash and help finding new jobs. Public assistance provides cash to needy people and pays hospital costs for those who cannot afford medical attention.   |

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## Chapter 24 Summarycontinued

### SERVING LOCALITIES *(continued)*

A metropolitan area includes a large city, its surrounding suburbs, and possibly outlying towns. A suburb is a densely settled territory adjacent to a city. A suburb may be called a village, a town, or a city, usually with its own government.

Local governments sometimes establish special districts to provide specific services. A school district is an example. A school board sets policies, hires the superintendent, and oversees the budget. Special districts sometimes handle problems, such as sewage disposal, because they may not be subject

to the strict financial limitations that states impose on local governments.

Taxes on real property account for two-thirds of all local tax revenue. Real property includes land and buildings. The government determines how much tax is owed by assessing the market value of the property. Market value is the amount of money the owner may expect to receive if the property is sold. Other sources of revenue include income taxes, sales taxes, fees, and state and federal aid. States also permit local governments to borrow money.

### ★ CHALLENGES OF URBAN GROWTH

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When people and industries move to the suburbs, as has happened since the 1950s, inner-city neighborhoods often deteriorate. Federal urban renewal programs have replaced some existing housing with giant apartment complexes. Urban renewal projects discouraged private investment in residential construction. As a result, fewer total housing units were available in urban areas, and living costs increased.

Homelessness, crime, and drug abuse are other serious problems facing cities. Most homeless people have serious health problems, such as alcoholism, drug addiction, or mental illness. Providing care and rehabilitation for these people is another burden on already strained municipal budgets.

### MUNICIPAL GOVERNMENT FACES MORE CHALLENGES IN THE YEARS AHEAD

- In attempts to reduce budget deficits, the federal government has reduced aid to cities. Some critics have suggested that the nation should focus on promoting suburban areas and let cities solve their own problems.
- Infrastructure refers to the basic framework on which something rests. Streets, water pipes, sewers, bridges, and public buildings are part of a city's infrastructure. In older cities, the infrastructure shows severe signs of wear. Repairing it will mean huge expenditures.
- Economic development is critical in cities that have lost businesses. Some cities are trying to address this need through revitalization—large investments in new facilities that promote economic growth. Municipal leaders also offer tax incentives to attract businesses.

Urban problems can also be addressed through regional reorganization into a metropolitan government. Some believe that one government for an

entire metropolitan area could lower costs, reduce waste, and eliminate duplication of services.

**CHAPTER SUMMARY** \* \* \* \* \* **CHAPTER 24** \* \* \*

## Structure and Function of Local Government

★ **DIRECTIONS** In the space provided, write the word or phrase that best completes each of the following sentences.

- Local governments are entirely dependent on the \_\_\_\_\_ that establishes them.
- A county \_\_\_\_\_ usually governs a county, making decisions concerning the county budget, taxes, and zoning codes.
- In some states, the primary functions of \_\_\_\_\_ government are road construction and maintenance; in others, they provide a wide range of services.
- A \_\_\_\_\_ is an urban unit of government—a town, borough, or city—that is chartered by the state.
- In a mayor-council form of government, the mayor has \_\_\_\_\_ powers, and the council wields \_\_\_\_\_ powers.
- The \_\_\_\_\_ board may rule that certain districts can be used only for homes.
- A \_\_\_\_\_ area includes a large city, its suburbs, and possibly outlying communities.
- \_\_\_\_\_ refers to the basic framework of a city, such as streets, water pipes, sewers, bridges, and public buildings.
- Some cities are trying to develop new businesses through \_\_\_\_\_—large investments in new facilities that promote economic growth.

**Organizing Information** Write the characteristics associated with local government departments beside the appropriate department.

| FUNCTIONS OF LOCAL GOVERNMENT |                 |
|-------------------------------|-----------------|
| Department                    | Characteristics |
| Fire protection               |                 |
| Zoning                        |                 |
| Water service                 |                 |
| Sewage and sanitation         |                 |
| Mass transit                  |                 |

- controls pollution and shortages
- encourages use of subways, trains, and buses
- volunteers serve in small towns
- preserves neighborhoods and regulates growth
- treatment plants are expensive

**Critical Thinking** Answer the following question on a separate sheet of paper.

- What do you think is the most important challenge facing municipal governments? Explain.