

State and Local Governments

Daniel J. Mallinson

School of Public Affairs
Penn State Harrisburg
mallinson@psu.edu

PLSC 1

Road map

- Why states are important
- Gridlock, Preemption, and ALEC
- Politicization of Attorneys General

Question

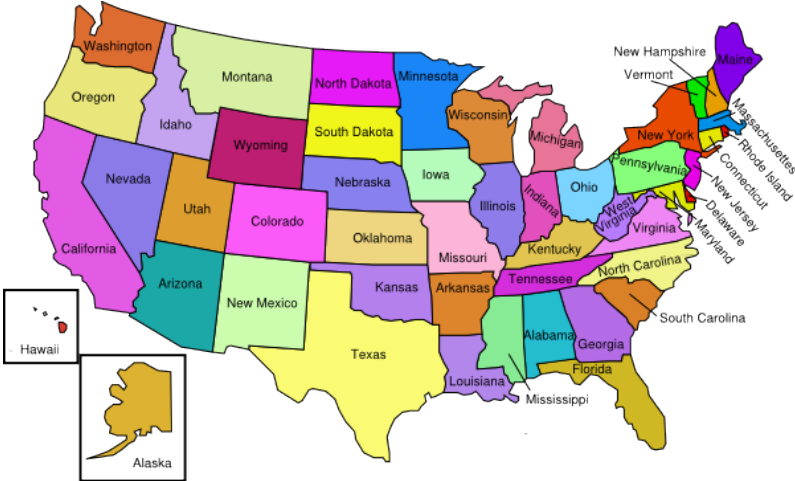
What topics have we not covered that you would like to talk about the final week of class?

Question

What state are you from?

Question

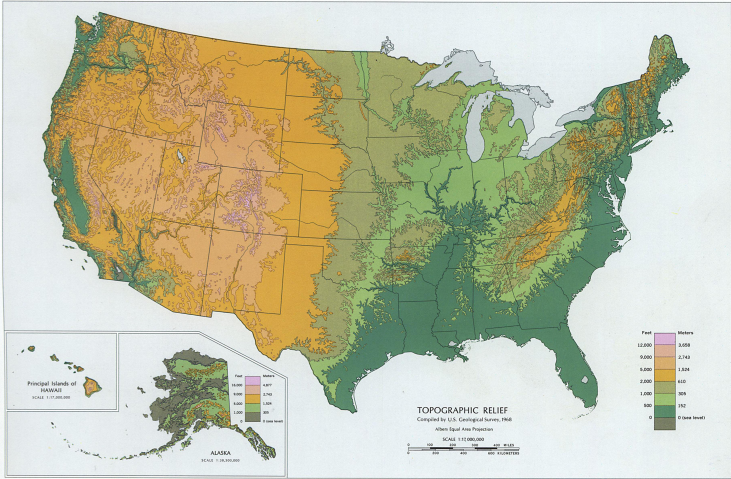
What is Interesting About Your State?



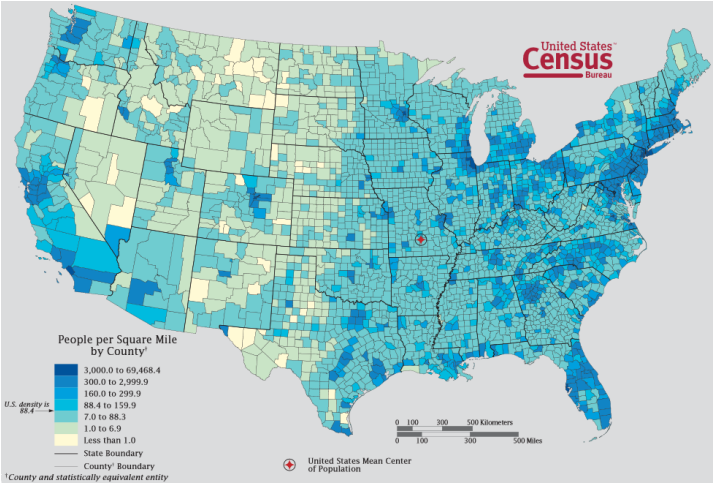
Brainstorm

Your task: I want you to think (and write down) how variation in each of the following state characteristics might affect their politics: geography, population density, racial/ethnic composition, religion, and economics

Geography and History



Population Density



Racial/Ethnic Composition

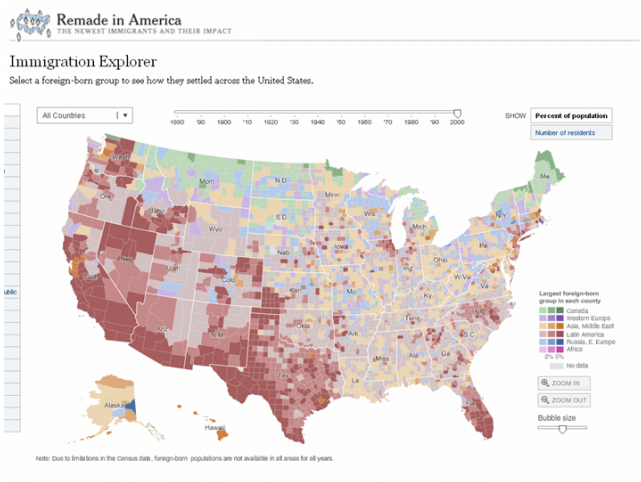
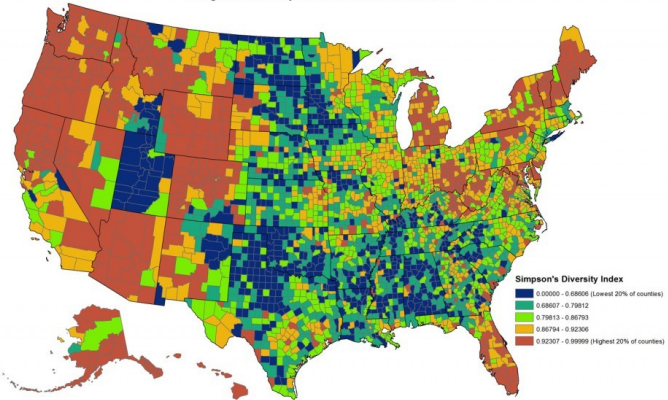


Figure: New York Times Immigration Explorer

Religion

Religious Diversity in the United States, 2010

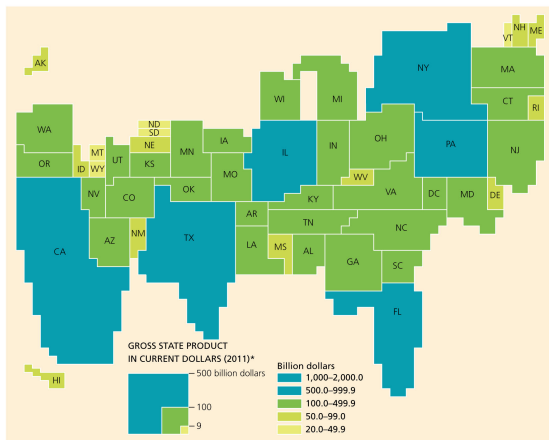


This map uses Simpson's Diversity Index to measure the likelihood of two individuals in the same county belonging to different religious groups based on the following groupings: Latter-day Saints, Catholic, Protestant, Other Christian (primarily Orthodox Christian churches), Islam, Jewish, or Other Religions. The high proportion of Protestants in the central states and the high proportion of Latter-day Saints in the mountain west create areas of low religious diversity. Greater diversity is found where many groups are at least moderately large or equally small, such as in many western states or northern New England.

Economics

MAP 1-3

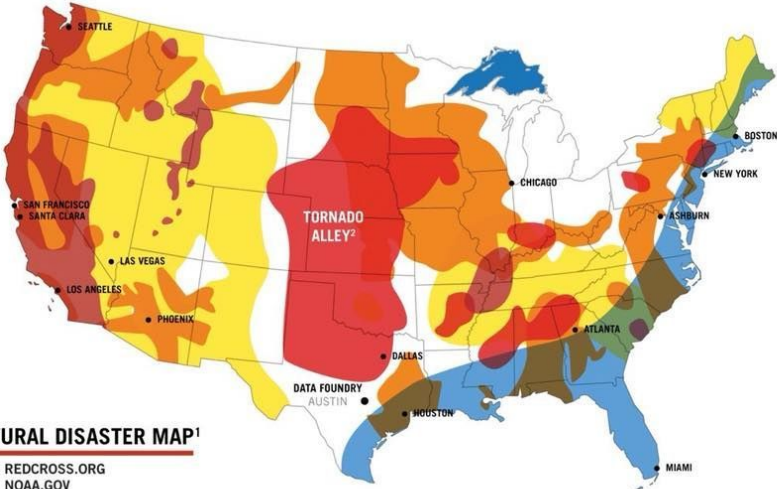
Economy by State



The relative size of state economies is measured in terms of gross state product. Notice how big states with small economies (Montana and Alaska) compare to small states with big economies (New Jersey and Massachusetts).

Source: U.S. Bureau of Economic Analysis, "Gross Domestic Product by State (millions of current dollars)—All Industry Total, 2011." <http://bea.gov/Table/1Table.cfm?reqid=99&step=1>.

Natural Disasters



US NATURAL DISASTER MAP¹

¹SOURCE: REDCROSS.ORG

²SOURCE: NOAA.GOV

- EARTHQUAKES (MODERATE RISK)
- EARTHQUAKES (HIGH RISK)
- FLOODS
- HURRICANES
- TORNADOES

Institutions

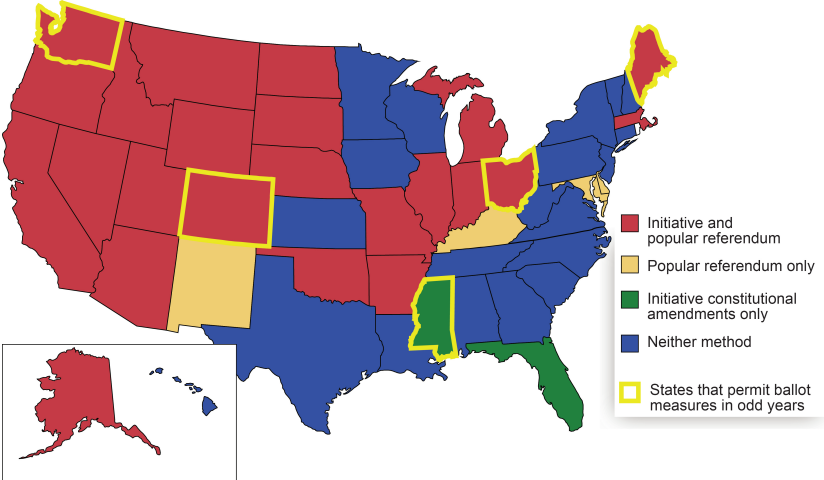


Figure: Link

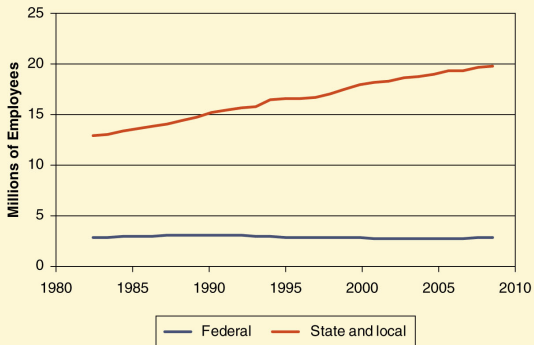
Question

What do states do? What are they in charge of?

Growth in Government?

FIGURE 2.2

Government Employment, 1982-2009



Source: U.S. Census Bureau, Governments Division, "Federal, State, and Local Governments, Public Employment and Payroll Data," May 2011.

Federalism and Government Growth

TABLE 2.1		Number of Governments in the United States							
Type of government	1952	1962	1972	1982	1992	2002	2007	2012	
Federal	1	1	1	1	1	1	1	1	
State	50	50	50	50	50	50	50	50	
Local	116,756	91,186	78,218	81,780	84,955	87,525	89,476	89,004	
Total units	116,807	91,237	78,269	81,831	85,006	87,576	89,527	89,055	
Type of local government									
County	3,052	3,043	3,044	3,041	3,043	3,034	3,033	3,031	
Municipal	16,807	18,000	18,517	19,076	19,279	19,429	19,492	19,522	
Township and town	17,202	17,142	16,991	16,734	16,656	16,504	16,519	16,364	
School district	67,355	34,678	15,781	14,851	14,422	13,506	13,051	12,884	
Special district	12,340	18,323	23,885	28,078	31,555	35,052	37,381	37,203	
Source: U.S. Census Bureau, <i>2012 Census of Governments</i> , http://www.census.gov//govs/cog2012 .									

Federalism and Government Function

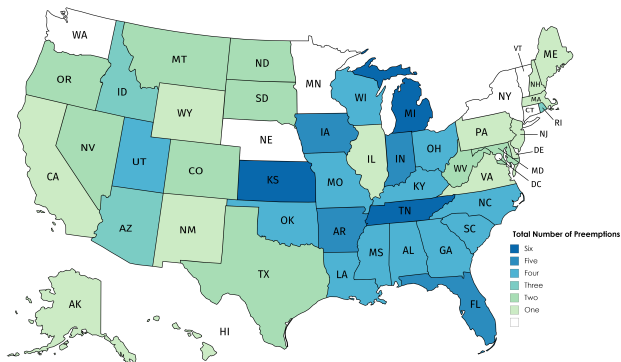
TABLE 2.2

Concentration of Government Spending

Level of Government with Primary Responsibility			
Federal	State	Local	Mixed responsibility
Defense	Higher education	Elementary education	Health
Postal service	Welfare	Libraries	Hospitals
Space	Highways	Police	
Veterans' services	Corrections	Fire	
Natural resources and environment	Inspections	Parks	
Social Security	Liquor stores	Housing and community development	
Homeland security		Sanitation	
		Utilities	

Note: "Primary responsibility" means accounting for more than 50 percent of direct government spending for the function.

Trend in State Preemption



Created with mapchart.net

Minimum wage, fair scheduling, project labor agreements, prevailing wage, paid leave, gig economy

City-State Conflict

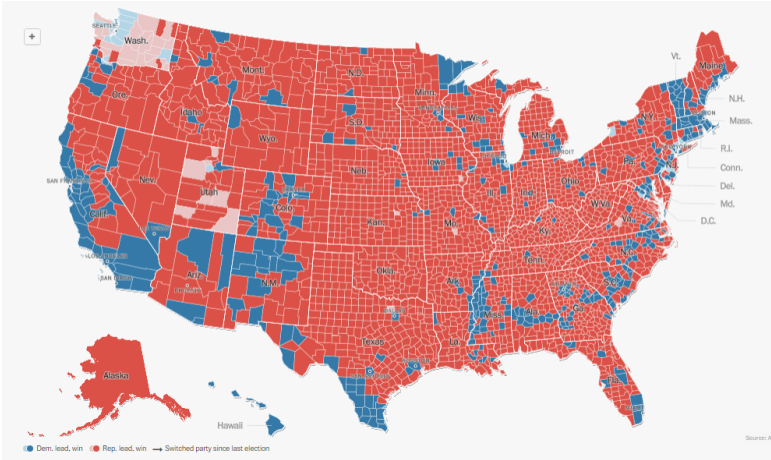


Figure: Jacobson 2016

Ceiling vs. floor; weaponized preemption

Question

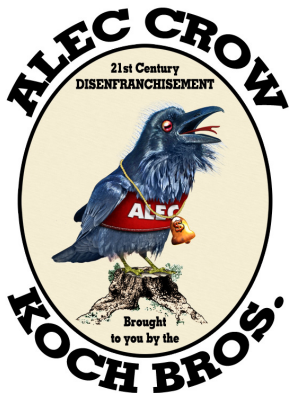
Is preemption appropriate? What are the benefits of local differences vs. state uniformity

Video - ALEC

<https://youtu.be/aIMgfBZrrZ8>

ALEC - Preemption

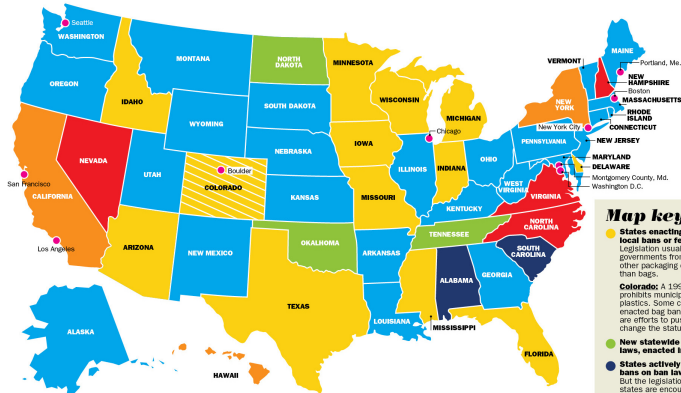
- Firearm Regulation
- Fracking Bans
- Sanctuary Cities
- Stand Your Ground
- GMO Bans



Big Oil, Big Pharma, the Scate family Allegheny Foundation, the Coors family Castle Rock Foundation, and more.

DakotaHart

Beauty and Challenge of Federalism



States divided over banning plastic bags

Legislation dealing with other single-use plastics and foam on the rise as well

Sources: American Progressive Bag Alliance, The Colorado Sun, National Caucus of Environmental Legislators
Plastics News graphic by Jessica Jordan

North Dakota, Oklahoma and Tennessee all passed state laws this year preventing their local governments from enacting bans or fees on containers and plastic packaging, including bags. These states are not the only ones debating plastic bans, and increasingly, states are including legislation dealing with issues beyond single-use plastic bags, by including straws and polystyrene foam. The National Caucus of Environmental Legislators say 34 states are considering over 200 pieces of legislation dealing with plastic pollution.

Washington state considered a statewide plastic bag ban in 2019 and passed in the state's Senate. But the legislature adjourned April 28 without passing it for the year. It could be introduced in 2020. Vermont and Massachusetts are also deliberating over legislation restricting plastic bags and other packaging.

In Minnesota, there's an effort to repeal the ban on bans that the state legislature passed in 2017.

Map key

- **States enacting statewide bans on local bans or fees on plastic bags.** Legislation usually also bans local governments from banning or taxing other packaging containers other than bags.
- **Colorado:** A 1993 Colorado statute prohibits municipalities from banning plastics. Some cities like Boulder have enacted bag bans anyway, and there are efforts to push politicians to change the statute.
- **New statewide bans on ban laws, enacted in 2019.**
- **States actively debating bans on ban laws in 2019.** But the legislation in these states are encountering sizable resistance from mayors and city governments.
- **Statewide bans on plastic bags.** Hawaii is a de facto statewide ban, because all of its counties have separate bans.
- **APBA's highlighted Dillon Rule states**
The American Progressive Bag Alliance highlighted states where municipalities are prohibited from passing legislation without authorization from state governments. It's very difficult for cities in Dillon Rule states to adopt bans or fees.
- **Cities with plastic bag bans and/or fees.**

Mike Bost



Mike Bost

<https://www.youtube.com/watch?v=PhbRcDZiJJc>

Mike Bost

<https://bost.house.gov>

Politicization of State Attorneys General

- Top Law Enforcement Officer
- Stepping Stone to Governor
- Federal Lawsuits
 - ACA
 - Tax Reform
 - Child Separation
 - DACA
 - Citizenship on Census
 - Travel Ban



Figure: Mamula 2019

Video - State AGs

<https://youtu.be/UpdMYOtAmKY>

Video

One last fun video <https://youtu.be/81FJoGRZ17w>