

EXPLORING HOME RULE AUTHORITY: AN ASSESSMENT OF THE
IMPETUSES BEHIND BROAD GRANTS OF LOCAL POWER

Katherine J. Lloyd

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Margaret R. Ferguson, Ph.D., Chair

Ramla M. Bandele, Ph.D.

Master's Thesis
Committee

Johnny Goldfinger, Ph.D.

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INTRODUCTION

The fundamental question in this home-rule proposition is this: Shall we continue the American policy from which we have been trying to get away, in our academic discussions at least, for the past twenty years, of considering that municipalities have only those rights which are, specifically expressed in their charters, granted by the legislature; or shall we reverse that process and give to cities, by a broad grant of general power, applicable alike to cities which frame their own charters and to other cities, the right to control their local affairs?

- D.E. Wilcox, "Home Rule for Cities," 1915

On Tuesday, November 4, 2008 the positions of nine township assessors in Marion County, Indiana were eliminated by a majority vote of county residents. The vote was expected. In the year proceeding, news articles, propaganda, and public outcries demanding an end to inefficient overspending by local governments were widespread in the area. County voters sought to save money by streamlining what they perceived were the redundant functions of their county and township assessors' offices. Nine township assessors are now out of work (but still being paid), and the majority of voters in Marion County are eagerly awaiting their lighter taxpaying load. As government spending often has it, they may be waiting a long time.

The elimination of township assessors in Indiana was part of broader streamlining recommendations by the Indiana Commission on Local Government Reform, created in 2007 on a proposal from Indiana Governor Mitch Daniels. After a recent property tax crisis brought into question the excessive spending patterns of Indiana's counties and municipalities, Governor Daniels collaborated with former Governor Joseph Kernan, Indiana Supreme Court Chief Justice Randall Shepard, and Indiana University's Center

for Urban Policy and the Environment to research ways in which local government structures could be made to run more efficiently so that local government expenditures could be substantially reduced. In December 2007, the Commission released the Kernan-Shepard Report, a compilation of twenty-seven recommendations on local government reform. Among other proposals, the report suggested that Indiana work to establish a single, elected chief executive in each of its counties and that this executive assume the responsibility for administering duties currently carried out by the county assessor, treasurer, auditor, recorder, surveyor, sheriff, and coroner (Indiana Commission on Local Government Reform, 2007). The report suggested further that the responsibility for administering the duties of township government, including assessment, EMS and fire services, and relief for the poor, should also be assumed by the chief, county executive (Indiana Commission on Local Government Reform, 2007). The Commission also recommended that school districts, libraries, and other special districts be created large enough to provide adequate service to Indiana citizens and to uphold fiscal accountability (Indiana Commission on Local Government Reform, 2007). Additionally, the State would do well, the Commission proposed, to eliminate separate, municipal elections and replace them with a unified election cycle—this, too, for cost savings, accountability, and efficiency (Indiana Commission on Local Government Reform, 2007).

The 2007 Kernan-Shepard report and the 2008 elimination of township assessors by the voters of Marion County is a recent illustration of one of the most salient features of state/local dynamics. At the outset, the action of the Governor, Commission, and voters seems a simple matter of taxpayer savings and common sense reductions in the overlapping responsibilities of local governing bodies. Beneath the pragmatism, however,

is a very real example of the more complex, incessant struggle between states and their localities over who is ultimately responsible for local government: the locality itself or the state in which it resides. Across the country, local governments are constantly at odds with their states over the degree of local governing discretion afforded them. Though subtle, the debate is a fiery one and is daily played out in courtrooms, city council meetings, and state legislative sessions from the east coast to the west.

In the example provided, for instance, one might wonder if the state-sponsored commission would have compiled the same report had the commission included within its ranks local township officials. And would Marion County voters have turned the same outcome were they influenced by recommendations from a commission that included township experts? In fact, was the state considering the local effects of its report when, in the name of streamlining, it recommended eradicating the positions of township assessors? These assessors were familiar faces in their neighborhoods and were entrusted with a working knowledge of its businesses, schools, and culture. Was the commission considering the local implications of replacing these assessors with one county assessor who is then responsible for every township? The much broader responsibilities of this one office seems to necessitate a far more removed, limited knowledge of the streets, businesses, schools, and culture in each of the townships.

Or was it simply good government on the part of the state to pursue efficiency and savings regardless of local desires, which are often stuck in tradition and stubbornly wary of change? Isn't it judicious expertise that encourages one to broaden his horizons and rise above narrow-minded, local nostalgia so that he can finally understand the greater financial pay-offs his broad logic will afford him? In the end, the voters of Marion

County seem to have agreed with the state: efficiency over familiarity. Cost-savings over local spending and small government over big.

Is this illustration an outlier? Are the voters of Marion County unique to the country? One might naturally wonder if state/local contentions over local autonomy are really that different from state to state. Voters in any other state and within any other county might have voted similarly to those in Marion County. Might they have? Would voters in rural counties of North Dakota also have voted to eliminate their township assessors, most of whom were personally known to them? Or would states with strongly conservative ideologies, such as Alaska, have commissioned a group of experts to study the matter in the first place? One could guess that voters in states with rather large cities, such as New York, would have likely sided with the voters of Marion County. Why pay the county and any of its townships for the exact same work? Would voters in Miami-Dade County, Florida have thought the same? The point is: the decision probably would not be the same in all fifty states. The interesting question is “why”? Because of varying characteristics, states are likely to approach local government very differently. Living in a country with fifty states and innumerable local governments which provide us an excellent means of comparison, we must then ask the question: is there something specific to Indiana that led to its 2008 decision to eliminate the township assessors in its most populous county? Or is this a universal phenomenon? Broadly speaking, what are the specific characteristics that predict that a state will enhance or eliminate local autonomy?

This question and the ongoing struggle for power between state and local governments is the focus of this paper. Specifically, the question is posed: what is home

rule authority, or local governing discretion, and what makes a state more likely to allow its local governments broader home rule policies? Though the term “home rule” has fallen out of use since the 1980s and been replaced with phrases such as “local governing discretion,” “local autonomy,” or “local self-government,” the term is utilized in this paper because it better connotes the history of local self government in this country. Its history adds much to its meaning and is necessary for a more thorough understanding of its empirical application. This paper will address both history and empiricism. The first chapter briefly discusses the debate surrounding broad home rule policies. The second chapter explores the historical struggle for home rule authority. The third provides additional case studies of state/local struggles over local autonomy and describes the need for state-to-state comparative analysis. The fourth chapter adds to the sparse research on home rule to create a theoretical framework explaining why home rule policies may be different from state to state. The fifth, sixth, and seventh chapters are committed to data-testing, analysis of findings, and the paper’s conclusion.

CHAPTER ONE: THE HOME RULE DEBATE

The struggle over home rule began during the mid nineteenth century and increased in intensity toward the turn of the century as local governments grew substantially in size and number. Governing responsibilities naturally followed suit, increasing alongside local populations, wealth, and expansions of infrastructure. It wasn't long before these increasing responsibilities became recurring issues of debate on state legislative floors throughout the country. State and local governments were at odds over which responsibilities belonged to the state and which to the blooming metropolises. State legislatures fought for control over the localities, often to reap the fiscal benefits of their growing wealth. At the same time, rural Populist reformers and later the more urban Progressives, distrustful and wary of state interference in their towns and cities, fought vehemently for more self-government. The reformers were committed to what they perceived was the political wholesomeness of their rural and blue-collar lives. Most understood the value of a dollar and a day's hard labor. So grounded, they sought freedom from what they felt was the greedy oversight of state political bosses. They desired enough autonomy to make decisions that were best for their communities and without selfish motives. Theirs, then, was a fight for greater "home rule" (Krane et al., 2001). Because of their efforts and the widespread distribution of political propaganda, the term "home rule" became a common household phrase during that era. In fact, most of the local government amendments added to state constitutions during this time period are commonly referred to as home rule amendments.

Proponents of home rule or local autonomy today still adhere to many of the same tenets of their Populist and Progressive predecessors. Their argument is that local autonomy is necessary for “promoting responsive and participatory government by bringing the government closer to the people, fostering diversity and experimentation by increasing the fora for expressing policy choices and creating a competition for a mobile citizenry, and providing a check against tyranny by diffusing power that would otherwise be concentrated” (Barron, 2001, p.378). Seeking freedom from state interference and enough autonomy for local self-determination, they believe that local government is most efficient when allowed to creatively address local concerns using means suited to their unique circumstances. Local governments that must submit to standardized state regulations (many times without necessary funding) have little recourse but to exhaust the limited fiscal resources they already have. In fact, many localities today, as proponents argue, create special district governments simply to circumvent the fiscal limitations imposed by states (McCabe, 1997). Increases in special district governments, of course, necessitate increases in local government spending. Home rule advocates assert that this waste of resources would be easily avoided if states simply allowed their localities more fiscal freedom.

Opponents of home rule authority are numerous and varied. Some take issue with the fiscal argument asserting that degrees of local autonomy have a significant bearing on interstate variations in number of special district governments (Carr, 2006). They assert that local governments have plenty of tools at their disposal to adequately adapt to fiscal limitations imposed on them by state legislatures and that any argument to the contrary is neither reliable nor valid (Lewis, 2000). Others argue against home rule on social

grounds asserting that increases in local autonomy merely lead to increases in local inequality. Clearly, poorer communities without help from state government are likely to collapse under broader home rule policies while wealthier communities are likely to thrive (Pagano, 1990). Additional arguments are made that broader home rule policies will inevitably lead to isolationist behavior. Suburban areas, for example, may opt to incorporate themselves out of paying for schools, welfare programs, and urban renewal projects in urban centers (Schaller, 1961). Most suburbs are not interested in financially supporting homeless populations, schools, and dilapidated neighborhoods they rarely encounter. Home rule, via incorporation, provides them a means of avoiding these fiscal obligations.

This paper does not attempt to prove or disprove arguments in support of or against local autonomy. While the author believes there is substance to arguments for broader home rule policy and this preference may find itself weaved throughout her work, this is not the focus of this research. Instead, the present debate over home rule is important to understanding home rule theory and is therefore imperative to addressing the paper's primary question: what variables predict broader home rule freedoms? Whether broader freedoms are "good" or "bad" for local government is not the issue here. The intent is to discover which states practice home rule broadly, why they do so, and what this means for state/local struggles over local autonomy. A brief look at the history of home rule in the fifty states sets the background for these questions.

CHAPTER TWO: HISTORY OF HOME RULE

The state/local tension over local autonomy is long standing, commencing early in the nineteenth century and continuing to present. Judicial involvement in the matter began as early as 1819 when, in *Trustees of Dartmouth College v. Woodward*, the U.S. Supreme Court prohibited states from impairing the obligation of corporate contracts (Krane et al., 2001). To make its ruling clear, the Court distinguished between private corporations and public, asserting that its decision pertained only to the former. Thus, the Court left to states the freedom to impair any contract, including municipal charters, states might make with public corporations, meaning towns, cities, and other public institutions (Krane et al., 2001). At its extreme then, the ruling allowed a state, if it so willed, to legislate a municipality out of existence.

One of the most well-known decisions regarding state/local authority came nearly fifty years later. In 1868, to end any confusion over state/local responsibilities in Iowa and to set a precedent for state legislatures across the country, Chief Justice of the Iowa Supreme Court John F. Dillon, in *City of Clinton v. Cedar Rapids and Missouri River Railroad Co.*, called for the plenary sovereignty of state governments over local matters and the absolute subordination of local governments to state authority (Krane et al., 2001). He declared:

Municipal corporations owe their origin to, and derive their powers and rights wholly from, the legislature. It breathes into them the breath of life without which they cannot exist. As it creates so it may destroy....Unless there is some constitutional limitation on the right, the legislature might, by a single act, if we can suppose it capable of so great a folly and so great a wrong, sweep from existence all of the municipal corporations of the state, and the corporations could not prevent it...They are, so to phrase it,

the mere tenants at will of the legislature (*City of Clinton v. Cedar Rapids and Missouri River Railroad Co.*, 1868).

What thereafter became known as “Dillon’s Rule” emboldened state legislatures. To most local governments, however, the decision was one that “acknowledge[d], support[ed], and legitimize[d] the intellectual construct of a unitary, centralized sovereign endowed with the arbitrary and despotic power of Uranus over his children” (Libonati, 1988, p.112). In nearly every state since, local communities seeking greater autonomy have had to contend with legislative applications of the 1868 ruling, being required to prove why a state with sovereign authority should imbue local entities with governing autonomy or, in some cases, with any powers at all.

The 1868 Iowa case and the state-as-sovereign mindset that followed in the years after allowed for numerous instances of state interference in local affairs. Special interest legislation cropped up in state legislatures across the country. Local wealth and growing resources were exploited for the benefit of the state or, in some cases, a single legislator. In many states, city councils and local state legislative delegations, instead of working together for the benefit of their constituents, were in competition for grants of special privilege (Krane et al., 2001). In other states, these groups collaborated underhandedly for local privileges and monetary payoffs (Krane et al., 2001). At their most corrupt, state legislatures created or destroyed municipal charters as a means to avoid accumulated debt and awarded utility franchises to legislators as patronage for public service (Krane et al., 2001). Moreover, the “ripper laws” of this time period gave state-appointed officials control over municipal activities which otherwise would have been administered by local officials (Krane et al., 2001). New York, for example, passed a series of ripper laws in 1857 that transferred several principal parts of the government of New York City to state-

appointed commissions (Krane et al., 2001). The creation of the Metropolitan Police District out of this legislation resulted in several riots and protests among New York City residents (Krane et al., 2001).

In response to abuses by special interest laws, reformers sought to change the way the state addressed local affairs. They began encouraging states to enact systems of municipal classification. Via these statutes, all laws applying to a city of a certain size applied to all cities of that same size. In other words, first-class cities might be all cities with over 200,000 residents; second-class, all cities with 50,000-199,999 residents; and third class, all towns and villages with under 50,000 residents. Where the state might have once provided a tax break for a specific city, it now was required to provide tax breaks for all cities of that class size. Special interests were no longer very special and underhanded corruption began losing appeal.

In spite of the new system, however, local privilege legislation continued. In most states, the largest few cities were purposely placed in classification brackets of their own. Laws applying to all first or second class cities actually applied to only one or two. As an example, the 1969 Unigov law in Indiana which merged the city and county governments of Indianapolis was written for all first class cities. Under Indiana law, all first-class cities are those with over 250,000 residents. In statute the law applies to all such cities; in practice it applies to only one, namely Indianapolis. In this way, many legislatures skirted the original intent of classification statutes and continued passing special interest laws.

To counter the actions of states legislatures, reformers began calling for the development of home rule charters (Teaford, 1984). The purposes of these charters were threefold: “ (1) to prevent [state] legislative interference with local government, (2) to

enable cities [and counties] to adopt the kind of government they desire, and (3) to provide cities [and counties] with sufficient powers to meet the increasing needs for local services” (American Municipal Association, pp.136-137). Though these charters would ultimately have to be approved by state legislatures, they were to be drafted by locally appointed commissions and then submitted to the municipality’s legislative body for approval (Teaford, 1984). Once approved, any amendments to the charter would have to be accepted by the eligible electorate (Teaford, 1984). The charters thus necessitated the active involvement of local communities in their once state-determined fate. Through this process, reformers hoped to win for municipalities the autonomy necessary to act in the best interest of their affairs and to end the special interest abuse in state legislatures (Teaford, 1984).

As localities continued to grow, Populist/Progressive influences heightened, and home rule charters were popularized, state legislatures could no longer ignore the local call for greater autonomy. Slowly, states began drafting and adopting constitutional home rule amendments. In 1875, Missouri became the first state to adopt such a provision (Teaford, 1984). California, Washington, and Minnesota followed in the late 1800s (Teaford, 1984). In 1910, with pressure from Progressives and vigorous voter support, Ohio called a constitutional convention to consider several amendments to its constitution, home rule among them. Two years later, voters approved the home rule amendment, and in September 1912, it was adopted into the state’s constitution. New York in 1963 adopted a home rule amendment that included a bill of rights for local governments (“Home Rule and the New York Constitution,” 1966). And the First Class City Home Rule Act of 1949 in Pennsylvania authorized the framing and adoption of a

charter by the city of Philadelphia (H.L., 1957). Today, forty-eight states have one form of home rule authority or another, some granted by their constitutions and others by general law. Though the majority of these provisions adhere to Dillon's Rule, ensuring that local governments remain subject to state laws and any regulations the state wishes to impose, these new amendments provide local governments most of the freedoms necessary for self-government, specifically the framing and adopting of their own charters (H.L., 1957).

After the firm establishment of home rule provisions in most of the fifty states, home rule authority became a researchable idea. In 1959, understanding that the home rule debate had become an indelible part of the state/local dynamic, the United States Congress created the U.S. Advisory Commission on Intergovernmental Relations. In November 1981, after several years of research, the group released a report detailing its work on the measurement of home rule authority or "local discretionary authority" in each of the fifty states. The commission conceptualized the concept as "the power of local government to conduct its own affairs—including specifically the power to determine its own organization, the functions it performs, its taxing and borrowing authority, and the numbers, types, and employment conditions of its personnel" (ACIR, 1981). Home rule, according to the commission, was a compilation of the *structural* (its organization), *functional* (its performed functions), *fiscal* (its taxing and borrowing authority), and *administrative* (its personnel issues) authority granted localities by their respective states.

This 1981 conceptualization of home rule authority has remained with it to present. Most studies researching the issue utilize the ACIR's four dimensional approach.

Though allowing for empirical research, this definition has also added to the subject's complexity. With four distinct dimensions, home rule according to the ACIR can play a very different role from one state to the next. To be sure, one state might grant its local governments structural home rule but very limited functional home rule. A state with very limited fiscal home rule authority (which is currently the case for the majority of states) might have broad administrative home rule powers. So defined, home rule is not a singular concept with a singular application. It is a multi-dimensional concept with as many applications. It is easy to understand, then, why these dimensions of home rule authority and their applied variations in localities as different from one another as San Diego, California from Hicksville, Ohio make its study difficult. Specific difficulties in research will be addressed later in the paper.

CHAPTER THREE: PRESENT DAY EXAMPLES OF HOME RULE

That states today differ in degrees and dimensions of local autonomy and that this difference is important to assessing the state/local dynamics of each is easily argued. New York is an interesting case study and perhaps one of the most researched. New York exercises tight fiscal and personnel limitations on its local governments while granting them broad structural autonomy (Zimmerman, 1983). The limited fiscal autonomy afforded local governments is due ironically to the state's outstanding financial generosity. New York is one of the country's most generous states in local financial aid, but it is quick to check this generosity by imposing strict fiscal regulations on how local governments can spend their monies (Zimmerman, 1983). The fiscal crises of the 1970s instigated by the overspending and borrowing of local governments led the state to further tighten these reigns over local fiscal autonomy (Zimmerman, 1983).

In spite of these financial restrictions, the structural autonomy currently granted local governments by the state remains rather liberal. New York as the seat of New York City, one of the most populous urban centers in the country, is in an unusual situation. To address the multiple demands its growth initiates, from infrastructure to sustainability, New York City must have a great deal of structural freedoms. It must have the autonomy to create government structures where there is need to do so. Aware of the city's influence in the state legislature, legislators are quickly convinced of the importance of local structural autonomy.

A look at a 1990 event in Florida reveals a different approach to local autonomy and begs another interesting question. In November 1990, Florida voters approved

Proposition Three, a proposition to end unfunded state mandates imposed on local governments. While this act seemed to reveal popular support for local governments at the time, the vote was apparently less for local autonomy and more against state government (MacManus, 1990). Voters disliked what they perceived was the irresponsible spending of local governments, but they detested what they perceived was a corrupt state legislature and unrealistic fiscal expectations for local governments (MacManus, 1990). It appeared that the Florida voters were more likely to side with local governments when the issue of unfunded mandates was in question (MacManus, 1990). One wonders why this was the case, especially considering that at the time the state granted its local governments relatively broad fiscal freedoms (Hill, 1978). Even so, Florida, in contrast to New York, is far more restrictive in the structural autonomy it affords its local governments. One might wonder if this difference has played a role in Florida's state/local dynamic and why its residents perceive state government so negatively.

Georgia proves still more interesting in that home rule for its municipalities is granted legislatively in the Municipal Home Rule Act of 1965 (Sentell, 1970). Home rule for its counties, on the other hand, is granted via a constitutional amendment ratified by voters in 1966 (Sentell, 1970). What this means for Georgia's local governments is that counties are faced with far fewer legislative restrictions on their structural and functional autonomy than Georgia's municipalities (Sentell, 1970). The state has thus created a situation in which cities and counties, rather than governing cooperatively, are consistently at odds with one another and often in competition. Greater uniformity in Georgia's home rule policies might alleviate some of this competition. Still, one is left

wondering why Georgia approaches its municipalities in a more restrictive manner than New York, though it, too, is home to a municipality of considerable size and influence.

A final example from California adds still more complexity to studies of home rule. Jeffrey Chapman conducted a study in 2003 to determine if California's local governments, specifically its counties, had enough local autonomy to adequately adapt to Proposition 13, a local government tax cut passed somewhat unexpectedly in 1978. The measure added a great deal of fiscal stress to California's local governments, who were already financially strapped at the time (Chapman, 2003). What Chapman (2003) found was not surprising. Counties were able to maintain relative stability in spite of the tax cut because they had enough structural and functional autonomy to implement new, creative revenue-generating activities including land development and the use of community facilities district debt or COPs (Chapman, 2003). Would the counties have been able to adjust so readily to Proposition 13 if their home rule autonomy were less broad? If such a measure was passed in Georgia, where counties would have had the autonomy to creatively react but municipalities would have been tightly regulated, would the local outcome have been different? Would Georgia's very limited municipal autonomy leave its municipalities struggling for income while county budgets remained balanced? What would this mean for city/county relationships?

Home rule authority, in spite of its recurrent and divisive application in the states, is not widely studied. Few scholarly papers exist on the topic today and the term has fallen out of use in political and academic circles. The subject often seems like an ancient secret far too removed from present realities to confidently debate or discuss. And it may

be. Confusion has made it clandestine. The examples provided above reveal the subject's complexity and diversity, both of which make any comparative study on it very complicated. As stated, home rule policies and their applications differ from state to state because local government structures, functions, finances, and personnel vary so much from state to state. And this difference is likely explained not by one, easily-defined variable but by several, multifaceted variables. It is easy understand, then, why few academicians and even fewer in the general populace know quite what home rule means or why it matters. Even those who have a slight understanding of the topic disagree on its meaning and often use it to explain very different political phenomena.

What follows is an attempt at conducting such a comparative analysis. First discussed are a few existing theories on local autonomy. However, because comparative studies on home rule are very limited, most of the chapter provides an innovative look at the impetuses of broad home rule in the fifty states. Again, the purpose is to explain why some states are more likely to adopt broad home rule policies. A discussion follows.

CHAPTER FOUR: THEORY BUILDING

While the extant research does not fully explain the variation in state home rule provisions it does point to some potentially important variables. Gordon Clark (1984) posited a theory identifying two principles of local autonomy: immunity and initiative. He suggested that local governments can exercise autonomy insofar as they are “immune” or free from state limitations and/or are free to initiate their own decision-making powers. Isaiah Berlin (1969) proffered as much several years earlier in *Two Concepts of Liberty*, his work on negative and positive liberty. Like Clark (1984), he distinguished between two types of freedoms: the freedom *from* external or internal controls, or negative liberty, and the freedom *to* determine one’s own destiny, or positive liberty. Though Berlin’s works did not specifically address the governing relations between state and local governments, his ideas can be applied.

Using the two principles of autonomy, Clark (1984) classified four ideal types of local autonomy, suggesting that local governments can be characterized as having: both initiative and immunity, initiative but no immunity, immunity but no initiative, and no initiative and no immunity. These could also be typified in terms of negative and positive freedoms (i.e. having both negative and positive freedom, negative freedom but not positive freedom, etc.). All four types of local autonomy are apparent in what Clark referred to as the “two basic classes of home-rule provisions” (p.203). These classes, according to Clark (1984), are based either on the *imperium in imperio* (imperio) model or the National League of Cities (NLC) model. The imperio model, the older of the two, was initially exemplified in Missouri’s 1875 home rule provision. In this model, local

governments are allotted a specific “municipal sphere” in which they can exercise some initiative and are provided some immunity (Clark, 1984). The NLC model, on the other hand, demands far more initiative for local governments, requesting they be allowed to exercise all delegable powers (Clark, 1984). Of course, if there be reason (or even no reason), the state has the authority at any time to legislate these powers back (Clark, 1984).

Clark’s theory is helpful in clarifying the complexities of home rule authority in the fifty states. His local autonomy typology, however, does not help in explaining why one state may differ from another in the breadth of its home rule policies. Indianapolis might have initiative but no immunity. And New York City might have both initiative and immunity. But these classifications, without testable definitions, cannot systematically be compared. They are merely groupings. To address the paper’s primary question, one must ask: What are the specific variables that lead to broader local autonomy in New York (for example) and how do these differ from the same variables in Indiana? These questions are now explored.

The number of people living in a state’s urban centers or metropolitan areas is the most obvious characteristic related to a state’s adoption of broad home rule policies. The greater the number of people living in metropolitan areas, the greater the need for local autonomy, or the freedoms necessary for meeting increasing demands. New York is a clear example. The population that New York City supports demands a very adaptable government structure. New, executive offices must be created quickly or old ones must adjust when inclement weather leaves roads rife with potholes. When the public transportation system no longer sustains the given population, the old one must expand or

a new one built. Growing concern for environmental health requires extensive, innovative programs and the autonomy necessary to implement them. Permits and licensing departments must be able to adjust to increases in applications, and fire, police, and EMS departments must continually redraw districts or add new personnel to keep old ones efficient. State legislators are thus faced with one of two options: to clog their assemblies with city-specific legislation addressing these demands (while also grappling with the many challenges facing the state as a whole) or to allow New York City enough autonomy to adequately respond to its own challenges. New York state lawmakers consistently choose the former.

V.L. Marando and M.M. Reeves (1993) utilized this same variable when attempting to explain the impetuses behind county structural reform. They hypothesized that population size and population growth were positively related to county structural reform, or reform specific to a county's charter government, elected executives, and appointed administrators (Marando & Reeves, 1993). More populous counties, it was assumed, are under more pressure than less populous counties to reorganize their structures in order to meet increasing constituent demands (Marando & Reeves, 1993). What they found was that population growth and size, or "urbanization", were indeed significant factors in explaining county structural reform (Marando & Reeves, 1993). Though this study relates to county reform, it can be applied to state-level reform related to local autonomy or the adoption of home rule provisions, as the impetuses are similar. States with higher numbers of people living in their metropolitan areas are under more pressure than states with lower numbers of people living in such areas to allow localities more autonomy because of the increasing demands of their urban constituent base.

Secondly, income is expected to be a factor influencing broad home rule provisions. States with high per capita income are predictably more likely to have broad home rule statutes than states with low per capita income. Wealthier states evidence wealthier local governments, and where there is wealth, or sufficient resources for independent local choices, broad home rule authority is expected. Additionally, as M.A. Nelson (1990) suggests, wealth generates increases in populace demands, creating a need for broader local autonomy so that localities can respond to their citizens. Marando and Reeves (1993) in the study previously mentioned also found that a state's per capita income is positively and significantly related to county government reform. Again, though their study assesses county rather than state government, the idea is the same. Appeals for local autonomy are more likely to be met where fiscal resources are readily available.

Another less obvious factor related to broad home rule provisions in a state is the heterogeneity of its residents. Differences in income, education, race, and age are likely to necessitate structural changes in local government, the creation of offices, fiscal programs, and assistance plans responsible for addressing multiple demands. Local structural changes, of course, can only be initiated under some degree of local autonomy. Typically, such autonomy is not hard won. While many states provide their localities funding for constituent-based programs, very few wish for the responsibility to implement these programs. I therefore expect that greater heterogeneity will lead to a greater tendency to adopt broad home rule provisions. The following studies proffer useful insight into this relationship. Though they do not specifically assess correlations between heterogeneity and broad home rule provisions, their studies are helpful in

exploring the relationship between heterogeneity and specific dynamics of local autonomy.

J.A. Temple (1996) used heterogeneity as a variable in her study on the relationship between community composition and state-imposed local tax limitations. She based her argument on past studies suggesting that heterogeneity, specifically age and income variation, creates dissatisfaction among voters when collective decisions are made on how and what local government spends its money (Temple, 1996). Such dissatisfaction, according to Temple (1996), is apt to increase the likelihood that residents will vote for tax limitations. In other words, a 30-year-old resident making \$40,000 annually expects to pay a certain amount of taxes for local services designed to meet her younger, middle-class needs. If she is aware that she is not likely to receive these public services because her voting-eligible neighbors are much older or have lesser income, she becomes a dissatisfied voter. So when state-imposed local tax limitations are up for a vote, she is likely to vote in favor of them. To assess this relationship, Temple (1996) defined heterogeneity in terms of within-community variation in income and age. What she found was that both income and age variations are positively related to state-imposed tax limitations, with age being significantly so.

M.A. Nelson (1990) also utilized heterogeneity as an explanatory variable in his study assessing the determinants of local government structure, specifically number of local government units in U.S. metropolitan areas. Like Temple, he conceptualized heterogeneity as variations in income and age (Nelson, 1990). In addition, he added a racial dimension, suggesting that variations in race may also lead to the demand for different and more numerous local government services (Nelson, 1990). All three

variations, he argued, increase the need for changes in local government structure (Nelson, 1990). Heterogeneity, then, was expected to be positively related to the number of local government units in U.S. metropolitan areas. Nelson's initial findings, contrary to expectations, suggested that racial heterogeneity is negatively and significantly related to number of local general-purpose and special district governments and that age and income variations are positively but only slightly related to number of such governments. Excluding the racial component, Nelson's (1990) expectations were met. He found that age and income variation is positively and significantly related to the number of local governments with taxing authority, including general-purpose and special district governments, though age variation has a less significant positive relationship with number of general-purpose governments.

A fourth variable expected to be linked to broad home rule provisions is a state's socio-political culture. Arguably the most well-known researcher to write on political culture was D.J. Elazar. In 1966 in his work *American Federalism: A View From the States*, Elazar posited a typology of political subcultures in the United States, proposing that states were descriptively bound by one of three cultures: individualistic, moralistic, or traditionalistic. To Elazar (1966/1984), states characterized by an individualistic culture (i.e. Indiana, Illinois, Pennsylvania) viewed government primarily as a marketplace, were ambivalent towards increases in bureaucracy, accepted a certain amount of political corruption, believed that government was best run by professionals, and felt that competition should be driven by parties not issues. States such as Minnesota, North Dakota, and Wisconsin characterized by a moralistic political subculture, on the other hand, perceived government as a commonwealth, viewed bureaucracy positively,

saw politics as healthy, believed that government was best when everyone participated, and felt that competition over issues was ideal (Elazar, 1966/1984). Finally, the traditionalistic subculture, existing in deep south states such as Arkansas, Louisiana, and Mississippi, viewed government as a “means of maintaining the existing order,” perceived bureaucracy negatively, saw politics as a privilege, believed that only the designated elite should govern, and felt that competition should be limited to elite-dominated factions within dominant parties (Elazar, 1966/1984, pp.120-121).

Using Elazar’s work, one expects to find that states with broad home rule provisions are also characterized by a moralistic subculture. The tendency to view political participation as necessary and healthy and to see increases in number of government structures as means to fair and neutral governance is likely to beget state policies that bring governing responsibilities closer to the people. Contrarily, one expects to find that traditionalistic subcultures are least likely to be linked with states characterized by broad home rule authority. With their elitist approach to governance, traditionalistic cultures perceive authority as a privilege rarely granted. States with such an exclusive frame of reference are likely to adhere very strictly to Dillon’s Rule principles, providing their local governments exceptionally little structural, functional, or fiscal autonomy.

Region of the country is a fifth possible explanation for broader home rule policies. The North and the South often differ in their approaches to local government, the North influenced by its more industrial, liberal history and the South by its agrarian, conservative beginnings. Likewise, the East and the West sometimes differ in state/local dynamics, as the latter is a much younger region and the former a collection of state/local

relationships much longer established. One expects that because of its traditionalistic tendencies and the vehemence with which it fought for states rights during the Civil War, the South is far less likely than the North to have broad home rule policies (Scruggs, 2007). Elitist southern states are highly cautious of devolving their powers.

Comparatively, Northern states are much less threatened by local autonomy, sometimes perceiving it as a necessary step toward economic growth and firm standing in the competitive market. To clarify, the North's early advances toward industrialization, cross-country transportation, and development of urban infrastructure, created a fertile environment for a highly competitive marketplace. City-to-city competition led naturally to thriving metropolises, each with greater representation and a louder voice in state legislatures than the next. Steps toward broader local freedoms in this region were common during the Industrial Era and remain common to date. It is expected, then, that Northern states are more inclined than Southern to grant broad home rule authority.

The Eastern half of the United States, being older and more developed than the Western, encountered state/local tensions over local autonomy much earlier. During the late 1800s, while Western territories were slowly adjusting to their promotion into statehood, the Eastern states, among a slew of other issues, were enduring debates over local autonomy and trying to resolve these differences via constitutional or legislative grants of home rule. The East is simply more experienced than the West in issues of state sovereignty and local autonomy. Being so experienced, it has worked through these issues before the West has even perceived them as problems. It is expected, then, that a state's situation in the Eastern region of the country increases the likelihood of its granting broad home rule authority to its local governments.

The East/West argument follows from a sixth explanation for broad home rule authority. The age of a state is expected to be positively linked to broader home rule policies. Again, the older the state, the greater the number of available years for amending a constitution or enacting statutes in favor of home rule. The push toward greater home rule occurred in the mid 1800s and in the few decades after. At this time in history, many Western territories had just entered statehood. Others would not become states until many years later. By the time these states were old enough to encounter issues of local autonomy, the forces impelling the home rule movement forward in the East, including the fight to end special-interest legislation, were dwindling or had already died. The age of a state and the six factors discussed above are conceptualized and operationalized in the succeeding chapter.

CHAPTER FIVE: DATA TESTING

Home rule authority is conceptualized in this study using two elements of the 1981 ACIR definition. I have chosen to isolate the current analysis to structural and functional dimensions of home rule only. While state/local struggles over local fiscal autonomy are often intense, they are sporadic and often short lived. Arguments over structural and functional home rule authority can be as intense, but where they are not, they are almost always more enduring. Structural and functional changes in local government involve the transformation of institutions long established. They apply to a locality's form of government, its consolidation regulations, its classification status, its annexation and election policies, etc. Necessarily, laws regarding such autonomy cannot be as fluid as laws regarding fiscal or administrative autonomy. While frustrating to politicians, this lack of fluidity gives to structural and functional home rule a depth and solidarity that the other elements of home rule do not possess.

In 1978, M.B. Hill published a very thorough comparative assessment describing state laws governing local government structure and administration. His is one of the few such assessments existing today. In each of the fifty states, he coded state laws affecting local form of government, annexation and consolidation, local elections, administrative operations and procedures, financial management, and personnel management (Hill, 1978). Among laws influencing local form of government, he included home rule authority, classifying each state according to its grant of structural home rule, broad functional home rule, or limited functional home rule (Hill, 1978). According to his findings, several states grant their local governments some degree of structural autonomy

and limited functional home rule (Hill, 1978). Far fewer grant structural autonomy and broad functional home rule (Hill, 1978). This study intends to shine light on the characteristics of the latter states, those granting both structural and broad functional home rule.

I assess home rule using two measures taken from M.B. Hill's 1978 findings. The two dependent variables utilized in this study are binary, dummy variables called HRULEFUN and HRULESTR (see Appendix A). M.A. Nelson (1990) used a variation of these same variables:

1. HRULEFUN is coded 1 if a state grants broad functional freedoms to local government units (cities and counties); 0 if otherwise.
2. HRULESTR is coded 1 if a state grants structural autonomy to local government units (cities and counties); 0 if otherwise.

The independent or explanatory variables used for this study are based on data from the 1970 U.S. Census. This Census is utilized in the study because it provides information that coincides with Hill's home rule data. The nine independent variables are:

1. HURBAN, a dummy variable for urbanness. HURBAN is coded 1 if the percentage of a state's population living in metropolitan areas is greater than 75; 0 if otherwise.
2. RACE, a dummy variable for racial heterogeneity. RACE is coded 1 if the percentage of a state's nonwhite residents is 15 or higher; 0 if otherwise.

3. UNDER15, a dummy variable for percentage of young residents in a state.
UNDER15 is coded 1 if the percentage of a state's residents under the age of 15 is 30 or higher; 0 if otherwise.
4. OVER65, a dummy variable for percentage of older residents in a state.
OVER65 is coded 1 if the percentage of a state's residents over the age of 65 is 11% or higher; 0 if otherwise.
5. HINCOME, a dummy variable for high per capita income. HINCOME is coded 1 if a state's average per capita income is greater than \$3000; 0 if otherwise.
6. POLCUL, a dummy variable for a state's socio-political subculture. POLCUL is coded 1 for moralistic states; 0 for all others.
7. EREGION, a dummy variable for a state's situation in the Eastern part of the country. EREGION is coded 1 if a state is east of the 92nd parallel (east of the Mississippi River); 0 if otherwise.
8. NREGION, a dummy variable for a state's situation in the Northern part of the country. NREGION is coded 1 if a state is north of the 40th parallel; 0 if otherwise.
9. YRSTAT, a dummy variable for older states. YRSTAT is coded 1 if a state entered statehood prior to 1800; 0 if otherwise.

Binary logistic regression is utilized to determine the logged odds of both broad functional home rule authority and structural home rule authority given variations in the independent variables. The nine hypotheses explored in the previous chapter are operationalized as follows:

1. States with a high percentage of their population living in metropolitan areas are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as HURBAN increases.
2. Racially heterogeneous states are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as RACE increases.
3. States with higher percentages of young people are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as UNDER15 increases.
4. States with higher percentages of older people are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as OVER65 increases.
5. States with relatively high per capita income are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as HINCOME increases.
6. States with moralistic political subcultures are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as POLCUL increases.
7. Eastern states are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as EREGION increases.

8. Northern states are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as NREGION increases.
9. Older states are likely to have broad home rule statutes. The logged odds of HRULESTR and HRULEFUN are expected to increase as YRSTAT increases.

The table below shows the nine independent variables and their expected relationship to the binary dependent variables.

Table 1. Proposed hypotheses

	HURBAN	RACE	UNDER15	OVER65	INCOME	POLCUL	EREGION	NREGION	YRSTAT
HRULESTR -Structural home rule authority?	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)
HRULEFUN - Broad functional home rule authority?	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)

Employing these hypotheses, the binary, logistic regression formulas are:

- Logged odds (HRULFUN) = $b_0 + b_1(\text{HURBAN}) + b_2(\text{RACE}) + b_3(\text{UNDER15}) + b_4(\text{OVER65}) + b_5(\text{HINCOME}) + b_6(\text{POLCUL}) + b_7(\text{EREGION}) + b_8(\text{NREGION}) + b_9(\text{YRSTAT})$
- Logged odds (HRULSTR) = $b_0 + b_1(\text{HURBAN}) + b_2(\text{RACE}) + b_3(\text{UNDER15}) + b_4(\text{OVER65}) + b_5(\text{HINCOME}) + b_6(\text{POLCUL}) + b_7(\text{EREGION}) + b_8(\text{NREGION}) + b_9(\text{YRSTAT})$

Odds ratios obtained from these equations reveal the extent to which the odds of strong functional and structural home rule authority change for each unit change in each of the

independent variables. The hope is to find that given increases in percentages of metropolitan residents, races other than White, residents younger than 15 and older than 65, per capita income, moralistic subculture, Northern and Eastern situation, and year of statehood, the likelihood of a state's having broad functional or structural home rule authority increases with each, and significantly so.

CHAPTER SIX: DISCUSSION/ANALYSIS

While some of the results were in the directions expected, unfortunately none showed significant effects. As expected, high percentages of people living in metropolitan areas was positively related to both the likelihood of a state's granting structural home rule and to the likelihood of a state's granting broad functional home rule. Though the relationship was strong for both dependent variables, it was not significant.

Racial heterogeneity was also positively related to the logged odds of both structural home rule and functional home rule. The relationship to the logged odds of structural home rule was very weak. The relationship to the logged odds of functional home rule showed more strength but was not significant. These results seem to support Nelson's (1990) study. Racial heterogeneity appears to be an insignificant factor in matters of local autonomy.

The relationship between UNDER15 and the logged odds of broad functional home rule was in the direction expected. The relationship was stronger for broad functional autonomy, much weaker for structural autonomy. Neither relationship was significant. As expected, OVER65 was positively related to the likelihood of broad functional home rule. Contrary to expectations, the variable was negatively related to the likelihood of structural autonomy. The inconsistency of these findings suggests that age has no significant bearing on the likelihood of structural home rule in a state. Though it shows promise for relationship with broad functional home rule, it is not a significant predictor here.

HINCOME was also an inconsistent variable. While it was positively related to the logged odds of structural home rule, it was negatively related to the logged odds of functional home rule. These findings suggest that a state's average per capita income also has no significant bearing on a state's likelihood of adopting broad functional or structural home rule provisions.

Moralistic political subculture was positively and strongly, though not significantly, related to structural home rule authority. Contrary to expectations, it was negatively related to broad functional home rule authority. The variable appears strong enough in its relationship with structural home rule to warrant further study. A slight redefinition or re-conceptualization in future studies may lead to statistical significance. While the variable's negative relationship to the logged odds of functional home rule was contrary to predictions, this finding may be supported by D.Y. Miller's 1991 study on political culture and patterns of state and local expenditures. Miller (1991) found that expenditures for both state and local government were lower in traditionalistic states than in moralistic and individualistic states. In individualistic states, expenditures were higher for local governments and lower for state governments (Miller, 1991). And in moralistic states, expenditures were higher for state governments and lower for local governments (Miller, 1991). If lower local government expenditures imply less functional autonomy, the findings support Miller's study.

Contrary to expectation, EREGION, NREGION, and YRSTAT were negatively related to structural home rule authority. EREGION and NREGION were also negatively related to broad functional authority, though YRSTAT, as predicted, was positively related to this dependent variable. The findings suggest that a state's age is unrelated to

its likelihood of adopting broad home rule provisions. Interestingly, while EREGION and NREGION are invalid variables, they appear to be reliable. There may be some association between a state's region and its likelihood of granting structural and broad functional home rule authority, though this association would be in the opposite directions discussed in this paper. Eastern states and northern states seem to be less inclined to grant their cities and counties local autonomy. This paper hypothesizes that the older, more established states found in these sections of the country are more likely to have amended their constitutions or passed statutes in favor of home rule during the home rule movement in the mid 1800s. However, it may be that many of these states are still unwilling to relinquish the sovereignty granted them in the early years of the country.

Because of their inconsistencies, race, age, income, and age of state were removed from the final variable equation for the logged odds of structural home rule. Table 3 in Appendix B shows the relationship between structural home rule and all remaining variables. The strength of the relationships strongly improve, though none are significant. As predicted, a state's urbanness and moralistic subculture are positively related to its likelihood of granting structural home rule. Though a state's situation in the North and its situation in the East are again negatively related to logged odds of structural home rule, the reliability of these variables suggest a possible relationship with the dependent variable in the opposite direction predicted.

Political culture, income, and year of statehood were removed from the final equation for logged odds of broad functional home rule. The variables were considered unreliable. Because preliminary findings showed that race and age were strongly, though not significantly, linked to broad functional home rule, they were left in the equation.

Table 5 in Appendix B shows the relationship between variables. As expected, urbanness, race, and age are all positively related to home rule authority. Contrary to predictions, a state's situation in the East and a state's situation in the North are negatively related to broad functional home rule. However, these two variables again prove reliable.

CHAPTER SEVEN: CONCLUSION

Further analysis is necessary for a thorough look at state-to-state variations in home rule statutes. Contrary to what was posited here, the addition of administrative and fiscal home rule as dependent variables may be necessary to properly assess the influence of the proposed variables on state grants of local powers. Fiscal home rule especially might be more influential than the two dimensions of home rule assessed here.

Additionally, it may be necessary to assess functional and structural home rule separately. Factors affecting a state's decision to grant cities and counties structural autonomy are often far different than those affecting a state's decision to grant cities and counties functional freedoms. A state's grant of structural autonomy, for instance, may be influenced most by its history and culture, while its grant of functional autonomy may be influenced most by its minority populations, geography, or wealth. These differences were not apparent in this paper and may have significantly added to its results.

Lastly, it was assumed before research began that broad local autonomy is natural progression for local governments, especially as they continue growing in size, numbers, and influence. It was also assumed that state governments are hindrances to local satisfaction. If state governments simply relinquished their control over local cities and counties, these latter units could finally find the autonomy they've been seeking for the past few centuries. What became evident at this paper's end is that local governments might not be wishing for increases in governing discretion. Contrary to all assumptions made, local governments may be wishing for as little autonomy as possible. Most local governments may be pleased to submit to state authority, so long as they are assured of

adequate funding or some form of bailout should they encounter financial trouble.

Autonomy, after all, begets responsibility. It seems to be so much easier to blame a higher power when local spending goes awry than to be accountable for changing it. But if this accountability is written into code, it is not inconspicuously passed on to a higher power. Unfortunately, all variables presented here operate under the opposite assumption: local autonomy is desired, forward movement. Alexis de Tocqueville during his visit to America in the 1830s had this to say about municipal government: “Municipal independence in the United States is therefore a natural consequence of this very principle of the sovereignty of the people” (p.67). Perhaps de Tocqueville was mistaken. Perhaps our people simply do not wish to be sovereign. The November 2008 elections in Marion County, Indiana may be evidence enough.

In sum, the following point should be made: studies of home rule authority are essential for an adequate understanding of state-local relationships. Degrees of local autonomy have implications for a broad and complex range of state-local issues, from campaign finance reform (Briffault, 1989) to urban sprawl (Barron, 2003) and property taxes (Sokolow, 1998). The battle between state and local governments for more self-determination or less will likely always exist and it will be up to citizens to decide which side to be on. Future studies will perhaps make such a decision easier; and if not easier, at least as always, more educated.

“To sum up, the point I have been trying to make is this: that given a far-reaching provision in the new constitution providing for municipal home rule, we must have an intelligent, well-directed home rule spirit awake in the state to make it effective. There does exist a real demand for home rule. We have come about to the end of the preaching stage...There is a fertile field to work in” (Wilcox et al., 1915, p. 79).

APPENDIX A

As noted, M.B Hill (1978) gathered data on legislation regarding six primary areas of local government structure and administration: form of government, annexation and consolidation, local elections, administrative operations and procedures, financial management, and personnel management. Under “form of government,” he labeled states according to six more specific types of legislation. Two pertained to home rule authority: whether cities were granted home rule and whether counties were granted home rule. For each category, Hill (1978) examined how home rule was granted (via state constitution or general law) and what types were granted (structural, broad functional, or limited functional). His findings are as follows.

Table 2. Taken from *State Laws Governing Local Government and Structure* (Hill, 1978)

	Alabama	Alaska	Arizona	Arkansas	California	Colorado	Connecticut
FORM OF GOVERNMENT							
Home rule authority is granted to cities		X	X		X	X	X
a. Granted by state constitution		X	X			X	
b. Granted by general law			X		X		X
c. Structural home rule authority is granted			X		X	X	X
d. Broad functional home rule authority is granted			X		X	X	

e. Limited functional home rule authority is granted			X					X
Home rule authority is granted to counties			X	X		X	X	
a. Granted by state constitution			X	X			X	
b. Granted by general law				X		X	X	
c. Structural home rule authority is granted				X		X	X	
d. Broad functional home rule authority is granted				X		X		
e. Limited functional home rule authority is granted			X				X	

		Delaware	Florida	Georgia	Hawaii	Idaho	Illinois	Indiana
FORM OF GOVERNMENT								
Home rule authority is granted to cities		X	X	X	X		X	
a. Granted by state constitution				X	X		X	
b. Granted by general law		X	X	X				

c. Structural home rule authority is granted		x	x		x		x	
d. Broad functional home rule authority is granted		x				x		
e. Limited functional home rule authority is granted			x	x	x		x	
Home rule authority is granted to counties			x	x	x		x	
a. Granted by state constitution				x	x		x	
b. Granted by general law			x					
c. Structural home rule authority is granted			x		x		x	
d. Broad functional home rule authority is granted								
e. Limited functional home rule authority is granted			x	x	x		x	

		Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts
FORM OF GOVERNMENT								
Home rule authority is granted to cities		X	X		X	X	X	X
a. Granted by state constitution			X		X	X	X	X
b. Granted by general law		X					X	
c. Structural home rule authority is granted		X	X		X		X	
d. Broad functional home rule authority is granted		X			X		X	
e. Limited functional home rule authority is granted			X			X		X
Home rule authority is granted to counties			X		X		X	
a. Granted by state constitution					X		X	
b. Granted by general law			X				X	
c. Structural home rule authority is granted			X		X		X	
d. Broad functional home rule authority is granted					X		X	

e. Limited functional home rule authority is granted			x					
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	Michigan	Minnesota	Mississippi	Missouri	Montana	Nebraska	Nevada
FORM OF GOVERNMENT							
Home rule authority is granted to cities	x	x		x	x	x	x
a. Granted by state constitution	x	x		x	x		
b. Granted by general law	x	x					x
c. Structural home rule authority is granted	x	x		x	x		x
d. Broad functional home rule authority is granted		x		x			
e. Limited functional home rule authority is granted	x						
Home rule authority is granted to counties	x			x	x		x
a. Granted by state constitution	x			x	x		
b. Granted by general law	x						x

c. Structural home rule authority is granted		x			x	x		
d. Broad functional home rule authority is granted					x	x		
e. Limited functional home rule authority is granted		x						x

		New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio
FORM OF GOVERNMENT								
Home rule authority is granted to cities		x	x	x	x		x	x
a. Granted by state constitution				x	x		x	x
b. Granted by general law		x	x		x			x
c. Structural home rule authority is granted			x	x	x		x	x
d. Broad functional home rule authority is granted			x		x		x	x
e. Limited functional home rule authority is granted		x		x				

Home rule authority is granted to counties			X	X			X
a. Granted by state constitution			X	X			X
b. Granted by general law				X			X
c. Structural home rule authority is granted			X	X			X
d. Broad functional home rule authority is granted				X			
e. Limited functional home rule authority is granted							X

	Oklahoma	Oregon	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee
FORM OF GOVERNMENT							
Home rule authority is granted to cities	X	X	X	X	X	X	X
a. Granted by state constitution	X	X	X	X		X	X
b. Granted by general law	X	X			X		
c. Structural home rule authority is granted	X	X	X	X	X	X	X

d. Broad functional home rule authority is granted		x				x	x	x
e. Limited functional home rule authority is granted			x	x	x			
Home rule authority is granted to counties			x	x		x	x	x
a. Granted by state constitution			x	x			x	x
b. Granted by general law			x			x		
c. Structural home rule authority is granted			x	x		x	x	x
d. Broad functional home rule authority is granted			x			x	x	x
e. Limited functional home rule authority is granted				x				

		Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
FORM OF GOVERNMENT									
Home rule authority is granted to cities		x	x			x	x	x	x

a. Granted by state constitution			X			X	X	X	X
b. Granted by general law		X	X			X	X		
c. Structural home rule authority is granted		X	X			X	X	X	X
d. Broad functional home rule authority is granted		X					X		
e. Limited functional home rule authority is granted			X			X		X	X
Home rule authority is granted to counties		X	X			X		X	
a. Granted by state constitution		X	X			X			
b. Granted by general law			X					X	
c. Structural home rule authority is granted		X	X			X		X	
d. Broad functional home rule authority is granted		X							
e. Limited functional home rule authority is granted			X					X	

APPENDIX B

Table 3. Logged odds of structural home rule authority

		Variables in the Equation					
		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1	HURBAN	1.662	.918	3.278	1	.070	5.271
	POLCUL	2.509	1.435	3.059	1	.080	12.293
	EREGION	-.666	.765	.759	1	.384	.514
	NREGION	-2.365	1.310	3.259	1	.071	.094
	Constant	.046	.683	.005	1	.946	1.047

Table 4. Logged odds of structural home rule authority, all variables

		Variables in the Equation					
		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1	HURBAN	1.465	1.206	1.474	1	.225	4.327
	RACE	.390	1.050	.138	1	.710	1.476
	UNDER15	.071	.828	.007	1	.932	1.073
	OVER65	-.247	.867	.081	1	.776	.781
	HINCOME	.609	.878	.480	1	.488	1.838
	POLCUL	2.080	1.484	1.967	1	.161	8.008
	EREGION	-.618	.966	.409	1	.522	.539
	NREGION	-1.921	1.409	1.861	1	.173	.146
	YRSTAT	-.761	1.007	.571	1	.450	.467
	Constant	-.007	1.012	.000	1	.994	.993