

Beyond Beyle: Assessing the Measurement of Institutional and Informal Gubernatorial Powers

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ABSTRACT

The subject of studying the institutional powers of state governors has largely been expressed on a macro level. Scholars have focused on obtaining a measurement of overall gubernatorial powers, often overlooking the quality of the individual measurements that make up their cumulative index. The most recognized method for measuring the formal and informal powers of state governors was created by Joseph A. Schlesinger in 1960, with Thad Beyle carrying on the work and providing periodical updates to the index. The scales used in these studies fall somewhat short of measuring the reality of gubernatorial powers in individual states, as existing scales of individual powers in appointment, tenure, veto, budget, branch official selection and party control fail to recognize important differences among the states.

Measuring gubernatorial powers can be important for scholars and citizens alike. Further knowledge of the governor's role and powers in the political process can give voters and researchers a better sense of what a governor may be able to accomplish, and serve as a possible predictor of policy success. This study reviews and reworks the Beyle scales in an effort to identify power differences between states in terms of their individual powers. A closer look at the categories used in cumulative indices reveals that many states are scored identically despite awarding significantly different powers to their state executives. By identifying constitutional and statutory differences among states, revised scales and scores are suggested to improve the validity of measuring the individual powers. A time period comparison for the years 1980-2005 shows that the revised scales find less change in certain powers than the Beyle scales. Finally, the results of the project are used to partially fulfill an existing framework for predicting and evaluating gubernatorial policy success in the states, allowing researchers a better relative context from which to predict and assess gubernatorial actions.

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Chapter 1: Introduction

Measuring the institutional powers of state governors can be an important and rewarding exercise. The states allow fifty unique opportunities to study the executive branch, specifically the relationship between the governor and the other branches of government. Analyzing the tools available to governors in this relationship is significant in that scholars have the ability to analyze the potential for state government action on specific issues. By combining the formal tools available to governors with the political situation each faces in the makeup of their executive office and the state legislature, researchers can form reasonable conclusions as to the nature and likelihood of legislative action. This can be done with either state-specific issues (like the building of a new highway) or on issues prioritized by the national parties (amendments banning same-sex marriage). It is the concern of this researcher that existing methods of measuring gubernatorial power fail to recognize the unique situation that each governor faces in their state. The purpose of the thesis is to challenge the existing methods of measuring individual gubernatorial powers and suggest improved ways to measure the formal and informal powers of state governors.

Studies of formal gubernatorial powers have mainly focused on combining individual powers into an overall power index. From these overall indexes, scholars often conclude that some state governors enjoy more overall power than others. Scholars also use the index to track changes in power over time. With most arguments focusing on the weighting and importance of each category in the combined index, the utility of the individual scoring categories has largely been ignored. Instead of focusing on how well the index works as a whole, researchers should make sure the individual categories are adequate measures of power. The power elements in the index deserve further study to ensure that the intervals allow for differences in gubernatorial power to be identified. It is difficult, if not impossible, to conclude that researchers have identified and measured all of the powers at a governor's disposal. The problems involved in using an overall index to measure power – which categories to measure, what weight they should be given – make the most valid measures of gubernatorial power the individual categories themselves. It is prudent for measurements of gubernatorial power to focus on microelements rather than difficult macro concepts. Reasonable and significant conclusions can be drawn on the nature of changing gubernatorial powers from further

study of these individual categories. The effectiveness of the index as a research tool depends heavily on the validity of the individual elements it attempts to measure.

The elements of formal gubernatorial power measures have changed little since Joseph A. Schlesinger's 1960 study ranking the overall power of the fifty state governors. Schlesinger originally intended to gauge the governor's personal views of the obstacles they faced in the administration of their states. This informal survey laid the groundwork for the constitutional reviews that incorporate contemporary power measures. Some variation of Schlesinger's measures of veto power, tenure potential, appointment power and budget power have been present in every subsequent study of gubernatorial power. Other powers have been identified and measured as situations warranted and powers evolved. Schlesinger's study inspired a protracted scholarly debate on how to best measure gubernatorial power.

Thad Beyle continued the work of Schlesinger by doing periodical updates to the index with minor revisions to the power categories. After independently confirming the validity of Schlesinger's original index, Beyle has performed temporal updates to attempt to measure the relative power standing of state governors. Despite his best efforts, these temporal updates do not represent a true relative comparison of where each governor ranks among their peers. A review of Beyle's work reveals that some temporal and institutional powers should be separated in a relative assessment of power. In other words, the Beyle index uses permanent institutional measures of power that do not reflect the impermanent, temporal standing of the governors at the time the study is conducted. Institutional measures of power are adequate for measuring changes in the governor's office over time. Temporal updates are best suited for relative comparisons and measuring the institutional tools available to governors.

Studies of gubernatorial power undertaken by Keith Mueller and Nelson Dometrius debate the merit of including certain power categories in an overall index, but not the validity of the measures in those categories. Mueller and Dometrius argue that the power categories are not equally significant. It is difficult to argue that each of the scoring categories is equally important, yet Beyle presents them as such. This criticism is no doubt valid, but these studies seem to indicate that one can identify all of the elements of overall power. Institutional power comes from a variety of sources, with many being difficult to identify and others being difficult to measure. The multitude of informal

sources of power further complicates the measurement possibilities. The idea of measuring overall institutional power ignores these measurement difficulties. The most responsible, and most valid, approach to the subject is to measure what power elements are readily identifiable. This will neutralize the difficult weighting and mathematical arguments that have guided the subject in the wrong direction. One must be sure that the individual elements of the index adequately measure gubernatorial powers.

The thesis will review and revise the existing power measurement categories for two purposes – to gauge the nature of power changes over time and to provide the groundwork for measuring the relative tools at each governor’s disposal as they relate to performance. The institutional powers of governors relating to vetoes, tenure, appointment of officials, separately elected executive officials and the state budget will be measured to assess changes in power over time. To accomplish this, a study of the individual categories will help produce new measurement intervals that better reflect power differences in the states. The resulting calculations from this study will be compared to Thad Beyle’s index calculations for the time period 1980-2004. The proportion of differences found using the Beyle scales would then be compared to the differences found by the revised Reisinger scales for each institutional category to investigate whether gubernatorial powers have changed as much as past scholarship has suggested. The second portion of the thesis will measure the relative power of governors as they stand today. Tenure standing, party control of the legislature, along with veto power, appointment power, separately elected branch officials and budgetary powers will constitute this temporal measure. From these calculations may come the basis for an evaluation of gubernatorial administrative success – how well do governors use the formal tools provided to them in pursuing their agenda?

This study only purports to measure the levels of potential power governors have in certain situations. Actual power in these situations varies based on a number of informal and immeasurable political and institutional factors. In other words, the thesis attempts to find what a governor can do with their institutional powers, not to hypothesize on what the governor will do. The study attempts to measure the political standing of governors as they relate to the unique conditions in their states. To that end, it is important for the subject of gubernatorial power measurement to ensure that it can adequately measure both existing powers and potential changes in power. All of this

should be done with a sense of restraint – it is overly ambitious to measure overall powers when one cannot be sure all the factors of power have been identified or whether these factors are adequately measured. The purpose of the thesis is to better understand and measure the individual powers of governors that can be identified and quantified.

Chapter 2: Literature Review

Schlesinger and the Beginning of the Index

Joseph A. Schlesinger first proposed measuring gubernatorial powers, and introduced the index in his 1960 study “The Politics of the Executive”. His methodology was to send a questionnaire to each of the fifty state governors asking what formal or informal obstacles existed that prevented them from successfully administering their states. Schlesinger’s 1960 work was meant as an introductory study of the role of executive in the states. Schlesinger intended to study the politics of state administration by looking into the “intermediary and ambiguous role of the state in the American political system.”¹ The study was inspired by the fact that the author felt that states were excellent “laboratories” in which to study political arrangements.² The study was done to help measure “the great indeterminacy of state government” in the federal system so one could understand intergovernmental relations (federal and state relations, specifically) in a broader context: not all governors held the same amount of power.³ In this initial study Schlesinger foreshadows the changing face of the governorship – governors have been increasing their overall institutional power since the inception of the index. Schlesinger cites a diminishing fear of the executive in America (a fear likely born out of the country’s difficulties dealing with monarchies in the past), which has translated to more formal and institutional powers for state governors. This highlights an important function that the power index can serve - the index can serve as a historical timeline for how much state executive powers have changed.

The study also introduced what would become the four constant factors in measuring executive power in the states, all of which will be used in this project: Tenure Potential (TP), Appointment Power (AP), Budget Power (BP) and Veto Power (VP). All of these four categories have been present in each of Thad Beyle’s subsequent updates of the index, although in varying forms. By comparing the relative positions of governors, the index was born as a measure of “political strength”.⁴ This statement is important because the essence of “political” is open to interpretation – political power can be

¹ : Joseph A. Schlesinger, "The Politics of the Executive," Herbert Jacob and Kenneth N. Vines, eds., *Politics in the American States* 1st ed. (1960 & 1965) p.210.

² Schlesinger (1960), p.210

³ Schlesinger (1960), p.221

⁴ Schlesinger (1960), p.221

expressed in both formal and informal ways. A governor does not have to necessarily use their official powers to influence the legislature or bureaucracy to have an effect on their actions. Under the pretense that the office of governor is a truly political position, one can assume a measure of institutional power can be a combination of formal and informal powers.

Schlesinger recognized the influential power of the governor's office in deciding which powers to include in the index. Also important to the original index was the amount of time spent in office. In explaining the use of tenure and appointment in his measurements Schlesinger offers a simple justification – power in an organization consists of “the power to tell others what to do”.⁵ Thus in terms of appointment power, the means of controlling the actions of those you appoint is given weight as a “power” to be measured. For tenure power, influence comes from the extent of relationships and loyalty built during the years spent in office. In Schlesinger's view the “ability to hire implies the ability to fire” an agency head or administration official. Loyalty and owed favors due to years spent in office with each other only increases this influential effect. Although actual influence is difficult to measure, the ability to appoint officials almost certainly implies an ideological or philosophical connection between those involved. Their continued employment is most likely dependent on it.

The 1960 Schlesinger study is not without its problems as a research tool. The author asks only governors to give *their* views on what limits their powers. Their answers constitute more opinion than constitutional or statutory fact in terms of measuring their formal powers. A review of state constitutions and statutes probably is the best way to measure these levels of power. With a research pool of only governors, Schlesinger's study undoubtedly contains a level of bias towards governors themselves – only their views are recorded. Given the complex interaction between state agencies, the legislature and the executive office, it would be prudent to seek the views of other levels of government to assess whether the governors are being truthful in their responses. Also it is unclear in the study whether governors responded personally to the survey or had a subordinate fulfill the duty. Thus one cannot be certain that the responses reflect the actual views of the governors themselves. There are also questions involved in the use of the categories. Schlesinger combines each of the power categories into a single index,

⁵ Schlesinger (1960), p.225

giving each individual category equal weight in the total score. The governor with the highest relative score becomes the “most powerful” governor in the United States. This practice raises important questions on the importance of each category – are all of the categories truly equal? This question is never fully answered. One can only conclude from the cumulative index that Schlesinger is implying that all of the categories are of equal importance.

Schlesinger’s study is not a constitutional review and thus is open to criticism that it does not completely measure “formal powers” in the states. Alleviating this concern is one of the key elements of the thesis, which is to measure the individual powers of governors. Schlesinger was intent on highlighting the limitations governors faced in dealing with their legislatures and state administrators, and creating an index measuring formal power was necessary to highlight the different limitations governors faced. Measuring the actual formal powers of governors was one consequence (perhaps unintentional) of the study – by intending to define lack of power, Schlesinger in fact serves to highlight the presence of power in the states and encourage further review of the subject. This informal look at institutional powers inspired the further, formal verification of those same powers by other researchers.

Thad Beyle’s first entry into the subject of measuring gubernatorial power comes in 1968. Beyle replicates Schlesinger’s study by sending a questionnaire to state administrators (rather than governors) in all fifty states to gauge whether their answers to Schlesinger’s original questions were the same as the responses of their state governors. This independent validation of Schlesinger serves an important role – to verify the original Schlesinger index and provoke future study. The aim of the project was to find if “governors perceive their powers or powerlessness the same as state administrators.”⁶ State administrators indeed saw gubernatorial power in much the same way as their executives in Beyle’s study, answering that governors felt much more restricted in their powers of appointment than their tenure potential and veto power.⁷ With his independent look at the subject, Beyle was able to conclude that the reliability of Schlesinger’s power rankings was upheld.⁸ Beyle’s study answers some questions, yet leaves some problems

⁶ Thad Beyle “The Governor’s Formal Powers: A View from the Governor’s Chair,” *Public Administration Review*, 28:6 (1968) p.540

⁷ Beyle (1968), p.541

⁸ Beyle (1968), p.541

unresolved. One of the possible criticisms of Schlesinger's study – the reliability of data taken solely from governors – is alleviated by this study. This validation can only be furthered in the future by checking the responses against statutory or constitutional restrictions in the states, or substituting the questionnaire for a full constitutional review. One problem with the study that is not addressed by either Beyle or Schlesinger is the weighting of each category. It is difficult to find a valid theoretical or statistical measure that would find each of the categories to be of equal importance. In light of these concerns, identifying trends and changes in overall gubernatorial power can be better achieved by a closer look at the individual elements of the index.

Criticism of the Index

Nelson Dometrius was one of the first scholars to attempt to improve the gubernatorial power index as a measurement tool. Dometrius had quantitative goals, but it is his theoretical analysis and insight that will help give the thesis most of its direction. Of most importance to the project will be Dometrius's assertion that an index should do two things: be easily calculated and measure "what it purports to measure".⁹ Similar to the project's aim to assess both formal and informal powers, Dometrius states "the index's utility (and validity) rests upon its success in estimating actual – rather than formal – powers".¹⁰ By recognizing that an important aspect of power is "having power over someone," Dometrius implies that both a formal and political (or informal) relationship exist between a governor and the rest of the state government.¹¹ After the Schlesinger/Beyle combined power index had been utilized in several studies of state government, Dometrius intends to ensure that the index is an accurate measure of actual gubernatorial power. While supportive of the idea of an index in general, Dometrius attempts to refine the details (categories) of Schlesinger and Beyle's work in an attempt to make the index of more use to other researchers. Part of this validation process includes a closer look at the individual categories that make up the overall index.

Dometrius's findings on the Tenure Potential category of the Beyle and Schlesinger index are of special note to the thesis. Dometrius correctly points out a deficiency in the tenure potential category that Beyle and Schlesinger had failed to account for - the possibility of executive office officials outlasting governors in office.

⁹ Nelson Dometrius, "Measuring Gubernatorial Power," *The Journal of Politics*, 41:2 (1979) p.589.

¹⁰ Dometrius (1979), p.590

¹¹ Dometrius (1979), p.596

Presumably, a government official who outlasts a governor in office will not be fully under a governor's control – they are not entirely politically beholden to the governor during their term because they can serve with different administrations. In assessing whether tenure translates to administrative control for a governor, Dometrius proposes a simple equation with the tenure of the governor as the numerator and the tenure of the subordinate as the denominator.¹² Dometrius criticizes the TP portion of the index for only looking at the numerator of this equation. Dometrius argues in favor of adjusting the TP scale to account for this fact, but it is better to measure differences in tenure potential in the separately elected executive officials (SEP) category. Beyle introduces SEP in his 1994 study to gauge the selection methods of executive branch officials. The logic behind the SEP category is that it is better for the governor to have their executive officials elected, as part of a ticket, meaning a vote for governor is also a vote for their prospective cabinet. Separate elections for these executive officials make it possible for officials from opposing parties to be elected to serve in the governor's administration. Even an official from the same party can be less beholden to the governor than an appointed official, as they possibly ran independent campaigns with unique agendas. These elected officials do not always owe their election victory to the victorious gubernatorial candidate. Differences in term potential only increase this sense of independence. In short, the tenure potential of the governor as compared to other executive officials should affect the calculated SEP power of a governor. Dometrius's own views on power and influence are the main influences for this. When the "ability to hire implies the ability to fire," the author is speaking more of appointment and SEP power than tenure potential.¹³ The idea is that a government appointment is a revocable privilege – a governor theoretically can fire an administration official for any reason, including the formulation of an agenda to compete with the governor's interests. A separate election partially affects this power. When studying executive branch officials, it is important to determine to whom they owe their job.

Statistically, Dometrius has a mixed reaction to the cumulative index employed by Schlesinger and Beyle. Dometrius is correct in his assessment that the overall index needs significant work.¹⁴ The focus of the criticism is that Schlesinger mistakenly views

¹² Dometrius (1979), p.599

¹³ Dometrius (1979), p.592

¹⁴ Dometrius (1979), p.595

each of the categories to be of equal weight, which is a violation of interval validity.¹⁵ Interval measure “requires that the distance between two points is equal” – the categories in the index fail to achieve this.¹⁶ In addition the author uses regression analysis to measure the significance of each category, and finds that they do not combine well.¹⁷ This finding encourages the project to focus on the strengths of the index – looking at individual portions of gubernatorial power separately to measure changes over time. The solution to the problem of combining unequal powers into a single index is not to find a suitable (if it is even possible) weighting to the powers. The solution is to simplify the measures, separate the categories and look at the powers of governors independently.

Turning now to individual categories, the Schlesinger, Beyle and Dometrius studies do not incorporate the political standing of a serving governor in their indexes. Whether the governor is in their first or eighth year in office, they are given the same tenure power score. Instead of simply measuring the length of tenure for governors as compared to their subordinates, Dometrius (as well as Beyle and Schlesinger) should actually be measuring how many years are *left* in a governor’s tenure. If a governor in his eighth and last year in office appoints an official for a four-year term, they would be more affected by potential post-tenure derision than one in their first year of office appointing the same official. Tenure potential is an important part of a governor’s power, but here one can begin to see that tenure standing can potentially have an effect on administrative power. Measuring tenure standing has strictly relative implications. Measuring tenure potential can have institutional and historical timeline implications.

The Modern Index and Further Revision

Thad Beyle’s 1980 study “*The Governors*” builds on his earlier analysis of Schlesinger and provides the initial theoretical and statistical framework for the thesis. Beyle reexamines the Schlesinger categories with the goal of finding “how well states provide for a governor to govern.”¹⁸ In this project Beyle sets the groundwork for how future updates of the index will look – the 0-5 scoring scale and the disclosure of the interval measures is the model used for all of his subsequent updates of the index. The scores attained by the states are given according to the quintile they are grouped in. This

¹⁵ Dometrius (1979), p.593

¹⁶ Dometrius (1979), p.601

¹⁷ Dometrius (1979), p.604

¹⁸ Thad Beyle, "Governors," *Politics in the American States*, 4th Edition (1980 & 1983) p.180.

creates a few theoretical problems that will be discussed later on in the section. Beyle views the governor as one of many players in a complex inter-branch relationship between the executive, legislature and state agencies. As such, the powers given to governors are largely dependent on what the other government entities allow and what the governors can take for themselves. Noting that the legislature and bureaucracies constantly seek more power, it is evident that Beyle believes that power is not a zero-sum enterprise – it can be either dominated by one entity or shared by many. With their principal role as “chief legislators”, Beyle envisions the governor as an active party to a constant power struggle contained within each state government.¹⁹ The thesis project will share this view, and attempt to place each individual governor’s individual powers within this context.

Beyle briefly revisits each of Schlesinger’s four measurement categories with explanations on their continued inclusion. With a constantly changing power relationship governors have with the rest of government, it is necessary to periodically review and defend the need for each category’s inclusion. Tenure potential is looked at carefully with respect to the many changes it had gone through since Schlesinger’s study. With governors serving longer terms (and having the potential for more terms) as compared to Schlesinger’s 1969 study, Beyle notes that the office of state governor had begun to closely mirror the political life cycle of the President of the United States and the 22nd Amendment to the Constitution.²⁰ The 22nd Amendment is meant to limit Presidential terms to two, and Beyle uses this to illustrate that governors had incrementally been given the chance to serve multiple terms. Of most note to the thesis project is that governors largely created these circumstances for themselves, using their increasing political resources to push changes through state legislatures and into state constitutions.²¹ The prevailing theory in Beyle’s view of tenure potential is that governors who serve longer terms and have the potential for multiple terms increase their institutional power.

Appointment power is considered by Beyle to be an important factor in institutional power. Affecting both the administration and the bureaucracy, the ability to appoint officials unilaterally is regarded to be more powerful than a governor who must

¹⁹Beyle (1980), p.180

²⁰Beyle (1980), p.194

²¹Beyle (1980), p.194

submit appointees to other bodies for approval.²² Although the appointment of an official does not always guarantee loyalty, the continued employment of an appointee can be regarded as partly dependent on loyalty. Pointing to the interrelated nature of each of powers in the measurement categories, Beyle also notes in his analysis of budgetary power that strong budget authority can overcome many weaknesses for a governor in appointing officials.²³ Preparing a budget allows a governor to provide for their own policy priorities and fund their agendas.²⁴ The study must also account for the possibility of governors losing their budgetary powers, because some state legislatures have begun to explore regaining the budgetary authority they had once granted governors.²⁵

The ability for a governor to veto legislation is also reviewed in the study; with Beyle labeling a veto as the most direct tool a governor has for controlling the legislature.²⁶ Vetoes can head off any direct legislative disagreements between the governor and the legislature. In addition a veto – or the threat of a veto – can help a governor circumvent policy threats from rogue agencies that attempt to push unfriendly policy directly through the legislature.²⁷ The veto can be a deterrent when it is used as well as a deterrent when its use is threatened. The possession of veto power thus allows governors a formal and informal tool to better administer states to their liking. In much the same way, the thesis attempts to measure both the direct and indirect capacities governors have to pursue their political goals through their veto powers.

Beyle's first comprehensive revisit to the Schlesinger study will guide the thesis in many ways. Beyle is under no impression that the index can be used to predict the actual exercise of power, opting to describe it as strictly a measure of potential power.²⁸ It is only possible to measure the conditions present for governors to use their powers. Also of importance to the thesis is the role Beyle sees governors playing – as a policy advocate that operates with or against portions of the legislature, the courts, the bureaucracy and even their own administration. Researchers should be careful not to overstate the significance of their findings on known quantities of power. Studies of

²²Beyle (1980), p.197

²³Beyle (1980), p.198

²⁴Beyle (1980), p.198

²⁵Beyle (1980), p.199

²⁶Beyle (1980), p.200

²⁷Beyle (1980), p.200

²⁸Beyle (1980), p.202

institutional powers are somewhat limited in their scope as many factors – both formal and informal - create a governor's capacity for exercising institutional power.

Keith Mueller conducted an analysis of changing gubernatorial powers in 1985. Comparing the relative position of governors from the period of 1960 to 1982, Mueller sought to find whether Schlesinger's 1960 work reflects the reality of changing powers. This type of comparison is what the thesis attempts to recreate and repeat. Mueller's investigation into the transforming powers of state executives is one of the most comprehensive independent uses of the index outside of Beyle's work. Mueller was convinced of the index's utility by the 1968 Beyle study and Bernick's similar 1979 survey of state administrators, which served as updated validation that non-executive branch officials identified the same key components of gubernatorial power as the governors themselves.²⁹ His methodology for measuring change (and at the same time, method for validating Schlesinger) was to use the same method of measurement and data sources as Schlesinger did in 1960 for a contemporary update. Mueller compared the two indices (Schlesinger's 1960 and his own 1982 index) using correlation and regression analysis to try and explain any variation between the two indices. Gubernatorial power is deemed to have changed if the correlation coefficient is lower between the two indices – indicating that the powers have not remained constant. In the process, Mueller was also attempting to prove that governors had become demonstrably more powerful in the years after the original Schlesinger study. This project does not mimic the amount of mathematical detail the Mueller study employs. For the purposes of this thesis, the review of the index will begin with a closer look at how well the categories measure gubernatorial power. After it can be determined that the categories are in order, a time-series comparison of the Beyle scale's findings on gubernatorial power change against the new scale can be done.

Mueller successfully demonstrates that governors are markedly more powerful in 1982 than in 1960.³⁰ He also finds that two elements that lacked a significant amount of variation – budget power and tenure potential. Mueller suggests keeping tenure potential as a part of the index because of its capacity to change over time, as more governors have

²⁹ Keith Mueller, "Explaining Variation and Change in Gubernatorial Powers, 1960-1982," *Western Political Quarterly*, 38:3 (1985) p. 427 & E. Lee Bernick, "Gubernatorial Tools: Formal vs. Informal," *The Journal of Politics*, 41:2 (1979) p.656.

³⁰ Mueller, (1985) p.427

opportunities to be reelected.³¹ However, Mueller's belief in the changing nature of gubernatorial power marks budgetary authority as unnecessary in future studies, citing the lack of variation in powers across the states as only four states give less than full budgetary powers.³² He is correct in his assumption that there is little or no difference between states in this category, but its elimination from the index would signal a departure from using the index as a relative and temporal research tool. Although the difference in one category may be small, the difference exists nonetheless and can have a significant impact on a governor's overall power. In addition, removing budgetary power from the study would make it incapable of measuring any *loss* of power in that regard over time. It is important for the categories in the index to also assess the possibility that governors can lose power.

Mueller's analysis allows him to advocate his theory on executive power – that the governor is essentially an equal partner in an ongoing power struggle between the legislature and the governor.³³ He rejects the Dometrius theory that higher expenditures fuel a need for more executive power.³⁴ Instead, states that show policy initiative, higher legislative activity and more income (not expenditures) were more likely to grant their governors more significant powers.³⁵ The author also concludes that Dometrius is incorrect in assuming that a governor's power lay in the professionalism and efficiency of the legislature – Mueller finds that their powers came from a confrontational relationship between the executive and legislative branches. Mueller views the governor's role as a political player instead of the fiscal manager depicted by Dometrius. These findings serve as strong evidence for the eventual inclusion of party control in the Beyle index. Party identification is extremely important in a competitive relationship between the executive and the legislature. This sense of the governor serving as a political manager in the states is one shared by the thesis.

Dometrius responds to Mueller's findings in a 1986 follow-up to his 1979 study titled "*Changing Gubernatorial Power: The Measure vs. the Reality*". There are some measurement problems in the Beyle, Schlesinger and Mueller studies unearthed by Dometrius. Beyle's use of quintiles is criticized because of its inability to fully measure

³¹ Mueller (1985), p.427

³² Mueller (1985), p.427

³³ Mueller (1985), p.429

³⁴ Mueller (1985), p.429

³⁵ Mueller (1985), p.429

potential changes. There is a problem in using quintiles of 1 to 5 points because it only groups states according to relative rank, not actual power in appointment. The quintile allows the group to dictate the ranking, leaving the category open to the possibility that a governor could actually gain power in appointment, yet lose one measurement point based on their peers. Beyle eventually does away with quintiles, but the criticism of that scoring system is an important lesson in creating a scale measuring actual – not relative – powers.

In the 1986 study Dometrius is also concerned about the creation of a number of new bureaucratic agencies in the states - the index has not been revised to reflect whether the governor has appointment power over these new administrative heads. Because of this, Dometrius concludes that the combined index “no longer accomplishes the purpose for which it was created – distinguishing between high and low levels of gubernatorial power.”³⁶ This is an important declaration that is shared by the thesis – given the measurement problems of the combined index; it is difficult to conclude that differences found within it represent significant differences between the states overall. The problem of weighting – not to mention possible interconnectedness of the powers – continues to damage the validity of using an overall power index. One can only reasonably conclude that certain elements of gubernatorial power vary between states. Rather than using the index to define high and low levels of power, the individual categories are best utilized independently to measure differences in certain aspects of gubernatorial power between states.

The Mueller and Dometrius studies give the thesis some important considerations. Most importantly, the criticism of the index was concerned mostly with whether it could accurately reflect the real power of state governors. Neither Mueller nor Dometrius found this task to be impossible, just that it could be done in different ways. If the index hopes to be relevant, it must measure a governor’s real institutional power – encompassing both formal and informal aspects of the institution. The most common criticism from the Mueller and Dometrius studies are the weight and significance of the categories as well as the condensed nature of the overall index. Both authors reveal a valid criticism of the condensed nature of the index (too few categories), but the addition

³⁶ Nelson Dometrius, “Changing Gubernatorial Power: The Measure vs. Reality,” *Western Political Quarterly*, 40:2 (1986 & 1987) p.321.

of additional categories will not add to the index's ability to reveal differences between the states on an overall level. Small – but significant – differences exist within the categories that will help resolve the concerns of a condensed index. This is where the thesis should be concentrated.

It is clear that there are many theoretical and statistical problems involved in declaring that one governor is more “institutionally powerful” than another by the existing gubernatorial power measures. Instead of finding differences through a combined index with measurement problems, real differences are better calculated through a closer study of the individual power categories. A thorough restructuring of the power scales will help to reveal these differences. Instead of a broad expansion of the subject, it is best to refine existing measures - if Mueller and Dometrius are concerned about finding differences in formal powers the answers can be found in the existing categories. As such, a look at the measurement intervals within the categories will be one of the main focuses of the thesis. After such an analysis, it can be said with more confidence that the subject of gauging gubernatorial power is “measuring what it purports to measure”.

Beyle and the Evolution of the Index

Beyle does independent updates to the gubernatorial power index in 1983, 1990, 1996, 2001 and 2004. Even though each of the studies differs only slightly in content, they contain many changes to the measurement categories. What is of most concern to the thesis is that the changes are usually only mentioned in passing, and are not given a thorough theoretical explanation. Beyle is visibly open to including the ideas of others in his studies – he drops the quintile scoring system in 1983, perhaps as a response to Dometrius – so it follows that the individual categories themselves are open to revision. Beyle transformed the index by including “Organizational Power” in his 1980 index to reflect the growing number of state agencies and bureaucracy. Reforms in emergency authorities, consolidation in existing state agencies, creation of new agencies, and fewer elected officials led scholars to suggest including a new organizational category in the index to accommodate the changes.³⁷ This category is included in just one update of the index. Throughout the updates, Beyle chooses to deal with suggestions and criticisms by inclusion, not with theoretical defense. While it is important to address the ideas of

³⁷H.E. Flejnte, “Governor as Manager: A Political Assessment,” *State Government*, 54 (1980) p.76-81.

others, it would help Beyle's overall validity if the criticism were visibly weighed against his own ideas. Over time it is important to determine whether the additions and omissions in the index reflected the formal and theoretical reality of gubernatorial power. Rather than dissect the updates individually, the project will consider the updates as a part of a sequential whole.

Three additions in Beyle's 1990 update are of significance. Beyle adds the category of budget power (BP) to the index to determine how powerful a governor is in preparing the state budget. This change is entirely relevant theoretically, and represents a tool through which the index can better differentiate power between states. The appointment power category also goes through a change. Previous work by Schlesinger and Dometrius suggested the inclusion of every existing government agency within a state in measuring a governor's AP. In his temporal updates of the index and historical review of appointment power, Beyle looks at the governor's ability to appoint officials in only six areas – corrections, welfare, highways/transportation, health, public utilities, and education.³⁸ No explanation is given to why these six functional areas are chosen. Absent a theoretical explanation, one is forced to guess at Beyle's reasoning. It is difficult to see significant differences in the powers or authorities of these officials as compared to other state agencies. A quick review of salaries indicates that these areas are not the highest paid administrators in the states.³⁹ Perhaps done to simplify the process of calculating appointment power, it appears obvious that Beyle's methodology in this matter needs a closer review.

Another major change in the 1990 index is the inclusion of "Party Control" to the index. Partisanship undoubtedly has a profound impact on governor-legislature relations, and thus the governor's overall power. In Beyle's view "if a governor's party controls the legislature, then partisan conflicts can be minimized and the governor's ability to achieve their agenda is more likely to be successful."⁴⁰ Beyle is correct to account for measuring the size of majorities and minorities in state legislatures, as this undoubtedly has an effect on what governors can accomplish legislatively. Although it is difficult to predict how each majority or minority will act – a confrontational relationship between the governor's party and the opposition is not ensured even in a divided state – the

³⁸Thad Beyle, "The Governors," *Politics in the American States*, 5th Edition (1990) p.221

³⁹ The Council of State Governments, *The Book of the States*, Volume 37 (2005) p.239-243.

⁴⁰Beyle (1990), p.226

measure of party control can be an important measure of a governor's relative political position. Measuring party control also allows the index to better account for temporal changes in the governor's powers. The move towards measuring party control also indicates that the index should account for relative factors – how each state compares to their peers in terms of the opposition they face in the legislature.

The 1996 index is where Beyle first attempts to measure the “personal power” of governors. Beyle measures each state governor on a five-point scale in terms of electoral mandate (size of election victory), position on state ambition ladder (number of offices held before being governor), personal future (term position), personal style (dull or charismatic) and performance (approval rating).⁴¹ This is combined into a “Summary of Personal Powers” with a rating representing the average for each category for a governor on a five-point scale. The measurement definitions are as follows:

J – EM: GOVERNOR'S ELECTORAL MANDATE

1994 (Summer); 1998:

- 5 = Landslide win of eleven or more points;
- 4 = Comfortable margin of six to ten points;
- 3 = Narrow majority of three to five points;
- 2 = Tight win of zero to two points or a plurality win of under 50 points;
- 1 = Succeeded to office (not elected)

K – AL: GOVERNOR'S POSITION ON THE STATE'S AMBITION LADDER

1994 (Summer); 1998:

- 5 = Steady progression from local to state legislature to statewide level offices;
- 4 = Former governor;
- 3 = Legislative leader or member of Congress;
- 2 = Sub-state position to governor;
- 1 = First elective office

L – PF: PERSONAL FUTURE OF THE GOVERNOR

1994 (Summer); 1998:

- 5 = Early in term, can run again;
- 4 = Late in term, can run again;
- 3 = Early in term, is term limited;
- 2 = Succeeded to office, can run for election in own right;
- 1 = Late in final term

***M - PS: PERSONAL STYLE OF THE GOVERNOR**

1994 (Summer) Derived from a Summer 1994 survey of journalists, political scientists and other observers across the 50 states about their state's governor. Question: "how would you characterize [governor's] personal style?" A 5-point response set ranged from 5 = charismatic to 1 = dull. No qualitative indications for the intermediate scores (4, 3, 2).

N – GP: GOVERNOR'S JOB PERFORMANCE RATING IN PUBLIC OPINION POLLS

1998:

- 5 = More than 60% positive job approval rating;
- 4 = 50 to 59% positive job approval rating;
- 3 = 40 to 49% positive job approval rating;
- 2 = 30 to 39% positive job approval rating;
- 1 = Less than 30% positive job approval rating

O – GPP: GOVERNOR'S PERSONAL POWERS INDEX SCORE

1994: The sum of the scores for EM, AL, PF, PS divided by 4 to stay within the 5-point scale format.

Overall GPP score rounded to nearest tenth of a point.

1998: The sum of the scores for EM, AL, PF, GP divided by 4 to stay within the 5-point scale format. Overall GPP score rounded to nearest tenth of a point

Source: Thad Beyle “State and Local Government: Gubernatorial Power” 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

A number of questions arise regarding the categories, which echo earlier concerns – are the categories equal? It is difficult to argue that the number of offices held before

⁴¹Thad Beyle, “Governors,” *Politics in the American States*, 6th Edition (1996) p.233

being governor is comparable to a governor's performance ratings. Arguments can be made that some measures are of more importance than others. The Personal Style category contains potential bias because scholars and journalists are asked their personal opinions of a governor's legislative personality "style," which opens the scoring up to all kinds of perceptions and prejudice. Many of the circumstances described are unique to the state in which they exist, as some states may prefer the relaxed, "dull" style of governance that is rated low by Beyle. Also, the weighting and importance problems present in the institutional power index exist here. Instead of dismissing this personal powers index, the project will embrace some of the measurable informal powers represented in the personal power intervals. There are a number of redeemable measures contained in this index that deserve inclusion in an institutional index. The "Personal Future of the Governor" measure is one such category, as it can help determine a governor's relative tenure standing. Other inclusions will be described in the findings section of the thesis. What is most interesting is that Beyle's 1996 formal index update is that it is combined with the informal aspect to create a ten-point scale measure of "Overall Gubernatorial Power." Despite Beyle's attempt to advance the subject, a measure of overall power that combines formal and informal aspects must come from a more solid understanding of its fundamental components – the individual categories.

The quantitative portion of the project will come from a comparison of how my findings on gubernatorial power change compare to the Beyle findings for the period of 1980 to 2005. This comparison was inspired by Beyle's 2005 study *Governors: Elections, Campaign Costs and Powers*, where the author measures changes in power from the findings of Schlesinger's 1960 study until 2005.⁴² Using the same five-point scale, Beyle finds that governor's separately elected branch official and tenure potential power had increased 28% from 1960-2005, their appointment power had increased 7% and veto power had increase 61%.⁴³ Beyle also found decreases of 14% in budget power and 17% gubernatorial party control.⁴⁴ A similar research design will be used in this study, only the Beyle scale will be used for one calculation of changes for the time period 1980 to 2005 and the new Reisinger scales will be used for a separate calculation.

⁴² Thad Beyle, "Governors: Elections, Campaign Costs and Powers," *The Book of the States*, 37th Edition (2005), p. 201

⁴³ Beyle (2005), p.200

⁴⁴ Beyle (2005), p.200

Gubernatorial party control (PC) will not be included in this comparison, however. It is unclear what purpose Beyle saw in his inclusion of this category for his analysis, as it should strictly be used in a temporal sense. Beyle found an increase in PC between the two periods, but that does not indicate anything significant, only that the value was higher in 2005 than in 1960. The values used in the analysis are only relevant in the year that they were recorded. There is no way to ensure that overall PC did not actually decrease in the years where values were not calculated. PC is strictly a temporal, comparative measure that should not be used in such a historical analysis.

The second analysis to be done with the data will be to attempt to form an elementary framework of measuring gubernatorial success. Robert Crew, Jr. takes the first step in analyzing gubernatorial behavior and success in his study *Understanding Gubernatorial Behavior: A Framework for Analysis*. Analyzing the behavior and success of governors can be done by using the data from the project to partially fill the policy success model for governors introduced by Crew.⁴⁵ The author identifies five factors that contribute to the political success of governors in passing their agenda into law – personality, political skill, political resources, situation and strategy.⁴⁶ Crew finds it difficult to quantify the personality traits of governors, as most of the judgments come from the media and scholars and are thus subject to a degree of bias. It is possible, however, to identify sources of political resources, the political situation in states and the governor's strategy. All of these factors should be used to measure a governor's success in reaching their legislative and administrative goals.⁴⁷ Political conditions and resources can come from a governor's formal powers. Strategy can be determined from a study of gubernatorial speeches, budget statements and the state of the state addresses.⁴⁸ The Crew study attempts to explain the unique situations governors face in administering their states. Conditions and resources can come from a governor's formal powers. Strategy can be determined from a study of gubernatorial speeches, budget statements and the state of the state addresses given by governors. The framework cannot predict success, but it can identify favorable or unfavorable political and legislative conditions for governors. With some data inputted, the framework could help determine the probability

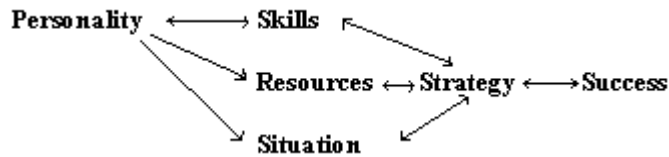
⁴⁵ Robert E. Crew, Jr., "Understanding Gubernatorial Behavior: A Framework for Analysis," *Governors and Hard Times* (1990) p.15

⁴⁶ Crew, p.15

⁴⁷ Crew, p.15

⁴⁸ Crew, p.16

of governors passing legislation by incorporating known levels of political resources, conditions and strategy. The thesis will not purport to quantify each of these factors, but will insert data into the framework below to perhaps provide others with a basis from which to judge gubernatorial success. The Crew framework is shown below:



To better understand the framework, Crew’s definitions should be weighed with the definitions of this project. It is important to note that these factors do not operate independently from one another. There is a certain level of interconnectedness that should guide analysis. Crew identifies two quantifiable measures of success – the governor’s use of vetoes and the success of appointments to government positions.⁴⁹ Success comes from a combination of the five factors described previously. The first factor of character involves “motivation, character, and cognitive and behavioral styles.”⁵⁰ These elements are difficult to quantify and are best left to psychological or behavioral analysis. The second factor of political skill, however, has a connection with the thesis as Crew sees that governmental experience produces political skill.⁵¹ The tenure potential category from this project could be useful in measuring Crew vision of political skill. In the Crew study political resources are seen as consisting of a governor’s relationship with the legislature, party support and public approval.⁵² The project can provide data for political resources with the party control (PC) category. Public approval can be found in the latest relevant polls. The factor with the most significant connection with the project is measuring the political condition in which governors operate. A governor’s formal powers of veto, budget, appointment, tenure/experience, the executive office officials and the party control of the legislature help to make up the conditions (or situations) in which a governor must work. While not a perfect measure of overall power, it is possible to quantify and measure a governor’s situation through known formal and informal powers.

⁴⁹ Crew, p.16

⁵⁰ Crew, p.17

⁵¹ Crew, p.17

⁵² Crew, p.17

The thesis will use a short case study to help illustrate how a measure of formal and informal powers may fit into the Crew framework. Obviously not all of the factors in the equation will have values, but hopefully the parts of the framework that are known will help others perhaps predict or gauge the probability of gubernatorial success. One state governor will be studied in terms of what is known about their institutional powers, combined with an assessment of their main strategies (as expressed in speeches and statements) and successes (whether their agenda or strategy is passed into law). This is meant simply to begin further study in predicting and assessing the situations and success of governors. With further study and refinement, it is possible that the findings of this study can contribute to that end.

Chapter 3: Research Design

The study will have three main components. The first research section involves the formulation and scoring of the individual powers of governors. Beyle's institutional power scales and scores and will be compared to the new scales and scores provided by the researcher. The second section of the analysis will involve a time-period comparison for individual gubernatorial powers for the years 1980 to 2005. The Beyle power scales – as well as the new Reisinger scale – will score governors for both 1980 and 2005 in order to measure the percentage of power gained or lost for governors in that time period. The amount of change seen in each category of the scales will be analyzed to determine whether the Beyle scale may have over or under estimated the changes in gubernatorial power in this time period. The final analysis section will involve placing the findings of this study in Crew model for predicting gubernatorial success. The relevant findings from the analysis sections will hopefully bring researchers closer to having a valid tool for measuring and predicting the possibility of policy success for governors.

The six categories of institutional power used by Beyle will be reviewed and revised. The powers are in need of this review to ensure that they are measuring the reality of political powers governors have in the states. The scales used for appointment power, budget power, party control, tenure power, separately elected branch officials and veto power will be revised and rescored. The categories will stay consistent with the 0 to 5 point scale employed by Schlesinger and Beyle. The revised intervals will fit into this scoring system in order to make comparisons between the old and new scores easier. Even with the goal of identifying differences in powers between the states that were not evident before, the study will focus on the scales and intervals before scoring the states. As such, there are two calculations evident in the individual power analysis – the Reisinger power scores and the Beyle power scores. The process for reviewing the categories will include an overview of where the intervals can be revised, followed by a proposal for a new scale. The different scenarios and conditions present in the states for governors to exercise their individual powers will determine the intervals used. Where there is an identifiable difference between conditions in states for a certain gubernatorial

power, there will be an appropriate interval. These conditions and intervals will then be presented in a new power scale proposal utilizing the 0-5 point scoring system.

After the intervals have been created, the analysis will turn to scoring each of the fifty state governors in their individual powers. Each state will be analyzed and scored independently using the revised scales for all categories. These scores will then be presented in an alphabetical list of states, with the Reisinger scores listed along with the corresponding Beyle score for each state. The second analysis table will then rank the states according to their scores for the Reisinger scales, with a ranking of the states according to their Beyle scores beside it. These tables will help to illustrate differences found between the two scales in terms of that individual power. A cumulative average score is also calculated, with the hope of highlighting the overall difference between the two indices.

The data used to determine the intervals and scoring categories will come from several sources. The Book of the States, an annual publication from the Council of State Governments, will provide the vast majority of information for the calculations. This source contains a wealth of state government information, with tables and charts that provide the needed data to determine differences in state gubernatorial powers. This annual publication also provides relevant information for the years the study will analyze. Updated information on the number of seats held by each party will come from the National Conference of State Legislatures, making it the primary source for the party control information in the thesis. Any discrepancies or uncertainties with constitutional statutes or provisions for the scoring will be resolved by referring to state constitutions, although this may not be needed.

The second major analysis section will be a time-period comparison of the two power indices measuring change in the major institutional powers from 1980 to 2005. The relevant edition of the Book of the States (1980) will help provide the data for this portion. Beyle's scores for each of the five major individual powers (SEP power will not be calculated, as Beyle began the category in 1994) will then be scored for both 1980 and 2005, followed by the researcher calculating the percentage of difference change for the cumulative state average between the two years. This process will also be done for the Reisinger power scales, with the researcher calculating a percentage change in each of the individual powers. These two change percentages will then be compared to investigate

whether the amount of power change discovered by the Beyle scale is comparable to the amount of power change found in the Reisinger scale. It is hoped that the results of this time period comparison can find that there is some disagreement between the two indices about the magnitude of change found for these individual powers - perhaps provoking future study in the subject. One of the central aims of this portion is to investigate whether further study is needed in the subject of measuring specific governor powers, in the hopes of inspiring further revision and clarification of the measurement scales. Improved validity of the indices will only improve the use of the scales in other studies.

The final analysis section attempts to place the findings of the study – the quantitative measure of the relative political powers and positions of governors – and place them into the Crew model for measuring gubernatorial success. This model is put forward as a framework from which to predict governor behavior, as well as to help predict policy success. It is theorized that the study may be able to provide some – but not all – of the components that the author deems important in the framework. These components may form a rudimentary basis from which one can predict whether or not a governor will become successful in their policy endeavors. After determining and inputting these values, a study of the governor’s strategy will be done by reviewing the text of one governor’s state of the state speech, provided by the Stateline.org website. Highlighting three major strategies alongside the quantitative relative power measures will help provide a better understanding of the success framework. With these components in place, an analysis will be done to investigate the likelihood of policy success for the governor in terms of their major strategies, as well as some comments on the ambition of the strategy as compared to the political realities in the framework. By utilizing the calculated individual powers and incorporating them into the Crew framework, it is hoped that researchers can have a basis from which to accurately predict gubernatorial policy success.

There are some limitations to this study. Just as researchers cannot be sure that they have identified all of the elements necessary to measure overall gubernatorial power, the study cannot claim to have found all of the individual elements necessary to completely measure each power category. There are caveats and variations of certain exercises of power, and these can have a significant impact on the level of power governor’s possess in that category. In addition, there may be some aspects of the

individual powers that will be overlooked by the study. There are likely provisions and statutes contained outside the reference materials used to obtain the information for this study, thus meaning that this unseen information will not be included in the analysis. It is recognized that the inclusion of this information could have an impact on the project's findings. In short, the study cannot be certain that it has identified all the necessary elements of each individual power – it can only hope to inspire further study towards perhaps accomplishing that goal.

Another limitation is that the study uses *The Book of the States* almost exclusively for its information. Any lack of information or incorrect coding in this book will subsequently be shared by this study. There are no doubt a number of issues that can arise from relying so heavily on one text, but given time and information constraints, *The Book of the States* provided the best reference option for this study. The information sources used for the study may contain mistakes that could affect the findings. It is recommended that future studies in the subjects may need to consult additional sources to verify the information contained in these texts. Along the same lines, there is an information problem with time period comparisons, as it is unlikely that all of the necessary information is available for both of the years 1980 and 2005. The study will attempt to control for this situation, and suggest alternative methods and sources to gather this information later in the text.

Chapter 4: Appointment Power (AP)

A governor's ability to appoint officials to head agencies and oversee bureaucracies is what constitutes appointment power (AP). Much like in the SEP category, it can be politically important if a governor has the ability to appoint their own candidates to lead state agencies and head important bureaucratic posts. Those that owe their jobs to the governor's favor are likely to administer their agencies to the governor's liking, and also act accordingly when the governor requests special favors. In many ways, an appointment is made and contingent on the candidate fulfilling their duties in way that is consistent with the governor's wishes. When the "ability to hire implies the ability to fire," appointed officials are theoretically beholden to those to whom they owe their jobs. When the appointment comes from a governor, it follows that the agency head will act in ideological concert with the governor in many areas. Many major bureaucratic and agency posts do not come from the governor, however. The everyday administration of the state is a large job that includes a number of different agencies, boards and commissions. The selection of these entities creates unique political conditions in each state. There can be important political differences in states where governors do not independently select their agency heads as compared to states where governors have more control over appointments. The governors cannot do all of the administrative work in the state themselves, so it can be beneficial for them to have political allies conduct this work on their behalf.

Most gubernatorial appointments are done with some sort of approval. While it is recognized that preconditions may exist in the selection and confirmation of officials (electoral mandate, favors, etc.) it is theorized that it is to the governor's advantage to have more authority or input in the selection of agency heads. If an appointment happens outside of any direct control of the governor, it lessens the opportunity for the governor to influence the process to their benefit. It is better (and most likely easier) for the governor to get certain officials appointed if they are directly involved in the process (by appointing directly or approving) as opposed to being outside of the nomination and confirmation process. Although the governor may have allies and influence in the bodies appointing and approving state officials, it is easier for a governor to have loyal political

figures installed in state agencies when they have a formal say in the appointment process.

The process for measuring gubernatorial appointment power has changed over time. In the first relative comparison of gubernatorial power, Schlesinger used sixteen offices – administration & finance, agriculture, attorney general, auditor, budget officer, conservation, controller, education, health, highways, insurance, labor, secretary of state, tax commissioner, treasurer and welfare.⁵³ Dometrius’s follow-up to the Beyle and Schlesinger indices also uses these sixteen offices to calculate appointment power.⁵⁴ Of most interest to the project is the fact that in 1980 Beyle uses forty-six offices in his calculation of AP. His next update in 1988 involves a return to the sixteen major offices identified by Schlesinger and Mueller. Finally, in 1994 his AP category measures just six major functional areas (corrections, education, highways and transportation, utilities and welfare). There is no explanation given as to why offices were excluded from the study. It is reasonable to conclude that it could have eased the burden of calculating the thousands of scores for each governor. It is also reasonable to hypothesize that perhaps Beyle thinks the six major areas are more important than others.

Thad Beyle’s calculation of appointment power is also of particular interest to this study. It is unclear why Beyle chose the six “major functional areas” as the best representation of a governor’s appointment power. The salaries for these areas are not significantly higher than the leaders in other agencies. Beyle also does not offer a qualitative defense of why these officials are included while others are not. The merit of including each of these agencies is not concerning, but the exclusion of other agencies and posts is. A sound argument can be made for including the offices of treasurer, auditor or any other state agency. All state agencies and bureaucracies can affect the administration of a state, and thus the success of the governor. The administration of the state - which includes the function and execution of the state bureaucracies - is one of the governor’s most important duties. Failure to provide basic services to citizens can have a significant impact on the governor’s public approval and also their political clout. As such, more state agencies deserve inclusion in the category in order to best measure how powerful governors are in choosing officials to administer their states. The AP category

⁵³ Schlesinger (1960), p.227

⁵⁴ Dometrius (1979), p. 599

as calculated by Beyle represents only a partial reflection of a governor's overall appointment powers. A governor may be powerful in appointing those six officials, yet have no input in the placement of other agency heads. State bureaucracies are large, and can expand in a short period of time. This means there are a number of gubernatorial or legislative appointments not taken into account by the Beyle scale. Most importantly, the appointment data on many bureaucracies is readily available.

Along with the change in measurement subjects, there should be a change in the measurement intervals. Beyle uses the standard 0-5 scales for the AP category, but surprisingly assigns a score of zero for officials that are popularly elected to their posts. While not an ideal situation for governors in terms of their appointment powers, a popular election does not mean the governor can have no influence on the official once they take office. A governor can give endorsements, personnel and financial support to candidates running campaigns for state office. While not an appointment, it is an investment of political capital. Therefore the election of officials, while still the least valuable in the AP category, should be assigned a score higher than zero. The intervals also need further clarification – a governor is scored a 3.0 if “someone else appoints” and the “governor shares appointment,” while they are scored a 2.0 if the “someone else appoints, governor and others approve.” It is unclear if there is any difference between these two situations. There should also be intervals between the whole numbers to reflect the different steps candidates must go through. It is theoretically more difficult to be confirmed by two legislative bodies as opposed to just one. A separation should also be made between officials that are popularly elected and those that are elected by the legislature. Governors can more easily exert their power and influence in the legislature in support or opposition to a candidate as opposed to attempting to steer a general election. The current Beyle AP scale takes the following form:

GOVERNOR'S APPOINTMENT POWERS

1994 (Summer); 1998; 2001: Appointment power in six major functional areas: corrections, K-12 education, health, highways/transportation, public utilities regulation, and welfare. The six individual office scores are totaled and then averaged and rounded to the nearest .5 for the state score. That average score is then rounded to the nearest .5 between 0 and 5.

- 5 = Governor appoints, no other approval needed;
- 4 = Governor appoints, a board, council, or legislature approves;
- 3 = Someone else appoints, governor approves or shares appointment;
- 2 = Someone else appoints, governor and others approve;
- 1 = Someone else appoints, no approval or confirmation needed
- 0 = Separately elected or selected by the legislature

Source: Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

The Reisinger Appointment Power scale (RAP or Reisinger AP) attempts to refine the Beyle scale and be applied to more offices than in Beyle's research. With an

expanding bureaucracy – and absent an acceptable explanation for why the six areas Beyle selected are more important than others – the best option in terms of measuring appointment power is to incorporate the appointment of all relevant agencies for which data is available. It is recognized that there are significant weighting problems in treating each of the offices equally. The importance of each office is different in terms of the administration of the state. Perhaps future studies can apply an acceptable weighting system to the offices to more accurately weigh their importance, and thus, their true appointment power. Using the same scoring scale for each office, a governor should be rated on their ability to appoint each position – much like earlier studies proposed. The governor’s score will reflect their average power in appointing all applicable offices. Only relevant (existing) offices will count towards the average, which will control for the disparities in number of agencies between states. This new AP measurement is possible because the associated data is readily available. It is hoped this measure will identify differences between states that were overlooked with the simplification of the scale. It is hypothesized that the limited number of offices measured in the Beyle scale failed to present a comprehensive picture of appointment power in individual states. Disparities between the Beyle AP and Reisinger AP will be best reflected in the differences between scores in individual states, as it can be better seen where Beyle under- or over- estimated AP power. It is also expected that the cumulative AP average will change with the addition of new offices to the calculation.

The Reisinger AP scale will operate under a few assumptions. It is better for a governor to appoint officials themselves. When an official is appointed without the approval of another body, it is assumed that entities that are not part of the official process will have more limited influence in the confirmation proceedings. Appointments that must go through two bodies should be rated lower than those that need the approval of one or no bodies. Similarly, the governor’s approval of appointments by other bodies should incorporate all possible scenarios. A governor is scored higher for approving appointments on their own, as this gives them the most input of any approval role. The next highest score should be for governors that share approval, followed by appointments that require someone else’s approval.

The RAP score will reflect the cumulative average of a state governor when the appointment of all applicable officials (out of forty-six) is measured. Each applicable

office will have an independent score, as will be disclosed in Table 1. The key for reading the scores is provided at the end of the table. For instances in which two or more officials share a position or responsibility, the average of the appointment power of the offices who share responsibility will be calculated, and rounded down to the nearest applicable half-point interval. The offices in the study will be identified and calculated from data available in *The Book of the States*. This is not meant to be a full listing of administrative offices, but it does provide a more thorough list of significant state agencies and bureaucracies. Below will be the Reisinger AP scale, with Table 1 of the AP scores for each state and office in alphabetical order contained in Appendix A at the end of the text. Below is Table 2, with an alphabetical listing of RAP compared to Beyle AP. Table 3 shows a ranking comparison for both RAP and Beyle AP.

Reisinger AP Scale

- 5.0 – Governor appoints, no approval needed
- 4.5 – Governor shares appointment, no approval needed
- 4.0 – Governor appoints, one body approves (board, council, one house of legislature)
- 3.5 – Governor appoints, both houses of legislature must approve
- 3.0 – Someone else appoints (board, council, legislature), governor must approve
- 2.5 – Someone else appoints (board, council, legislature), governor shares approval with someone else
- 2.0 – Someone else appoints (board, council, legislature), someone else approves (board, council, legislature)
- 1.5 – Someone else appoints, no approval needed; Legislature elects official, no approval needed.
- 1.0 – Official is popularly elected

Offices to be measured: Treasurer, Adjutant General, Administration, Agriculture, Auditor, Banking, Budget, Civil Rights, Commerce, Community Affairs, Comptroller, Consumer Affairs, Corrections, Economic Development, Education, Election Administration, Emergency Management, Employment Services, Energy, Environmental Protection, Finance, Fish & Wildlife, General Services, Health, Higher Education, Highways, Information Systems, Insurance, Labor, Licensing, Mental Health, Natural Resources, Parks & Recreation, Personnel, Planning, Post-Audit, Pre-Audit, Public Library Development, Public Utility Regulation, Purchasing, Revenue, Social Services, Solid Waste Management, State Police, Tourism, Transportation, and Welfare.

Table 2: Reisinger AP vs. Beyle AP

State	Reisinger AP	Beyle AP
Alabama	2.98	3.00
Alaska	3.12	3.50
Arizona	2.52	4.00
Arkansas	2.85	3.00
California	3.56	4.00
Colorado	2.96	3.50
Connecticut	3.01	2.50

Delaware	3.12	3.50
Florida	2.87	2.50
Georgia	2.58	2.00
Hawaii	2.86	2.50
Idaho	2.56	2.00
Illinois	3.33	3.00
Indiana	3.44	2.50
Iowa	2.74	3.00
Kansas	2.57	3.00
Kentucky	3.40	4.00
Louisiana	2.81	3.50
Maine	3.34	3.50
Maryland	2.87	2.50
Massachusetts	3.50	3.50
Michigan	2.91	3.50
Minnesota	2.90	2.50
Mississippi	2.55	2.00
Missouri	2.38	3.00
Montana	3.26	3.00
Nebraska	2.48	3.00
Nevada	3.06	3.50
New Hampshire	3.26	3.00
New Jersey	2.77	3.50
New Mexico	3.97	3.00
New York	3.47	3.50
North Carolina	3.12	3.50
North Dakota	3.01	3.50
Ohio	3.37	3.50
Oklahoma	2.51	1.00
Oregon	2.72	3.00
Pennsylvania	3.38	4.00
Rhode Island	2.52	3.00
South Carolina	2.15	2.00
South Dakota	3.17	3.50
Tennessee	3.54	4.00
Texas	2.17	1.00
Utah	2.62	3.00
Vermont	4.02	3.50
Virginia	3.12	3.50
Washington	2.70	3.50
West Virginia	2.92	4.00
Wisconsin	2.32	2.00
Wyoming	2.86	3.50
AVERAGE	2.96	3.06

Source: *The Book of the States 2006*
 Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Table 3: Reisinger AP vs. Beyle AP, State Rankings

Rank	State	RAP	Rank	State	Beyle BP
1	Vermont	4.02	1	Arizona	4.00
2	New Mexico	3.97	1	California	4.00
3	California	3.56	1	Kentucky	4.00
4	Tennessee	3.54	1	Pennsylvania	4.00
5	Massachusetts	3.50	1	Tennessee	4.00
6	New York	3.47	1	West Virginia	4.00
7	Indiana	3.44	7	Alaska	3.50
8	Kentucky	3.40	7	Colorado	3.50
9	Pennsylvania	3.38	7	Delaware	3.50
10	Ohio	3.37	7	Louisiana	3.50
11	Maine	3.34	7	Maine	3.50
12	Illinois	3.33	7	Massachusetts	3.50
13	Montana	3.26	7	Michigan	3.50
13	New Hampshire	3.26	7	Nevada	3.50
15	South Dakota	3.17	7	New Jersey	3.50
16	Alaska	3.12	7	New York	3.50
16	Delaware	3.12	7	North Carolina	3.50
16	North Carolina	3.12	7	North Dakota	3.50
16	Virginia	3.12	7	Ohio	3.50
20	Nevada	3.06	7	South Dakota	3.50
21	Connecticut	3.01	7	Vermont	3.50
21	North Dakota	3.01	7	Virginia	3.50
23	Alabama	2.98	7	Washington	3.50
24	Colorado	2.96	7	Wyoming	3.50
25	West Virginia	2.92	25	Alabama	3.00
26	Michigan	2.91	25	Arkansas	3.00
27	Minnesota	2.90	25	Illinois	3.00
28	Florida	2.87	25	Iowa	3.00
28	Maryland	2.87	25	Kansas	3.00
30	Hawaii	2.86	25	Missouri	3.00
30	Wyoming	2.86	25	Montana	3.00
32	Arkansas	2.85	25	Nebraska	3.00
33	Louisiana	2.81	25	New Hampshire	3.00
34	New Jersey	2.77	25	New Mexico	3.00
35	Iowa	2.74	25	Oregon	3.00
36	Oregon	2.72	25	Rhode Island	3.00
37	Washington	2.70	25	Utah	3.00
38	Utah	2.62	38	Connecticut	2.50
39	Georgia	2.58	38	Florida	2.50
40	Kansas	2.57	38	Hawaii	2.50
41	Idaho	2.56	38	Indiana	2.50
42	Mississippi	2.55	38	Maryland	2.50
43	Arizona	2.52	38	Minnesota	2.50
43	Rhode Island	2.52	44	Georgia	2.00

45	Oklahoma	2.51	44	Idaho	2.00
46	Nebraska	2.48	44	Mississippi	2.00
47	Missouri	2.38	44	South Carolina	2.00
48	Wisconsin	2.32	44	Wisconsin	2.00
49	Texas	2.17	49	Oklahoma	1.00
50	South Carolina	2.15	49	Texas	1.00

Source: *The Book of the States 2006*
 Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

A review of Table 2 reveals that after measuring the gubernatorial appointment power of more major administrative positions, governors as a whole are slightly less powerful in their powers as once thought. The most important differences can be found within the individual states, with twenty-two of the states scoring a half-point (0.50) or more differently in Reisinger AP than Beyle AP. This indicates that perhaps Beyle both underestimated and overestimated the overall appointment power of governors in certain states. More specifically, after the inclusion of more offices and appointment opportunities, the governors of Texas and Oklahoma showed more than a one-point increase as compared to the Beyle AP (1.17 and 1.51 respectively) in their appointment powers when scored on the Reisinger AP scale. On the opposite end, the governors of Arizona and West Virginia saw their AP scores decline by more than one-point from the Beyle AP score (1.48 and 1.08 respectively) when scored on the Reisinger AP scale. The difference in the overall state averages is not overly significant (0.10 points), but it is clear that scores varied considerably in the individual states when more offices were considered for AP power. The calculation of the Reisinger AP should not be considered a comprehensive list of applicable offices. While the number of positions in the calculation increased, more could come into being and some could be excluded from the list due to data availability. Further studies of AP should investigate whether more offices should be included, as the scale should allow for these calculations. Future studies could also perhaps build on the idea of weighting the offices appropriately as to measure the importance of certain appointments. This can only help the overall validity of measuring a governor's overall appointment power. The Reisinger AP is essentially a return to the methodology of previous AP studies, and it is hoped the category can be expanded through future research and revision.

Chapter 5: Separately Elected Branch Officials Power (SEP)

Much like the concept of appointment power, a category measuring whether important executive branch officials were popularly elected or selected by the victorious gubernatorial candidate is important in terms of measuring informal power. Elected branch officials can come from the same party and ideological mindset as the governor, but one who is elected independently has less political indebtedness to the governor than one who was appointed. The perception that an official owns an electoral mandate can conceivably affect the governor's control of that official. A mandate can give an official's personal agenda a certain degree of validation. Being from a different party can only increase the chances that an elected official will pursue a different agenda than the governor. In that vein, it is fairly easy to envision a governor of one party having political problems with an attorney general of a competing party. Holding separate elections increases the probability that the executive office could contain competing political parties and factions. As such, the thesis will contend that governors who select their own administration officials are more powerful than those that share the executive office with elected officials.

While Beyle is correct to measure the political conflict that may exist within an executive office, the category can be improved by taking into account term length. Whether or not a separately elected branch official can outlast a governor in term length can be politically significant. Not only can the official claim a mandate from their election victory, they can also conceivably map out their political future on their own – their tenure in office is not directly affected by how well the governor does in the next election. Although it is recognized that many executive officials run on the same ticket as the governor or share similar platforms, voters must sometimes make decisions on each individual office on the ballot. When an elected official is sure that their term is somewhat separate than the governor's time in office, they are more free to develop an independent political agenda, and also forge their own personal relationships with the legislature and state bureaucratic offices. All of this can have a negative political effect on a governor's power.

The project's calculation of Separately Elected Executive Branch Officials Power (SEP) will take the Beyle model and expand it to include the possibility of term

differences among the officials. Beyle has already capably accounted for which officials are elected and which ones are appointed, but the category can benefit from the inclusion of term differences by finding statutory term differences among the states. The project is essentially finishing the work Beyle has already begun, measuring the effect of separately elected officials on gubernatorial power. Governors who can have longer terms than separately elected officials will have a positive “power effect” added on to their SEP scores, while those who can be outlasted in office by these officials will have a negative “power effect” on their SEP scores. This power effect will be consistent whether the official was elected popularly or appointed by the governor. No matter how the official takes office, the power effects of their tenure capabilities will be considered to have an equal effect on the political power of the governor. Beyle’s original SEP provides an excellent framework from which to calculate the effect of term on SEP power.

Two things can be accomplished with this new scale – tracking changes in gubernatorial power over time, as well as a more accurate reflection of the effect of term differences in executive officials. It is expected the scale will find some differences in SEP scores from Beyle’s study. Beyle’s attempt to track changes in power over time should be reviewed by improved scales to gauge whether his scales reflect a comprehensive interpretation of each power. The Beyle SEP category essentially bunched a number of states together rankings-wise, implying that they were equal. The new SEP calculation will not be an exercise in aesthetics to make the category more readable, it is to find real constitutional or statutory differences in a scale that has yet to find many. Each scoring change reflects a real difference in how state executive branch offices are selected and occupied. Any changes in scoring or rank among the states are meant to highlight the formal and political possibilities brought upon by the selection process and tenure of executive branch officials.

The Reisinger SEP will be calculated using the Beyle SEP as a starting point. The study will investigate the term limits for the offices of Governor (Gov), Lieutenant Governor (Lt. Gov), Secretary of State (SS), and Attorney General (AG) as provided by the 2006 *The Book of the States*. There are no doubt other important offices that are omitted, but time constraints allow only a thorough look at these officials. Future study of more offices would only improve the quality of relevant studies. Another potential shortcoming in the category is an uncalculated tenure potential for each individual

official, including time served. Incorporating years already served in office for each official could have some value to the project in a relative sense, but the SEP category partly deals with how the official was selected to serve in office. It is possible that separately elected officials could be elected in the midst of a gubernatorial regime change, but the power effect of term length (as discussed later in the section) will help control for this situation. Simply put, the Beyle SEP will help summarize how the officials are elected or selected and the Reisinger SEP will score the potential effect of term length and limitations amongst the offices. Scoring was determined by reasoning that an unlimited number of terms are more valuable than a limited number of terms. What is proposed here is simply an addition to the Beyle scale, not a completely different set of scoring intervals. The number of years in a term was of no consequence to the scores because term lengths were consistent for each state, making each term relative to the state involved. The Beyle SEP scores were calculated from the following scale. As mentioned previously, the selection aspect of the scale adequately measures what it is supposed to measure.

SEPERATELY ELECTED BRANCH OFFICIALS

- 5 = Only governor or governor/lieutenant governor team elected statewide;
- 4.5 = Governor or governor/lieutenant governor team, with one other elected official;
- 4 = Governor/lieutenant team with some process officials [attorney general, secretary of state, treasurer, auditor] separately elected;
- 3 = Governor/lieutenant governor team with some process officials, and some major and minor policy officials elected;
- 2.5 = Governor [no team] with six or fewer officials elected, but none are major policy officials;
- 2 = Governor [no team] with six or fewer officials elected, including one major policy official;
- 1.5 = Governor [no team] with six or fewer officials elected, but two are major policy officials;
- 1 = Governor [no team] with seven or more process and several major policy officials elected

Source: Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>

The Reisinger SEP score takes into account power effects that are the result of term differences between the governor and other executive branch officials. Not all states have a lieutenant governor, secretary of state and attorney general. For states missing one of more applicable offices, their Reisinger SEP scores will not be affected. The score will only reflect applicable offices, meaning that scores are not negatively or positively affected by the lack of one or more executive offices. For example, if a state had only a secretary of state but no lieutenant governor or attorney general, the secretary of state would thus become "all applicable offices." Adding or subtracting the calculated "Power Effect" to the Beyle SEP score – which constitutes the Reisinger SEP – will be done according to the scale below:

Reisinger SEP Term Power Effect Scoring

- 0.25 – All applicable offices can outlast governor with an unlimited number of terms.
- 0.20 – All applicable offices can outlast governor, with either one or all offices being somehow term-limited.
- 0.15 – Two or less (but not all) applicable offices outlast governor with an unlimited number of terms. All offices outlasting governor have unlimited terms.
- 0.10 – Two or less (but not all) applicable offices outlast governor, but at least one is somehow term-limited.

- +0.25 – Governor outlasts all applicable offices with an unlimited number of terms.
- +0.20 – Governor outlasts all applicable offices, somehow term-limited.
- +0.15 – Governor outlasts one or more applicable offices with an unlimited number of terms.
- +0.10 – Governor outlasts one or more applicable offices, somehow term-limited.

Table 4 below shows the number of consecutive terms allowed to elected state officials. The key indicates which positions are selected by means other than popular elections, and the Beyle SEP scores help separate the nature of teams, tickets and other election possibilities. All efforts were made to identify executive branch officials who run their own campaigns, or at least are elected with some degree of autonomy from the gubernatorial election. One potential shortfall of the new SEP calculation is the timing of the other branch official’s terms. It does not control for when executive branch officials took office, and it is recognized that perhaps governors are elected and must contend with a reelected state official from a previous executive administration. The focus of the project is what each governor must contend with in their administration, and the SEP score is an attempt to reflect what political obstacles each governor may face as a result of elections. Table 5 will follow with a look at each state’s Beyle and Reisinger SEP scores in alphabetical order, followed by a relative ranking comparison for both Beyle and Reisinger SEP scores in Table 6.

Table 4: List of Offices with Power Effect

State	Gov. Terms	Lt. Gov	SS	AG	Power Effect	B SEP	R SEP
Alabama	2	2	2	2	0	1.00	1.00
Alaska	2 (a)	2	/	G (b)	0	5.00	5.00
Arizona	2 (a)	/	2	2	0.20	2.50	2.70
Arkansas	2	2	2	2	0	2.50	2.50
California	2	2	2	2	0	1.00	1.00
Colorado	2	2	2	2	0	4.00	4.00
Connecticut	UN	UN	UN	UN	0	4.00	4.00
Delaware	2	2	G (s)	UN	-0.15	2.50	2.35
Florida	2	2	G (s)	2	0	3.00	3.00
Georgia	2 (a)	UN	UN	UN	-0.25	1.00	0.75

Hawaii	2	2	/	G (s)	0	5.00	5.00
Idaho	UN	UN	UN	UN	0	2.00	2.00
Illinois	UN	UN	UN	UN	0	3.00	3.00
Indiana	2 (b)	2	2	/	0.20	3.00	3.20
Iowa	UN	UN	UN	UN	0	3.00	3.00
Kansas	2	UN	UN	UN	-0.25	3.00	2.75
Kentucky	2	2	2	2	0	3.00	3.00
Louisiana	2 (a)	UN	UN	UN	-0.25	1.00	0.75
Maine	2 (a)	/	L	L	0	5.00	5.00
Maryland	2 (a)	2 (GS)	G(s)	UN	-0.15	4.00	3.85
Massachusetts	UN	UN	UN	2	0	4.00	4.00
Michigan	2	2	2	2	0	4.00	4.00
Minnesota	UN	UN	UN	UN	0	4.00	4.00
Mississippi	2	2 (a)	UN	UN	-0.20	1.50	1.30
Missouri	2	UN	UN	UN	-0.25	2.50	2.25
Montana	2 (c)	2 (c)	2 (c)	2 (c)	0	3.00	3.00
Nebraska	2 (a)	2 (a)	UN	UN	-0.20	4.00	3.80
Nevada	2	2	2	2	0	2.50	2.50
New Hampshire	1 (2 yr)	/	L	G (c)	0	5.00	5.00
New Jersey	2 (a)	/	G (s)	G (s)	0	5.00	5.00
New Mexico	2 (a)	2 (a)	2 (a)	2 (a)	0	3.00	3.00
New York	UN	UN	G (s)	UN	0	4.00	4.00
North Carolina	2 (a)	2	UN	UN	-0.15	1.00	0.85
North Dakota	UN	UN	UN	UN	0	3.00	3.00
Ohio	2 (a)	2	2	2	0.20	4.00	4.20
Oklahoma	2 (a)	UN	/	UN	-0.25	1.00	0.75
Oregon	2 (a)	/	2 (a)	UN	-0.15	2.00	1.85
Pennsylvania	2	2	G (s)	2 (a)	-0.10	4.00	3.90
Rhode Island	2	2 (a)	2 (a)	2 (a)	-0.20	2.50	2.30
South Carolina	2 (a)	2	UN	UN	-0.20	1.00	0.80
South Dakota	2 (a)	2 (a)	2 (a)	2 (a)	0	3.00	3.00
Tennessee	2 (a)	/	L	CT	0	4.50	4.50
Texas	UN	UN	G	UN	0	2.00	2.00
Utah	3	UN	/	UN	-0.25	4.00	3.75
Vermont	1 (2yr)	1 (2yr)	1 (2yr)	1 (2yr)	0	2.50	2.50
Virginia	2 (d)	UN	G (b)	UN	-0.25	2.50	2.25
Washington	UN	UN	UN	UN	0	1.00	1.00
West Virginia	2	/	UN	UN	-0.25	2.50	2.25
Wisconsin	UN	UN	UN	UN	0	3.00	3.00
Wyoming	2 (c)	/	UN	G	-0.25	2.00	1.75
TOTALS						2.93	2.87

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Key

/ - Null or no applicable office exists in state

UN – Unlimited number of terms can be served

(a) – Officeholder limited to eight consecutive years in office

(b) – Officeholder can serve eight consecutive years, eligible for election after waiting one term

(c) – Officeholder can serve a maximum of eight years in any sixteen year period

(d) – Officeholder must wait one term to be eligible for election (after serving one term, non-consecutive terms allowed)

G –Governor appoints official, no approval needed (no term difference)
 G(b) –Governor appoints official, both Houses of state legislature must approve (no term difference)
 G(c) –Governor appoints, executive council approves (no term difference)
 G(s) – Governor appoints official, state Senate approves (one term allowed, no term difference)
 Number (GS) – Number of terms allowed by Governor-appointed, Senate-approved official
 L – Official elected by legislature (no term difference)
 CT –Official elected by state court (no term difference)

Table 5: Reisinger SEP vs. Beyle SEP

State	R SEP	B SEP
Alabama	1.00	1.00
Alaska	5.00	5.00
Arizona	2.50	2.50
Arkansas	2.50	2.50
California	1.00	1.00
Colorado	4.00	4.00
Connecticut	4.00	4.00
Delaware	2.35	2.50
Florida	3.00	3.00
Georgia	0.75	1.00
Hawaii	5.00	5.00
Idaho	2.00	2.00
Illinois	3.00	3.00
Indiana	3.00	3.00
Iowa	3.00	3.00
Kansas	2.75	3.00
Kentucky	3.00	3.00
Louisiana	0.75	1.00
Maine	5.00	5.00
Maryland	3.85	4.00
Massachusetts	4.00	4.00
Michigan	4.00	4.00
Minnesota	4.00	4.00
Mississippi	1.30	1.50
Missouri	2.25	2.50
Montana	3.00	3.00
Nebraska	3.80	4.00
Nevada	2.50	2.50
New Hampshire	5.00	5.00
New Jersey	5.00	5.00
New Mexico	3.00	3.00
New York	4.00	4.00
North Carolina	0.85	1.00
North Dakota	3.00	3.00
Ohio	4.00	4.00
Oklahoma	0.75	1.00
Oregon	1.85	2.00

Pennsylvania	3.90	4.00
Rhode Island	2.30	2.50
South Carolina	0.80	1.00
South Dakota	3.00	3.00
Tennessee	4.50	4.50
Texas	2.00	2.00
Utah	3.75	4.00
Vermont	2.50	2.50
Virginia	2.25	2.50
Washington	1.00	1.00
West Virginia	2.25	2.50
Wisconsin	3.00	3.00
Wyoming	1.75	2.00
AVERAGE	2.93	2.86

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Table 6: Reisinger SEP vs. Beyle SEP, Rankings

Rank	State	SEP	Rank	State	SEP
1	Alaska	5.00	1	Alaska	5.00
1	Hawaii	5.00	1	Hawaii	5.00
1	Maine	5.00	1	Maine	5.00
1	New Hampshire	5.00	1	New Hampshire	5.00
1	New Jersey	5.00	1	New Jersey	5.00
6	Tennessee	4.50	6	Tennessee	4.50
7	Ohio	4.20	7	Colorado	4.00
8	Colorado	4.00	7	Connecticut	4.00
8	Connecticut	4.00	7	Maryland	4.00
8	Massachusetts	4.00	7	Massachusetts	4.00
8	Michigan	4.00	7	Michigan	4.00
8	Minnesota	4.00	7	Minnesota	4.00
8	New York	4.00	7	Nebraska	4.00
14	Pennsylvania	3.90	7	New York	4.00
15	Maryland	3.85	7	Ohio	4.00
16	Nebraska	3.80	7	Pennsylvania	4.00
17	Utah	3.75	7	Utah	4.00
18	Indiana	3.20	18	Florida	3.00
19	Florida	3.00	18	Illinois	3.00
19	Illinois	3.00	18	Indiana	3.00
19	Iowa	3.00	18	Iowa	3.00
19	Kentucky	3.00	18	Kansas	3.00
19	Montana	3.00	18	Kentucky	3.00
19	New Mexico	3.00	18	Montana	3.00
19	North Dakota	3.00	18	New Mexico	3.00
19	South Dakota	3.00	18	North Dakota	3.00
19	Wisconsin	3.00	18	South Dakota	3.00
28	Kansas	2.75	18	Wisconsin	3.00
29	Arizona	2.70	29	Arizona	2.50
30	Arkansas	2.50	29	Arkansas	2.50

30	Nevada	2.50	29	Delaware	2.50
30	Vermont	2.50	29	Missouri	2.50
33	Delaware	2.35	29	Nevada	2.50
34	Rhode Island	2.30	29	Rhode Island	2.50
35	Missouri	2.25	29	Vermont	2.50
35	Virginia	2.25	29	Virginia	2.50
35	West Virginia	2.25	29	West Virginia	2.50
38	Texas	2.00	38	Idaho	2.00
38	Idaho	2.00	38	Oregon	2.00
40	Oregon	1.85	38	Texas	2.00
41	Wyoming	1.75	38	Wyoming	2.00
42	Mississippi	1.30	42	Mississippi	1.50
43	Alabama	1.00	43	Alabama	1.00
43	California	1.00	43	California	1.00
43	Washington	1.00	43	Georgia	1.00
46	North Carolina	0.85	43	Louisiana	1.00
47	South Carolina	0.80	43	North Carolina	1.00
48	Georgia	0.75	43	Oklahoma	1.00
48	Louisiana	0.75	43	South Carolina	1.00
48	Oklahoma	0.75	43	Washington	1.00

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

The tables above reveal some interesting patterns. Overall, twenty of the fifty states studied (40%) show either a positive or negative power effect from the term differences between the governor and executive officials. Of the twenty states that saw a change in SEP, only three (Arizona, Indiana and Ohio) showed a positive power effect from their governors having the potential to outlast executive officials in office. Interestingly, none of the three states with a positive power effect had governors with the potential for an unlimited number of terms. It appears that most states have similar term limits for each of their executive branch officials, although there are some identifiable differences. The fact that there aren't significant term length (in years) differences seems to imply that states have chosen for the executive branch officials to work together roughly the same amount of time in office, no matter how the officials were chosen.

Tables 5 and 6 show a comparison of the current Beyle and Reisinger SEP scores. One can notice slight differences in rankings among the states, but the most important revelation is the separation now found between states that had once been lumped together in the rankings. Once again, the project's goal in the SEP category is not to find aesthetic, but real, differences among the states. A more thorough look at the statutes and constitutions of the states revealed small but relevant differences among states that had once been considered equal in terms of SEP scores. The Reisinger SEP finds clear

separations of states in both high Beyle SEP scores (4.00, where five states had score changes) and low Beyle SEP scores (1.00, where five states also had score changes).

With an average of score of 2.87 SEP among the fifty states, the Reisinger SEP score found that states had a slightly lower SEP cumulative average than Beyle's 2.93. A closer look at the affected Reisinger SEP scores finds that 75% of the states affected by term differences (15 of 20) came from states that fell in the lower half of the median Reisinger SEP score of 3.00. More specifically, seven of the ten states ranked at the bottom of the list experienced changes. Of most interest is that of the fifteen states affected in the lower half of the median, all but one (Arizona) were affected negatively by term limit differences. These values indicate that perhaps Beyle overestimated the SEP power of states with weaker SEP scores. With most of the changes concentrated among weak SEP states, it can be hypothesized that states with low SEP scores may prefer to keep the executive branch office somewhat ideologically or politically balanced by mandating separate elections and varying term limits among the officials. Further study will help clarify whether the differences found reflect a true overestimation of SEP power, which could be done by further refinement of the definitions and scales used. In addition, identifying other factors that may affect power (approval ratings and political effectiveness of the other executive officials) may change the values and rankings to perhaps reflect an underestimation of SEP power.

Chapter 6: Veto Power (VP)

The governor's ability – or potential ability – to veto legislation that is passed by the legislature is an important administrative tool. A veto is also a significant political tool for a governor. Even the potential of an executive veto can have an effect on both government agencies and the legislature. It can thus be argued that the veto is both a formal and informal power, as governors do not actually have to use the action to affect legislation. Most governors have relatively strong veto powers, with many having the use of line item vetoes. Line item vetoes (or item vetoes) allow governors to essentially edit bills passed by the legislature to their liking, vetoing certain parts of the bill without rejecting the bill as a whole. Forty-three governors currently can use line item vetoes in at least some bills.⁵⁵ Seven governors hold simple (also referred to as package) veto powers, meaning they can reject bills in their entirety.⁵⁶ Although there is not much variation in the category scores now – governors are alternately powerful or very powerful veto-wise - the study should control for the fact that powers could decrease over time as legislatures seek to expand their powers in other areas. This is similar to the purpose of keeping the budgetary power category as part of the index.

Veto power has both a formal and informal political impact. Governors have the option of allowing bills they oppose pass through all of the necessary legislative channels before they reject it, or choose to threaten a future veto to encourage negotiation prior to a bill being passed. Either way, the governor and the legislature operate within known political and formal conditions in the negotiation and passage of final bills. These conditions change from state to state depending on the type of veto the governor holds. Negotiations take place under the realization that the governor can invoke the full extent of their veto powers. A simple veto is a broad power that forces the governor to veto a bill in its entirety whether they oppose one line of the bill or its entire content. An item veto is a more nuanced form of revision that can allow for rejection (or negotiation) of certain items in a bill. The difference between the two in terms of gubernatorial veto power is that item vetoes place governors in a better negotiating position than those who must agree with or reject an entire bill. The use of a simple or package veto can

⁵⁵ *The Book of the States 2005*, p. 220-221

⁵⁶ *The Book of the States 2005*, p. 220-221

essentially reset negotiations to its difficult beginning stages, and represents a more thorough and crude rejection of legislative action. The project proposes that the ability to item veto parts of legislation is more significant in an informal and formal political sense than to use a package veto.

Beyle's Veto Power scoring category needs only a slight revision. Beyle's scale evolved over time along with the powers granted to governors, but it falls short in recognizing some important differences. A thorough review of state veto procedures reveals that not all item vetoes are the same. Some governors can use the item veto on any bill, while some can only use the item veto on portions of bills dealing with appropriations. Also important in the veto process is the possibility of the legislature overriding an executive veto and passing those contested provisions (or entire bills) into law. This possibility is something both the governor and the legislature must contend with. Political conditions will most likely dictate whether it is likely or necessary that a bill (or part of a bill) be subject to a veto override. It is recognized that unique circumstances exist among the states when governors and the legislatures disagree on proposed laws, but they must work within a set of guidelines. This category attempts to quantify and analyze the guidelines in which the governor must work. Some governors are in a more powerful position to disagree with certain parts of a bill than others. Further, governors also face different possibilities in potential veto overrides by the legislature, with some legislatures needing a significant majority (two-thirds or higher) to override and some needing only a simple majority. The Beyle scale does somewhat control for the veto override powers of the legislature, ranking governors higher if a larger proportion of legislators are needed to override the veto of a bill or a portion of it. But given the differences between having the ability to change every bill with a line item veto and being limited to only nullify certain parts of the bill, the category needs a slight reordering. The latest Beyle VP scale is shown below:

Beyle Veto Power - 1988; 1994 (Summer); 1998; 2001:

- 5 = Has item veto and a special majority vote of the legislature is needed to override a veto [three-fifths of the legislators elected or two-thirds of the legislators present];
- 4.5 = Has item veto, with a majority of legislators elected needed to override, except for appropriations bills when votes of two-thirds of those elected are needed to override;
- 4 = Has item veto with a majority of legislators elected needed to override;
- 3 = Has item veto with only a majority of legislators present needed to override;
- 2 = No item veto, with a special legislative majority needed to override;
- 1 = No item veto, with only a simple majority needed to override;
- 0 = No veto of any kind.

Source: Thad Beyle "State and Local Government: Gubernatorial Power" 2005.
<<http://www.unc.edu/~beyle/gubnewpwr.html>>

A careful study of the veto conditions in the fifty states shows that there are many veto power situations that do not have a place in the Beyle scale. The Reisinger Veto Power (RVP) scale attempts to find a place for these situations in a slightly revised form. RVP will also separate states with a universal line item veto from states that allow line item vetoes on appropriations only. The new scale will follow the logic shown in the Beyle scale - it is more difficult for a veto to be overridden by a majority of elected legislators (meaning that a certain number must be met regardless of how many legislators are actually present for the vote) than one in which only a certain proportion of those present can override a bill. It is theoretically more difficult to gather a special majority to override an executive veto of all legislators (some of whom may not be present) than to round up a fixed percentage of legislators already near the floor. It is recognized that more controversial or important laws can attract every member of the legislature, and some state parties may have efficient gathering techniques. The scale will award a higher score to governors who face a veto from a certain percentage of the entire population of legislators than will be awarded to a governor who is subjected to an override from a certain percentage of legislators present. The more difficult it is for the legislature to override a veto, the higher the veto power for the governor. The RVP scale will also pay closer attention to the majorities needed to override vetoes, as it appears the Beyle scale does not account for some conditions.

There are several different kinds of vetoes, all of which end with the bill being rejected in its original form and sent back to the legislature. A reduction veto occurs when governors reduce the amount appropriated to an agency or initiative.⁵⁷ An amendatory veto allows governors to add conditions or statutes to bills that have already been passed, which are then sent back to the legislature for approval.⁵⁸ Finally, a pocket veto occurs at the end of legislative sessions, when a governor refuses to sign a bill while the legislature is out of session and the bill expires – the bill is officially vetoed due to inaction on the governor's part.⁵⁹ None of these types of vetoes will be singled out in the RVP index because they are all essentially varying forms of the same action. Reduction,

⁵⁷ Vock, David C. "Governors Enjoy Quirky Veto Power," [Stateline.org](http://www.stateline.org), 20 February 2008, 27 April, 2007
< <http://www.stateline.org/live/details/story?contentId=201710>>

⁵⁸ Vock, 2007

⁵⁹ Vock, 2007

amendatory and pocket vetoes all occur within the existing framework of the state governor's statutory or constitutional veto powers. Thus states allowing their governors any of these unique types of vetoes will not be scored higher than those states that do not hold these powers. No matter which action the governor chooses, they can only apply these actions to certain bills and face the same override possibilities in the legislature, which means they have no effect on the RVP scale. A reasonable argument for including the pocket veto can be made, but it is likely that state legislatures dealing with this type of veto could pass important legislation prior to the end of sessions to avoid the possibility of a pocket veto. Should a bill be allowed to expire by formal or pocket veto, the political effects are generally the same as a normal veto – the bill is simply not passed into law.

The major difference seen in the new scale will be between governors with item vetoes on all bills as opposed to governors who only have item vetoes on appropriations. While the funding of projects, agencies and initiatives are extremely important, the ability to reject non-monetary portions of bills must be accounted for in the scale. Non-monetary bills can have a significant impact on the success of a governor's agenda, as they can consist of new criminal codes, new legislative procedures, or even new executive powers. It is thus concluded that the ability to item veto any bill is more significant than the ability to item veto appropriations only. It is hypothesized that this factor will result in more separation between the RVP scores and the original Beyle scores. Again, the purpose of this separation is not simply aesthetic; it is to reflect real differences in the item veto powers of state executives. The score of 5.00 is the highest possible on the RVP scale, and it is possible for states to score 0.00 if they do not have any veto power. While no state governors completely lack veto power, it will remain on the scale to facilitate any future changes in state statutes. One may argue that a score of 5.00 on the RVP scale is not an absolute item veto power, but it is unlikely any state government would allow an executive to employ vetoes without the opportunity for the legislature to override. It is likely that the only way for governors to improve their RVP beyond the current score of 5.0 would be for states that decide on an even higher majority of elected representatives necessary to override the governor's veto. Should this occur the scale should be adjusted accordingly. The Reisinger Veto Power scale is shown

below, with an alphabetical listing of RVP scores compared to Beyle VP scores following in Table 7. Rankings for the states follow in Table 8.

Reisinger Veto Power

- 5.00 – Item Veto on All Bills, special majority (2/3 or 3/5) of elected legislature needed to override.
- 4.75 – Item Veto on All Bills, special majority (2/3 or 3/5) of legislature present needed to override.
- 4.25 – Item Veto on All Bills, simple majority of elected legislature needed to override.
- 4.00 – Item Veto on All Bills, simple majority of legislature present needed to override.
- 3.50 – Item Veto on Appropriations Bills only, special majority (2/3 or 3/5) of elected legislature needed to override.
- 3.25 – Item Veto on Appropriations Bills only, special majority (2/3 or 3/5) of legislature present needed to override.
- 2.75 – Item Veto on Appropriations Bills only, simple majority of elected legislature needed to override.
- 2.50 – Item Veto on Appropriations Bills only, simple majority of legislature present needed to override.
- 1.75 – Simple Veto, special majority (2/3 or 3/5) of elected legislature needed to override.
- 1.50 – Simple Veto, special majority (2/3 or 3/5) of legislature present needed to override.
- 1.25 – Simple Veto, simple majority of elected legislature needed to override.
- 1.00 – Simple Veto, simple majority of legislature present needed to override.
- 0.00 – No Veto Power

Table 7: Reisinger VP vs. Beyle VP

State	RVP	State	Beyle VP
Alabama	4.25	Alabama	4.00
Alaska	3.50	Alaska	5.00
Arizona	5.00	Arizona	5.00
Arkansas	2.75	Arkansas	4.00
California	5.00	California	5.00
Colorado	5.00	Colorado	5.00
Connecticut	5.00	Connecticut	5.00
Delaware	5.00	Delaware	5.00
Florida	3.25	Florida	5.00
Georgia	3.50	Georgia	5.00
Hawaii	5.00	Hawaii	5.00
Idaho	1.50	Idaho	5.00
Illinois	5.00	Illinois	5.00
Indiana	1.25	Indiana	2.00
Iowa	3.50	Iowa	5.00
Kansas	3.50	Kansas	5.00
Kentucky	4.25	Kentucky	4.00
Louisiana	3.50	Louisiana	5.00
Maine	2.50	Maine	2.00
Maryland	5.00	Maryland	5.00
Massachusetts	5.00	Massachusetts	5.00
Michigan	3.50	Michigan	5.00
Minnesota	3.50	Minnesota	5.00
Mississippi	5.00	Mississippi	5.00
Missouri	5.00	Missouri	5.00
Montana	4.75	Montana	5.00
Nebraska	3.50	Nebraska	5.00
Nevada	1.75	Nevada	2.00
New Hampshire	1.50	New Hampshire	2.00

New Jersey	5.00	New Jersey	5.00
	4.75	New Mexico	5.00
New York	5.00	New York	
North Carolina	1.75	North Carolina	2.00
North Dakota	3.50		5.00
Ohio	3.50	Ohio	5.00
Oklahoma		Oklahoma	5.00
Oregon	4.75	Oregon	5.00
Pennsylvania	3.50	Pennsylvania	5.00
Rhode Island	1.50	Rhode Island	2.00
	3.50	South Carolina	5.00
South Dakota	3.50	South Dakota	
Tennessee	2.50	Tennessee	4.00
Texas	3.50		5.00
Utah	3.50	Utah	5.00
Vermont		Vermont	2.00
Virginia	3.25	Virginia	5.00
Washington	4.75	Washington	5.00
West Virginia	3.50	West Virginia	5.00
	3.25	Wisconsin	5.00
Wyoming	5.00	Wyoming	

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Table 8: Reisinger VP vs. Beyle VP, Rankings

Rank	State		Rank	State	Beyle VP
1	Arizona	5.00	1	Alaska	5.00
1	California	5.00	1	Arizona	5.00
1	Colorado	5.00	1	California	5.00
1	Connecticut	5.00	1	Colorado	5.00
1	Delaware	5.00	1	Connecticut	5.00
1	Hawaii	5.00	1	Delaware	5.00
1	Illinois	5.00	1	Florida	5.00
1	Maryland	5.00	1	Georgia	5.00
1	Massachusetts	5.00	1	Hawaii	5.00
1	Mississippi	5.00	1	Idaho	5.00
1	Missouri	5.00	1	Illinois	5.00
1	New Jersey	5.00	1	Iowa	5.00
1	New York	5.00	1	Kansas	5.00
1	Wyoming	5.00	1	Louisiana	5.00
15	Montana	4.75	1	Maryland	5.00
15	New Mexico	4.75	1	Massachusetts	5.00
15	Oklahoma	4.75	1	Michigan	5.00
15	Oregon	4.75	1	Minnesota	5.00
15	Washington	4.75	1	Mississippi	5.00
20	Alabama	4.25	1	Missouri	5.00
20	Kentucky	4.25	1	Montana	5.00
22	Alaska	3.50	1	Nebraska	5.00
22	Georgia	3.50	1	New Jersey	5.00
22	Iowa	3.50	1	New Mexico	5.00

22	Kansas	3.50	1	New York	5.00
22	Louisiana	3.50	1	North Dakota	5.00
22	Michigan	3.50	1	Ohio	5.00
22	Minnesota	3.50	1	Oklahoma	5.00
22	Nebraska	3.50	1	Oregon	5.00
22	North Dakota	3.50	1	Pennsylvania	5.00
22	Ohio	3.50	1	South Carolina	5.00
22	Pennsylvania	3.50	1	South Dakota	5.00
22	South Carolina	3.50	1	Texas	5.00
22	South Dakota	3.50	1	Utah	5.00
22	Texas	3.50	1	Virginia	5.00
22	Utah	3.50	1	Washington	5.00
22	West Virginia	3.50	1	West Virginia	5.00
38	Florida	3.25	1	Wisconsin	5.00
38	Virginia	3.25	1	Wyoming	5.00
38	Wisconsin	3.25	40	Alabama	4.00
41	Arkansas	2.75	40	Arkansas	4.00
42	Maine	2.50	40	Kentucky	4.00
42	Tennessee	2.50	40	Tennessee	4.00
44	Nevada	1.75	44	Indiana	2.00
44	North Carolina	1.75	44	Maine	2.00
46	Idaho	1.50	44	Nevada	2.00
46	New Hampshire	1.50	44	New Hampshire	2.00
46	Rhode Island	1.50	44	North Carolina	2.00
46	Vermont	1.50	44	Rhode Island	2.00
50	Indiana	1.25	44	Vermont	2.00

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Reisinger VP Average: 3.73

Beyle VP Average: 4.50

The RVP-Beyle VP comparison highlights some significant changes in state scores. Nineteen states were found to have item vetoes on appropriations bills only, reducing their veto power to scores below governors who may item veto all bills. Beyle's scale posits that thirty-nine states share the highest relative amount of veto power, while the RVP recognizes fourteen states in this way. The types of bills governors are allowed to veto, as well as the significance of the majority needed to override their relative vetoes, were the primary factors in this new separation. The side-by-side ranking in Figure 7 reveals the significant grouping atop the Beyle VP index. As hypothesized, there was a noticeable separation of states considering which types of bills are subject to a line item veto. Despite the first impression that scores universally decreased, there were some increases found at the lower end of the scale. The alphabetical listing of states in Figure 7 best demonstrates the differences among states. It was most likely not Beyle's

contention that all governors share the same amount of veto power, but the similarities in scoring suggest that almost all states are the same. Further investigation found some noticeable differences among the states, and further studies will no doubt reveal more conditions that were overlooked in this study. In light of the RVP scale, it is reasonable to conclude that not as many states hold the same amount of veto power as once thought.

Chapter 7: Budgetary Power (BP)

The next measurement category to be reviewed will be budgetary power (BP). This category gives an excellent example where the power categories can perhaps overlap, as a governor's veto powers often come in play in the formation of the state budget. Budgetary power is separated from other powers because of the bill's importance. It is arguably the most crucial piece of legislation that governors have to deal with on an annual basis. The final budget often represents the success or failure of a governor delivering on their campaign promises and agenda. The bill's political implications are immense. After all, the governor cannot implement their legislative and administrative visions for the state if they are not otherwise given the funds to do it. The budget also can help ensure that the governor's existing programs and agencies are kept adequately funded. Measuring the power of governors in the formulation and implementation of budgets is crucial. Funding programs is what turns an agenda into a policy.

As with most state governmental issues, there is another side to budget negotiations – the legislature. State legislatures also have an opportunity to implement programs, fund agendas and generally advance their interest (individual or collective) in the budgetary process. The budgetary process is an excellent opportunity to officially disagree with the governor. It is also the perfect opportunity to reject or steadfastly oppose programs or expenditures that the members of the legislature find unacceptable. Conflicts with the executive branch are not guaranteed, but disagreements are likely, even if the governor's party dominates the legislature. Regardless, members of the legislature have their own campaign promises to keep and constituents to satisfy in the appropriation process. Of all legislation that is considered by the legislature every year, the budget is the most likely to involve potential disagreements and personal initiatives. It is recognized that many - if not all - of these potential conflicts can be resolved prior to the bill being officially amended or changed, but one must also recognize that the legislature and the governor must do these "unofficial" revisions knowing that official powers may be utilized in the future. Budgetary power is yet another category in which the power does not always have to be officially used to be effective.

The idea of the budget being a contentious, arduous negotiation between branches of government leads the researcher to treat a governor's budgetary power in the context of their ability to influence the process. Governors have varying starting points in the negotiation of the budget, which can have a significant effect on their influence in the process. To begin, it is important to identify who is given the responsibility of preparing the initial draft of the budget – the governor or the legislature? Also, what can the governor or legislature do if they do not agree with certain elements of the budget? These questions are partially answered based on the powers and statutes that dictate which direction the negotiations must move toward. The body that proposes the initial budget is essentially beginning the negotiation with the body that must approve it – the appropriations involved will most likely be the starting points of potential revision and compromise. The entity that must review the proposal is at a slight disadvantage in that they cannot begin the negotiations the way they choose (by coming up with their own numbers).

A review of Thad Beyle's BP category reveals that it does not adequately reflect the position of governors in the budgetary process. Beyle's index correctly identifies who is in charge of creating the budget, but does not fully explain what they can and cannot do in the process. However, the evolution of Beyle's scoring intervals shows that budgetary power appears to have changed over time. A governor with a power score of 4.0 in 1960 would score only a 1.0 or a 2.0 in 2001. Of course, the only way to validate this is to use the same scale for both time periods. It also appears that Beyle has begun to recognize the legislature's role in the budget process, as he incorporates legislative amendatory powers in 1994. This helps further the perception of the governor serving as an actor in a struggle with other branches in the budgetary process. This idea is similar to what the category attempts to advance – all government parties are involved in a constant battle to gain power over each other. One should also note that with most of the literature on the subject focusing on the increasing nature of gubernatorial power, it is important for the index to be able to measure decreases in some aspects of power. It is entirely possible in this cross-branch struggle that the legislature may wrest some official powers away from the governor over time. Any measurement of BP should take this into account. Through the years this is how Beyle's measurement of budgetary power has looked:

BP: GOVERNOR'S BUDGETARY POWER

1960:

- 5 = Governor has the responsibility for preparing the budget and shares it only with persons appointed by him;
- 4 = Governor has the responsibility but shares it either with a civil service appointee or an appointee of someone other than himself;
- 3 = Governor shares power with a committee selected by himself, but from a restricted list;
- 2 = Governor shares authority with another official whom he does not appoint, the elected state auditor;
- 1 = Governor prepares budget only as a member of a group, usually of other elected state officials or members of the legislature.

1968; 1980:

- 5 = Governor has full responsibility;
- 4 = Governor shares responsibility with a civil service appointee or with person appointed by someone else;
- 3 = Governor shares responsibility with legislature;
- 2 = Governor shares responsibility with another popularly elected official;
- 1 = Governor shares responsibility with several others with independent sources of strength

1988:

- 5 = Governor has full responsibility;
- 4 = Governor shares responsibility with civil servants or other person appointed by someone else;
- 3 = Governor shares responsibility with legislature;
- 2 = Governor shares responsibility with other elected officials;
- 1 = Governor shares responsibility with several others with independent sources of strength

1994 (Summer); 1998; 2001:

- 5 = Governor has full responsibility, legislature may not increase executive budget;
- 4 = Governor has full responsibility; legislature can increase by special majority vote or subject it to item veto;
- 3 = Governor has full responsibility; legislature has unlimited power to change executive budget;
- 2 = Governor shares responsibility; legislature has unlimited power to change executive budget;
- 1 = Governor shares responsibility with other elected official(s), and legislature has unlimited power to change executive budget

Source: Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

The Reisinger BP (RBP) scale attempts to combine Beyle's findings on who prepares the budget with the formal statutes and processes a governor must contend with in the budgetary process. Similar to Beyle, the RBP will rate governors higher who prepare the budget on their own as opposed to governors who must share the responsibility. The scale will incorporate the powers the legislature has in amending those powers, but also seek to find what the governor can do to counteract these amendatory powers. The Beyle scale falls short in recognizing what could happen *after* the legislature amends the budget as they see fit. Governors have varying levels of powers in changing the budget after the legislature has amended it, four of which will affect their RBP scores. As explained earlier, governors enjoy their normal veto powers in the budgetary process, as many enjoy the ability to line item veto certain parts of the budget. Some governors are also afforded the option of revising or striking down proposed agency and program funding. This can have an effect on either the governor or legislature, as a governor could take a rival's project out of the state budget entirely, or confirm the final funding of their initiatives. Another important power in the budget process is the power to amend the language of individual items. Instead of striking down an entire item, some governors are allowed to change the wording of appropriation items. This has a multitude of possibilities, including effectively changing the purpose of the appropriation. Finally, the RBP scale will also recognize the governors who have the capability of reducing the quantity of an appropriation or substitute new appropriation

figures of their own. It is hypothesized that the RBP scale will create separation by identifying differences in governors that were not recognized in the Beyle scale.

The four new considerations should be explained in more detail as to further validate their inclusion. There are three separate types of language amendments possible – the ability to change language accompanying appropriation, footnote language and proviso language.⁶⁰ Language accompanying appropriation comes directly after the appropriation and changing it can effectively change its purpose.⁶¹ Footnote language describes how the money designated for a program or agency is supposed to be spent.⁶² Changing this can obviously affect how the money is distributed and for the original purpose of the appropriation. Proviso language (also called “contingency language”) is a conditional statement that explains what an agency or executive must do before receiving a designated appropriation.⁶³ Should a governor change this wording, it can realistically increase or decrease the possibility of an appropriation being awarded. This can have significant political and practical consequences.

All of the special powers granted to governors are significant in their own right, but not enough to consider completely on their own. Some governors are allowed all three special language powers, and some are allowed only one. A creative mind should allow a governor to use any of the language amendment powers to their advantage should they be needed. Therefore a governor who enjoys at least one language change power will be scored as having the ability to “change language.” Priority on the RBP scale is first given to states where the governor is solely responsible for preparing the budget. Secondly, states will be separated by the presence of a line item veto. Ordering will then be done according to the legislature’s ability to change the budget. The RBP scores will then be affected by the three possible “special powers” of changing language, funding agencies or programs and reducing or substituting figures. All three of these special powers will be treated equally, with states possessing more special powers ranked higher than those with fewer. The Reisinger BP scale is shown below, followed by the

⁶⁰ National Conference of State Legislatures, “Gubernatorial Authority with Respect to Major Budget Bill(s), National Conference of State Legislatures , 7 February 2008, <<http://ncsl.org/programs/fiscal/lbptabs/lbpc6t3.htm>>

⁶¹ National Conference of State Legislatures, 2008

⁶² National Conference of State Legislatures, 2008

⁶³ National Conference of State Legislatures, 2008

alphabetical comparison scores for the 2005 Beyle BP and Reisinger BP in Table 9, and finally the ranking comparison of the states in Table 10.

Reisinger BP

- 5.0 – Governor has full responsibility, governor has line-item veto, three special powers and legislature may not increase executive budget
- 4.8 - Governor has full responsibility, governor has line-item veto, two special powers and legislature may not increase executive budget
- 4.6 - Governor has full responsibility, governor has line-item veto, one special power and legislature may not increase executive budget
- 4.4 - Governor has full responsibility, governor has line-item veto, and legislature may not increase executive budget
- 4.2 – Governor has full responsibility, must veto entire budget, legislature may not increase executive budget
- 4.0 – Governor has full responsibility, governor has line-item veto, three special powers and legislature can increase only by special majority vote
- 3.8 – Governor has full responsibility, governor has line-item veto, two special powers and legislature can increase only by special majority vote
- 3.6 – Governor has full responsibility, governor has line-item veto, one special power, and legislature can increase only by special majority vote
- 3.4 – Governor has full responsibility, governor has line-item veto, and legislature can increase only by special majority vote.
- 3.2 – Governor has full responsibility, must veto entire budget, and legislature can increase only by special majority vote.
- 3.0 – Governor has full responsibility, governor has line-item veto, three special powers and legislature has unlimited power to change executive budget
- 2.8 – Governor has full responsibility, governor has line-item veto, two special powers and legislature has unlimited power to change executive budget
- 2.6 – Governor has full responsibility, governor has line-item veto, one special power, and legislature has unlimited power to change executive budget
- 2.4 – Governor has full responsibility, governor has line-item veto and legislature has unlimited power to change executive budget
- 2.2 – Governor has full responsibility, must veto entire budget, and legislature has unlimited power to change executive budget
- 2.0 – Governor shares responsibility, governor has line-item veto, three special powers, and legislature has unlimited power to change executive budget
- 1.8 – Governor shares responsibility, governor has line-item veto, has two special powers, and legislature has unlimited power to change executive budget
- 1.6 – Governor shares responsibility, governor has line-item veto, has one special power and legislature has unlimited power to change executive budget
- 1.4 – Governor shares responsibility, governor has line-item veto, legislature has unlimited power to change executive budget
- 1.2 – Governor shares responsibility, must veto entire budget, legislature has unlimited power to change executive budget
- 1.0 – Governor shares responsibility with elected official outside legislature, governor has line-item veto, three special powers, and legislature has unlimited power to change executive budget
- 0.8 – Governor shares responsibility with elected official outside legislature, governor has line-item veto, two special powers, and legislature has unlimited power to change executive budget
- 0.6 – Governor shares responsibility with elected official outside legislature, governor has line-item veto, one special power, and legislature has unlimited power to change executive budget
- 0.4 – Governor shares responsibility with elected official outside legislature, governor has line-item veto, legislature has unlimited power to change executive budget
- 0.2 – Governor shares responsibility with elected official outside legislature, governor must veto entire budget, legislature has unlimited power to change executive budget
- 0.0 – Governor has no budget responsibility or authority

Table 9: Reisinger BP vs. Beyle BP

State	Reisinger BP	Beyle BP
Alabama	2.60	3.00
Alaska	2.80	3.00
Arizona	2.60	3.00
Arkansas	2.60	3.00
California	3.00	3.00
Colorado	2.80	3.00
Connecticut	2.60	3.00
Delaware	2.40	3.00
Florida	2.40	3.00
Georgia	2.80	3.00

Hawaii	2.40	3.00
Idaho	2.40	3.00
Illinois	2.80	3.00
Indiana	2.20	3.00
Iowa	2.80	3.00
Kansas	2.40	3.00
Kentucky	2.80	3.00
Louisiana	2.80	3.00
Maine	2.60	3.00
Maryland	5.00	5.00
Massachusetts	3.00	3.00
Michigan	2.80	3.00
Minnesota	2.60	3.00
Mississippi	2.80	3.00
Missouri	2.80	3.00
Montana	2.80	3.00
Nebraska	3.80	4.00
Nevada	2.20	3.00
New Hampshire	2.20	3.00
New Jersey	3.00	3.00
New Mexico	2.80	3.00
New York	3.80	4.00
North Carolina	2.20	3.00
North Dakota	2.80	3.00
Ohio	2.80	3.00
Oklahoma	2.80	3.00
Oregon	2.60	3.00
Pennsylvania	2.60	3.00
Rhode Island	2.20	3.00
South Carolina	1.20	2.00
South Dakota	2.40	3.00
Tennessee	2.80	3.00
Texas	1.60	2.00
Utah	2.40	3.00
Vermont	2.20	3.00
Virginia	2.80	3.00
Washington	2.80	3.00
West Virginia	5.00	5.00
Wisconsin	3.00	3.00
Wyoming	2.80	3.00

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Table 10: Reisinger BP vs. Beyle BP, Rankings

Rank	State	RBP	Rank	State	Beyle BP
1	Maryland	5.00	1	Maryland	5.00
1	West Virginia	5.00	1	West Virginia	5.00
3	Nebraska	3.80	3	Nebraska	4.00
3	New York	3.80	3	New York	4.00
5	California	3.00	5	Alabama	3.00
5	Massachusetts	3.00	5	Alaska	3.00
5	New Jersey	3.00	5	Arizona	3.00
5	Wisconsin	3.00	5	Arkansas	3.00
9	Alaska	2.80	5	California	3.00
9	Colorado	2.80	5	Colorado	3.00
9	Georgia	2.80	5	Connecticut	3.00
9	Illinois	2.80	5	Delaware	3.00
9	Iowa	2.80	5	Florida	3.00
9	Kentucky	2.80	5	Georgia	3.00
9	Louisiana	2.80	5	Hawaii	3.00
9	Michigan	2.80	5	Idaho	3.00
9	Mississippi	2.80	5	Illinois	3.00
9	Missouri	2.80	5	Indiana	3.00
9	Montana	2.80	5	Iowa	3.00
9	New Mexico	2.80	5	Kansas	3.00
9	North Dakota	2.80	5	Kentucky	3.00
9	Ohio	2.80	5	Louisiana	3.00
9	Oklahoma	2.80	5	Maine	3.00
9	Tennessee	2.80	5	Massachusetts	3.00
9	Virginia	2.80	5	Michigan	3.00
9	Washington	2.80	5	Minnesota	3.00
9	Wyoming	2.80	5	Mississippi	3.00
28	Alabama	2.60	5	Missouri	3.00
28	Arizona	2.60	5	Montana	3.00
28	Arkansas	2.60	5	Nevada	3.00
28	Connecticut	2.60	5	New Hampshire	3.00
28	Maine	2.60	5	New Jersey	3.00
28	Minnesota	2.60	5	New Mexico	3.00
28	Oregon	2.60	5	North Carolina	3.00
28	Pennsylvania	2.60	5	North Dakota	3.00
36	Delaware	2.40	5	Ohio	3.00
36	Florida	2.40	5	Oklahoma	3.00
36	Hawaii	2.40	5	Oregon	3.00
36	Idaho	2.40	5	Pennsylvania	3.00
36	Kansas	2.40	5	Rhode Island	3.00
36	South Dakota	2.40	5	South Dakota	3.00
36	Utah	2.40	5	Tennessee	3.00
43	Indiana	2.20	5	Utah	3.00
43	Nevada	2.20	5	Vermont	3.00
43	New Hampshire	2.20	5	Virginia	3.00
43	North Carolina	2.20	5	Washington	3.00
43	Rhode Island	2.20	5	Wisconsin	3.00

43	Vermont	2.20	5	Wyoming	3.00
49	Texas	1.60	48	South Carolina	2.00
50	South Carolina	1.20	48	Texas	2.00

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>

Reisinger BP Average: 2.73

Beyle BP Average: 3.08

The inclusion of line-item vetoes, program funding, language changes and appropriation reduction and substitution creates a noticeable separation in states scored a 3.00 in Beyle's scale (in which the governor has full responsibility, governor has line-item veto, can amend agency or program funding, amend language, reduce or substitute appropriation and legislature has unlimited power to change executive budget). The 3.00 score leads one to believe that these governors share equal powers in the budgetary process. By taking into account the governor's powers and limitations in the process, one can see that this is not necessarily the case. What is also interesting in the separation found was that it occurs in an interval in which the legislature has "unlimited power to change the executive budget." The Beyle BP scale looks no further than this situation, while the RBP scale looks at what each governor can do to counteract this possibility. Beyle was correct in his ordering of governors according to who prepared the budget and what the legislature could do, but he did not factor in the governor's total power in the formation of the budget. If the budget is considered as a single bill that is passed between the legislative and executive branches only once, the Beyle scale can measure budget powers accurately. The Reisinger BP scale is meant to take a closer look at the governor's role in the potentially contentious, politically significant process of budget formation.

Chapter 8: Tenure Power (TP)

After reviewing the Beyle categories for formal and informal power, it appears that the Tenure Potential scale is not fulfilling its function in temporal updates of gubernatorial powers. While the TP category can show differences between state governors in terms of how long they can stay in power, it is not put into the correct context. The index updates are partially meant to serve as finding the most “powerful” governor in America at a certain time, but all governors are not serving the same year in their terms.⁶⁴ Some governors could be in their first year in office, while some could be in the final year of a second or even third term and be given the same score. It is difficult for Beyle to claim a certain governor is more powerful than another without taking this possibility into account. Beyle’s index updates give readers the impression that he is providing a snapshot look at where each governor stands, a logical conclusion given his repetition of Schlesinger’s original “Relative Standing” of state governor powers. As will be discussed below, there is a way to incorporate the institutional implications of a tenure category (which is important for the historical measure in the next section of analysis) and the temporal spirit of an annual index update.

The most obvious temporal problem that can occur within the Beyle Tenure Potential category is that a governor could be given a higher rating for TP (indicating they have the possibility to be reelected) even if they are serving their final term in office. Beyle’s own wording for the score of 4 in the category – Four-year term, one reelection possible – can belie what reality reflects. The category makes no distinction between terms actually being served for each state. The category also does not make any distinction between the years served in office, which in essence eliminates experience (political or institutional) that can be crucial to the successful operation of the executive office. If Beyle feels that a longer term in office translates to more political and institutional power (as is shown by giving more value to longer terms in office in his TP), it would follow that differences in years served (or at least the year *being served*) should be reflected in the index. Although it is a relative score, determining the number of years served in office will better help distinguish the relative standing of each governor. In a

⁶⁴ Prah, Pamela M., “Massachusetts Governor Rated Most Powerful,” [Stateline.org](http://www.stateline.org), 8 February 2008, 9 March 2007, <<http://www.stateline.org/live/details/story?contentId=187648>>

temporal update of the index, it would be prudent for the tenure scores to reflect this relative standing. Whereas Beyle scores the category as if it is each governor's first year in office, the thesis will create the category of Reisinger Tenure Power (or RTP) and consider all relevant factors – length of term, current year and term in office, and tenure/re-election potential in the scoring.

A temporal look at the tenure potential of governors can serve to identify changes in the institution, but it is not useful in measuring where the governors stand relative to each other at that moment. One cannot use the Beyle updates to make any claim that one governor is more powerful than another at a certain time; only that one office has the potential for a longer term. Governors begin and end their terms at different times, which creates problems in measuring their tenure potential. It is difficult to argue that a governor in the first year of their second term, with the potential to be reelected, is politically or institutionally equal to a governor in their first term with re-election potential. Surely there is a difference in their potential for developing relationships with other parts of the government, their ability to deal with the media, and in their general knowledge of the office. An update labeled with a year should also incorporate what year is being served in office to avoid incorrectly labeling such situations as equal. One of the key components of the index is to rank the states based on their level of power, and treating each state as being in "year zero" of a governor's term does not accomplish what the category should do - measure tenure potential and power amongst governors. The aim of the project in measuring tenure is to more accurately gauge the relative standing of each governor in a temporal update, but to also measure institutional changes.

Reisinger Institutional Tenure Potential

In order to achieve the dual goal of temporal and historical validity of tenure potential and power, two separate measures will be calculated – Reisinger Institutional Tenure Potential (RITP) and Reisinger Tenure Power. The RITP category will be the one most closely associated with the Beyle rankings and measure each office as if it is truly "year zero" of fifty governors entering office at the same time. Although such an event is unlikely in reality, it is the only way to identify real differences in the offices where the temporal update cannot. Isolating the temporal from the historical will help the overall validity of the index and the category. The RITP scores can be used to measure changes over time to the office and compare them to Beyle's findings, but one should not use

these scores to declare that one office is more powerful at a given time. The RITP can only be used to posit that one institution has a tenure advantage over another if both governors started in office at the same time. Since this situation does not occur for many years and for many offices, RITP should not be used in temporal comparison.

Beyle's Tenure Potential scale is in need of some revision. Although the Beyle TP scale is fairly easy to calculate (which no doubt helps in updates), it does not identify some differences among the states. Again, when Beyle ranks two states with the same score it implies that both are equal. Casual readers of the study are incorrectly given the impression that some states have the same tenure potential relative to one another when that is not entirely the case. The project's main goal is to have the categories measure what they are supposed to measure, and as such the ITP category must identify and quantify differences among the states and rank them using a new scale. While it certainly can be argued that some of the differences will be small, finding differences is crucial to measuring tenure potential with more accuracy. If a governor has the ability to seek more than two terms, while another is limited to two terms absolutely, they should be assigned different scores. Any differences in the number of years in a term, the potential for additional terms or any time restrictions on reelection should reflect in calculating the tenure potential of a governor. This will allow readers to identify small differences among the states where once there were none. It is not anticipated that the category or scale will be substantially more difficult to follow or comprehend as compared to the Beyle scale.

To formulate the ITP scale, one must find where Beyle's TP scale fell short in measuring differences. The project attempts to place the differences found inside the framework of Beyle's traditional five-point scale, with a score of 5.0 being the highest possible and 0.0 being the lowest possible. The following is the scale used by Beyle in his latest published update in 2005:

TP - Tenure potential of governors:

5 = 4-year term, no restraint on reelection;

4.5 = 4-year term, only three terms permitted;

4 = 4-year term, only two terms permitted;

3 = 4-year term, no consecutive election permitted

2 = 2-year term, no restraint on reelection

1 = 2-year term, only two terms permitted

Source: Thad Beyle "State and Local Government: Governor's Institutional Power Ratings 2005."

Beyle's scale lacks the intervals necessary to reflect potential differences. The project hypothesizes that a closer look at state constitutions and statutes will reveal differences in the length and number of terms governors are permitted to serve. While it is anticipated that many states will have similar rules, it is important to note even small differences in order to accurately measure the category and rank states accordingly. The major assumption of the ITP scale is that longer terms are more significant, meaning that a governor who serves more years in office can be considered more institutionally powerful than one who serves fewer years. It can easily be argued that a governor with a shorter term can work harder and faster than one with a long term in order to accomplish their agenda, but with an anticipated transition period at the beginning of term, along with less time to cultivate relationships with other branches and the bureaucracy, it makes sense for the project to give higher scores to longer term lengths. In addition, the project will assume that more terms in office to be more significant than fewer terms in office. Along the same lines of term duration, more terms in office will give a governor more time to hone their political and institutional skills, giving them an advantage over term-limited governors. Both of these assumptions follow the principles used by Beyle in the formulation of his scale - longer terms and more terms are better than the opposite. The operation of the executive office under different timing scenarios (whether a governor is term-limited or can seek reelection) will be discussed in the RTP section below.

A review of the constitutional provisions and statutes in the states reveals that Beyle's scale does not successfully identify relevant differences in tenure potential. The category of 4.0 is the most lacking, as it incorporates all governors that can serve two terms, but does not reveal how many years governors have to serve those two years. Two states, Montana and Wyoming, allow their governor to serve two terms in any sixteen-year period. Other states have similar rules, but allow governors to serve eight years (or two terms) in any twelve-year period. The statutes also reveal that many states in Beyle's 4.0 interval allow more than two terms to be served – sixteen states allow a governor to be reelected if they have waited four years since their second term. While the practice of serving two terms before a return to the governor's office is not common, it is allowed in over one-quarter of the states. Whether the situations discussed in the statutes are likely should not be the central focus of the index. The index and its categories are not measures of likelihood, they are meant to highlight differences and possibilities. The ITP

scale utilizes the Beyle scenarios Beyle uses above, while also recognizing the following possibilities in tenure: A governor serving two terms, then having to wait one term before seeking reelection; A governor being eligible for two of four terms; A governor being eligible for any two of three terms; And an absolute two-term limit. Please note that not all listed intervals represented a real score from a state, meaning they were not used. This is to ensure that if any changes are made in the state, they can be easily put into the scale. Below is the Institutional Tenure Potential scale, followed by the scores for each state. The ITP score as calculated from the 2006 *Book of the States* is listed next to the respective scores from Beyle's TP for comparison in Table 11. Following that is a side-by-side ranking of the states for both ITP and Beyle TP in Table 12.

Reisinger Institutional Tenure Potential of Governors Scale

- 5.0 = Four-year term, no restraint on reelection;
- 4.5 = Four-year term, only three terms permitted;
- 4.3 = Four-year term, two terms permitted, must wait four years before eligible for election
- 4.2 = Four-year term, only two terms permitted in 16 year period
- 4.1 = Four-year term, two terms permitted in any 12 year period
- 4.0 = Four-year term, two terms permitted, no time limit specified; Four-year term, absolute two term limit (not necessarily consecutive)
- 3.0 = Four-year term, no consecutive reelection permitted;
- 2.0 = Two-year term, no restraint on reelection;
- 1.0 = Two-year term, only two terms permitted
- 0.5 = Two-year term, no reelection

Table 11: Reisinger ITP vs. Beyle TP

State	Governor	RITP	Beyle TP
Alabama	Riley	4.0	4.0
Alaska	Palin	4.3	4.0
Arizona	Napolitano	4.3	4.0
Arkansas	Beebe	4.0	4.0
California	Schwarzenegger	4.0	4.0
Colorado	Ritter	4.0	4.0
Connecticut	Reil	5.0	5.0
Delaware	Minner	4.0	4.0
Florida	Crist	4.0	4.0
Georgia	Perdue	4.3	4.0
Hawaii	Lingle	4.0	4.0
Idaho	Otter	5.0	4.0
Illinois	Blagojevich	5.0	5.0
Indiana	Daniels	4.1	4.0
Iowa	Culver	5.0	5.0
Kansas	Sebelius	4.0	4.0
Kentucky	Beshear	4.0	4.0
Louisiana	Jindal	4.3	4.0
Maine	Baldacci	4.3	4.0

Maryland	O'Malley	4.3	4.0
Massachusetts	Patrick	5.0	5.0
Michigan	Granholt	4.0	4.0
Minnesota	Pawlenty	5.0	5.0
Mississippi	Barbour	4.0	4.0
Missouri	Blunt	4.0	4.0
Montana	Schweitzer	4.2	4.0
Nebraska	Heineman	4.3	4.0
Nevada	Gibbons	4.0	4.0
New Hampshire	Lynch	2.0	2.0
New Jersey	Corzine	4.3	4.0
New Mexico	Richardson	4.3	4.0
New York	Spitzer	5.0	5.0
North Carolina	Easley	4.3	4.0
North Dakota	Hoeven	5.0	5.0
Ohio	Strickland	4.3	4.0
Oklahoma	Henry	4.3	4.0
Oregon	Kulongoski	4.3	4.0
Pennsylvania	Rendell	4.0	4.0
Rhode Island	Carcieri	4.0	4.0
South Carolina	Sanford	4.3	4.0
South Dakota	Rounds	4.3	4.0
Tennessee	Bredesen	4.3	4.0
Texas	Perry	5.0	5.0
Utah	Huntsman, Jr.	5.0	5.0
Vermont	Douglas	2.0	2.0
Virginia	Kaine	3.0	3.0
Washington	Gregoire	5.0	5.0
West Virginia	Manchin	4.0	4.0
Wisconsin	Doyle	5.0	5.0
Wyoming	Freudenthal	4.2	4.0

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>

Table 12: Reisinger ITP vs. Beyle TP, Rankings

Ra nk	State	Governor	RITP	Ra nk	State	Governor	BTP
1	Connecticut	Rell	5.0	1	Connecticut	Rell	5.0
1	Idaho	Otter	5.0	1	Illinois	Blagojevich	5.0
1	Illinois	Blagojevich	5.0	1	Iowa	Culver	5.0
1	Iowa	Culver	5.0	1	Massachusetts	Patrick	5.0
1	Massachusetts	Patrick	5.0	1	Minnesota	Pawlenty	5.0
1	Minnesota	Pawlenty	5.0	1	New York	Spitzer	5.0
1	New York	Spitzer	5.0	1	North Dakota	Hoeven	5.0
1	North Dakota	Hoeven	5.0	1	Texas	Perry	5.0
1	Texas	Perry	5.0	1	Utah	Huntsman, Jr.	5.0
1	Utah	Huntsman, Jr.	5.0	1	Washington	Gregoire	5.0

1	Washington	Gregoire	5.0	1	Wisconsin	Doyle	5.0
1	Wisconsin	Doyle	5.0	12	Alabama	Riley	4.0
13	Alaska	Palin	4.3	12	Alaska	Palin	4.0
13	Arizona	Napolitano	4.3	12	Arizona	Napolitano	4.0
13	Georgia	Perdue	4.3	12	Arkansas	Beebe	4.0
13	Louisiana	Jindal	4.3	12	California	Schwarzenegger	4.0
13	Maine	Baldacci	4.3	12	Colorado	Ritter	4.0
13	Maryland	O'Malley	4.3	12	Delaware	Minner	4.0
13	Nebraska	Heineman	4.3	12	Florida	Crist	4.0
13	New Jersey	Corzine	4.3	12	Georgia	Perdue	4.0
13	New Mexico	Richardson	4.3	12	Hawaii	Lingle	4.0
13	North Carolina	Easley	4.3	12	Idaho	Otter	4.0
13	Ohio	Strickland	4.3	12	Indiana	Daniels	4.0
13	Oklahoma	Henry	4.3	12	Kansas	Sebelius	4.0
13	Oregon	Kulongoski	4.3	12	Kentucky	Beshear	4.0
13	South Carolina	Sanford	4.3	12	Louisiana	Jindal	4.0
13	South Dakota	Rounds	4.3	12	Maine	Baldacci	4.0
13	Tennessee	Bredesen	4.3	12	Maryland	O'Malley	4.0
29	Montana	Schweitzer	4.2	12	Michigan	Granholm	4.0
29	Wyoming	Freudenthal	4.2	12	Mississippi	Barbour	4.0
31	Indiana	Daniels	4.1	12	Missouri	Blunt	4.0
32	Alabama	Riley	4.0	12	Montana	Schweitzer	4.0
32	Arkansas	Beebe	4.0	12	Nebraska	Heineman	4.0
32	California	Schwarzenegger	4.0	12	Nevada	Gibbons	4.0
32	Colorado	Ritter	4.0	12	New Jersey	Corzine	4.0
32	Delaware	Minner	4.0	12	New Mexico	Richardson	4.0
32	Florida	Crist	4.0	12	North Carolina	Easley	4.0
32	Hawaii	Lingle	4.0	12	Ohio	Strickland	4.0
32	Kansas	Sebelius	4.0	12	Oklahoma	Henry	4.0
32	Kentucky	Beshear	4.0	12	Oregon	Kulongoski	4.0
32	Michigan	Granholm	4.0	12	Pennsylvania	Rendell	4.0
32	Mississippi	Barbour	4.0	12	Rhode Island	Carcieri	4.0
32	Missouri	Blunt	4.0	12	South Carolina	Sanford	4.0
32	Nevada	Gibbons	4.0	12	South Dakota	Rounds	4.0
32	Pennsylvania	Rendell	4.0	12	Tennessee	Bredesen	4.0
32	Rhode Island	Carcieri	4.0	12	West Virginia	Manchin	4.0
32	West Virginia	Manchin	4.0	12	Wyoming	Freudenthal	4.0
48	Virginia	Kaine	3.0	48	Virginia	Kaine	3.0
49	New Hampshire	Lynch	2.0	49	New Hampshire	Lynch	2.0
49	Vermont	Douglas	2.0	49	Vermont	Douglas	2.0

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>

Table 11 shows that nineteen of the fifty states (45%) scored differently on the ITP as compared to the Beyle TP. As hypothesized, the original Beyle 4.0 interval is where the most differentiation was found. The Beyle scale did not show enough variation in this interval to reflect the different tenure potential scenarios in the states. The ability for sixteen of the governors listed to serve more than two terms appears to be

the largest oversight. Thirty-five governors were scored at 4.0 in the Beyle scale, while the ITP scale shows that only sixteen truly fit Beyle's criteria. Although Beyle may have incorrectly worded the interval, the results of the ITP scale show that the Beyle TP scale cannot calculate some differences in tenure potential.

The ITP average of 4.25 per state is higher than the Beyle average TP per state of 4.12. This figure indicates that perhaps Beyle underestimated the tenure potential of state governors. This is mostly a result of the inadequate definitions of the Beyle TP scale, which failed to account for the fact that many state governors can serve more than two terms (but after waiting one term) in office. By finding this – and consequently placing these states at a value higher than 4.0 – the higher average of the ITP is not surprising.

Reisinger Tenure Power

The project's attempt to measure the political and institutional power a governor has at a given time will be called Reisinger Tenure Power (RTP). This category is to be measured separately from ITP, but the two are closely associated. The RITP shows how much tenure potential a governor has, and the RTP will show how much tenure power the governor currently holds in office. Under the assumption that more years in office leads to a more powerful executive office, the project attempts to find the relative worth of the governor's current tenure position. The Beyle TP category fails to account for these differences in his calculations. It is the opinion of this researcher that a temporal TP category should reflect the relative tenure position of each governor if the category is to be used as an argument that one governor holds more power than another.

Comparatively speaking, the staggered nature of gubernatorial elections makes relative comparisons more difficult, but one can use relative criteria to help clarify such conditions. The RITP is meant for historical perspective, and the RTP is meant for comparative study. In light of the index being used to rank governors according to power, the RTP scores are a better comparative measure than Beyle's TP.

RTP takes three conditions into account, all of which can affect the political standing of a governor. The term year in which the governor is serving, the term they are currently in, and the potential for reelection all make up RTP. Assuming that more years in office leads to more experience and better political skills, governors are scored higher the more years they have been in office (relative to their term length). Governors are also rewarded with higher scores if it is their second (or more) term in office, which helps to

account for the political benefits created by a reelection. The most important consideration of the RTP scale is the potential for reelection. Criticism of the Beyle TP scale should be focused on the fact that governors could be rated equally whether it was their first or eighth year in office, and regardless of whether they could be reelected for another term. The RTP scale controls for these circumstances by rating governors with the potential to be reelected higher than those that are term limited (if serving the same year in office). As mentioned before, the idea of a term-limited governor being a “lame duck” has potential political consequences. A governor nearing the end of a term with a reelection upcoming would be best served to be politically active and use all of the resources at their disposal to be looked upon favorably by the voters. The governor running for reelection also can hold some sway over sitting members of the legislature, who must act with the realization that they may soon continue to work with the same governor. A term-limited or retiring governor, on the other hand, could be pushed out of the media spotlight by the new candidates, and cannot count on support from a legislature that will have rapidly diminishing incentive to work with an outgoing governor.

The formulation of the RTP scale must include some overlapping values. Different circumstances will allow governors in completely different years and terms to be politically comparable in their level of tenure power. But despite the overlaps, the scale is intended to separate governors with similar terms and term potentials, but in different years in office. The potential for being a “lame duck” is controlled for by ranking the third year of a term-limited governor higher than their fourth (or last) year in office. It is assumed that a term-limited governor in their third year has gained enough expertise and political capital to deliver their agenda and is more powerful than the year they will be leaving office. This is not the case for governors with reelection potential, as their final year in office is assumed to be one that is in the state political spotlight - with the reelection campaign drawing all of their political strength to the surface. It is expected that the RTP scores will be drastically different from the Beyle TP scores from state to state. Below is the Reisinger Tenure Power scale, followed by Table 13 with each state listed alphabetically beside Beyle’s TP scores. Table 14 shows the rankings of states for both RTP and Beyle TP.

Reisinger Tenure Power Scale

5.0 - Year 4/Final of Term 2+ w/reelection potential

4.5 - Year 3 of Term 2+ w/reelection potential

4.0 - Year 2 of Term 2+ w/reelection potential; Year 3 of Term 2, term-limited or retiring

3.5 - Year 1 of Term 2+ w/reelection potential; Year 2 of Term 2, term-limited or retiring; Final or Year 4, term limited or retiring

3.0 – Final or Year 4 of Term 1 w/reelection potential; Year 1 of Term 2, term-limited or retiring; Year 2/Final of Term 2+ (Two Year Term)

2.5 – Year 2 of Term 1, w/reelection potential; Year 3 of Term 1, w/reelection potential; Year 1 of Term 2+ (Two Year Term)

2.0 – Year 3 of Term 1, term-limited or retiring; Year 1 of Term 1, w/reelection potential; Year 2 of Term 1, w/reelection potential (Two Year Term)

1.5 – Year 2 of Term 1, term-limited or retiring; Year 4/Final, term-limited or retiring; Year 1 of Term 1, w/reelection potential (Two Year Term)

1.0 – Year 1 of Term 1, term limited or retiring

0.5 – Year 1 of Term 1 (Two Year Term); Year 2/Final, term-limited or retiring (Two Year Term)

Table 13: Reisinger TP vs. Beyle TP

State	Governor	Took Office	Exp.	REP	Reisinger TP	Beyle TP
Alabama	Riley	2003	6	N/TL	3.5	4.0
Alaska	Palin	2006	3	Y	2.5	4.0
Arizona	Napolitano	2003	6	N/TL	3.5	4.0
Arkansas	Beebe	2007	2	Y	2.5	4.0
California	Schwarzenegger	2003	6	N/TL	3.5	4.0
Colorado	Ritter	2007	2	Y	2.5	4.0
Connecticut	Rell	2004	5	Y	4.0*	5.0
Delaware	Minner	2001	8	N/TL	3.5	4.0
Florida	Crist	2007	2	Y	2.5	4.0
Georgia	Perdue	2003	6	N/TL	3.5	4.0
Hawaii	Lingle	2002	7	N/TL	4.0	4.0
Idaho	Otter	2007	2	Y	2.5	4.0
Illinois	Blagojevich	2003	6	Y	4.0	5.0
Indiana	Daniels	2005	4	Y	3.0	4.0
Iowa	Culver	2007	2	Y	2.5	5.0
Kansas	Sebelius	2003	6	N/TL	3.5	4.0
Kentucky	Beshear	2008	1	Y	2.0	4.0
Louisiana	Jindal	2008	1	Y	2.0	4.0
Maine	Baldacci	2003	6	N/TL	3.5	4.0
Maryland	O'Malley	2007	2	Y	2.5	4.0
Massachusetts	Patrick	2007	2	Y	2.5	5.0
Michigan	Granholm	2003	6	N/TL	3.5	4.0
Minnesota	Pawlenty	2003	6	Y	4.0	5.0
Mississippi	Barbour	2004	5	N/TL	3.0	4.0
Missouri	Blunt	2005	4	Y	3.0	4.0
Montana	Schweitzer	2005	4	Y	3.0	4.0
Nebraska	Heineman	2005	4	N/TL	1.5*	4.0
Nevada	Gibbons	2007	2	Y	2.5	4.0
New Hampshire	Lynch	2005	4	Y	3.5	2.0

New Jersey	Corzine	2006	3	Y	2.5	4.0
New Mexico	Richardson	2003	6	N/TL	3.5	4.0
New York	Spitzer	2007	2	Y	2.5	5.0
North Carolina	Easley	2001	8	N/TL	3.5	4.0
North Dakota	Hoeven	2000	9	Y	4.5	5.0
Ohio	Strickland	2007	2	Y	2.5	4.0
Oklahoma	Henry	2003	6	N/TL	3.5	4.0
Oregon	Kulongoski	2003	6	N/TL	3.5	4.0
Pennsylvania	Rendell	2003	6	N/TL	3.5	4.0
Rhode Island	Carcieri	2003	6	N/TL	3.5	4.0
South Carolina	Sanford	2003	6	N/TL	3.5	4.0
South Dakota	Rounds	2003	6	N/TL	3.5	4.0
Tennessee	Bredesen	2003	6	N/TL	3.5	4.0
Texas	Perry	2000	9	Y	4.5	5.0
Utah	Huntsman, Jr.	2005	4	Y	3.0	5.0
Vermont	Douglas	2003	6	Y	3.5	2.0
Virginia	Kaine	2006	3	N/TL	2.0	3.0
Washington	Gregoire	2005	4	Y	3.0	5.0
West Virginia	Manchin	2005	4	Y	3.0	4.0
Wisconsin	Doyle	2003	6	Y	4.0	5.0
Wyoming	Freudenthal	2003	6	N/TL	3.5	4.0

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Key:

Took Office – Year governor began serving

Exp. – Year currently being served

REP – Reelection potential

N/TL= No/Term Limited/Retiring

*= Appointed or selected to be governor in off-election year

Table 14: Reisinger TP vs. Beyle TP, Rankings

Rank	State	Governor	RT P	Rank	State	Governor	Beyle TP
1	North Dakota	Hoeven	4.5	1	Connecticut	Rell	5.0
1	Texas	Perry	4.5	1	Illinois	Blagojevich	5.0
3	Connecticut	Rell	4.0	1	Iowa	Culver	5.0
3	Hawaii	Lingle	4.0	1	Massachusetts	Patrick	5.0
3	Illinois	Blagojevich	4.0	1	Minnesota	Pawlenty	5.0
3	Minnesota	Pawlenty	4.0	1	New York	Spitzer	5.0
3	Wisconsin	Doyle	4.0	1	North Dakota	Hoeven	5.0
8	Alabama	Riley	3.5	1	Texas	Perry	5.0
8	Arizona	Napolitano	3.5	1	Utah	Huntsman, Jr.	5.0
8	California	Schwarzenegger	3.5	1	Washington	Gregoire	5.0
8	Delaware	Minner	3.5	1	Wisconsin	Doyle	5.0
8	Georgia	Perdue	3.5	12	Alabama	Riley	4.0
8	Kansas	Sebelius	3.5	12	Alaska	Palin	4.0

8	Maine	Baldacci	3.5	12	Arizona	Napolitano	4.0
8	Michigan	Granholm	3.5	12	Arkansas	Beebe	4.0
8	New Hampshire	Lynch	3.5	12	California	Schwarzenegger	4.0
8	New Mexico	Richardson	3.5	12	Colorado	Ritter	4.0
8	North Carolina	Easley	3.5	12	Delaware	Minner	4.0
8	Oklahoma	Henry	3.5	12	Florida	Crist	4.0
8	Oregon	Kulongoski	3.5	12	Georgia	Perdue	4.0
8	Pennsylvania	Rendell	3.5	12	Hawaii	Lingle	4.0
8	Rhode Island	Carcieri	3.5	12	Idaho	Otter	4.0
8	South Carolina	Sanford	3.5	12	Indiana	Daniels	4.0
8	South Dakota	Rounds	3.5	12	Kansas	Sebelius	4.0
8	Tennessee	Bredesen	3.5	12	Kentucky	Beshear	4.0
8	Vermont	Douglas	3.5	12	Louisiana	Jindal	4.0
8	Wyoming	Freudenthal	3.5	12	Maine	Baldacci	4.0
28	Indiana	Daniels	3.0	12	Maryland	O'Malley	4.0
28	Mississippi	Barbour	3.0	12	Michigan	Granholm	4.0
28	Missouri	Blunt	3.0	12	Mississippi	Barbour	4.0
28	Montana	Schweitzer	3.0	12	Missouri	Blunt	4.0
28	Utah	Huntsman, Jr.	3.0	12	Montana	Schweitzer	4.0
28	Washington	Gregoire	3.0	12	Nebraska	Heineman	4.0
28	West Virginia	Manchin	3.0	12	Nevada	Gibbons	4.0
35	Alaska	Palin	2.5	12	New Jersey	Corzine	4.0
35	Arkansas	Beebe	2.5	12	New Mexico	Richardson	4.0
35	Colorado	Ritter	2.5	12	North Carolina	Easley	4.0
35	Florida	Crist	2.5	12	Ohio	Strickland	4.0
35	Idaho	Otter	2.5	12	Oklahoma	Henry	4.0
35	Iowa	Culver	2.5	12	Oregon	Kulongoski	4.0
35	Maryland	O'Malley	2.5	12	Pennsylvania	Rendell	4.0
35	Massachusetts	Patrick	2.5	12	Rhode Island	Carcieri	4.0
35	Nevada	Gibbons	2.5	12	South Carolina	Sanford	4.0
35	New Jersey	Corzine	2.5	12	South Dakota	Rounds	4.0
35	New York	Spitzer	2.5	12	Tennessee	Bredesen	4.0
35	Ohio	Strickland	2.5	12	West Virginia	Manchin	4.0
47	Kentucky	Beshear	2.0	12	Wyoming	Freudenthal	4.0
47	Louisiana	Jindal	2.0	48	Virginia	Kaine	3.0
47	Virginia	Kaine	2.0	49	New Hampshire	Lynch	2.0
50	Nebraska	Heineman	1.5	49	Vermont	Douglas	2.0

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

As expected, the RTP scores were markedly different than the Beyle TP scores. Eleven states scored a maximum score of 5.0 on Beyle, but four of these states ranked in the bottom one-third of scores on the RTP scale. Based on the multitude of differences found between TP and actual experience, it appears Beyle's TP scores fall short in a comparative perspective. The large grouping of states scored 4.0 is now separated according to how many years have been served in office and the potential for reelection. It is evident that while the offices may be institutionally equal, the life cycle of their

governors are at markedly different points. While the RTP of little consequence to historical or time-period studies, the principles of the RTP scale (year being served, term being served, and reelection potential) should be taken into account if doing a yearly study or update of relative gubernatorial powers. At the very least, RTP is an indication of the varied beginning and ending dates for governors of the fifty states.

Chapter 9: Party Control (PC)

The party control (PC) of the legislature has an affect on how successfully a governor can operate within their state political system. The majority party in the state legislature has the ability to appoint leadership positions, create committees and generally set the legislative agenda for the session. It can be advantageous for a governor if their party controls one house of the legislature and even more significant advantage if the governor's party controls both the general assembly (the general assembly will be the default name for the representative house of the legislature for all states, although its official title varies by state) and the state senate. Coalition-building can occur (as it has in the current bipartisan coalition in Alaska), but party membership largely determines which way a legislator will vote on a certain issue, and more importantly, which way a governor *thinks* they will vote. Simple majorities, no matter how slight, determine the passage of bills in all states. Larger majorities determine whether a governor's veto can be overridden. Facing a same-party majority situation in the legislature is significantly different for a governor than one who faces a same-party minority situation. This can have an effect on the types of legislation the governor proposes, the type of legislation considered, and the final form of the legislation. Theoretically, it is easier for governors to pass their agenda and have their vetoes survive if they face a friendly legislature. In general, it is to the governor's benefit if they enjoy even a slight majority in one of the legislative houses.

There are a number of concessions that must be made when attempting to gauge the significance of party control. It must be recognized that the presence of majorities and minorities in state government guarantees little. A party member does not necessarily have to be loyal to a governor of the same party, nor does a member of the opposition party always have to serve as an ideological counter to the governor. Legislators do not always vote strictly on party lines. There are ideologically liberal Republicans and conservative Democrats. It must also be recognized that the domination of one party in a state can lead to competing factions of ideologically different members of the same party. In other words, there may be adversarial relationship between members of the same party within the legislature. Representatives and senators may also choose to vote against party lines to satisfy the demands of their districts. A governor

can also overcome a disadvantageous party situation if they utilize their political skills and resources. In short, drawing conclusions from the measure of party control comes with a number of qualifications. Yet in light of these considerations, party has a significant impact on the governor's ability to administer the state.

The Beyle PC scale is in need of slight revisions. The scale adheres to some common sense principles, as higher scores are attributed to governors whose parties control one or both houses of the state legislature. Beyle also attempts to recognize larger majorities in legislatures by labeling any house controlled by 75% or more of the governor's party as having a "substantial" majority. Yet there are significant party control differences that exist between the majority level of 50% and the substantial majority level of 75% or more. The same is true for minorities, as potential veto overrides can occur (if votes are cast strictly on party lines) in between the 50% and 75% minorities. The party control category should measure both the size of the majority and whether it constitutes a large enough force to override executive's vetoes. In a competitive party environment, this prospect should be accounted for. As such, states with similar numerical majorities can be differentiated by the potential for legislatively significant majorities. A governor who faces a potential veto override by the legislature should be rated lower in PC than the governor of a state whose competing majority cannot override their vetoes. There are numerous party control scenarios that are not differentiated by the Beyle scale. This is especially true with split legislatures, as Beyle does not account for all majority and minority scenarios. Simply put, there are states with significantly different party control scenarios that are scored the same in the Beyle scale. This section hopes to help alleviate that problem and find a better way to find party control differences that were once overlooked. The Beyle PC category has taken the following form since its inception:

PC: GUBERNATORIAL PARTY CONTROL

1988; 1994 (Summer); 1998:

5 = The governor's party has a substantial majority [75% or more] in both houses of the legislature;

4 = The governor's party has a simple majority in both houses [less than 75%], or a substantial majority in one house and a simple majority in the other;

3 = Split party control in the legislature or a non-partisan legislature;

2 = The governor's party has a simple minority in both houses, or a simple minority in one house and a substantial minority in the other;

1 = The governor's party has a substantial minority in both houses.

Source: Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>

The Reisinger Party Control (RPC) category attempts to place states in an index based on their unique party control situations. The scale will follow the basic assumptions of the Beyle scale – that more same-party members in the legislature are better for the governor’s political power. Where the RPC scale will differ from Beyle is measuring values between 50% and 75%, as there are different implications for a governor whose party controls 51% of a house than one whose party controls 70% of the house. It is theoretically easier for the governor with a 70% majority to push their agenda through the legislature because there can still be a majority vote for the governor after possible defection by some party members. Measuring the percentages between 50% to 75% gap is even more important if the governor faces a house of the legislature controlled by the opposing party. Levels needed for overriding gubernatorial vetoes in most states are either three-fifths or two-thirds of the legislature, which falls below the Beyle threshold of 75%. The Beyle scale fails to recognize the significance of these potential special majorities in terms of veto override and significance.

The RPC scale will recognize three different types of majorities and minorities. A governor holds a “substantial” majority or minority when the legislative house consists of 75% or more of one party. The governor has a “significant” majority or minority when one party of the legislative house has the percentage necessary for special votes of veto override or other legislative business outside of simple bill passage. This can occur at the 50% or more level, as well as the 2/3 and 3/5’s level, depending on the state. Finally, when a party controls the legislature by a majority, but not enough to be substantial or enough for special votes, it is considered a “simple” majority or minority. Substantial majorities or minorities are ranked higher than significant majorities or minorities, and significant majorities and minorities are ranked higher than simple majorities or minorities. Separating these percentages allows for a more thorough review of party composition in state legislatures. This is especially true for split legislatures, where Beyle fails to account for all of the possible PC scenarios that may exist in states. The size of majorities and minorities in split legislatures can vary significantly. Even if a certain situation in the intervals may not presently exist, it should be on the scale in order to be calculated in future years. Any scale measuring party control should be able to be used in future studies. It is hoped the RPC scale will allow this to happen. It is hypothesized that the RPC scale will help differentiate states with legislatively significant

majorities and minorities, and better account for different scenarios in split legislature situations. The scale below will calculate scores for RPC. Next comes an alphabetical listing of how states scored in RPC for 2008 as opposed to Beyle PC in Table 15, followed by a side-by-side ranking of states for 2008 PC for both the Beyle and Reisinger scales in Table 16.

Reisinger PC Scale

- 5.00 – Governor has substantial majorities (75% or more) in both houses
- 4.75 – Governor has a substantial majority in one house (75% or more), and a significant majority in another house
- 4.50 – Governor has a substantial majority in one house (75% or more), and a simple majority in another house
- 4.25 – Governor has a significant majority in both houses
- 4.00 – Governor has a significant majority in one house and a simple majority in another house
- 3.75 – Governor has a simple majority in both houses
- 3.00 – Split legislature; Governor has a substantial majority in one house and a simple minority in another
- 2.90 – Split legislature; Governor has a substantial majority (75% or more) in one house and a significant minority in another
- 2.80 – Split legislature: Governor has a substantial majority (75% or more) in one house a substantial minority (75% or more) in another
- 2.70 – Split legislature: Governor has a significant majority in one house a simple minority in another
- 2.60 – Split legislature: Governor has a significant majority in one house a significant minority in another
- 2.50 – Split legislature: Governor has a significant majority in one house and a substantial minority (75% or more) in another
- 2.40 – Split legislature: Governor has a simple majority in one house and a simple minority in another
- 2.30 – Split legislature: Governor has a simple majority in one house and a significant minority in another
- 2.20 – Split legislature: Governor has a simple majority in one house and a substantial (75% or more) in another
- 1.50 – Governor has a simple minority in both houses
- 1.25 – Governor has a simple minority in one house, and a significant minority in another
- 1.00 – Governor has significant minority in both houses
- 0.75 – Governor has a substantial minority (75% or more) in one house and a simple minority in another
- 0.50 – Governor has a substantial minority (75% or more) in one house and a significant minority in another
- 0.25 – Governor has a substantial minority (75% or more) in both houses

Table 15: Reisinger PC vs. Beyle PC

State	Governor	Party	RPC	Beyle PC
Alabama	Riley	Republican	1.00	2.00
Alaska	Palin	Republican	3.75	4.00
Arizona	Napolitano	Democrat	1.50	2.00
Arkansas	Beebe	Democrat	5.00	5.00
California	Schwarzenegger	Republican	1.50	2.00
Colorado	Ritter	Democrat	3.75	4.00
Connecticut	Rell	Republican	1.00	2.00
Delaware	Minner	Democrat	2.70	3.00
Florida	Crist	Republican	3.75	4.00
Georgia	Perdue	Republican	3.75	4.00
Hawaii	Lingle	Republican	0.25	1.00
Idaho	Otter	Republican	4.75	4.00
Illinois	Blagojevich	Democrat	4.00	4.00

Indiana	Daniels	Republican	2.60	3.00
Iowa	Culver	Democrat	3.75	4.00
Kansas	Sebelius	Democrat	0.75	4.00
Kentucky	Beshear	Democrat	2.60	3.00
Louisiana	Jindal	Republican	1.50	2.00
Maine	Baldacci	Democrat	3.75	4.00
Maryland	O'Malley	Democrat	4.75	4.00
Massachusetts	Patrick	Democrat	5.00	5.00
Michigan	Granholt	Democrat	2.40	3.00
Minnesota	Pawlenty	Republican	2.30	2.00
Mississippi	Barbour	Republican	1.50	2.00
Missouri	Blunt	Republican	3.75	4.00
Montana	Schweitzer	Democrat	2.40	3.00
Nebraska	Heineman	Republican	2.40	3.00
Nevada	Gibbons	Republican	2.40	3.00
New Hampshire	Lynch	Democrat	3.75	4.00
New Jersey	Corzine	Democrat	3.75	4.00
New Mexico	Richardson	Democrat	3.75	4.00
New York	Spitzer	Democrat	3.00	3.00
North Carolina	Easley	Democrat	4.00	4.00
North Dakota	Hoeven	Republican	3.75	4.00
Ohio	Strickland	Democrat	1.25	2.00
Oklahoma	Henry	Democrat	2.40	3.00
Oregon	Kulongoski	Democrat	3.75	4.00
Pennsylvania	Rendell	Democrat	2.40	3.00
Rhode Island	Carcieri	Republican	0.25	1.00
South Carolina	Sanford	Republican	3.75	4.00
South Dakota	Rounds	Republican	4.00	4.00
Tennessee	Bredesen	Democrat	2.60	3.00
Texas	Perry	Republican	3.75	4.00
Utah	Huntsman, Jr.	Republican	4.75	4.00
Vermont	Douglas	Republican	0.75	2.00
Virginia	Kaine	Democrat	2.40	3.00
Washington	Gregoire	Democrat	3.75	4.00
West Virginia	Manchin	Democrat	4.25	4.00
Wisconsin	Doyle	Democrat	2.40	3.00
Wyoming	Freudenthal	Democrat	0.50	2.00

Source: *The Book of the States 2006*

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Table 16: Reisinger PC vs. Beyle PC, Rankings

Rank	State	Governor (Party)	RPC	Rank	State	Governor (Party)	BPC
1	Arkansas	Beebe (D)	5.00	1	Arkansas	Beebe (D)	5.00
1	Massachusetts	Patrick (D)	5.00	1	Massachusetts	Patrick (D)	5.00
3	Idaho	Otter (R)	4.75	3	Alaska	Palin (R)	4.00
3	Maryland	O'Malley (D)	4.75	3	Colorado	Ritter (D)	4.00
3	Utah	Huntsman, Jr. (R)	4.75	3	Florida	Crist (R)	4.00
6	West Virginia	Manchin (D)	4.25	3	Georgia	Perdue (R)	4.00
7	Illinois	Blagojevich (D)	4.00	3	Idaho	Otter (R)	4.00
7	North Carolina	Easley (D)	4.00	3	Illinois	Blagojevich (D)	4.00

7	South Dakota	Rounds (R)	4.00	3	Iowa	Culver (D)	4.00
10	Alaska	Palin (R)	3.75	3	Kansas	Sebelius (D)	4.00
10	Colorado	Ritter (D)	3.75	3	Maine	Baldacci (D)	4.00
10	Florida	Crist (R)	3.75	3	Maryland	O'Malley (D)	4.00
10	Georgia	Perdue (R)	3.75	3	Missouri	Blunt (R)	4.00
10	Iowa	Culver (D)	3.75	3	New Hampshire	Lynch (D)	4.00
10	Maine	Baldacci (D)	3.75	3	New Jersey	Corzine (D)	4.00
10	Missouri	Blunt (R)	3.75	3	New Mexico	Richardson (D)	4.00
10	New Hampshire	Lynch (D)	3.75	3	North Carolina	Easley (D)	4.00
10	New Jersey	Corzine (D)	3.75	3	North Dakota	Hoeven (R)	4.00
10	New Mexico	Richardson (D)	3.75	3	Oregon	Kulongoski (D)	4.00
10	North Dakota	Hoeven (R)	3.75	3	South Carolina	Sanford (R)	4.00
10	Oregon	Kulongoski (D)	3.75	3	South Dakota	Rounds (R)	4.00
10	South Carolina	Sanford (R)	3.75	3	Texas	Perry (R)	4.00
10	Texas	Perry (R)	3.75	3	Utah	Huntsman, Jr. (R)	4.00
10	Washington	Gregoire (D)	3.75	3	Washington	Gregoire (D)	4.00
25	New York	Spitzer (R)	3.00	3	West Virginia	Manchin (D)	4.00
26	Delaware	Minner (D)	2.70	26	Delaware	Minner (D)	3.00
27	Indiana	Daniels (R)	2.60	26	Indiana	Daniels (R)	3.00
27	Kentucky	Beshear (D)	2.60	26	Kentucky	Beshear (D)	3.00
27	Tennessee	Bredesen (D)	2.60	26	Michigan	Granholt (D)	3.00
30	Michigan	Granholt (D)	2.40	26	Montana	Schweitzer (D)	3.00
30	Montana	Schweitzer (D)	2.40	26	Nebraska	Heineman (R)	3.00
30	Nebraska	Heineman (R)	2.40	26	Nevada	Gibbons (R)	3.00
30	Nevada	Gibbons (R)	2.40	26	New York	Spitzer (R)	3.00
30	Oklahoma	Henry (D)	2.40	26	Oklahoma	Henry (D)	3.00
30	Pennsylvania	Rendell (D)	2.40	26	Pennsylvania	Rendell (D)	3.00
30	Virginia	Kaine (D)	2.40	26	Tennessee	Bredesen (D)	3.00
30	Wisconsin	Doyle (D)	2.40	26	Virginia	Kaine (D)	3.00
38	Minnesota	Pawlenty (R)	2.30	26	Wisconsin	Doyle (D)	3.00
39	Arizona	Napolitano (D)	1.50	39	Alabama	Riley (R)	2.00
39	California	Schwarzenegger (R)	1.50	39	Arizona	Napolitano (D)	2.00
39	Louisiana	Jindal (R)	1.50	39	California	Schwarzenegger (R)	2.00
39	Mississippi	Barbour (R)	1.50	39	Connecticut	Rell (D)	2.00
43	Ohio	Strickland (D)	1.25	39	Louisiana	Jindal (R)	2.00
44	Alabama	Riley (R)	1.00	39	Minnesota	Pawlenty (R)	2.00
44	Connecticut	Rell (R)	1.00	39	Mississippi	Barbour (R)	2.00
46	Kansas	Sebelius (D)	0.75	39	Ohio	Strickland (D)	2.00
46	Vermont	Douglas (R)	0.75	39	Vermont	Douglas (R)	2.00
48	Wyoming	Freudenthal (D)	0.50	39	Wyoming	Freudenthal (D)	2.00
49	Hawaii	Lingle (R)	0.25	49	Hawaii	Lingle (R)	1.00
49	Rhode Island	Carcieri (R)	0.25	49	Rhode Island	Carcieri (R)	1.00

Source: National Conference of State Legislatures, "2008 Partisan Composition of State Legislatures," [NCSL.org](http://www.ncsl.org), 20 February 2008
< <http://www.ncsl.org/statevote/partycomptable2008.htm> >

The Book of the States 2006

Thad Beyle "State and Local Government: Gubernatorial Power" 2005. <<http://www.unc.edu/~beyle/gubnewpwr.html>>

Reisinger PC Average: 2.87

Beyle PC Average: 3.26

A look at both tables reveals that the RPC scale finds that of the thirteen states ranked by Beyle as 3.0 for having a split legislature, five different values (and thus five unique party situations) were found. Twenty-three governors had scores of 4.0 in Beyle PC to reflect that their parties controlled both houses of their state legislatures. The RPC scale found four different party scenarios (meaning four different scores) within this group. These findings indicate that perhaps the Beyle scale was not reflecting the differences that exist, and can exist, in the party control of state legislatures. While there is a slight difference in the numerical averages found, what is of most importance in the comparison is the number of different scores in the RPC index. The Beyle PC scale does not have a home for some possible party control scenarios. This can lead to a number of incorrect assumptions about the relative position governors are in when dealing with the state legislature. For example, the governors of Minnesota and Mississippi would each rate a 2.00 on the Beyle PC scale, but the two rate slightly different in RPC. Haley Barbour of Mississippi is rated a 1.50 because his Republican party is the minority party in both houses of the legislature, while Minnesota's Tim Pawlenty rates a 2.30 in RPC because the Republicans control one house of the Minnesota legislature. Having a friendly party in control of one house of the legislature is significantly different than having an unfriendly party control both. Further refinement of the scale can only improve its interval quality and perhaps discover intervals that are not currently accounted for. For the time being, though, the RPC scale is mostly capable of recognizing any party situation governors may face in state legislatures.

Chapter 10: Time Period Comparison: Gubernatorial Power Change 1980-2005

The second section of analysis will be used to compare the amount of change in major gubernatorial powers in the time period 1980 (the first year of the Beyle updates) and 2005 (the last published Beyle update) for the Reisinger and Beyle scales. Similar to the research design introduced by Beyle in his 2005 study, the project will use scores from the Beyle studies of 1980 and 2005 for four major institutional powers: tenure, veto, budget and appointment.⁶⁵ Each of these powers will be calculated independently. The amount of difference found between the 1980 Beyle scores and the 1980 score will then divide the 2005 Beyle scores in order to produce a positive or negative percentage of change. A positive percentage of change indicates that the power has increased over that time period. A negative percentage of change indicates that the governor's power in that area has decreased in the time period studied. The separately elected branch officials (SEP) category will not be included because Beyle produced the scale in 1980 and has not published updated SEP results for the year 1980.

The same procedure will then be done for the Reisinger scores for tenure (RITP, measuring the institutional tenure potential), veto (RVP), budget (RBP), and appointment (RAP), calculating scores using the same scales for 1980 and then 2005. A positive or negative percentage of change will then be calculated from the results. The percentages calculated from both the Beyle and Reisinger time period studies will then be compared to see if they produced noticeable percentage differences in power change for the period. Beyle's original 2005 time period analysis reached back to Schlesinger's 1960 study, and the results were fairly significant. According to the Beyle study, the period of 1960-2005 showed governors cumulatively increase their tenure potential by 28% and their veto power by 61%.⁶⁶ Budget power and appointment power saw modest changes in the Beyle study, with budget power losing 14% and appointment power increasing 7%.⁶⁷ One of the purposes of this section of the project is to determine whether the changes from 1980 to 2005 were as dramatic as the ones seen in the Beyle analysis. This will also partially reveal what time period the majority of changes occurred in – 1960 to 1980 or 1980 to 2005. While these findings can be important, the principal reason for this time

⁶⁵ Beyle (2005), 200-201

⁶⁶ Beyle (2005), p.201

⁶⁷ Beyle (2005), p.201

period analysis is to gauge the effectiveness of the Beyle intervals. It has been hypothesized in this study that the Beyle intervals do not comprehensively reflect political and constitutional realities in the states. As such, it is predicted that the changes seen in the Beyle scores from 1980-2005 will be somewhat different from the findings of the Reisinger scale for the same time period.

There are some measurement difficulties that the study must contend with in order to do such a study. Both the veto and budgetary power categories will be affected by a lack of information. No data was readily available for 1980 that would determine whether governors enjoyed a line-item veto for appropriations only, which was one of the key components of the RVP intervals. As such, the 1980 values will be calculated using the line-item veto type recorded in 2005 as constant. This is admittedly not a perfect time period calculation, but it can be used to find if significant fundamental changes have occurred (a governor going from no veto power to a line-item veto, perhaps). The second casualty of the lack of information will be the budgetary power category, as no data was readily available as to whether governors had the ability to amend language, reduce or substitute figures, or amend agency or program funding. These special powers were highlighted in the RBP scale, but cannot be found for the 1980 calculation. Again, the number of special powers enjoyed by governors in 2005 will be held constant for the 1980 calculation of RBP. Much like the RVP, the RBP will thus only be able to identify significant shifts in gubernatorial power outside of the factors being held constant. While time constraints prevented this information from being included in the study, the needed data could no doubt be found in periodical sources (like newspaper articles from papers covering the state capitals), relevant dated versions of state constitutions, and possibly in the procedural records of the state legislatures. In further research on the topic, the presence of this information would be extremely beneficial to the time period comparison - and to the project as a whole.

Tenure potential and appointment power therefore will be the most significant individual calculations for this section in the Beyle-Reisinger comparison. Information on tenure potential allows the calculation to be performed similarly for both years and both scales. There are, however, some changes to note for the calculation of appointment power. The offices used for the calculations needed to be identical in order to include them for both the 1980 and 2005 scores. Forty-six offices were used for the 2008

calculations, but only thirty-eight will be used for the time-series calculation. No data was available for the offices of auditor, comptroller, economic development, emergency management, environmental protection, fish & wildlife, information systems, revenue or state police for the year 1980. In order to get a more accurate picture of changes in appointment power over this period, these offices were excluded from the time period calculation. The identical offices from 1980 and 2005 were therefore used to come up with the RAP for the time period. One important note is that the Beyle calculation for AP will only consist of the six major functional offices mentioned previously.

Table 17 below will show the amount of change seen for the time period 1980 to 2005 for selected institutional powers of governors. These results should not be used for any conclusions on the increase or decrease of overall gubernatorial power, as the difficulties in proposing that these powers comprehensively reflect the power of the whole office have been repeatedly admitted. Thus, changes in the powers shown should be used only to draw conclusions on the amount of power shift in individual expressed powers:

Table 17: Time Period Comparison - Beyle vs. Reisinger 1980-2005

Beyle	'80 Avg.	'05 Avg.	Percent Change
Tenure Power (TP)	4.12	4.12	0.00
Appointment Power (AP)	3.24	3.06	-5.55%
Budget Power (BP)	4.68	3.08	-34.19%
Veto Power (VP)	4.08	4.50	10.29%
Reisinger	'80 Avg.	'05 Avg.	Percent Change
Institutional Tenure Power (RITP)	4.13	4.25	2.90%
Appointment Power (RAP)#	3.00	2.98	-0.67%
Budget Power (RBP)*	2.72	2.73	0.36%
Veto Power (RVP)*	3.67	3.73	1.63%

For 38 offices noted

* Certain elements of scale held constant for 1980 and 2005 due to information constraints

The time period study does not find a significant difference between the amount of change measured by the Beyle and Reisinger scales. The Reisinger scale saw a slight increase in tenure potential where the Beyle calculations saw none. The decreases seen in appointment power were more significant in the Beyle scale as opposed to the Reisinger scale. This could indicate that the inclusion of more offices to the study helped dilute the effect of changes seen in the six categories focused on by Beyle. This finding is important because it provides some small evidence that the Beyle scale was not completely measuring what it was supposed to measure. While budget power saw a

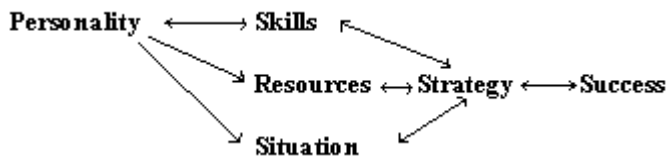
significant decrease in the Beyle scale, the Reisinger calculation saw barely any change. This is most likely due to some factors staying constant in the Reisinger calculations. The same is true for the difference found between the Reisinger and Beyle scores for veto power. This time period calculation also reveals that perhaps the majority of change in governor power was seen in the period 1960 to 1980, as evidenced by the relatively low percentage of change for this period as compared to the 1960 to 2005 Beyle study. Two possible explanations for the increase in gubernatorial powers since 1960 are the U.S. Supreme Court decision *Baker vs. Carr* in 1962 (369 U.S. 186) and the large influx of money sent to the states as a result of Lyndon Johnson's Great Society programs. The *Baker vs. Carr* decision ended unfair legislative redistricting, which in turn enforced the value of each vote in state legislative districts. A more representative state legislature essentially forced additional accountability on state governments, including governors. The Great Society programs had a large impact on states, which were tasked with the distribution of a tremendous influx of federal funds in their states. State executives were likely given increased administrative power in the disbursement of these funds. Thus, provisions increasing a governor's role in appointment and budgetary powers could be attributed to the need for executive action on increased funding to the states.

Although the results of the analysis are not overwhelming, they do support the project's assertion that major differences are best noticed at the individual state level. Differences can be found among the states, but they do not have to mean anything significant to an overall index. The overall index is best used for broad statements of power, but its overall lack of fluidity or movement— using either the Beyle or Reisinger scales — makes reaching conclusions difficult. The Reisinger scales allow researchers to see smaller, relative differences among states where they were not evident before. The smaller amount of change seen by the Reisinger scale compares favorably to the hypothesis of the study - that the Beyle intervals were not completely accurate. It is possible that gubernatorial power has changed less than previously thought, partially due to the fact that the Beyle intervals overestimated the significance of each change. The Reisinger scales identified differences among states on a micro level, but they did not make a significant difference on the macro level. One small but important conclusion to be drawn is that perhaps gubernatorial power is best studied at the individual level. The inclusion of all fifty states failed to reflect the level of change seen when the individual

categories were studied on their own. Even though they did not have a large effect on an overall average of the institutional powers, it was worthwhile to revisit the scales and attempt to ensure they measured political realities. Hopefully new information can be found to help further complete this time period study and gauge whether there are any further differences in the amount of change seen between the scales. At the very least, researchers armed with the needed information to complete a more thorough analysis can utilize the scales introduced in this study.

Chapter 11: Case Study: Gubernatorial Policy Success in Virginia

The final section of analysis will use project results to partially complete the Model of Factors Affecting Gubernatorial Policy Success introduced by Robert E. Crew, Jr. in 1992.⁶⁸ The project has provided some of the information needed to address the five factors identified by Crew as crucial to policy success: personality, political skill, political resources, political situation and strategy.⁶⁹ Four of these factors can be partially fulfilled by combining the research in this project with an analysis of the state of the state speech by a selected governor – political resources, skill, situation and strategy. Analysis of the state of the state speech – in this case The 2008 Virginia State of the Commonwealth Address by Governor Tim Kaine – will help identify the key elements of Governor Kaine’s strategy for the upcoming year. The strategy will then be placed in the framework along with this project’s findings on the political skill, resources and situation that the governor faces. The personality of governors will not be addressed in this analysis, as this researcher is not in a position to make decisions regarding such complicated and nuanced matters. The original framework is shown once again below:



The first step in attempting to fill the framework will be to match the Crew definitions of political skills, resources and situation to the relative findings of the thesis (the relative measures of tenure power are more relevant than the institutional tenure potential measures in this case). Political skill, according to Crew, is partly dependent on the political experience that a governor has, as this can help them maneuver, deal and negotiate policy successes. To Crew political skills “assist one in confronting and dealing with the ambiguities, pressures and uncertainties of the job.”⁷⁰ Therefore, the Reisinger Tenure Power category (RTP) will be used in the framework to represent political skill. Crew believes it is difficult for researchers to quantify this portion, but

⁶⁸ Crew, p.15-18

⁶⁹ Crew, p.17

⁷⁰ Crew, p.17

RTP could provide an introductory attempt at measuring the political skills of governors based on their years in office and potential for multiple terms.

For political resources Crew identifies reputation, public approval and party control of the legislature as important.⁷¹ The Reisinger Party Control (RPC) category scores will be introduced into the political resources section of the framework to represent the makeup of the state legislature, which can have a significant effect on what governors can accomplish in their policy goals. The party composition of the legislature can lead governors to become more ambitious (if their party is firmly in control) or more reserved (if their party is in the minority) in their policy strategies. Another identifiable resource introduced by Crew is the winning margin of the governor for their most recent election. If policy success depends on political capital, this could be a useful factor to analyze.⁷² For the purposes of this study, the Beyle personal power category of Electoral Mandate - which will allow the score to be consistent with the other contributions the study makes to the framework - will measure the significance of the winning margin of the governor's latest election.

Where the project can contribute the most to the framework is by describing the political situation governors face. A linkage for the six major institutional powers of governors can be found when Crew sees the "situation" of governors "conceptualized as the distribution of partisanship and political ideology in a state...as a sequence of changes in the nature of the political time."⁷³ Through its utilization of veto, budget, appointment, tenure/experience, separately elected executive office officials and the party control of the legislature, the project can provide key elements to the Crew framework to help measure situation. Whereas Crew once saw only appointment and veto power as quantifiable measures of political resources and situation, the thesis can provide more relevant calculations to the existing framework.⁷⁴ The political situation will be comprised of quantifiable elements like appointment power, budget power, veto power, SEP power, party control and tenure power. These powers can be inserted and removed from the analysis as needed. Like the political resources section, there are immeasurable elements of situation involved, including the presence of a strong public sentiment and

⁷¹ Crew, p.17

⁷² Crew, p.21

⁷³ Crew, p.22

⁷⁴ Crew, p.16

past accomplishments that could have given the governor political capital. Both of these factors could affect the governor's political situation.

The strategy introduced by Governor Kaine in his 2008 State of the Commonwealth Address (given to the General Assembly on January 9, 2008) will now need to be identified. For the purposes of brevity (and to allow the framework to be used as a predictive tool) the study will focus on three of Kaine's initiatives for the year of 2008, as outlined in the address. This portion of the framework will then be compared to the skills, resources and situation Kaine faces in Virginia to help construct an elementary analysis of the likelihood of the strategy becoming policy, and thus a success. Due partially to the tragedy at Virginia Tech in April 2007, Kaine spoke of the need to increase funding to the Commonwealth's mental health system in an effort to identify and treat more who suffer from mental illness.⁷⁵ In addition, Kaine asks the Assembly to further limit those suffering from mental illness from having access to firearms. The second major initiative sought by Kaine is to significantly increase funding to Pre-K – or preschool – programs across the Commonwealth.⁷⁶ Kaine cites statistics indicating that quality preschool education often results in a more positive personal and economical situation for children as they grow older. This initiative is framed in a way that preschool education will have a positive future effect on Virginia's economy. The final initiative mentioned by Kaine is for the Assembly to repeal the controversial abusive driver fees introduced in 2007 to help fund transportation projects.⁷⁷ Decrying the financial impact of the fees (which had failed to meet fundraising expectations) and the unprecedented outcry from citizens over the amount and state-biased application of fees, Kaine requests that the Assembly repeal the abusive driver fees. These three initiatives will be placed in the strategy portion of the partially completed framework seen in Table 18 below:

⁷⁵ Kaine, Tim. "Virginia State of the Commonwealth Address 2008." Richmond, VA. 9 Jan. 2008. 02 Mar. 2008 <<http://www.stateline.org/live/details/speech?contentId=270953>>.

⁷⁶ Kaine, Virginia State of the Commonwealth Address (2008)

⁷⁷ Kaine, Virginia State of the Commonwealth Address (2008)

Table 18: Case Study – Framework for Legislative Success in Virginia

	Skill			
Personality	Tenure Power - 2.0 (47th of 50) (Term-limited, 3rd year of 1st term) <i>Other Political Skill</i>			
		Resources	Strategy	
		Party Control - 2.40 (30th of 50)	Increase funding to mental health system	Success Undetermined
		Electoral Mandate - 4.0 (strong) (Kaine won 2005 election 52-46%) <i>Relationships and Built Loyalties</i>		
			Increase Pre-K funding	Undetermined
		Situation		
		Appointment Power - 3.12 (16th of 50)	Repeal abusive driver fees	Passed 3/9/2008
		Budget Power - 2.80 (9th of 50) Veto Power - 3.25 (38th of 50) SEP Power - 2.25 (35th of 50) Party Control - 2.40 (30th of 50) Tenure Power - 2.0 (47th of 50) <i>Public Sentiment</i> <i>Past Accomplishments</i>		

It appears that Governor Kaine must overcome some obstacles in order to have his strategy become a policy success. First comes a look at Kaine’s relative political skill. Being in the third year of his first (and last if he decides not to run again after a four year period) term, Kaine is not very far away from entering lame-duck territory politically, and he scores just a 2.0 on the Reisinger Tenure Power scale (ranking 47th out of 50 governors). By this time, he has most likely developed some solid relationships with other parts of government which he can utilize as he sees fit. He has also likely learned the functions of the office quite well, as he has been exposed to a number of different situations since his tenure began. His tenure power is in an interesting position – a balance between growing institutional expertise and an inevitable decline in influence as his term nears an end. Will the Assembly take his plans seriously if they have the opportunity to put Kaine’s strategy aside and wait for a new gubernatorial election? The final italicized element of “Other Political Skill” is meant to symbolize the immeasurable amounts of skill Kaine has in the operation of the office. Kaine could have other institutional expertise that escapes any quantitative analysis. This type of unseen power and influence is difficult to calculate, but crucial to note. A large amount of this skill can help him overcome other political shortcomings.

Governor Kaine has an interesting mix of resources at his disposal. Virginia has a split legislature, as Kaine's Democratic Party controls the Senate (21-19), but Republicans control the House of Delegates (54-44).⁷⁸ The split legislature - with a simple majority in one house and a simple minority in the other house - earns Kaine a score of 2.40 for Reisinger Party Control, good for 30th out of 50 state governors. Kaine must deal with this split in all of his legislative proposals, with a keen mind for what his opponents in the House may think of the language or ideology in any given bill. This section of the framework concedes that bipartisanship, negotiating skills, and public sentiment may drive both parties towards resolution across party lines. The framework is meant only to help illustrate the starting circumstances of political maneuvering, which can change for many reasons. One way potential difficulty can be offset is by Kaine's use of the unmeasured "Relationships and Built Loyalties" element of the category, as these can help him overcome what seems to be built-in party resistance to his proposals. One strong resource Kaine can cite is his six-point electoral victory in 2005 in the gubernatorial election, a distant but important reminder that the voters of Virginia gave him a solid electoral victory in order to conduct his business as governor. Kaine scores a 4.0 on the Beyle Electoral Mandate scale for winning the 2005 gubernatorial election by six percentage points.

The project provides the most contexts for Kaine by helping to explain his political situation. Crew stresses that "political time" is a key element of gubernatorial success, with the idea that the governor is more powerful at certain times in their tenure than in others.⁷⁹ The party composition of the legislature and the ideological distribution of other parts of government help create these political situations.⁸⁰ Kaine enjoys relatively high overall appointment powers (3.12, 16th of 50 governors) and budget powers (2.80, 9th of 50). Specifically, Kaine scores a 3.5 for his education appointment power, because the governor appoints the Secretary of Education in Virginia, who must then be confirmed by both houses of the legislature. Having a loyal officer in that position could help Kaine in his quest to increase Pre-K school funding. Similarly, the head of Mental Health in Virginia - to which Kaine is attempting to steer additional funding - is appointed by the governor and confirmed by both houses of the legislature. Both

⁷⁸ National Conference of State Legislatures, 2008.

⁷⁹ Crews, p.22

⁸⁰ Crews, p.23

applicable offices regarding the repeal of abusive driver fees are also gubernatorial appointees that are approved by both houses of the legislature, heads of both Highways and Transportation. It appears Kaine has the appointees in place to give his initiatives needed support and approval. Kaine's relatively strong budget powers may also contribute to helping his strategy gain the needed funds. In the budgetary process of these initiatives, Kaine has full responsibility for preparing the budget, a line-item veto, can amend program funding, amend the language of appropriations, but faces a legislature that has unlimited power to change the budget. On the RBP scale he scores a relatively high 2.8. For his two appropriation strategies (Pre-K and Mental Health), Kaine has the negotiation position of determining his own figures, funding the programs as necessary, changing the language of any legislative revisions, and a line-item veto at his disposal. Kaine enjoys some significant strength in the legislative process.

There are also certain elements that can negatively affect Kaine's situation. Kaine's veto power is limited to appropriations bills only; two-thirds of present legislative members are needed to override the veto (provided the 2/3's constitutes a real majority of elected members).⁸¹ This could mean Kaine would be unable to reject non-appropriation-related policy changes that are counterproductive to his strategy. Also, two factors of "political time" may work against Kaine – party control and tenure power. Kaine is in his third year in office but is term limited. It is possible that his influence will begin to fade as the end of his term draws near. The split legislature may also negatively affect his strategy, as the final form of his strategy could be different than he hoped. Republicans in the House of Delegates could oblige his request for more funding to Mental Health and Pre-K education, but propose the funds come from other sources besides taxation. Kaine's speech does not specify how he would like the funds on either of his appropriation strategies to be raised. This could very well be the precursor for an extended negotiation between Kaine and the split legislature.

The gubernatorial success framework has hopefully provided some context to the situation Governor Kaine faces in implementing his strategy. This case study is meant to be the beginning of more thorough and significant studies of gubernatorial success. Providing timely background information on the political environment in which the governor is operating can have significant implications, and the project has provided

⁸¹ *The Book of the States 2005*, p. 162.

some relevant information in that regard. Further study has revealed that Kaine has both potential friends and enemies on both sides of his 2008 policy initiatives. While the framework cannot predict success, identifying potentially positive and negative factors can help scholars better understand the process governors must contend with. Comparing the same factors across states can help scholars decipher which strategies are overly ambitious (if a weak governor proposes grand initiatives) or ones that are somewhat reserved (if a weak governor recognizes significant obstacles in government and proposes a humbled strategy). Scholars should also be able to add in factors, both quantitative and qualitative, that can expand the analysis beyond this elementary form. Circumstances and situations change - as do applicable powers - so it is hoped that combining the power scales with the framework can be done again in the future.

Chapter 12: Conclusion

This thesis has attempted to restructure existing methods of measuring gubernatorial power in the hopes of gaining a more accurate assessment of each state's relative standing. While most studies of the subject have focused on the overall powers of governors, this project has instead focused on the more tangible goal of measuring certain powers of governors individually. It was the goal of the project to enhance the study of individual powers by creating measurement scales that encompassed the diverse structure of state executive offices. This can have important implications on the studies of institutional power as well – researchers can now be more certain that they are utilizing accurate measures of power in the elements used in overall power indices. Doing a better job of measuring the individual powers can only help the validity of comprehensive studies of overall power. In light of the difficulties in claiming that an overall measure of power is possible, the project decided to break down the overall indices to their core elements. The Schlesinger, Beyle, Dometrius and Mueller studies were mainly focused on the overall measure of power, often with the consequence of overlooking the importance of studying the individual powers correctly.

One important finding in the project was that not only should indices of gubernatorial power measure what they are supposed to measure, they should be certain to measure what *can* be measured. The idea of composing an overall index of institutional power cannot be approached if one is not certain the elements of the index are being measured properly. The thesis found that there were problems in the Beyle tenure potential category, as he used institutional criteria for a relative score and ranking. Beyle overlooked experience in office, as scores were based on the assumption that each governor was starting their first year in office. The project found that there should be a separation for institutional power (for state to state comparisons) and relative tenure standing (for periodical relative comparisons). After this adjustment was made, the Reisinger Tenure Power scores differed dramatically from the Beyle Tenure Potential scores. The project attempted to calculate the effects of the tenure limits of separately elected branch officials, which could affect the overall power and agenda of governors. It was hypothesized that the selection method and tenure differences of executive officials could have either a positive or negative effect on the governor's ability to control their

actions. For appointment, the project simply used the selection methods for more government officials to calculate appointment power. These additional calculations led to different results among the states, as it was determined that the limited scope of the Beyle AP may lead to misleading overall appointment power. While not distinguishable on a cumulative level amongst the states, differences in AP were dramatic in some individual states.

In calculating veto power, the project found that Beyle had not fully encompassed the veto abilities of governors, as he had excluded bill types in his analysis. The project found that many governors have line-item vetoes on certain appropriations bills only, which meant that Beyle scored governors who could line-item veto any bills the same as governors who could line-item veto appropriations bills only. Additional separation was also found in Reisinger Veto Power when the size of veto override majority was considered – some states require a veto override vote to include a certain majority of present officials while some states require the vote to include a certain majority of elected officials, whether enough are present or not. The project also posits that budgetary powers should be calculated with the entire budgetary process in mind. There are a number of budgetary negotiation possibilities that the Beyle BP score does not account for. The project incorporated governor's abilities to change language, reduce or substitute appropriation figures, line-item vetoes, and veto override majorities in the budgetary process to calculate BP. These factors found a vastly different budget landscape than Beyle had proposed. The BP category should largely be an indication of a governor's negotiating position in the budgetary process.

The final individual power category to be revised was party control. The party control of the legislature can have a significant impact on the governor's administration of the state, their legislative strategy and their policy success. The Beyle scale unfortunately does not contend with a number of important factors including the significance of majorities and their relationship to potential veto overrides. It was found that party control could have a more significant linkage to the legislative process than once thought. When comparing the size of majorities to the percentage needed in states for politically significant action (veto overrides), many differences in states were found. Significant departures from the Beyle scale were also found for unique party situations of

split legislatures that were not recognized before. The result of the analysis creates a scale that can better account for any party situation in the states that may occur.

The time period comparison for changes in gubernatorial power from 1980-2005 found that the Reisinger scales found slightly less change over time in certain powers than the Beyle scales. The measure of appointment, tenure, budget and veto powers changed between only -0.67 and 2.90% with the Reisinger scales, while the Beyle scales registered changes between -34.19 and 10.29%. The most significant comparison available was for appointment and tenure powers, as available information allowed very similar studies for both 1980 and 2005. Both showed a smaller power change in the Reisinger scales as opposed to the Beyle scale. The analysis showed that the Beyle intervals could have overestimated the changes in power over this time period, based on the findings of scales that accounted for more diverse situations in states. The cumulative totals support the project's contention that gubernatorial power changes are better seen at the individual level.

The case study of Governor Kaine's initiatives revealed that gubernatorial appointees man key positions in relation to his policy initiatives. While Kaine faces a split legislature, a limited line-item veto and eroding power and influence due to his term limitations, he can rely upon his appointees in Education, Mental Health, Highways and Transportation to help support his goals. Kaine also enjoys relatively significant budget powers that could push his policies into the realm of success. It is hoped that this analysis will inspire scholars to use the framework along with the relative power scores of governors to gain a better understanding of the political situations governors face in implementing their strategies.

Further research would be helpful in advancing some of the ideas put forward in this project. Incorporating a governor's ability to use an amendatory veto in the veto power analysis could bring about significant relative changes. While the override process for amendatory vetoes is the same as traditional and line-item vetoes, a governor can use an amendatory veto to change bills to their liking, as well as to offer suggestions. The final version of bills can be affected by this power, thus making it an issue worth exploring in a more in-depth analysis of veto power. Perhaps the most significant area for further research is the power of state legislatures themselves. While the thesis was primarily concerned with what governors could do within state governments, it must be

recognized that legislatures can have a significant impact on how powerful a governor can be. State legislative professionalism – in the context of legislatures and their members being able to efficiently consider and process legislation – can have a major effect on the power of governors. A well-prepared and knowledgeable legislature with sufficient resources can be either a significant obstacle or a strong proponent of the governor’s policy goals. Since states no doubt have varying degrees of legislative professionalism, it would be prudent for researchers to look further into this factor to better gauge state executive-legislative relationships. After a thorough look at governors, the next recommended step in the research of state governors is to more fully assess the effect of legislatures on the powers of executives.

The study has hopefully inspired a renewed focus on details in the study of formal and informal gubernatorial powers. Most studies of gubernatorial powers have focused on the macro implications of overall gubernatorial power, yet it is not clear that the individual elements that made up these indices were being studied and measured correctly. Attempting to form a comprehensive study of institutional powers is a difficult task, as there is no assurance that researchers can identify and quantify all relevant sources of a governor’s power. What can be done, however, is to clarify the known elements of power and place them into a political context. Perhaps the most important result of studying the individual elements was to place them in their proper relative and institutional context. It is possible to measure relative positions of power, but one must use relative criteria in order to do it. It was not the aim of the project to produce a more valid overall power measurement - it was to reopen study of the individual elements themselves. This study, when combined with the weighting and significance tests of others, can help produce more valid overall measures of gubernatorial power. The thesis is also not intended to be a rebuke of previous attempts at measuring power categories, it is meant only as a suggestion that there may be ways to improve existing methods. It is hoped that this study will propel the subject of measuring gubernatorial power into a new era of debate, review and revision.

Appendix A: Appointment Powers

Table 1 * = No applicable office or data available

Office	Alabama	Alaska	Arizona	Arkansas	California	Colorado	Conn.	Delaware
Treasurer	1.0	3.0	1.0	1.0	1.0	1.0	1.0	1.0
Adjutant General	4.0	4.0	4.0	5.0	4.0	4.0	4.0	4.0
Administration	5.0	3.5	4.0	5.0	*	4.0	4.0	4.0
Agriculture	1.0	3.0	4.0	5.0	5.0	4.0	4.0	4.0
Auditor	1.0	1.5	1.5	1.0	3.5	1.5	1.5	1.0
Banking	4.0	3.0	4.0	4.0	4.0	1.5	4.0	4.0
Budget	1.5	5.0	1.5	1.5	5.0	5.0	1.5	4.0
Civil Rights	*	3.5	3.0	*	*	1.5	4.0	3.0
Commerce	5.0	3.5	4.0	4.0	*	5.0	4.0	4.0
Community Affairs	5.0	3.5	4.0	4.0	4.0	4.0	4.0	*
Comptroller	1.5	3.0	1.5	5.0	1.0	1.5	1.0	3.0
Consumer Affairs	1.5	*	3.0	1.5	5.0	1.0	4.0	3.0
Corrections	5.0	3.5	4.0	1.5	4.0	4.0	4.0	4.0
Economic Development	5.0	3.0	4.0	4.0	*	5.0	4.0	4.0
Education	1.5	4.0	1.0	3.0	1.0	2.0	3.0	4.0
Election Admin.	1.5	3.0	1.0	1.0	1.0	1.5	1.5	4.0
Emergency Mgmt.	5.0	3.0	5.0	4.0	4.0	1.5	4.0	3.0
Employment Services	1.5	3.0	1.5	5.0	4.0	4.0	1.5	3.0
Energy	1.5	*	*	1.5	5.0	5.0	1.5	1.5
Environ. Protection	1.5	3.5	4.0	2.5	4.0	1.5	4.0	4.0
Finance	5.0	3.0	1.5	5.0	5.0	1.5	4.0	4.0
Fish & Wildlife	1.5	3.5	1.5	*	5.0	2.0	1.5	3.0
General Services	1.5	3.0	1.5	1.5	4.0	4.0	4.0	4.0
Health	1.5	3.0	4.0	3.0	4.0	4.0	4.0	3.0
Higher Education	1.5	1.5	1.5	3.0	1.5	4.0	3.0	1.5
Highways	5.0	3.5	1.5	2.0	4.0	4.0	4.0	4.0
Info. Systems	5.0	3.0	1.5	4.0	*	5.0	4.0	4.0
Insurance	5.0	3.0	4.0	4.0	1.0	4.0	4.0	1.0
Labor	5.0	3.5	1.5	4.0	3.0	4.0	4.0	4.0
Licensing	*	3.0	*	*	5.0	4.0	1.5	3.0
Mental Health	5.0	3.0	1.5	1.5	4.0	4.0	4.0	3.0
Natural Resources	5.0	3.5	4.0	1.5	4.0	4.0	1.5	4.0
Parks & Recreation	1.5	3.0	1.5		4.0	1.5	1.5	3.0
Personnel	1.5	3.0	1.5	1.5	4.0	4.0	4.0	4.0
Planning	5.0	*	1.5	*	*	5.0	1.5	3.0
Post Audit	2.0	1.5	*	1.5	*	1.5	1.5	1.0
Pre-Audit	1.5	*	1.5	1.5	1.0	1.5	1.0	1.0
Public Library Develop.	1.5	3.0	1.5	1.5	4.0	1.5	1.5	3.0
Public Utility Reg.	1.0	3.5	1.5	1.5	4.0	1.5	3.5	3.0
Purchasing	1.5	3.0	1.5	1.5	4.0	1.5	1.5	3.0
Revenue	5.0	3.5	4.0	1.5	2.0	4.0	4.0	3.0
Social Services	1.5	3.5	1.5	4.0	4.0	4.0	4.0	4.0
Solid Waste Mgmt.	1.5	1.5	1.5	1.5	5.0	1.5	1.5	1.5

State Police	5.0	3.0	4.0	5.0	4.0	1.5	4.0	3.0
Tourism	5.0	3.0	4.0	4.0	*	1.5	4.0	3.0
Transportation	5.0	3.5	4.0	1.5	4.0	4.0	4.0	4.0
Welfare	1.5	3.0	1.5	4.0	3.0	1.5	4.0	3.0
AVERAGE	2.98	3.12	2.52	2.85	3.56	2.96	3.01	3.12

Office	Florida	Georgia	Hawaii	Idaho	Illinois	Indiana	Iowa	Kansas
Treasurer	1.0	5.0	4.0	1.0	1.0	1.0	1.0	1.0
Adjutant General	5.0	5.0	4.0	4.0	4.0	5.0	4.0	4.0
Administration	4.0	5.0	4.0	4.0	4.0	5.0	4.0	4.0
Agriculture	1.0	1.0	4.0	4.0	4.0	1.0	1.0	4.0
Auditor	1.5	1.5	1.5	2.0	1.5	5.0	1.0	2.0
Banking	1.0	5.0	4.0	4.0	1.5	5.0	4.0	4.0
Budget	5.0	5.0	*	4.0	5.0	5.0	4.0	5.0
Civil Rights	2.0	5.0	4.0	4.0	4.0	5.0	4.0	4.0
Commerce	*	3.0	1.5	4.0	4.0	1.0	*	4.0
Community Affairs	4.0	3.0	4.0	1.5	4.0	5.0	4.0	1.5
Comptroller	1.0	1.0	4.0	1.0	1.0	1.0	*	1.5
Consumer Affairs	1.5	5.0	1.5	1.0	1.0	3.0	1.5	3.0
Corrections	4.0	4.0	4.0	1.5	4.0	5.0	4.0	4.0
Economic Develop.	5.0	*	4.0	1.5	4.0	5.0	4.0	1.5
Education	4.0	1.0	1.5	1.0	1.5	1.0	4.0	1.5
Election Admin.	1.5	1.5	1.5	1.0	1.5	1.0	1.5	1.0
Emergency Mgmt.	1.5	5.0	1.5	1.5	4.0	*	4.0	1.5
Employment Services	4.0	1.5	1.5	4.0	4.0	1.5	4.0	4.0
Energy	1.5	5.0	1.5	1.5	4.0	4.0	*	1.5
Environ. Protection	4.0	1.5	5.0	4.0	4.0	1.5	1.5	1.5
Finance	1.0	5.0	4.0	4.0	5.0	4.0	1.5	*
Fish & Wildlife	4.0	1.5	1.5	1.5	4.0	4.0	1.5	1.5
General Services	4.0	1.5	4.0	*	4.0	1.5	1.5	4.0
Health	4.0	1.5	4.0	4.0	1.5	5.0	4.0	1.5
Higher Education	*	1.5	1.5	1.5	4.0	5.0	*	1.5
Highways	4.5	1.5	1.5	1.5	4.0	5.0	1.5	4.0
Info. Systems	5.0	1.0	1.5	4.0	4.0	1.5	1.5	1.5
Insurance	1.0	1.0	3.0	4.0	4.0	5.0	4.0	1.0
Labor	*	1.0	4.0	4.0	4.0	5.0	4.0	4.0
Licensing	*	1.5	1.5	1.5	4.0	5.0	4.0	1.5
Mental Health	1.5	1.5	5.0	*	4.0	1.5	1.5	1.5
Natural Resources	4.0	1.5	4.0	4.0	4.0	5.0	4.0	4.0
Parks & Rec.	4.0	1.5	1.5	1.5	4.0	1.5	1.5	1.5
Personnel	4.0	4.0	4.0	4.0	*	5.0	1.5	1.5
Planning	5.0	5.0	1.5	4.0	1.5	*	*	1.5
Post Audit	1.5	1.5	1.5	1.0	1.0	5.0	*	1.5
Pre-Audit	1.0	1.5	1.5	1.0	1.0	1.0	*	1.5
Public Library Dev.	1.5	2.0	1.5	1.5	1.0	5.0	1.5	4.0
Public Utility Reg.	1.5	1.0	4.0	4.0	4.0	5.0	4.0	4.0
Purchasing	1.5	1.5	4.0	1.5	4.0	1.5	1.5	1.5
Revenue	4.5	5.0	4.0	4.0	4.0	5.0	4.0	4.0
Social Services	4.0	4.0	4.0	1.0	4.0	*	4.0	4.0
Solid Waste Mgmt.	1.5	1.5	1.5	*	4.0	1.5	1.5	1.5

State Police	1.5	1.5	*	4.0	4.0	5.0	1.5	4.0
Tourism	5.0	1.5	1.5	1.5	4.0	1.0	1.5	1.5
Transportation	4.0	1.5	4.0	1.5	4.0	5.0	4.0	4.0
Welfare	1.5	1.5	1.5	1.5	4.0	1.5	*	1.5
AVERAGE	2.87	2.58	2.86	2.56	3.33	3.44	2.74	2.57

Office	Kentucky	Louisiana		Maryland	Mass.	Michigan	Minnesota	Miss.
Treasurer	1.0	1.0	1.5	1.5	1.0	4.0	4.0	1.0
Adjutant General	5.0	4.0	5.0	5.0	5.0	4.0	4.0	4.0
Administration	3.0	4.0	5.0	4.0	5.0	4.0	4.0	4.0
Agriculture	1.0	1.0	5.0	4.0	3.0	1.5	4.0	1.5
Auditor	1.0	1.5	*	1.5	1.0	1.5	1.0	1.0
Banking	5.0	4.0	5.0	3.0	5.0	4.0	1.5	4.0
Budget	5.0	1.5	1.5	4.0	3.0	4.0	4.0	4.0
Civil Rights	1.5	1.5	2.0	5.0	5.0	4.0	4.0	*
Commerce	3.0	4.0	5.0	4.0	5.0	4.0	4.0	1.5
Community Affairs	5.0	1.5	*	1.5	5.0	*	4.0	1.5
Comptroller	3.0	4.0	1.5	1.0	5.0	1.5	4.0	4.0
Consumer Affairs	1.0	3.0	1.5	1.5	5.0	*	1.5	1.5
Corrections	5.0	4.0	5.0	1.5	3.0	4.0	4.0	4.0
Economic Development	3.0	4.0	5.0	4.0	5.0	*	4.0	4.0
Education	1.5	3.0	5.0	1.5	1.5	1.5	4.0	2.0
Election Admin.	1.5	1.0	1.5	1.5	1.0	1.0	1.0	1.5
Emergency Mgmt.	3.0	1.5	1.5	3.0	1.5	1.5	4.0	4.0
Employment Services	3.0	1.5	*	1.5	3.0	4.0	1.5	2.0
Energy	3.0	4.0	5.0	5.0	3.0	*	1.5	1.5
Environ. Protection	5.0	4.0	5.0	4.0	3.0	4.0	1.5	4.0
Finance	5.0	4.0	5.0	4.0	5.0	4.0	4.0	4.0
Fish & Wildlife	1.5	4.0	5.0	1.5	3.0	4.0	1.5	4.0
General Services	3.0	4.0	1.5	4.0	5.0	*	4.0	*
Health	3.0	4.0	5.0	4.0	3.0	4.0	4.0	2.0
Higher Education	1.5	1.5	1.5	5.0	1.5	1.5	1.5	2.0
Highways	3.0	4.0	5.0	3.0	5.0	4.0	1.0	1.5
Info. Systems	3.0	1.5	1.5	1.5	1.5	1.5	1.5	2.0
Insurance	5.0	1.0	5.0	4.0	5.0	4.0	4.0	1.0
Labor	5.0	4.0	5.0	4.0	5.0	4.0	4.0	*
Licensing	3.0	1.5	1.5	1.5	5.0	1.5	1.5	*
Mental Health	3.0	4.0	5.0	1.5	3.0	1.5	4.0	1.5
Natural Resources	5.0	4.0	5.0	4.0	3.0	4.0	4.0	4.0
Parks & Recreation	5.0	2.0	1.5	1.5	1.5	1.5	1.5	4.0
Personnel	5.0	1.5	1.5	1.5	3.0	4.0	4.0	1.5
Planning	5.0	1.5	5.0	4.0	*	*	*	1.5
Post Audit	1.0	1.5	1.5	*	5.0	1.0	1.0	1.0
Pre-Audit	5.0	1.5	1.5	1.5	5.0	1.5	1.0	1.0
Public Library Develop.	5.0	2.5	1.5	1.5	1.5	1.5	*	1.5
Public Utility Reg.	5.0	2.0	5.0	4.0	5.0	4.0	5.0	4.0
Purchasing	3.0	1.5	1.5	1.5	3.0	1.5	1.5	1.5
Revenue	5.0	4.0	1.5	1.5	3.0	1.5	4.0	4.0
Social Services	3.0	4.0	5.0	4.0	3.0	4.0	4.0	4.0
Solid Waste Mgmt.	1.5	4.0	1.5	1.5	3.0	1.5	4.0	1.5

State Police	3.0	4.0	5.0	4.0	3.0	4.0	1.5	4.0
Tourism	5.0	2.5	1.5	1.5	3.0	*	1.5	1.5
Transportation	5.0	4.0	5.0	4.0	5.0	4.0	1.0	1.5
Welfare	3.0	4.0	1.5	4.0	3.0	4.0	4.0	4.0
AVERAGE	3.40	2.81	3.34	2.87	3.50	2.91	2.90	2.55

Office	Missouri	Montana	Nebraska	Nevada	N.H.	N.J.	N.M.	New York
Treasurer	1.0	4.0	1.0	1.0	1.5	4.0	1.0	1.5
Adjutant General	5.0	4.0	4.0	5.0	4.0	4.0	5.0	5.0
Administration	4.0	4.0	4.0	5.0	4.0	*	4.0	*
Agriculture	4.0	5.0	4.0	2.0	4.0	3.0	1.5	4.0
Auditor	1.0	1.0	1.0	2.0	*	1.5	1.0	1.0
Banking	1.5	1.5	4.0	1.5	4.0	4.0	5.0	4.0
Budget	1.5	5.0	1.5	5.0	4.0	4.0	5.0	5.0
Civil Rights	1.5	*	1.5	5.0	1.5	1.5	5.0	4.0
Commerce	4.0	4.0	4.0	5.0	4.0	4.0	4.0	4.0
Community Affairs	*	*	1.5	*	5.0	4.0	5.0	4.0
Comptroller	1.5	*	1.5	1.0	2.5	4.0	*	1.0
Consumer Affairs	1.0	*	1.0	1.5	2.5	1.5	5.0	4.0
Corrections	4.0	4.0	4.0	5.0	4.0	4.0	4.0	4.0
Economic Development	4.0	5.0	4.0	4.0	2.5	5.0	4.0	4.0
Education	3.0	1.0	1.5	1.5	1.5	4.0	1.5	1.5
Election Admin.	1.0	1.0	1.5	1.0	1.5	1.5	5.0	1.5
Emergency Mgmt.	1.5	*	1.5	1.5	5.0	4.0	5.0	5.0
Employment Services	1.5	*	1.5	1.5	4.0	1.5	4.0	4.0
Energy	*	*	1.5	1.5	5.0	1.5	4.0	1.5
Environ. Protection	1.5	4.0	4.0	1.5	4.0	4.0	4.0	4.0
Finance	1.5	*	2.0	*	4.0	1.5	4.0	1.0
Fish & Wildlife	1.5	4.0	1.5	1.5	2.5	1.5	5.0	4.0
General Services	1.5	*	1.5	*	4.0	2.5	4.0	5.0
Health	4.0	4.0	4.0	3.0	2.5	4.0	4.0	4.0
Higher Education	1.5	*	1.5	1.5	1.5	1.5	1.5	1.5
Highways	1.5	4.0	4.0	*	4.0	1.5	4.0	4.0
Info. Systems	1.5	1.5	1.5	5.0	4.0	1.5	5.0	5.0
Insurance	4.0	4.0	4.0	1.5	4.0	4.0	5.0	4.0
Labor	4.0	4.0	4.0	5.0	4.0	4.0	4.0	4.0
Licensing	1.5	*	1.5	*	*	1.5	5.0	2.5
Mental Health	1.5	*	1.5	4.0	2.5	1.5	5.0	4.0
Natural Resources	4.0	4.0	4.0	5.0	4.0	1.5	4.0	4.0
Parks & Recreation	1.5	*	1.5	1.5	2.5	1.5	5.0	4.0
Personnel	5.0	*	1.5	5.0	2.5	4.0	5.0	4.0
Planning	*	5.0	4.0	*	5.0	1.5	*	4.0
Post Audit	1.0	1.5	1.0	2.0	2.5	1.5	1.0	1.0
Pre-Audit	1.5	1.5	1.5	*	2.5	*	5.0	1.0
Public Library Develop.	1.5	1.5	1.5	5.0	2.5	*	5.0	1.5
Public Utility Reg.	4.0	1.0	1.5	5.0	4.0	4.0	1.0	4.0

Purchasing	1.5	*	1.5	1.5	1.5	4.0	5.0	5.0
Revenue	4.0	4.0	4.0	5.0	4.0	1.5	4.0	4.0
Social Services	4.0	4.0	4.0	5.0	4.0	4.0	*	4.0
Solid Waste Mgmt.	1.5	4.0	1.5	*	2.5	1.5	*	4.0
State Police	4.0	1.5	4.0	1.5	2.5	4.0	4.0	5.0
Tourism	1.5	*	1.5	4.0	2.5	1.5	4.0	4.0
Transportation	1.5	4.0	4.0	3.0	4.0	4.0	4.0	4.0
Welfare	1.5	4.0	4.0	3.0	2.5	1.5	4.0	4.0
AVERAGE	2.38	3.26	2.48	3.06	3.26	2.77	3.97	3.47

Office	N.C.	N.D.	Ohio	Oklahoma	Oregon	Penn.	R.I.	S.C.
Treasurer	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Adjutant General	1.5	5.0	1.0	4.0	5.0	4.0	3.5	1.0
Administration	5.0	*	4.0	*	4.0	5.0	3.5	1.5
Agriculture	1.0	1.0	4.0	4.0	4.0	4.0	1.5	1.0
Auditor	1.0	1.0	1.0	1.0	1.0	1.0	1.5	2.0
Banking	5.0	4.0	4.0	4.0	*	4.0	1.5	1.0
Budget	5.0	*	4.0	1.5	1.5	5.0	3.0	1.5
Civil Rights	1.5	5.0	4.0	1.5	1.5	1.5	1.5	1.5
Commerce	5.0	5.0	4.0	5.0	5.0	4.0	5.0	4.0
Community Affairs	1.5	1.0	*	5.0	5.0	3.0	1.5	*
Comptroller	5.0	*	1.0	1.5	1.5	5.0	1.5	1.0
Consumer Affairs	*	3.0	4.0	4.0	4.0	3.0	1.0	1.5
Corrections	5.0	5.0	4.0	4.0	4.0	4.0	4.0	4.0
Economic Development	1.5	5.0	4.0	4.0	4.0	4.0	5.0	4.0
Education	1.0	1.0	1.5	1.0	1.0	4.0	1.5	1.0
Election Admin.	5.0	1.0	4.0	1.5	1.5	1.5	*	1.5
Emergency Mgmt.	5.0	1.5	1.5	4.0	5.0	5.0	5.0	1.5
Employment Services	5.0	5.0	4.0	1.5	4.0	4.0	5.0	1.5
Energy	1.5	*	4.0	4.0	5.0	4.0	1.5	1.5
Environ. Protection	5.0	1.5	4.0	1.5	1.5	4.0	4.0	1.5
Finance	5.0	1.5	4.0	4.0	1.0	5.0	3.0	1.5
Fish & Wildlife	5.0	5.0	4.0	1.5	1.5	1.5	3.5	1.5
General Services	5.0	5.0	4.0	4.0	4.0	4.0	3.5	1.5
Health	5.0	5.0	4.0	*	1.5	4.0	3.5	4.0
Higher Education	1.5	1.5	1.5	*	1.5	3.0	1.5	1.5
Highways	1.5	5.0	4.0	1.5	1.5	3.0	3.5	1.5
Info. Systems	5.0	5.0	4.0	1.5	1.5	5.0	1.5	1.5
Insurance	1.0	1.0	4.0	1.0	4.0	4.0	1.5	4.0
Labor	1.0	5.0	4.0	1.0	1.0	4.0	1.5	4.0
Licensing	*	1.0	*	*	4.0	5.0	1.5	4.0
Mental Health	1.5	1.5	4.0	1.5	1.5	3.0	3.5	1.5
Natural Resources	5.0	1.5	4.0	1.5	4.5	4.0	3.5	1.5
Parks & Recreation	1.5	5.0	4.0	1.5	1.5	1.5	1.5	4.0
Personnel	5.0	1.5	4.0	4.0	1.5	5.0	1.5	1.5
Planning	5.0	*	*	*	*	5.0	1.5	2.0
Post Audit	1.0	*	*	*	1.0	1.0	1.5	1.5
Pre-Audit	1.0	1.5	*	1.5	1.5	1.0	1.5	1.0

Public Library Develop.	1.5	1.5	1.5	1.5	1.5	1.5	5.0	1.5
Public Utility Reg.	5.0	1.0	4.0	1.0	4.0	4.0	3.0	1.5
Purchasing	1.5	1.5	4.0	1.5	1.5	1.5	1.5	1.5
Revenue	5.0	1.0	1.0	4.0	4.0	4.0	1.5	4.0
Social Services	1.5	5.0	5.0	4.0	4.0	3.0	1.5	4.0
Solid Waste Mgmt.	1.5	1.5	4.0	1.5	1.5	1.5	1.5	1.5
State Police	5.0	5.0	1.5	4.0	4.0	4.0	4.0	4.0
Tourism	1.5	5.0	4.0	1.5	1.5	1.5	1.5	4.0
Transportation	5.0	5.0	4.0	1.5	4.0	4.0	4.0	1.5
Welfare	1.5	5.0	4.0	4.0	4.0	4.0	1.5	4.0
AVERAGE	3.12	3.01	3.37	2.51	2.72	3.38	2.52	2.15

Office	S.D.	Tenn.	Texas	Utah		Virginia	Wash.	W.V.	Wisc.	Wyo.
Treasurer	1.0	1.5	1.0	1.0	1.0	3.5	1.0	1.0	1.0	1.0
Adjutant General	4.0	5.0	5.0	5.0	1.5	3.5	4.0	4.0	5.0	5.0
Administration	4.0	5.0	1.5	4.0	5.0	3.5	4.0	4.0	4.0	4.0
Agriculture	4.0	5.0	1.0	4.0	5.0	3.5	4.0	1.0	4.0	4.0
Auditor	1.5	1.5	1.5	1.0	1.0	1.5	1.0	1.0	2.0	1.0
Banking	3.0	5.0	1.5	4.0	5.0	3.5	4.0	4.0	1.5	1.5
Budget	4.0	1.5	5.0	5.0	5.0	1.5	4.0	1.5	1.5	1.0
Civil Rights	1.5	5.0	1.5	1.5	1.5	3.5	1.5	4.0	1.5	1.0
Commerce	4.0	5.0	5.0	4.0	5.0	3.5	4.0	4.0	4.0	5.0
Community Affairs	4.0	5.0	5.0	4.0	5.0	3.5	5.0	1.5	1.5	5.0
Comptroller	1.0	1.5	1.0	1.5	5.0	3.5	1.0	1.0	1.5	1.0
Consumer Affairs	1.5	1.5	1.0	1.5	1.5	3.5	3.0	3.0	1.5	5.0
Corrections	4.0	5.0	1.5	4.0	5.0	3.5	4.0	4.0	4.0	4.0
Economic Development	4.0	5.0	5.0	1.5	5.0	3.5	4.0	1.5	1.5	5.0
Education	4.0	5.0	1.5	1.5	5.0	3.5	1.0	2.5	1.0	1.0
Election Admin.	1.0	*	3.0	1.5	1.0	3.5	1.5	1.0	1.5	1.5
Emergency Mgmt.	3.0	1.5	1.5	1.5	1.5	3.5	1.5	4.0	1.5	5.0
Employment Services	3.0	5.0	1.5	4.0	5.0	3.5	1.5	4.0	1.5	4.0
Energy	1.5	1.5	1.5	1.5	5.0	3.5	1.5	4.0	1.5	1.5
Environ. Protection	4.0	5.0	1.5	4.0	5.0	3.5	4.0	4.0	1.5	4.0
Finance	4.0	5.0	1.0	1.5	5.0	3.5	4.0	4.0	1.5	1.0
Fish & Wildlife	3.0	1.5	1.5	1.5	5.0	1.5	1.5	1.5	1.5	1.5
General Services	4.0	5.0	1.5	1.5	5.0	3.5	4.0	1.5	4.0	1.5
Health	4.0	5.0	3.0	4.0	5.0	3.5	4.0	4.0	1.5	4.0
Higher Education	1.5	1.5	1.5	1.5	*	1.5	1.5	1.5	*	1.5
Highways	4.0	5.0	1.5	4.0	5.0	3.5	1.5	4.0	1.5	4.0
Info. Systems	4.0	1.5	1.5	1.5	5.0	3.5	4.0	1.5	1.5	1.5
Insurance	4.0	5.0	5.0	4.0	5.0	1.5	1.0	4.0	4.0	5.0
Labor	4.0	5.0	1.5	1.5	5.0	3.5	4.0	4.0	4.0	1.5
Licensing	3.0	1.5	1.5	3.0	1.5	3.5	4.0	*	4.0	4.0
Mental Health	4.0	5.0	1.5	1.5	5.0	3.5	1.5	4.0	1.5	1.5
Natural Resources	4.0	5.0	1.5	4.0	5.0	3.5	1.0	4.0	4.0	5.0
Parks & Recreation	3.0	1.5	1.5	3.0	5.0	3.5	1.5	4.0	1.5	4.0
Personnel	4.0	5.0	1.5	4.0	5.0	3.5	4.0	1.5	4.0	1.5
Planning	4.0	1.5	5.0	5.0	*	1.5	4.0	4.0	1.5	5.0
Post Audit	1.5	1.5	1.5	1.0	1.0	1.5	1.5	2.0	1.0	1.0
Pre-Audit	1.0	1.5	1.0	1.5	5.0	3.5	1.0	4.0	1.5	1.0

Public Library Develop.	3.0	1.5	1.5	1.5	5.0	3.5	1.5	1.5	1.5	1.5
Public Utility Reg.	1.0	1.0	1.5	1.5	5.0	1.5	4.0	4.0	4.0	5.0
Purchasing	3.0	1.5	1.5	1.5	1.5	3.5	1.5	1.5	1.5	1.5
Revenue	4.0	5.0	1.0	2.0	5.0	3.5	4.0	4.0	4.0	5.0
Social Services	5.0	5.0	5.0	4.0	5.0	3.5	4.0	1.5	1.5	4.0
Solid Waste Mgmt.	3.0	1.5	*	1.5	1.5	3.5	1.5	1.5	1.5	1.5
State Police	3.0	5.0	1.5	1.5	1.5	3.5	4.0	4.0	1.5	1.5
Tourism	4.0	5.0	1.5	1.5	5.0	1.5	1.5	4.0	4.0	1.5
Transportation	4.0	5.0	1.5	4.0	5.0	3.5	1.5	4.0	4.0	4.0
Welfare	4.0	5.0	5.0	4.0	5.0	3.5	4.0	4.0	1.5	4.0
AVERAGE	3.17	3.54	2.17	2.62	4.02	3.12	2.70	2.92	2.32	2.86

Source: *The Book of the States 2006*

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