State & Local Government

Most Americans have more daily contact with their state and local governments than with the federal government. Police departments, libraries, and schools — not to mention driver’s licenses and parking tickets — usually fall under the oversight of state and local governments. Each state has its own written constitution, and these documents are often far more elaborate than their federal counterpart. The Alabama Constitution, for example, contains 310,296 words — more than 40 times as many as the U.S. Constitution.

State Government

Under the Tenth Amendment to the U.S. Constitution, all powers not granted to the federal government are reserved for the states and the people. All state governments are modeled after the federal government and consist of three branches: executive, legislative, and judicial. The U.S. Constitution mandates that all states uphold a "republican form" of government, although the three-branch structure is not required.

Executive Branch

In every state, the executive branch is headed by a governor who is directly elected by the people. In most states, the other leaders in the executive branch are also directly elected, including the lieutenant governor, the attorney general, the secretary of state, and auditors and commissioners. States reserve the right to organize in any way, so they often vary greatly with regard to executive structure. No two state executive organizations are identical.

Legislative Branch

All 50 states have legislatures made up of elected representatives, who consider matters brought forth by the governor or introduced by its members to create legislation that becomes law. The legislature also approves a state’s budget and initiates tax legislation and articles of impeachment. The latter is part of a system of checks and balances among the three branches of government that mirrors the federal system and prevents any branch from abusing its power.

Except for one state, Nebraska, all states have a bicameral legislature made up of two chambers: a smaller upper house and a larger lower house. Together the two chambers make state laws and fulfill other governing responsibilities. (Nebraska is the lone state that has just one chamber in its legislature.) The
smaller upper chamber is always called the Senate, and its members generally serve longer terms, usually four years. The larger lower chamber is most often called the House of Representatives, but some states call it the Assembly or the House of Delegates. Its members usually serve shorter terms, often two years.

Judicial Branch

State judicial branches are usually led by the state supreme court, which hears appeals from lower-level state courts. Court structures and judicial appointments/elections are determined either by legislation or the state constitution. The Supreme Court focuses on correcting errors made in lower courts and therefore holds no trials. Rulings made in state supreme courts are normally binding; however, when questions are raised regarding consistency with the U.S. Constitution, matters may be appealed directly to the United States Supreme Court.

Local Government

Local governments generally include two tiers: counties, also known as boroughs in Alaska and parishes in Louisiana, and municipalities, or cities/towns. In some states, counties are divided into townships. Municipalities can be structured in many ways, as defined by state constitutions, and are called, variously, townships, villages, boroughs, cities, or towns. Various kinds of districts also provide functions in local government outside county or municipal boundaries, such as school districts or fire protection districts.

Municipal governments — those defined as cities, towns, boroughs (except in Alaska), villages, and townships — are generally organized around a population center and in most cases correspond to the geographical designations used by the United States Census Bureau for reporting of housing and population statistics. Municipalities vary greatly in size, from the millions of residents of New York City and Los Angeles to the 287 people who live in Jenkins, Minnesota.

Municipalities generally take responsibility for parks and recreation services, police and fire departments, housing services, emergency medical services, municipal courts, transportation services (including public transportation), and public works (streets, sewers, snow removal, signage, and so forth).

Whereas the federal government and state governments share power in countless ways, a local government must be granted power by the state. In general, mayors, city councils, and other governing bodies are directly elected by the people.