

The Dynamics of State Policy Liberalism, 1936–2014

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Abstract

Applying a dynamic latent-variable model to data on 148 policies collected over eight decades (1936–2012), we produce the first yearly measure of the policy liberalism of U.S. states. Our dynamic measure of state policy liberalism marks an important advance over existing measures, almost all of which are purely cross-sectional and thus cannot be used to study policy *change*. We find that, in the aggregate, the policy liberalism of U.S. states steadily increased between the 1930s and 1970s and then largely plateaued. The policy liberalism of most states has remained stable in relative terms, though several states have shifted considerably over time. We also find surprisingly little evidence of multidimensionality in state policy outputs. Our new estimates of state policy liberalism have broad application to the study of political development, representation, accountability, and other important issues in political science.

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“Change,” Chandler et al. (1974, 108) noted four decades ago, “is both methodologically and substantively critical for any theory of policy.” This is true of both of the determinants of government policies, such as shifts in public mood or changes in the eligible electorate (e.g., Stimson, MacKuen, and Erikson 1995; Husted and Kenny 1997), and of policy feedback on political and social outcomes (e.g., Wlezien 1995; Campbell 2012). Theories of all these phenomena rely explicitly or implicitly on models of policy change. Moreover, many of the most ambitious theories focus not on individual policies or policy domains, but on the character of government policy as a whole. In short, most theories of policymaking are both *dynamic* and *holistic*: they are concerned with changes in the general orientation of government policy.

Unfortunately, the literature on U.S. state politics, perhaps the most vibrant field for testing theories of policymaking, relies almost exclusively on policy indicators that are either measured at a single point in time (e.g., Wright, Erikson, and McIver 1987) or else cover only a partial subset of state policy outputs (e.g., Besley and Case 2003).¹ Static measures are poorly suited to studying causes of policy change over time (Lowery, Gray, and Hager 1989; Ringquist and Garand 1999; Jacoby and Schneider 2009). And while domain-specific measures may provide useful summaries of some aspects of state policy, such as welfare spending (Moffitt 2002) or gay rights (Lax and Phillips 2009a), they are at best imperfect proxies for what is often the outcome of interest, the overall orientation of state policy.

In this paper, we develop a holistic yearly summary of the ideological orientation of state policies, which we refer to as state *policy liberalism*. This measure is based on a unique dataset of 148 policies, which covers nearly eight decades (1936–2014) and includes policy domains ranging from labor regulation and civil rights to gun control and gay rights.² Based on these data, we estimate policy liberalism in each year using a dynamic Bayesian latent-

1. To our knowledge, the only existing holistic yearly summary of state policies is Jacoby and Schneider’s (2009) measure of particularistic versus collective state spending priorities between 1982 and 2005. As we discuss below, our measures differ substantially in time coverage, conceptual interpretation, and the data used to construct them.

2. Both the policy data and our policy liberalism estimates will be made available to the public upon publication of this article.

variable model designed for a mix of continuous, ordinal, and dichotomous policy indicators. This measurement model enables us to make use of many indicators of policy liberalism, thus substantially reducing measurement error on the estimates of our construct of interest.

Despite the disparate policy domains covered by our dataset, allowing for additional latent policy dimensions does little to improve the predictive accuracy of the model. This suggests that contrary to previous claims (e.g., Sorens, Muedini, and Ruger 2008), a single latent dimension suffices to capture the systematic variation in state policies. Consistent with this conclusion, our dynamic measure is highly correlated with existing cross-sectional measures of state policy liberalism as well as with issue-specific ideological scales.

Substantively, we find that while U.S. states as a whole have drifted to the left (that is, they have increasingly adopted liberal policies), most have remained ideologically stable in relative terms. Across our entire time series, the most conservative states are in the South, whereas California, New York, Massachusetts, and New Jersey are always among the most liberal. The relative policy liberalism of a few states, however, has changed substantially. Several Midwestern and Mountain states have become considerably more conservative relative to the rest of the nation, whereas most of the Northeast has become more liberal.

Our new dynamic estimates can be used to study a wide variety of possible questions, many of which are not easily investigated using cross-sectional measures. Potential topics of study include the short- and long-term determinants of policy outputs, such as economic development, political institutions, mass policy preferences, and electoral outcomes. Policy liberalism could also be used as an independent variable, as a means of examining policy feedback or other consequences of policy change. These measures thus offer new research avenues onto political development, representation, accountability, and other important issues in political science.

The remainder of the paper is organized as follows. We begin by defining the concept of policy liberalism and situating it in the literature on U.S. state politics and policy. Next, we describe our policy dataset, our measurement model, and our yearly estimates of state policy

liberalism. We then provide evidence for the validity of our measure. We show that it is highly correlated with existing measures of policy liberalism and related concepts, and that a one-dimensional scale adequately accounts for systematic policy variation across states. The penultimate section discusses potential applications of our measure, illustrating its usefulness with an analysis of the policy effects of voter registration laws. The final section concludes.

Measuring State Policies

Studies of state policy generally employ one of two measurement strategies: they either consider policy separately using policy-specific indicators, or they construct composite measures intended to summarize the general orientation of state policies within or across domains (Jacoby and Schneider 2014, 568). Among studies in the first camp, some have focused on whether or not states have particular policies. Lax and Phillips (2009a), for example, examine the representational congruence between a series of dichotomous state gay-rights policies and state opinion majorities. Other studies have employed continuous policy-specific indicators, such as welfare expenditures (Husted and Kenny 1997), tax rates (Besley and Case 2003), or minimum wages (Leigh 2008), which potentially have greater sensitivity to differences between states. Whether dichotomous or continuous, policy-specific measures are appropriate when the research question is limited to a particular policy area. But they are suboptimal as summary measures of the general orientation of state policies, though this is how they are often used.³

For this reason, a number of scholars have sought to combine information from multiple policies, using factor analysis or other dimension-reduction methods to summarize them in terms of one or more dimensions of variation. Dimension reduction has several advantages over policy-specific measures. First, from a statistical point of view, using multiple indica-

3. Lax and Phillips (2009a, 369) claim that “using...policy-specific estimates” allows them to “avoid problems of inference that arise when policy and opinion lack a common metric.” On a policy-by-policy basis this is probably true. But evaluating congruence on state policy in general, or even just in the domain of gay rights, requires that the policy-specific estimates of congruence be weighted or otherwise mapped onto a single dimension. Thus, dimension reduction must occur at some point, whether at the measurement stage or later in the analysis.

tors for a latent trait usually reduces measurement error on the construct of interest, often substantially (Hofferbert 1966; Ansolabehere, Rodden, and Snyder 2008). Secondly, many concepts require multiple indicators to adequately represent the full content or empirical domain of the concept. For example, the concept of *liberalism*, in its contemporary American meaning, encompasses policy domains ranging from social welfare to environmental protection to civil rights. A measure of liberalism based on only a subset of these domains would thus fare poorly in terms of content validation (Adcock and Collier 2001, 538–40). A final benefit is parsimony. If a single measure can predict variation in disparate domains, then we have achieved an important desideratum of social science: “explaining as much as possible with as little as possible” (King, Keohane, and Verba 1994, 29).

Different works have identified different traits or dimensions underlying state policies. Walker (1969), for example, creates an “innovation score” that captures the speed with which states adopt new programs. Sharkansky and Hofferbert (1969) identify two latent factors that structure variation in state policies, as do Sorens, Muedini, and Ruger (2008). Hopkins and Weber (1976) uncover a total of five. But primarily the state politics literature has focused on a single left–right policy dimension (e.g., Hofferbert 1966; Klingman and Lammers 1984; Wright, Erikson, and McIver 1987; Gray et al. 2004). As a number of studies have confirmed, states with minimal restrictions on abortion tend to ban the death penalty, regulate guns more tightly, offer generous welfare benefits, and have progressive tax systems, and vice versa for states with more restrictive abortion laws. Following Wright, Erikson, and McIver (1987), we label this dimension *policy liberalism*.

What is policy liberalism? We conceptualize liberalism not as a logically coherent ideology, but as a set of ideas and issue positions that, in the context of American politics, “go together” (Converse 1964). Relative to conservatism, liberalism involves greater government regulation and welfare provision to promote equality and protect collective goods, and less government effort to uphold traditional morality and social order at the expense of personal autonomy. Conversely, conservatism places greater emphasis on the values of economic free-

dom and cultural traditionalism (e.g., Ellis and Stimson 2012, 3–6). Although the definitions of liberalism and conservatism have evolved over time, with civil rights and then social issues becoming more salient relative to economics (Ladd 1976, 589–93), these ideological cleavages have existed in identifiable form since at least the mid-20th century (Schickler 2013; Noel 2014).

There are several things to note about this definition of policy liberalism. First, it is comprehensive, in that it covers most if not all domains of salient policy conflict in American domestic politics.⁴ This is not to say that policy liberalism explains all variation in state policy, or that all policies are equally structured by this latent dimension. But it is a concept that attempts to summarize, holistically, all the policy outputs of a state. Second, we define policy liberalism solely in terms of state policies themselves. By contrast, some previous measures (e.g., Sharkansky and Hofferbert 1969; Hopkins and Weber 1976) incorporate societal outcomes like infant mortality rates and high school graduation rates, muddying the distinction between government policies and socio-economic conditions (Sorens, Muedini, and Ruger 2008).

A final characteristic of our conceptualization of policy liberalism, which is particularly crucial for our purposes, is that it is dynamic. Unlike, say, state political culture (Elazar 1966), which changes slowly if at all, policy liberalism can and does vary across time in response to changes in public opinion, partisan control, and social conditions. Defining policy liberalism as a time-varying concept is hardly controversial, but it does conflict with previous operationalizations of this concept, all of which are cross-sectional. Cross-sectional measures are problematic for two reasons. First, many are based on data from a long time span—over a decade, in the case of Wright, Erikson, and McIver (1987)—averaging over possibly large year-to-year changes in state policy (Jacoby and Schneider 2001). More importantly, cross-sectional measures preclude the analysis of policy change, which not only is theoretically limiting, but also inimical to strong causal inference since the temporal order of the variables

4. We do not include foreign policy in the domain of policy liberalism because states typically do not make foreign policy.

cannot be established (Lowery, Gray, and Hager 1989; Ringquist and Garand 1999).

To our knowledge, the only existing time-varying measure that provides a holistic summary of state policy outputs is the measure of policy spending priorities developed by Jacoby and Schneider (2009).⁵ This measure, available annually between 1982 and 2005, is estimated with a spatial proximity model using data on the proportions of state budgets allocated to each of nine broad policy domains (corrections, education, welfare, etc.). Jacoby and Schneider interpret their measure as capturing the relative priority that states place on collective goods versus particularized benefits, an important concept in the theoretical literature on political economy (e.g., Persson and Tabellini 2006) as well as in empirical work on state politics (e.g., Gamm and Kousser 2010).

Despite both being holistic yearly policy measures, policy liberalism and policy priorities differ in important ways. As Jacoby and Schneider emphasize, policy liberalism and policy priorities are conceptually distinct; indices of policy liberalism “simply do not measure the same thing” as their policy priorities scale (2009, 19). For example, the policy priorities scale is not intended to capture “*how much* states spend” but rather “how states divide up their yearly pools of available resources” (Jacoby and Schneider 2009, 4). Consequently, variation in the size of government, which lies at the heart of most liberal–conservative conflict (e.g., Meltzer and Richard 1981; Stimson 1991), is orthogonal to their measure. Another salient difference is that the policy priorities scale is based solely on state spending data. This endows their measure with a direct and intuitive interpretation, but at the cost of excluding taxes, mandates, prohibitions, and other non-spending policies that shape the lives of citizens in equally important ways. Our policy liberalism measure resolves this trade-off differently, emphasizing broad policy coverage at the possible expense of intuitive interpretation.

In summary, there is no existing time-varying measure of state policy liberalism, one of the central concepts of state politics. Nearly all existing summaries of state policy orientations are cross-sectional. Those that are dynamic either examine policy liberalism in a particular

5. For a cross-sectional implementation of this measure, see Jacoby and Schneider (2001).

policy area or, in the case of Jacoby and Schneider’s policy priorities scale, measure a different concept entirely. Thus what is required is a measurement strategy that summarizes the global ideological orientation of state policies using time-varying data that capture the full empirical domain of policy liberalism.

Policy Data

As Jacoby and Schneider (2014) observe, composite measures of policy liberalism risk tautology if they are derived from policy indicators selected for their ideological character. Although the resulting scale may be a valid measure of policy liberalism, selection bias in the component indicators undermines any claim that state policies vary along a single dimension. For this reason, we sought to make our dataset of state policies as comprehensive as possible, so as to allow ideological structure to emerge from the data rather than imposing it *a priori*. Given resource constraints and data limitations, we cannot claim to have constructed a random sample of the universe of state policies (if such a thing is even possible). We are confident, however, that our dataset of 148 distinct policies is broadly representative of the policy outputs of states across a wide range of domains. (For complete details on the policies in our dataset, see the online appendix accompanying this article.)

To be included in our dataset, a policy had to meet the following criteria. First, it had to be a policy *output* rather than a policy *outcome* (i.e., an aspect of the social environment affected by policy) or a government *institution* (i.e., one of the basic structures or rules of the government). For example, we excluded state incarceration and infant-mortality rates, which we considered outcomes. We also excluded indicators for whether states had particular legislative rules or government agencies, which we classified as institutions.⁶ Second, the policy had to be politically salient. To identify salient policies, we canvassed books and articles on state politics, legal surveys of state policies, state party platforms, governors’ biographies, state-specific political histories, and government and interest-group websites.

6. The dataset used in this paper excludes electoral policies as well. We do this for the pragmatic reason that scholars may want to use our measure to examine the effect of such policies.

Third, the policies had to be comparable across all states. Many environmental, parks, and farm policies, for example, are not comparable across states due to fundamental differences in state geography (e.g., coastal versus non-coastal). Some policies we normalized by an appropriate baseline to make them more comparable.⁷ Finally, in keeping with our focus on dynamics, data on a given policy had to be available in comparable form in at least five different years.

The actual policy data themselves were obtained from many different sources, including government documents, the *Book of the States*, interest-group publications, and various secondary sources.⁸ Over four-fifths of the policies are ordinal (primarily dichotomous), but the 26 continuous variables provide disproportionate information because they differentiate more finely between states.⁹ The policy domains covered by the dataset include

- abortion (e.g., parental notification requirements for minors)
- criminal justice (e.g., the death penalty)
- drugs and alcohol (e.g., marijuana decriminalization)
- education (e.g., per-pupil education spending; ban on corporal punishment)
- the environment (e.g., protections for endangered species)
- civil rights (e.g., fair employment laws; gay marriage)
- gun control (e.g., handgun registration)
- labor (e.g., right-to-work laws)
- social welfare (e.g., AFDC/TANF benefits)
- taxation (e.g., income tax rates)

and miscellaneous other regulations, such as fireworks bans and bicycle helmet laws.

To validate the comprehensiveness of our dataset, we can compare its coverage to other datasets that were constructed for different purposes. For example, our policies cover 17

7. We adjusted all monetary expenditure and welfare benefit policies into 2012 dollars. We also adjusted for cost-of-living differences between states (Berry, Fording, and Hanson 2000).

8. In general, we tried to obtain primary sources for each policy indicator. When this proved impossible, we obtained multiple secondary sources to corroborate the information about each policy in our database.

9. We standardized each continuous policy to ensure that the scales were comparable across policy areas.

of the 20 non-electoral policy areas contained in Sorens, Muedini, and Ruger’s (2008) state policy database. Similarly, seven of the eight policy categories in the *National Survey of State Laws*, a lengthy legal compendium of “the most-asked about and controversial” state statutes, are represented in our dataset (Leiter 2008, *xii*).¹⁰ Our data also include 40 of the 56 policy outputs in Walker’s (1969) policy innovation dataset and 21 of the 34 non-electoral policies examined by Lax and Phillips (2011).¹¹ The overlap between these last three datasets and ours is particularly significant, because none of the three were constructed for the purpose of studying the ideological structure of state policies. Even Sorens, Muedini, and Ruger (2008), who do analyze policy in ideological terms, conceive of state policies as varying along two dimensions. In sum, our dataset, while not a random sample of the universe of policies, is broadly representative of available data on the salient policy activities of U.S. states.

Measurement Model

We use the policy dataset described above to construct yearly measures of state policy liberalism. Like most previous work on the subject, we treat policy liberalism as a latent variable whose values can be inferred from observed policy indicators. Our latent-variable model (LVM), however, offers several improvements over previous measurement strategies, most of which have relied on factor analysis applied to cross-sectional data. First, we use a Bayesian LVM, which unlike classical factor analysis provides straightforward means of characterizing the uncertainty of the latent scores and also easily handles missing data by imputing estimates on the fly (Jackman 2009, 237–8). Second, most of our policy indicators are dichotomous variables, a poor fit for a factor-analytic model, which assumes that the observed indicators are continuous. We therefore follow Quinn (2004) and specify a mixed LVM that models continuous indicators with a factor-analytic model and ordinal (including

10. The categories are Business and Consumer, Criminal, Education, Employment, Family, General Civil, Real Estate, and Tax. There are no real estate laws in our dataset because we could not locate comparable time-varying data on these laws.

11. The remaining policies are missing either because time-varying data were not available or because the policies are not sufficiently comparable across states.

dichotomous) variables with an item-response model. Third, our measurement model is dynamic, both in that it allows policy liberalism to vary by year and in that it specifies a dynamic linear model that links the measurement model between periods.

We parameterize policy liberalism as a latent trait θ_{st} that varies across states and years. For each state s and year t , we observe a mix of J continuous and ordinal policies, denoted $\mathbf{y}_{st} = (y_{1st}, \dots, y_{jst}, \dots, y_{Jst})$, whose distribution is governed by a corresponding vector of latent variables \mathbf{y}_{st}^* . We model \mathbf{y}_{st}^* as a function of policy liberalism (θ_{st}) and item-specific parameters $\boldsymbol{\alpha}_t = (\alpha_{1t}, \dots, \alpha_{jt}, \dots, \alpha_{Jt})$ and $\boldsymbol{\beta} = (\beta_1, \dots, \beta_j, \dots, \beta_J)$,

$$\mathbf{y}_{st}^* \sim N_J(\boldsymbol{\beta}\theta_{st} - \boldsymbol{\alpha}_t, \boldsymbol{\Psi}), \quad (1)$$

where N_J indicates a J -dimensional multivariate normal distribution and $\boldsymbol{\Psi}$ is a $J \times J$ covariance matrix. In this application, we assume $\boldsymbol{\Psi}$ to be diagonal, but this assumption could be relaxed to allow for correlated measurement error across variables. Note that α_{jt} , which is analogous to the “difficulty” parameter in the language of item-response theory, varies by year t , whereas the “discrimination” β_j is assumed to be constant across time.

We accommodate data of mixed type via the function linking latent and observed variables. If policy j is continuous, we assume y_{jst}^* is directly observed (i.e., $y_{jst} = y_{jst}^*$), just as in the conventional factor analysis model. If policy j is ordinal, we treat the observed y_{jst} as a coarsened realization of y_{jst}^* whose distribution across $K_j > 1$ ordered categories is determined by a set of $K_j + 1$ thresholds $\boldsymbol{\tau}_j = (\tau_{j0}, \dots, \tau_{jk}, \dots, \tau_{jK_j})$. Following convention, we define $\tau_{j0} \equiv -\infty$, $\tau_{j1} \equiv 0$, and $\tau_{jK_j} \equiv \infty$, and we set the diagonal elements of $\boldsymbol{\Psi}$ that correspond to ordinal variables equal to 1. As in an ordered probit model, y_{jst} falls into category k if and only if $\tau_{j,k-1} < y_{jst}^* \leq \tau_{jk}$. Thus for ordinal variable j , the conditional probability that $y_{jst}^* \sim N(\beta_j\theta_{st} - \alpha_{jt}, 1)$ is observed as $y_{jst} = k$ is

$$\begin{aligned} \Pr(\tau_{j,k-1} < y_{jst}^* \leq \tau_{jk} \mid \beta_j\theta_{st} - \alpha_{jt}) &= \Pr(y_{jst}^* \leq \tau_{jk} \mid \beta_j\theta_{st} - \alpha_{jt}) - \Pr(y_{jst}^* \leq \tau_{j,k-1} \mid \beta_j\theta_{st} - \alpha_{jt}) \\ &= \Phi(\tau_{jk} - [\beta_j\theta_{st} - \alpha_{jt}]) - \Phi(\tau_{j,k-1} - [\beta_j\theta_{st} - \alpha_{jt}]), \quad (2) \end{aligned}$$

where Φ is the standard normal CDF (Fahrmeir and Raach 2007, 329). In the dichotomous case, where there are $K_j = 2$ categories (“0” and “1”), the conditional probability that y_{jst} falls in the second category (i.e., “1”) is

$$\begin{aligned} \Pr(\tau_{j1} < y_{jst}^* \leq \tau_{j2} \mid \beta_j \theta_{st} - \alpha_{jt}) &= \Phi(\tau_{j2} - [\beta_j \theta_{st} - \alpha_{jt}]) - \Phi(\tau_{j1} - [\beta_j \theta_{st} - \alpha_{jt}]) \\ &= \Phi(\beta_j \theta_{st} - \alpha_{jt}), \end{aligned} \quad (3)$$

which is identical to the conventional probit item-response model (Quinn 2004, 341).

We allow the α_{jt} to vary by year to account for the fact that many policies (e.g., segregation laws) trend over time towards universal adoption or non-adoption. The simplest way to deal with this problem is to estimate the difficulty parameters anew in each year. A more general approach, however, which pools information about α_{jt} over time, is to model the evolution of the α_{jt} with a dynamic linear model, or DLM (West and Harrison 1997; Jackman 2009, 471–2). In this application we use a local-level DLM, which models α_{jt} using a “random walk” prior centered on $\alpha_{j,t-1}$:

$$\alpha_{jt} \sim N(\alpha_{j,t-1}, \sigma_\alpha^2). \quad (4)$$

If there is no new data for an item in period t , then the transition model in Equation 4 acts as a predictive model, imputing a value for α_{jt} (Jackman 2009, 474). The transition variance σ_α^2 controls the degree of smoothing over time. Setting $\sigma_\alpha^2 = \infty$ is equivalent to estimating α_{jt} separately each year, and $\sigma_\alpha^2 = 0$ is the same as assuming no change over time. We take the more agnostic approach of estimating σ_α^2 from the data, while also allowing it to differ between continuous and ordinal variables.

The parameters in an LVM cannot be identified without restrictions on the parameter space (e.g., Clinton, Jackman, and Rivers 2004). In the case of a one-dimensional model, the direction, location, and scale of the latent dimension must be fixed *a priori*. We identify the location and scale of the model by post-processing the latent measure of state policy

liberalism to be standard normal. For the prior on the innovation parameter σ_α , we use a half-Cauchy distribution with a mean of 0 and a scale of 2.5 (Gelman 2006). The difficulty and discrimination parameters are drawn from normal distributions with a mean of 0 and a standard deviation of 10. We fix the direction of the model by constraining the sign of a small number of the item parameters (Bafumi et al. 2005).¹² We further constrain the polarity by assigning an informed prior to the policy measure for four states in year $t = 0$ (Martin and Quinn 2002).¹³ We estimated the model using the program `Stan`, as called from R (Stan Development Team 2013; R Core Team 2013).¹⁴ Running the model for 1,000 iterations (the first 500 used for adaptation) in each of 4 parallel chains proved sufficient to obtain satisfactory samples from the posterior distribution.

Estimates of State Policy Liberalism

Estimating our measurement model using the policy data described earlier produces a measure of the policy liberalism of each state in each year 1936–2014. When interpreting these estimates, one should bear in mind that the model allows the difficulty parameters α_t to evolve over time. As a result, aggregate ideological shifts common to all states will be partially assigned to the policy difficulties. Since states did adopt increasingly liberal policies over this period, the model partially attributes this trend to the increasing difficulty of conservative policies (and increasing “easiness” of liberal ones). If we modify the model so as to hold the item difficulties constant over time, the policies of all U.S. states are estimated to

12. Specifically, we constrain continuous measures of state spending to have a positive discrimination parameter, which implies that more liberal states spend more money. We also constrain the polarity of four dichotomous items. The discrimination of ERA ratification and prevailing wage laws are constrained to be positive, while the discrimination of right to work laws and bans on interracial marriage are constrained to be negative.

13. Note that we started the model in 1935 ($t = 0$) and discarded the first year of estimates. As a result, the informed priors on θ for four states in year $t = 0$ have little effect on the estimates of state policy liberalism that we report in our analysis. We assign a $N(1, 0.2^2)$ prior on θ_{s0} to New York and Massachusetts, and a $N(-1, 0.2^2)$ prior for Georgia and South Carolina. Other states are given diffuse priors for θ_{st} .

14. `Stan` is a C++ library that implements the No-U-Turn sampler (Hoffman and Gelman, Forthcoming), a variant of Hamiltonian Monte Carlo that estimates complicated hierarchical Bayesian models more efficiently than alternatives such as `BUGS`.

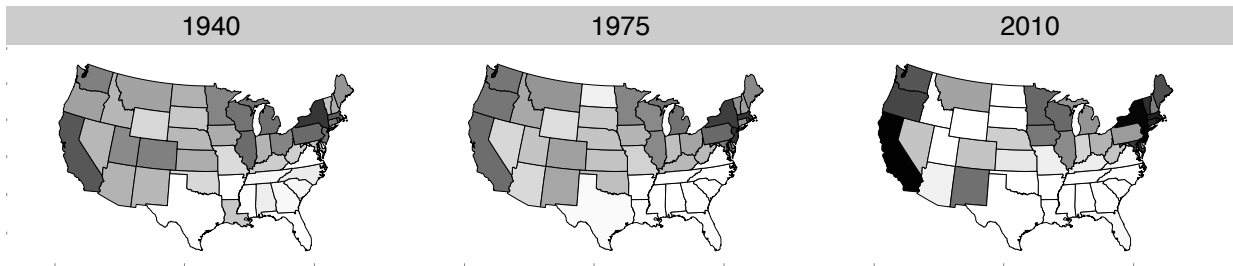


Figure 1: The geographic distribution of government policy liberalism in 1940, 1975, and 2010. Darker shading indicates liberalism; lighter shading indicates conservatism. The estimates have been centered and standardized in each year to accentuate the shading contrasts.

have become substantially more liberal, especially between the 1930s and 1970s.¹⁵ We use a time-varying model instead because it helps avoid the interpretational difficulties of assuming that policies have the same substantive meaning across long stretches of time. The price of this flexibility is that states' policy liberalism scores are comparable over time primarily in a relative sense.

Figure 1 maps state policy liberalism in 1940, 1975, and 2010. As is clear from this figure, the geographic distribution of policy liberalism has remained remarkably stable, despite huge changes in the distribution of mass partisanship, congressional ideology, and other political variables over past seven decades. Throughout the period, Southern states had the most conservative policies. This holds not only on civil rights, but on taxes, welfare, and a host of social issues. By contrast, the most liberal states have consistently been in the Northeast, Pacific, and Great Lakes regions. New York, for example, has consistently had the most liberal tax and welfare policies in the nation, and it was also among the first states to adopt liberal policies on cultural issues such as abortion, gun control, and gay rights.

The overall picture of aggregate stability, however, masks considerable year-to-year fluctuation in policy liberalism as well as major long-term trends in certain states. These details can be discerned more easily in Figure 2, which plots the yearly time series of individual states

15. In these years, U.S. states expanded their welfare responsibilities and tax bases while loosening a variety of social restrictions. This aggregate trend towards more liberal policies largely ceased after 1980.

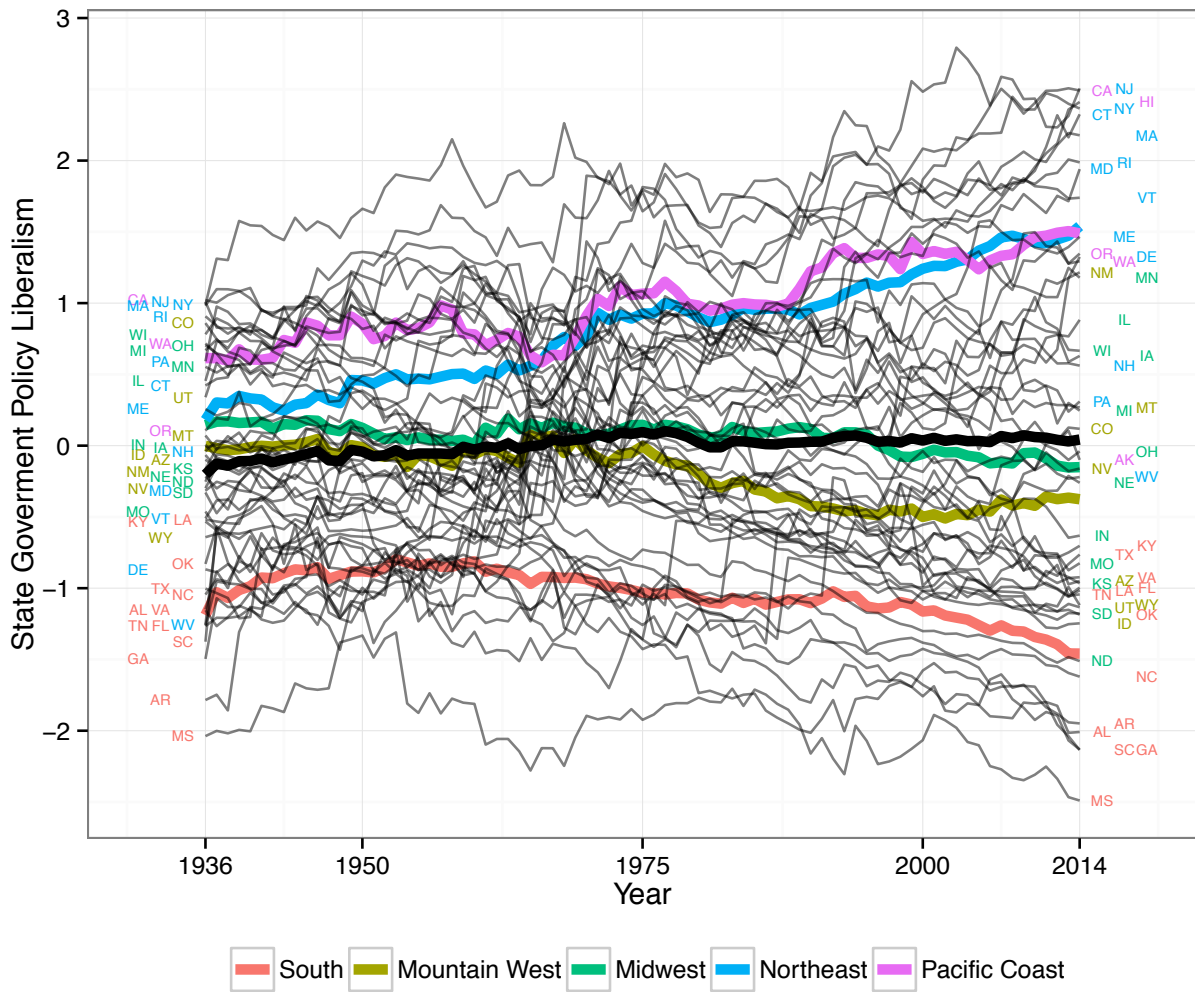


Figure 2: State government policy liberalism, 1936–2014. The thicker black line tracks the mean in each year, and the colored lines indicate the means in five geographic regions.

between 1936 and 2014. Due to explicit policy revisions as well as to policy “drift” relative to other states, policy liberalism can change substantially between years, though cross-sectional differences between states are generally much larger than within-state changes. The variance across states has also increased over time, possibly due to growing geographic polarization.

Figure 2 also shows that not all states have been ideologically stable. The policies of Northeastern states became steadily more liberal over this time period. Whereas states like Delaware, Maryland, and Vermont were once more conservative than average, by 2014 all three had joined most of the rest of the Northeast in the top quartile of liberalism. Their early adoption of gay marriage and other rights for homosexuals, for example, contrasts with their slowness in passing racial anti-discrimination laws in the 1950s and 1960s. The welfare benefits and regulatory policies of these states exhibited a similar liberalizing trajectory.

Several Midwestern, Mountain, and Southern states have followed the opposite trajectory. Idaho, for example, became much more conservative over this period. In the 1930s–1950s, Idaho actually had some of the most generous welfare benefits in the nation, but by the early 2000s they were among the least generous. Louisiana too has shifted substantially to the right. In the 1930s, Louisiana’s welfare benefits were the most generous in the South and roughly equivalent to those of several Northern states, but they gradually become less generous over the next few decades. Louisiana also waited longer than any other Southern state to pass a durable right-to-work law, but it finally did so in 1976.¹⁶

These states’ shifts in policy liberalism track the evolution of their presidential partisanship. For instance, in the presidential election of 1936, the first year in our dataset, Maine, Vermont, and New Hampshire were the three most Republican states in the nation, but by 2012 all three (especially Vermont) were more Democratic than average. The opposite is true of the Mountain West, which transformed from Democratic-leaning to solidly Republican. On the whole, the 2010 map in Figure 1 matches contemporaneous state partisanship much

16. Louisiana passed a right-to-work law in 1954 but repealed it in 1956, when the populist Long faction of the Democratic Party recaptured control of state government (Canak and Miller 1990). The unusual power of this faction, forged by Governor and Senator Huey Long in the late 1920s, may help explain Louisiana’s anomalously (for the region) liberal state policies in that era (Key 1949, 156–82).

better than the earlier maps, primarily because the South’s shift to the Republicans finally aligned its partisanship to match its consistently conservative state policies.

Measurement Validity

Having illustrated the face validity of the policy liberalism estimates, we now conduct a more systematic validation of our measure. We begin with convergent validation (Adcock and Collier 2001), documenting the very strong cross-sectional relationships between our estimates’ and existing measures of policy liberalism. We then turn to construct validation, demonstrating that our policy liberalism scale is also highly correlated with measures of theoretically related concepts, such as presidential partisanship. Finally, we show that our policy liberalism scale is strongly related to domain-specific policy measures, and that the predictive fit of the model barely increases if a second dimension is added to the measurement model. Overall, this evidence corroborates our claim that a one-dimensional model adequately captures the systematic variation in state policies, and that this dimension is properly interpreted as policy liberalism.

Convergent Validation

If our estimates provide a valid measure of policy liberalism, they should be strongly related to other (valid) measures of the same concept. Since ours is the first time-varying measure of state policy liberalism, we must content ourselves with examining the cross-sectional relationship between our measure and ones developed by other scholars at various points in time. Figure 3 plots the cross-sectional relationships between our measure of policy liberalism and six existing measures:

- “liberalness”/“welfare orientation” rank *circa* 1957 (Hofferbert 1966)¹⁷
- welfare-education liberalism in 1962 (Sharkansky and Hofferbert 1969)¹⁸

17. This index is based on mean per-recipient expenditures for 1952–61 for aid to the blind, old age assistance, unemployment compensation, expenditure for elementary and secondary education, and aid to dependent children. We compare Hofferbert’s (1966) scale with our measure of state policy liberalism in 1957 since this is the midpoint of the years he includes in his index.

18. This index is based on about twenty education and welfare policies. Note, however, that this index

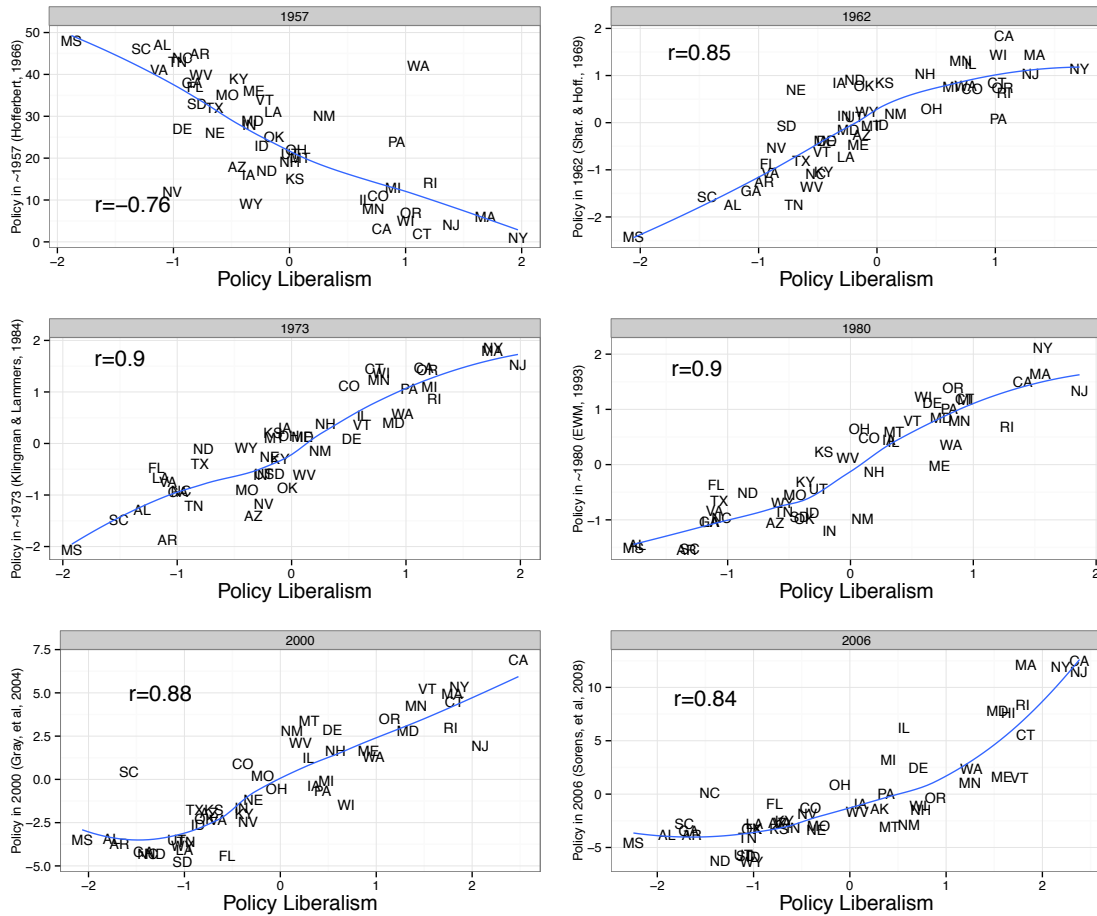


Figure 3: Convergent validation: relationships between our policy liberalism estimates and six existing measures. Fitted lines indicate loess curves.

- policy liberalism *circa* 1973 (Klingman and Lammers 1984)¹⁹
- policy liberalism *circa* 1980 (Wright, Erikson, and McIver 1987)²⁰
- policy liberalism in 2000 (Gray et al. 2004)²¹

also includes several social outcomes, such as school graduation rates.

19. This index is based on data measured at a variety of points between 1961 and 1980 on state innovativeness, anti-discrimination policies, monthly payments for Aid to Families with Dependent Children (AFDC), the number of years since ratification of the Equal Rights Amendment for Women, the number of consumer-oriented provisions, and the percentage of federal allotment to the state for Title XX social services programs actually spent by the state. We compare Klingman and Lammers’s (1984) scale with our measure of state policy liberalism in 1973 since this is the midpoint of the years they include in their index.

20. This measure is based on state education spending, the scope of state Medicaid programs, consumer protection laws, criminal justice provisions, whether states allowed legalized gambling, the number of years since ratification of the Equal Rights Amendment for Women, and the progressivity of state tax systems. We compare Wright, Erikson, and McIver’s (1987) scale with our measure of state policy liberalism in 1980 since this is roughly the midpoint of the years they include in their index.

21. This index is based on state firearms laws, state abortion laws, welfare stringency, state right-to-work laws, and the progressively of state tax systems.

- policy liberalism in 2006 (Sorens, Muedini, and Ruger 2008)²²

Each panel plots the relationship between our policy liberalism estimates (horizontal axis) and one of the six existing measures listed above. A loess curve summarizes each relationship, and the bivariate correlation is given on the left side of each panel.

Notwithstanding measurement error and differences in data sources, our estimates are highly predictive of other measures of policy liberalism. The weakest correlation, 0.76 for Hofferbert (1966), is primarily the result of a few puzzling outliers (Washington, for example, is the seventh-most conservative state on Hofferbert’s measure, whereas Wyoming is the ninth-most liberal). In addition, all the relationships are highly linear. The only partial exception is for Sorens, Muedini, and Ruger (2008), whose measure of policy liberalism does not discriminate as much between Southern states as our measure, resulting in a flat relationship at the conservative end of our scale.

In short, the very strong empirical relationships between our policy liberalism scale and existing measures of the same concept provide compelling evidence for the validity of our measure. It is worth noting that most of the existing scales were constructed explicitly with the goal of differentiating between liberal and conservative states. Thus their tight relationship with our measure, which is based on a much more comprehensive policy dataset and was estimated without regard to the ideological content of the policy indicators,²³ suggests in particular that we are on firm ground in calling our latent dimension “policy liberalism.”

Construct Validation

The purpose of construct (a.k.a. “nomological”) validation is to demonstrate that a measure conforms to well-established hypotheses relating the concept being measured to other concepts (Adcock and Collier 2001, 542–3). One such hypothesis is that the liberalism of a state’s policies is strongly related to the liberalism of its state legislature, though due to

22. This is the first principal component uncovered by Sorens, Muedini, and Ruger’s (2008) analysis of over 100 state policies. They label this dimension “policy liberalism” and give the label “policy urbanism” to the second principal component.

23. This is true except for the hard coding required to identify the latent scale.

factors such as legislative gridlock the relationship may not be perfect (e.g., Krehbiel 1998). To measure legislative liberalism on a common scale, we rely on Shor and McCarty’s (2011) estimates of the conservatism of members of state legislative lower houses. As Figure 4 demonstrates for presidential years between 1996 and 2008, states with more liberal policies tend to have more liberal median legislators. Due possibly to the lingering Democratic advantage in Southern state legislatures, the relationship at the conservative end of the policy spectrum is fairly flat, though by 2008 the relationship had become much more linear. The correlation between legislative conservatism and policy liberalism has also strengthened over time, from -0.51 in 1996 to -0.80 in 2008.

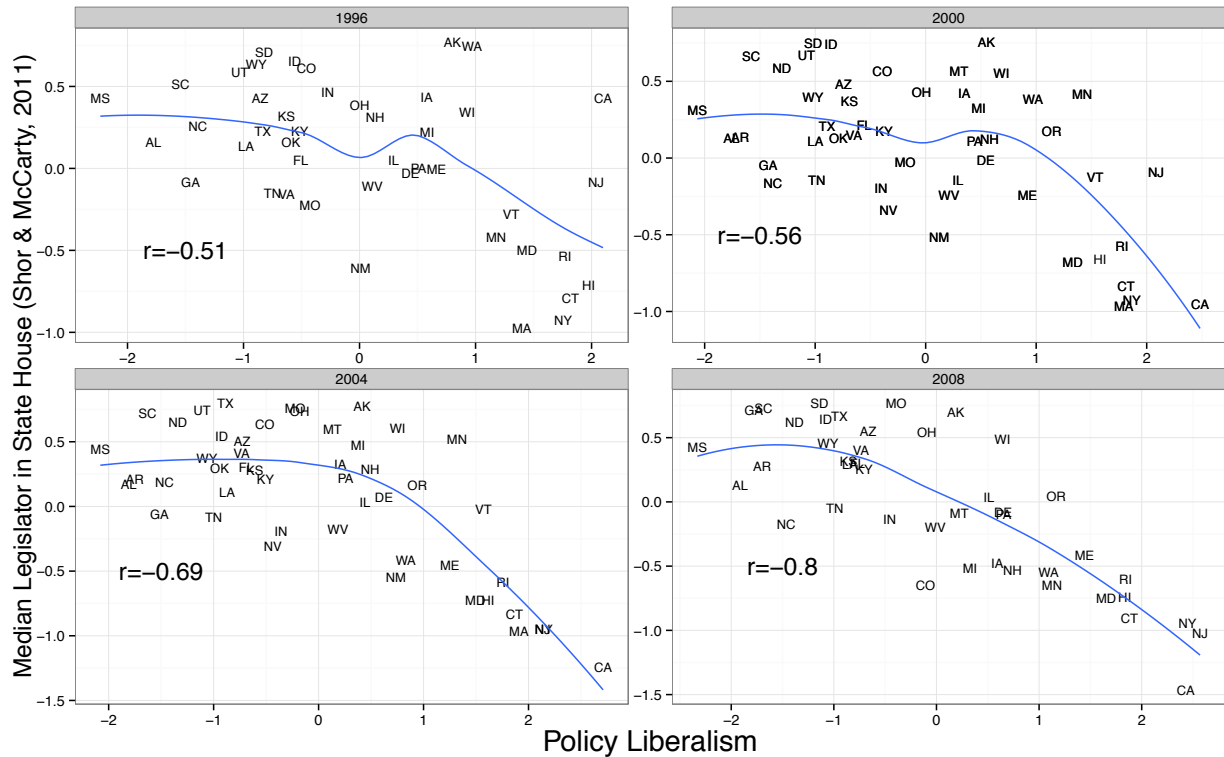


Figure 4: The relationship between state policy liberalism and the conservatism of the median member of the lower house of the state legislature (Shor and McCarty 2011), 1996–2008.

An analogous pattern of increasing association over time can be seen in an examination of the relationship between policy liberalism and Democratic presidential vote share. It is natural to hypothesize that both presidential vote and state policy liberalism are responsive

to the party and policy preferences of mass publics and thus should be correlated at the state level. Since the anomalously Democratic partisanship of the “Solid South” would distort this relationship, we focus on the non-South only. Even without Southern states, however, policy liberalism and presidential vote are only weakly related in the early part of the period, as Figure 5 shows. The correlation jumped to 0.58 in 1960 and continued to increase gradually through 2012, when it reached nearly 0.9. This increasing association between policy liberalism and presidential vote mirrors the growing alignment of party identification, policy preferences, and presidential vote at the mass level (Fiorina and Abrams 2008, 577–82). The analysis of presidential vote thus provides further evidence for the validity of our policy liberalism scale. At same time, however, it suggests the limitations of presidential vote share as a proxy for mass preferences before the 1960s, even in the non-South (contra, e.g., Canes-Wrone, Brady, and Cogan 2002).

Finally, we examine the relationship between our policy liberalism measure and its closest analogue, Jacoby and Schneider’s (2009) policy priorities scale. As we emphasize above, policy liberalism and policy priorities are different concepts. Moreover, the theoretical relationship between policy liberalism and preference for collective over particularistic spending is not self-evident. Nevertheless, Jacoby and Schneider convincingly argue that in U.S. states tend to target particularized policies at needy constituencies. Consistent with that expectation, they find a moderately negative cross-sectional correlation between policy liberalism and preference for collective goods.

Based on a similar analysis, we too find policy liberalism and policy priorities to be negatively correlated, on the order of -0.5 . As Figure 6 shows, their relationship attenuated somewhat between 1982 and 2005. Also, like Jacoby and Schneider (2009, 18–20), we find that non-linearity in the measures’ relationship contributes to the weak correlation: their association is much stronger among relatively liberal and particularistic states than on the conservative/collective-good end of the spectrum. This seems to be driven in part by Southern states, which always anchor the conservative end of our scale but seem to favor par-

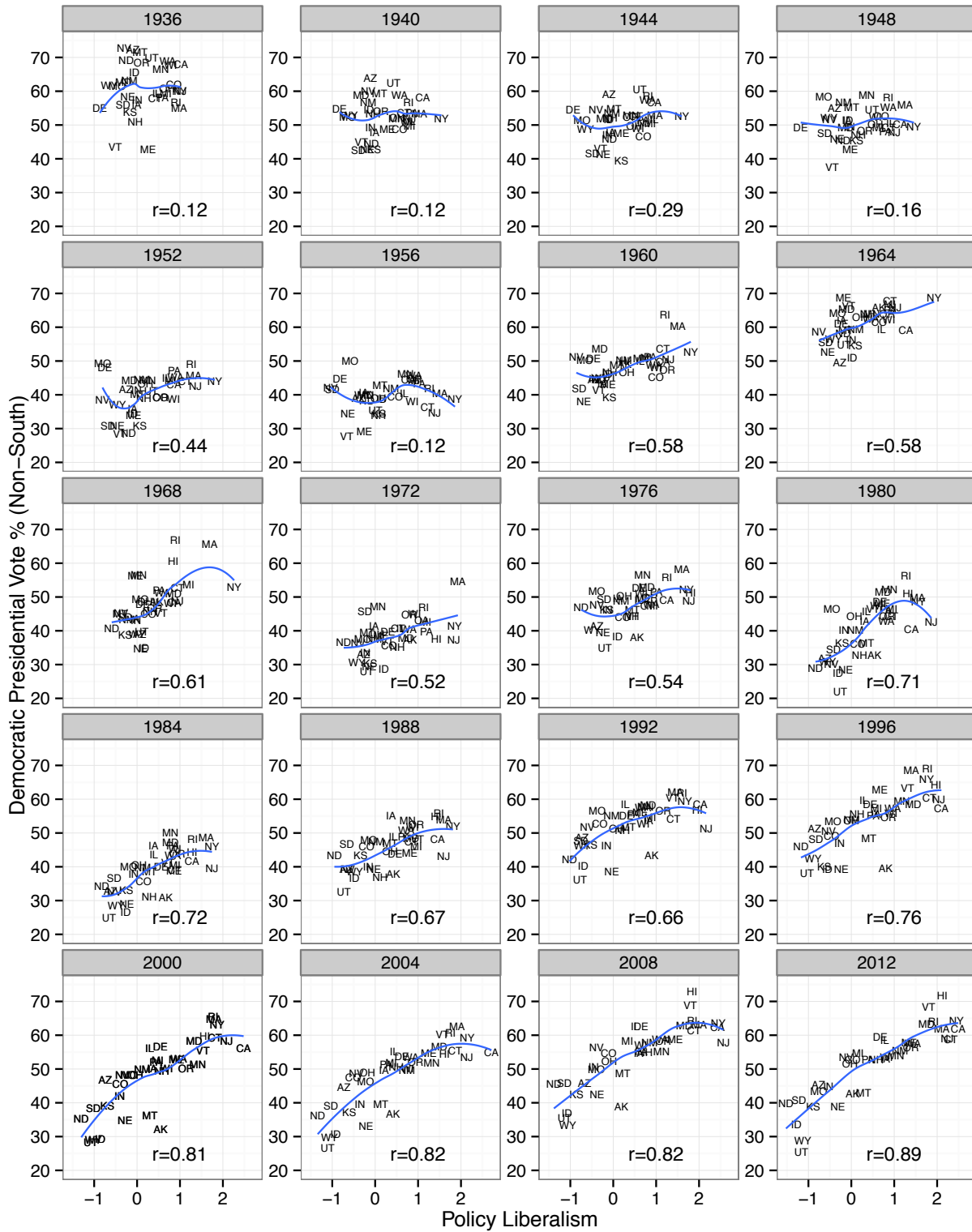


Figure 5: The relationship between state policy liberalism and Democratic presidential vote share, 1936–2012 (non-South only).

particularistic spending. The sources of this discrepancy between the two measures—perhaps differences in political culture, budgetary decentralization, or economic need—could be an interesting topic for future research.

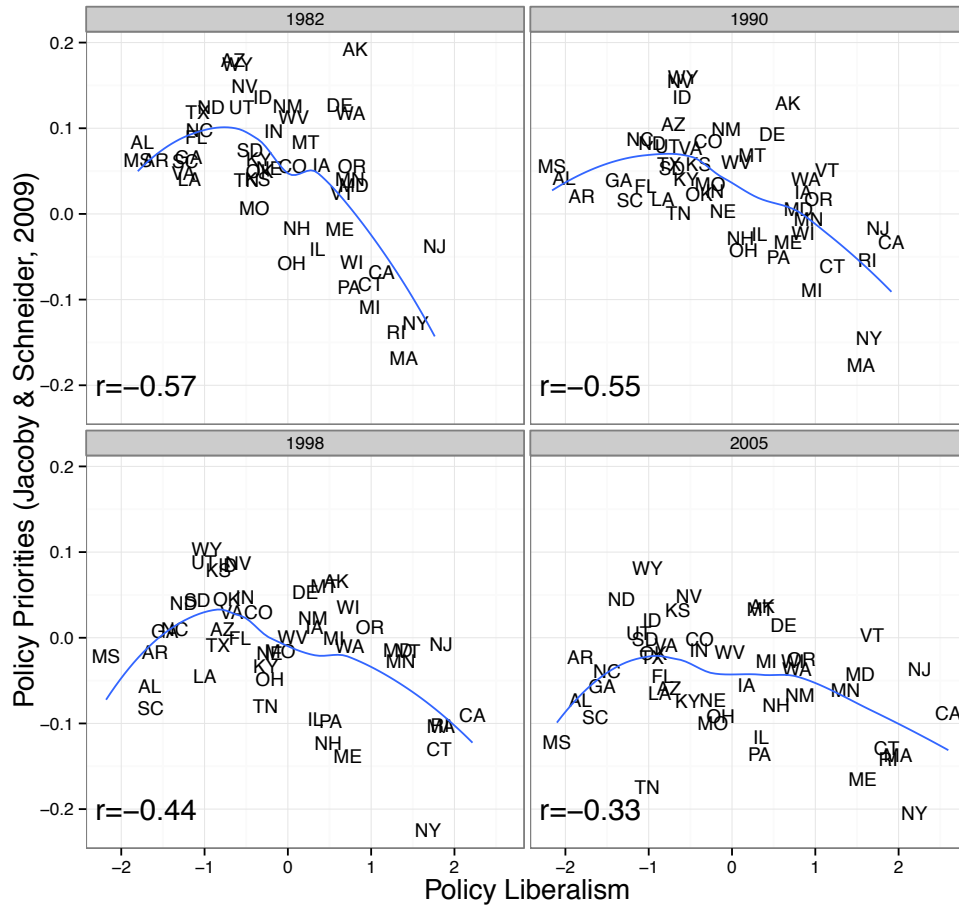


Figure 6: The relationship between policy liberalism and policy priorities (Jacoboy and Schneider 2009) in selected years, 1982–2005.

Dimensionality

Our one-dimensional model of state policies implies that a single latent trait captures systematic policy variation across states. This is not to say that it captures *all* policy differences, but it does imply that once policies’ characteristics and states’ policy liberalism are accounted for, any additional variation in state policies is essentially random. This assumption would be violated if there were instead multiple dimensions of state policy, as some schol-

ars have claimed. Given that roll-call alignments in the U.S. Congress were substantially two-dimensional for much of the 20th century (Poole and Rosenthal 2007), it is not unreasonable to suspect that state policies might be as well. As we demonstrate, however, a one-dimensional model captures state policy variation surprisingly well, and there is little value to increasing the complexity of the model by adding further dimensions.

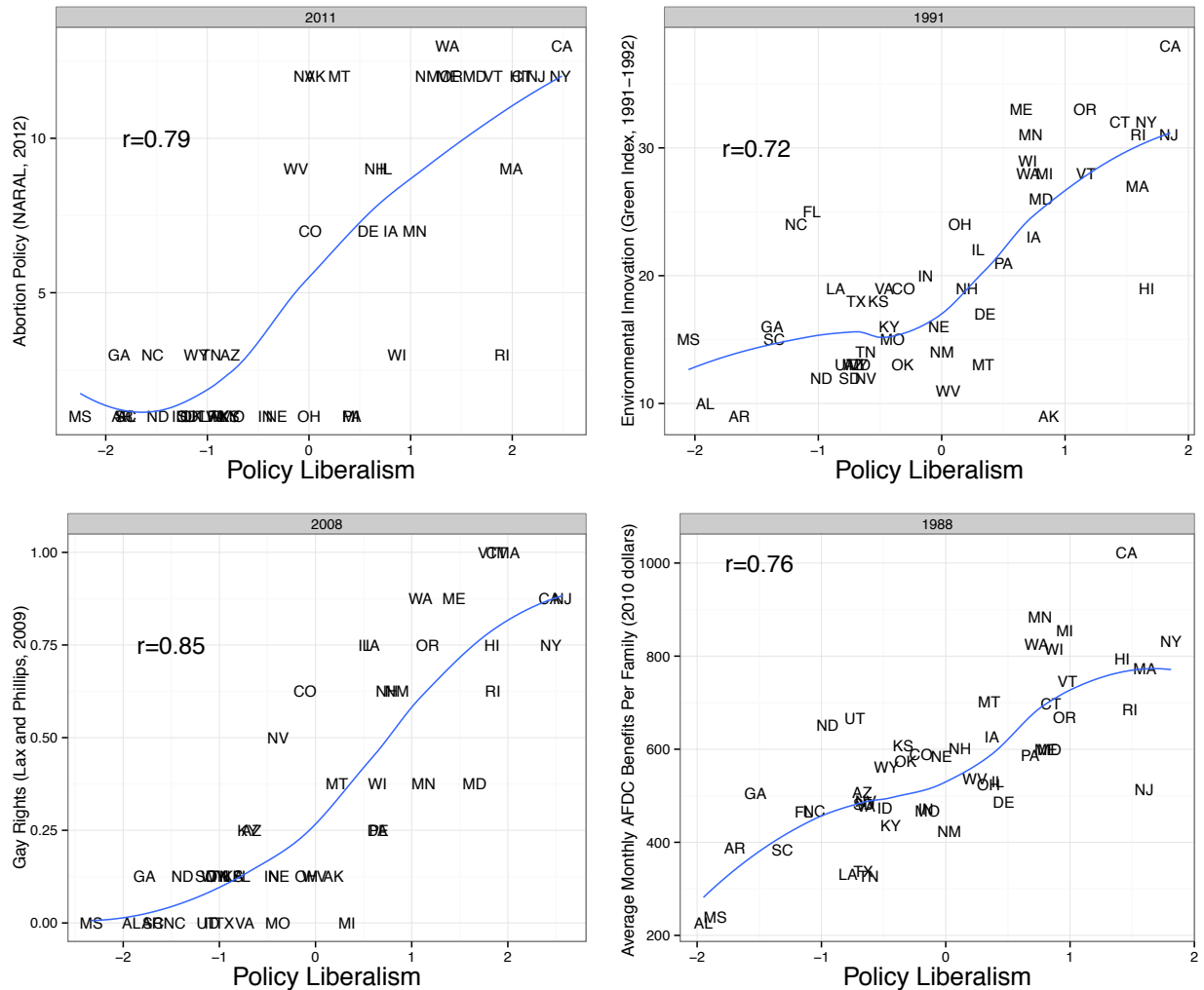


Figure 7: Relationships between policy liberalism and four issue-specific scales (abortion rights, environmental protection, gay rights, and welfare benefits).

One fact in support for unidimensionality is that the most discriminating policies in our dataset—those most strongly related to the latent factor—span a wide range of issues, including racial discrimination, women’s rights, gun control, labor law, energy policy, criminal

Table 1: Correlations between policy liberalism scales estimated using economic, social, racial, and all policies. The unit of analysis is the state-year. The racial policy scale is estimated for the 1950–70 period only.

| | All | Economic | Social |
|----------|------|----------|--------|
| Economic | 0.92 | | |
| Social | 0.84 | 0.69 | |
| Racial | 0.86 | 0.68 | 0.55 |

rights, and welfare policy. Additional evidence is provided by the relationships between policy liberalism and four issue-specific scales: NARAL’s abortion rights scale (NARAL 2012), the Green Index of Environmental Innovation in 1991–92 (Hall and Kerr 1991; Ringquist and Garand 1999), a gay rights index derived from Lax and Phillips (2009b), and average AFDC benefits per family in each state (Moffitt 2002). As Figure 7 shows, policy liberalism accurately predicts variation within each of these disparate policy areas.

We can explore this question at a higher level of generality by scaling state policies within each of three broad issue domains: economic, social, and racial.²⁴ Policy cleavages in the mass public and in the U.S. Congress are often considered to differ across these domains, especially earlier in the 1936–2014 period (e.g., Layman, Carsey, and Horowitz 2006; Poole and Rosenthal 2007). As the first column of the correlation matrix in Table 1 shows, however, each domain-specific scale is strongly related to the policy liberalism scale based on all policies. The domain-specific scales are also highly correlated with each other, with the correlation being weakest for racial and social policies (estimated for 1950–70 only). On the whole, Table 1 provides strong evidence that variation in state policies is one-dimensional and does not vary importantly across issue domains.

As a final piece of evidence, we show that allowing for multiple latent dimensions does not

24. Because cross-state variation in civil rights policies is concentrated in the 1950–70 period, we estimate the racial policy dimension for these two decades only.

substantially improve our ability to predict policy differences between states. As our measure of model fit we use percentage correctly predicted (PCP), which for binary variables is the percentage of cases for which the observed value corresponds to its model-based predicted value (0 or 1). In order to include ordinal and continuous variables in this calculation, we convert them into binary variables by dichotomizing them at a threshold randomly generated for each variable. We estimate one and two-dimensional probit IRT models separately in each year using the R function `ideal` (Jackman 2012), which automatically calculates PCP. We then evaluate how much the second dimension improves PCP (adding dimensions cannot decrease PCP).

Based on this method, we find little evidence that adding dimensions improves our ability to account for the data. In the average year, a one-dimensional model correctly classifies 82% of all dichotomized policy observations. Adding a second dimension increases average PCP by only 1.5 percentage points. This improvement in model fit is less than the increase in fit that is used in the congressional literature as a barometer of whether roll-call voting in Congress has a one-dimensional structure (Poole and Rosenthal 2007, 33–4). Further, the minimal improvement in model fit gained from adding a second dimension is consistent across time—even during the mid-century heyday of two-dimensional voting in Congress.

Taken as a whole, the evidence supports two conclusions. First, a single latent dimension captures the vast majority of policy variation across states across disparate policy domains. This is true even at times when national politics was multidimensional. Second, the approximately 20% of cross-sectional policy variation not captured by a one-dimensional model does not seem to have a systematic structure to it, or at least not one that can be described by additional dimensions.

Substantive Applications

Our dynamic measure of policy liberalism opens up multiple avenues of research not possible with cross-sectional measures. Most obviously, as we have shown, it permits descriptive

analyses of the ideological evolution of state policies over long periods of time. But the availability of a dynamic measure also facilitates causal analyses that incorporate policy liberalism as an outcome, treatment, or control variable. In particular, because it is available for each state-year, our measure can be used in time-series–cross-sectional (TSCS) research designs, which leverage variation across both units and time. The fact that our estimates are available for nearly 80 years is especially valuable because TSCS estimators can perform poorly unless the number of time units is large (e.g., Nickell 1981).

For example, scholars could examine how the cross-sectional relationship between state public opinion and policy liberalism has evolved over time (Burstein 2003); estimate the state-level relationship between changes in opinion and changes in policy (cf. Stimson, MacKuen, and Erikson 1995); or analyze how interest groups or electoral institutions moderate the opinion–policy link (cf. Gray et al. 2004; Lax and Phillips 2011). Or scholars could evaluate the policy effects of electoral outcomes or the partisan composition of state government (cf. Erikson, Wright, and McIver 1989; T. Kousser 2002; Besley and Case 2003; Leigh 2008).

An alternative approach would be to analyze policy liberalism as a cause rather than an effect. For example, one prominent view is that citizens respond “thermostatically” to changes in policy by moving in the ideologically opposite direction (Wlezien 1995). A related perspective argues that voters compensate for partisan effects on policy through partisan balancing (e.g., Erikson 1988; Alesina, Londregan, and Rosenthal 1993). Other scholars, however, highlight the positive feedback effects of policy changes (e.g., Pierson 1993; Campbell 2012). Our policy liberalism estimates open up ways of adjudicating among these theories using state-level TSCS designs.

The Policy Effects of Voter Registration Reforms

To illustrate the kinds of analyses made possible by our estimates, we conduct a brief investigation into the policy effects of reforms designed to make voter registration easier. While debate over such reforms often focuses on effects on turnout or partisan advantage, their ef-

fects on policy are arguably most important.²⁵ One intuitive theoretical prediction, derived from median-voter models of redistribution, is that lowering registration barriers makes the electorate larger and poorer, which in turn increases political support for redistributive (i.e., liberal) policies (Meltzer and Richard 1981; Husted and Kenny 1997).

The policy consequences of registration regulations specifically have been examined by Besley and Case (2003, 35–7), who using a fixed-effect (FE) framework find liberalizing effects of lower registration barriers on five state taxation and spending policies in the period 1958–98. Besley and Case’s two-way FE specification improves substantially over cross-sectional comparisons, which cannot control for unobserved differences between states. An important weakness of their specification, however, is that it assumes that states did not trend in different directions over the period they examine.²⁶ Figure 2 suggests, however, that this assumption is false (see, e.g., the liberalizing trend among Northeastern states). The likely consequence is that Besley and Case’s effect estimates are much too large.

We replicate and extend Besley and Case’s analysis, examining the policy effects of three electoral policies—“motor voter” laws, election-day registration, and mail-in registration—on state policy liberalism between 1950 and 2000.²⁷ To guard against differential time trends, we use a more conservative specification that includes a lagged dependent variable (LDV) as well as state and year FEs.²⁸ One advantage of a long time series is the finite-sample bias of LDV-FE models is of order $1/T$ and thus decreases rapidly as the number of time units increases (Beck and Katz 2011, 342). Table 2 reports the estimated effect estimates, all of which are positive and, except for motor voter registration, distinguishable from 0. In terms of substantive magnitude, these estimates imply that making voter registration easier increases the probability of a state adopting a liberal law by about 1 percentage point.

25. See, for example, Key’s (1949) and J. M. Kousser’s (1974) analyses of the policy effects of suffrage restrictions in the post-Reconstruction South.

26. Besley and Case (2003) do include a few time-varying demographic controls, but these are unlikely to account for differential state trends.

27. We obtained data on the first two policies from Besley and Case (2003) and data on the third from Springer (2014).

28. Following Besley and Case (2003), we define a unit-year as “treated” by a registration policy if that policy was in effect at the last election.

Consistent with our concern about state-specific trends, the estimates from a simple two-way FE model (not shown) are all an order of magnitude larger than their LDV-FE counterparts.

Table 2: Effect of Electoral Reforms on State Policy Liberalism

| | <i>Policy</i> |
|---------------------------|--------------------|
| Motor voter registration | 0.012 (0.013) |
| Election day registration | 0.035** (0.017) |
| Mail-in registration | 0.021** (0.011) |
| Lagged Policy | 0.925** (0.008) |
| Constant | 0.007 (0.026) |
| FE for state | X |
| FE for year | X |
| Observations | 2,581 |
| R ² | 0.983 |
| Adjusted R ² | 0.983 |
| <i>Note:</i> | *p<0.1; **p<0.05 |

Though brief, this application highlights several advantages of our measure of policy liberalism. First, its TSCS structure enables us to exploit within-state variation in institutions such as registration regulation. Second, its long time series permits the use of estimators, such as LDV-FE models, whose performance improves as T increases. Third, the precision of our composite measure relative to any individual indicator of liberalism means allows us to detect small but meaningful effects, such as the ones reported in Table 2.

Conclusion

This paper has addressed a major gap in the state politics literature: the lack of a measure of state policy liberalism that varies across time. Using a dataset covering 148 policies and a latent-variable model designed for a mix of ordinal and continuous data, we have generated estimates of the policy liberalism of every state in every year for the past three-quarters of a century. As indicated by their high correlations with existing measures of state policy liberalism as well as with domain-specific indices, our estimates exhibit strong evidence of validity as a measure of policy liberalism.

Our yearly estimates of policy liberalism are illuminating for their own sake, revealing historical patterns in the development of state policymaking that would be hard to discern otherwise. But they also open up research designs that leverage temporal variation in state policies to explore questions involving the causes and effects of policy outcomes. These topics include the policy effects of public mood, electoral outcomes, interest groups, and institutions, as well as the consequences of policy change on political attitudes and behavior.

The relevance of this paper extends well beyond the field of state politics. In addition to facilitating the study of topics of general significance, our measurement model could be applied to policymaking by local governments (cf. Tausanovitch and Warshaw 2014) as well as in cross-national studies. Even more generally, our dynamic approach to measurement helps to illustrate the value of data-rich, time-varying measures of important political concepts like policy liberalism.

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Online Appendix: “The Dynamics of State Policy Liberalism, 1936–2012”

Table 1: Description of Policies

| Policy | Years | Description | Sources |
|---|-----------|---|----------------------|
| Abortion Policies: | | | |
| Access for Contraceptives | 1974-2014 | Can pharmacies dispense emergency contraception without a prescription? | [78, 100, 106, 104] |
| Forced Counseling before Abortions | 1992-2014 | Does the state mandate counseling before an abortion? | [78, 100, 136] |
| Forced Counseling before Abortions | 1973-1991 | Does the state mandate counseling before an abortion? | [78, 100, 136] |
| Legal Abortion Pre-Roe | 1967-1973 | Did the state allow abortion before Roe v. Wade? | [84, 48] |
| Parental Notification/Consent Required for Abortion | 1983-2014 | Does the state require parental notification or consent prior to a minor obtaining an abortion? | [78, 100, 99, 52] |
| Partial Birth Abortion Ban | 1996-2000 | Does the state ban late-term or partial birth abortions? | [78, 100, 8, 51] |
| Medicaid for Abortion | 1981-2014 | Does the state’s Medicaid system pay for abortions? | [78, 100, 53, 8, 96] |
| Criminal Justice Policies: | | | |
| Age Span Provisions for Statutory Rape | 1950-1998 | Does a state adopt an age span provision into its statutory rape law which effectively decriminalizes sexual activity between similar-aged teens? | [26] |
| Death Penalty | 1936-2014 | Has the state abolished the death penalty? | [32] |
| Drug & Alcohol Policies: | | | |
| Beer Keg Registration Requirement | 1978-2013 | Does the state require the registration upon purchase of a beer keg? | [78, 120, 176] |
| Decriminalization of Marijuana Possession | 1973-2014 | Is marijuana possession a criminal act? | [127, 86] |
| Medical Marijuana | 1996-2014 | Is it legal to use marijuana for medical purposes? | [91, 109] |
| Minimum Legal Drinking Age 21 | 1936-1985 | Does the state have a minimum legal drinking age of 21? | [119] |
| Smoking Ban - Workplaces | 1995-2014 | Does the state ban smoking in all workplaces? | [11, 25] |
| Smoking Ban - Restaurants | 1995-2014 | Does the state ban smoking in restaurants? | [11, 25] |
| Zero Tolerance (<.02 BAC) for Underage Drinking | 1983-1995 | Does the state have a Zero Tolerance law for blood alcohol levels <0.02 for individuals under age 21? | [119] |
| Education Policies: | | | |
| Allow Ten Commandments in Schools | 1936-2013 | Does the state allow the Ten Commandments to be posted in educational institutions? | [35, 5] |
| Ban on Corporal Punishment in Schools | 1970-2014 | Does the state ban corporal punishment in schools? | [78, 50] |
| Education Spending Per Pupil | 1936-2009 | What is the per capita spending on public education per pupil based on daily average attendance? | [151] |
| Moment of Silence Required | 1957-2014 | Does the state have a mandatory moment of silence period at the beginning of each school day? | [35, 108, 79] |
| Per Student Spending on Higher Education | 1988-2013 | What is the per student subsidy for higher education? | [144] |
| Teacher Degree Required - High School | 1936-1963 | In what year does the state require high school teachers to hold a degree? | [112] |
| Teacher Degree Required - Elementary | 1936-1969 | In what year does the state require elementary school teachers to hold a degree? | [112] |
| School for Deaf | 1936-1950 | In what year did the state establish residential schools for the deaf? | [163] |
| State Library System | 1936-1955 | In what year did the state establish a library system? | [162] |
| Compulsory Education - Age | 1936-1939 | At what age are children allowed to leave school? | [154] |
| Environmental Policies: | | | |
| Air Pollution Control Acts (Pre-CAA) | 1947-1967 | Does the state have an air pollution control act (Pre-Clean Air Act)? | [6, 102] |
| Bottle Bill | 1970-2014 | Does the state require a deposit on bottles paid by the consumer and refunded when the consumer recycles? | [29] |
| CA Car Emissions Standard | 2003-2012 | Does the state adopt California’s car emissions standards (which are more stringent than the federal level)? | [92] |
| Electronic Waste Recycling Program | 2000-2014 | Does the state have a recycling program for electronic waste? | [37, 146, 36] |
| Endangered Species Act | 1969-2014 | Does the state have an endangered species act? | [78, 146, 13] |
| Environmental Protection Act | 1969-2014 | Does the state have its own version of the federal National Environmental Policy Act? | [78, 90, 178] |
| Greenhouse Gas Cap | 2006-2014 | Does the state have a binding cap on greenhouse gas emissions in the utility sector? | [134, 19, 23] |

Description of Policies – Continued from previous page

| Policy | Years | Description | Sources |
|--|-----------|--|--|
| Public Benefit Fund | 1996-2014 | Does the state have a public benefit fund for renewable energy and energy efficiency? | [24, 118, 31] |
| Solar Tax Credit | 1975-2014 | Does the state have a tax credit for residential solar installations? | [78, 121, 177] |
| Gambling Policies: | | | |
| Casinos Allowed | 1977-2012 | Does the state allow casinos? | [10] |
| Lottery Allowed | 1964-2014 | Does the state have a lottery? | [132, 97] |
| Gay Rights Policies: | | | |
| Ban on Discrimination - Public Accommodation | 1989-2014 | Does the state ban discrimination against gays in public accommodations? | [58] |
| Civil Unions and Gay Marriage | 2000-2012 | Does the state allow civil unions or gay marriage (ordinal)? | [78, 115, 110] |
| Employment Discrimination Protections | 1982-2014 | Does the state forbid employment discrimination on the basis of sexual orientation and/or sexual identity? | [78, 115, 116] |
| Hate Crimes Ban | 1999-2014 | Are hate crimes explicitly illegal in the state? | [78, 58, 131] |
| Sodomy Ban | 1962-2003 | Does the state forbid sodomy? | [43, 9] |
| Gun Control Policies: | | | |
| Assault Weapon Ban | 1989-2014 | Are assault weapons banned in the state? | [78, 68, 175] |
| Background Check - Dealer Purchase | 1936-1993 | Does the state require a background check on gun purchases from dealers? | [78, 175, 69] |
| Background Check - Private Sales | 1936-2014 | Does the state require a background check on privately sold guns? | [78, 175, 74] |
| Gun Dealer Licenses | 1936-2014 | Does the state have any license requirements for manufacturers or dealers? | [78, 175, 70] |
| Gun Purchases - Waiting Period | 1936-2014 | Does the state have a waiting period for gun purchases? | [78, 175, 75] |
| Open Carry Law | 1961-2014 | Is there an open carry law for guns? | [78, 175] |
| Saturday Night Special | 1974-2013 | Does the state ban “Saturday Night Special” handguns? | [78, 175, 71] |
| “Stand Your Ground” Law | 1993-2014 | Does the state have a “stand your ground” law? | [78, 175, 73] |
| Gun Registration | 1936-2014 | Does the state have a registration requirement for guns? | [78, 175, 72] |
| Immigration Policies: | | | |
| English as Official Language | 1961-2014 | Is English the state’s official language? | [38] |
| Instate Tuition for Immigrants | 2001-2014 | Does the state allow in-state tuition for illegal immigrants? | [105] |
| Labor Rights Policies: | | | |
| Age discrimination ban | 1936-1999 | Does the state ban age discrimination in hiring? | [124, 123, 67] |
| Anti-Injunction Act | 1936-1966 | Does the state have an anti-injunction law? | [170] |
| Collective Bargaining - State Employees | 1966-1996 | Does the state have collective bargaining rights for state government employees? | [46, 27, 174] |
| Collective Bargaining - Teachers | 1960-1996 | Does the state have collective bargaining rights for local teachers? | [34, 113, 114, 80, 46, 27, 174] |
| Disability Discrimination Ban | 1965-1990 | Does the state ban discrimination against disabled people? | [62] |
| Merit System for State Employees | 1936-1953 | Does the state have a merit system for state employees? | [148] |
| Minimum Wage above Federal Level | 1968-2012 | Is the state’s minimum wage above the federal level? | [139, 140, 141, 166, 167, 168, 171] |
| Minimum Wage for Men | 1944-1968 | Does the state have a minimum wage for men? | [139, 140, 141, 166, 167, 168, 171] |
| Minimum Wage for Women | 1936-1980 | Does the state have a minimum wage for women? | [139, 140, 141, 166, 167, 168, 171] |
| Prevailing Wage Law | 1936-2014 | Does the state have prevailing wage laws? | [157, 66] |
| Right to Work Law | 1944-2014 | Is the state a right-to-work state? | [4, 28, 85] |
| State Pension System | 1936-1960 | When did the state establish its pension system? | [149] |
| Temporary Disability Insurance | 1945-2014 | Does the state have a temporary disability insurance program? | [158] |
| Unemployment Compensation | 1937-2014 | What is the maximum weekly amount of unemployment benefits? | [137, 165] |
| Workers’ Compensation | 1936-1947 | Has the state established workers’ compensation? | [41, 169, 41] |
| Child Labor Work Certificates | 1936-1939 | Does the state require employment certificates for child labor (14 and 15)? | [93, 173, 94, 95, 161, 81, 88, 89, 83] |
| Labor Relations Acts | 1937-1966 | Does the state have a Labor Relations Act? | [103, 164, 172, 88, 89, 83] |
| Licensing Policies: | | | |
| Chiropractor Licensing | 1936-1951 | When did the state require licensing for chiropractors? | [150] |
| Dentist Licensing | 1936-1951 | When did the state require licensing for dentists? | [150] |
| Architect Licensing | 1936-1951 | When did the state require licensing for architects? | [150] |
| Beautician Licensing | 1936-1951 | When did the state require licensing for beauticians? | [150] |
| Pharmacist Licensing | 1936-1951 | When did the state require licensing for pharmacists? | [150] |
| Engineer Licensing | 1936-1951 | When did the state require licensing for engineers? | [150] |

Description of Policies – Continued from previous page

| Policy | Years | Description | Sources |
|--|-----------|---|-----------------------|
| Nurse Licensing | 1936-1951 | When did the state require licensing for nurses? | [150] |
| Accountant Licensing | 1936-1951 | When did the state require licensing for accountants? | [150] |
| Real Estate Licensing | 1936-1951 | When did the state require licensing for real estate agents? | [150] |
| Misc. Regulatory Policies: | | | |
| Anti-sedition Laws | 1936-1955 | Does the state have anti-sedition laws? | [1] |
| Compulsory Sterilization | 1945-1974 | Does the state have a forced sterilization program (directed toward the disabled, delinquent, etc.)? | [63] |
| Grandparents' Visitation Rights | 1964-1987 | Does the state have a law guaranteeing grandparents' visitation rights? | [45, 57] |
| Hate Crimes Ban | 1981-2014 | Are hate crimes explicitly illegal in the state? | [60] |
| Urban Housing - Enabling Federal Aid | 1936-1953 | Does the state have a law enabling federal housing aid? | [59] |
| Urban Housing - Direct State Aid | 1939-1951 | Does the state provide direct aid for urban housing? | [30] |
| Living Wills | 1976-1992 | Does the state have a law permitting individuals control over the use of heroic medical treatment in the event of a terminal illness? | [55] |
| Pain and Suffering Limits in Lawsuits | 1961-2012 | Are there limits on damages for pain and suffering in lawsuits? | [78, 160] |
| Physician-assisted suicide | 1998-2014 | Does the state allow physician-assisted suicide? | [78, 130, 126] |
| Planning Laws Required for Local Gov. | 1961-2007 | Does the state have a law authorizing or requiring growth-management planning? | [128] |
| Protections Against Compelling Reporters to Disclose Sources | 1936-2013 | Does the state have a Shield Law protecting journalists from revealing their sources? | [78, 135, 129] |
| Rent Control Prohibition | 1950-2014 | Does the state prohibit the passage of rent control laws in its cities or municipalities? | [78, 101, 61] |
| Religious Freedom Restoration Act | 1993-2014 | Did the state pass the Religious Freedom Restoration Act? | [54] |
| State Debt Limitation | 1936-1966 | In what year did the state establish debt limitation? | [56] |
| Municipal Home Rule | 1936-1961 | Did the state pass a law enabling voters to adopt a municipal home rule charter? | [87] |
| Lemon Laws | 1970-2014 | Did the state pass a law protecting consumers who purchase automobiles which fail after repeated repairs? | [78, 3, 76, 138] |
| Utility Regulation | 1936-1960 | In what year did the state regulate utilities? | [145] |
| Cruelty to Animals | 1936-2014 | Has the state made aggravated animal cruelty a first- or second-offense felony? | [78, 14, 12, 42] |
| Racial Discrimination Policies: | | | |
| School Segregation | 1936-1953 | Did the state require segregation in public schools? | [78, 98, 133, 33, 16] |
| Ban on Interracial Marriage | 1936-1967 | Does the state have a law banning interracial marriages? | [78, 98, 133, 33, 16] |
| Banning discrimination in public accommodations (pre-CRA) | 1936-1963 | Does the state pass a law (with administrative enforcement) banning discrimination in public accommodations (pre-Civil Rights Act)? | [78, 82, 22] |
| Banning discrimination in public accommodations (post-CRA) | 1964-2010 | Does the state pass a law (with administrative enforcement) banning discrimination in public accommodations (post-Civil Rights Act)? | [78, 82, 22] |
| Fair Employment Laws | 1945-1964 | Does the state have a fair employment law? | [16, 156, 39] |
| Fair Employment Laws (post-1964) | 1965-2014 | Does the state have a fair employment law? (post-1964) | [16, 156, 39] |
| Fair Housing - Private Housing | 1959-1968 | Does the state ban discrimination in private housing? | [16, 156, 39] |
| Fair Housing - Public Housing | 1937-1964 | Does the state ban discrimination in public housing? | [16, 156, 39] |
| Fair Housing - Urban Renewal Areas | 1945-1964 | Does the state have urban renewal areas? | [59] |
| Cigarette Tax | 1936-1946 | Does the state have a cigarette tax? | [151, 147] |
| Cigarette Tax Rate | 1947-2014 | What is the state's tax on a pack of cigarettes? | [151, 147] |
| Earned Income Tax Credit | 1988-2014 | Does the state have an earned income tax credit? | [151, 147] |
| Income Tax | 1936-2014 | Does the state have an income tax? | [151, 147] |
| Income Tax Rate - Wealthy | 1977-2012 | What is the state individual income tax rate for an individual that makes more than 1.5 million real dollars? | [151, 147] |
| Sales Tax | 1936-1945 | Does the state have a sales tax? | [151, 147] |
| Sales Tax Rate | 1946-2014 | What is the sales tax rate? | [151, 147] |
| Tax Burden | 1977-2010 | What is the state's tax burden (per capita taxes/per capita income)? | [151, 147] |
| Corporate Income Tax | 1936-1940 | Is there a corporate income tax? | [151, 147] |
| Top Corporate Tax Rate | 1941-2014 | What is the highest corporate tax rate? | [151, 147] |
| Estate Tax | 2009-2014 | Is there a state estate tax? | [151, 147] |
| Transportation Policies: | | | |
| Controlled Access Highways | 1937-1946 | In what year did the state enact controlled-access highways? | [77, 20] |
| Bicycle Helmets Required | 1985-2014 | Does the state require that people use helmets while on bicycles? | [18] |

Description of Policies – Continued from previous page

| Policy | Years | Description | Sources |
|--|-----------|--|---------------------|
| Mandatory Seat Belts | 1984-2014 | Does the state require the usage of seat belts (either primary or secondary enforcement)? | [40] |
| Motorcycle Helmets Required | 1967-2014 | Does the state require the usage of helmets by people on motorcycles? | [47] |
| Mandatory Car Insurance | 1945-2012 | Does the state require drivers to obtain car insurance? | [159] |
| Welfare Policies: | | | |
| AFDC - Benefits for Average Family | 1936-1992 | What is the average level of benefits per family under the Aid for Families with Dependent Children program? | [17, 142, 143, 155] |
| AFDC-UP Policy | 1961-1990 | What is the average level of benefits under the Aid for Families with Dependent Children program? | [15] |
| Aid to Blind - Average Payment per Recipient | 1936-1965 | What is the average monthly payment per recipient for the permanently blind or disabled? | [17, 142, 143, 155] |
| Aid to Blind - Average Payment per Recipient (post-1965) | 1966-1972 | What is the average monthly payment per recipient for the permanently blind or disabled? (post-1965) | [142, 143, 155] |
| Aid to Disabled - Average Payment per Recipient | 1951-1965 | What is the average monthly payment per recipient for the permanently blind or disabled? | [142, 143, 155] |
| Aid to Disabled - Average Payment per Recipient (post-1965) | 1966-1972 | What is the average monthly payment per recipient for the permanently blind or disabled? (post-1965) | [142, 143, 155] |
| CHIP - Eligibility Level for Children | 1998-2012 | What is the CHIP eligibility level for children? | [117] |
| CHIP - Eligibility Level for Infants | 1998-2012 | What is the CHIP eligibility level for infants? | [117] |
| CHIP - Eligibility Level for Pregnant Women | 1998-2012 | What is the CHIP eligibility level for pregnant women? | [117] |
| General Assistance Payment Per Case | 1937-1963 | What is the average monthly payment per case for general assistance (an early form of welfare)? | [17, 142, 143, 155] |
| General Assistance Payment Per Recipient | 1964-1980 | What is the average monthly payment per recipient for general assistance (an early form of welfare)? | [142, 143, 155] |
| Old Age Assistance - Average Payment per Recipient | 1936-1965 | What is the average monthly payment per recipient per recipient for old age assistance? | [17, 142, 143, 155] |
| Old Age Assistance - Average Payment per Recipient (post-1965) | 1966-1972 | What is the average monthly payment per recipient per recipient for old age assistance? (post-1965) | [142, 143, 155] |
| Senior Prescription Drugs | 1975-2001 | Does the state provide pharmaceutical coverage or assistance for seniors who do not qualify for Medicaid? | [111, 65] |
| State Adoption of Medicaid | 1966-1983 | Does the state have a Medicaid program? | [49] |
| Medicaid - Eligibility Level for Pregnant Women | 1990-1997 | What is the Medicaid eligibility level for pregnant women? | [117] |
| TANF - Average Payment per Family | 2006-2010 | What is the average monthly level of benefits per family under the Temporary Aid for Needy Families program? | [152] |
| TANF - Initial Eligibility Level | 1996-2013 | What is the initial eligibility level for benefits for a family of three under the Temporary Aid for Needy Families Program? | [152] |
| TANF - Max Payments | 1990-2013 | What is the maximum level of benefits under the Temporary Aid for Needy Families program for a family of three with no income? | [152] |
| Women's Rights Policies: | | | |
| Equal Pay | 1936-1972 | Does the state have a law providing for equal pay for women working in the same job? | [78, 107, 2, 21] |
| ERA Ratification | 1972-2014 | Has the state ratified the Equal Rights Amendment? | [7, 122, 64] |
| State Equal Rights Law | 1971-2014 | Has the state passed a state-level equivalent to the Equal Rights Amendment? | [78, 44, 153] |
| Gender Discrimination Laws | 1961-1964 | Does the state ban hiring discrimination on the basis of gender? | [125] |
| Gender Discrimination Laws (post-1964) | 1965-2014 | Does the state ban hiring discrimination on the basis of gender? (post-1964) | [125] |
| No Fault Divorce | 1966-2014 | Does the state have a no-fault divorce policy? | [151] |
| Jury Service for Women | 1936-1967 | Can women serve on juries? | [151] |

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