

STATE ANNOTATED CODES: General Concepts for Governmental Leadership

Goal: To increase the appreciation, recognition, understanding, and compliance of state governmental organizations, corporations, and entities to their State Annotated Codes.

State Annotated Codes versus State Unannotated Codes

State Annotated Codes:

Definition: The content/text of the state statutes and history notes of the unannotated codes and, in addition, the inclusion of citations, regulations, statutes, and diagrams with an explanation or comment. *State Annotated Codes go further than State Unannotated Codes in as much as they (individual State Annotated Codes) also have the specific state information and contain citations to cases interpreting the State Unannotated Codes.* Updating of state codes most often occurs post each state's legislative session.

State Unannotated Codes:

Definition: The content/text of the state statutes and history notes identifying the origin and amendments for each statute.

Annotating Process:

After a bill is signed by the state governor or passed by the state legislature over the governor's veto, the bill is incorporated into the State's Annotated Codes. The State Annotated Codes are then known as a compilation of the state constitution and all state laws, called the state statutes. Updating of these state statutes usually occurs after each legislative session and is expected to be used and followed as the basic laws of governmental agencies (not private agencies).

State involvement with governmental agencies includes the creation of the organization by executive order of the state governor or as an official state agency. The state has the power to appoint, remove, abolish, or monitor the governmental agency if the organization is using governmental employees to conduct its activities. If a state is substantially involved in any activity of an entity, the government will be considered an integral part of the entity.

Governmental Agencies:

Examples of some governmental agencies (organizations/corporations/entities) that require compliance to State Annotated Codes are:

- Public libraries
- City police departments
- Community colleges and universities
- Public schools
- Municipal hospitals or districts

- County Fire departments
- Public water departments
- County social services
- State vocational rehabilitation agencies
- U.S. and foreign state governments
- Local governments and political subdivisions
- Indian tribal governments
- Government affiliates and instrumentalities

Definitions Related to State Annotated Codes:

1. Statute: A written law passed by a legislative body
2. Citation: A quotation from a referenced case(s) which interpret the statute(s)
3. Regulation: A rule or directive made and maintained by legislative authority pertaining to a statute(s)
4. Diagram: A simplified drawing showing the appearance, structure, or how something works.

COMBINING STATE ANNOTATED CODES & PRIVATE ORGANIZATION EXPECTATIONS

It is important to remember and understand that compliance with the State Annotated Codes is first and foremost as a governing behavioral and process guide for governmental entities. Following the acceptance of carefully selected and appropriate State Annotated Codes by governmental entities from the last legislative session, the adding of private organizationally determined expectations (in addition to the required State Annotated Codes) result in two levels of governing expectations for the governmental entity(ices). That is, the adding of private expectations to the State Annotated Codes of a governmental entity provides another dimension of organizational accountability, uniqueness, and individuality. It is important, however, that all added private expectations are supported and do not replace the State Annotated Codes as required by state law.

The Private/Secondary Entity of Organizational Standards to be added to the State Annotated Codes of a governmental entity or a part of any private entity expectations should contain and explain the following Organizational Standards:

1. Definition of the entity
2. Philosophy of the entity
3. Mission/Purpose of the entity
4. Long-term goals of the entity
5. Short-term goals of the entity
6. Job description(s) of entity employees

Job descriptions for all employees as Organizational Standards (government and/or a private entity) require the included evaluative statements of:

1. Knowledge required to perform the job successfully and accurately.
2. Behavior or specific skills expected or required to do the job.
3. Attitude to be presented in the workplace and during work performance.

Once the governmentally required and appropriately chosen State Annotated Codes have been determined from the approved list and documented as necessary behavior of the governmental entity, the compliance related to additional private expectations in the way of Organizational Standards and job description behaviors are written in a manner to support with the selected and appropriate State and Annotated Codes.

PSYCHOLOGY OF TEACHING ANNOTATED CODES

The psychological leadership concepts related to encouraging governmental group compliance to new and possibly difficult concepts encourage members of the entity group(s) to learn and experience administrative guidance for application of the State Annotated Codes. The following variety of learning experiences increases understanding and helps ensure compliance. The leader arranges for members of the governmental entity to:

1. Visualize the State Annotated Codes in print—online and a printed document.
2. Participate in determining appropriate State Annotated Codes for the governmental entity.
3. Talk about the determined appropriate State Annotated Codes with group peers and how and why the codes are appropriate.
4. Commit verbally to overall compliance with the State Annotated Codes.
5. Be willing to confront the entire governmental agency or individual members of the same when a State Annotated Code of expected compliance is lacking.

ASSURING LEADERSHIP OF STATE ANNOTATED CODES FOR GOVERNMENTAL AGENCIES

A leader is a teacher, presenter, and demander of accurate recording as to the appropriate State Annotated Code compliance by a governmental entity—because, if compliance to the expected State Annotated Code(s) are not recorded/documented in some manner, there is no proof of compliance effort—a dangerous and unacceptable position for a state or governmental entity!

To help assure to the governmental reviewers that the expected compliance to the State Annotated Codes is known and in compliance to state expectations, documentation could occur in the following manner:

1. Write as a part of the Organizational Standards under the mission/purpose and goal(s) a statement confirming the intention of consistent effort to comply with the determined and appropriate State Annotated Codes.

2. Prepare and maintain an ongoing cross-referenced form listing the determined and appropriate State Annotated Codes and across from each the existing active compliant behavior of the governmental organization, corporation, or entity.
3. Document within each Board of Directors minutes the discussion and outcome of a State Annotated Code(s) and the action taken regarding the code(s).
4. Show documented evidence and recognition of State Annotated Codes being utilized in the Board of Director processes.

STATE DIFFERENCES AND COMMONALITIES

Following state laws for a governmentally regulated business is a needed leadership decision. If employees are involved as a governmental employee, it is always wise and helpful to have state laws to help provide legal backing for all decisions—whether you are “the boss” or “the employee.”

It is wise to note that sometimes there is a slight language difference between different state codes. Whereas the legal language used in the State Annotated Codes usually means the same, there is sometimes a local colloquialism used by different states. For example, “officer” might be used in the same context as “president” or, “corporation” might be the same in context as “organization.” Regardless, the legal state’s expectations of compliance to their State Annotated Codes are expected and are important documentation by each governmental group.

To previously stated--Each individual State’s Annotated Codes are to be reiterated in writing by each governmental agency to be first and foremost in leadership expectations. Therefore, somewhere in the private addition of organizational standards and job description expectations of cognitive, psychomotor, and attitude requirements, it is to be clearly stated that the State Annotated Codes are the primary laws upon which the job description(s) is/are predicated.

ENFLUENCE OF ENTROPY

It is the wise leader who recognizes that State Annotated Codes for each state are intended to hold stable and consistent with the principles of state law. If consistent state laws, organizational standards, and job descriptions are not in place, Entropy will occur!

Entropy is a thermodynamic quantity representing the unavailability of a system’s thermal energy for conversion into mechanical work, often interpreted as the degree of disorder or randomness in a system which gradually declines into disorder. The universal and natural movement toward randomness of all things (including leadership behaviors) and all others/people who are to perform accordingly will occur unless firm expectations are in place—hence, State Annotated Codes, Organizational Standards, and Job Descriptions. Also, the individuals responsible for such firm expectations and accountability for compliance must set an example of compliance behaviors.

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