

Chapter Summary

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State Government

Lesson 1 *The Federal System*

- The federal government has expressed powers that are listed in the Constitution and it has implied powers that are based on statements in the Constitution. It also has inherent powers that exist for any government.
- Article IV of the Constitution limits and protects state powers. The Tenth Amendment reserves for the states all powers that are not specifically given to the federal government (reserved powers).
- Powers held by both the federal and state governments are called concurrent powers. These include the power to levy taxes, borrow money, enforce laws, and establish courts.
- Article IV of the Constitution makes the Constitution and federal law the supreme law of the land (supremacy clause).
- Each state has its own constitution. Florida's first constitution, written in 1838, declared rights for only free white men and banned laws that would emancipate slaves.
- Florida's current constitution has been in effect since 1968. Article 1 states that all people are equal before the law. It guarantees free speech, free press, and free assembly. It also includes the rights of crime victims, a taxpayer bill, and a provision defining marriage.
- The remaining articles of Florida's constitution include provisions that define state boundaries, declare English Florida's official language, protect natural resources, define local governments, create the public school system, and explain how to amend the constitution.

Lesson 2 *State Legislative Branch*

- All state legislatures are bicameral except for Nebraska's, which is unicameral. Each state calls its upper house the senate, and many call their lower houses the house of representatives.
- Terms, salaries, presiding officers, and minimum ages of lawmakers vary from state to state.

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Lesson 2 *State Legislative Branch, Cont.*

- Each lawmaker represents a legislative district. Districts must be roughly equal in population size. Boundaries are reviewed and redrawn every ten years (redistricting) based on a federal census.
- The legislator's main job is to pass laws. The lawmaking process for states is similar to the federal government.
- After state lawmakers introduce a bill, it is sent to committees for approval. Then it is sent to the full house for a vote. Finally, the bill is sent to the other house for the same process. After both houses approve a bill, the governor signs or vetoes it.
- A legislative referendum asks voters to approve a law or constitutional amendment.
- In many states, citizens who object to a law can ask for a popular referendum to repeal it.
- States get income from income taxes and sales taxes, as well as from licensing and use fees.
- State expenses include health care, education, benefits to the poor, roads, police protection, and upkeep of parks.
- State budgets must be balanced. This means they cannot spend more than their revenue.

Lesson 3 *State Executive Branch*

- A state governor is the chief state executive who assures that state laws are carried out properly.
- Rules regarding the governor's minimum age, residency, term limits, and powers vary from state to state.
- The governor's executive duties include writing the state budget, approving laws, reporting on the condition of the state, and appointing people to state offices.
- The governor's judicial powers include appointing judges and granting pardons, paroles, and commuted sentences to criminals.
- In most states, a lieutenant governor is next in line to lead the state should something happen to the governor.

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Lesson 3 *State Executive Branch, Cont.*

- State executive departments are run by elected officials. These include secretary of state, attorney general, state treasurer, state auditor, and commissioner of education.
- Most states gather department heads into a cabinet that meets with the governor on a regular basis to share information and give advice.

Lesson 4 *State Judicial Branch*

- Every state has two sets of courts, known as lower courts and higher courts.
- The lower state courts handle civil trials that involve small sums of money. They also handle simple criminal trials. These courts are often known as justice courts, district courts, or municipal courts.
- The higher state courts are trial courts or appellate courts
- Higher-level trial courts handle serious crimes, or felonies, and the most serious civil cases, such as those involving huge sums of money.
- Appellate courts handle appeals from lower court trials.
- Most states have two levels of appellate courts. These are the intermediate courts and the state supreme court. In the intermediate courts, a group of judges hears cases. They may let a lower court ruling stand, or they may overturn it. The supreme court hears cases appealed from the intermediate courts. They are the final appeal within the state.
- State court cases that involve constitutional rights may be appealed to the U.S. Supreme Court.
- Judges should be free of bias, independent, and knowledgeable about the law.
- Some judges are elected and some are appointed by elected officials. Depending on the court, a judge can serve for a few years or as many as ten.