

Warmup



How much power should State government have?

- A.** The Tenth Amendment describes the division of powers between the Federal Government and the States.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

— Tenth Amendment to the U.S. Constitution

In your own words, explain the meaning of this amendment and why you think the Framers added it to the Constitution.

- B.** Think about State and local government in your State. What do you think it would be like if there was no State government—just national and local governments? What would it be like if there was only a State government and no federal or local governments? Would citizens' needs still be met in either case? Explain, using specific examples to support your opinions.

Exploration

I. State Constitutions

➔ Find Out

- A.** Like the U.S. Constitution, all State constitutions include a bill of rights based on popular sovereignty and limited government. The writers of these documents wanted to ensure that the government was under the control of the citizens, and not the reverse. Study a copy of your State's constitution. In the chart below list at least ten provisions that limit the power of the State and protect popular sovereignty.

My State's Constitution

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

- B.** How is the constitution amended in your State? Describe the process(es) here.

What Do You Think?

- C.** How well do you think your State's constitution and amendment processes limit the State's power and protect your rights as a citizen?

II. State Legislature

➔ Find Out

- A.** A State legislature has all powers that (1) the State constitution does not grant exclusively to the executive or judicial branches or to local governments and (2) that neither the State constitution nor the U.S. Constitution denies to it. Using your print or online textbook and your State's constitution, fill in the chart by listing some of the main powers of your State's legislature.

Powers of the State Legislature	
Lawmaking Powers	Non-lawmaking Powers

- B.** What is the *police power*? Give at least three examples of how State legislatures use this power.

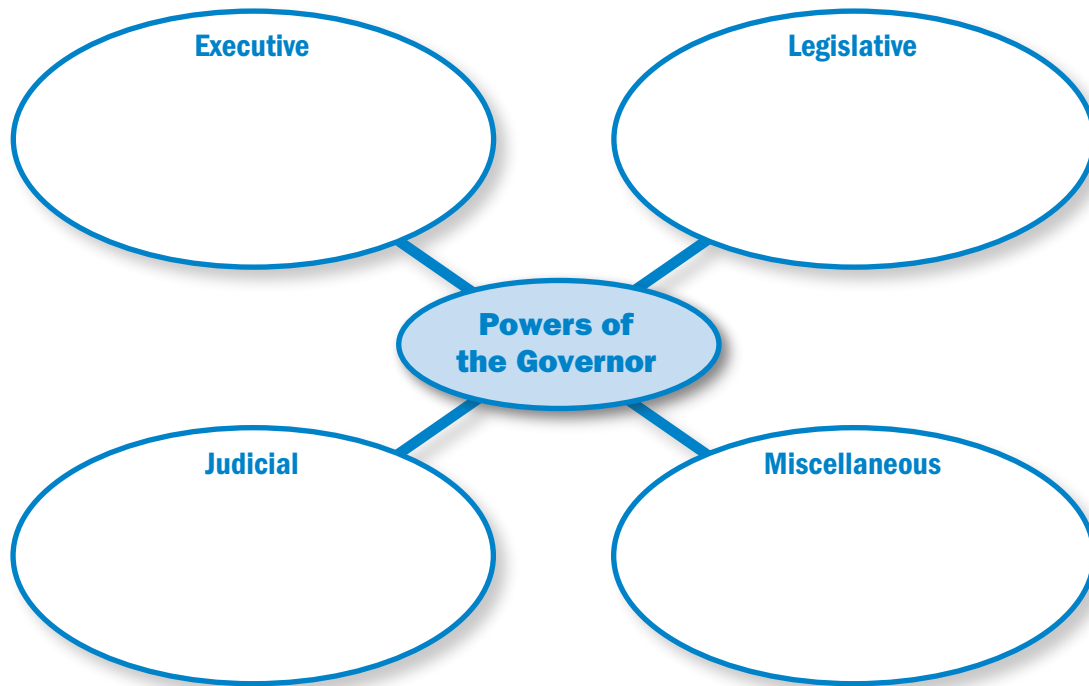
What Do You Think?

- C.** Why do you think that the police power is considered the most important power of State legislatures? Why do you think the Framers of the U.S. Constitution reserved this power to the States and not to the National Government?

III. Powers of the State Governor

➔ Find Out

A. Using your print or online textbook, your State's constitution, and your knowledge of government, complete the concept web to list the powers of your State's governor.



👤 What Do You Think?

B. Of the powers you recorded above, which three do you think are the most important to a State governor? Why?

Power 1: _____

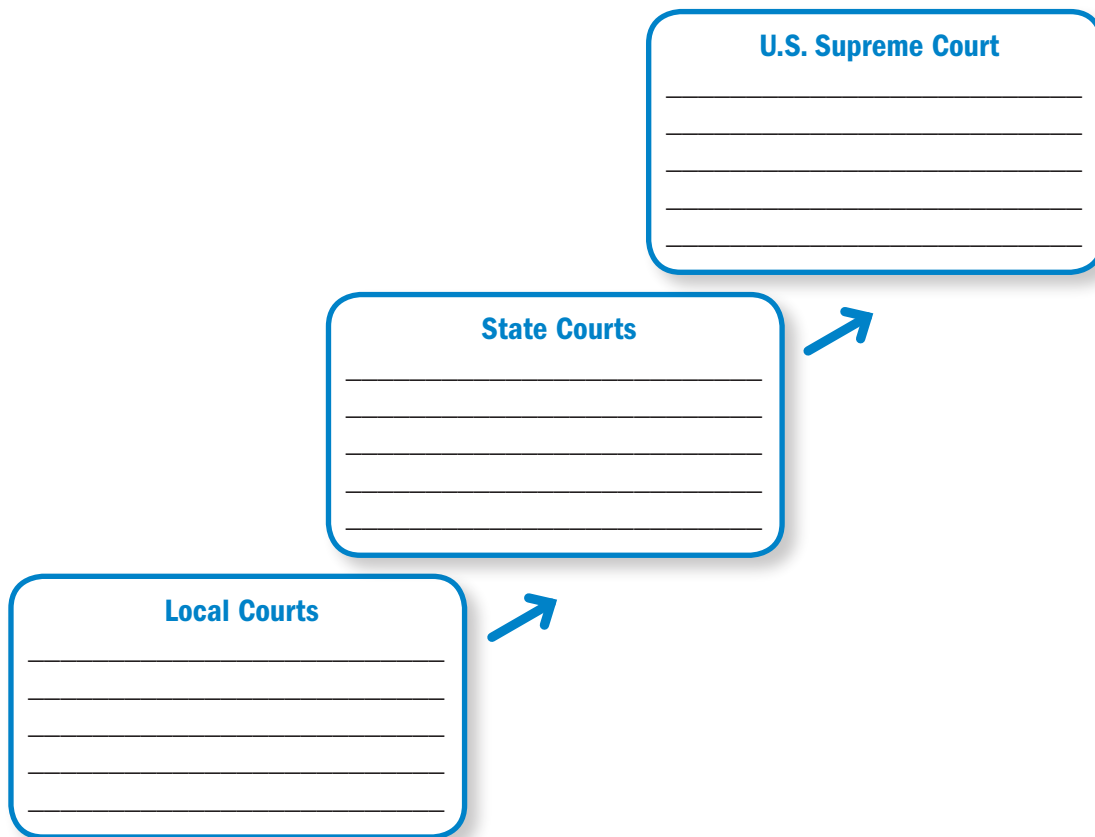
Power 2: _____

Power 3: _____

IV. Courts and the Law

➔ Find Out

- A.** Using your print or online textbook and your knowledge of government, complete the flowchart to show the levels of courts in the United States from local courts to the U.S. Supreme Court. Then describe the main jurisdiction or duties of each level. (There may be more or fewer steps, depending on your community and State.)



- B.** Read Article VI, Clause 2 of the U.S. Constitution—the Supremacy Clause. Then write a summary of the clause in your own words below.

What Do You Think?

- C.** Why do you think that State law is always subordinate to federal law? What would happen if the States could make laws that contradicted the U.S. Constitution?

Apply What You've Learned Activity

What do members of your State government think about its effectiveness? Use this worksheet to answer the Apply What You've Learned questions in your print or online textbook. Interview a legislator, legislative aid, or member of the State government. Use the table below to summarize the responses you receive in preparation for completing the Essential Question Assessment.

How does State government most directly affect people's lives?	<hr/> <hr/> <hr/> <hr/>
Is State government as responsive to voters as it should be?	<hr/> <hr/> <hr/> <hr/>
If you could change the structure of State government what would you do?	<hr/> <hr/> <hr/> <hr/>

A. Based on the answers to your interview questions, what you learned from this chapter, and your prior knowledge, list some changes to government that you think need to be made.

B. Select one of the changes from your list above, and then write a statement that describes the purpose and goals of your proposed amendment.

Essay



How much power should State government have?

What the balance of power should be between the Federal Government and the States has been debated since before the U.S. Constitution existed. This issue was a major concern to the Framers; later, arguments about State versus Federal power led to civil war. The debate continues today. Consider the historic and modern views on this issue, below.

The constitution should be so formed as not to swallow up the state governments: the general government ought to be confined to certain national object[ive]s; and the states should retain such powers, as concern their own internal [welfare].”

— Delegate at the New York State Constitutional Convention, 1789

Only a few years ago, the Supreme Court appeared to be on the verge of gravely altering the balance of power between the federal government and the states . . . if taken too far, the reinvigoration of state-level power threatened to encumber the federal government in such critical areas as civil rights and environmental protection.”

— Excerpt from “States’ Rights Revision,” The Washington Post, July 13, 2004



What Do You Think?

What is your opinion? Write a response to the Essential Question, **How much power should State government have?** Consider your thoughts on the quotations above, the Guiding Questions in your textbook, and the activities you have completed in your Journal. See page 219 for a rubric for writing an Essential Question essay.



Don't Forget

Your answer to this question will help you think about the Unit 7 Essential Question: **What is the right balance of local, State, and federal government?**