

State Government

Chapter 8 section 1 pages 196-202

Division of Powers

- The US Government is based on a division of powers
 - At the federal level it is divided between the 3 branches of government
 - The federal government also shares its powers with state governments
- The federal government is given the power that effects all US citizens
- State governments are given powers that effect only the people living in that state



Reserved State Powers

- The 10th amendment of the constitution reserves any power not listed in the constitution for the state
- State laws deal with:
 - Health
 - Safety
 - Regulation of business within its borders



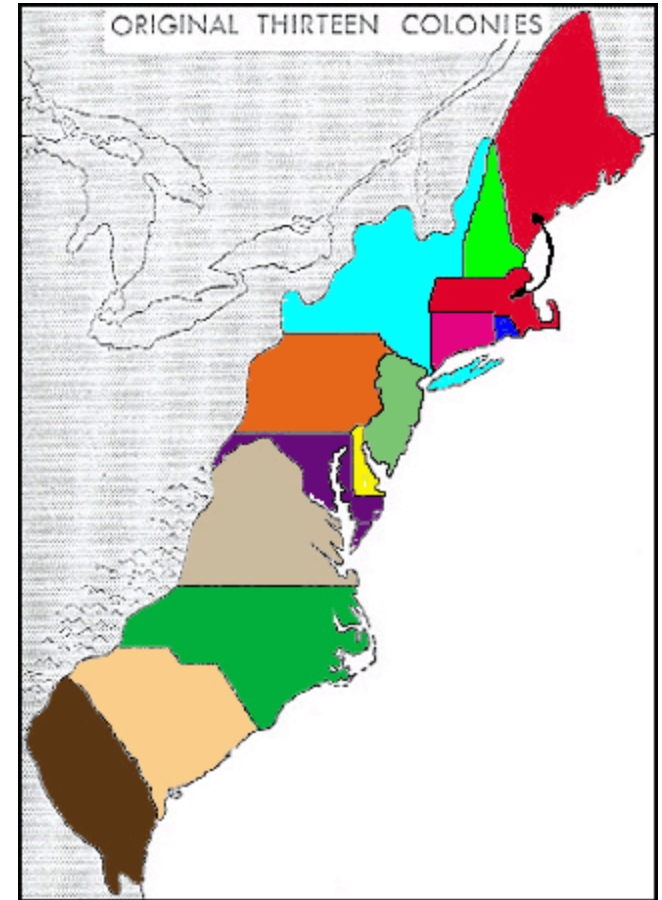
Concurrent Powers

- States also share powers with the federal government these powers are called **concurrent powers**
- The power of taxation is a concurrent power: because both the state and federal governments impose taxes on its residents



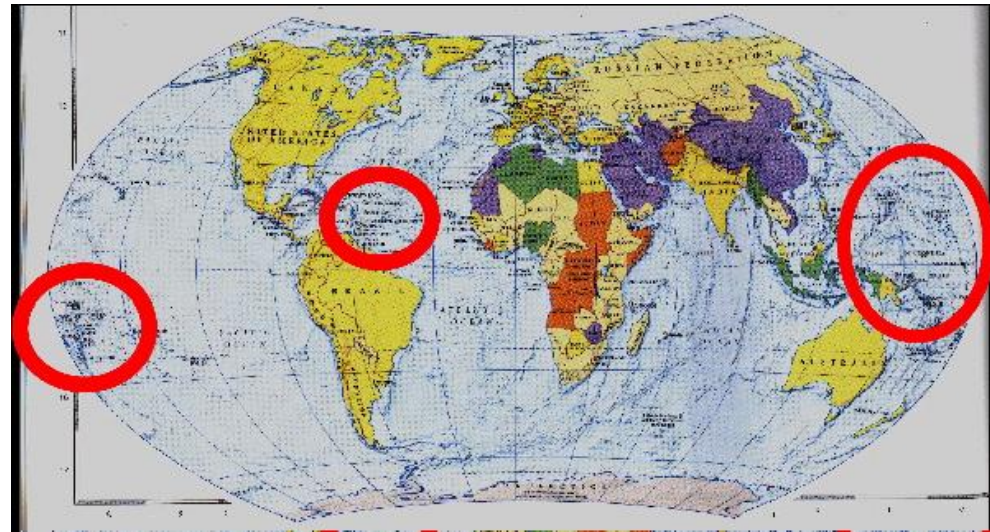
From 13 to 50 states

- The 13 original states became part of the united states when they approved the constitution
- States that joined later had to apply
- Most of these states were once territories- a **territory** is an area governed by the united states that is eligible to become a state



US Territories

- The US has admitted 37 states since it became a country and could still admit more
- US territories that exist today include:
 - Puerto Rico
 - Guam
 - American Samoa
 - The US Virgin Islands



State Constitutions

- Each of the US States has a constitution which include:
 - A Preamble
 - A Bill of Rights
 - An Outline of the organization of their government
 - Provisions for elections
 - Provisions for managing state affairs
 - Methods of amending (changing) the constitution

States Working Together

- In Joining the union states agree to work together in harmony
- The **Full Faith and Credit Clause** ensures that each state will accept the decisions of civil courts in other states
- **Extradition**- is a method of returning citizens from one state to a state in which they have committed a crime

The States and the Federal Government

- For the federal system to work all 50 states and the federal government must cooperate
- Each state has to have a republican form of government
- The federal government must help each state put down “domestic violence” within its borders
- The federal and state government share in the cost of providing services for its residents

State Government

Sections 2 and 3

State Legislator

- 49 states have a **Bicameral** (2 house) legislature only Nebraska has a **unicameral** (one house) legislature
- State legislatures meet in regular sessions every year
- These meetings are where decisions are made to pass laws or begin projects that will effect the residents of that state

Passing state laws

- Passing laws in the state government is similar to passing them in the federal government: there are certain steps it must take:
 - Bill is introduced
 - Bill is sent to a committee
 - Bill reaches the Floor
 - Bill is sent to the second house
 - Bill is sent to a joint conference committee
 - The Bill is sent to the Governor

Citizen action

- Citizens have the ability to be more involved with the state government than the federal government
 - **Initiative**- citizens ability to start new legislation
 - To start and initiative citizens must have a petition, if enough people sign it, that law will be on the ballot during the next election to be voted on this is called **proposition**
 - Allowing the citizens to vote on a law before giving it to the legislature is called **referendum**
 - If the citizens do not like their representative they can remove them from office with a **recall**

State Executive Branch

- The person in charge of the executive branch of a state is called the **Governor**

Powers and duties of governor

- **Chief Legislature:** the Governor has the ability to approve or veto proposed laws
 - **executive orders-** orders that set up a method of enforcing laws
- **Chief executive-** in most states the governors most important job is drawing up a budget
- **Political Party leader-** the governor is in charge of their political party in their state

Other state Executive officials

- Just like the federal government the state has people in charge of executive departments:
 - Lieutenant governor
 - Secretary of state
 - Attorney general
 - State treasurer
 - State auditor
 - Superintendent of public instruction

State Courts

Chapter 8 section 4 pages 215-219

The work of the state courts

- Both federal and state courts handle 2 different types of law cases:
 - **Criminal cases** deal with violations of the law
 - **Civil cases** deal with disputes between individuals, businesses, and the government
- In a civil case the person or company filing complaint (suit) is the **Plaintiff**

Organization of courts

- **Lower courts-** hear minor cases
 - in small towns these judges are referred to as **justice of the peace**
 - In large cities they are called **municipal courts** and are often divided into smaller courts that handle specific types of cases
- **General trial courts-** hear major criminal and civil cases (most include a jury)
- **Appeals court-** hears cases where an individual does not believe they received a fair trial the first time
- **State supreme court-** are usually the highest court in the state and hears mostly appeals

Over crowded courts

- There have been many proposals for reform of the state court system because:
 - They are often over burdened and sometimes up to a year behind schedule
 - Jails are over crowded with people awaiting trial
 - This is a problem because many courts cannot fulfill the constitutional obligation to a speedy trial