**CHAPTER EIGHT: STATE GOVERNMENT**

**8.1 The Federal System**

* A **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** is when the central government and the states **\_\_\_\_\_\_** power.
* State and federal power is limited in a federal system.
* The ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** says that state law must give way to federal law.
* States are protected by the **\_\_\_\_\_\_\_\_\_\_\_\_\_**in several ways.
* No state can be divided or merged with another one without its permission.
* States have the right to maintain a militia- a military force called the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***.*
* The governor of a state can call on the National Guard in local emergencies.
* The Constitution identifies what state governments are not **\_\_\_\_\_\_\_\_\_\_\_\_**to do.
* States are forbidden to:
  + Make **\_\_\_\_\_\_\_\_\_\_\_** with foreign nations
  + **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
  + Keep an **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** in peacetime
  + Issue, or coin, their own **\_\_\_\_\_\_\_\_\_**
  + Impose **\_\_\_\_\_\_\_** on imports
* The 10th amendment says powers not listed in the Constitution are reserved for the **\_\_\_\_\_\_\_\_**; these powers are called **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.
* Each state is responsible for the **\_\_\_\_\_\_\_\_\_\_\_\_***,* ***\_\_\_\_\_\_\_\_\_****,* and**\_\_\_\_\_\_\_\_\_** of its citizens.
* States organize local governments for counties, cities, and towns.
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**are shared by state and federal governments.
  + For example, both may **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**and**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.
* Both state and federal governments **\_\_\_\_\_** a variety of programs.
  + Usually the federal government provides **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**(awards for money) to the states to help them pay for some of their programs.
  + States must follow rules set by \_\_\_\_\_\_\_\_\_\_ in order to receive grants
* **\_\_\_\_\_\_\_\_** have different constitutions because of their different beliefs about government
* State constitutions are similar in that they all have **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** between legislative, executive and judicial.
* State constitutions also have their own **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** .
  + They included most of the Bill of Rights of the U.S. Constitution and others such as workers’ right to join unions.
* Florida’s Bill of Rights are found in Article 1 and are referred to as **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***.*
* "Laws that promote the common good"- laws are created to protect **\_\_\_\_\_\_\_** and their communities.
* State constitutions also establish different types of **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***,* including counties, townships, and municipalities.
* States also can establish independent state agencies, boards, and commissions such as **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***.*

Venn Diagram: Compare and Contrast

*National Government State Government*

*Concurrent Powers*

**8.2 The State Legislative Branch**

* Most every state has a **\_\_\_\_\_\_\_\_\_\_\_** (two house) legislature, which includes the **\_\_\_\_\_\_\_\_**, and the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.
* Nebraska is the only state with a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (one house) legislature.
* Usually, like in Florida, state senators have **\_\_\_\_\_\_\_\_\_\_\_\_** terms and representatives have **\_\_\_\_\_\_\_\_\_\_** terms. After 8 years in Florida, they can sit out for one term and then can be re-elected back to office.
* Qualifications for state legislators:
  + **\_\_\_\_\_\_\_\_\_\_\_\_** Citizens
  + Live in the **\_\_\_\_\_\_\_\_\_\_\_** they represent
  + Must be at least **\_\_\_\_\_\_\_\_\_\_\_\_\_**
  + Live in Florida for at least 2 years.
* The main job of the state legislature is to make laws, which are called **\_\_\_\_\_\_\_\_\_\_.**
* The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**directs business in the House of Representatives.
* The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**or a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** directs the state senate. In Florida, the Senate President is elected among the State Senators.
* The Speaker of the Florida House of Representatives is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.
* The President of the Florida Senate is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.
* Ideas for **\_\_\_\_\_\_\_\_\_\_** come from the governor, the executive branch, interest groups, individuals, and the legislatures themselves.
* State legislatures have various **\_\_\_\_\_\_\_\_\_\_\_\_\_**similar to Congress.
* The committees **\_\_\_\_\_\_\_\_\_\_\_\_\_***,* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_***, and* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.
* Both **\_\_\_\_\_\_\_\_\_\_\_**must approve a bill and the **\_\_\_\_\_\_\_\_\_** must sign it before it becomes a law. The Governor can also veto a bill.
* In addition to creating bills and passing statutes, our legislature also has the power to **\_\_\_\_\_\_\_** our constitution.
* There are **\_\_\_\_\_\_\_\_\_** ways that the Florida Constitution can be amended.
  + Ballot Initiative Process
  + Constitutional Convention
  + Constitutional Revision Commission
  + Legislative Joint Resolution
  + Taxation and Budget Reform Commission
* It is much **\_\_\_\_\_\_\_\_\_\_** to amend the Florida Constitution than the US Constitution.
* In most states, legislatures draw boundary lines for each congressional election district.
* Both houses must be **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (divided) by districts based on equal population.

**8.3 The State Executive Branch**

* Every state government has an **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** led by the governor (chief executive)
* The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**identifies the qualifications for its governor.
* In most states, a governor must be…
  + An **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Citizen
  + At least **\_\_\_\_\_\_\_\_\_\_\_\_**
  + Reside in the state for at least **\_\_\_\_\_\_\_\_\_\_\_**
* The governor is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** by the voters of their state.
* Most governors serve **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** terms. In Florida they can serve two 4 year terms and then they must sit out for one term before running for re-election.
* Florida’s Governor is **\_\_\_\_\_\_\_\_\_\_\_\_\_***.*
* Powers and duties of the Governor:

*1.* Carrying out **\_\_\_\_\_\_\_\_\_\_\_\_**

*2.* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** new laws

*3.* Prepares the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*4.* The power to **\_\_\_\_\_\_\_\_\_** bills the state legislature has passed

* Governors can veto (eliminate) only part of a bill, this called **\_\_\_\_\_\_\_\_\_\_\_\_\_\_***. In Florida this can only happen if the item is a budge issue.*
* Governors have the power to grant a prisoner **\_\_\_\_\_\_\_\_\_\_\_**, an early release from prison, with certain restrictions.
* Roles similar to the U.S. President:
  + Chief **\_\_\_\_\_\_\_\_\_\_\_** of the State
  + Commander in Chief of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
  + State Party Leader
  + **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Leader of the State
  + Chief **\_\_\_\_\_\_\_\_\_\_\_** Legislature – they can propose bills to their party members in the House and Senate.
  + State **\_\_\_\_\_\_\_\_\_\_\_** Leader – they can make judicial appointments
* The governor appoints leaders of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, who **\_\_\_\_\_\_\_** them on important issues.
* The Lt. Governor has the same qualifications as the Governor. The main job of the Governor in Florida is to serve as Governor if the Governor is unable to.
* In Florida we have an elected Cabinet that works with the Governor. They meet regularly and hold equal power when making cabinet decisions. They are Attorney General, Commissioner of Agriculture, and Chief Financial Officer.

**8.4 The State Judicial Branch**

* Most states have a three-leveled system similar to the federal court system.
* Florida has a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** court system.
* The lowest courts in Florida is the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, if appealed cases move up a level to the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, the next level of appeals is the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, and the highest court is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***.*

**The Structure of the Florida Courts**

* 1. **County Courts “Lower Florida Courts”**
* A large amount of the county courts work involves disputes such as **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (minor crimes) and **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** are a type of county/local courts that handles **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,** or less serious crimes.
* Larger towns may have \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_which are run by court personnel to expedite court proceedings. (Handles cases involving teen court, traffic court, etc.)
  1. **Circuit Courts “Upper Lower Florida Courts”**
* The Circuit courts are referred to as courts of **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** because most criminal (\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) and civil cases (over $15,000) start here.
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (also known as circuit courts)** *hear* cases where defendants are accused of felonies such as murder, armed robbery, drug trafficking, and other major crimes.
* Trials in these courts may be held before a**\_\_\_\_\_\_\_\_\_**.
* It is the judge’s job to make sure the trial is conducted **\_\_\_\_\_\_\_\_** and **\_\_\_\_\_\_\_\_\_**.
  1. **District Court of Appeals “Middle Florida Courts – Courts of Review”**
* The Legislature divides the state into **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**
* There is also a district court of appeal (DCA) for each district. There are \_\_\_\_\_\_\_\_ districts in Florida.
* Their main responsibility is to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (review decisions) from lower courts.
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**review decisions made by trial courts.
* Appeals courts do not have juries.
* A **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**decides cases by a majority vote. (*Uphold, reverse, remand)*
  1. **Florida Supreme Court “Highest Florida Court”**
* The highest court in Florida - very few cases make to this court.
* The Supreme Court must review the following
  + Final orders **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
  + **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** violations
  + Orders of the Public Service Commission on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and services.
* As well, the Court can use its **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (judgment) to take cases that they wish to hear.
  + - It **\_\_\_\_\_\_\_\_\_\_\_\_** decisions of appeals courts and is responsible for **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**all courts in the state.
    - It is also the state supreme court’s job to interpret the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***.*
    - State supreme courts can have between 5 and 9 justices. Florida has \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
    - Except for cases involving the federal law, ***the decisions of the state supreme courts are final.***
    - State justices usually have longer terms of office: **\_\_\_\_\_\_ years.**
    - There are three ways state justices are selected.
      * Elected by popular vote
      * Elected by the state legislature
      * **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
    - The Florida Supreme Court Justices serve 6-year terms and are appointed by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The position of Chief Justice **\_\_\_\_\_\_\_\_\_\_**.
    - Currently, the Chief Justice of the Florida Supreme Court is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**The Florida State Constitution**

* Comes from the **people** rather than the Legislature
* It sets up rules and basic rights as the framework for state laws

Florida law touches every aspect of **daily life.**

* Where and how we build our houses
* Our safety and health
* The taxes we pay
* Our ability to vote and participate in government
* The quality of our air, water, roads and environment

Structure of the Florida Constitution

* ­­­­­­­­­­­­­**Twelve** Articles
* Sections that deal with different subjects
* Together they outline the state government and citizens' rights

**What the differences between the US Constitution and the Florida Constitution?**

|  |  |
| --- | --- |
| US Constitution:   * The ­­**shorter** of the two. * 7 Articles * 1 (large) page. * 27 Amendments | Florida Constitution:   * The **lengthier** of the two. * 12 Articles * 80 pages * MANY Amendments |

**What are the differences between the US Government and the Florida Government?**

|  |  |
| --- | --- |
| US Government:   * There are three branches * Legislative Branch   + US Congress * Executive Branch:   + President * Judicial Branch:   + US Supreme Court | Florida Government:   * There are three branches * Legislative Branch:   + State House and Senate * Executive Branch:   + Governor   + State agencies * Judicial Branch:   + County Courts, Circuit Courts, Appeal Court, and Florida Supreme Court |

**What are specific topics that each level of government addresses?**

|  |  |
| --- | --- |
| US Government:   * More Generalized, leaves a lot to be determined by Congress later. * Contains Supremacy clause! Which Article? **Six** | Florida Government:   * Addresses public education, motor vehicles, and elections * Deals with **day-to-day** issues that citizens of the state may be involved in. |