

UNIT 3

STATE AND LOCAL GOVERNMENT

CHAPTER 8

State Government

CHAPTER 9

Local Government



This Uncle Sam postcard celebrates the Fourth of July.



FLORIDA...

The Story Continues

CHAPTER 8, State Government

PLACES

1838: Florida state government adopts its first constitution.

Under its first constitution, Florida created a government with three branches. The executive branch is responsible for enforcing Florida's laws. The governor is the head of this branch. The legislative branch is made up of the House of Representatives and the Senate. State representatives and senators are elected by voters to create the state's laws. The judicial branch consists of the state's courts, where judges apply the laws.

PLACES

1916: The Florida Department of Transportation operates rest areas for drivers.

Since 1916 the Florida Department of Transportation has been responsible for keeping drivers safe. Today millions of people drive on the state's busy interstate highways. To make their rides more comfortable, the Department of Transportation maintains 53 rest areas, which are open 24 hours a day, every day. They provide travelers with rest rooms, vending machines, pet walks, telephones, and picnic areas.

PEOPLE

1983: Carrie Meek is the first African-American woman elected to the Florida Senate.

Carrie Pittman Meek (1926–) has spent a lifetime working for the people of Florida in the classroom and in government. After decades of teaching, she was elected state representative in 1979. She served until 1983 when she became the first African-American woman state senator. In 1992, Meek was inducted into the Florida Women's Hall of Fame. A year later, Florida voters elected her to the U.S. House of Representatives. She served there until 2002.

EVENTS**2000: Federal and state legislatures preserve the Everglades.**

For much of the twentieth century, thousands of miles of the Everglades were drained and converted into land for building and farming. These changes disrupted the water's natural flow. They affected animals and plants. Beginning in the 1950s, conservationists like Marjory Stoneman Douglas (1890–1998) called on state and federal governments to protect the Everglades. In 2000 the U.S. Congress passed a plan for restoring the Everglades so that nature and Florida's farmers and businesses can thrive.

EVENTS**1996: The Florida Channel broadcasts government in action.**

In order to involve Florida citizens in the process of government, the state legislature and WFSU-TV developed the Florida Channel. It airs live broadcasts of legislative sessions, with no interruptions or commentary. The channel also produces several news, documentary,

and human-interest programs. In 1997, the Florida Channel began showing arguments from the floor of Florida Supreme Court.

PEOPLE**1845: Floridians elect their first governor.**

William Dunn Moseley (1795–1863) was born in North Carolina. He moved to Florida in 1836. Moseley then served in Florida's Territorial House of Representatives and in the Territorial Senate. As Florida's first governor, Moseley was responsible for setting up the new state's government.



Unpacking the Florida Standards <...>

Read the following to learn what this standard says and what it means. See FL8-FL20 to unpack all the other standards related to this chapter.

Benchmark LA.7.1.6.2 The student will listen to, read, and discuss familiar and conceptually challenging text.

What does it mean?

Practice using listening, reading, and speaking skills to understand new ideas and challenging material. Go to the Reading Skills, Civics Skills, Section Assessment, and Chapter Review pages that appear in each chapter for help.



CHAPTER 8

STATE GOVERNMENT

Essential Question How do state governments work in the federal system? How do state governments serve the needs of their citizens?



Florida Next Generation Sunshine State Standards

SS.7.C.2.3 Experience the responsibilities of citizens at the local, state, or federal levels. **SS.7.C.2.13** Examine multiple perspectives on public and current issues. **SS.7.C.3.4** Identify the relationship and division of powers between the federal government and state governments. **SS.7.C.3.9** Illustrate the law making process at the local, state, and federal levels. **SS.7.C.3.11** Diagram the levels, functions, and powers of courts at the state and federal levels. **SS.7.C.3.12** Analyze the significance and outcomes of landmark Supreme Court cases including, but not limited to, *Marbury v. Madison*, *Plessy v. Ferguson*, *Brown v. Board of Education*, *Gideon v. Wainwright*, *Miranda v. Arizona*, *in re Gault*, *Tinker v. Des Moines*, *Hazelwood v. Kuhlmeier*, *United States v. Nixon*, and *Bush v. Gore*. **SS.7.C.3.13** Compare the constitutions of the United States and Florida. **SS.7.C.3.14** Differentiate between local, state, and federal governments' obligations and services. **LA.7.1.6.1** The student will use new vocabulary that is introduced and taught directly. **LA.7.1.6.2** The student will listen to, read, and discuss familiar and conceptually challenging text. **LA.7.1.7.1** The student will use background knowledge of subject and related content areas, prereading strategies, graphic representations, and knowledge of text structure to make and confirm complex predictions of content, purpose, and organization of a reading selection.



WHY CIVICS Matters

State governments provide many services to you and other citizens of your state, such as building highways and creating beautiful recreation areas. As an active citizen, you have a duty to be aware of how your state government spends your tax dollars.

PROJECT Citizen



FLORIDA

STUDENTS TAKE ACTION

STOPPING DRUG SALES What if you learned that a gang was selling drugs down the street from your school or your church? What could you do to get your state government to solve the problem? As you read this chapter, think of actions you and your friends could take to make your street safe again.

FOCUS ON WRITING

BIOGRAPHICAL SKETCH In this chapter you will learn about the powers and the parts of state government. Read the chapter, and then write a two-page biographical sketch of someone important, either past or present, to your state's government.

Reading Skills

In this chapter you will read about the powers that the Tenth Amendment guarantees to state governments. You will learn what powers the states and federal government share. You will read about state lawmaking bodies and how

they are organized. You will also learn how state laws are made, and how the executive branches of state governments enforce those laws. Finally, you will learn about the state court system and what kinds of cases it handles.

Using Primary Sources

FOCUS ON READING

As you know from experience, second-hand information isn't always reliable. When you want to know what really happened, you need to talk to someone who was there. You need a primary source.

Primary Sources Primary sources can help you understand what a political candidate or government official said, did, or meant. A primary source is a document from someone who witnessed or took part in an event. Primary sources can be written documents, such as government records or letters. They can also be photographs, speeches, or even songs.

Identify the source's background. Understand who wrote the source and the conditions under which it was written. Ask yourself if the author is biased in some way.

Read the source. Read the source several times until you are confident you understand its meaning. Be sure to identify all facts. Note any statements that give you insight into the opinions of the author.

Draw conclusions. Use your careful reading of the source to draw conclusions about the topic or event discussed.

Helpful Hints for Identifying Primary Sources

1. To determine if something is a primary source, ask yourself when it was created. Primary sources are those that were created around the time of the event they describe.
2. Primary sources include speeches, diaries, letters, and photographs. They provide information about the event and give you glimpses of the attitudes, feelings, and concerns of the people involved.

You Try It!

The primary source on this page is part of North Carolina governor Michael F. Easley's 2001 State of the State address. Read the source and then answer the questions below.

"I am proud to stand here before you tonight—at the beginning of a bright new age for North Carolina. We leave behind a decade that will long be remembered as one of the most rewarding in our history . . . The people of North Carolina rallied together like never before—for our schools, for our communities, for our families.

I want to personally thank you for putting people first and putting party differences aside. Good government is not about Democrats and Republicans. It is about children, seniors and working families. You put them first . . .

You are the first Legislature of the new century. You have a chance to be remembered as the group that brought sustained progress to North Carolina. You have a chance to make history and be remembered for it . . . Any state can make progress in good times. It's the great states that make progress in tough times."

After you have read the passage, answer the following questions.

1. Why might Easley's speech be a good source of information about the level of cooperation between Democrats and Republicans?
2. Imagine that in the week following the speech, you read a letter to the editor that contained the following comments:

"Governor Easley's speech showed that he does not appreciate the hard work the legislature has done to improve our state."

Is this primary source reliable and accurate? Why or why not?

As you read Chapter 8, notice what primary sources are used. Ask yourself if you think the text is a reliable secondary source.

KEY TERMS

Chapter 8

Section 1

delegated powers (p. 202)
reserved powers (p. 202)
concurrent powers (p. 203)
full faith and credit clause (p. 205)
extradition (p. 205)

Section 2

bicameral (p. 207)
unicameral (p. 207)
constituents (p. 211)
initiative (p. 211)
referendum (p. 211)
recall (p. 211)

Section 3

governor (p. 213)
patronage (p. 215)
lieutenant governor (p. 215)

Section 4

penal code (p. 217)
Missouri Plan (p. 220)

Academic Vocabulary

Success in school is related to knowing academic vocabulary—the words that are frequently used in school assignments and discussions. In this chapter, you will learn the following academic word:

develop (p. 211)

SECTION 1



SS.7.C.2.13; SS.7.C.3.4; SS.7.C.3.13; SS.7.C.3.14; LA.7.1.6.1; LA.7.1.7.1

The States

BEFORE YOU READ

The Main Idea

In the United States, all 50 independent states fit together to form one country. The federal system allows state governments to serve the needs of their citizens while cooperating as a united country.

Reading Focus

1. What powers do state governments have?
2. How do states work together with other states and with the national government in our federal system?

Key Terms

delegated powers, *p. 202*
reserved powers, *p. 202*
concurrent powers, *p. 203*
full faith and credit clause, *p. 205*
extradition, *p. 205*



Use the graphic organizer online to take notes on the powers of state government and how state governments work in our federal system.



For a few years after they won their independence, the 13 states acted like small, separate countries. Then they joined together under an agreement called the Constitution, which established the rules of the new country. Under the Constitution, the states set aside some of their own rights and powers for the good of the whole country. Those powers went to the new national government. The states, however, kept some of their powers.

State Government Powers

When the 13 states ratified the Constitution and agreed to come together as one country, they did not want to hand too much power over to the federal government. Instead, they chose a federal system that divides government powers between the federal and state governments. Some powers—**delegated powers**—were given to the federal government. Those powers include conducting foreign policy, printing money, maintaining a post office, and defending the country. Some powers were granted exclusively to the states, while other powers are shared by state and federal governments.

Powers Reserved to the States

The states kept control over more local concerns. The Tenth Amendment of the U.S. Constitution says any power not delegated to the federal government belongs to the people and the states. These powers are known as **reserved powers**.

Reserved powers allow state governments to establish rules for the health, safety, and welfare of the citizens of their states. For example, states are responsible for rules concerning marriage, driving laws, and traffic regulations. States also maintain education systems. The Constitution, however, requires that state laws meet appropriate federal standards and adhere to Supreme Court rulings.

Another reserved power of the state is to conduct all local, state, and national elections. States decide most of the qualifications for voting not otherwise specified in the U.S. Constitution. In addition, state governments have control over all governments within their boundaries—districts, cities, towns, townships, and counties. Local governments receive their powers from the states.

SS.7.C.3.14
Differentiate between local, state, and federal governments' obligations and services.

Schools and the Lottery

Education is expensive. Every day in school, you use many resources: computers, science equipment, and sports gear. Your school also employs many people, such as teachers, nurses, and maintenance staff. Where does the money to pay for everything come from?

Why it Matters

Education is funded at many levels: the local, state, and federal. Most of the money used for school funding comes from taxes. Some states, though, have looked for other ways to raise money. One way used by many states is a lottery. People buy lottery tickets that give them a very small chance to win lots of money. People who support lottery funding say that everyone has to pay taxes, but playing the lottery is a choice. Other people think lotteries are not fair because people who earn less money are more likely to play the lottery. In 2005, 41 states, Washington, D.C., and Puerto Rico had lotteries, and at least 25 states used some of the money specifically for education. Some states also raise education money through slot machines.



In some states, like Florida, lottery money goes to help fund education.

ANALYSIS SKILL

EVALUATING THE LAW

1. Is it fair that everyone should pay taxes to fund schools? Why or why not?
2. What is your opinion about using lotteries and slot machines to pay for education?

hmhsocialstudies.com ACTIVITY

Concurrent Powers

Some government powers are shared by both state and federal governments. These shared powers are called **concurrent powers**. For example, taxation is a concurrent power. Both the federal government and the state governments can tax their citizens. The national government taxes U.S. citizens through federal income taxes. State governments may raise money with sales taxes, income taxes, and property taxes. The money raised through state taxes pays for state services such as education, highways, and health and safety programs.

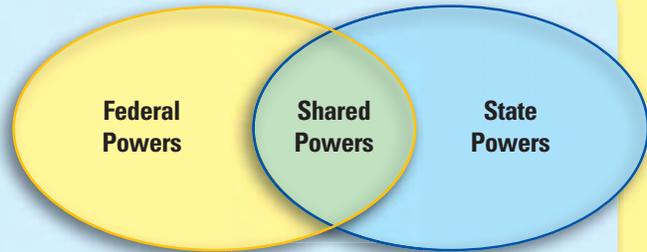
Another important concurrent, or shared, power is making and enforcing laws. Similar to the national government, state governments have legislatures that propose and pass new laws. Most states also have a state police force that helps to enforce those laws and to keep the states safe.

Other concurrent powers used by the states are the establishment of state and local court systems and the power to borrow and spend money. Without these concurrent powers, states would be unable to carry out their day-to-day business.

Powers of the State

QUICK FACTS

The U.S. Constitution established a federal system in which powers are divided between the national and state governments. Some powers are granted exclusively to the states, while others are shared with the national government.



State Powers

- Establish and maintain schools
- Establish local governments
- Regulate business within the state
- Make marriage laws
- Provide for public safety
- Oversee elections
- Assume other powers not delegated to the national government nor prohibited to the states

Shared Powers

- Maintain law and order
- Levy taxes
- Borrow money
- Charter banks
- Establish courts
- Oversee public health and safety
- Enforce laws

Election Oversight



Federal elections, like the presidential election, are organized and monitored by the states, not the federal government.

States alone have the power to conduct elections. State election boards are responsible for organizing all federal and state elections.

Levy Taxes

Employee ID 5568292 Earnings Statement	Chuck's Burgers 'n Shakes 9874 Springhill Pond Road Mistletoe, OH 45342-0000	Period Ending: 06/30/2005	2804
Advice Date: 06/30/2005		Advice Number: 647623	
FEDERAL	STATE - OH	LOCAL	
Marital Status: Single	Single	Single	
Exemptions/Allowances: 1	1	1	
Add'l Amount: 0	0	0	
Add'l Percent: 0	0	0	
Van Landingham, Anita C	Section 1 - Earnings	GROSS PAY	
1742 Gayston Dr.	Rate 8.50	170.00	
Mistletoe, OH 45342-0000	Hours 20		
	Current 170.00		
	YTD 680.00		
Section 2 - Tax Deductions	Federal Tax	State Tax	NET PAY
SocSec/Disability 15.30	35.10	10.20	66.10
Medicare 5.50	140.40	40.80	247.60
Current 46.20			103.90
YTD 46.20			

The federal government taxes individual incomes. Most workers have federal income and Social Security taxes deducted from their regular paychecks.

State governments can also levy taxes. State taxes include property taxes, sales tax, and income taxes. Not all states, however, have income taxes.

ANALYSIS SKILL ANALYZING VISUALS

Why do you think that some powers are granted exclusively to state governments?

State Constitutions

Each of the 50 states has its own constitution. These constitutions are the rules that organize the state government. Many state constitutions contain the following elements:

- a preamble that states the basic principles on which the state government is founded;
- a bill of rights that lists the rights guaranteed to all citizens of the state;
- an outline of the organization of the state's government, with the duties of each of the branches carefully spelled out;
- provisions for elections, including qualifications that citizens must meet for voting and rules for conducting elections;
- provisions for managing state affairs, such as education, law and order, transportation, and finance; and
- methods of amending the state constitution, as well as a list of any amendments that have been passed.

States have amended their constitutions as the powers and duties of state governments changed. Alabama, for example, has amended its constitution some 800 times since it was ratified in 1901.

READING CHECK

Finding Main Ideas What powers are granted to state governments?

Our Federal System

As you have read, the U.S. Constitution establishes a federal system that divides power between the national government and the states. Some people see the federal system as two separate layers of government with different powers. In everyday practice, however, the separate layers of powers overlap and often mix. For example, the national, state, and even local governments make policies regarding education for the nation's students. States must work together on many other issues. They must work with the national government if the needs of all the people are to be met.

States Work Together

By signing the U.S. Constitution, the states agreed to cooperate with each other. Article IV, Section 1 of the U.S. Constitution states "Full faith and credit [acceptance] shall be given in each State to the public acts, records, and judicial proceedings of every other State." This passage is known as the full faith and credit clause.

The **full faith and credit clause** ensures that each state will accept the decisions of civil courts in other states. An example of full faith and credit is the acceptance of a state's official records by the other states. For example, marriage certificates, birth certificates, wills, contracts, and property deeds issued by any one state are accepted by all other states.

States work together in other ways as well. A person who commits a crime cannot escape justice by fleeing to another state. For example, a person who steals a car in Utah and flees to Arizona can be returned to Utah for trial. This process of returning fugitives is called **extradition**.

States also cooperate on many projects. For example, a bridge that crosses a river bordering two states is built and maintained by the governments of both states. States may also join with other states in regional groups to work together to reduce water and air pollution.

States Work with the Federal Government

The states also work together with the federal government. Federal and state governments often work together to share the costs of providing a wide range of social services to the American people. For example, state and national governments cooperate to build highways, assist the unemployed, help people with low incomes, and conserve natural resources.

State and national governments also cooperate in times of crisis. After severe natural disasters, such as earthquakes, floods,

FOCUS ON

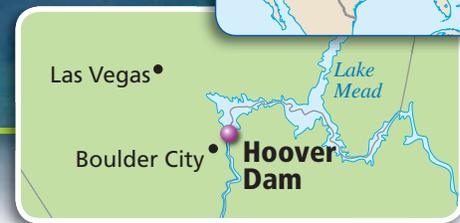


Florida's current constitution was adopted in 1968. In Article II, Section 3, it outlines the basic structure of Florida's government, which includes separate legislative, executive, and judicial branches, just like the federal government. The next three articles clarify the powers and responsibilities of each branch.

Hoover Dam

The Hoover Dam, which sits in Arizona and Nevada on the Colorado River, was built under the supervision of the federal government.

How is the Hoover Dam an example of the federal government and state governments working together?



tornadoes, and hurricanes, federal and state governments often work together to provide aid to disaster victims. For example, Hurricane Katrina devastated a large area of the U.S. Gulf Coast in 2005. President Bush announced that the federal government would work with state and local governments to help provide housing, job training, and medical aid to the victims of the hurricane.

The federal government also aids the states. For example, after the attacks of September 11, 2001, increasing security became an important issue. The cost of increasing security at airports and other facilities was too expensive for individual states. So the federal government took over the task.

READING CHECK

Drawing Inferences

Why do states cooperate with each other and the federal government?

SECTION 1 ASSESSMENT

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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Write a brief definition for the terms **delegated powers**, **reserved powers**, and **concurrent powers**.

b. Analyze Why might states amend their constitutions?

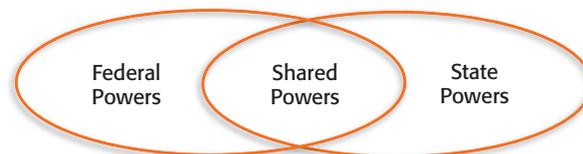
c. Evaluate Is it important for state governments to retain control of affairs within their borders? Explain your answer.
- a. Define** Write a brief definition for the terms **full faith and credit clause** and **extradition**.

b. Draw Conclusions Why do states have to follow certain federal rules?

c. Predict How might our federal system be different if states did not work together with the national government?

Critical Thinking

- Comparing and Contrasting** Use your notes and a graphic organizer like this one to identify federal, state, and shared powers.



FOCUS ON WRITING

- Making Generalizations and Predictions** Imagine that there is no full faith and credit clause and that your family intends to move to another state. In a short essay, explain how this might affect your family in your new residence.



State Legislatures

BEFORE YOU READ

The Main Idea

The process of passing state laws is similar to the process used in the U.S. Congress. In some states, citizens can take a direct role in making the state's laws.

Reading Focus

1. How are state legislatures organized to equally represent the citizens of their state?
2. How are state laws passed?
3. How do citizens participate in making state laws?

Key Terms

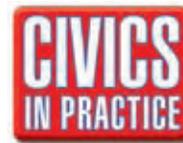
bicameral, p. 207
 unicameral, p. 207
 constituents, p. 211
 initiative, p. 211
 referendum, p. 211
 recall, p. 211

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TAKING NOTES
 Use the graphic organizer online to take notes on state legislatures, passing laws, and how citizens can participate in state government.



Most state legislatures are modeled after the U.S. Congress.

Florida state Representatives Dean Cannon and Gary Aubuchon shake hands after passing the budget.



Your state legislature, or lawmaking body, is a smaller version of Congress. State representatives and senators introduce and pass bills in the same fashion as their national counterparts. Because you and your state legislators share many of the same concerns, you have a significant influence on your state government.

State Legislatures

Although it may go by a different name in some states, every state has a state legislature, or lawmaking body. Citizens elect state lawmakers—called legislators—to pass laws on their behalf. Like members of Congress, legislators are representatives of the citizens in the states' lawmaking bodies. These lawmaking bodies are organized to represent all citizens of the state equally.

Organization

All but one of the states have legislatures divided into two houses. These are known as **bicameral** legislatures. The larger of the two houses is usually called the House of Representatives. The smaller house is known as the Senate. Only Nebraska has a **unicameral**, or one-house, legislature, called the Senate.

PRIMARY SOURCE

POLITICAL CARTOON

Public Opinion about State Legislatures

Members of the public do not always agree with the actions of their state legislatures. Unpopular legislative action often prompts public criticism. This political cartoon shows one point of view regarding state legislatures.



In this cartoon, a state legislature is represented by figures usually associated with a circus.

ANALYSIS SKILL ANALYZING POLITICAL CARTOONS

What point about the public's opinion of state legislatures is this cartoon attempting to make?

FOCUS ON

Article III, Section 1, of the Florida constitution states that the legislature is to consist "of a senate composed of one senator elected from each senatorial district and a house of representatives composed of one member elected from each representative district." According to Article III, Section 16, Florida is to be divided into between 30 and 40 senatorial districts and between 80 and 120 representative districts.

State legislatures vary greatly in size. Alaska has the smallest legislature, with 40 representatives and 20 senators. New Hampshire's legislature is the largest in the United States. It has 400 representatives and 24 senators.

These state legislatures are organized to represent all citizens of the state equally. To ensure balanced representation, the state legislature divides the state into different legislative districts. Each member of the legislature represents the people who live in a particular district of that state. Citizens of those districts elect a representative and a senator to speak for that district in the state legislature.

In the 1964 case of *Reynolds v. Sims*, the U.S. Supreme Court ruled that state election districts must be equal in population—or as equal as possible. This ruling upheld the principle of "one person, one vote." The ruling attempted to establish equal representation for all citizens. Legislatures are now required to establish election districts that are almost equal in population.

Qualifications and Terms

Because state legislators have great responsibility, each state sets certain qualifications that candidates must meet. For example, most states require that members of the state legislature be U.S. citizens. In almost all states senators and representatives must live in the district that they represent. Generally, state senators must be at least 25 years of age to hold office. Most states require state representatives to be at least 21 years old. Some states, however, have lowered the age requirement to 18 for senators and representatives.

In most states senators are elected for four years, and representatives for two years. However, in a few states both senators and representatives are elected for four-year terms. In other states senators and representatives both serve two years. The senators who serve in Nebraska's one-house legislature are elected for four-year terms.

Sixteen states now limit the number of terms for state legislators. These laws limit the number of times a legislator may be

elected to represent a district. For example, representatives in Arkansas can only serve three terms, a total of six years. Senators in Arkansas can serve only two terms, or eight years.

Compensation

The salaries and benefits received by state legislators vary widely from state to state. In Rhode Island, for example, legislators—who only serve part time—each receive \$13,089 a year. New York’s full-time legislators are among the highest paid in the country, each receiving an annual salary of \$79,500, plus \$138 a day for expenses.

Sessions and Leaders

Each state determines when its legislature meets. Most state legislatures meet in regular sessions every year. Other state legislatures meet once every two years. The California legislature has a two-year session that meets for that entire period. The North Carolina legislature holds a regular-length session in odd-numbered years and a shorter session in even-numbered years. In other states a session can last from 30 days to more than six months.

At the beginning of each session, members of the legislature choose the presiding officer and other leaders. In most states the lieutenant governor presides over the state Senate. In other states the Senate chooses its own presiding officer. Members of the lower house in all states choose their own presiding officer, usually called the speaker.

The presiding officer in each house appoints members of committees. As in the U.S. Congress, most of the work of the state legislatures is done in committees that specialize in certain areas, such as agriculture or education. The committees hold in-depth hearings on bills. These hearings allow legislators to gather information and debate bills before the bills are considered by the whole legislature.

READING CHECK **Contrasting** What are some of the different ways that state legislatures are organized?

Passing State Laws

States pass laws governing all areas within their responsibility. In recent years, states also have become responsible for programs that had been run by the national government. As a result, state legislatures have passed bills to meet these responsibilities.

The lawmaking process in state legislatures is similar to the procedure followed in Congress. As in Congress, the process starts with a bill being introduced by a member of the legislature.

A Bill Is Introduced A member of either house may introduce a bill. Once introduced, the bill is assigned a number and is sent to the appropriate committee.

The Bill Is Sent to Committee In the next phase, the legislative committee decides whether or not to hold a hearing on the bill. If there is a hearing, witnesses testify

SS.7.C.3.9 Illustrate the law making process at the local, state, and federal levels.

Texas Department of Public Safety
UNIFORM TRAFFIC TICKET

STATE OF TEXAS VERSUS
FIRST NAME: Kevin D. [redacted] MIDDLE NAME: [redacted] LAST NAME: [redacted]
STREET AND NO.: 83171 Merritt Ln [redacted] CITY: [redacted] STATE: TX MAKE OF VEHICLE: Honda 98

YOU ARE SUMMONED TO APPEAR
LIC NO.: 4567907K TX STATE: TX NAME OF TRIAL OFFICER: Traffic Court
DATE OF TRIAL: 01-05-04 TIME OF TRIAL: 2:00pm CITY: Austin
VIOLATION: Speeding 2/05 zone COURT APPEARANCE REQUIRED: YES

YOU ARE SUMMONED TO APPEAR
NAME OF TRIAL OFFICER: Traffic Court
DATE OF TRIAL: 01-05-04 TIME OF TRIAL: 2:00pm CITY: Austin
VIOLATION: Speeding 2/05 zone COURT APPEARANCE REQUIRED: YES

OWNER OF VEHICLE: K. Toeppe ADDRESS OF OWNER: Temple, TX. DATE OF VIOLATION: 1/0

BAIL DEPOSITED: none NAME OF ARRESTING OFFICER: M. Mactus RANK: 4CPL

COUNTY: Williamson NUMBER: 11
BADGE: 7CJ
DAY: 1 2 3 4 5
TIME OF VIOLATION: 00:10
MILITARY TIME: 00:10

Y 521665
\$170.00

SEE IMPORTANT INFORMATION ON THE REVERSE SIDE OF THIS TICKET
VIOLATOR'S COPY

Traffic Laws
Laws regarding speed limits are passed by a state legislature.

A traffic ticket is not a judgment of right or wrong. It is a summons to appear before a court to resolve the charge made by the police officer.



Citizen Participation

Californians voice their opinions in the state's 2003 special election. The election featured a vote to recall Governor Gray Davis as well as a proposition to limit racial classifications in state business.

What might lead citizens to demand a recall of a state official?

about the bill. Amendments may be added to the bill. The committee may vote to pass the bill, change it, or reject it. If the committee does not have a hearing on the bill, the bill is effectively killed.

The Bill Reaches the Floor If the committee passes the bill, the full house then considers it. As the bill is debated on the floor, more amendments may be offered. If these amendments are passed, they become part of the bill. Members then vote on the final version of the bill. Bills that pass are signed by the presiding officer and sent to the second house.

The Bill Is Sent to the Second House When the bill is introduced in the second house, it goes through the same steps as it did in the first house. The bill is assigned to a committee and the committee process is repeated. If the bill passes the committee, it is considered by the full house, as it was in the first house.

Bills that pass only one house will not become law. If both houses pass a bill in the same form, it is then sent to the governor to be signed. Frequently, however, both houses

pass the bill, but in different forms. In this case, the bill is sent to a joint-conference committee to resolve the differences between the two bills.

The Bill Is Sent to a Joint Conference Committee Joint conference committees are made up of members from both houses. Committee members try to reach a compromise version of the bill that will be accepted by both houses. The two houses then vote on the compromise bill. Both houses usually accept this final version of the bill.

The Bill Is Sent to the Governor The final step in making a state law is to send the bill to the governor. If the governor signs the bill, it becomes a law. However, the governor may veto a bill he or she does not support. In most states the governor also has the power to veto only one part, or item, of an appropriation bill. This power is called an item veto. The legislature can pass a bill over the governor's veto by a two-thirds vote in each house.

READING CHECK

Analyzing Information When in the legislative process can legislators amend bills?

How Citizens Participate in Lawmaking

Legislators and governors are not the only people who take part in lawmaking. There are many opportunities at the state level for citizens to participate in the lawmaking process. Legislators welcome input and information from the citizens they represent. These citizens are known as **constituents**.

Working with the Legislature

Constituents can help **develop** state laws. For example, if communities want more playgrounds, citizens may testify at a committee hearing to increase funding for parks. Other ways citizens can participate in the legislative process is to send letters or make phone calls.

The meetings and hearings of state legislatures are open to all citizens. Many state legislatures also broadcast meetings and hearings on television or over the Internet. Citizens can follow legislative activities through newspapers, televisions, and magazines.

Bypassing the Legislature

Some state constitutions allow the people to make laws themselves. Citizens are able to initiate, or start, new legislation through a

process called the **initiative**. To begin an initiative, citizens write a petition describing the law they are proposing. This is called a proposition. A required number of voters—the number varies from state to state—must then sign the petition. If enough signatures are collected, then the proposition appears on the ballot at the next general election. If enough people vote for the bill, it becomes law.

Initiatives are often used to address major public policy issues that citizens think that the state government, especially the legislature, has overlooked or not adequately addressed.

In many states the voters must approve certain bills passed by the legislature before the bills can become laws. This method of referring potential laws directly to the people for approval is called a **referendum**.

Some states also allow voters to remove elected officials from office. This process, known as a **recall**, begins when a required number of voters signs a petition. A special election on the petition is then held. If a majority of voters favors the recall, the official is removed.

READING CHECK

Summarizing What are three ways that citizens are able to have a direct role in making laws?

ACADEMIC VOCABULARY

develop: create

SECTION 2 ASSESSMENT

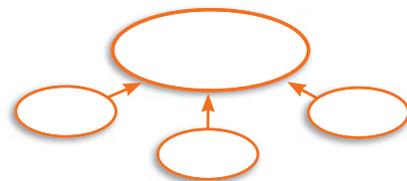
 hmhsocialstudies.com
ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Write a brief definition for the terms **bicameral** and **unicameral**.
b. Predict How might unequal representation harm certain citizens or areas of a state?
- Analyze** What role do committees play in passing laws?
- a. Define** Write a brief definition for the terms **constituents**, **initiative**, **referendum**, and **recall**.
b. Make Inferences Why are initiative, referendum, and recall important tools for citizens?

Critical Thinking

- Summarizing** Copy the graphic organizer. Use it and your notes to show the ways in which citizens can participate in state lawmaking.



FOCUS ON WRITING

- Supporting a Point of View** Write a letter to a legislator encouraging him or her to pass legislation that would help you in your daily life.

Writing to Your Legislator



SS.7.C.2.3

Learn

Let your legislator know what you are thinking—write him or her a letter. You can find the names of your legislators in the newspaper or by going online to official federal, state, county, or city Web sites. There are some basic rules to follow to make yours the kind of letter that receives an answer.

Practice

- 1 **Use the correct opening and closing.** In the salutation, or greeting, use the person’s correct title. For members of the U.S. House of Representatives, “Dear Representative (last name),” “Dear Congresswoman (last name),” or “Dear Congressman (last name)” are all acceptable. For members of the Senate, “Dear Senator (last name)” is the usual style. Titles of state officials vary. End your letter with the proper closing, such as “Respectfully yours” or “Sincerely yours.” Then add your signature.
- 2 **Use your writing skills.** Keep the body, or main part, of the letter as brief as possible. Clearly state your position or request in the first paragraph. Point out the relevant facts that will help your legislator understand your concerns.
- 3 **Be polite.** Be sure to use respectful language in your letter—even if you disagree with your legislator’s stand.
- 4 **Make sure that your return address is on the letter.** This will allow your legislator to respond to you.

Apply

Use the letter below to help you answer the following questions.

- 1 To whom is the letter addressed? What closing does the writer use?
- 2 What issue is Aaron Campbell concerned about in his letter?
- 3 Why might a letter be more convincing than a telephone call?
- 4 Select a state or local issue that is important to you. Write a letter to one of your state legislators expressing your opinion, suggesting a solution, and asking for his or her support.

415 Sleepy Hollow
Roanoke, VA 24022
February 12, 2004

The Honorable Jane Doe
The State House
Richmond, VA 23218

Dear Representative Doe:

As you know, there is currently a bill before the legislature that would create 3,000 summer jobs for teenagers in our state. I strongly urge you to support this bill. Passage of Bill HR 1099 will give many teenagers the chance to earn money for school. It will also provide them with experience for future jobs. Finally, the state stands to benefit from all the work these teenagers will be doing in our parks, hospitals, and civic centers. I would appreciate knowing your position on this important issue.

Sincerely yours,

Aaron Campbell

SECTION 3



SS.7.C.3.9; SS.7.C.3.14; LA.7.1.6.1; LA.7.1.7.1

The State Executive Branch

BEFORE YOU READ

The Main Idea

A state's executive branch carries out laws made by the state's legislative branch. Governors are the chief executives of state government.

Reading Focus

1. Who is the state's chief executive, and what are his or her powers and duties?
2. Who are the other officials of state executive branches?

Key Terms

governor, *p. 213*
patronage, *p. 215*
lieutenant governor,
p. 215



TAKING NOTES

Use the graphic organizer online to take notes on the state executive branch.



Republican Rick Scott was elected governor of Florida in 2010.



What does the governor do? Once the legislature writes laws, the governor and his or her executive team put those laws into action. In this way, governors may affect your day-to-day affairs. Governors can also propose legislation or veto bills, just like the president.

The State's Chief Executive

The citizens of each state elect a governor to run the day-to-day affairs of their state. The **governor** is the chief executive in each state. The governor works for the people of his or her state. Governors lead the state government, set priorities, make government appointments, and implement laws to meet the needs of their states.

Qualifications and Terms of Governors

In each state, a constitution lists the qualifications for governor. In general, a candidate for governor must be a U.S. citizen and must have lived in the state for a certain number of years. Most states require a candidate for governor to be at least 30 years old. However, a few states, such as California and Ohio, allow persons as young as 18 years of age to run for governor.



FOCUS ON Ruth Ann Minner (1935-)

In 2001 Ruth Ann Minner became Delaware's first female governor. Born and raised on a small farm, she left school at age

16 to help on her family's farm. Minner's husband died when she was 32. She had three sons to raise, but she returned to school, worked two jobs, and earned her G.E.D. After her second husband died, Minner began in politics by stuffing envelopes. She worked as an aide in the state legislature and as receptionist in the governor's office. She was elected to four terms in the state House of Representatives beginning in 1974, to three terms in the state Senate beginning in 1982, and to two terms as lieutenant governor in 1992 and 1996. Minner has also been honored in Delaware as Mother of the Year and Woman of the Year.

Draw Inferences Why might issues such as adult education and child welfare have been important to Governor Minner?

Most governors serve four-year terms. In some states, such as New Hampshire and Vermont, they serve for two years. About half of the states limit their governors to one or two terms in office.

The salaries of governors vary greatly from state to state. For example, the governor of New York receives \$179,000 a year, and the governor of Nebraska receives \$105,000 per year. To save their states money, the current governors of California and Tennessee—both wealthy men—donate their full salaries back to the state treasuries. The governor of New Jersey accepts only \$1 annually. In addition, governors usually receive an allowance for expenses, such as travel. In most states governors and their families live in an official residence in the state capital.

Powers and Duties of Governors

A state governor is the highest-ranking official at the state level. He or she is responsible for “faithfully executing the laws” of the state. Like the president, a governor plays many

roles. The three main roles are chief executive, chief legislator, and political party leader.

Chief Executive In most state constitutions, the governor is designated as the chief executive of the state. As chief executive, a governor may share executive powers with other “executives,” such as the state treasurer, the attorney general, and the secretary of state, who are also elected officials. State governors usually have a number of executive powers.

- **Power of the Budget** One of the duties the governor in most states has is preparing a budget for one or two years. The governor submits this budget to the legislature. It sets priorities and offers solutions to state problems. Citizens of a state look to this budget as an indication of leadership.

- **Power to Make Appointments** A number of state agencies help the governor carry out the laws. Most states have executive departments that include agriculture, justice, labor, public safety (which includes the state police), public works, and transportation. Each state agency has a specific area of responsibility. For example, the state board of health enforces health laws and recommends measures to improve the health of state citizens. The department of human services supervises programs that help people who are disabled, poor, or unemployed. Other state agencies administer state laws on conservation and public utilities.

Although voters elect some of the heads of these agencies in some states, the governor usually has the power to appoint these state officials. Appointments typically require confirmation by the state Senate. An official who has been appointed by the governor can usually be removed or replaced by the governor.

- **Power to Supervise State Employees** In most states, many important state agencies are under the governor's control. By directing the operation of these agencies, the governor can have a major impact on state

policies and state action. Overall, the 50 state governments employ about 4.5 million people.

Most state government jobs are open to any qualified citizen who passes a state examination. However, some state jobs are filled through **patronage**. That is, the jobs are given to people recommended by political party leaders. Such jobs often go to people who provided valuable help during the election campaign.

Chief Legislator Only the state legislature can pass laws, but the governor plays an important part in proposing new laws. The governor usually appears before the state legislature at one of its early meetings. In some states this takes the form of a state of the state address to the legislature. At this meeting, the governor outlines laws he or she thinks should be passed. The governor may also submit legislation that he or she wants passed. He or she frequently talks to leaders of the legislature, urging them to pass specific bills and oppose others. State legislators know that if they pass a bill the governor opposes, the governor also has the power to veto legislation.

Political Party Leader The governor is the head of his or her political party in the state. State senators and representatives within the governor's party often model their opinions and policies after the governor's. The governor can help them during their campaigns for re-election.

Other Powers A governor has many other powers. Directors of many state agencies are appointed by the governor. The heads of the state police force and state militia report to the governor. In times of emergency, such as during floods or hurricanes, the governor may call out the National Guard to help keep order and assist with relief efforts. The governor also has the judicial power to pardon certain prisoners.

READING CHECK

Summarizing What are three main roles of governors, and what responsibilities does each role entail?

Other State Executive Officials

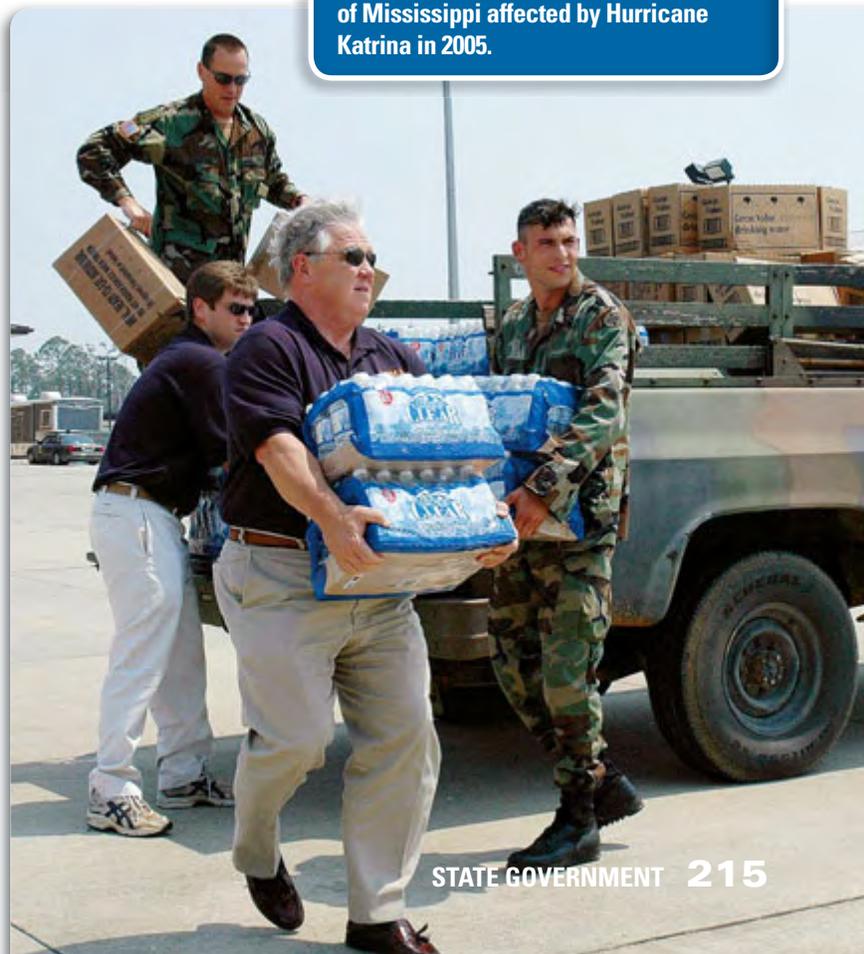
Each state also has a number of other executive branch officials to help run the state government and enforce state laws. In most states voters elect these officials. In some states, however, the governor appoints these officials who are then a part of the governor's cabinet.

Lieutenant Governor

Most states have a **lieutenant governor**. The lieutenant governor becomes head of the state executive branch if the governor dies, resigns, or is removed from office. The lieutenant governor often serves as the presiding officer of the state senate. In some states it is possible for the lieutenant governor and the governor to belong to different political parties.

Governor Helps Out

Governor Haley Barbour of Mississippi helps unload water and other supplies as part of relief efforts for residents of Mississippi affected by Hurricane Katrina in 2005.



Secretary of State

The secretary of state keeps state records and carries out election laws. In states without a lieutenant governor, the secretary of state may take over as governor if the governor's office becomes vacant.

Attorney General

The attorney general is in charge of the state's legal business, or matters concerning the law. He or she provides state officials with advice about the meaning of laws. The attorney general or an assistant represents the state in court when the state is involved in a lawsuit. The attorney general may also assist local officials in the prosecution of criminals.

State Treasurer

In some states the state treasurer is in charge of handling all state funds. Sometimes this official supervises the collection of taxes and pays the state's bills as well.

State Auditor

The state auditor ensures that no public funds from the state treasury are used without authorization. The auditor also regularly examines the state's financial records to make sure that they are correct. The auditor is sometimes called the comptroller.

Superintendent of Public Instruction

The superintendent of public instruction carries out the policies of the state board of education. The state board makes regulations, under state law, that govern local school districts. The superintendent distributes state funds to local school systems according to state and federal laws. In some states this official is called the superintendent of public schools or the state commissioner of education.

READING CHECK

Supporting a Point of View Which official do you think has the most important responsibilities, and why?

SECTION 3 ASSESSMENT



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ONLINE QUIZ

Reviewing Ideas and Terms

- Define** Write a brief definition for the terms **governor** and **patronage**.
 - Summarize** What are the primary powers and duties of most governors?
 - Draw Conclusions** How does the governor's legislative power influence the types of bills legislators introduce?
 - Make Predictions** What might happen if the governor and legislature do not agree on legislative priorities?
- Define** Write a brief definition for the term **lieutenant governor**.
 - Identify** What state executive officials deal with state finances?
 - Compare and Contrast** How are the duties and responsibilities of the lieutenant governor similar to those of the vice president of the United States? How are they different?

Critical Thinking

- Categorizing** Copy the graphic organizer. Use it and your notes to identify the role of each state official.

Position	Duties
Lieutenant Governor	
Secretary of State	
Attorney General	
State Treasurer	
State Auditor	
Superintendent of Public Instruction	

FOCUS ON WRITING

- Problem Solving** Imagine that you are part of the governor's executive team. You have been asked to put into action a bill that creates new after-school programs. Write out a plan for this program.

SECTION 4



SS.7.C.2.13; SS.7.C.3.11; SS.7.C.3.12;
SS.7.C.3.14; LA.7.1.6.1; LA.7.1.7.1

State Courts

BEFORE YOU READ

The Main Idea

State court systems include lower courts, general trial courts, appeals courts, and state supreme courts.

Reading Focus

- 1 What kinds of cases do state courts handle?
- 2 How is the state court system organized?
- 3 How are state judges selected?

Key Terms

penal code, *p.* 217
Missouri Plan, *p.* 220



TAKING NOTES

Use the graphic organizer online to take notes on the state court system.



The Florida Supreme Court building in Tallahassee



State legislatures write laws, and state executives put those laws into action. Then, state courts make sure everyone is following the rules. For example, a speeding ticket is usually handled in a low-level state court, such as a traffic court. Other cases are heard at different levels, all the way to the state supreme court.

State Court Cases

As a citizen, you are subject to two levels of law and two sets of judicial systems. Federal courts address violations of the United States Constitution and federal laws. State courts address violations of state constitutions and state laws. Each state is free to create its own court system to meet the state's needs. Each state is also free to determine the way in which judges for its courts are selected. But whatever the court system and however the judges are selected, the role of the state courts is the same: apply and enforce the criminal and civil laws of the state.

Each state creates its own penal code. A **penal code** is a set of criminal laws. State attorneys prosecute individuals who violate the penal code by committing a crime. These are called criminal cases. State judges hear these cases. If the criminal court finds

State Court System

QUICK
FACTS

Most state court systems are divided into three levels: trial courts, appeals courts, and a state supreme court.

Judges in trial courts hear cases ranging from traffic violations to serious criminal offenses.

State supreme courts are the highest court in the state judicial system. They hear cases on appeal from the lower courts.

Appeals courts review cases from trial courts whose rulings have been challenged, or appealed.

Trial courts hear all civil and criminal cases—from small-claims court cases to superior court cases.



ANALYSIS
SKILL

ANALYZING INFORMATION

1. What is the lowest level in the state court system?
2. To what courts can state cases be appealed?

SS.7.C.3.11
Diagram the levels, functions, and powers of courts at the state and federal levels.

a person guilty of a crime, it has the authority to punish that person.

State courts also hear civil law cases. Civil cases are disputes between individuals or businesses over property or money. They may also involve disputes between a business and the government, or between an individual and the government.

READING CHECK  **Contrasting** How do criminal cases and civil cases differ?

State Court System

Like the federal judicial branch, state court systems are structured in levels. In state court systems, state judges perform most of the same duties that federal judges perform. Three types of courts are found in most states—general trial courts, appeals courts, and a state supreme court.

Trial Courts

Lower courts generally hear minor cases. These include misdemeanor criminal cases and civil cases involving small amounts of money. Judges conduct hearings in these courts without a jury.

In many cities and towns, a justice of the peace hears cases. A justice of the peace can hand down fines or short jail sentences. These lower courts may also be called magistrate's courts or police courts. Their judges are usually elected. Many large cities have municipal courts, which may be divided into courts that handle specific types of cases. For example, traffic courts hear cases involving traffic violations. Family courts hear cases involving family disputes.

Most states have small-claims courts, which usually handle cases involving less than \$5,000. No lawyers are needed. Each person in

Religious Displays on Public Property

In some circumstances, the U.S. government may recognize the role religion plays in the country. But it can be difficult to determine when the government's acknowledgement of religion is constitutional.

Two Supreme Court opinions issued on the same day in 2005 illustrate how complicated this issue is. In *Van Orden v. Perry*, the Court allowed Texas to keep a six-foot monument of the Ten Commandments on the grounds of the state capitol. Because the monument was one among 38 other markers commemorating Texas history, the Court concluded that the

display was primarily historical and did not endorse religion.

However, in *McCreary County v. American Civil Liberties Union of Kentucky*, the Court found that displays of the Ten Commandments in two county courthouses in Kentucky were unconstitutional. These displays, the Court stated, specifically highlighted the religious foundation of American law and thus did endorse religion.

Why was a display of the Ten Commandments constitutional in one case and unconstitutional in the other? Explain in your own words.



the dispute explains his or her side of the argument, and the judge makes a decision. Major criminal and civil cases are handled in general trial courts. A jury hears most cases, and a judge presides. Some trial courts hear only civil cases. Others hear only criminal cases. In many states, voters elect these general trial court judges. Other names for trial courts in some states are superior courts and courts of common pleas.

Appeals Courts

Sometimes a person believes his or her case was not handled fairly in a trial court. That person may appeal the decision to an appeals court or an intermediate court of appeals. An appeal is a request for another court to consider the case. The usual basis for an appeal is that the person's guaranteed right to a fair trial was violated during the trial.

Appeals courts do not use juries. Instead, appeals court judges examine the trial record of the lower court. They hear

arguments from the lawyers on both sides. If the person is still not satisfied with the appeals court's decision, he or she can appeal again to the state supreme court.

State Supreme Court

The state supreme court is the highest court in most states. The judges who sit on the state supreme court hear cases on appeal in much the same way as the U.S. Supreme Court. Decisions on state law by the state supreme court are final.

READING CHECK

Finding the Main Idea What roles do judges play in the different levels of state courts?

Selection of State Judges

In most states, citizens elect state supreme court judges. But in some states, the governor appoints supreme court judges. State law determines how judges are selected in each state and the length of each type of judge's term.

Small Claims Court

How much might you have to pay as a result of a judgment in a small-claims court? Have you ever seen judges deciding real cases on television? Then you are already familiar with small claims courts. They decide cases such as unpaid personal debt, past-due rent, and reimbursement for goods and services. The maximum amount of money that can be involved in a small claims dispute is usually \$5,000.

ANALYSIS SKILL ANALYZING ECONOMICS

Why are small claims courts an important part of the judicial system?

Election of Judges

People who support electing judges argue that elections make judges responsible to the people who will be affected by their decisions. Supporters of elected judges also argue that when the governor appoints judges, he or she is free to appoint political supporters or friends.

Others oppose the election of judges.

They argue that judges should make decisions based on the facts and on the law that applies, not on what might please voters. Supporters of appointed judges believe that judges should be selected based on their abilities.

The Missouri Plan

Some states have adopted a method of selecting judges called the **Missouri Plan**. Under this plan, a committee of judges, lawyers, and ordinary citizens prepares a list of qualified judges. The governor appoints a judge from this list. The judge must then face the voters in the next election.

Terms of Service

State court judicial terms are set by state law. In most states, judges face the voters at the end of their term. Voters may elect the judge to a new term. Or they may vote to replace the judge. Most states have methods for removing judges, usually by impeachment or recall.

READING CHECK

Making Inferences Why might the Missouri Plan combine the best qualities of the election and appointment methods?

SECTION 4 ASSESSMENT



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ONLINE QUIZ

Reviewing Ideas and Terms

- Define** Write a brief definition of the term **penal code**.
 - Draw Conclusions** Civil court cases often involve disputes over contracts and other types of business agreements. Why do you think it is important to read through contracts carefully before signing?
- Recall** What are the four levels of state court systems?
 - Elaborate** Why do most states have low-level courts such as small-claims courts and traffic courts?
 - Compare and Contrast** What are the differences between general trial courts and appeals courts?
- Define** Write a brief definition of the term **Missouri Plan**.

- Elaborate** Do you think that electing judges is the best way to select state court judges? Why or why not?

Critical Thinking

- Sequencing** Copy the graphic organizer. Use it to identify the steps a civil case might go through in a state court system. Explain what happens at each stage.



FOCUS ON WRITING

- Supporting a Point of View** In one or two paragraphs, explain why it is important for a state judicial system to have different levels and different kinds of courts.

STUDENTS TAKE ACTION



Fighting Drug Dealers

In the Miami suburb of Hialeah, Florida, Jackie Viana's Project Citizen students watched as Governor Jeb Bush signed an important anti-drug bill. State Senate Bill 1588 outlawed the sale, manufacturing, or delivery of drugs within 1,000 feet of public parks, community centers, or recreational facilities. Dealing drugs was already illegal. However, this law allowed for harsher punishments if a dealer was caught in these "drug-free" zones. This law would never have been introduced without the efforts of Ms. Viana's students.

Community Connection Students from Viana's class were concerned about drug use by young people their age. They saw drug dealing in public parks as an especially major problem. The students surveyed parents and students. They wanted to get ideas and feedback on the problem and how the community could address it.

Taking Action The students put together a bill to combat drug dealing in public parks (and other public places popular with students). The bill made the punishment for selling drugs there very harsh. Then they presented their bill to the state legislature. Their task was not easy. The students spent two years lobbying to increase support from local and state officials. At one point they even arranged a meeting with the governor to get his help. They also contacted the media to spread the word about the bill. Finally, their efforts paid off. Some time after completing their Civics course, students saw the state legislature approve their bill and the governor sign it into law.



Students in a Project Citizen class in Hialeah, Florida, pose with Jeb Bush, who was governor of Florida at the time.

SERVICE LEARNING



1. How did Viana's students rally support for their bill?
2. What problems in your community could be addressed by changing a state law?

hmsocialstudies.com ACTIVITY

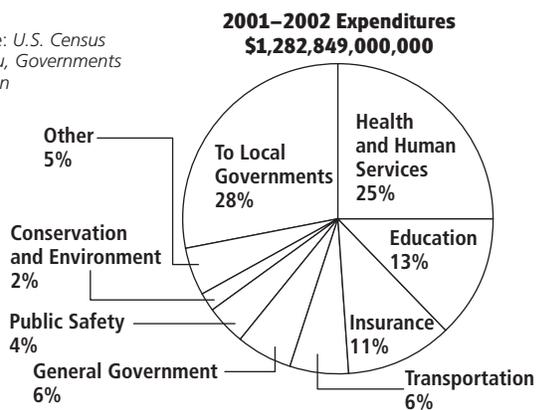
CHAPTER 8 REVIEW



FLORIDA CIVICS EOC PRACTICE

1. The graph below compares the 2001–2002 expenditures for all the states combined.

Source: U.S. Census Bureau, Governments Division



According to the circle graph, which three categories together accounted for almost half of the states' expenditures?

- A. Conservation and Environment, Public Safety, and Education
B. Health and Human Services, Public Safety, and General Government
C. Local Governments, Education, and Health and Human Services
D. Health and Human Services, Education, and Insurance
2. Which of the following are concurrent powers, or powers shared by both state and federal governments?
- A. declaring war
B. collecting taxes
C. establishing local governments
D. issuing driver's licenses

Reviewing Key Terms

For each term or name below, write a sentence explaining its significance to state government.

1. delegated powers
2. reserved powers
3. concurrent powers
4. full faith and credit clause
5. extradition
6. bicameral
7. unicameral
8. constituents
9. initiative
10. referendum
11. recall
12. governor
13. patronage
14. lieutenant governor
15. penal code
16. Missouri Plan

Comprehension and Critical Thinking

SECTION 1 (Pages 202–206)

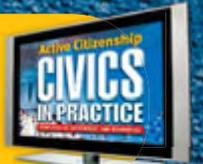
17. **a. Recall** What is the term for the powers granted to state governments, and what are two examples of some of those powers?
- b. Analyze** Why is it necessary for states to work with other states? Give examples to support your answer.
- c. Elaborate** What kinds of projects or programs are most likely to involve states working with the federal government? Give examples to support your answer.

SECTION 2 (Pages 207–211)

18. **a. Describe** How can citizens take direct action in legislation and state government?
- b. Evaluate** Some states do not have provisions for citizen initiatives and recall. What arguments can you think of for not having initiative and recall?

Active Citizenship video program

Review the video to answer the closing question:
What are various ways that students can bring issues to the attention of their state legislators?



SECTION 3 (Pages 213–216)

19. **a. Identify** Who heads the state executive branch, and what are three roles he or she plays?
- b. Analyze** In what ways is the power of the state chief executive limited?

SECTION 4 (Pages 217–220)

20. **a. Describe** What types of courts exist in most states, and what does each do?
- b. Evaluate** Which method of selecting state court judges do you favor? Explain your reasoning.

Using the Internet

21. **Meeting Your Executive Officials** A state's legislative branch makes the laws for that state. Then the state executive branch carries out these laws. Through your online textbook, learn about the principal executive officials in your state. Then make a list of the officials in your state that contains their names, principal duties and responsibilities, salaries, and whether the officials were elected by the citizens or appointed by the governor.

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Reading Skills

22. **Using Primary Sources** You have just been given a Civics assignment to compare and contrast the state legislatures in New Hampshire (called the General Court) and Nebraska (called the Unicameral). Which of these sources would you consult as a primary source? Choose as many as you think are applicable.
- Your Civics textbook
 - The home page of the New Hampshire General Court on the Internet
 - An Internet Web site called “State and Local Government on the Net” that links you to specific state legislature home pages
 - A newspaper article written by a New Hampshire state legislator describing his experiences in the New Hampshire General Court
 - An interview with a Nebraska state legislator

Civics Skills

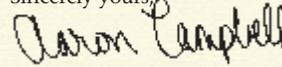
Writing to Your Legislator Study the letter to a state legislator below. Then answer the questions that follow.

The Honorable Jane Doe
The State House
Richmond, VA 23218

Dear Representative Doe:

As you know, there is currently a bill before the legislature that would create 3,000 summer jobs for teenagers in our state. I strongly urge you to support this bill. Passage of Bill HR 1099 will give many teenagers the chance to earn money for school. It will also provide them with experience for future jobs. Finally, the state stands to benefit from all the work these teenagers will be doing in our parks, hospitals, and civic centers. I would appreciate knowing your position on this important issue.

Sincerely yours,



Aaron Campbell

23. What is the author's stand regarding the proposed bill? What support does he provide?
24. What points might you address in a letter to the same state legislature if you opposed this bill?
25. Select an education issue that is important to you. Write a letter to one of your legislators explaining why you think the issue is important. Ask for the legislator's opinion on the issue. Remember to offer a solution to the issue and ask for his or her help in passing legislation that would solve the problem.

FOCUS ON WRITING

26. **Writing Your Biographical Sketch** Look over your notes about state government. Think about the three branches of state government. Do some research about an important governor, legislator, judge, or other state official in your state. Choose one of those people and write a brief biography about that person.



FLORIDA...

The Story Continues

CHAPTER 9, Local Government

PEOPLE

1895: Julia D. Tuttle convinces railroad owner to extend the railroad to Miami. Julia D. Tuttle became known as the “mother of Miami” because of her efforts to connect the area to the rest of Florida by railroad. In the late 1800s, Miami had few settlers because of its remote location. After a freeze killed most of Florida’s citrus crops in the winter of 1894–1895, Tuttle sent fresh orange blossoms to railroad owner Henry M. Flagler. The flowers were proof of Miami’s warm climate. Flagler then brought the railroad to Miami, which became a popular spot for visitors and settlers.

PLACES

1887: Eatonville is the first U.S. city to be incorporated as an all-African-American community. After the Civil War, segregation was a way of life in the United States. Local, state, and federal law forced blacks to live separately from whites, often in poor conditions. Many African Americans then decided to create their own all-black communities. Eatonville, a small town in central Florida, was the first. It was founded on August 15, 1887. Eatonville remains an incorporated all-black town today.

PLACES

2011: The City Commission of St. Marks plans for the future. St. Marks is one of the smallest towns in Florida. It is less than two square miles, with a population of fewer than three hundred. Yet even a small town needs people to run it. The St. Marks City Commission has six members, including a city manager. Elected by the people of St. Marks, the commission is responsible for helping the town grow, by developing projects that will keep its citizens safe and attract visitors and businesses.

PEOPLE**2011: Municipal officials run Florida's cities and towns.**

The citizens of every city and town in Florida regularly elect people to a local council or commission. These people are responsible for carrying out duties outlined in the local charter. Charters vary from place to place. As a result, some cities may have a mayor who has the power to veto or make appointments. Some have a council-manager who runs the city's departments. Some commissions make decisions and run the city's departments as a team.

EVENTS**2010: Florida Block Program provides fluoridated water.**

A block grant is money provided by the federal government to the state of Florida. The money goes to local communities to help with issues of public health. One goal of the Preventative Health and Health Services Block Grant is to bring fluoridated water to Florida's citizens. Fluoridated water greatly improves

people's dental health. In 2010, nearly 70 percent of Floridians had fluoridated water in their homes.

EVENTS**1973: Florida Home Rule Powers Act is passed.**

Before the late 1960s, any municipality in Florida had to ask the state legislature to pass laws about local issues. The laws then applied to every community in Florida. The 1969 Florida constitution changed that. Now cities and towns had "home rule." They could make laws that best suited their communities. The 1973 Act allowed local governments to "exercise power for municipal purposes" as long as no state laws were broken.



Unpacking the Florida Standards <...>

Read the following to learn what this standard says and what it means. See FL8-FL20 to unpack all the other standards related to this chapter.

Benchmark SS.7.C.3.14 Differentiate between local, state, and federal governments' obligations and services.

What does it mean?

Compare and contrast the duties and services of local, state, and federal government. Go to Chapter 3, The United States Constitution, Chapter 8, State Government, and Chapter 9, Local Government, for help.



CHAPTER 9

LOCAL GOVERNMENT

Essential Question What are the main forms of local governments? What services do local governments provide? Why are local governments important?



Florida Next Generation Sunshine State Standards

SS.7.C.2.3 Experience the responsibilities of citizens at the local, state, or federal levels. **SS.7.C.2.10** Examine the impact of media, individuals, and interest groups on monitoring and influencing government. **SS.7.C.2.13** Examine multiple perspectives on public and current issues. **SS.7.C.3.4** Identify the relationship and division of powers between the federal government and state governments. **SS.7.C.3.9** Illustrate the law making process at the local, state, and federal levels. **SS.7.C.3.14** Differentiate between local, state, and federal governments' obligations and services. **LA.7.1.6.1** The student will use new vocabulary that is introduced and taught directly. **LA.7.1.6.2** The student will listen to, read, and discuss familiar and conceptually challenging text. **LA.7.1.7.1** The student will use background knowledge of subject and related content areas, prereading strategies, graphic representations, and knowledge of text structure to make and confirm complex predictions of content, purpose, and organization of a reading selection.





WHY CIVICS Matters

You live in a country, the United States of America. You live in one of the 50 states. You also live in a county and probably a city or a town. These local units of government have a direct impact on your life, like providing police and fire protection.



STUDENTS TAKE ACTION

CHANGING PARK RULES No bikes allowed in the park? If you can't ride your bike in the park, where can you go? A group of students in Pleasant Grove, Utah, were confused about local laws about bikes in city parks, so they went to their city government to solve the problem.

FOCUS ON WRITING

PERSUASIVE LETTER Your local newspaper is running a competition for students to answer the question, "How does your city or other local government affect your life? What would make this government better?" This chapter describes different levels and structures of local government and the different responsibilities these governments have. As you read, take notes on local governments and their powers.

Reading Skills

In this chapter you will read about how local governments are established and about the many purposes they serve. You will also learn about how the many forms of government began and how they have changed over time.

Finally, you will learn how the federal, state, and local governments cooperate with each other and why they also sometimes compete with each other.

Understanding Political Cartoons

FOCUS ON READING

Political cartoons frequently portray public opinion on different issues. Learning how to understand these cartoons will help you keep tabs on how some people feel about issues and events.

Political Cartoons Political cartoons use both words and images to convey their message. Political cartoonists often exaggerate particular aspects of events to make points about those events. They also use symbols to illustrate people's characteristics. For example, a member of the Democratic Party might be drawn as a donkey, while a Republican might be drawn as an elephant. Cartoonists also use titles, labels, and captions to get their message across.

Helpful Hints for Understanding Political Cartoons

1. Read any titles, labels, or captions to identify the cartoon's topic.
2. Identify the people and objects in the cartoon. Determine if they are exaggerated and, if so, why. Identify any symbols and analyze their meaning.
3. Draw conclusions about the message the cartoonist is trying to convey. Is the cartoonist portraying the subject in a positive or negative way?



1. What is the cartoon's topic?
Credit card applications being sent to young people

2. What is exaggerated? The age of the person receiving a credit card application—a baby

What is the cartoon's message?
Credit card companies are going to extremes by offering credit to younger and younger people. The cartoonist is portraying credit card companies in a negative way.

You Try It!

Look at the following cartoon and then answer the questions below.



After you have studied the cartoon, answer the following questions.

1. What is the general topic of the cartoon?
2. What is humorous about the boy's response to the father?
3. What attitude does the cartoonist have about using the Internet for schoolwork?
4. What is the message the cartoon conveys?

As you read Chapter 9, think about what topics might make a good political cartoon.

KEY TERMS

Chapter 9

Section 1

municipality (p. 228)
city (p. 228)
county (p. 229)
sheriff (p. 229)
charter (p. 230)
ordinances (p. 230)

Section 2

town (p. 231)
town meeting (p. 231)
township (p. 232)
special district (p. 233)

Section 3

home rule (p. 234)
city council (p. 235)
mayor (p. 235)
commission (p. 237)

Section 4

grants-in-aid (p. 241)
block grants (p. 241)

Academic Vocabulary

Success in school is related to knowing academic vocabulary—the words that are frequently used in school assignments and discussions. In this chapter you will learn the following academic words:

primary (p. 235)
implement (p. 241)

SECTION 1



SS.7.C.2.3; SS.7.C.3.9; SS.7.C.3.14; LA.7.1.6.1; LA.7.1.7.1

Units of Local Government

BEFORE YOU READ

The Main Idea

Local governments have grown as the country has grown. As Americans settled in rural communities, towns, cities, and suburbs, they set up local governments.

Reading Focus

1. How are local governments established, and why are they needed?
2. How is county government organized, and what are the main purposes of each level of county government?
3. How do local and state governments work together?

Key Terms

municipality, *p. 228*
city, *p. 228*
county, *p. 229*
sheriff, *p. 229*
charter, *p. 230*
ordinances, *p. 230*



Use the graphic organizer online to take notes on establishing local governments, county governments, and how governments work together.



Have you lived through a flood, hurricane, or tornado? Did you lose electricity? Did you need to call the fire department or the police? Most

of us do not think about basic services—at least until we do not have them. Your local government often provides all of these services.

Establishing Local Governments

What level of government is closest to you? As a student, you are most affected by the government of the city or town in which you live, and by the school district in which you are a student. In other words, you are most affected by local government.

Powers Come from the State

In the United States, the states have the right to establish local governments. States use their own constitutions to legalize and define their local governments. Local government is made up of municipalities. A **municipality** is a unit of local government that is incorporated by the state and that has a large degree of self-government. Muni-

icipalities can include a state's cities, towns, villages, and boroughs.

The Need for Local Governments

Our local governments provide the conveniences and services that we have come to expect to make our daily lives easier. For example, we expect the roads to be in good repair and to allow us to get to and from work or school safely. Street cleaning and trash collection help keep our neighborhoods neat and disease-free. Electricity, running water, and sewage systems keep our homes, schools, and workplaces comfortable, efficient, and safe.

These services are often provided to us by local governments, such as city governments. A **city** is the largest type of municipality. Police and fire protection, water-conservation efforts, and snow removal are also provided by local governments. Local governments also provide education and keep records. Some governments supply their citizens with public transportation or recreation areas.

READING CHECK

Summarizing What are some of the services local governments provide?

SS.7.C.3.14
Differentiate between local, state, and federal governments' obligations and services.

County Governments

The highest level of local government is the county. A **county** is a division of state government. It is formed to carry out state laws, collect taxes, and supervise elections in a single small area. Louisiana calls its county-level government units parishes. Alaska calls its counties boroughs.

County government is often the largest unit of local government. County employees provide services such as health care, police protection, welfare, corrections, recreational areas, and libraries. In some areas in a few states, county and city governments are combined into one legislative body.

At the head of county governments is a group of officials elected by the voters. This group may be called the county board, board of commissioners, county court, or board of county supervisors. These officials form the county's legislative body. They have the power to pass laws regulating health and safety throughout the county. They also may collect real estate taxes, sales taxes, and personal property taxes.

County governments also have an executive branch. However, unlike executive branches at other levels of government, county executive branches usually have no single leader. Instead, county voters elect several county officials. Each has his or her own responsibilities. In some places, however, the traditional form of county government has been replaced with a county manager and county executive. The county executive is elected by the voters. The county manager is appointed by the county board to supervise county business and services.

One of these elected officials is the county **sheriff**, who usually commands several deputies and an office staff. The sheriff arrests lawbreakers and carries out the orders of county courts. In many states, the sheriff is responsible for law enforcement only in the areas of the county that are not part of a city.

PRIMARY SOURCE

POLITICAL CARTOON Speed Trap

The sheriff is the top law enforcement official at the county level of government. One of the sheriff department's duties is enforcing traffic laws.



The sheriff is operating the device to stop speeders.

The Dorfrod County Sheriff's Department introduces its new electromagnetic speed-enforcement system.

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ANALYSIS SKILL

ANALYZING POLITICAL CARTOONS

Supporting a Point of View Why do you think the cartoonist chose to depict such an exaggerated method of stopping speeders?

Counties also have several other elected officials. The county clerk keeps a record of the actions and decisions of the county board. In addition, the clerk keeps birth records, marriage records, death records, and election results. County treasurers are responsible for the county's funds. County auditors also watch the money the county receives and the money it spends. County officials may also include a coroner, who investigates unnatural deaths. Another is a county prosecutor—also known as the district attorney—who represents the state in county trials.

READING CHECK

Summarizing Describe the basic structure of county governments.



**FOCUS ON
Antonio
Villaraigosa**
(1953 -)

In 2005 Antonio Villaraigosa became the first Hispanic mayor of Los Angeles, California, in 133

years. He was born and raised in the city by a single mother with four children.

Villaraigosa was elected to the California State Assembly in 1994 and four years later became assembly speaker. In this role, he sponsored legislation to modernize public schools, ban assault weapons, and provide health care for poor children.

After losing a bid for mayor in 2001, Villaraigosa focused on his research. For two years he studied and wrote about the future of American cities. In 2003, Antonio Villaraigosa won a seat on the Los Angeles city council, representing the city's northeast sector. During his term he became a leader in the council.

On a platform of progressive urban reform, Villaraigosa ran for mayor again in 2005. He defeated incumbent mayor James Hahn in a run-off election. When Mayor Villaraigosa was sworn in on July 1, many people in Los Angeles celebrated with a victory parade.

Making Inferences Why is it significant that Villaraigosa is the first Hispanic mayor of Los Angeles in 133 years?

Governments Work Together

The duties of local government officials are usually outlined in state-approved charters. A **charter** is a basic plan for a local government unit that defines its powers, responsibilities, and organization. Of course, a charter cannot violate state or federal laws.

It is the job of local governments to make communities better places to live. To accomplish this job, local lawmaking bodies have the power to pass **ordinances**. These are regulations that govern a community. Ordinances also cannot conflict with state or federal laws. Local law enforcement groups, such as police departments, are responsible for enforcing both local ordinances and state laws.

Local governments also help the state by making sure election procedures follow state guidelines. Local officials both supervise the voting process and provide citizens with polling places. These are places where people can cast their ballots. Without local assistance, state and federal elections could not happen.

READING CHECK

Summarizing Why must states and local governments cooperate?

SECTION 1 ASSESSMENT

hmhsocialstudies.com
ONLINE QUIZ

Reviewing Ideas and Terms

1. **a. Define** Write a brief definition for each of the following terms: **municipality** and **city**.
b. Draw Conclusions Why can local governments provide some services more efficiently than state governments can?
2. **a. Define** Write a brief definition for each of the following terms: **county** and **sheriff**.
b. Explain Describe the organization of county government.
c. Compare and Evaluate What are some of the duties of county government?
3. **a. Define** Write a brief definition for each of the following terms: **charter** and **ordinances**.
b. Summarize In what ways do counties support state governments?

Critical Thinking

4. **Summarizing** Use your notes and a chart like this one to summarize the section.

County Board	
Sheriff	
County Clerk	
County Treasurer	
County Auditor	
District Attorney	

FOCUS ON WRITING

5. **Supporting a Point of View** Imagine that you live in a neighborhood in a rural county. Coyotes are beginning to come into the neighborhood and cause problems. Write a letter to the county board asking for assistance in handling the coyotes.



Town, Township, and Village Governments

BEFORE YOU READ

The Main Idea

Although counties are the largest unit of local government, they share the job of governing with other units of local government.

Reading Focus

1. Where did town government begin, and what is the purpose of the town meeting?
2. Why did townships and special districts develop, and how does each function?
3. Why are villages and boroughs created, and how do they operate?

Key Terms

town, *p. 231*
 town meeting, *p. 231*
 township, *p. 232*
 special district, *p. 233*



Use the graphic organizer online to take notes on the different kinds of local governments and the purpose of each.



Residents often vote on issues of importance to their community during a town meeting.

Many smaller communities in New England still hold town meetings to deal with local issues.



When you vote in a class election, you participate in direct democracy. In some regions of the country that have small populations, direct democracy is still practiced at town meetings. When a town grows, elected representatives are needed to make the decisions.

Town Government

Towns first developed as New England colonists built homes and churches. A **town** is a unit of local government, usually larger than a village and smaller than a city. The colonial town included both the homes, churches, and other buildings and surrounding farmlands.

The people who lived in early New England towns created the town meeting, a simple yet powerful form of local government. In a **town meeting**, all citizens meet regularly to discuss town issues. After all opinions regarding an issue have been voiced, the people at the meeting vote on that issue. This means that each person has a direct voice in the government.

MEDIA INVESTIGATION

Finding Information on the Internet

Does your town have leash laws for pets? How many people live in your state? These questions can all be answered by using Web sites provided by your local government.

The Internet is also a great place to find practical information for daily life. Unfortunately, it can be hard to know if the Web sites you visit contain complete and accurate information. Many sites are sponsored by groups trying to sell a particular product or service.

Using a Web site sponsored and maintained by your local government can help you avoid these problems. These sites provide residents with useful information.

Illustrated example of a township Web site

The screenshot shows the homepage of TheDuchessTownship.gov. At the top, there are navigation links for Township Information, Departments, Citizen Resources, and Elections. Below this is a search bar and a 'Local Links' section. A prominent link for 'Duchess Township Library System' is visible. A callout box points to this link with the text: 'Local government Web sites often provide useful links to public services, such as libraries.' Below the library link, there is a 'LIBRARY SERVICES' section with options like 'Library Catalog', 'Databases', 'My Account', and 'Ask a Librarian'. A search bar for the library catalog is also present. At the bottom of the screenshot, there is a banner for 'Castles, Creepy Crawlies and Crocodiles' Summer Reading Club 2007. A red box at the bottom of the screenshot contains the text 'ANALYSIS SKILL MEDIA INVESTIGATION' and 'Evaluating How do you know you are on government Web sites?' with a link to 'hmhsocialstudies.com' and the word 'ACTIVITY'.

Town meetings often are held in conjunction with town elections. At the elections, townspeople typically elect from three to five officials to manage the town's affairs between town meetings. The town meeting form of government can work well in areas that have small populations. Direct democracy is practical in such towns. It is easier for all the voters to gather in one central location at one time.

READING CHECK Analyzing Information

In what kind of community does a town meeting work well?

Townships and Special Districts

In some states, land is often divided into other smaller units. Two common subdivisions are townships and special districts. Townships are more common in certain states, but special districts are found in every state.

Townships

In colonial times, New England states used the town form of government. Other states, especially New York, New Jersey, and Penn-

sylvania, used a form of government called a **township**. Townships in other parts of the country, especially the Midwest, have a different history. In the early 1800s, the United States expanded westward. Americans moved into new land where they had not previously settled. Congress divided this new land into perfectly square units, usually 6 miles (an hour's buggy ride) by 6 miles on a side. As people from the East moved in, they set up local governments. They called them civil townships.

Colonial townships were usually smaller than New England towns, while the Midwestern townships may have been larger than towns. But all townships perform many of the same governmental functions, such as building schools and roads, that towns perform. In general, a township is headed by an elected chairperson or supervisor. Voters also elect a board of commissioners or trustees to make township rules and regulations. An elected constable enforces the laws. Often an elected justice of the peace tries minor legal cases. Today, many township governments have decreased in importance as cities have taken over many of the governmental responsibilities.

Special Districts

People living in a certain area may have a special need. In such cases these people may go directly to the state legislature and ask for a charter to set up a special district. A **special district** is a unit of government formed to meet a specific need, such as fire protection, libraries, parks and recreation centers, public transportation, or sewage disposal. A special district may include several cities. For example, a hospital district might serve several cities. Each city would have to pay taxes for the services it receives. The state legislature usually sets up a commission to handle the details of establishing and operating the special district. The commission members may be elected or appointed.

School districts are considered special districts by some researchers. These districts are created by states to provide funds for local schools. There are more than 13,000 school districts in the United States. Each district has its own governing body called a board of education. An executive, usually called a superintendent of schools, manages the district's day-to-day operations.

READING CHECK

Finding the Main Idea Why do school districts qualify as special districts?

Village and Borough Governments

When rural communities grow to a population of 200 to 300, their residents often encounter problems that require them to work together. The residents may decide to establish a village or a borough and create their own local government.

A request to establish a village or borough must be approved by the state legislature. The legislature permits the village or borough to be a self-governing municipality. It then can collect taxes, set up fire and police departments, and provide other services that larger communities offer their residents.

A village or borough is often governed by a small council, or board of trustees. The voters also elect an executive or president of the board of trustees to carry out the laws.

If the population of a village or borough becomes large enough, the people may ask the state legislature to grant the community a city charter. When this happens its government would change accordingly.

READING CHECK

Analyzing Information Why does an increase in population require the formation of a government?

SECTION 2 ASSESSMENT

 hmhsocialstudies.com
ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Write a brief definition for each of the following terms: **town** and **town meeting**.

b. Explain Why did town meetings develop?
- a. Define** Write a brief definition for each of the following terms: **township** and **special district**.

b. Make Predictions What might happen if a local government did not make use of special districts?
- a. Recalling** What is the role of the state in the creation of villages and boroughs?

b. Sequence When do rural areas become villages or boroughs?

Critical Thinking

- Comparing and Contrasting** Copy the graphic organizer. Use it and your notes to explain why townships and special districts develop, and how each is organized.

Townships	Special Districts
Why:	Why:
Organization:	Organization:

FOCUS ON WRITING

- Writing to Persuade** Write a letter from the perspective of a resident arguing why a rural area should or should not become a village.

SECTION 3



SS.7.C.2.3; SS.7.C.2.13; SS.7.C.3.9; SS.7.C.3.14; LA.7.1.6.1; LA.7.1.7.1

City Government

BEFORE YOU READ

The Main Idea

A city is usually larger than a town or village. In many cities a large population is crowded into a relatively small area, which creates many challenges for city government.

Reading Focus

1. How are city governments organized under the home-rule system?
2. What are the different forms of city government?

Key Terms

home rule, *p. 234*
city council, *p. 235*
mayor, *p. 235*
commission, *p. 237*



Use the graphic organizer online to take notes on the different forms of city government.



A city may be small, like Jim Thorpe, Pennsylvania, or huge like New York City.



City government can get very big. For example, the New York City Department of Sanitation has nearly 10,000 employees. The Los Angeles Police Department employs over 12,500 people. These departments are the size of many small towns. To provide good service, a city must be organized efficiently.

Home Rule Organization

A city is generally the largest kind of municipality. Cities vary greatly, however, in size. New York City, for example, has a population of more than 8 million. On the other hand, the city of Parker, Pennsylvania, has only 799 people.

Traditionally, cities received their charters and their authority from the state legislature. Increasingly, however, states have been granting to cities an authority called **home rule**. Under home rule, a city can write and amend its own municipal charter. This charter, usually written by a commission, must be approved by the voters.



Reading Check **Making Predictions** Does home rule strengthen or weaken local governments? Explain your answer.

Community Meeting

The decisions of city governments can have a huge impact on citizens. City governments deal with a large number of issues, including building roads, providing police and fire production, regulating business and industry, and collecting taxes.

In order to get the public's feedback on important issues, city governments often hold community meetings. Citizens are given the opportunity to ask their elected officials questions. They can also give their opinions on the issues facing the city.

Why is it important for citizens to attend community meetings?

Community meetings are a good forum for citizens to express their opinions.



Forms of City Government

Cities manage a variety of responsibilities, such as providing education, health, and safety to their residents. Transportation systems, sanitation, water supplies, and fire and police protection are also part of the daily business of city governments. A city government usually is organized in one of four ways. Depending on its charter, the city will have a mayor-council government, a strong-mayor government, a commission government, or a council-manager government.

Mayor-Council Government

The oldest and most common form of city government is the mayor-council government. In this kind of government, the **city council** is the legislative body. The **mayor** is the city's chief executive officer.

In mayor-council governments, a city may be divided into several districts, often called wards. The people of each ward elect one person to represent them in a city council. In some cities, several council members at large are elected by all the voters in the city, rather than just the voters of one ward. Usually the mayor is also elected at large.

Weak-Mayor Plan During the country's early years, Americans remembered British governors who had abused their powers. For this reason, some cities developed the weak-mayor plan to limit the power of the mayor. Under the weak-mayor plan, the city council holds more power than the mayor. For example, the council appoints the city department heads, who report directly to the city council rather than to the mayor.

Strong-Mayor Plan Recently, many city governments using the mayor-council form of government have adopted a strong-mayor plan of city government. Under the strong-mayor plan, the mayor is the city's chief executive officer and has the **primary** responsibility for running the city's government. For example, the mayor appoints most of the city officials. He or she usually also prepares the city budget. In some cities, the mayor can also veto ordinances passed by the city council. Because executive power is concentrated in the mayor, many people think that the strong-mayor plan is more efficient than the weak-mayor form.

SS.7.C.3.9 Illustrate the law making process at the local, state, and federal levels.

ACADEMIC VOCABULARY

primary: main, most important

4 Structures of Local Government

American city governments have four different structures. The weak-mayor system dates back to colonial days and, as cities grew, was mostly replaced by the strong-mayor system. The commission and council-manager plans are closely related.



Mayor-Council (Weak Mayor)

In the weak-mayor plan, the mayor has equal voting power with all the members of the council. A weak mayor's vote, however, may act as a tie breaker.

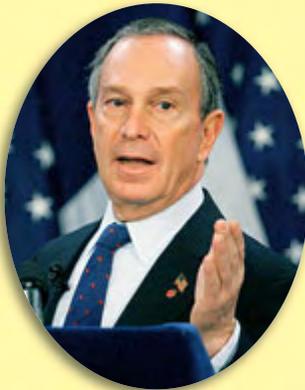


The weak-mayor plan was the earliest structure of American city government. The colonists brought the structure from England, where mayors, like the Lord Mayor of London (shown above), were more ceremonial figures than city leaders. It was favored in early America because it keeps one person from being too powerful.



Mayor-Council (Strong Mayor)

In the strong-mayor plan, the mayor has veto power on the decisions of the council. Mayors also appoint city officials and have power over the city budget.



Beginning in the 1800s, many cities changed from the weak-mayor to the strong-mayor plan. This change led to corruption in some places. New York City suffered under a corrupt city government, known as Tammany Hall, from the 1850s to the 1930s. Large cities, including New York, still have a strong mayor plan, but corruption is rare. Michael Bloomberg is currently the New York City mayor.



Commission

In the commission plan, each council member is in charge of a different city department. The mayor's vote carries the same weight as each of the commissioners' votes.



In 1900 Galveston, Texas, (shown above) suffered a devastating hurricane that killed one out of every six people living there. In response, the city formed the first city commission to make sure that responsibility for the many different jobs needed to rebuild the town would not fall just to the mayor.



Council-Manager

In cities with a council-manager plan, like Oklahoma City, Oklahoma, a city manager is appointed by the city council to run city departments. The mayor leads the city politically, and the manager directs the city's day-to-day operations.



The council-manager structure began in 1912 in Sumter, South Carolina. Sumter's mayor created it based on the city commission structure in Galveston, but he added a supervisory level—the city manager—to oversee the departments.

ANALYSIS SKILL

ANALYZING VISUALS

1. **Identify** Describe the four structures of local government.
2. **Evaluate** Which structure of local government is most efficient? Explain.

Commission Government

A new form of government was introduced in Galveston, Texas, around 1900. Under the **commission** form of government, a city is governed by a commission. It usually consists of three to nine elected officials, or commissioners. The commission acts as the city's legislative body, passing laws for the community.

The commission also acts as the city's executive body. Each commissioner heads up a city department and enforces laws relating to that department. For example, one commissioner usually heads the department of public safety, which includes the police and firefighters. Another commissioner oversees public works. This official sees that the city has an adequate supply of clean water and that the streets are kept in good repair. A third commissioner oversees the city's finances, including tax collection. Another commissioner might supervise the public welfare department, which helps the city's disadvantaged citizens. Still another commissioner might run the health department, which supervises hospitals, clinics, and health inspectors in the city.

The commission form of city government has certain disadvantages. For example, voters may find it difficult to elect officials who know how to run a department of the city's government. In addition, commissioners sometimes disagree about who should manage activities and budgets that fall under the jurisdiction of different departments.

Council-Manager Government

The council-manager plan of government is really a commission with a city manager added. Under the council-manager plan, voters elect a city council to act as the city's lawmaking body. The council then appoints a city manager as the city's chief executive. The city manager appoints the heads of the city departments. These officials report directly to the city manager, who may also remove them from office.

The council-manager government has several advantages. First, because the city manager is appointed and not elected, he or she is usually free from any political pressure. In addition, the council can fire the city manager if he or she does not do a good job.

However, there are disadvantages to this form of government. Some cities cannot afford to hire a good manager. Some critics argue that city officials should be directly accountable to the voters.

READING CHECK

Finding the Main Idea What are the types of city government, and how are they different?

FOCUS ON

After receiving complaints from residents, the city of Lake Worth, Florida, recently passed an ordinance to limit noise downtown. The city commission appointed a task force that held a public meeting to get community feedback. Then, the task force made its recommendations, which the commissioners voted on and approved.

SECTION 3 ASSESSMENT

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ONLINE QUIZ

Reviewing Ideas and Terms

- Define** Write a brief definition for the term **home rule**.
 - Draw Inferences and Conclusions** How does home rule loosen the restrictions on a city?
- Define** Write a brief definition for the terms **city council**, **mayor**, and **commission**.
 - Summarize** How is a mayor-council government organized?
 - Evaluate** What are the strengths and weaknesses of the council-manager form of government?

Critical Thinking

- Evaluating** Use your notes and a chart like the one here to evaluate the advantages and disadvantages of each type of city government.

Types of City Government	Advantages	Disadvantages
Strong Mayor		
Weak Mayor		
Commission		
Council-Manager		

FOCUS ON WRITING

- Supporting** Imagine that you are part of a committee establishing a new city. Write a short speech explaining which of the four plans you believe is the most effective form of city government and why.



Analyzing an Editorial



SS.7.C.2.10;
LA.7.1.6.2

Learn

Editorials are a special type of newspaper or magazine article. They express the opinion of the writer or of the editorial board of the publication. Often-times editorials take a stand on a recent event or policy. Most editorials use facts to support their point of view.

Today many newspapers dedicate a page or section to opinions and editorials. Use the tips below to learn how to analyze an editorial.

Practice

- 1 **Determine the subject.** As you read an editorial, you should ask yourself what issue or event the article is addressing.
- 2 **Identify the author's point of view.** What is the author's opinion? Look for words and phrases that indicate his or her point of view.
- 3 **Locate the facts.** What facts does the author use to support his or her argument?
- 4 **Decide where you stand on the issue.** Think carefully about the information presented in the editorial. Is there enough evidence to support the author's point of view? Do you agree or disagree with the author?

Apply

Read the editorial carefully. Use the tips for analyzing an editorial to help you answer the questions below.

1. How is this editorial framed—what issue, policy, or event does it address?
2. What is the author's point of view? How can you tell?
3. What facts and information does the author provide to support his or her opinion?
4. How would you frame a response to this editorial? What points would you make and how would you support them?

CONCERNS ABOUT TASERS

Police departments around the country are debating the use of Tasers, the electronic stunning devices widely used to subdue unruly suspects.

An influential police research group meeting in Houston last week recommended using the stun guns only on people violently resisting arrest because of the weapon's potential to kill. The Police Executive Research Forum also said suspects should be evaluated after one shock before being shocked again . . .

Although police departments, and the research forum, believe Tasers are important to police work, there is ample concern that more caution needs to be exercised when using them. Tasers shoot barbs that deliver 50,000 volts of electricity to the body and incapacitate the target they hit . . .

When it comes to the effectiveness of Tasers, much is still unknown. But in the past four years, more than 70 people have died in the United States after being stunned by Tasers, and that alone is cause for more study to help police officials develop proper training methods and use-of-force protocols . . .

There is widespread belief that Tasers have resulted in a decrease in lethal force when subduing suspects and in fewer injuries to officers. Although there is no doubt that a Taser is not as lethal as a gun, there is concern that officers are using Tasers indiscriminately or in routine confrontations . . . Police should have a clear protocol that directs officers to resort to Tasers only after other methods to subdue suspects fail.

Source: *Austin American-Statesman*

SECTION 4



SS.7.C.3.4; SS.7.C.3.14; LA.7.1.6.1; LA.7.1.7.1

How Governments Work Together

BEFORE YOU READ

The Main Idea

You live under three levels of government—local, state, and federal. Without cooperation among these levels, everyday life would not run smoothly.

Reading Focus

1. How do the different levels of government work together?
2. How do governments cooperate to meet people's needs?
3. In what ways are different levels of government in competition?

Key Terms

grants-in-aid, *p. 241*
block grants, *p. 241*



Use the graphic organizer online to take notes on how governments work together and compete with each other.



The “Big Dig” in Boston, Massachusetts, was an example of governments working together. From 1982 to 2006 the city of Boston worked with surrounding cities and the state to build new roads and interchanges.



If your heart, lungs, and brain did not work together, you could not function properly. The same is true of the three levels of government.

If local, state, and federal government did not cooperate, life would be difficult.

Governments Work Together

As you read earlier in this chapter, most local units of government have their powers defined for them in charters written by the state legislatures. This outlines the duties and responsibilities of each level of government and ensures that all governmental bodies have the powers needed to do their jobs.

Under the U.S. federal system of government, the powers of each level of government are clearly defined and understood. At the top, the U.S. Constitution is the supreme law of the land. All levels of government must obey the Constitution. For example, no state or city can require public officials to do things that are prohibited by the U.S. Constitution. State constitutions set up rules that govern the people of each state.

Governments Work Together in Times of Crisis

In the aftermath of Hurricane Katrina, local, state, and federal governments worked together to help the victims of the disaster.

Chang W. Lee/The New York Times



Local

New Orleans police and firefighters worked to rescue people trapped by floodwaters.



State

Schools in neighboring states took in many students displaced by the hurricane.



Federal

The federal government sent the U.S. Coast Guard to aid in rescue efforts.

ANALYSIS SKILL

ANALYZING VISUALS

Making Inferences What might be the benefits of different levels of government cooperating in times of crisis?

Building Roads Together

Though each level has its defined roles, many issues call for cooperation among local, state, and federal governments. A good example can be seen in the nation's roads and highway systems. Today every state has a network of roads built with local, state, and federal funds.

In colonial days, building a road was a local project. If a town wanted a road, the townspeople built it. These early, primitive roads were cheap to build. Local governments could easily plan and pay for such roads. As the West opened up, the U.S. government did pay for the construction of some east-west roads. However, in general, road building remained a local responsibility.

In the late 1800s New Jersey became the first state to use state funds to help its counties improve their local roads. Massachusetts went a step further in 1893. It established a state highway commission to build a state-wide highway system. Other states soon established state highway departments to build main roads.

President Dwight D. Eisenhower was instrumental in the construction of the nation's interstate highway system. He recognized the importance of highway building in 1919. Then he was a soldier and took part in the U.S. Army's first transcontinental motor convoy. The journey was a miserable two-month trip. It was slowed by poorly kept dirt roads and rickety old bridges. Then, during World War II, General Eisenhower saw the ease with which the German forces could travel through the countryside because of Germany's highway system. In 1956, partly as a result of his wartime experiences, President Eisenhower signed legislation that funded the creation of the U.S. interstate highway system.

Today more than 46,000 miles of interstate highways connect almost all parts of the country. The federal government pays 90 percent of the cost of building and maintaining the system. It assists state and local governments in building and maintaining other highways.

City Governments Work Together

In the same way that the three levels of government work together, governments of different cities may work together to solve common problems. For example, all city governments are concerned about increasing funds for police departments, fire departments, and education. They look for ways to lessen air pollution and to safely dispose of trash. The U.S. Conference of Mayors meets regularly. The country's mayors compare problems and discuss possible solutions.

READING CHECK

Analyzing Information

How is the road system an example of cooperation between state and federal governments?

Governments Cooperate to Serve the Public

Public education is one of the most important areas in which governments cooperate to serve the public. State governments grant funds to their communities to help the communities operate their schools. State boards of education provide services for local school districts and see that they obey state laws. However,

actual control of the schools is left to local boards of education. These local boards are more familiar with the needs of their communities and the students in their schools.

Federal Government Programs

The federal government ensures the cooperation of state and local governments by providing funds to help them **implement** important programs. For example, **grants-in-aid** are federal funds given to state and local governments for specific projects, such as airport construction or pollution control. The government receiving the funds must meet certain standards and conditions. It must often provide some money of its own for the project. Grant-in-aid projects are subject to supervision by the federal government.

Like grants-in-aid, **block grants** are funds given by the federal government to state and local governments. However, block grants are given for broadly defined purposes. State and local governments develop and carry out the programs on which the funds will be spent. However, they must establish a spending plan and report expenditures to the federal government.

ACADEMIC VOCABULARY

implement: to put in place

American Religious Liberties

The Role of Religion and Public Office

The inauguration of the president receives special attention in the Constitution, Article VI. It states that “no religious Test shall ever be required as a Qualification to any Office” of the United States. A candidate for president does not have to meet a religious test or belong to any religion to be elected.

In an additional effort to make sure that religion does not determine a public official's appointment, Article VI also says that all federal and state

officials “shall be bound by Oath or Affirmation, to support this Constitution.” The option to affirm rather than to swear an oath of office was specifically intended for Quakers. Their religion prohibits swearing oaths.

1. What evidence in the Constitution shows that the founding fathers did not want to impose any formal religious qualifications for public officials?
2. How might an elected official's religion influence his or her position? Give examples.



FOCUS ON



About \$18 billion was earmarked for elementary and secondary public education spending in the 2010–2011 Florida state budget. Most of this money comes from local property taxes, but state sales taxes and federal funds also pay for education in Florida. Among other things, the money will be used to pay teachers' salaries and purchase instructional materials, which will help support the economy.

State and Local Governments

In the same way, states work with local governments to assure the quality of life in the United States. For example, stores and businesses must obey many state laws that require good business practices. State health regulations protect people eating at local restaurants. State education requirements ensure that all students in the state are offered the same education. For the same reason, workers in local factories and mines are protected by state inspectors. They ensure that the industries obey all safety regulations. State bank inspectors help ensure that bank accounts are safe. They make sure that banks are following state and federal banking regulations.

State governments also establish state licensing boards. These boards administer examinations. They issue licenses to accountants, dentists, doctors, engineers, lawyers, nurses, teachers, and other professionals. This service helps to ensure that communities have qualified professional workers. It ensures that these workers meet certain standards.

READING CHECK

Summarizing What are some other ways that different levels of government cooperate?

Governments in Competition

Local, state, and federal governments often work together on many matters. However, all of these levels of government also compete with one another in several ways. For example, governments at all levels compete for citizens' tax dollars in the form of various income taxes, property taxes, and sales taxes.

States compete with each other to attract industry. State officials may offer tax breaks, a good supply of labor, efficient highway systems, and favorable laws to encourage industries to move to their state. Cities compete against each other for trade and industry in similar ways.

The combined system of federal, state, and local governments is complex. Conflicts among governments are to be expected at times. Only by working together can the country's three levels of government fulfill their duty to serve the American people.

READING CHECK

Analyzing Information What are some of the areas in which governments compete?

SECTION 4 ASSESSMENT



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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Identify** What three levels of government provide services to the American people?

b. Make Generalizations Government decisions at any level must not conflict with what national document?
- a. Define** Write a brief definition for each of the following terms: **grants-in-aid** and **block grants**.

b. Make Generalizations Although all levels of government are involved in education, which government level actually controls the schools? Why?
- a. Summarize** In what areas might state and local governments compete for tax dollars?

b. Recall What are some ways cities and states can attract new industry?

Critical Thinking

- Finding Main Ideas** Using your notes and a chart like the one below, write a main idea sentence for each element of how governments function.

Element	Main Idea
Working Together	
Serving the Public	
Competition	

FOCUS ON WRITING

- Analyzing Information** Imagine you have been invited by the local government to give a short speech titled "How Governmental Cooperation Serves Our Community." Write a speech that explains how the three levels of government work together to improve life in your community.

STUDENTS TAKE ACTION

PROJECT Citizen



Changing Park Rules

When students in Pleasant Grove, Utah, rode their bicycles or skateboards to a park, they ran into a problem. Signs posted in the park said that no biking, skateboarding, or roller skating was allowed. The teens knew that if they wanted to change these rules, they would have to work with the city government.

Community Connection To find out the extent of the problem, the Project Citizen students in teacher Bill Spence's class talked to classmates and adults in the community. During these surveys, the students discovered that many people were confused. Which activities were and were not allowed in the park? Some park signs further complicated the problem by giving conflicting information. For example, one park sign said both "No bikes" and "Park bikes in bike racks."

Taking Action The students decided to research local laws. They learned that one city law specifically allowed bicycles in parks and skateboards and roller skates in particular areas. Prepared with this information and their survey results, the students invited officials from the city's Leisure Services Division and the Parks and Recreation Department to a presentation at their school. The students presented their research. They suggested a plan of action. It included replacing the confusing signs and making sure the park rules followed the city law. The officials agreed with the students' recommendation. So they posted new park signs. "The city's officials were very impressed with the students' research and presentation," said teacher Bill Spence.



Signs make it easier to know park rules.

SERVICE LEARNING

21ST CENTURY

1. Why was it useful for the students to interview others about their reactions to the park signs?
2. How did researching local laws help the students achieve their goal?

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CHAPTER 9 REVIEW



FLORIDA CIVICS EOC PRACTICE

1. The following quotation is from the inauguration address by the mayor of a major U.S. city.

Imagine an extensive mobility system embraced by the public . . . We need all possible transit options. Folks in other cities where mass transit really works, really moves people, appreciate their systems. That can happen here, and it will.

What might be the most effective way for citizens to help make this mayor's vision a reality?

- A. refusing to use public transportation until it improves
 - B. joining public demonstrations that highlight the public transit system's flaws
 - C. writing to government officials asking them to increase funds for highway construction
 - D. voting for bond issues that would pay for increased public transit
2. Which of the following statements is true regarding the law-making process at the local level?
- A. County governments usually make laws by approving the sheriff's proposals.
 - B. At a town meeting, people can vote directly on various issues.
 - C. Townships are gaining more law-making power as more people move to suburbs.
 - D. Each state has 10 to 15 school districts that pass laws regarding education.

Reviewing Key Terms

Write a sentence explaining the significance to local government of each term or name below.

- 1. municipality
- 2. city
- 3. county
- 4. sheriff
- 5. charter
- 6. ordinances
- 7. town
- 8. town meeting
- 9. township
- 10. special district
- 11. home rule
- 12. city council
- 13. mayor
- 14. commission
- 15. grants-in-aid
- 16. block grants

Comprehension and Critical Thinking

SECTION 1 (Pages 228–230)

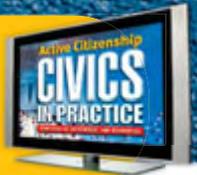
17. a. **Explain** How are local governments established?
- b. **Describe** How is county government generally organized, and what do counties do?
- c. **Elaborate** What purposes do local governments serve, and why do they cooperate with each other?

SECTION 2 (Pages 231–233)

18. a. **Describe** What is a town, and why are town meetings important to people in a town?
- b. **Analyze** What is the difference between a town or a village and a special district?
- c. **Evaluate** Do you think it is possible to have a "town meeting" at the state or national level? Why or why not?

Active Citizenship video program

Review the video to answer the closing question:
Name at least one argument in favor of and one argument against the power of eminent domain.



SECTION 3 (Pages 234–237)

- 19. a. Recall** What is the difference between a home-rule city and a city without home-rule power?
- b. Evaluate** Which of the forms of city government do you think offers the most effective system of checks and balances in local government?

SECTION 4 (Pages 239–242)

- 20. a. Recall** In which areas do the three levels of government—local, state, and federal—cooperate?
- b. Supporting a Point of View** Explain why it is important that city, state, and national governments cooperate on such projects as road building.

Reading Skills

Understanding Political Cartoons Use the Reading Skill taught in this chapter to complete the activity below.

- 21.** Create a political cartoon that is a visual representation of one aspect of the information below.

Level of Government	Source of Authority
Federal government	The people of the United States The Constitution
State governments	The people of the United States The Constitution State constitutions
Local governments	The people of the United States The Constitution State constitutions State charters

Using the Internet

- 22. Researching Local Government** Your local government is the government closest to your daily life and you can see its work around you every day. Through your online textbook, research your county or city government's structure, sources of revenue, and lawmaking process. Then create a labeled diagram to illustrate what you learned about your local government.

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Civics Skills

Analyzing an Editorial Use the Civics Skill taught in this chapter to answer the question about the selection below.

CONCERNS ABOUT TASERS

Police departments around the country are debating the use of Tasers, the electronic stunning devices widely used to subdue unruly suspects.

An influential police research group meeting in Houston last week recommended using the stun guns only on people violently resisting arrest because of the weapon's potential to kill. The Police Executive Research Forum also said suspects should be evaluated after one shock before being shocked again . . .

Although police departments, and the research forum, believe Tasers are important to police work, there is ample concern that more caution needs to be exercised when using them. Tasers shoot barbs that deliver 50,000 volts of electricity to the body and incapacitate the target they hit . . .

When it comes to the effectiveness of Tasers, much is still unknown. But in the past four years, more than 70 people have died in the United States after being stunned by Tasers, and that alone is cause for more study to help police officials develop proper training methods and use-of-force protocols . . .

There is widespread belief that Tasers have resulted in a decrease in lethal force when subduing suspects and in fewer injuries to officers. Although there is no doubt that a Taser is not as lethal as a gun, there is concern that officers are using Tasers indiscriminately or in routine confrontations . . . Police should have a clear protocol that directs officers to resort to Tasers only after other methods to subdue suspects fail.

Source: *Austin American-Statesman*

- 23.** What point of view does this editorial express? What arguments might be used by people who oppose this point of view?

FOCUS ON WRITING

- 24. Writing Your Persuasive Letter** You have described the levels of local government in your notes. Now think about issues in your community, your own local government, and how your government might address the problems. Then, write a two-paragraph persuasive letter to the newspaper arguing your position about how your local government might solve the problem and make your life better.

Private Property for Public Use?

Suppose your town or county wants to build a new road. Officials decide that the best place for it is right through your home! Even if you object, the government can take control of your property, as long as you are paid a fair amount for it. This power to take private property is called “eminent domain.” For years it has been used to create public roads, railroad tracks, military bases, and dams. But what if the government wants to take your land and sell it to a private company that might boost the local economy? Is that fair?

Why it Matters

The Fifth Amendment to the Constitution says that eminent domain applies only to land taken for “public use.” But what is public use? Obviously a public roadway where anyone may travel is public use. What about a sports arena where people must pay for tickets? What about a shopping mall, where companies benefit from people spending money?

In 2005 the Supreme Court ruled on an eminent domain case from New London, Connecticut. A private company proposed building a research facility on a large piece of unused land in New London. The city hoped the new facility would revive the surrounding area’s economy. So a major renovation was planned. The plan involved tearing down private homes to build a hotel, restaurants, shops, pedestrian areas, offices, and high-rise private apartments. The decision the Court had to make was whether these projects would qualify as public use. The Court held that the plan benefited the economic development of the community. So the plan did indeed fit the definition of public use.

Many Americans believed that this decision gave local governments too much power to seize private property. In response to the ruling, some state and local governments have already begun considering new laws to limit the power of eminent domain. For example, in 2006 the state of Florida amended its constitution. It prohibited transferring private property taken by eminent domain to another person or private entity without a three-fifths vote of each house of the state legislature.



This home in New London, Connecticut, was one of several condemned by the state to make room for a new hotel and other developments.

ANALYSIS SKILL

EVALUATING THE LAW

1. What kinds of projects might qualify as public use?
2. Do you think the government should be able to take private property to sell to a private business? Explain your answer.

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