# US Constitution & Federalism

Shared Power Between National, State, & Local Gov't

# Basics of the Constitution

- Three Branches = Legislative, Executive, & Judicial
- Separation of Powers
- Checks & Balances
- Bi-cameral legislature (House of Rep's & Senate)
- Enumerated Powers vs. Implied Powers
- Bill of Rights (Amendments 1 thru 10)

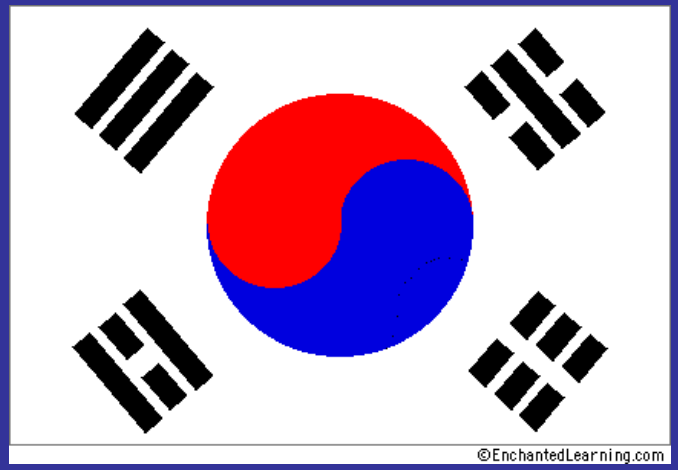


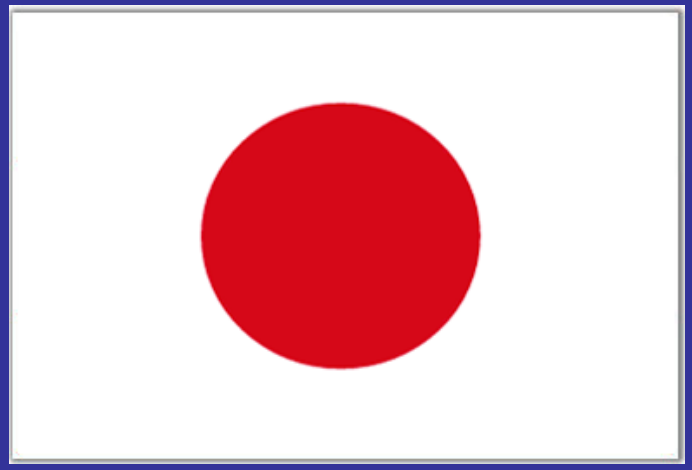


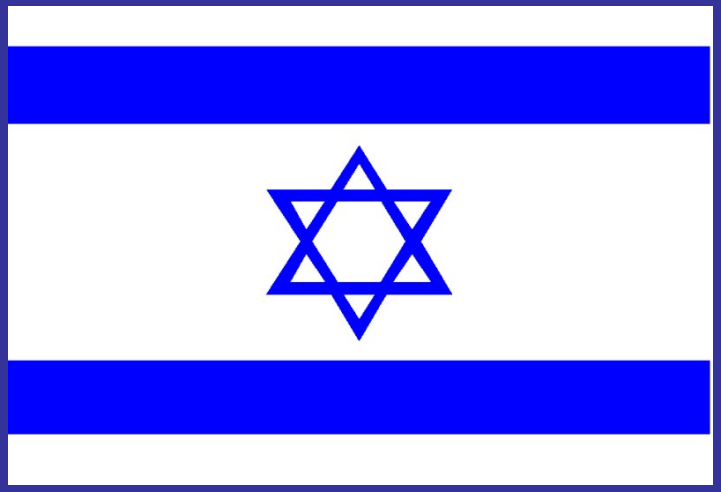
# Unitary vs. Confederation

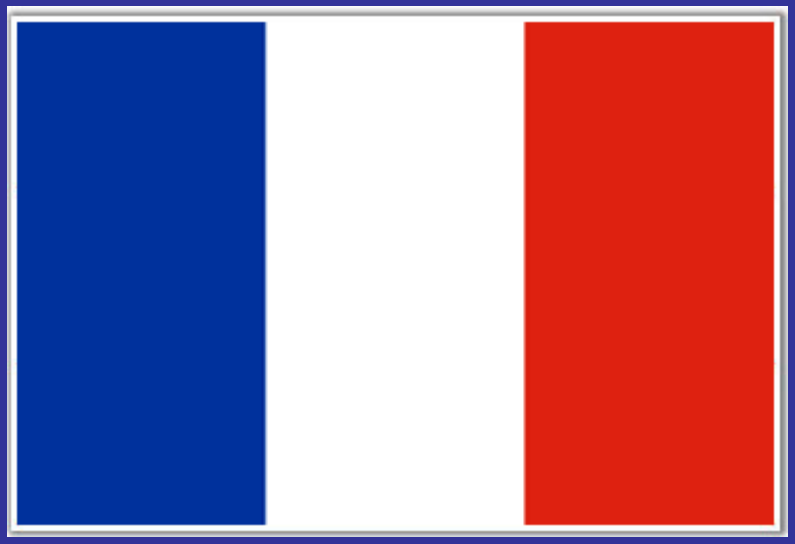
- Unitary System = Central gov't has supreme power over governing the nation
- Confederation = The local provinces or state governments have most of the power.
- Federalism = The national, state, and local governments all have a role in governing (shared power)

# Unitary Systems

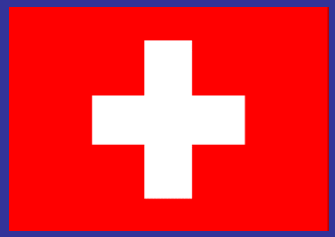


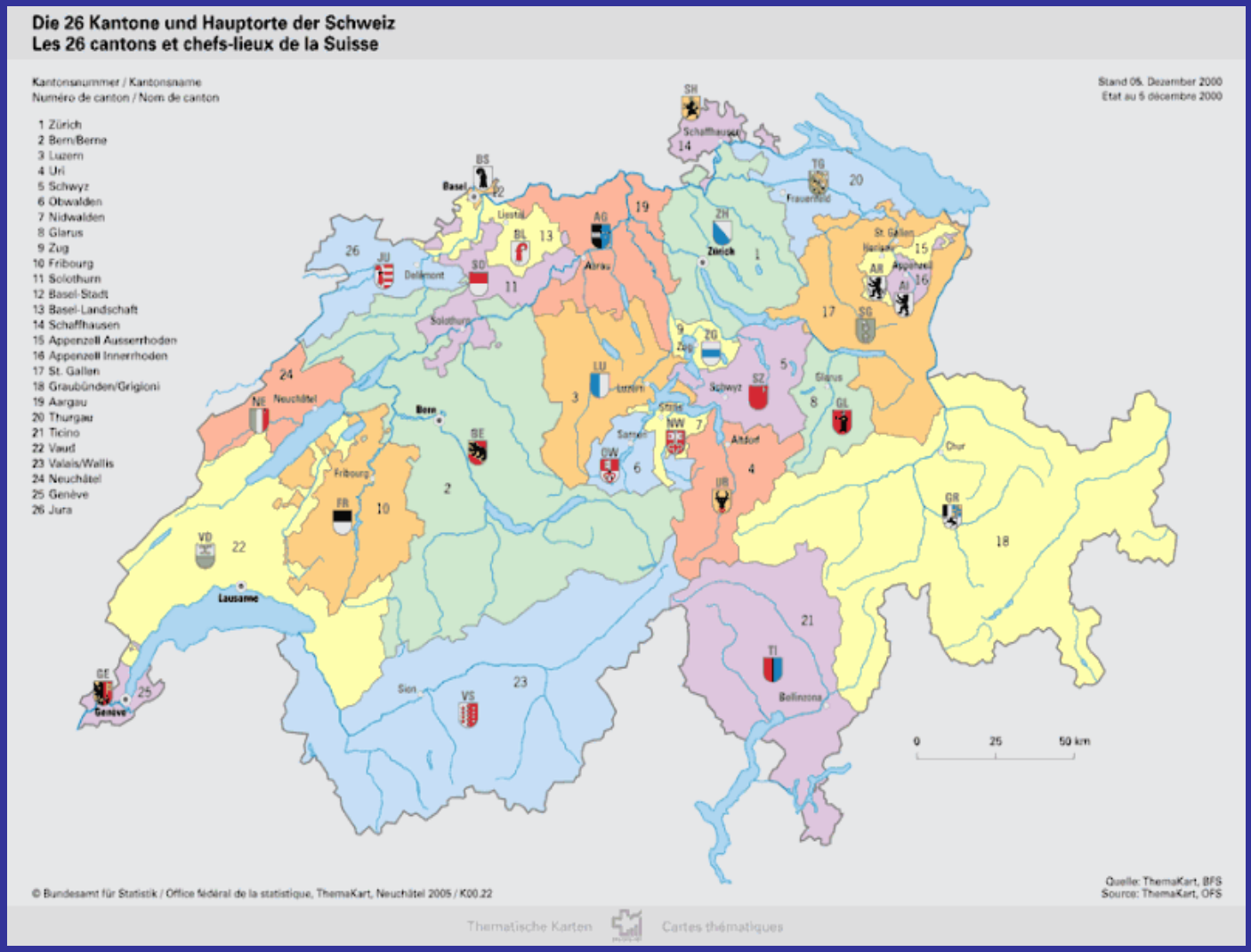







# Confederate Systems





# American Federalism



- Supremacy Clause (Article 4) vs. The 10th Amendment
- Some powers given the Nat'l Gov and some powers give to the State Gov
- Many areas of gov't ~ shared powers between many levels of gov't
- Dual Federalism vs. Cooperative Federalism

# Dual Federalism

- “layered cake model” ~ Fed’s & states have clearly defined roles



# Cooperative Federalism

- “Marble Cake Model” ~ Fed’s and states share power



# Multi-layered Gov’t

- Just like a “marble” cake
- Cooperative Federalism (shared responsibility)
- We live in many jurisdictions all at once
- Local = school districts, fire districts, cities or counties
- State = Washington gov’t (State Constitution)
- National (Federal) = US Constitution (Congressional representation; federal court jurisdiction)
- Numerous examples of Federalism

# Education

Funding of public schools:

- National gov't allocates money based on student population (per pupil) (income taxes)
- State gov't = also per pupil (property taxes)
- Local = school district levies/bonds
- Standards (all levels)






# Murder or Other Crimes

Where did the crime happen?

- Post Office (Federal gov't)
- Convenience Store (local/state gov't)
- Most crimes are not Federal crimes!



# Transportation/Road Improvements

- Transportation improvements always include federal, state, & local taxes



# *Different Roles at Each Level*

**National government domestic policies:**

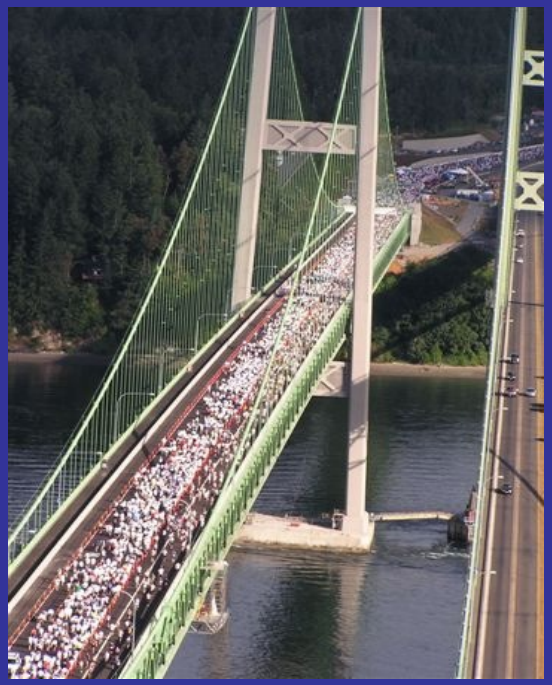
- Internal improvements
- Subsidies (mainly to farmers)
- Tariffs
- Management of Public Lands
- Immigration laws
- Foreign policy
- Copyrights
- Patents
- Currency
- Military



# State Gov't

**State government policies**

- Property law
- Estate and inheritance law
- Banking and credit laws (shared with Fed's)
- Labor and union laws (shared with Fed's)
- Insurance laws (shared with Fed's)
- Family laws (marriage/divorce)
- Public health and quarantine laws (shared with Fed's)
- Public works projects & laws, including eminent domain
- Building codes
- Corporations law
- Land use laws
- Water and mineral resource laws
- Judiciary and criminal procedure laws
- Election laws, including parties
- Local government framework/laws
- Civil service laws
- Occupations and professions laws



# Counties/Cities/Special Districts

**Local government policies**

- Public works/Utilities
- Transportation
- Contracts for public works
- Licensing/Permitting
- Collection of local & state taxes
- Basic public services (sidewalks, sewers, parks)
- Land-use planning
- Public Safety



# States vs. Federal Government









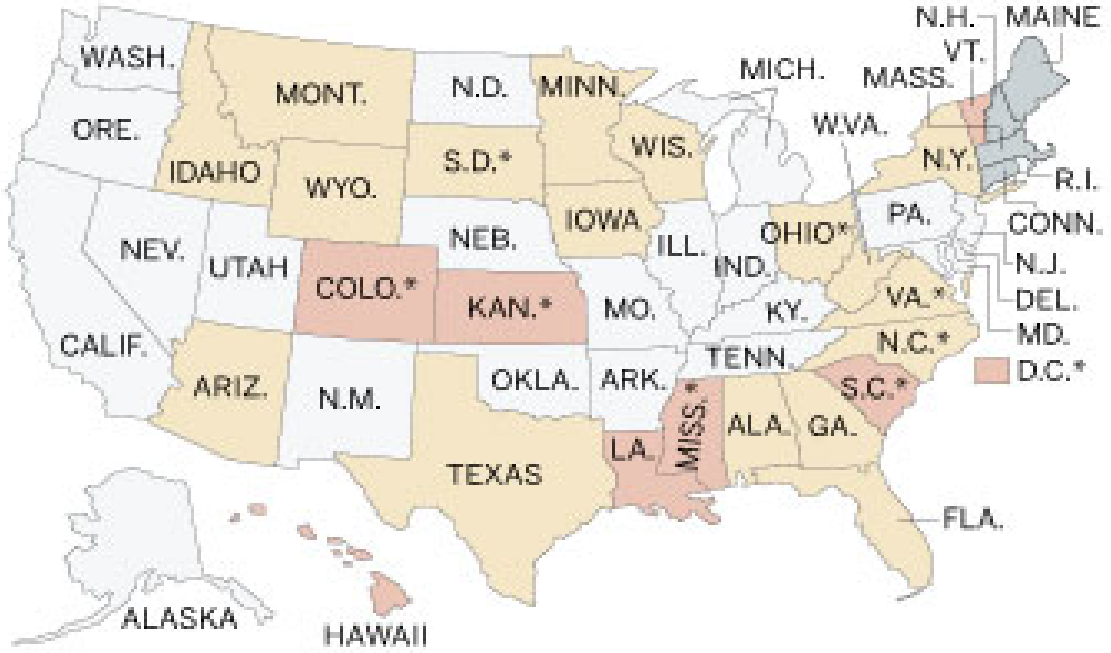

# More Debate

## Before there was a national drinking age

The National Minimum Drinking Age Act of 1984 essentially created a national drinking age of 21. Now some states are trying to lower it again.

**MINIMUM LEGAL DRINKING AGE BY STATE IN 1984**

**18** (7 states and D.C.) **19** (17) **20** (4) **21** (22)




*Age for beer and wine only; 21 for hard liquor

SOURCE: Congressional Research Service

TRIBUNE GRAPHIC

How many levels of government impact you daily?