Civics EOC Tutorials Federalism: Notes

Federalism

A system of government in which power is divided between the federal (national) government and the states.

Note: Local governments (county and city) are a division of state governments, and therefore come under the control of the states.

Basic Federal System in the United States

	Legislative Branch	Executive Branch	Judicial Branch
Federal	U.S. Congress (U.S. House of Representatives and U.S. Senate)	U.S. President U.S. Vice-President	U.S. Supreme Court U.S. Circuit Courts of Appeal U.S. District Courts
State	Florida Legislature (Florida House of Representatives and Florida Senate)	Florida Governor Florida Lieutenant Governor	Florida Supreme Court Florida District Courts of Appeal Florida Circuit Trial Courts
Local (County)	Hillsborough County Commission	Hillsborough County Administrator	Hillsborough County Trial Court
Local (City)	Tamp City Council	Tampa City Mayor	There are no courts at the city level

Types of Power in the Federal System of the United States

The U.S. Constitution delegates, or assigns, powers to the federal (national) government...

Enumerated

Definition: Powers granted directly to the federal (national) government by the U.S. Constitution; another name for *expressed* powers Example: The federal government can regulate trade between the United States and foreign countries, and between the states

Implied

Definition: Powers that are not listed in the Constitution, but that are "necessary and proper" for the federal government to do its job (based on the Constitution); this related to the *elastic* clause in the Constitution (Congress can *stretch* its power to do its job) Example: Congress made kidnapping a person and transporting them across state lines a federal crime, even though there is nothing about kidnapping in the Constitution (the Constitution *does* state that Congress has the power to regulate interstate activity)

Inherent

Definition: Powers the federal government has simply because it is a government

Example: Creating laws concerning immigration (even though it's not in the Constitution, the federal government has the right to say who can and who cannot enter the U.S.)

Some powers are just for the states...

Reserved

Definition: Powers that the Constitution does not give to the national government and that are kept by the states; comes from the 10th

Amendment

Example: Building and funding schools

Some powers are shared by the federal and state governments...

Concurrent

Definition: Powers shared by the state and federal governments

Example: Law enforcement, collecting taxes

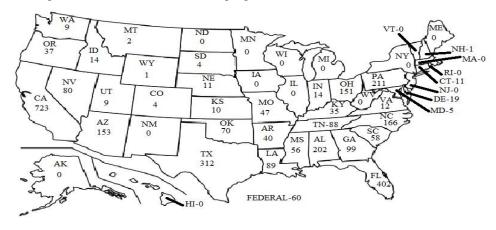
The Supremacy Clause

Article VI (6) states that the Constitution (and all federal laws that are constitutional) is the "supreme" law of the land. No state or local law is above federal law.

Civics EOC Tutorials // Federalism: Questions

Use the space next to each question to explain your answer.

- 1. Which constitutional provision forbids conflict between state and federal laws?
 - a. supremacy clause
 - b. habeas corpus
 - c. elastic clause
 - d. ex post facto
- 2. Which is an example of a 10th Amendment issue?
 - a. state governments oversee public schools
 - b. state governments coin money
 - c. national governments make treaties
 - d. national governments declare war
- 3. Requiring children to be vaccinated before entering school is an example of which power?
 - a. concurrent
 - b. delegated
 - c. implied
 - d. reserved
- 4. Which pair illustrates the idea of concurrent powers?
 - a. U.S. Congress & U.S. Supreme Court
 - b. Florida Highway Patrol & Tampa Police
 - c. Florida Supreme Court & Alabama Supreme Court
 - d. Florida Department of Law Enforcement & Federal Bureau of Investigation
- 5. The map below describes the number of people on death row in the United States as of 2012.



What constitutional relationship does the map illustrate?

- a. enumerated powers
- b. concurrent powers
- c. delegated powers
- d. reserved powers
- 6. The chart below shows the structures of local, state, and national governments.

	National	State	Local
Row 1	Congress	Florida Legislature	?
Row 2	President	Governor	Mayor
Row 3	Supreme Court	State Supreme Court	County Courts

Which choice best completes the last box in Row 1?

- a. Chief Justice
- b. City Council
- c. Representative
- d. Senator