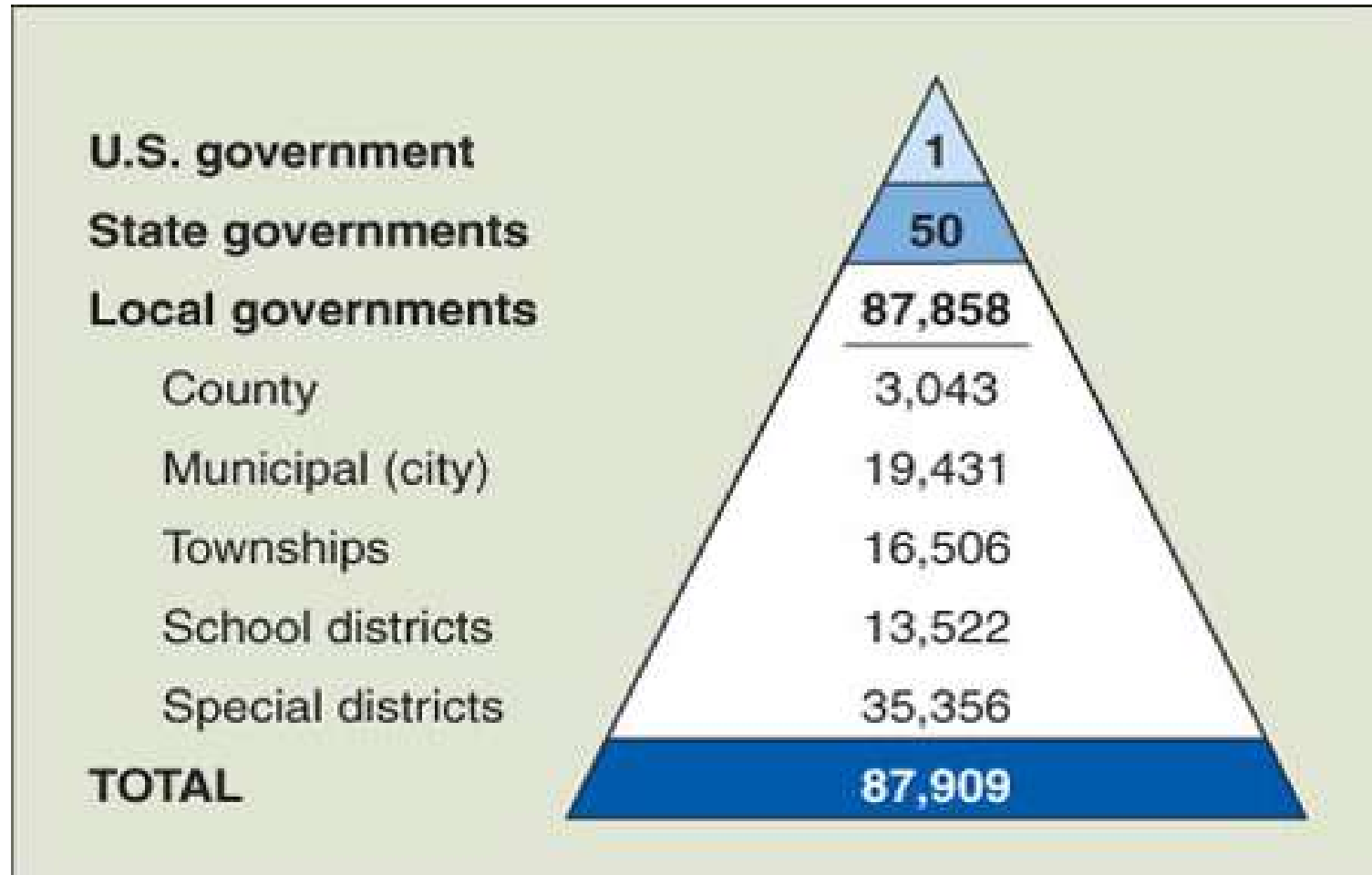


# MR. LIPMAN'S AP GOVERNMENT POWERPOINT FOR CHAPTER THREE

## *FEDERALISM*

- The fear was tyranny so power was divided between the Federal and State Governments.
- 1. A federal system allows both national and state governments to derive power from the people (**aka Dual Federalism**)
- 2. A **Unitary system** has all local and regional governments deriving power from a strong national government and not the people

## Number of U.S. Governments



# Article Four of the Constitution

- 1. Full Faith and Credit (respect contracts and judicial orders entered into in another state)
- 2. Privileges and Immunities (same rights state to state as provided by the national government)
- 3. Interstate Compacts

What was the Defense of Marriage Act?

- A. A law making divorce illegal.
- B. A law ensuring that marriage will never be outlawed in any state.
- C. A law designed to circumvent the full faith and credit clause by allowing states to disregard same-sex marriages performed in other states.
- D. A law allowing separated couples to stay legally married for tax and child custody purposes indefinitely.
- E. A law prohibiting taxation in any form to be placed on the act of marriage.

What was the Defense of Marriage Act?

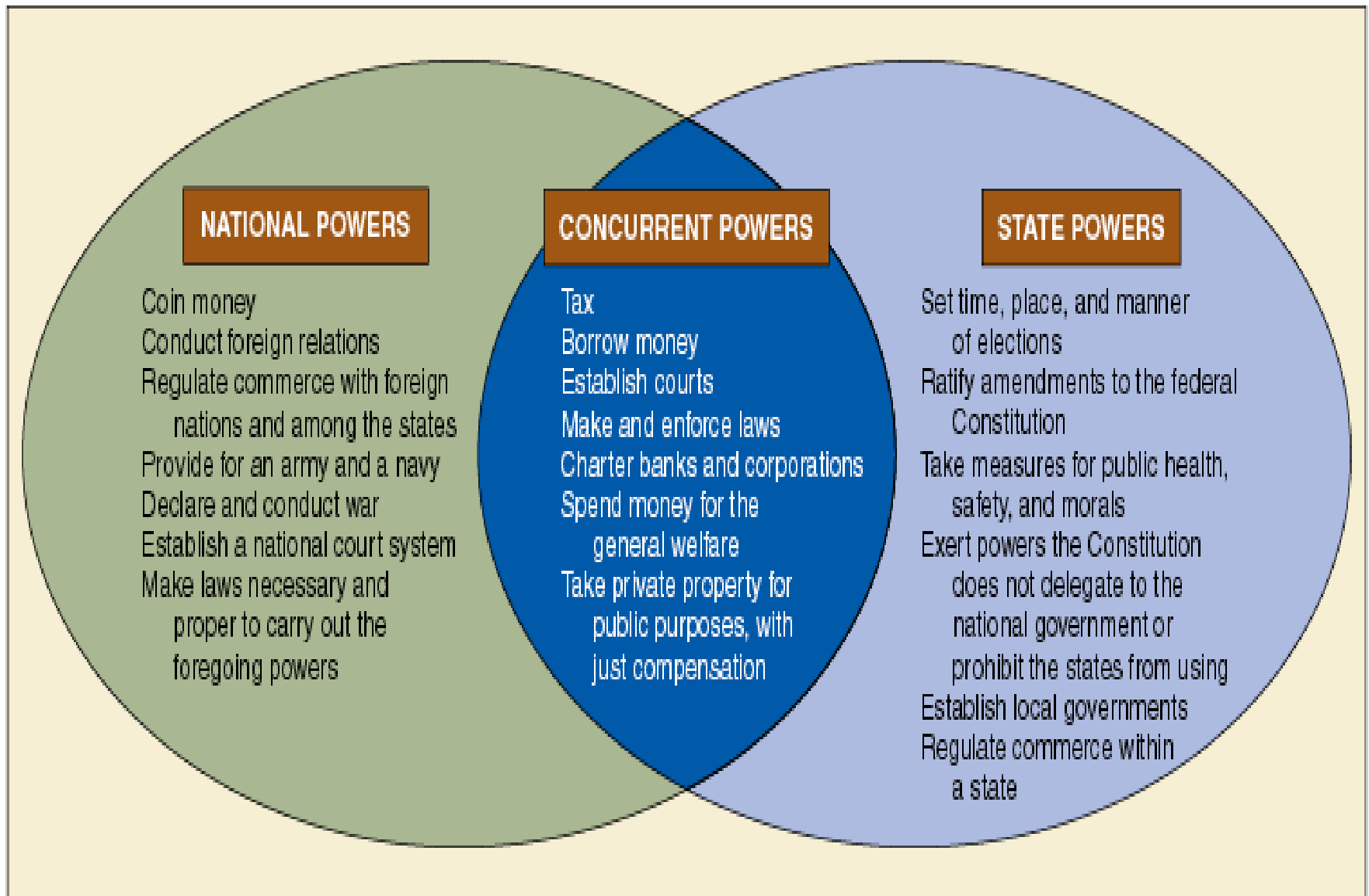
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# State Powers Under the Constitution

- Article 1
  - Allows states to determine time, place, and manner of elections for House and Senate representatives
- Article II
  - Requires that each state appoint electors to vote for president
- Article IV
  - Privileges and immunities clause
  - Republican form of government
  - Protection against invasion
- Tenth Amendment
  - States' powers described here
  - Reserve or police powers



**FIGURE 3.3** The Distribution of Governmental Power in the Federal System





# Concurrent Powers

- Concurrent powers
  - Authority possessed by both state and national governments and exercised concurrently (at the same time)
    - Power to tax
    - Right to borrow money
    - Establish courts
    - Make and enforce laws to carry out these powers

# Denied Powers

- States cannot
  - Enter into treaties
  - Coin money
  - Impair obligation of contracts
  - Cannot enter into compacts with other states without congressional approval
- Congress cannot
  - Favor one state over another in regulating commerce
  - Cannot lay duties on items exported from any state (No State Tariffs)

# ARTICLE SIX OF THE CONSTITUTION

- 1. ALL NATIONAL DEBTS WILL BE HONORED
- 2. SUPREMECY CLAUSE {constitution is supreme law of the land and national laws pre-empt state laws}

# THE KEY 3 COURT CASES

- 1. Marbury v. Madison (1803)
  - 2. McCulloch v. Maryland (1819)
  - 3. Gibbons v. Ogden (1824)
- 
- Federalist John Marshall expands the power of the Federal Judiciary and the Federal Government



Which of the following Supreme Court cases restricted the powers of the national government?

*A. Barron v. Baltimore* (1833)

*B. McCulloch v. Maryland* (1819)

*C. Gibbons v. Ogden* (1824)

D. All of the above

E. None of the above

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**E. None of the above**

# AMENDMENTS ADD TO FEDERAL GOVERNMENTS POWERS

- 14<sup>TH</sup> Amendment. (Due Process)
- 16<sup>th</sup> Amendment .....(Tax)
- 17<sup>th</sup> Amendment .....(Senators)
- 24<sup>th</sup> Amendment.....(No Poll Tax)

# CIVIL WAR STARTS THE CHANGE

- 1. Greenbacks
- 2. Transcontinental Railroad
- 3. Homestead Act
- 4. Morrill Land Grant (land for colleges)

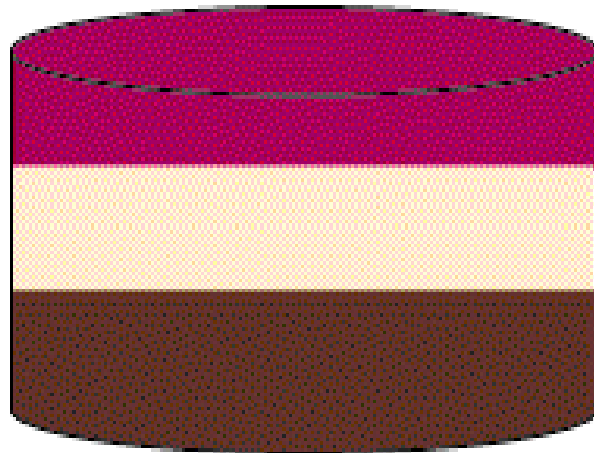



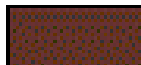

# FDR EXPANDS POWER OF FEDERAL GOVERNMENT

- 1. New Deal (power to local cities from feds because FDR needs to get around state power groups)
- 2. **Cooperative Federalism** (\$ changes everything...layer cake to marble cake)

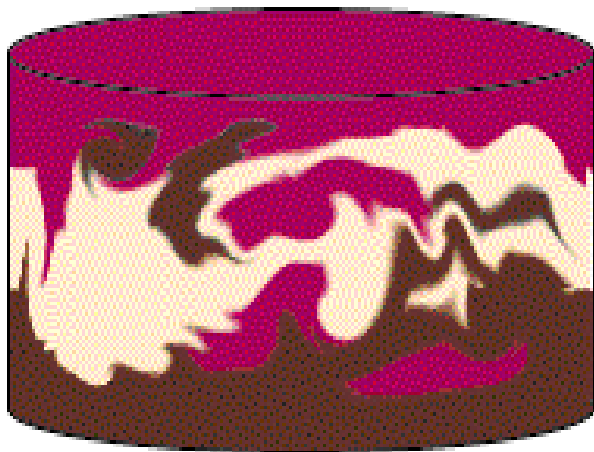


## Layer-cake Federalism



-  Local
-  State
-  National

## Marble-cake Federalism



-  Local
-  State
-  National

The Supreme Court's \_\_\_\_\_ attitude was reflected in the early years of the New Deal.

- A. fascist
- B. laissez-faire
- C. lazy
- D. progressive
- E. religious

The Supreme Court's \_\_\_\_\_ attitude was reflected in the early years of the New Deal.

A. fascist

**B. laissez-faire**

C. lazy

D. progressive

E. religious

# LBJ AND THE GREAT SOCIETY

- 1964 Election Mandate
- War on Poverty
- Earmarks (federal aid goes where federal government thinks it would do most good)
- States losing power to the Federal Government

# Ronald Reagan

- New Federalism: Reduce Federal Government by increasing power of state governments.
  - **Block grants** give money to states with few strings attached in hopes of decreasing federal bureaucracy

# New Federalism: Returning Power to the States

- The Devolution Revolution (Ronald Reagan)
  - Contract with America (Newt Gingrich)



- Unfunded Mandates
  - National laws that require state compliance but contain no federal funding to help pay the cost
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform)

In 1996, TANF replaced the existing federal \_\_\_\_\_ program.

- A. gender equality
- B. labor
- C. education
- D. environmental
- E. welfare



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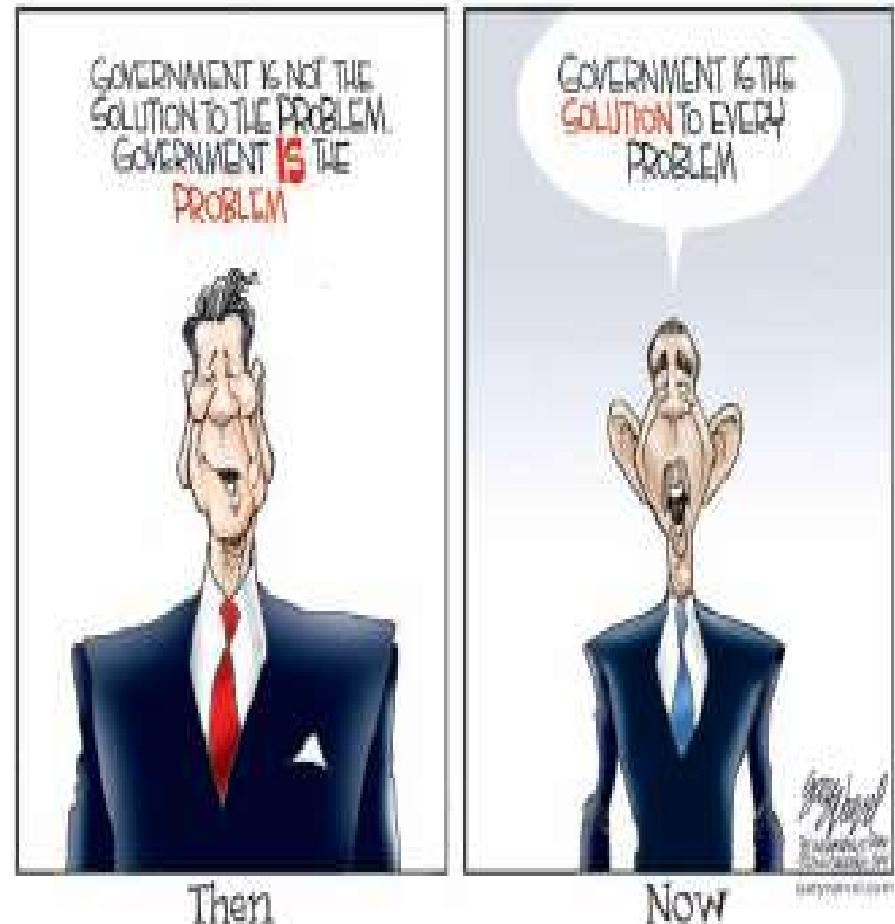
The Obama administration has allowed  
California to impose stricter limits on  
what?

- A. Fatty foods found at fast food restaurants
- B. Drug use
- C. Greenhouse gas emissions
- D. Gun ownership
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- Redistributive and Developmental Policies
  - “Pork” problems
  - The No Child Left Behind Act of 2001
  - Patient Protection and Affordable Care Act of 2010 (“Obama care”)



# KEY TERMS TO KNOW

- **Categorical Grants**: \$ from congress for a specific purpose
- **Block Grants**: \$ from congress and states have wide discretion as to how to spend it
- **Unfunded Mandate**: national law passed and enforced but no money comes with it (think NCLB or Disability Laws)
- **Preemption**: federal government overrides state interest or action
- **Sovereign Immunity**: state cannot be sued unless it gives its permission