

US Constitution & Federalism

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

Basics of the Constitution

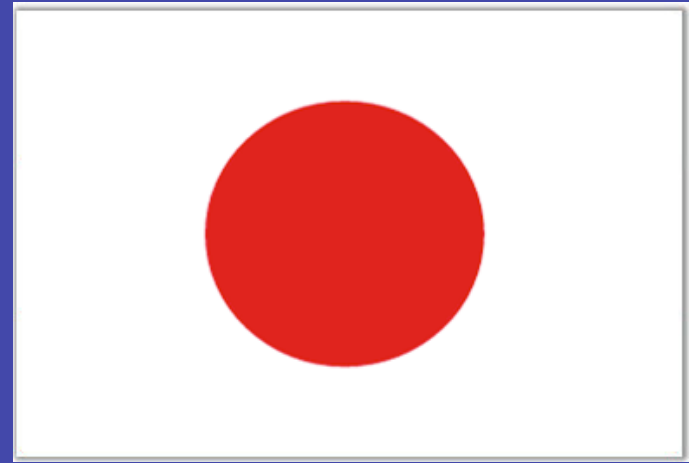
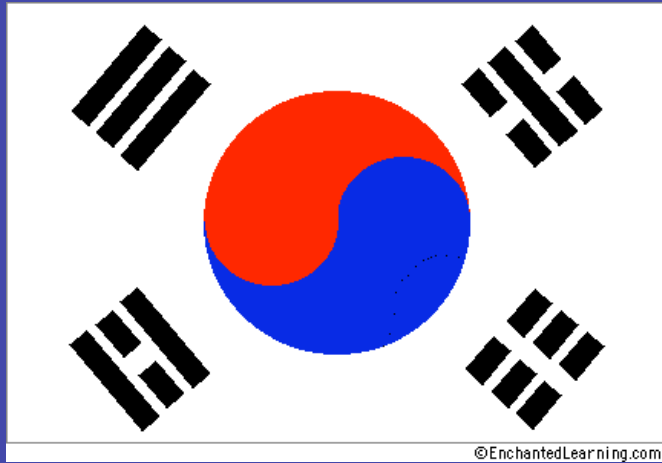
- Three Branches = Legislative, Executive, & Judicial
- Separation of Powers
- Checks & Balances
- Bi-cameral legislature (House of Rep's & Senate)
- Enumerated Powers vs. Implied Powers
- Bill of Rights (Amendments 1 thru 10)



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



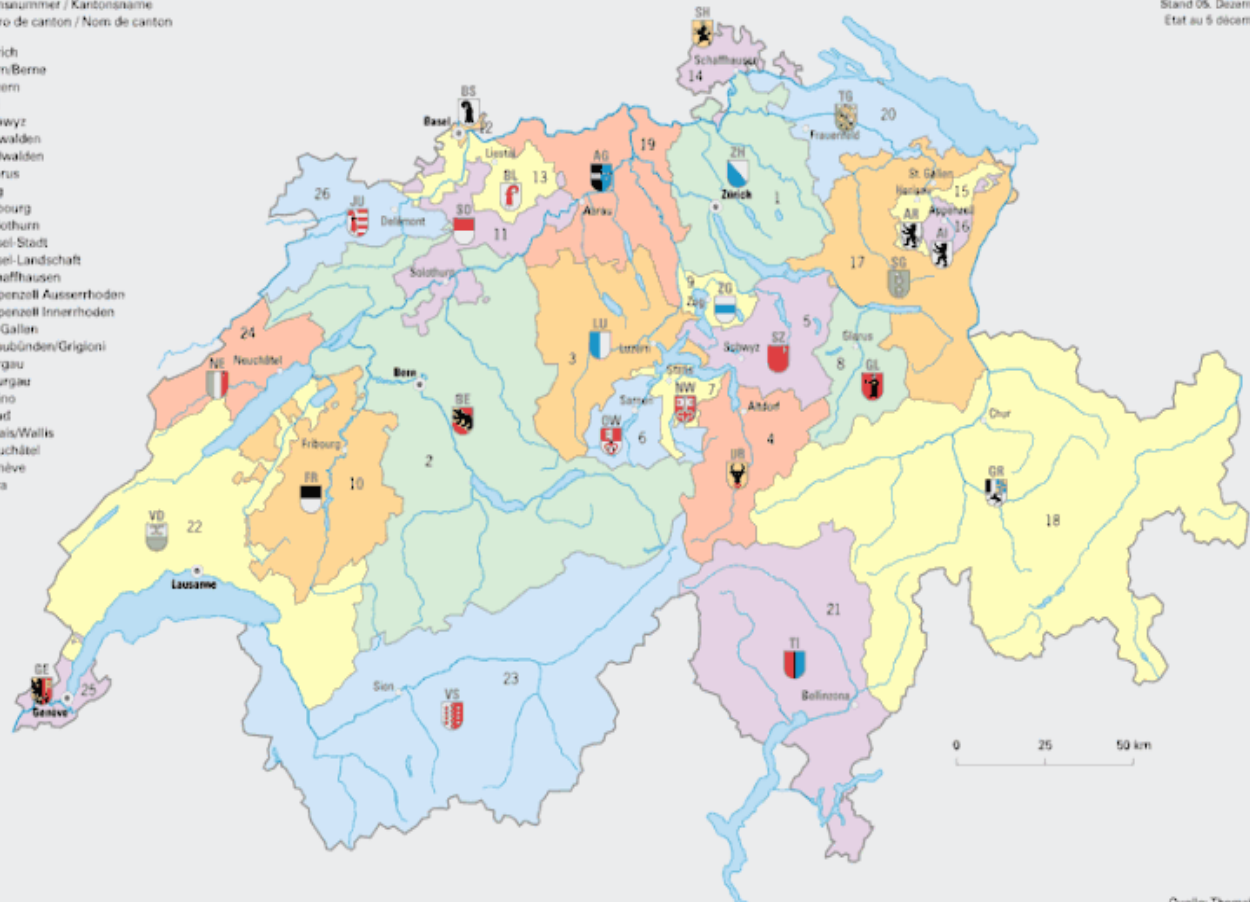
Confederate Systems



Die 26 Kantone und Hauptorte der Schweiz Les 26 cantons et chefs-lieux de la Suisse

Kantonsnummer / Kantonsname
Numéro de canton / Nom de canton

- 1 Zürich
- 2 Bern/Berne
- 3 Luzern
- 4 Uri
- 5 Schwyz
- 6 Obwalden
- 7 Nidwalden
- 8 Glarus
- 9 Zug
- 10 Fribourg
- 11 Solothurn
- 12 Basel-Stadt
- 13 Basel-Landschaft
- 14 Schaffhausen
- 15 Appenzell Auser Rhodes
- 16 Appenzell Inner Rhodes
- 17 St. Gallen
- 18 Graubünden/Grigioni
- 19 Aargau
- 20 Thurgau
- 21 Ticino
- 22 Vaud
- 23 Valais/Wallis
- 24 Neuchâtel
- 25 Genève
- 26 Jura

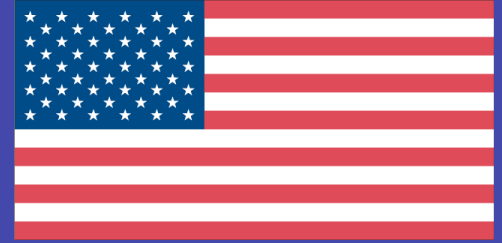


Stand 05. Dezember 2000
État au 5 décembre 2000

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Quelle: ThemaKart, BFS
Source: ThemaKart, OFS

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



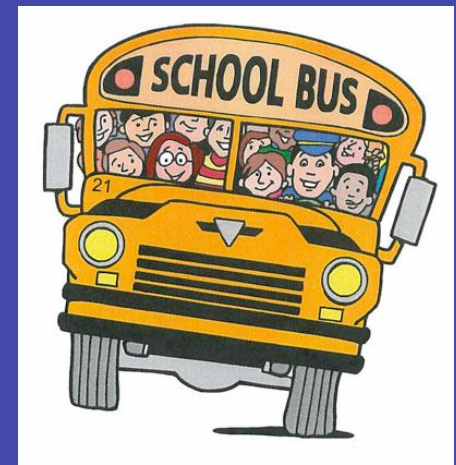
Multi-layered Gov't

- 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:

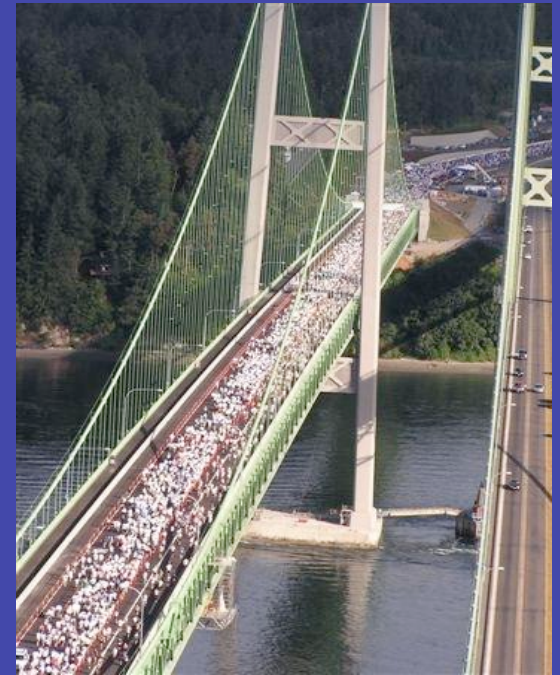
- Internal improvements
- Subsidies (mainly to farmers)
- Tariffs
- Management of Public Lands
- Immigration laws
- Foreign policy
- Copyrights
- Patents
- Currency
- Military



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?