The Legislative branch test will include the following items: Chapter 7 textbook, SS.7.C.3.3, SS.7.C.3.8, and SS.7.C.3.4

**SS.7.C.3.3 Vocabulary to study:**
- Legislative Branch – Article I
  - Article, U.S. Congress, U.S. House of Representatives
  - U.S. Senate, Delegated powers/Enumerated Powers
  - Coining money, Declaration of war, Immigration
  - Naturalization laws, Regulate/trade, Elastic clause/necessary and proper/implied powers
  - Impeach, Concurrent powers

**SS.7.C.3.8 Vocabulary to Study:**
- Constituents, Bill, Veto, Act, Statute, Ordinance, Home rule, Bicameral, Committee selection, Conference committee, Special committee, Standing committee
- How a bill becomes a law, Majority party, Minority leader, Minority party Nominate, President pro tempore of the Senate
- Appointment confirmation, State legislature
- State representative, State senator, City commissioner or council member, County commissioner or council member
- School board

**SS.7.C.3.4 – Identify the relationship and division of powers between the federal government and state governments.**

**SS.7.C.3.4 Vocabulary to study:**
- Federalism, Federal government (national government)
- State government, Local government, Reserved powers
- Supremacy Clause, Tenth Amendment

**Article I of the Constitution – Makes laws**

- Bicameral – Congress is made up of two houses. The lower house, House of Representatives and the upper house, Senate.

<table>
<thead>
<tr>
<th>House of Representative</th>
<th>Senate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qualification</td>
<td></td>
</tr>
<tr>
<td>must be 25 years of age, citizen for 7 years, and live in the state they represent.</td>
<td>Qualification must be 30 years of age, citizen for 9 years, and live in the state they represent.</td>
</tr>
</tbody>
</table>

**Powers & Functions of the House**
- Power of impeachment and Bills start in the House involving taxes.

**Powers & Functions of the Senate**
- Impeachment trial
- decides whether or not to remove from office
- confirms high level nominations to the executive and judiciary branches

**Powers & Functions of Both Houses**
- Have the power to change laws in order to protect voters
- Oversees, investigates, and makes the rules for the government and its officers
- Each house can judge elections, create their own rules to manage themselves
- Must have a majority present in order to conduct business
- Keep a journal of their activities
- Determine naturalization laws
- Congress has the power to coin money, print money, create the postal service, to raise and support armed forces, and lower federal courts, declare war, and regulate commerce.

**Limit on Power – Article I, Section 9**
- Forbids Congress from passing laws that would hurt the legal rights of the United States citizens.
  - Writ of habeas corpus – Congress cannot block it except in times of rebellion or invasion. It is a court order that brings the prisoner before the court to be told what they are being held for.
  - Congress cannot pass a Bill of Attainder – laws that punish a person without a trial.
• Cannot pass **ex post facto laws** – laws declaring that an act is a crime after the act has been committed.

**Legislative Branch on the differing levels of government**

<table>
<thead>
<tr>
<th>National (Federal)</th>
<th>State</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>How Many</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• H of R 435 members (state’s population) 2 year terms</td>
<td>• Florida - Bicameral – House 120 members and Senate 40 members. Term limits for each house – 8 years. Total for both – 16.</td>
<td></td>
</tr>
<tr>
<td>• Senate 100 members (2 per state) 6 year terms</td>
<td>• House – 2 year terms and Senate – 4 year terms. Part Time Legislature - meets for 60 days beginning in early March to early May.</td>
<td></td>
</tr>
<tr>
<td>• Census is given every 10 years to adjust H of R as needed</td>
<td>• Majority of each house to ratify laws (statutes).</td>
<td></td>
</tr>
<tr>
<td>• Legislation must be passed by a majority for each house</td>
<td>• Use committee system and party leadership system in each house.</td>
<td></td>
</tr>
<tr>
<td>• Process of how a bill becomes a law – (Acts)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Two Political Parties – Democrats and Republicans**

• For each house – Majority Party and Minority Party.
• Majority leader - House - Speaker of the House – only office chosen by representatives and is in the Constitution. Senate – Pro Tempore – serves in absence of the VP as President of the Senate.
• Majority Party members chair all standing and select committees based on Seniority.
• Majority holds leadership, chairs all policy committees, and holds the majority of each committee.

**Types of Committees – see last page**

**Federalism**

A system of government in which power is divided and shared between the national, state, and local governments. This division of powers extends exclusive powers to the national government only (enumerated, or delegated), the state governments only (reserved), or to both (concurrent). It is found throughout the U.S. Constitution.

**The Tenth Amendment**
The powers are not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. It does not identify any powers, instead, it extends to the states and by extension, the people, powers that are not specifically granted to Congress or denied to the states.

<table>
<thead>
<tr>
<th>Article and Section in the U.S. Constitution</th>
<th>Explanation of Power</th>
<th>Example of Power</th>
<th>Type of Power</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article I, Section 4 (The Legislative Branch; elections)</td>
<td>States organize elections although the federal government may set up national standards.</td>
<td>The national government sets the date for presidential and congressional elections; the states may determine the date for scheduling primaries.</td>
<td>Concurrent</td>
</tr>
</tbody>
</table>
| Article I, Section 8 (The Legislative Branch; powers of Congress) | Congress, as the national legislature, enjoys specific powers. | Core powers of Congress include:  
- Laying and collecting taxes  
- Providing for the common defense  
- Borrowing money on the credit of the U.S.  
- Regulating commerce  
- Establishing a uniform rule of naturalization  
- Coining money  
- Declaring war  
- Raising and supporting armies and navies | Enumerated or delegated |
| Article I, Section 10 (The Legislative Branch; restrictions on state power) | The states are forbidden from engaging in certain activities. | State may not (partial list):  
- Enter into treaties  
- Coin money  
- Keep troops during peacetime | N/A; Article I, Section 10 restricts power, it does not extend it |
| Article II, Section 1 (Executive Branch: Electoral College) | State legislatures determine the rules for appointing members of the Electoral College (the Electoral College elects the president). | State legislatures give to each political party the power to select Electors from that party; all electors are assigned to the party of the presidential candidate earning the most votes in that state (except in Maine and Nebraska) | Reserved |
| Article III, Section 1 (Judicial Branch; creation of courts) | Congress establishes courts inferior to the U.S. Supreme Court | Congress created the federal appellate court system. | Enumerated or delegated |
### Article VI (Supremacy Clause)

State law may not conflict with federal law.

Federal law mandates that no state may require residency exceeding 30 days for purposes of voter registration.

### Division of Powers

**National Government (Enumerated Powers) Expresssed Powers**
- Regulate trade
- Coin money
- Provide army and navy
- Declare war
- Set up a federal court system
- Conduct foreign relations

**National and State Governments (Concurrent Powers) Shared Powers**
- Collect taxes
- Borrow money
- Spend for the general welfare
- Set up court systems
- Pass and enforce laws

**State Governments (Reserved Powers)**
- Regulate trade between states
- Set up local governments
- Conduct elections
- Establish Public Education
- Protect public health, welfare, and morals

### National Legislative Committees

<table>
<thead>
<tr>
<th>Committee Type</th>
<th>Committee Purpose</th>
<th>Committee Membership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standing</td>
<td>Permanent legislative panels that consider bills and issues</td>
<td>Members of one house, and both parties</td>
</tr>
<tr>
<td>Select</td>
<td>Temporary committee that addresses a specific issue; once that committee’s business is complete, the committee dissolves</td>
<td>Members of one house, and both parties</td>
</tr>
<tr>
<td>Special</td>
<td>Performs a special function beyond the authority or capacity of a standing committee</td>
<td>Members of one house, and one party</td>
</tr>
<tr>
<td>Joint</td>
<td>Policy exploration with a narrow jurisdiction</td>
<td>Members of the House of Representatives and the Senate</td>
</tr>
<tr>
<td>Conference</td>
<td>Temporary committee formed to reconcile differences in legislation passed by both chambers.</td>
<td>Members of the House of Representatives and the Senate</td>
</tr>
</tbody>
</table>