



# HISTORY & GEOGRAPHY

STUDENT BOOK

▶ **9th Grade** | Unit 3

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# HISTORY & GEOGRAPHY 903

## State And Local Government

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# State And Local Government

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## Introduction

Most of us live under four distinct levels of government: city, county, state, and national. We hear more about our national government although for most of us it is the farthest away. Our national government directly and indirectly affects all of our lives with the laws it passes and the money it spends on programs that are designed to help us.

We are more closely associated with our state and local governments. The federal government reserved some rights to the states that affect each of our lives. One of these rights is education. States have the right to determine appropriation of education to the public. It has the responsibility to provide a free and public education to all of its children. The state is also responsible for the protection, welfare, transportation, and safety of its citizens. Many of these rights and responsibilities are written into our state constitutions. When we read our state constitutions, we discover the responsibility of our state government.

We shall look at the duties of county and township government as well as the variety of forms and powers. We shall also examine our city governments: their functions, types of government, and problems, as well as how these governments are changing to meet the needs of our changing cities.

## Objectives

Read these objectives. The objectives tell you what you will be able to do when you have successfully completed this LIFEPAAC. When you have finished this LIFEPAAC, you should be able to:

1. Define the responsibilities of the state government to each individual in the state.
2. Identify variations among state constitutions, which follow the pattern of the national constitution.
3. Explain why people who are given more rights must also accept more responsibilities.
4. Tell how each county and township is directly responsible to its state.
5. Outline the duties of county and township officials.
6. Identify the variety of forms and powers of county and township government.
7. Outline the functions of city governments.
8. Identify the types of city governments and problems they have created.
9. Describe changes taking place today in the cities.

# 1. STATE GOVERNMENT IN A DEMOCRACY

As a citizen of the United States, your state, and your local community, you not only have a privilege but also a responsibility to fill the obligations set forth in the Constitution of the United States. You have the right to express your thoughts and desires through free elections by secret ballot. As a citizen you should know what your state and local governments can do for you, what your tax dollar will do for you in the areas of education (schools), transportation (modern highways), protection (police and fire), mail delivery, and similar services.

As a future voter you should fulfill your responsibility to pick the proper individuals to be your leaders and representatives in state, county, city, or township governments. As a citizen you should become a concerned, well-informed voter so that you can intelligently pick the proper leadership for your government.

In the following pages you will have the opportunity to see how these governments function and their importance to your life. Remember, our Constitution says that we are a “government of the people, by the people, and for the people.”

## SECTION OBJECTIVES

**Review these objectives.** When you have completed this section, you should be able to:

1. Define the responsibilities of the state government to each individual in the state.
2. Identify variations among state constitutions, which follow the pattern of the national constitution.
3. Explain why people who are given more rights must also accept more responsibilities.

## VOCABULARY

**Study these words to enhance your learning success in this section.**

**astronomical** (as' tru nom' u kul). Enormous, very great.

**comptroller** (kun trō' lur). Person employed to look after expenditures and accounts.

**concurrent** (kun kēr' unt). Happening at the same time.

**constituent** (kun stich' u unt). The voters in a district.

**executive** (eg zek' yu tiv). Person who carries out or manages affairs.

**exercise** (ek' sur sīz). To make active use of.

**exofficio** (eks u fish' ē ō). Because of one's office.

**extradition** (eks' tru dish' un). Surrender of a fugitive or prisoner by one state, nation, or authority to another.

**felony** (fel' u nē). Crime more serious than a misdemeanor.

**government** (guv' urn munt). The ruling of a country, state, or district.

**judicial** (ju dish' ul). Having to do with courts or the administration of justice.

**legislative** (lej is lā' tiv). Having to do with making laws.

**magistrate** (maj' u strāt). A government official who has power to apply the law and put it in force.

**misdemeanor** (mis' di mē' nur). A breaking of the law such as disturbing the peace or breaking a traffic law.

**municipal** (myü nis' u pul). Having to do with the affairs of a city or town.

**veto** (vē to). The right of the president or governor to reject bills passed by a lawmaking body.

**Note:** All vocabulary words in this LIFEPAK appear in **boldface** print the first time they are used. If you are not sure of the meaning when you are reading, study the definitions given.

**Pronunciation Key:** hat, āge, cāre, fār; let, ēqual, tērm; it, īce; hot, ōpen, ōrder; oil; out; cup, pūt, rüle; child; long; thin; /ʒh/ for then; /zh/ for measure; /u/ represents /a/ in about, /e/ in taken, /i/ in pencil, /o/ in lemon, and /u/ in circus.

## POWERS OF STATE GOVERNMENT

Most of the continents in the world are made up of individual countries. The United States, in its early stages began to develop its states in a manner similar to Europe; however, independent states eventually developed rather than independent countries. Think of the problems that would exist had each state maintained and developed its independence to the point that no unity would exist among the states, as in the countries of Europe. If you were traveling from Arizona to New Mexico and arrived at the border, you would have to have a passport in order to enter the next state. Your money would be different, your language would be different, and you would encounter various customs as well as many other problems.

Our founding fathers saw the need for a united nation of states. In the U.S. Constitution, there is a division of powers between the national and the state governments. In Article IV, Section 4, each state has the right to set its own constitution, providing it doesn't conflict with the U.S. Constitution. Each state manages its internal affairs and the central government manages interstate affairs.

A state is defined as a group of people occupying a definite territory, organized under one government, and not subject to controls by the outside. This definition would seem to fit nations that are independent rather than

the states as we know them. Our fifty states are part of the national (federal) government. This relationship occurs because they share their powers with each other. The Declaration of Independence first used the term "united states" when it used the following words. "We, therefore, the representatives of the United States of America declare that these United colonies are, and of the right ought to be, free and independent states."

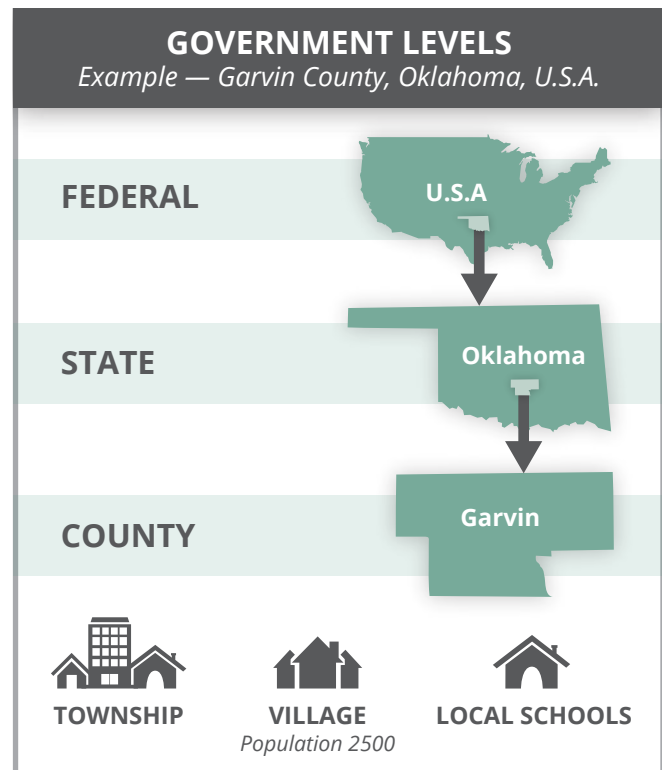
**Early beginning.** In their early beginnings, each of the original thirteen states (colonies) under the Articles of Confederation was able to issue its own money, to establish its own army, and to regulate trade crossing its borders. At times a state would treat the neighboring states as if they were foreign nations. One could conclude from this fact that America would develop thirteen weak nations. Fortunately, our founding fathers had the foresight to see our need for change. At the Constitutional Convention in 1787, they worked hard to establish a more workable form of government for these united states. The states agreed to give certain powers to the national government, thus forming "a more perfect union." The new national (federal) government was given the power to: (1) Regulate trade between the states, (2) Conduct foreign affairs, (3) Print and coin money, (4) Set up a postal service, and (5) Build an army and navy.

Even though the states were willing to give up these powers, they kept important powers for themselves. The Tenth Amendment to the Constitution provided that “The powers not delegated (given) to the United States by the Constitution, nor prohibited by it to the states, are reserved to (set aside for) the states respectively, or to the people.” By interpretation the Constitution allows our states considerable power to govern the people living within their borders. Although the states share the powers of government with the national government, the states maintain important governmental power. State governments provide many important services to the people because they are physically closer to them.

**Reserved powers.** Many of the responsibilities of our states parallel those of the federal government. In the study of these responsibilities, they will be referred to as powers. The first one is reserved powers. These powers permit state governments to pass laws that promote the welfare of their citizens. The state is responsible for our system of elections. They (states) decide the qualifications for voting in elections and set up the methods for conducting all local and national elections.

Education is another important function of state government. It establishes and maintains schools. States also authorize communities to establish local public schools. Education is not excluded from the federal government. It gives aid and advice, but the states have the power to decide what kind of schools they will have as long as they do not conflict with the constitution and laws of the federal government.

City, town, township, and county governments are also established by state governments. The constitution of each state describes how these governments are to be organized and the powers they have. In other words, local governments get their power from state government. The local governments also help to enforce state laws and to implement state programs.

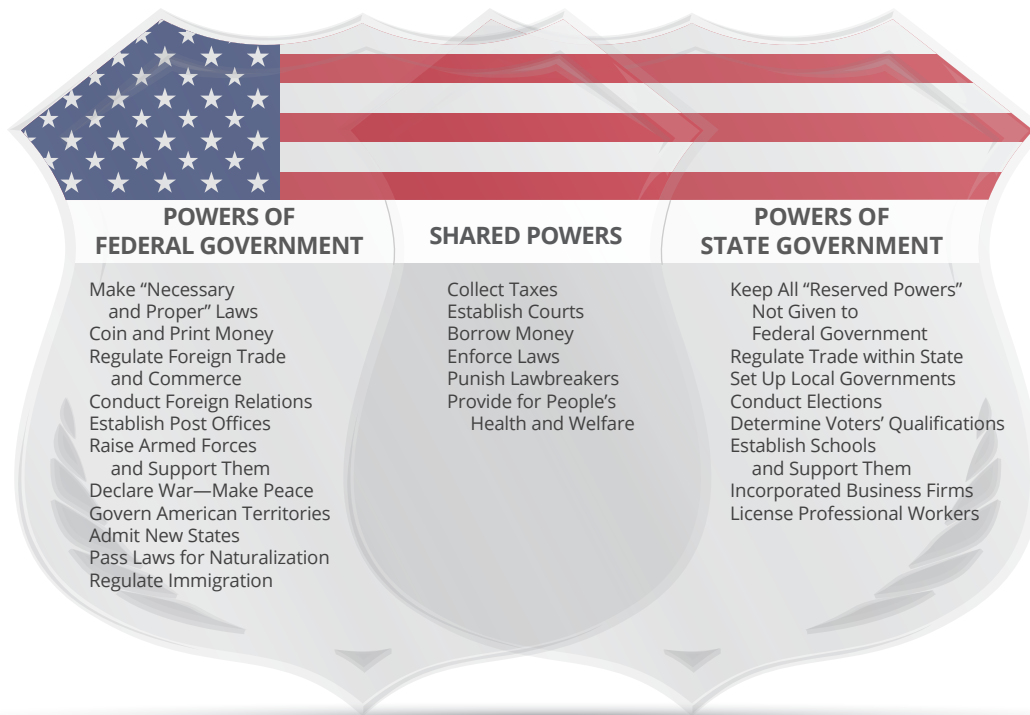


Other reserved powers belonging to states concern laws regarding marriage and divorce, traffic laws, speed limits, and highway safety. Perhaps you could think of others!

**Concurrent powers.** The powers shared with the federal government are called concurrent powers. Although the federal government was granted certain powers in the Constitution, it does not mean that state governments do not have some of these same powers. Unless forbidden to the states by the United States Constitution, these powers may be exercised by our state governments. The most dreaded concurrent power is the power of taxation. Both the federal and state governments have this power. Many kinds of taxes are collected by the federal government. Our states also collect various taxes. These taxes include gasoline, alcoholic beverage, cigarette, real estate, income, and personal property tax. The money from these taxes is used to pay for education, health, safety programs, highways, and many other activities of our state government.

Another well-known way in which the powers are shared by both state and national governments is that of the national guard (state militia). The Congress of 1792 authorized each state to set up a state militia to defend the state. It consisted of citizen volunteers who trained in their spare time and were called up to active duty only in case of an emergency. Today the state militia is called the national guard. It is supported by both the state and the

federal government. It can be called out by the governor of the state to assist in such emergencies as floods, tornadoes, and other similar natural disasters to communities or to help preserve law and order. The national guard can be brought under the control of the President during war time, thus making the national guard part of the regular army of the United States.



| Divisions of Governmental Powers





**Complete these activities.**

- 1.1** A state is defined as a group of a. \_\_\_\_\_ occupying a definite  
b. \_\_\_\_\_, organized under one c. \_\_\_\_\_  
and not subject to d. \_\_\_\_\_ from the outside.
- 1.2** The first written government of the United States was the \_\_\_\_\_.
- 1.3** List five powers of the federal government.  
a. \_\_\_\_\_ b. \_\_\_\_\_  
c. \_\_\_\_\_ d. \_\_\_\_\_  
e. \_\_\_\_\_
- 1.4** Reserved powers are powers reserved for the \_\_\_\_\_.
- 1.5** List five reserved powers of the states.  
a. \_\_\_\_\_ b. \_\_\_\_\_  
c. \_\_\_\_\_ d. \_\_\_\_\_  
e. \_\_\_\_\_
- 1.6** Powers shared with the federal government are called \_\_\_\_\_.
- 1.7** One concurrent power shared by the federal government and state governments and disliked by most people is \_\_\_\_\_.
- 1.8** List five taxes states collect.  
a. \_\_\_\_\_ b. \_\_\_\_\_  
c. \_\_\_\_\_ d. \_\_\_\_\_  
e. \_\_\_\_\_
- 1.9** Name two ways the national guard is used.  
a. \_\_\_\_\_  
b. \_\_\_\_\_

## RESPONSIBILITIES OF STATE GOVERNMENT

The responsibilities of state government are divided into many departments. Three main divisions are exactly the same as the federal government. They consist of the **executive** branch (governor); **legislative** branch (bicameral—senate and house of representatives, house of delegates, or assembly, with the exception of Nebraska, which has only one house); and **judicial**, which is made up of the State Supreme Court. The other departments that are elected by the voters vary from state to state; but the majority of them include the treasurer, Secretary of State, auditor, attorney general, superintendent of education, and director of public health. Many state agencies of importance are appointed. These agencies are finance; business; military; conservation; agriculture; public works; taxation; public welfare, which might be in combination with director of public health; public safety (law enforcement); and labor. As you see from this list, the operation of a state is very big business.

The courts are also divided, with the state supreme court at the top. The higher state trial courts consist of courts of appeal and superior courts. State trial courts consist of **felony** courts and justice courts, **magistrate** courts (police and municipal), traffic courts, domestic-relation courts, and juvenile courts.

**Executive branch.** Each state varies in government yet most of these governments are similar. This similarity applies to the qualifications of the elected officials. The governor of the state is elected by the people in a general election. He must be a citizen of the United States. Most states require the governor to be thirty years of age, although some allow him to be twenty-five years of age. The candidate has to be a resident of the state for a certain number of years, depending on state law.

The governor's salary depends on the wealth and size of the state. The governor of New York State might receive \$130,000 per year (rises with inflation) while the governor of Montana

might receive only \$59,310 per year (1996 figures). In most states the governor and his family are given an official residence in the state capital. In three states the governor also is given an allowance for expenses relating to his position as governor.

In forty-eight states the governors serve four years. In two other states they serve two-year terms. A number of states do not permit the governor to serve more than two terms in a row.

As the chief executive of the state, the governor has considerable power. With senate approval he appoints a number of state officials who assist him in his job. These officials help the government function more efficiently. The governor plays an important role in proposing new laws; however, the state legislature is the only group to pass them. He meets with the legislature at the beginning of its session to outline the laws he thinks should be passed. This meeting is often referred to as the "state of the state" message. He also meets with leaders of the legislature from time to time, urging them to pass certain bills. The governor is the head of his political party in the state. The state senators and representatives work very closely with him, keeping in mind what he is saying. This information in turn can help them to receive his aid in the following election campaign. If they pass bills he does not favor, the governor can **veto** them. A veto can be embarrassing to all individuals involved.

The governor's most important power is his responsibility to create ways that state laws can be enforced. For example, if a new tax law is passed, the governor must determine the way these taxes are to be collected.

Some of the governor's other powers are to formulate state budgets, to propose taxes, to oversee the wise spending of public funds, and to call out the national guard in times of emergency. He can pardon or free certain individuals, although he is generally advised in these cases by a state pardon board.



**Write true or false.**

- 1.10** \_\_\_\_\_ Most states require the governor to be at least thirty years of age.
- 1.11** \_\_\_\_\_ The governor is elected by the people of his state, with the legislature's approval.
- 1.12** \_\_\_\_\_ The governor's salary depends on the size and wealth of the state.
- 1.13** \_\_\_\_\_ The governor of New York draws the highest salary, and the governor of Georgia draws the lowest.
- 1.14** \_\_\_\_\_ The governors of forty-eight states serve a four-year term.
- 1.15** \_\_\_\_\_ The governor is the chief executive of the state.
- 1.16** \_\_\_\_\_ The governor appoints many of the state officials, with the approval of the House of Representatives.
- 1.17** \_\_\_\_\_ The most important power of the governor is the enforcing of the state laws.
- 1.18** \_\_\_\_\_ The legislature has the power to pardon criminals.
- 1.19** \_\_\_\_\_ If a bill is passed that the governor dislikes, he may veto it.

**Complete these activities.**

**1.20** List four additional powers the governor has.

- a. \_\_\_\_\_ b. \_\_\_\_\_
- c. \_\_\_\_\_ d. \_\_\_\_\_

**1.21** Name the three branches of state government.

- a. \_\_\_\_\_ b. \_\_\_\_\_
- c. \_\_\_\_\_



Match these items.

- |                           |                                  |
|---------------------------|----------------------------------|
| 1.97 _____ astronomical   | a. one who acts for another      |
| 1.98 _____ responsibility | b. help given to another country |
| 1.99 _____ representative | c. loyalty or devotion           |
| 1.100 _____ foreign aid   | d. extremely great               |
| 1.101 _____ allegiance    | e. reliability                   |

## TEACHER CHECK

\_\_\_\_\_ initials

\_\_\_\_\_ date



**Review the material in this section in preparation for the Self Test.** The Self Test will check your mastery of this particular section. The items missed on this Self Test will indicate specific areas where restudy is needed for mastery.

# SELF TEST 1

**Complete these statements** (each answer, 3 points).

- 1.01** The designation of power to state governments is set up in the \_\_\_\_\_ Amendment of the United States Constitution.
- 1.02** Under the Articles of Confederation, the thirteen states could a. \_\_\_\_\_ ,  
b. \_\_\_\_\_ , and c. \_\_\_\_\_ .
- 1.03** A bicameral legislature is \_\_\_\_\_ .
- 1.04** The two types of cases tried by the state court are a. \_\_\_\_\_ and  
b. \_\_\_\_\_ cases.
- 1.05** The \_\_\_\_\_ keeps that state's records and issues charters to cities.
- 1.06** Three required qualifications for a senator are that he be a. \_\_\_\_\_ years of age, a citizen of the b. \_\_\_\_\_ and live in the c. \_\_\_\_\_ .



- 1.026** The highest court in the state is \_\_\_\_\_ .
- a. the higher state trial court      b. the lower state trial court  
c. state supreme court                d. the state trial court

**Complete the following lists (each answer, 3 points).**

**1.027** Name four trial courts.

- a. \_\_\_\_\_ b. \_\_\_\_\_  
c. \_\_\_\_\_ d. \_\_\_\_\_

**1.028** Tell what the following courts handle.

- a. traffic courts \_\_\_\_\_  
\_\_\_\_\_
- b. domestic courts \_\_\_\_\_  
\_\_\_\_\_
- c. juvenile courts \_\_\_\_\_  
\_\_\_\_\_

**1.029** List three ways government derives its income.

- a. \_\_\_\_\_  
b. \_\_\_\_\_  
c. \_\_\_\_\_

72  
90

**SCORE** \_\_\_\_\_ **TEACHER** \_\_\_\_\_  
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