**For potential lawyers only : Listen to Revisionist History season 4 episodes 1 and 2: “Puzzle Rush” and “Tortoise and the Hare”**

State and Local Review

AP/DE Government

**State Constitutions**

Which state constitution was first?

Legislative supremacy

Cause of most state const revisions between 1860 and 1870

Inflexible, long nature of state constitutions in the 20th century

Reasons for long inflexible state constitutions

Problems with long, inflexible state constitutions

What is the model state constitution?

Jefferson’s weird theories about constitutions

Municipal League and state constitutions

Positive Law vs Higher Law traditions in state constitutions

States and Federalism

Nullification and New States’ Rights

Unitary system – most common in the world

Federal system – least common

Confederal system

Advantages of federalism

 Flexibility

 Larger country

 Easier to govern

Prevents factions from taking over the whole country “controls the mischiefs of faction” – Madison

Disadvantages of Federalism

 Too much diversity

 Too much division

State Centered Federalism – conservative, Reaganesque style Tenth Amendment

Powers of States – reserved powers and such

Impact of the 16th amendment on state and federal finances

Real ID Act of 2005 and it’s impact on federalism

Dual Federalism

Cooperative Federalism

Creative Federalism

Categorical vs Block Grants

Federalism under Bush Jr.

**State Legislatures**

What do they do?

 Policy, oversight, and represent!

Terms for State House and Senate – usually 2yrs and 4yrs respectively

Which parties control what % of state house seats? 52% for Reps 48% for Dems

What state has the largest state house?

Result of Baker v Carr and Reynolds v Sims – one person, one vote, state legislative districts must be roughly equal in size

Presiding officers duties?

Formal and informal leaders

Where does most work occur? In committees

What % of bills typically pass? 20-25%

State Executives

Governors today are generally more competent

Incumbent governors win 75% of time

Why are governors more effective? National Governor’s Association, better staff, being able to appoint exec dept heads

Tension bet leg and exec? – majority party in the leg

Gov ability to hire and fire depends on what? Collective bargaining with unions, courts, merit based decision making, other elected executive branch officials (atty general?)

Gov serve as the major contact between states and the federal govt

When do governors have the most power? – long tenure (more than one term) ability to hire and fire, line-item veto, budget making powers,

What is the line item veto? – ability to strike specific provisions within a bill

Executive order? – ability to instruct the bureaucracy on how to interpret the law

Weak informal vs strong informal powers of governors? – personality, charisma, how persuasive a person you are, all effect how strong your informal powers are

Bureaucracy

High income high population states provide more services than low income, low pop states

Budget process

Incremental change in budgets

Fiscal years? – most common is July 1st through June 30th

Courts

Interpret state constitutions federal constitutions, state laws or statutes

Structure of most state court systems

Supreme, appellate, district and local court

How are judges are chosen? – elected or appointed Who appoints them? Gov or leg?

Missouri plan? – qualified appointments of judges and then retention elections

American Bar Asssociation – you should not choose judges based on party affiliation

Judicial Decision making can be and often is just as political and arbitrary as every other govt position