

Chapter 24: Governing the States

Section 2

Lecture Notes

The title 'AMERICAN GOVERNMENT' is centered on the page. 'AMERICAN' is written in a white, serif font with a thin black outline. 'GOVERNMENT' is written in a large, bold, yellow, sans-serif font with a thick black outline. The text is set against a background of a stylized American flag, with blue stars in the upper left and red and white stripes curving across the middle. A solid yellow horizontal bar is positioned below the title.

AMERICAN
GOVERNMENT

PEARSON

► Objectives

1. Describe State legislatures.
2. Explain the election, terms, and compensation of legislators.
3. Examine the powers and organizations of State legislatures.
4. Describe how voters may write and pass laws through direct legislation.

▶ Key Terms

- **police power:** the State's power to protect and promote public health, safety, morals, and general welfare
- **constituent power:** a power of the legislature that does not involve lawmaking, such as proposing a constitutional amendment
- **referendum:** a process by which the legislature refers a measure to the voters for final approval or rejection

▶ Introduction

- What are the defining traits and purpose of State legislatures?
 - Every State but Nebraska has a bicameral legislature.
 - Each legislature has a combination of lawmaking and nonlawmaking powers.
 - Legislators are elected by popular vote and must meet varying qualifications for age, citizenship, and residence.
 - Every legislative house uses committees to review proposed laws and introduce them to the floor.

▶ Legislative Structure

- States use different names for their legislatures.
 - The “legislature” and “General Assembly” are the two most common names.
 - Every State but Nebraska has a bicameral legislature.
 - The upper house is always the Senate, while the lower house is most often the House of Representatives.

► Size

- A legislature needs to be large enough to represent the many views and interests in its State, but not so large that it cannot run efficiently.
- Most State legislatures have between 100 and 150 members in the lower house and 30 to 50 members in the upper house.

▶ State Legislators

- Every State constitution sets out its own **formal requirements** for age, citizenship, and residence.
 - In most States, a representative must be at least 21 and a senator at least 25 years old.
 - State representative Alisha Thomas Morgan of Georgia was in her early 20s when she was first elected to office.



▶ Elections

- Legislators are usually nominated by party primaries and always elected by popular vote.
 - The success of candidates is based on many informal qualifications, such as party, religion, race, and occupation.
- Legislators are elected from single-member districts in their States.
 - Each district must have roughly equal population.

▶ Terms and Sessions

- Legislators serve either two-year or four-year terms.
 - Representatives serve two-year terms in 44 States, while Senators serve four-year terms in 38 States.
 - Fifteen States have term limits for legislators.
- Most State legislatures meet each year for three to five months.
 - Legislatures can also be called into special session.

▶ Lawmaking Powers

- Each State legislature has all powers not granted to other branches or denied by the State or U.S. Constitution.
- Key legislative powers include:
 - The power to tax, spend, borrow, establish courts, define crimes, set punishments, regulate business, and maintain public schools.
 - The broad police power lets State legislatures protect and promote **public health, safety, morals,** and **general welfare.**

▶ State Laws and Daily Life

- State law governs many areas of daily life, including, for example, **the regulation of drivers' licenses** and **minimum wage** laws above the federal level.
 - Why are these policies determined at the State level?



▶ Nonlawmaking Powers

- All State legislatures have some non-legislative powers, often as part of the system of checks and balances.
 - Legislatures can approve or reject some appointed officials.
 - In almost every State the legislature can impeach any State officer.
 - Legislatures exercise the constituent power by proposing constitutional amendments.

▶ Presiding Officers

- Checkpoint: What do a legislature's presiding officers do?
 - Presiding officers refer bills to committee, recognize members who want to speak on the floor, and interpret and apply the rules of their house and its proceedings.
 - In the lower house of each State and roughly half the upper houses, the presiding officer also appoints the chairs and other members of each committee.

► Organization and Lawmaking

- Standing committees in each house decide which bills will go the floor and which will not.
 - Many proposed bills come from public or private sources outside of the legislature.
 - Only a legislator can introduce them for consideration.

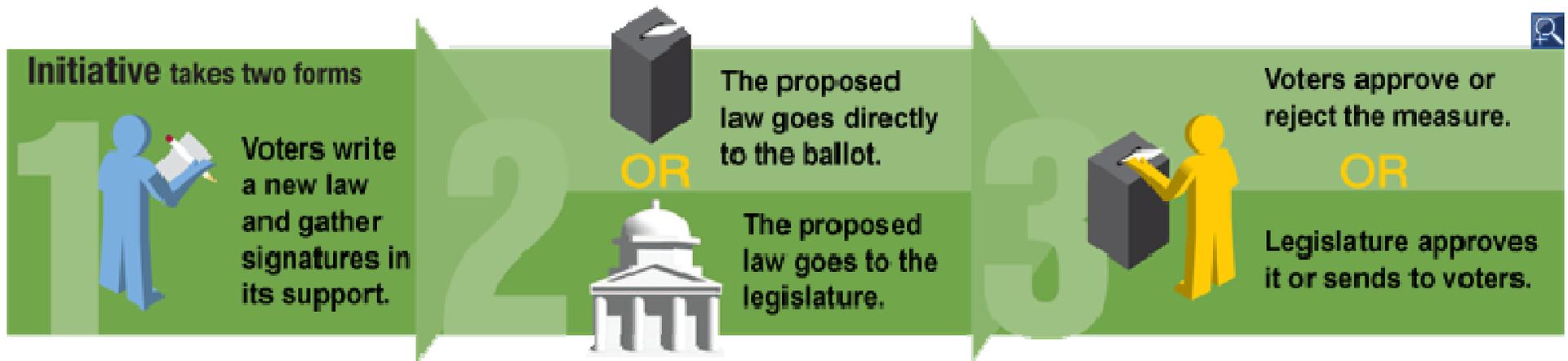


▶ Initiative

- The initiative allows voters in some States to propose amendments or ordinary laws.
- The most common form is the **direct initiative**.
 - A certain number of voters must sign a petition to propose a law.
 - In the direct initiative, the measure then goes to the voters for approval or rejection.
 - In the rarer indirect initiative, the measure then goes to the legislature.

▶ Initiative, cont.

- Voters in many States can write new laws or prevent laws from taking affect through the initiative.
 - Why do you think many legislators oppose the initiative process?



▶ Referendum

- In a referendum, the legislature refers a measure to voters to be approved or rejected.
 - A **mandatory referendum** applies to measures that *must* be approved by voters.
 - In an **optional referendum**, the legislature chooses to let the public vote on a measure.
 - In a **popular referendum**, citizens sign a petition demanding a popular vote to approve or reject a law already passed.

▶ Referendum, cont.

- Voters in many States can write new laws or prevent laws from taking affect through the referendum.

Referendum takes one form

1



The legislature proposes a new law.

2



The proposed law goes to the ballot.

3



Voters approve or reject the measure.



▶ Review

- Now that you have learned about the defining traits and purpose of State legislatures, go back and answer the Chapter Essential Question.
 - How much power should State government have?