Federalism... Basic Structure of Government

Class Notes	Goals/Functions of Government inherent power	
	 ⇒ unite consent ⇒ establish system of justice ⇒ provide for defense ⇒ promote general welfare ⇒ ensure domestic tranquility ⇒ secure liberty 3 Basic Structures of Government McCulloch v. Maryland (1819) case involves necessary & proper clause a state action cannot impede/prevent federally exercised power 	
	 ⇒ unitary—centralized power ⇒ confederacy—power in components rather than highly centralized ⇒ federal—shared powers; multiple levels of government Clauses enumerated & implied power ⇒ Supremacy—Article VI, US Constitution ⇒ Necessary & Proper—Article I, Section 8, US Constitution 	
	Components of Federalism separation of power ⇒ decentralized power ⇒ increased access to government ⇒ power sharing ⇒ enumerated—written down; coin \$, declare war, regulate commerce ⇒ implied—may be inferred from the Constitution ⇒ necessary & proper clause (elastic clause) ⇒ delegated—specifically written or designated by the Constitution for the national government ⇒ reserved—10th Amend.; specifically designated to the states and the people ⇒ concurrent—power shared by multiple levels of government ⇒ police—authority to protect; provide security ⇒ emergency— ⇒ prohibited—denied to one or both levels of government ⇒ ex post facto laws (make action a crime after the fact) ⇒ titles of nobility ⇒ bill of attainder (no trial by legislature) ⇒ denial of habeas corpus (present the body; held for arrest only for legitimate reasons ⇒ no tax on exports; no taxes between states ⇒ no separate state money or treaties ⇒ taxation of exports LOC/public domain	
National Powers • declare war	State Powers • schools	

- armed forces
- foreign trade
- admit a new state
- post offices
- weights and measuresprint/coin money
- foreign policy
- laws to carry out delegated powers

Shared Powers

- law & order
- taxes
- borrow \$\$
- charter banks
- courts
- public welfare

- local governments
- within the state business
- licenses
- public safety
- powers not delegated to the national government are reserved for the states

LOC/public domain

Class Notes	Cooperative Federalism shared responsibilities a few examples taxation of the people borrowing in the name of the people setting up a system of justice administering public welfare Dual Federalism levels of government are powerful within their own respective spheres a few examples states issue hunting licenses feds print money states control intra-state commerce feds control inter-state commerce Fiscal Federalism levels of government share the people's money a few examples grants entitlements means-tested programs	Sharing \$\$—fiscal federalism ◆ block grant—federal \$ to states usually for large programs like welfare ◆ categorical grant— federal \$ to states awarded based on competitive application (project grant) or based on a formula established by the government (formula grant—Medicaid) ◆ unfunded mandate—no \$ provided for compliance with federal law
	Terms to remember Full Faith & Credit—A4 S1, US Constitution; states response other states; acknowledge licenses and certificates issue judicial proceedings of other states (Library of Congress, a few examples orders of protection (Violence Against Violence Against Viol	ed by other states; respect /public domain)
	Privileges & Immunities—A4 S1, US Constitution; "citientitled to all privileges and immunities of citizens in the discrimination against citizens of other states (Library of a few examples no discrimination based on length of results based on ability level/accessibility buying property liberty of movement 911 response Interesting questions to consider	e several states; no Congress/public domain) sidence in a state
	 ⇒ in-state/out-of-state tuition? ⇒ insurance portability? ⇒ first-cousin marriage? ⇒ are corporations citizens? 	