**Name:**

**Date:**

**School:**

**Facilitator:**

3.01 Notes Guide

**“Federalism”**

Answer the 3.01 Notes Guide as you review the lesson.

Introduction:

What is happening in the photograph?

If the citizen who is receiving the ticket feels the speed limit should be changed, who would he or she contact to change the law?

Assuming this small road is a state or a county road, is the national government or the state government responsible for setting the speed limit?

Federal System

The Constitution is essential in creating a       because it determines which powers will be held by the two levels of government, state and national.       is a system of government in which there is an allocation of powers between federal and state governments known as a      . In this lesson, you will explore the powers allocated to national and state governments.

Powers Delegated to the National Government

The Constitution delegates or grants three types of powers to the national government: expressed powers, implied powers, and inherent powers.

1. , also known as       or delegated powers, are powers delegated to the national government that are specifically stated in the Constitution. Most expressed powers are found in Articles I-III of the Constitution. Article I, Section 8 lists several powers including the power to:
   * , borrow money, and levy taxes
   * regulate commerce
   * raise and maintain armed forces, declare war, and make peace
   * establish a
2. are not specifically stated in the Constitution, but are the authority that the national government requires to carry out the expressed powers. This authority is inferred or implied in Article I, Section 8 of the Constitution known as the       or “necessary and proper” clause.

The elastic clause states that Congress has the right “to make all laws which shall be       for carrying into execution the foregoing powers, and other powers vested in the government of the United States.”

1. are those powers that are naturally given to the government simply because it is the national government and historically in charge of the sovereign nation. Like implied powers, inherent powers are not specifically stated in the Constitution.

Inherent powers include the authority to acquired new territory and deal with foreign nations. An example would be the power of President Thomas Jefferson to acquire and explore the Louisiana Territory.

Powers Reserved to the States

are not specifically mentioned in the Constitution, but are set aside or reserved for the states. They are not delegated to the national government nor are they prohibited to the states. These powers are reserved to the states by the      in the Bill of Rights which states, “The powers not delegated to the United States by the Constitution, not prohibited by it to the States, are reserved to the States respectively, or to the people.” Powers reserved to the states include:

* + regulating trade within a state
  + establishing local government and conducting elections
  + controlling       systems
  + regulating
  + establishing and enforcing state criminal laws

Shared Powers

      are shared by the national and state governments. In other words, there are some powers that both the national government and the state governments have the authority to carry out. The states may exercise any power not reserved for the national government as long as they do not conflict with the national laws. For example, both the national and state governments have the power to collect taxes. Shared powers include:

* + Building roads
  + Establishing courts
  + Making and enforcing laws
  + Borrowing money and collecting
  + Providing for the health and welfare of the people
  + Taking private property for public use

Limits on Power

      may be denied either to the national government, the states, or both by Article I, Sections 9 and 10 of the Constitution. Neither the national nor state governments may deny certain protected rights to the people nor may either pass       laws.

* Provisions are included in the Constitution to limit the power of the national government including the Bill of Rights to protect the liberties of its citizens and to protect the powers reserved to the states.
* Certain powers are also denied to the states. For example, states are not allowed to coin money, tax imports, nor enter into war or sign treaties with other states or nations.