

Warm Up: 10/23-24

WARM UP ACTIVITY

- What are some broad generalizations you can make about the reasons antigovernment groups form?
 - Cite evidence from your research
- What is fiscal federalism?
 - How does this relate to the analogy of the layer & marble cakes?

****Ch. 4 & 5 Notes due 10/30-31**

LESSON ESSENTIAL QUESTIONS

1. What is federalism?
2. What Constitutional provisions divide power between the federal and state governments?
3. What are the powers of federal and state governments?
4. What court cases influence the balance of federal power and state power?

October 23-24, 2017

Fiscal Federalism

Fiscal Federalism

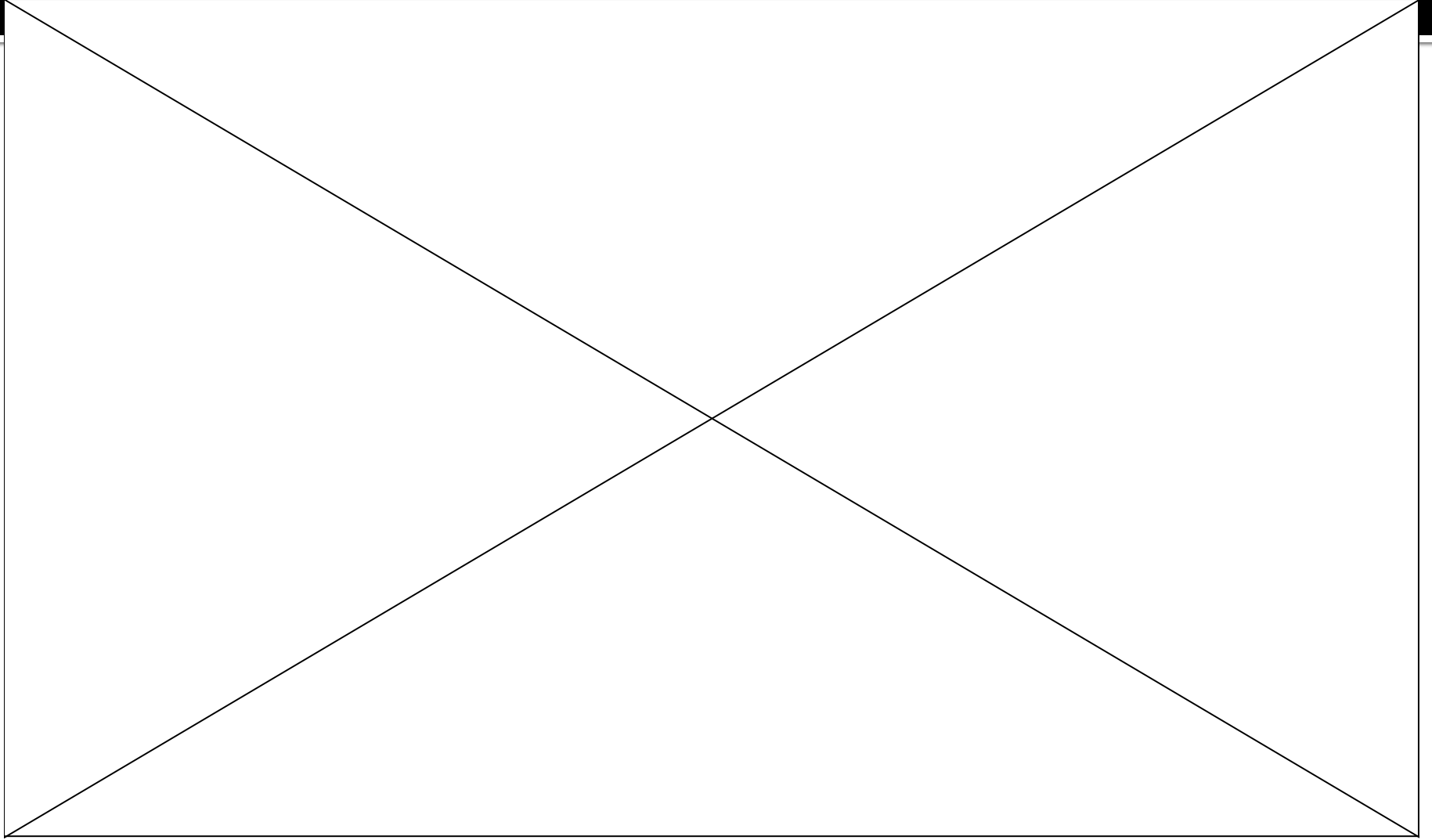
TODAY'S OBJECTIVE

- Political scientists will, verbally and in writing, ***evaluate*** the impact of the US federalist system on policy making in the United States.

ESSENTIAL QUESTIONS

1. What is fiscal federalism?
2. How do grants affect the relationships between states and the federal government?
3. What powers should be allocated to the states and which to the federal government?

Crash Course: Federalism



Antigovernment Group Share-out

1. Share your research on your two groups with the other members of your team.
 - What are their philosophies?
 - What is their established purpose?
 - What are their methods of activism?
 - How successful are they in achieving their expressed purpose?
2. As you listen, compare & contrast your researched groups with those discussed by your peers
 1. Note the general similarities to your groups
 2. Note the general differences to your groups
3. Argue how these similarities & differences relate to the groups' general views on the federal system.

Federalism

■ Dual federalism

- Both national and state governments are supreme in their own spheres, which should be kept separate.
 - 10th Amendment
 - Supremacy Clause

■ Cooperative federalism

- The state and federal spheres overlap and distinctions between them are blurred
 - Implied Powers – necessary and proper or elastic clause
 - Commerce clause
 - Federal budget and grants to states

McCulloch v. Maryland

Issue(s): Does Congress have the Constitutional authority to establish a national bank? Can a state impose a tax on a national institution?

Precedent(s): The court has no previous decisions to look at for their decision, so much consult the Constitution

Ruling(s): Two new precedents were established

1. The Federal government has the power to establish a bank based on its ability to coin money and regulate trade
2. States do not have the power to tax a national institution

Gibbons v. Ogden

Issue(s): Congress has the power to regulate interstate and international commerce. But how should commerce be defined?

Precedent(s): *McCulloch v. Maryland* established federal implied powers, stating that Congressional power is not limited to the Enumerated Powers alone

Ruling(s): Broadly defines commerce as virtually all commercial activity; Established that Congress has the power to promote economic development through subsidies and services for business interests

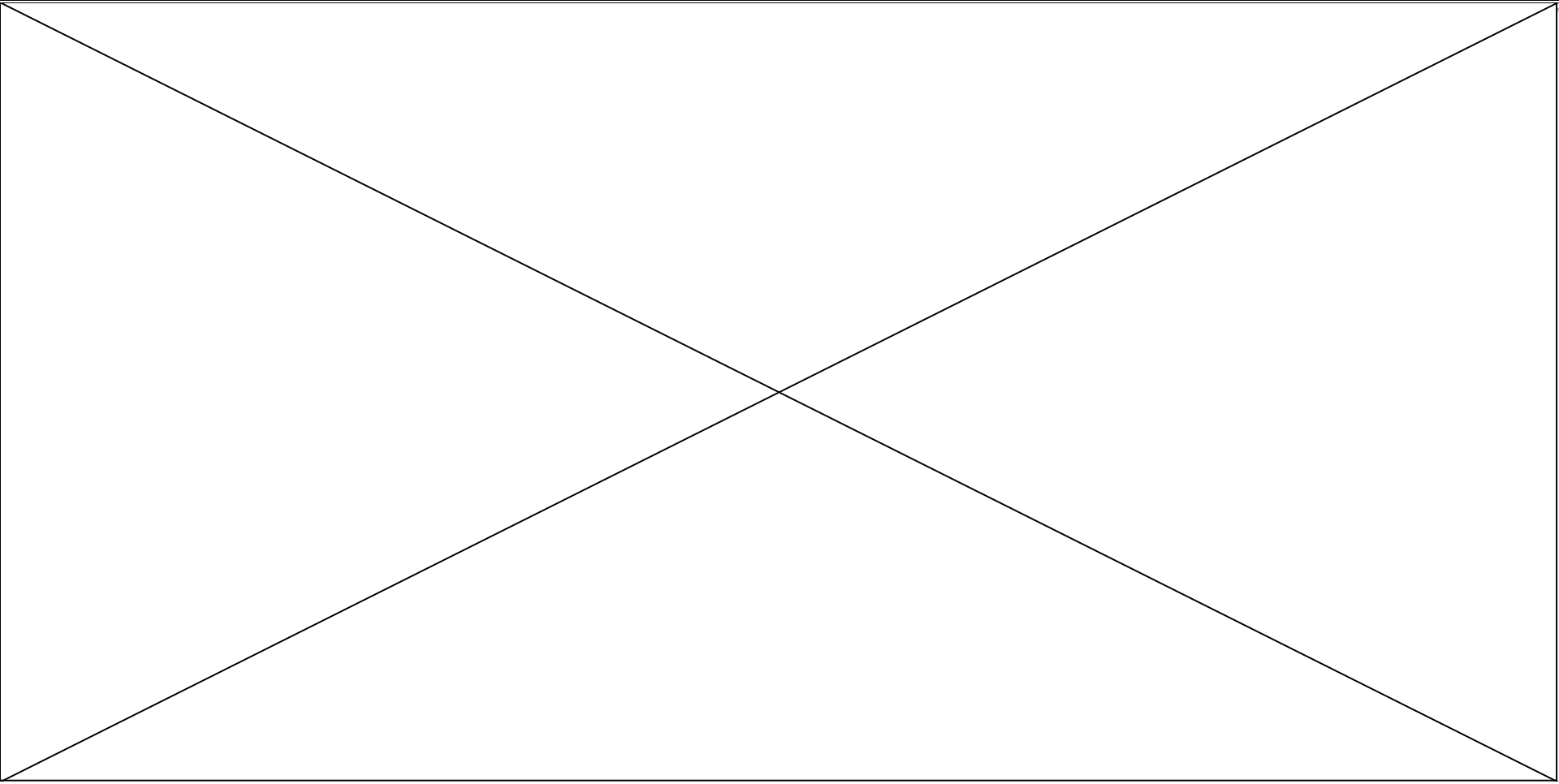
- More recent controversial decisions regarding commerce:
 - *United States v. Lopez* (1995)
 - *National Federation of Ind. Businesses v. Sebelius* (2012)

Fiscal Federalism

- Pattern of spending, taxing, and providing grants in the federal government
- **Grants-in-aid**
 - National government provides grants to states
 - Categorical grants
 - Block grants



Fiscal Federalism and Education



■ www.youtube.com/v/LV7od-RU1Jw

Categorical Grants

- Grants for specific purposes defined by federal law; they often require local matching funds.
 - Project Grants- awarded on the basis of competitive applications
 - Formula Grants- awarded based upon legislative-designed formula
 - Pop., demographics, per capita income, etc.
- **Cross-over sanctions**
 - Use of federal funds in one program to influence state and local policy in another program.

Before there was a national drinking age

The National Minimum Drinking Age Act of 1984 essentially created a national drinking age of 21. Now some states are trying to lower it again.

MINIMUM LEGAL DRINKING AGE BY STATE IN 1984

18 (7 states and D.C.) 19 (17) 20 (4) 21 (22)

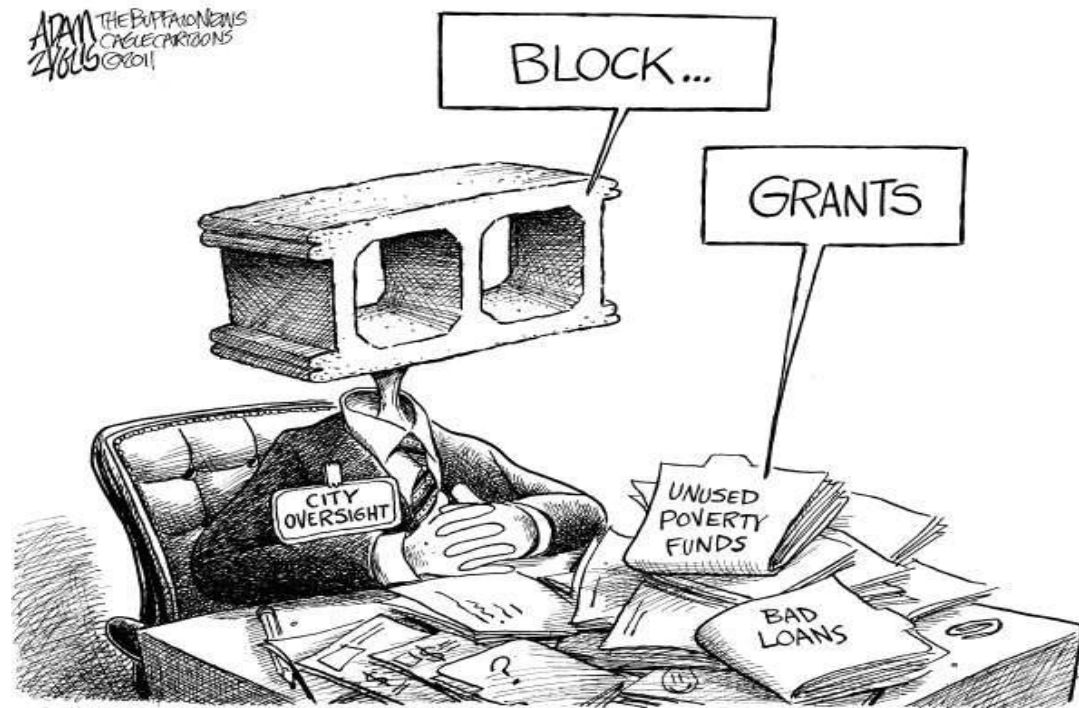


*Age for beer and wine only; 21 for hard liquor
SOURCE: Congressional Research Service

TRIBUNE GRAPHIC

Block Grants

- Money granted to the states or communities to support broad programs with few restrictions.
- **"New Federalism"** – shifts responsibility for spending to the states
 - 1970s to present
- **Devolution**
 - Federal government gives more authority and discretion to state governments.



Mandates

- Rule that tells states what they must do in order to comply with federal guidelines.
- **Funded mandates**
 - National government gives states money to comply.
- **Unfunded mandates**
 - National governments do not give states money to comply.
 - Americans with Disabilities Act (ADA)



The Mandate Blues

- **Americans with Disabilities Act (1990)**
 - Mandates that state and local governments require accommodations for those with physical disabilities
 - Private businesses must provide access ramps in order to allow equal employment opportunities and access to facilities.



Hollister has seen numerous lawsuits for not complying with the ADA.