

Review Guide Unit 2

Bicameral Legislature

A bicameral legislature is separated into two assemblies, chambers, or houses.

House- based on population, census every 10 years.

Senate-two per state

-Both houses needed to pass legislation (checks with the legislature)

REPRESENTATION MODELS

Trustee- vote how member personally believes is best

- Elected to make decisions on the behalf of the people using their own best judgement
- May upset district

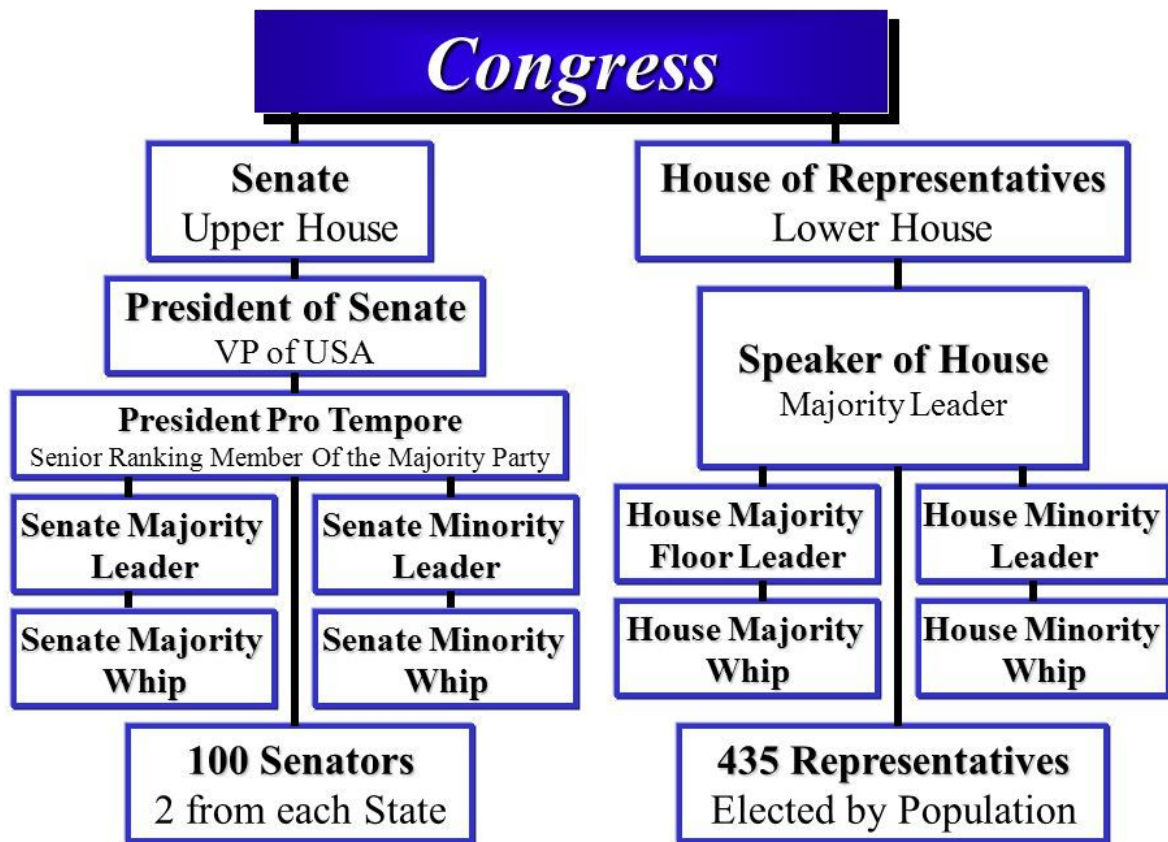
Delegate- do what their constituents want

- Uses public opinion polls

Politico- depends on the situation (sometimes trustee, sometimes delegate)

- This is the most common form of representation
- Issues with high level of controversy/profile- delegate
- Reelection year- delegate
- Regular congressional business / issues public is not informed on- trustee
- Senators with long terms- trustee

STRUCTURE OF CONGRESS



POWERS OF THE LEGISLATIVE BRANCH

- Make Laws
- Create Public Policy
- Public Policy- is the means by which a government maintains order or addresses the needs of its citizens through actions defined by its constitution
- A collection of laws, mandates, or regulations established through a political process address issues in society

EXAMPLES

- “Obama Care” implemented Health Care Policy
- NCLB implemented Education Policy
- Civil Rights Act/Voting Rights Act/ Americans with Disabilities Act implemented Anti-discrimination Policy

Enumerated Powers of Congress (Article I Section 8)

- Pass a Federal Budget – power of the purse. Budget is proposed by the executive.
- Tax (raise revenue)
- Borrow Money
- Declare War- maintain armed forces (close bases/approve funding)
- Regulate Interest Trade (Commerce Clause)
- Article I, Section 8, Clause 18 (Elastic Clause)- Implied Powers

What are implied powers?

Implied powers are powers that congress has because of the elastic clause.

Congress has been able to enact (pass) legislation addressing a wide range of economic, environmental (emissions), social issues (health care / gun locks)

House of Representatives- More Democratic

- Most democratic
- Smaller districts (approx. 700,000)
- Younger age (25)
- Frequent elections (every two years)
- Raise Revenue bills (taxes) originate

Obstacles

Log Rolling- trading votes to gain support for a bill

Riders- non-germane amendments to a bill

Holds- prevents a bill from being brought to the floor for debate / vote

Filibuster- a long speech to deal actions and prevent a vote from taking place

Cloture/ Silent Filibuster- a move to stop debate over a bill and takes 60 senators for the bill to be essentially filibustered

Senate Leadership

The Senate's leadership is made up of a few major parts.

President of the Senate

The president of the senate is the Vice President of the United States. He can cast a vote to break a tie in the senate.

President Pro Tempore

The president pro tempore is the member of the senate with the most seniority, it is simply a honorary title however.

Majority Leader of Senate

The majority leader is basically the leader of the Senate, they can schedule debates as well as being the first to speak in debates.

Minority Leader of Senate

The minority leader of the senate is basically the opposition to the majority leader. They have less power compared to the majority party.

Malapportionment (illegal)

- Is the creation of electoral districts with divergent ratios of voters to representatives
- Districts need to be of equal size (approximately 700,000)
- One person, one vote

Gerrymandering

- Is a practice intended to establish to a political advantage for a particular party or group by manipulating district boundaries.
- Draw districts to benefit the party in power.
- Must be connected, can't be based on race.
- Packing- is putting all of the opposing party into one district.
- Cracking- is diluting the opposing party over many districts.

CONGRESSIONAL COMMITTEES

STANDING COMMITTEE	JOINT COMMITTEE	SELECT/SPECIAL COMMITTEE
<ul style="list-style-type: none"> • Permanent • Proposed bills are referred here • Most Important type of committee • Hold hearing on implementation of law after passage • House Transportation / Infrastructure – US Highways • House Energy/ Commerce – utilities / gasoline • House Judiciary Committee – crime bills • House Ways and Means – Tax policy • Budget Committee – oversight of Federal Budget (how the money gets spent) 	<ul style="list-style-type: none"> • Include both Reps and Senators • Conference Committee • Purpose to iron out differences between House and Senate on the same bill 	<ul style="list-style-type: none"> • Temporary, for a special purpose / investigation

Baker v. Carr

Residents in Tennessee believed that reapportionment didn't take into account the population shifts in the area.

Charles Baker and other litigants sue the Tennessee Secretary of State because the populations in various districts varied greatly. Baker argued that this violated the 14th Amendment's equal protection clause because one person's vote wasn't really equal to another person's vote.

The Supreme Court questioned whether or not they had jurisdiction in questions of legislative apportionment.

The court ruled that apportionment claims were justiciable in federal court.

They reasoned that residents had the right to challenge unequal apportionment under the equal protection clause.

Shaw v. Reno

North Carolina created a strangely shaped majority- minority district for the purpose of increasing black representation in Congress.

The Supreme Court questioned whether a racially gerrymandering district violated the 14th Amendment's equal protection clause.

The court ruled that congressional districts could not be drawn solely on race.

They reasoned that North Carolina violated the 14th Amendment's equal protection clause because they drew the map solely based on race.