

Chapter 2 Federalism and the Texas constitution

Multiple Choice

1. Which of the following statements is true of federalism?
 - a. Power is concentrated at the national level.
 - b. The state government does not have its own executive branch.
 - c. Legislative powers can be withdrawn from the states by the president.
 - d. Both national and state governments have authority over their citizens.

Answer: D
Question: TB_Q1.2.1
Objective: 2.1
Page Reference: 34 – 35
Topic: Federalism
Skill: Understand the Concept
Difficulty: Moderate

2. Which of the following statements describes how federalism applies to Texas?
 - a. Texas has the primary role in deciding foreign policy affairs.
 - b. Almost all funding for education in Texas is from the federal government.
 - c. For social service programs, Texas receives much of the funding through federal grants.
 - d. The central government reserves the right to take power back from Texas.

Answer: C
Question: TB_Q2.2.1
Objective: 2.1
Page Reference: 36
Topic: Federalism
Skill: Understand the Concept
Difficulty: Moderate

3. Which document details how the powers and areas of control are divided in the federalist system?
 - a. the United States Constitution
 - b. individual state Constitutions
 - c. the Federalist Papers
 - d. the Bill of Rights

Answer: A
Question: TB_Q3.2.1
Objective: 2.1
Page Reference: 35
Topic: Federalism
Skill: Remember the Facts
Difficulty: Easy

4. Harvey is a legislator in Texas. Which of the following is one of his responsibilities?
 - a. lobbying the U.S. Congress to reduce the number of visas given to foreign companies
 - b. making decisions regarding the education system of Texas

- c. serving on national committees to set minimum standards of social service that Texas must provide
- d. increasing the military presence in Texas to protect the state from cross-border smuggling from Mexico

Answer: B

Question: TB_Q4.2.1

Objective: 2.1

Page Reference: 35

Topic: Federalism

Skill: Apply What You Know

Difficulty: Moderate

5. Which of the following systems within the state of Texas receives 85 percent of its funding from state-generated means?

- a. crime control
- b. social services
- c. foreign policy
- d. education

Answer: D

Question: TB_Q5.2.1

Objective: 2.1

Page Reference: 35

Topic: Federalism

Skill: Remember the Facts

Difficulty: Easy

6. Many of the restrictions imposed on states by the U.S. Constitution. Which section of the U.S. Constitution lists the restrictions imposed on state powers?

- a. Article I, Section 10
- b. Article II
- c. Article III, Section 52
- d. Article IV

Answer: A

Question: TB_Q6.2.1

Objective: 2.1

Page Reference: 35

Topic: Federalism

Skill: Remember the Facts

Difficulty: Easy

7. Which of the following is true as per the provisions of Article IV of the U.S. Constitution?

- a. Texas cannot impose duties on goods arriving from other states of the United States.
- b. Texas cannot enter into any treaty or alliance with any of the other states.
- c. Texas must institute poverty alleviation programs and provide aid to the homeless.
- d. Texas must return escaped prisoners to the state where they were imprisoned.

Answer: D

Question: TB_Q7.2.1

Objective: 2.1

Page Reference: 36

Topic: Federalism

Skill: Understand the Concepts

Difficulty: Moderate

8. Which of the following is a bill that violates Article I, Section 10 of the U.S. Constitution?
- an act providing for additional funding to Catholic schools in Texas
 - a law levying taxes on goods arriving into Texas from its neighboring states
 - a law calling for a complete ban on parimutuel gambling and the state lottery
 - a law requiring voters to pay a poll tax to cover the expense of holding elections

Answer: B

Question: TB_Q8.2.1

Objective: 2.1

Page Reference: 35

Topic: Federalism

Skill: Apply What You Know

Difficulty: Moderate

9. Which of the following acts of the U.S. Constitution guarantees protection to Texas against invasion?

- Article I, Section 10
- Article I, Section 17
- Article IV, Section 1
- Article IV, Section 4

Answer: D

Question: TB_Q9.2.1

Objective: 2.1

Page Reference: 36

Topic: Federalism

Skill: Understand the Concepts

Difficulty: Moderate

10. In the United States, the control of social service programs are shared between levels of government. Which level of government is mainly responsible for the implementation of social service programs?

- the Red Cross
- the state governments
- the county governments
- the national government

Answer: C

Question: TB_Q10.2.1

Objective: 2.1

Page Reference: 36

Topic: Federalism

Skill: Understand the Concepts

Difficulty: Moderate

11. Victor is a member of the state government in Texas. What is one of his responsibilities?
- lobbying the U.S. Congress for devolution of power
 - administering social service programs
 - issuing funded mandates to pay for the state's welfare policies
 - determining whether laws passed by the Texas Congress are legal

Answer: B

Question: TB_Q11.2.1

Objective: 2.1
Page Reference: 36
Topic: Federalism
Skill: Apply What You Know
Difficulty: Moderate

12. Which of the following correctly describes the U.S. government?
- pure democracy
 - socialist state
 - direct democracy
 - constitutional republic

Answer: D

Question: TB_Q12.2.1

Objective: 2.1

Page Reference: 37

Topic: Federalism

Skill: Remember the Facts

Difficulty: Easy

13. The Texas state legislature passes a law that allows it to enter into a treaty with Mexico, independently of the United States. Which process would determine whether this law is constitutional?

- judicial review
- amendment review
- Constitutional assessment
- lawful inspection

Answer: A

Question: TB_Q13.2.1

Objective: 2.1

Page Reference: 37

Topic: Federalism

Skill: Apply What You Know

Difficulty: Moderate

14. Which of the following methods can the U.S Congress use to force states to pass legislation?
- lobbying the members of the state senate
 - refusing to act on vital issues of concern to the state
 - threatening to withhold federal grants for various programs
 - moving federal courts to impose penalties on non-compliance

Answer: C

Question: TB_Q14.2.2

Objective: 2.2

Page Reference: 38

Topic: National Gains

Skill: Understand the Concepts

Difficulty: Moderate

15. In which case did the U.S. Supreme Court explicitly uphold the right of the U.S. Congress to withhold federal grants?

- Texas v. Johnson*
- Gonzales v. Raich*

c. *South Dakota v. Dole*
d. *United States v. Lopez*
Answer: C
Question: TB_Q15.2.2
Objective: 2.2
Page Reference: 38
Topic: National Gains
Skill: Remember the Facts
Difficulty: Easy

16. Which form of federalism was in operation in Texas after the Great Depression?

- a. dual federalism
- b. cooperative federalism
- c. new federalism
- d. "new" new federalism

Answer: B
Question: TB_Q16.2.2
Objective: 2.2
Page Reference: 39
Topic: National Gains
Skill: Remember the Facts
Difficulty: Easy

17. The constitution of Maldivia, a newly formed country in Europe, ensures that the powers and responsibilities of the national and state governments are distinctly specified. According to this, states decide their own policies without any interference from the national government. Which of the following describes the system of government in Maldivia?

- a. dual federalism
- b. new federalism
- c. hybrid federalism
- d. "new" new federalism

Answer: A
Question: TB_Q17.2.2
Objective: 2.2
Page Reference: 39
Topic: National Gains
Skill: Apply What You Know
Difficulty: Moderate

18. Robert believes that money in the form of federal grants plays the biggest role in the shift of power between the national and state governments. Which statement supports his viewpoint?

- a. Over time, cooperative federalism has changed from a form of economic aid in a time of need to an economic power play to force compliance.
- b. Most state senators and governors believe in the necessity of a federal body to set policy standards and economic limitations in the United States.
- c. A study shows that federal grants make up only 10 percent of the budget of most states and is further decreasing.
- d. Only 5 percent of grants issued by the U.S. Congress are categorical grants, with the rest being block grants.

Answer: A
Question: TB_Q18.2.2

Objective: 2.2
Page Reference: 39 – 40
Topic: National Gains
Skill: Analyze It
Difficulty: Difficult

19. As a member of the Texas House, Kristen believes that block grants be used instead of categorical grants. She favors devolution in all aspects of government. Which type of federalism does Kristen believe in?

- a. new federalism
- b. cooperative federalism
- c. direct federalism
- d. dual federalism

Answer: A

Question: TB_Q19.2.2

Objective: 2.2

Page Reference: 40

Topic: National Gains

Skill: Apply What You Know

Difficulty: Moderate

20. Which of the following statements is true of "new" new federalism?

- a. The Tenth Amendment to the U.S. Constitution was passed to limit state powers.
- b. It came about as a consequence of Lyndon Johnson's Great Society programs.
- c. Devolution was pushed through by Democrats in all sectors of policymaking.
- d. States got more freedom with federal grants in exchange for handling more social service programs.

Answer: D

Question: TB_Q20.2.2

Objective: 2.2

Page Reference: 40

Topic: National Gains

Skill: Understand the Concepts

Difficulty: Moderate

21. Which case was a landmark decision made by the U.S. Supreme Court that limited the power of the national government?

- a. *Miller v. Alabama*
- b. *Texas v. Johnson*
- c. *Gonzales v. Raich*
- d. *United States v. Lopez*

Answer: D

Question: TB_Q21.2.2

Objective: 2.2

Page Reference: 40

Topic: National Gains

Skill: Remember the Facts

Difficulty: Easy

22. The national government has passed a bill that outlines a new process concerning state disposal of hazardous waste. The state of Texas is expected to entirely fund this new process by

financing new training programs, building new facilities, and creating safe disposal sites. This is an example of which of the following?

- a. congressional review
- b. national authority
- c. unfunded mandate
- d. devolution

Answer: C

Question: TB_Q22.2.2

Objective: 2.2

Page Reference: 41

Topic: National Gains

Skill: Apply What You Know

Difficulty: Moderate

23. Which of the following statements is true of state constitutions in the United States?
- a. Unlike the U.S. Constitution, state constitutions do not contain the state's Bill of Rights.
 - b. The addition of amendments requires only a simple majority in the Senate.
 - c. Separate articles empower the executive, legislative, and judicial branches.
 - d. The state constitution is limited only to the structure of the state government.

Answer: C

Question: TB_Q23.2.3

Objective: 2.3

Page Reference: 42

Topic: State Constitutions

Skill: Understand the Concepts

Difficulty: Moderate

24. . How many constitutions has Texas had since 1827?
- a. two
 - b. three
 - c. five
 - d. seven

Answer: D

Question: TB_Q24.2.4

Objective: 2.4

Page Reference: 43

Topic: The Constitutions of Texas

Skill: Remember the Facts

Difficulty: Easy

25. Which of the following statements is true of the first constitution of Texas?
- a. The Texas Grangers contributed to the first constitution of Texas.
 - b. It was created while Texas was still a part of the Mexican Federation.
 - c. It was made after Texas was made a separate state due to the large population.
 - d. It was written after Mexico accepted the second request made by Texas to be a state.

Answer: B

Question: TB_Q25.2.4

Objective: 2.4

Page Reference: 43

Topic: The Constitutions of Texas

Skill: Understand the Concepts
Difficulty: Moderate

26. When was the 1836 Texas constitution written?
- during the Texas Revolution
 - during the Civil War
 - following the passage of the black codes
 - after the Reconstruction era

Answer: A

Question: TB_Q26.2.4

Objective: 2.4

Page Reference: 43

Topic: The Constitutions of Texas

Skill: Understand the Concepts

Difficulty: Moderate

27. Gary believes that Texas first embraced the concept of federalism in its third constitution. Which statement strengthens his view?

- Representatives wrote the second constitution after Texas joined the Confederacy.
- Texas and Coahuila were joined as one state when the first constitution was made.
- The 1845 constitution was written after the annexation of Texas by the Union.
- Federalism was introduced in the United States with a constitutional amendment in 1870.

Answer: C

Question: TB_Q27.2.4

Objective: 2.4

Page Reference: 44

Topic: The Constitutions of Texas

Skill: Analyze It

Difficulty: Difficult

28. Which of the following is true of the provisions of the 1861 constitution of Texas?
- The place of Texas in the Confederacy was not acknowledged.
 - Freed slaves were not allowed to testify in court against white Texans.
 - Slavery was legalized and the head of the household given a land grant.
 - Slaveholders required state government permission to emancipate slaves.

Answer: D

Question: TB_Q28.2.4

Objective: 2.4

Page Reference: 44 – 45

Topic: The Constitutions of Texas

Skill: Understand the Concepts

Difficulty: Moderate

29. What provisions in the 1866 Texas constitution restricted the rights of African Americans by limiting job opportunities?

- Jim Crow laws
- Black Codes
- the Segregation Mandates
- the Civil Rights Bill

Answer: B

Question: TB_Q29.2.4
Objective: 2.4
Page Reference: 45
Topic: The Constitutions of Texas
Skill: Remember the Facts
Difficulty: Easy

30. Which of the following describes the issue of *ab initio* that divided political parties during the creation of the Texas constitution of 1869?
- whether African American men and women should be given the right to vote
 - whether the heads of state should be limited from serving more than 4 years
 - whether slaveholders required state government permission to emancipate slaves
 - whether all state government actions taken during the rebellion should be made null and void

Answer: D

Question: TB_Q30.2.4
Objective: 2.4
Page Reference: 45
Topic: The Constitutions of Texas
Skill: Understand the Concepts
Difficulty: Moderate

31. Gregory was a moderate Republican in Texas at the 1868 Constitutional Convention. Which of the following was he likely to support?
- the constitutional amendment to give voting rights to African Americans
 - the idea of retaining Texas as a single state rather than forming West Texas
 - the motion to null and void all state government actions during the rebellion
 - the addition of a section to bar African Americans from testifying in cases

Answer: B

Question: TB_Q31.2.4
Objective: 2.4
Page Reference: 45
Topic: The Constitutions of Texas
Skill: Analyze It
Difficulty: Difficult

32. Samuel is a part of the state police force created during the governorship of Edmund Davis. Which of the following most likely describes one of Samuel's duties?
- ensuring the protection of African Americans in the Confederacy
 - the protection of Texas borders from Indian incursion
 - the enforcement of law and order in the state of Coahuila y Tejas
 - the protection of the governor from political takeovers

Answer: B

Question: TB_Q32.2.4
Objective: 2.4
Page Reference: 47
Topic: The Constitutions of Texas
Skill: Apply What You Know
Difficulty: Moderate

33. Which of the following is true of the Edmund Davis's governorship of Texas?

- a. He had the full support of both moderate and radical Republicans.
- b. He was removed from office by the Democrat-controlled Texas Supreme Court.
- c. He came to power after defeating the Democratic candidate by a large majority.
- d. He postponed elections to ensure extension of terms for Radical officeholders.

Answer: D

Question: TB_Q33.2.4

Objective: 2.4

Page Reference: 45, 47

Topic: The Constitutions of Texas

Skill: Understand the Concepts

Difficulty: Moderate

34. Which of the following was the most influential group of the convention framing the 1876 constitution of Texas?

- a. Democratic Party
- b. Texas Whig
- c. Reconstruction faction
- d. Texas Grange

Answer: D

Question: TB_Q34.2.5

Objective: 2.5

Page Reference: 49

Topic: The 1876 Constitution

Skill: Remember the Facts

Difficulty: Easy

35. Xavier was a member of the Texas Grange. Which of the following was he likely to believe?

- a. The railroad companies were responsible for the declining fortunes of Texan farmers.
- b. African Americans should play a greater part in government and policymaking.
- c. Government spending on social service and rural betterment should be doubled.
- d. The splitting Texas into East and West Texas would result in more effective policymaking.

Answer: A

Question: TB_Q35.2.5

Objective: 2.5

Page Reference: 49 – 50

Topic: The 1876 Constitution

Skill: Apply What You Know

Difficulty: Moderate

36. Which of the following statements is true of the Texas constitution of 1876?

- a. It was passed by the legislature and based on constitutional amendments.
- b. It made null and void all state government actions during the Civil War.
- c. It was made by Radical Republicans as a reaction to Texas Grange rule.
- d. It partially mirrored the provisions of the pre-Civil War constitution of Texas.

Answer: D

Question: TB_Q36.2.5

Objective: 2.5

Page Reference: 49 – 50

Topic: The 1876 Constitution

Skill: Understand the Concepts

Difficulty: Moderate

37. Which of the following is true of the limits that the constitution of 1876 imposed on government?

- a. Senate terms were decreased from six to four years.
- b. The positions in the judicial branch were limited to legislative appointments.
- c. The term for Supreme Court judges was set as three years.
- d. The balanced budget provision restricted the state's ability to go into debt.

Answer: D

Question: TB_Q37.2.5

Objective: 2.5

Page Reference: 50

Topic: The 1876 Constitution

Skill: Understand the Concepts

Difficulty: Moderate

38. Shawn is a student of constitutional history in Texas. Which of the following provisions in the 1876 constitution would he most likely identify as a reaction to the policies of Reconstruction?

- a. the reduction in the salaries of legislators
- b. the reduction in the size of the judicial branch
- c. the introduction of the balanced budget provision
- d. the limit set on the legislature to meet only biennially

Answer: C

Question: TB_Q38.2.5

Objective: 2.5

Page Reference: 50

Topic: The 1876 Constitution

Skill: Apply What You Know

Difficulty: Moderate

39. Diane is a student studying the differences between the Texas Bill of Rights and the U.S. Bill of Rights. Which of the following is she likely to notice?

- a. The Texas Bill of Rights is shorter and less detailed.
- b. The U.S. Bill of Rights in the U.S. Constitution is influenced by the Civil War era.
- c. The Texas Bill of Rights specifies protections that the state must give its citizens.
- d. The U.S. Bill of Rights was written primarily keeping in mind the rights of white males.

Answer: C

Question: TB_Q39.2.5

Objective: 2.5

Page Reference: 50 – 51

Topic: The 1876 Constitution

Skill: Apply What You Know

Difficulty: Moderate

40. . How many provisions are included in the Texas Bill of Rights?

- a. 10
- b. 20
- c. 30
- d. 40

Answer: C
Question: TB_Q40.2.5
Objective: 2.5
Page Reference: 50
Topic: The 1876 Constitution
Skill: Remember the Facts
Difficulty: Easy

41. Linda believes that the Texas Bill of Rights was designed especially as a reaction to the policies of Edmund Davis. Which of the following explicitly stated provisions in the Bill of Rights reinforces her viewpoint?

- a. the liberty of individuals to publish opinions on any subject
- b. the rights of the jury to determine the law in indictments for libel
- c. the protection extended to citizens against unreasonable seizures
- d. the prohibition of the use of state money for religious purposes

Answer: D
Question: TB_Q41.2.5
Objective: 2.5
Page Reference: 51
Topic: The 1876 Constitution
Skill: Understand the Concepts
Difficulty: Moderate

42. Hugh, a politician in Texas, wants to propose an amendment to the Constitution. What should he do to ensure that the amendment is made?

- a. Hugh should raise awareness among voters so that at least 45 percent back the amendment.
- b. Hugh must lobby House and Senate members to ensure at least a two-thirds vote.
- c. Hugh should ensure that he has the support of the governor for ratification.
- d. Hugh must gain the support of the judiciary so that the bill is passed in parliament.

Answer: B
Question: TB_Q42.2.5
Objective: 2.5
Page Reference: 51 – 52
Topic: The 1876 Constitution
Skill: Apply What You Know
Difficulty: Moderate

43. What is the minimum number of senators needed to block the approval of a proposed amendment to the Texas constitution?

- a. 11
- b. 24
- c. 35
- d. 51

Answer: A
Question: TB_Q43.2.5
Objective: 2.5
Page Reference: 51
Topic: The 1876 Constitution
Skill: Remember the Facts
Difficulty: Easy

44. Which of the following statements supports Carol's view that the Texas constitution is disorganized?
- A commission was set up in 1972 to suggest revisions to the constitution.
 - The current Texas constitution is the seventh constitution.
 - There are several instances in the document with incompetent language usage and basic labeling inconsistencies.
 - Several obsolete provisions were removed in recent years.

Answer: C

Question: TB_Q44.2.6

Objective: 2.6

Page Reference: 52

Topic: Constitutional Revision

Skill: Analyze It

Difficulty: Difficult

45. A constitutional amendment was approved by the voters in 1972. It called for the creation of a revision commission that would submit its recommendations to a constitutional convention scheduled for which of the following dates?

- 1974
- 1976
- 1981
- 1985

Answer: A

Question: TB_Q45.2.6

Objective: 2.6

Page Reference: 53

Topic: Constitutional Revision

Skill: Remember the Facts

Difficulty: Easy

46. Which of the following statements is true of the attempt to revise the constitution of Texas in the 1970s?

- The revised constitution did not meet the approval of the voters.
- The document prepared by the revision commission was rejected by three votes.
- The proposed revisions did not make any changes to the structure of government.
- A constitutional convention was scheduled to prepare the first draft.

Answer: B

Question: TB_Q46.2.6

Objective: 2.6

Page Reference: 53

Topic: Constitutional Revision

Skill: Understand the Concepts

Difficulty: Moderate

47. Lance was one of the members of the revision commission formed in 1972 to revise the constitution of Texas. What was he likely to believe?

- Voter approval must be sought before the passage of bills to increase income tax.
- The legislature should meet biennially and salaries must remain low.
- A Texan could not be required to join a union in order to get a job.
- Judges should be nominated by political parties and be elected by a majority.

Answer: C
Question: TB_Q47.2.6
Objective: 2.6
Page Reference: 53
Topic: Constitutional Revision
Skill: Apply What You Know
Difficulty: Moderate

48. How many separate propositions did the Texas House and Senate submit as a revised form of the proposed constitution in 1975?

- a. three
- b. five
- c. eight
- d. ten

Answer: C
Question: TB_Q48.2.6
Objective: 2.6
Page Reference: 53
Topic: Constitutional Revision
Skill: Remember the Facts
Difficulty: Easy

49. Which of the following statements is true of the constitution of Texas proposed by Bill Ratliff and Rob Junell?

- a. Legislative terms should be decreased and salaries increased.
- b. The highest civil and criminal courts in Texas should be combined.
- c. Judges at the district court level should be appointed by elections.
- d. The cabinet formed by the governor should be subject to voter approval.

Answer: B
Question: TB_Q49.2.6
Objective: 2.6
Page Reference: 54 – 55
Topic: Constitutional Revision
Skill: Understand the Concepts
Difficulty: Moderate

50. Charles is a member of the Republican Party in Texas. Which proposal is he likely to reject?

- a. a reduction in income tax levied on wealthy voters in Texas
- b. reduced government spending on social issues in Texas
- c. removal of obsolete sections in the constitution of Texas
- d. reform mandating judicial appointment

Answer: D
Question: TB_Q50.2.6
Objective: 2.6
Page Reference: 54
Topic: Constitutional Revision
Skill: Apply What You Know
Difficulty: Moderate

True/False

51. Adele, a citizen of Kansas, wants to sue a company with its headquarters in Texas for a breach of contract. To do so she must file a case in a Texas court.

Answer: F

Question: TB_Q51.2.1

Objective: 2.1

Page Reference: 36

Topic: Federalism

Skill: Apply What You Know

Difficulty: Moderate

52. Article IV of the U.S. Constitution establishes how states must treat each other.

Answer: T

Question: TB_Q52.2.1

Objective: 2.1

Page Reference: 36

Topic: Federalism

Skill: Remember the Facts

Difficulty: Easy

53. An important aspect of our American system of federalism is that the delineation of power is set out in the U.S. Constitution.

Answer: T

Question: TB_Q53.2.1

Objective: 2.1

Page Reference: 35

Topic: Federalism

Skill: Understand the Concepts

Difficulty: Moderate

54. Judicial review refers to the power of the courts to strike down laws that violate the state or national constitution.

Answer: T

Question: TB_Q54.2.1

Objective: 2.1

Page Reference: 37

Topic: Federalism

Skill: Understand the Concepts

Difficulty: Moderate

55. As per the principle of federalism in the United States, all taxes on income generated from individuals belong to the state in which they reside.

Answer: F

Question: TB_Q55.2.2

Objective: 2.2

Page Reference: 38

Topic: National Gains

Skill: Understand the Concepts

Difficulty: Moderate

56. Leslie states that the economic condition of the states during the time of cooperative federalism led to the loss of control by state governments.

Answer: T
Question: TB_Q56.2.2
Objective: 2.2
Page Reference: 39
Topic: National Gains
Skill: Analyze It
Difficulty: Difficult

57. Unfunded mandates are directives issued by the U.S. Congress to states without corresponding federal funding.

Answer: T
Question: TB_Q57.2.2
Objective: 2.2
Page Reference: 41
Topic: National Gains
Skill: Remember the Facts
Difficulty: Easy

58. As a citizen of Texas, the tax burden on Alicia increases when the U.S. Congress issues funded mandates to Texas.

Answer: F
Question: TB_Q58.2.2
Objective: 2.2
Page Reference: 41
Topic: National Gains
Skill: Apply What You Know
Difficulty: Moderate

59. The Texas constitution is the longest state constitution in the United States.

Answer: F
Question: TB_Q59.2.3
Objective: 2.3
Page Reference: 41
Topic: State Constitutions
Skill: Remember the Facts
Difficulty: Easy

60. The Bill of Rights in the Texas constitution describes the structure of government.

Answer: F
Question: TB_Q60.2.3
Objective: 2.4
Page Reference: 50 – 51
Topic: The Constitutions of Texas
Skill: Remember the Facts
Difficulty: Easy

61. Theoretically, the structure of government should be more difficult to change than the laws governing the day-to-day operations of government.

Answer: T
Question: TB_Q61.2.3
Objective: 2.3

Page Reference: 42
Topic: State Constitutions
Skill: Understand the Concepts
Difficulty: Moderate

62. The legislature of the combined state of Coahuila and Texas had an equal number of Texans and Coahuilans represented in the legislature.

Answer: F
Question: TB_Q62.2.4
Objective: 2.4
Page Reference: 43
Topic: The Constitutions of Texas
Skill: Remember the Facts
Difficulty: Easy

63. As a free African American in Texas after the Civil War, Rory was happy because of the restoration of his rights.

Answer: F
Question: TB_Q63.2.4
Objective: 2.4
Page Reference: 45
Topic: The Constitutions of Texas
Skill: Analyze It
Difficulty: Moderate

64. As a Radical Republican in Texas in the Reconstruction Era, Alex was likely to believe in keeping Texas united into one single state.

Answer: F
Question: TB_Q64.2.4
Objective: 2.5
Page Reference: 49 – 50
Topic: The 1876 Constitution
Skill: Apply What You Know
Difficulty: Moderate

65. The constitution of 1869 centralized most of the power in Texas in the hands of the legislature.

Answer: F
Question: TB_Q65.2.4
Objective: 2.4
Page Reference: 45
Topic: The Constitutions of Texas
Skill: Remember the Facts
Difficulty: Easy

66. The Obnoxious Acts was the name given to legislation passed during the tenure of Governor Richard Coke that gave African Americans more rights in Texas.

Answer: F
Question: TB_Q66.2.4
Objective: 2.4
Page Reference: 47 – 48

Topic: The Constitutions of Texas
Skill: Understand the Concepts
Difficulty: Moderate

67. Article I, Section 1 of the Bill of Rights tried to create powers for Texas that were denied to it during Reconstruction.

Answer: T
Question: TB_Q67.2.5
Objective: 2.5
Page Reference: 52
Topic: The 1876 Constitution
Skill: Understand the Concepts
Difficulty: Moderate

68. The support of the governor is essential for making a Texas constitutional amendment.

Answer: F
Question: TB_Q68.2.5
Objective: 2.5
Page Reference: 51 – 52
Topic: The 1876 Constitution
Skill: Understand the Concepts
Difficulty: Moderate

69. In 2004, several obsolete provisions dealing with Spanish and Mexican land titles were removed from the Texas constitution.

Answer: F
Question: TB_Q69.2.6
Objective: 2.6
Page Reference: 53
Topic: Constitutional Revision
Skill: Remember the Facts
Difficulty: Easy

70. One of the reasons for the failure of the constitution proposed by the revision commission for the 1974 constitutional convention was that the delegates from property-poor areas wanted increased spending on poverty alleviation programs.

Answer: F
Question: TB_Q70.2.6
Objective: 2.6
Page Reference: 53
Topic: Constitutional Revision
Skill: Understand the Concepts
Difficulty: Moderate

Fill-In-The Blank Questions

71. The political system in the United States by which power is shared between the national and state governments is known as _____.

Answer: federalism
Question: TB_Q71.2.1
Objective: 2.1

Page Reference: 34
Topic: Federalism
Skill: Remember the Facts
Difficulty: Easy

72. The _____ Amendment to the U.S. Constitution stripped state legislatures of the power to appoint U.S. senators.

Answer: Seventeenth
Question: TB_Q72.2.2
Objective: 2.2
Page Reference: 37
Topic: National Gains
Skill: Remember the Facts
Difficulty: Easy

73. The longest U.S. state constitution is that of the state of _____.

Answer: Alabama
Question: TB_Q73.2.3
Objective: 2.3
Page Reference: 41
Topic: State Constitutions
Skill: Remember the Facts
Difficulty: Easy

74. Based on the political philosophy of _____, who believed that power should reside with the people, the selection of the attorney general, comptroller, treasurer, and judges became an elected position through an 1850 amendment.

Answer: Andrew Jackson
Question: TB_Q74.2.4
Objective: 2.4
Page Reference: 44
Topic: The Constitutions of Texas
Skill: Remember the Facts
Difficulty: Easy

75. As of _____, the Texas state constitution had been amended 483 times.

Answer: 2013
Question: TB_Q75.2.5
Objective: 2.5
Page Reference: 52
Topic: The 1876 Constitution
Skill: Remember the Facts
Difficulty: Easy

Essay Questions

76. Describe the current form of federalism in the United States. Then, from the perspective of Louise, a member of the Texas House, explain whether the current scenario is beneficial to Texas.

Answer:

A. 1995 Republican controlled legislature proposed “new” new federalism that would reduce the scope of the national government and give decision making back to the states

1. States gained limited control
 2. Transfer of programs from national to state control (devolution)
 - a. speed limits back to state control
 3. Federal funding came with less restrictions but states had to pick up a bigger share of social service programs
 - B. Several important court cases have also pushed this idea of “new” new Federalism restricting the power of the national government
 1. *United States v. Lopez*: restricted the power of the national government to pass a law banning guns around school
 2. *Brady Bill*: federal government cannot force state governments to comply with federal government programs
 3. *United States v. Morrison*: limited the commerce clause
 - C. More recent cases have not sided with state’s rights
 1. *Gonzales v. Raich*; let the DEA prosecute marijuana cases despite state laws
 2. *Health Care Reform Act*; split decision that allowed Congress to tax non-insured but prohibited them from penalizing states for nonparticipation
 - D. National government mandates
 1. passes regulations that set standards for state conduct
 2. force states to spend money to meet standards
- Question: TB_Q76.2.2
 Objective: 2.2
 Page Reference: 37 – 38
 Topic: National Gains
 Skill: Understand the Concept
 Difficulty: Moderate

77. Explain the length of the Texas constitution and analyze how the legislature contributes to lengthening state constitutions.

Answer:

- A. Texas constitution has 90,000 words
 1. Separate articles for executive, legislative and judicial powers
 2. Bill of Rights
 3. Powers of local governments
- B. Constitutions blur constitutional and legislative law
 1. Length is due to the inclusion of not just governmental structure but policy matters
 2. Texas constitution example: *parimutuel gambling and the state lottery*
 - a. Neither issue is part of governmental structure; should be included in state statutes
 - b. state law forbids horseracing, constitution forbids lottery
 - c. Horseracing betting approved by simple majority
 - d. lottery required amendment to state constitution
 3. State constitutions have many legislative provisions making them restrictive
 - a. restrictions lead to many amendments
 - b. Texas high end with 300 amendments (U.S Constitution has 27)

Question: TB_Q77.2.3

Objective: 2.3

Page Reference: 41 – 42

Topic: State Constitutions

Skill: Analyze It

Difficulty: Difficult

78. Analyze how Governor Edmund J. Davis used the constitutional powers given to him by the

constitution of 1869 and how it impacted the Republican Party in Texas.

Answer:

A. 1869 Texas constitution centralized power in the hands of the governor

1. Power to appoint Secretary of State, Attorney General and judges

2. framework for an operational strong government

B. Governor Davis administration abuses of these powers

1. Obnoxious Acts

a. creation of state militia and state police force that was formed to help protect against Indian attacks, end lynching of African Americans and halt lawlessness; White Texans had negative impression due to high costs, attitude toward African American officers and the shady way Davis passed the bill

b. Davis had the power to fill vacancies at state and local level and to hold off elections to make sure Radical Republicans stayed in office

C. Abuses of power hurt the power and popularity of the Republican Party and Democrats won the majority in the legislature in 1872

1. Dismantled the Radical programs but Davis vetoed some of the proposed legislation and Democrats were successful in overriding the veto

D. Election discrepancies in 1873 caused bad feelings between Republicans and Democrats

1. Davis lost in reelection but Republicans tried to use the constitution to invalidate election

2. Democrat Coke and Davis both served as governor until Supreme Court, made of appointed Republicans by Davis, voted in favor of Davis

3. Davis had to resign without federal military aid to keep violence at bay

Question: TB_Q78.2.4

Objective: 2.4

Page Reference: 45 – 47

Topic: The Constitutions of Texas

Skill: Analyze It

Difficulty: Easy

79. As a member of the constitutional commission that wrote the Bill of Rights for the present-day constitution of Texas, explain how the individual rights of Texans were secured.

Answer:

A. Bill of Rights was written to ensure individual liberties would be protected in the future

B. States need individual Bill of Rights

1. U.S. Bill of Rights does not explicitly extend to protections to the relationship between the state and its citizens

2. States cannot take away protections already guaranteed by the U.S Constitution but it can allow for more protection

a. Equal Rights Amendment defeated on federal level but Texas approved a provision in 1972

b. U.S Constitution only has 10 provisions in Bill of Rights where Texas has 30

1. Protected against provisions in U.S Bill of Rights such as unlawful search and seizure, double jeopardy, freedom of the press and speech

2. Also includes restrictions of monopolies, no imprisonment for debt and rules against department for offenses committed within the state

3. Prohibits use of state money for religious purposes

4. protection of those accused of a crime

5. Language used in Texas Bill of Rights secures Texans individual liberties

a. Article I, Section I “Texas is a free and independent state, subject only to the Constitution of the United States.”

Question: TB_Q79.2.5

Objective: 2.5

Page Reference: 50 – 51

Topic: The 1876 Constitution

Skill: Apply What You Know

Difficulty: Moderate

80. As a member of the 1974 revision commission, explain the drawbacks of the Texas constitution of 1876 that Simon Smith, a member of the Senate, attempted to overcome, and why the recommendations of the commission were not accepted.

Answer:

A. Constitution of 1876

1. Written to meet the needs of a state that was recovering from its military defeat and Reconstruction

2. Did not provide for an efficient government

3. Had too many amendments that made it long and confusing

4. Long, wordy passages

5. Outdated passages

6. Obsolete provisions

7. Little voter interest in revisions

B. Revision commission made a much shorter document

1. changed the structure of Texas government

2. annual sessions of the legislature

3. appointment of judges

C. Document was killed

1. did not have enough votes

2. did not have public support

a. right-to-work provision kept citizens from being forced to join unions

b. school funding equalization

D. Was given to voters in eight parts in 1975

1. governor helped defeat propositions due to the propaganda that there would be new state income taxes

2. All eight provisions were defeated with less than 30 percent approval

Question: TB_Q80.2.6

Objective: 2.6

Page Reference: 49 – 50, 53

Topic: Constitutional Revision

Skill: Apply What You Know

Difficulty: Moderate