

Chapter 02: Texas in the Federal System

Multiple Choice

1. Over the past decade or so, Texas's political figures have been pushing for a shift in power
- away from the federal government.
 - toward the federal government.
 - that is evenly divided.
 - that is more unitary.

ANSWER: a

2. Powers of the national government stated in the U.S. Constitution are called
- concurrent powers.
 - reserved powers.
 - delegated powers.
 - committed powers.

ANSWER: c

3. Powers shared by the state and national government as stated in the U.S. Constitution are called
- concurrent powers.
 - reserved powers.
 - delegated powers.
 - mutual powers.

ANSWER: a

4. Powers explicitly listed in Article 1, Section 8 of the U.S. Constitution are called
- expressed powers.
 - implied powers.
 - concurrent powers.
 - reserved powers.

ANSWER: a

5. Delegated powers that come with an office or position are called
- reserved powers.
 - delegated powers.
 - inherent powers.
 - expressed powers.

ANSWER: c

6. The implied powers of the national government are designed to do whatever is necessary to
- carry out the expressed powers of the national government.
 - carry out the expressed powers of the national and state governments.
 - establish the inherent powers of the national government.
 - establish the reserved powers of the states.

ANSWER: a

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7. When conflict arises between federal and state laws, the _____ states that the U.S. Constitution, as well as laws and treaties created in accordance with the U.S. Constitution, supersede state and local laws.

- a. inherent clause
- b. supremacy clause
- c. Tenth Amendment
- d. Fourteenth Amendment

ANSWER: b

8. Which is a correct statement about the Tenth Amendment?

- a. The federal courts have frequently used this amendment to invalidate national government actions.
- b. In spite of this amendment, the U.S. Supreme Court in *McCulloch v. Maryland* permitted federal action through implied powers.
- c. The federal courts used this amendment to allow the national government to commandeer state agencies to the service of the federal government.
- d. The Tenth Amendment states that all powers not explicitly delegated to the national government are reserved to the states exclusively.

ANSWER: b

9. Which power gives the U.S. Congress the authority to create rules for immigration and naturalization?

- a. Article VI
- b. Article I, Section 10
- c. Article I, Section 8
- d. Article 2, Section 8

ANSWER: c

10. Through the use of the _____ clause, Congress criminalized the production and use of medical marijuana even in states where the growing and use of homegrown marijuana for medicinal purposes was legal.

- a. supremacy
- b. necessary and proper
- c. implied
- d. commerce

ANSWER: d

11. Which is a true statement about the powers of the national government?

- a. The powers of the national government are not specifically stated in the U.S. Constitution.
- b. The amount of power the national government has depends on the interpretation of the “necessary and proper clause.”
- c. Powers of the national government are specifically outlined in the supremacy clause.
- d. Powers of the national government are equal to the powers of the state governments.

ANSWER: b

12. The 1819 *McCulloch v. Maryland* case _____ the powers of the federal government.

- a. expanded
- b. limited
- c. rejected
- d. delegated

ANSWER: a

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13. Which is NOT a characteristic of dual federalism?

- a. The national government is one of enumerated powers.
- b. The purposes that the national government may constitutionally promote are few.
- c. Within their respective spheres, the two centers of government are not “sovereign” and hence not “equal.”
- d. The relation of the two centers with each other is one of tension rather than collaboration.

ANSWER: c

14. Until the 1930s, the relationship between states like Texas and the national government would best be described as

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

ANSWER: a

15. The understanding that the national government and state governments are both sovereign within their sphere of influence is called

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

ANSWER: b

16. When Texas receives matching funds or additional assistance from the national government for pursuing certain public policies, this is an example of

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

ANSWER: c

17. Which is NOT a condition of categorical grant programs?

- a. The receiving government agrees to match the federal money with its own, at a ratio fixed by law.
- b. The receiving government administers the program.
- c. The receiving government must meet minimum standards of federal law.
- d. The receiving government must use the funds within the calendar year.

ANSWER: d

18. Which of the following describes a feature of block grants, and one that is preferred by states?

- a. federal formulas for distribution
- b. strict regional planning requirements
- c. greater administrative flexibility
- d. targeted for very specific purposes

ANSWER: c

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19. The attempt to enhance the power of state and local governments, especially by substituting more flexible block grants instead of restrictive categorical grants-in-aid, is called

- a. earmarking.
- b. devolution.
- c. cooperative federalism.
- d. dual federalism.

ANSWER: b

20. During the era of transition from dual to cooperative federalism, which policy area garnered the most opposition from southern states?

- a. agricultural policy
- b. marriage law
- c. public health
- d. civil rights

ANSWER: d

21. The *Plessy v. Ferguson* decision allowed continued discrimination against African Americans, and it became pervasive throughout the South through the enactment of

- a. Jim Crow laws.
- b. states' rights doctrine.
- c. the Fourteenth Amendment.
- d. the Tenth Amendment.

ANSWER: a

22. Which court case involved the University of Texas at Austin encouraging African-American students to go out of state to attend law school?

- a. *Sweatt v. Painter*
- b. *Plessy v. Ferguson*
- c. *Brown v. Board of Education*
- d. *McCulloch v. Maryland*

ANSWER: a

23. Southern states viewed *Brown v. Board of Education*, the Twenty-Fourth Amendment, the Civil Rights Act of 1964, and Voting Rights Act of 1965 as

- a. separate but equal.
- b. an encroachment of their states' rights.
- c. an unlawful use of categorical grants.
- d. an example of devolution.

ANSWER: b

24. The Twenty-Fourth Amendment to the U.S. Constitution forbids states from which of the following?

- a. using age in setting voting requirements
- b. prohibiting persons from voting on the basis of gender
- c. allowing the appointment of U.S. senators

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d. enacting poll tax laws as a condition for voting in a national election

ANSWER: d

25. The National Minimum Drinking Age Act of 1984 is an example of

- a. federal encroachment using regulatory policy.
- b. Texas policy becoming national law.
- c. the development of cooperative federalism.
- d. dual federalism.

ANSWER: a

26. During his 14-year tenure in office, Governor Rick Perry argued that the federal government had increasingly taken over more activities of the state government. This is an example of what type of federalism?

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

ANSWER: a

27. Texas Governor Rick Perry believed so firmly in protecting states' rights that he often invoked the _____ Amendment during his 14-year tenure as governor.

- a. Twenty-Fourth
- b. Tenth
- c. Fourteenth
- d. Eighth

ANSWER: b

28. The obligations that the federal government imposes on state governments with little or no funding to help support the program define

- a. unfunded mandates.
- b. categorical grants.
- c. block grants.
- d. earmarked funds.

ANSWER: a

29. Critics of the 2009 Hazlewood Legacy Act argued that the Texas Legislature was imposing

- a. taxation without representation.
- b. an unfunded mandate.
- c. a poll tax.
- d. implied powers.

ANSWER: b

30. A total of 26 states, including Texas, formally challenged what part of the Affordable Care Act?

- a. the expansion of Medicaid
- b. having to cover the uninsured

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- c. allowing for pre-existing conditions
- d. allowing children to remain on parents' plans

ANSWER: a

31. Controversy surrounding the Affordable Care Act is an example of the friction inherent in
- a. confederal systems.
 - b. unitary systems.
 - c. federal systems.
 - d. bicameralism.

ANSWER: c

32. Wendy Davis gained national attention because of her role in a Texas state legislative debate over what issue?
- a. the Affordable Care Act
 - b. casinos
 - c. abortion
 - d. gun control

ANSWER: c

33. The bill known as HB2 required that all abortion clinic doctors must possess
- a. a state abortion license.
 - b. malpractice insurance.
 - c. hospital admitting privileges.
 - d. a license to prescribe abortion-inducing drugs.

ANSWER: c

34. States serve as public policy
- a. laboratories.
 - b. referendums.
 - c. scapegoats for failed national policies.
 - d. graveyards for too-expensive federal policies.

ANSWER: a

35. Which gambling game is allowed in Texas gambling establishments?
- a. craps
 - b. roulette
 - c. blackjack
 - d. poker

ANSWER: d

36. Advocates of casino gambling in Texas highlight which policy factor?
- a. opposition on moral grounds
 - b. negative impact on crime, home foreclosures and poverty
 - c. internal disputes among the pro-gambling forces
 - d. current flow of wealth out of Texas into neighboring states

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ANSWER: d

37. When examining casino gambling policy in the bordering states of Louisiana, New Mexico, Oklahoma and Texas, which of the following statements is accurate?

- a. Under federal statute, the four states have similar policies allowing extensive casino gambling.
- b. Under federal statute, the four states have almost eliminated casino gambling.
- c. Casino gambling is regulated by the state, and is prohibited in Texas but allowed in the bordering states.
- d. Casino gambling is regulated by the state, and is prohibited in the bordering states but allowed in Texas.

ANSWER: c

38. The system of government that is in place in an overwhelming majority of the world's countries is

- a. a cooperative system.
- b. a confederal system.
- c. a federal system.
- d. a unitary system.

ANSWER: d

39. When a constitution vests the power to govern the entire nation in a single central government, that system of government would be

- a. a cooperative system.
- b. a confederal system.
- c. a federal system.
- d. a unitary system.

ANSWER: d

40. Following independence from the British, Americans set up a _____ form of government that quickly proved to be unworkable.

- a. cooperative
- b. confederal
- c. federal
- d. unitary

ANSWER: b

41. A system of government in which states or regional governments have all authority, and any central government has only the power that state governments choose to delegate to it is

- a. a cooperative system.
- b. a unitary system.
- c. a confederal system.
- d. a federal system.

ANSWER: c

42. Which system of government divides power between a national or central government and state or regional governments?

- a. a cooperative system
- b. a unitary system

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- c. a confederal system
- d. a federal system

ANSWER: d

43. When the national government directs the states on policies they must undertake, _____ federalism is taking place.
- a. cooperative
 - b. mandated
 - c. coercive
 - d. dual

ANSWER: c

44. In recent decades, the percentage of Texas's revenue provided by the federal government has grown. This growth can be attributed to all of the following EXCEPT
- a. Texas's rapidly expanding population.
 - b. a decline in the number of block grants given to Texas.
 - c. Texas's comparatively large low-income population.
 - d. a rapid rise in the number of senior citizens living in Texas.

ANSWER: b

45. The federal government indirectly benefits Texas because it contributes large amounts of money to the state to be used for
- a. oil and gas exploration.
 - b. pharmaceutical research and development.
 - c. aerospace spending.
 - d. military staffing and spending.

ANSWER: d

46. What was the U.S. Supreme Court's ruling in *Whole Woman's Health v. Hellerstedt*?
- a. It upheld the requirement that doctors performing abortions must have admitting privileges at local hospitals.
 - b. It is unconstitutional to require abortion clinics to meet the same standards as ambulatory surgery centers.
 - c. It upheld the requirement that doctors must have a license to prescribe abortion-inducing drugs.
 - d. It is unconstitutional to allow abortions in the state of Texas.

ANSWER: b

47. All of the following states have legalized the sale of recreational marijuana to those 21 years of age and older EXCEPT
- a. Texas.
 - b. Colorado.
 - c. Washington.
 - d. Oregon.

ANSWER: a

48. Harris County's First Chance Intervention Program is aimed at
- a. decriminalization of casino gambling offenders.

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- b. reducing the number of abortions in the county.
- c. reducing the number of traffic deaths due to drunk driving.
- d. decriminalization of first-time marijuana offenders.

ANSWER: d

49. As it pertains to dual federalism, the _____ Amendment ensured states retained those powers that were not given to the federal government.

- a. Fifth
- b. Tenth
- c. Fourteenth
- d. Sixteenth

ANSWER: b

Essay

50. Compare and contrast a federal and confederal system of government.

ANSWER: Students' answers may vary.

51. Compare and contrast the main features of a unitary and a federal system of government.

ANSWER: Students' answers may vary.

52. Explain the Tenth Amendment and the reserved powers of the states. What were the issues involved and the decision made in the case of *McCulloch v. Maryland*?

ANSWER: Students' answers may vary.

53. Describe the different types of powers in our federal system. What helps to solve conflict that might arise between federal and state law?

ANSWER: Students' answers may vary.

54. What is the commerce clause? Describe an instance in which the commerce clause expanded the role of the federal government.

ANSWER: Students' answers may vary.

55. What is cooperative federalism? What role do grants play in this type of federalism and what types of grants are available to the states?

ANSWER: Students' answers may vary.

56. What contributions from the national government have made a positive impact on Texas?

ANSWER: Students' answers may vary.

57. What is coercive federalism and how has Texas coped with the changing nature of federalism?

ANSWER: Students' answers may vary.

58. What are unfunded mandates? Discuss an example of an unfunded mandate that directly affected Texas.

ANSWER: Students' answers may vary.

59. What impact has the Affordable Care Act had on Texas? Did Texas support or oppose this law?

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ANSWER: Students' answers may vary.

60. Examine the opposing points of view around the issue of federalism and casino gambling. How has Texas handled this issue?

ANSWER: Students' answers may vary.