

Name: _____ Class: _____ Date: _____

CHAPTER 2 - Texas in the Federal System

1. What was one critical challenge to writing the Articles of Confederation in 1787?
- The creation of a representative government for a large nation with a diverse population
 - Assigning constitutional powers
 - Deciding how much power the national government has depending on the “necessary and proper clause”
 - Establishing major governing institutions

ANSWER: a

REFERENCES: 29

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

2. Texas’s political figures have been pushing for a shift in power
- away from the federal government.
 - toward the federal government.
 - toward the middle road.
 - that is more conservative.

ANSWER: a

REFERENCES: 29

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

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

ANSWER: c

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.1 - LO1

NOTES: Factual

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

ANSWER: a

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

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

ANSWER: a

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

6. Delegated powers that come with an office or position are called

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- a. inherent powers.
- b. delegated powers.
- c. reserved powers.
- d. expressed powers.

ANSWER: a

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

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

ANSWER: a

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

8. Powers assigned to both the national and state governments are called

- a. reserved powers.
- b. concurrent powers.
- c. special powers.
- d. federal powers.

ANSWER: b

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

9. Under Article 1, the U.S. Constitution gives the national government all of the following expressed powers *except*

- a. conduct foreign policy.
- b. regulate intrastate commerce.
- c. raise and support an army.
- d. borrow money.

ANSWER: b

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

10. 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

REFERENCES: 31

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LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

11. The U.S. Supreme Court has interpreted the _____ Amendment to extend many national constitutional guarantees to the states.

- a. Tenth b. Seventeenth
- c. Fifteenth d. Fourteenth

ANSWER: d

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

12. Which U.S. constitutional amendment has been used by the U.S. Supreme Court to extend most of the provisions in the Bill of Rights to state governments?

- a. Sixteenth Amendment b. Fifteenth Amendment
- c. Fourteenth Amendment d. Thirteenth Amendment

ANSWER: c

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

13. 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

REFERENCES: 31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

14. One example of a concurrent power would be the ability to _____.

- a. charter banks b. raise an army
- c. make treaties d. coin money

ANSWER: a

REFERENCES: 32

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

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

- a. The only powers of the national government are those specifically stated.
- b. The amount of power the national government has depends on the interpretation of the “necessary and proper clause.”
- c. Powers are determined by the supremacy clause.
- d. Powers of the national government are equal to the powers of the state governments.

ANSWER: b

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REFERENCES: 32-33

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

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

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

ANSWER: a

REFERENCES: 32-33

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

17. 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

REFERENCES: 33

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

18. 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

REFERENCES: 33

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

19. 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

REFERENCES: 33-34

LEARNING OBJECTIVES: TXPT.MAXW.16.2.1 - LO1

NOTES: Applied

20. 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

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REFERENCES: 34-35

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

21. A categorical grant has which of the following characteristics?

- a. It is designated for specific purposes.
- b. It may require matching funds.
- c. The grant use has restrictive conditions.
- d. All of these choices are true.

ANSWER: d

REFERENCES: 35

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

22. 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 (between 10 percent and 90 percent of the cost of the program).
- b. The receiving government administers the program.
- c. The receiving government must meet minimum standards of federal law.
- d. States can spend federal money in any way that promotes racial segregation.

ANSWER: d

REFERENCES: 35

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

23. State and local governments have greater administrative flexibility with _____ than with categorical grants.

- a. matching grants
- b. earmark grants
- c. block grants
- d. project grants

ANSWER: c

REFERENCES: 35

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

24. 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. a matching grant.
- b. devolution.
- c. cooperative federalism.
- d. dual federalism.

ANSWER: b

REFERENCES: 35

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

25. 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

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c. Public health

d. Civil rights

ANSWER: d

REFERENCES: 35

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

26. The *Plessy v. Ferguson* decision allowed continued discrimination against African Americans, and it became pervasive throughout the South as

a. Jim Crow laws.

b. the separate-but-equal doctrine.

c. the Fourteenth Amendment.

d. the Tenth Amendment.

ANSWER: a

REFERENCES: 35

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

27. 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

REFERENCES: 36

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

NOTES: Conceptual

28. 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. coded language for states' rights.

d. an example of devolution.

ANSWER: b

REFERENCES: 36

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

29. 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

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

ANSWER: d

REFERENCES: 36

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

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30. 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

REFERENCES: 38

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

31. Governor Rick Perry, during his 2011–2012 presidential bid, 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. Liberal federalism
- c. New federalism
- d. Dual federalism

ANSWER: a

REFERENCES: 38

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

32. Texas Governor Rick Perry believes so firmly in protecting states' rights that he made the _____ Amendment to the Constitution a central element of his bid for the Republican nomination for the presidency.

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

ANSWER: b

REFERENCES: 38

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Applied

33. Governor Perry's desire to eliminate some federal agencies was based on

- a. the idea that the federal government should be "reigned in."
- b. what he sees as government waste and duplication of efforts by states.
- c. his 2012 presidential campaign.
- d. all of these choices are true.

ANSWER: d

REFERENCES: 38

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

34. What agencies did Governor Perry want to eliminate if he became president of the United States despite the fact that these agencies employ a large number of Texans?

- a. Department of Commerce
- b. Department of Education
- c. Department of Energy
- d. All of these choices are true.

ANSWER: d

REFERENCES: 38

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LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Applied

35. Cap and trade is a proposed market-driven environmental policy that sets limits on the amount of pollution that industry can produce, and it is used by Texans to

- a. challenge the national government.
- b. develop alternative sources of energy.
- c. produce hazardous air pollutants.
- d. attract industry to invest in technology that will produce less pollution.

ANSWER: d

REFERENCES: 38-39

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

36. What did President Bill Clinton's Unfunded Mandates Reform Act of 1995 allow the federal government to do?

- a. Get around the law
- b. Take credit for legislation without funding
- c. Obligate the states to implement certain policies
- d. All of these choices are true.

ANSWER: d

REFERENCES: 40

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

37. 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 grants.

ANSWER: a

REFERENCES: 40-41

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

38. Critics of the 2009 Hazelwood 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

REFERENCES: 41

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

NOTES: Factual

39. Which of the following is *not* a provision of the federal Patient Protection and Affordability Care Act (Health Care

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Reform)?

- a. An individual mandate that requires uninsured individuals to buy health insurance or pay a fine
- b. Provides for state exchanges through which individuals and small businesses may purchase insurance
- c. Those without employer-based health insurance may be eligible for federal subsidies.
- d. The Medicaid program will be reduced due to a reduced need.

ANSWER: d

REFERENCES: 41-43

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

40. While the Justice Roberts did not agree that the federal government had a right to impose an individual mandate, the mandate remained intact because the penalty was seen as part of the federal government's right to _____.

- a. punish
- b. tax
- c. incentivize
- d. regulate

ANSWER: b

REFERENCES: 42

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

41. Advocates of expanding Medicaid argue that failing to expand the program will harm _____.

- a. doctors
- b. the uninsured
- c. Rick Perry
- d. tax payers

ANSWER: b

REFERENCES: 43

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

42. What percentage of the cost would Texas have to bear to expand Medicaid under the Affordable Care Act?

- a. 10
- b. 50
- c. 20
- d. 80

ANSWER: a

REFERENCES: 43

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

43. How many uninsured Texans would be ineligible for assistance under the Affordable Care Act?

- a. one-third
- b. two-thirds
- c. two-fifths

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d. three-fifths

ANSWER: d

REFERENCES: 43

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

44. Controversy surrounding the Affordable Care Act is an example of the friction inherent in _____.

- a. confederal systems
- b. unitary systems
- c. Federalism
- d. None of these choices is true.

ANSWER: c

REFERENCES: 43

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Conceptual

45. Texas is one of _____ states that decided not to expand medicaid coverage under the Affordable Care Act.

- a. 3
- b. 42
- c. 13
- d. 21

ANSWER: d

REFERENCES: 44

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

NOTES: Factual

46. 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

REFERENCES: 45

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

NOTES: Factual

47. Which two states recently legalized marijuana?

- a. California and New York
- b. Colorado and Washington
- c. Oklahoma and Missouri
- d. Rhode Island and California

ANSWER: b

REFERENCES: 46

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

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48. HB 2 required that all abortion clinic doctors must possess _____.

- a. a state abortion license
- b. malpractice insurance
- c. hospital admitting privileges
- d. none of these choices is true.

ANSWER: c

REFERENCES: 46

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

49. States serve as public policy

- a. laboratories.
- b. referendums.
- c. scapegoats for failed national policies.
- d. equals to that of the national government.

ANSWER: a

REFERENCES: 46

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

50. Rick Perry supported the decriminalization of _____.

- a. opiates
- b. sexual harassment
- c. child labor
- d. marijuana

ANSWER: d

REFERENCES: 46

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

NOTES: Applied

51. None of the following gambling games are allowed in Texas gambling establishments *except*

- a. craps.
- b. roulette.
- c. blackjack.
- d. poker.

ANSWER: d

REFERENCES: 47

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

52. The nonmoral opposition to casino gambling expresses concern about allowing of the following issues *except*

- a. child neglect.
- b. job absenteeism.
- c. domestic violence.

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d. reduced church attendance.

ANSWER: d

REFERENCES: 47

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Applied

53. How many of the states bordering Texas have casino gambling?

- a. two
- b. six
- c. three
- d. four

ANSWER: d

REFERENCES: 47

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

54. Prior to the 1970s, the Fair Labor Standards Act did not include what entities from establishing a minimum wage, maximum hour, and overtime pay provisions?

- a. Federal and state governments
- b. State and county governments
- c. State and local governments
- d. Local and county governments

ANSWER: c

REFERENCES: 48

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

55. The Tea party formed in reaction to _____.

- a. the declining size of government
- b. the expanding size of government
- c. concern over literacy and education
- d. fear over immigration

ANSWER: b

REFERENCES: 50

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Factual

56. In their struggle for power, which institution has acted as an umpire between the national and state governments?

- a. The U.S. Congress
- b. The president of the United States
- c. The U.S. Supreme Court
- d. Federal bureaucracies

ANSWER: c

REFERENCES: 50

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

NOTES: Conceptual

57. Which Texas senator is most strongly associated with the Tea Party?

- a. Wendy Davis

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- b. Ted Cruz
- c. Barbara Jordan
- d. Jeffery Johnson

ANSWER: b

REFERENCES: 50

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

NOTES: Applied

58. Which amendments to the U.S. Constitution does Levin blame for expanding federal power too much?

- a. Sixteenth and Seventeenth
- b. Fifth and Nineteenth
- c. Thirteenth and Fourteenth
- d. Third and Sixth

ANSWER: a

REFERENCES: 51

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

NOTES: Conceptual

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

ANSWER: Answers may vary.

REFERENCES: 29-31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.1 - LO1

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

ANSWER: Answers may vary.

REFERENCES: 30-31

LEARNING OBJECTIVES: TXPT.MAXW.16.2.1 - LO1

61. Explain what is meant by a federal system of government. In your discussion, be sure to identify the powers that are granted to both the national government and the states. What powers are denied to both? What powers are shared by both? Be sure to give examples.

ANSWER: Answers may vary.

REFERENCES: 30-32

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

62. 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: Answers may vary.

REFERENCES: 33-34

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

63. Describe the changing relationship between states and the national government with each phase of federalism.

ANSWER: Answers may vary.

REFERENCES: 33-41

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LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

64. Describe the difference between states' rights and civil rights. How has Texas fared by taking a states' rights position?

ANSWER: Answers may vary.

REFERENCES: 35-37

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

65. Discuss Texas' leadership role in a nationwide movement to limit the role of the national government.

ANSWER: Answers may vary.

REFERENCES: 37-42

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

66. Identify the three largest positive contributions the national government makes to Texas?

ANSWER: Answers may vary.

REFERENCES: 37-42

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

67. How has Texas coped with the changing nature of federalism?

ANSWER: Answers may vary.

REFERENCES: 37-43

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4

68. Explain how the U.S. Supreme Court has interpreted states' rights as being embodied in the Tenth and Fourteenth Amendments. What are your views on constitutionally imposed limitations on federal activities?

ANSWER: Answers may vary.

REFERENCES: 37-50

LEARNING OBJECTIVES: TXPT.MAXW.16.2.2 - LO2

69. Discuss the multiple times during the 2011–2012 election that Rick Perry invoked the Tenth Amendment. Be sure to explain the significance of each instance.

ANSWER: Answers may vary.

REFERENCES: 38-39

LEARNING OBJECTIVES: TXPT.MAXW.16.2.3 - LO3

70. Examine the opposing points of view around the issue of Medicaid and the Affordable Care Act. Which view seems most logical to you?

ANSWER: Answers may vary.

REFERENCES: 41-44

LEARNING OBJECTIVES: TXPT.MAXW.16.2.4 - LO4