

# State Government

## Powers of the States

- Refresh: The concept of **federalism** (The division of power between the national and state governments.)
- Though the **Constitution** lists the powers of the national government, it does not specifically list the powers of the **states**.
- Instead, the **tenth amendment** “reserves” to the states and the people all powers not given to the national government.

## State Constitutions

- Before the U.S. Constitution was written, each state already had its own constitution.
- New states joined the union under the following rules:
- When a territory wants to become a state, it must prepare a **constitution**, setting up its own **plan of government**. The constitution then has to be approved by the people of the territory and by Congress. Finally, Congress votes on whether to admit the state.
- Arizona was admitted as a state in **1912**.

## State Constitutions

- State constitutions tend to be similar in form to the **U.S. Constitution**, but more **detailed**.
- All state constitutions begin with a **preamble** and also include a **bill of rights**.
- All state constitutions establish **legislative**, **executive**, and **judicial branches**. The powers of these branches are much the same as those of the national government.

## Arizona’s Constitution

- **Preamble**: We, the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution.
- <http://www.azleg.state.az.us/Constitution.asp>

## The State Legislative Branch

- Each state has a **bicameral**, or two-house, legislature with the upper house called the Senate and the lower house called the House of Representatives.
- Most states **reapportion** seats in their legislature every ten years, based on the results of the United States **census**.
- The major job of the **legislature** is to make laws. By and large, the process is the same as in Congress.

## Initiative, Referendum, and Recall

- These ideas were brought about by the Progressive movement in America, which wanted to “return the government to the people.”
- An initiative is the process by which citizens can propose laws.
- A referendum is the process by which a law proposed or passed by the state legislature is referred to the voters to approve or reject.
- Recall is the process for removing elected officials from office.

## The State Executive Branch

- The executive branch of state government is led by a governor.
- The current governor of Arizona is Doug Ducey (R).
- The governor’s role of chief executive is similar to that of the President. He or she makes sure laws are enforced. The governor is also commander-in-chief of the state militia, or National Guard.

## The State Executive Branch

- Like the President, the governor also has legislative powers. He or she can propose and veto legislation.
- The governor also has the power to “item veto”, or reject particular parts, or items, of a bill. **Presidents do not have this power.**
- Like the President, governors also have the power to appoint officials and certain judges.

## The State Judicial Branch

- Just as federal courts interpret the U.S. Constitution and apply federal laws, state court systems interpret state constitutions and laws.
- State judicial systems tend to have three levels:
- On the first level, the state’s trial courts hear both civil and criminal cases. On the second level, state appeals courts review cases appealed from the trial courts. On the third and highest level, is the state’s supreme court.

## The State Judicial Branch

- Like the federal judiciary, state courts act as a check on the two other branches of state government. For example, state courts may decide that a law passed by the state legislature violates the state constitution.
- The major difference of the state judicial branch is that judges may be elected, rather than appointed, and that they may also serve a fixed, rather than a life, term.