Section 8:
State and Local Government

FLREA Lesson Packet
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**Unit 8 addresses the following Next Generation Sunshine State Standards for 7th Grade:**

**Civics and Government**

- Compare the Constitutions of the United States and Florida. (SS.7.C.3.13)
- Differentiate between local, state, and federal governments' obligations and services. (SS.7.C.3.14)

**NOTES**

1. iCivics is administered in Florida by The Florida Law Related Education Association, Inc. All iCivics materials are available for use free of charge at [www.icivics.org](http://www.icivics.org).
Lesson Overview

Overview: In this lesson, students will compare the Constitutions of the United States and Florida. In the process, students will identify the purpose(s) of a constitution and understand the hierarchy of law.

Objectives: Students will be able to...
- Define a constitution
- Identify the purposes of a constitution
- Recognize the basic outline of the U.S. and Florida Constitutions
- Compare the U.S. and Florida Constitutions
- Diagram the hierarchy of law
- Recognize the U.S. Constitution as the “supreme law of the land”

Time Required:
- One 50 minute class period

Materials Needed:
- How Do They Compare? PowerPoint
- U.S. Constitution Outline (Handout 1)
- Florida Constitution Outline (Handout 2)
- How Do They Compare? student handout
- Poster Paper
- How Do They Stack? student handout

Next Generation Sunshine State Standards:
- Compare the constitutions of the United States and Florida. (SS.7.C.3.13)

How Do They Compare?

Procedures

Begin with the How Does It Compare? PowerPoint
1. Begin by reviewing the definition of a constitution. Ask students if they can recall what a constitution is and the purposes it serves.
2. A constitution serves as a framework for government. It provides the general outline of government structure, sets limits on the powers of government, and outlines the rights of the people.
3. Ask students if they know what the first three words of the U.S. Constitution are. Response: We the People. Next, ask students if they know what the first three words of the Florida Constitution are. Response: We the People. Poll the class to see how many students knew Florida had a Constitution. Ask students if they have ever read the Florida Constitution.
4. Distribute the How Do They Compare? student handout. Working in a small group (3-5 students), ask students to recall the parts of the United States Constitution and write an outline from memory. Students should write the outline of the U.S. Constitution on the back of their handout. See if the students were able to create an outline (Preamble, Articles, Amendments)
5. Next, provide students with the outlines for the U.S. and Florida Constitutions. Students should work to complete the Venn diagram on their How Do They Compare? Handout. Students will list similarities in the center, while identifying unique components of each document in the respective section.
6. Debrief by creating a large Venn diagram on chart paper or a smart board. Allow each group to provide responses and record them on the master Venn diagram.
7. Each group should offer one similarity between the documents and one difference for each document before asking for the next group to provide information. Students should not repeat responses other groups have already provided.
8. Continue to rotate around the room until the students run out of responses. Discuss responses.
Procedures (continued)

9. Using the PowerPoint, students will read quotes from the U.S. and Florida Constitutions. Using their outline for assistance, students will decide, in their groups, which document the quote is from. Click on the image related to the students’ answer. Incorrect answers will refer you back to the slide of origin and the correct answer will provide information on where within the document the quote is found.

10. Returning to the PowerPoint, ask students how they think the following rank (or stack) based on the hierarchy of law, from highest law in the land to the most local version of law: state laws, federal laws, local ordinances, Florida Constitution, school rules, and the U.S. Constitution. Discuss the hierarchy of law, referencing the U.S. and Florida Constitution outlines.

Assessment

Handout – Students will be assessed individually for the completion, depth, and accuracy of responses on the How Do They Compare? student handout and the How Do They Stack? student handout. Although students are working in a group, they will be assessed individually on their handout.

Observation – Students will be assessed based on their cooperation, participation, and respectfulness when working in a group. All students should contribute to the group’s efforts and proactively engage in conversation in a respectful manner.

Suggested Scoring Rubric

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Scoring</th>
<th>Total</th>
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<tr>
<td>How Do They Compare? student handout</td>
<td>10 points per section (differences for each document and similarities for each document – 3 sections, 30 points possible)</td>
<td>30 points</td>
</tr>
<tr>
<td>How Do They Stack? student handout</td>
<td>1 point for “stacking” the sources of law in the correct order (6 sources – 6 points possible) 4 points for correctly sourcing the explanation of the U.S. Constitution as the supreme law of the land (4 points possible)</td>
<td>10 points</td>
</tr>
<tr>
<td>Participation</td>
<td>10 points for participation in group activity and responsiveness during class discussion</td>
<td>10 points</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>50 points</strong></td>
<td></td>
</tr>
</tbody>
</table>

Teacher Resources/Background Knowledge

Florida Constitution
http://www.leg.state.fl.us/Statutes/index.cfm?Mode=Constitution&Submenu=3&Tab=statutes

U.S. Constitution
http://www.archives.gov/exhibits/charters/constitution.html

Lesson Extensions

iCivics lesson on comparing Constitutions provides handouts to compare similarities and differences between the U.S. and Florida Constitutions:
http://www.icivics.org/teachers/lesson-plans/comparative-constitutions
Parts of the U.S. Constitution

The Preamble
The 7 Articles
The 27 Amendments
Written in 1787

The Preamble

The Preamble is the one-paragraph introduction to the U.S. Constitution. It begins the U.S. Constitution by stating the goals of the U.S. Constitution.

Here are the words which are written in the Preamble:

**We the People** of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.
# The Articles (7)

| Article I (1) The Legislative Branch | a long part with 10 sections, creates the Congress to make laws, divides Congress into a Senate and House of Representatives, makes rules for election of members, gives some powers to Congress, limits other powers, provides for the coinage of money, establishes a post office |
| Article II (2) The Executive Branch | sets up the presidency and vice presidency to carry out or execute the laws, election rules, powers of the president, how to impeach |
| Article III (3) The Judicial Branch | sets up the Supreme Court, duties and powers of Supreme Court and federal courts, defines treason |
| Article IV (4) The States | creates rules for states to get along with other states, guarantees to states, admitting states to the Union |
| Article V (5) Making Amendments | how to add amendments to the Constitution |
| Article VI (6) Supreme Law of the Land | the Constitution is the highest law of the land |
| Article VII (7) Ratification | the Constitution became effective when 9 out of 13 states approved it |
## The Amendments (27)

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
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<tbody>
<tr>
<td>I (1)</td>
<td>freedom of religion, speech, press, assembly, petition</td>
</tr>
<tr>
<td>II (2)</td>
<td>right to bear arms</td>
</tr>
<tr>
<td>III (3)</td>
<td>quartering of troops</td>
</tr>
<tr>
<td>IV (4)</td>
<td>search and seizure</td>
</tr>
<tr>
<td>V (5)</td>
<td>due process, double jeopardy, self-incrimination</td>
</tr>
<tr>
<td>VI (6)</td>
<td>jury trial, right to counsel</td>
</tr>
<tr>
<td>VII (7)</td>
<td>common law suits</td>
</tr>
<tr>
<td>VIII (8)</td>
<td>excess bail or fines, cruel and unusual punishment</td>
</tr>
<tr>
<td>IX (9)</td>
<td>rights not named</td>
</tr>
<tr>
<td>X (10)</td>
<td>powers reserved to states</td>
</tr>
<tr>
<td>XI (11)</td>
<td>lawsuits against a state</td>
</tr>
<tr>
<td>XII (12)</td>
<td>election of president and vice president</td>
</tr>
<tr>
<td>XIII (13)</td>
<td>abolition of slavery</td>
</tr>
<tr>
<td>XIV (14)</td>
<td>due process, equal protection, privileges of citizens</td>
</tr>
<tr>
<td>XV (15)</td>
<td>rights not to be denied because of race</td>
</tr>
<tr>
<td>XVI (16)</td>
<td>income tax</td>
</tr>
<tr>
<td>XVII (17)</td>
<td>election of senators</td>
</tr>
<tr>
<td>XVIII (18)</td>
<td>prohibition</td>
</tr>
<tr>
<td>XIX (19)</td>
<td>women's right to vote</td>
</tr>
<tr>
<td>XX (20)</td>
<td>presidential term and succession</td>
</tr>
<tr>
<td>XXI (21)</td>
<td>repeal of prohibition</td>
</tr>
<tr>
<td>XXII (22)</td>
<td>president limited to 2 terms</td>
</tr>
<tr>
<td>XXIII (23)</td>
<td>presidential vote for persons in D.C.</td>
</tr>
<tr>
<td>XXIV (24)</td>
<td>no poll tax (required fee to vote)</td>
</tr>
<tr>
<td>XXV (25)</td>
<td>presidential succession</td>
</tr>
<tr>
<td>XXVI (26)</td>
<td>right to vote at age 18</td>
</tr>
<tr>
<td>XXVII (27)</td>
<td>compensation of members of Congress</td>
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Parts of the Florida Constitution

Preamble

Articles

Current Version Ratified in 1968

The Preamble

The Preamble is the one-paragraph introduction to the Florida Constitution. It begins the Florida Constitution by stating the goals of the Florida Constitution.

Text of the Preamble

We, the people of the State of Florida, being grateful to Almighty God for our constitutional liberty, in order to secure its benefits, perfect our government, insure domestic tranquility, maintain public order, and guarantee equal civil and political rights to all, do ordain and establish this constitution.

Articles (12)

ARTICLE I  DECLARATION OF RIGHTS

ARTICLE II  GENERAL PROVISIONS

ARTICLE III  LEGISLATURE

ARTICLE IV  EXECUTIVE

ARTICLE V  JUDICIARY

ARTICLE VI  SUFFRAGE AND ELECTIONS

ARTICLE VII  FINANCE AND TAXATION

ARTICLE VIII  LOCAL GOVERNMENT

ARTICLE IX  EDUCATION

ARTICLE X  MISCELLANEOUS

ARTICLE XI  AMENDMENTS

ARTICLE XII  SCHEDULE
ARTICLE I

FLORIDA DECLARATION OF RIGHTS

SECTION 1. Political power.
SECTION 2. Basic rights.
SECTION 5. Right to assemble.
SECTION 6. Right to work.
SECTION 7. Military power.
SECTION 8. Right to bear arms.
SECTION 9. Due process.
SECTION 11. Imprisonment for debt.
SECTION 12. Searches and seizures.
SECTION 13. Habeas corpus.
SECTION 15. Prosecution for crime; offenses committed by children.
SECTION 16. Rights of accused and of victims.
SECTION 17. Excessive punishments.
SECTION 18. Administrative penalties.
SECTION 20. Treason.
SECTION 22. Trial by jury.
SECTION 23. Right of privacy.
SECTION 25. Taxpayers' Bill of Rights.
SECTION 26. Claimant's right to fair compensation.
SECTION 27. Marriage defined.
How Does It Compare?

**Instructions:** Using the outlines of the Florida and U.S. Constitutions, find differences and similarities between the two documents. Write the differences under the labeled spaces and the similarities in the intersection of the two circles.
How Does It Stack?

There are different kinds and layers of law that impact society on a daily basis. Rules and laws at all levels should be followed, but which laws rule supreme? How do the laws stack on one another?

Instructions: Read through the list of “levels of law” below. Place the correct law in the correct layer – with the lowest level law at the bottom of the stack and the supreme law at the top of the stack. When you get to the supreme law, explain why this is the supreme law and where that information is located*.

*Hint: Use your outlines.

State laws
- U.S. Constitution
- Local ordinances

Florida Constitution (State Constitutions)
- Federal laws
- School rules

Supreme Law of the Land

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Lesson Plan: On the Level

Description

In this lesson, students will compare the executive, legislative and judicial branches at all levels of government. Students will learn why powers and obligations are distributed between the levels of government.

Students will be able to:

- Compare duties of, functions of, and relationships between members of legislative, executive, and judicial branches of local, state, and national government.
- Explain how and why powers are distributed between local, state, and national governments.
- Illustrate the law making process at each level, as well as obligations and services of each level.
- Evaluate the major changes/events that have affected the roles of local, state, and national government.

Benchmarks

- Identify the relationship and division of powers between the federal government and state governments. (SS.7.C.3.4)
- Differentiate between local, state, and federal governments' obligations and services. (SS.7.C.3.14)
Click [HERE](https://www.icivics.org) to go to the iCivics website for lesson materials and downloadable lesson plans!

**Lesson Plan: The Great State**

**Description**

Students will learn about the essential characteristics of state government including the duties and functions associated with the legislative, executive and judicial branches. This lesson will reveal the impact that agencies and commissions have on students' lives and illustrate the law-making process at the state level.

**Students will be able to:**

Describe the essential characteristics of state government including the duties, functions, and districts associated with the legislative, executive, and judicial branches of government.

Explain the daily impact that state agencies and commissions have on students’ lives and property.

Illustrate the law-making process at the state level.

**Benchmarks**

- Identify the relationship and division of powers between the federal government and state governments. (SS.7.C.3.4)
- Differentiate between local, state, and federal governments' obligations and services. (SS.7.C.3.14)
Lesson Overview

Overview: In this lesson, students will learn about the concept of federalism. This will include a discussion about the powers of both the federal and state governments and how those powers are distributed and denied.

Objectives: Students will be able to...
- Define federalism
- Classify powers of the federal and state governments
- Compare the powers of the federal and state governments

Time Required:
- Two 50 minute class periods

Materials Needed:
- Power Stations PowerPoint
- Power Stations Handouts (8)
- Classroom Feud PowerPoint
- Classroom Feud teacher handout
- Power Stations student handouts 1 and 2

Next Generation Sunshine State Standards:
- Compare the constitutions of the United States and Florida. (SS.7.C.3.13)

Power Stations

Procedures

1. Using the Power Stations PowerPoint, discuss the definition of a federal system of government. View the Center on Congress Facts of Congress about Federalism (see Teacher Resource Handout with link to video and transcript).
   a. Under our U.S. Constitution, some powers are given to the national government and some powers are given to the state governments. Additionally, both levels of government share some power and are denied certain powers.
   b. A federal system of government is a government of the people where there has been an established social contract between the people and the government.

2. Discuss the role of the U.S. Constitution in the social contract/natural rights philosophy.
   a. The people consent to give the government the power to make and enforce laws. In return, the government protects the rights of the people to life, liberty, and property.
   b. The U.S. Constitution is the social contract between the people and the government.
      i. The Constitution outlines and protects the rights of the people from the government.
      ii. Creates limits and guidelines for the government to protect the people from an abuse of power.

3. Discuss the division of powers with students:
   a. Expressed powers: powers that are named in the Constitution
   b. Reserved powers: powers that are specifically given to either the federal or state government
   c. Concurrent powers: powers shared by the federal and state governments
   d. Powers denied: powers denied to the federal government, the state government, or both.

4. Using the Power Stations handouts, create 8 stations throughout the classroom. Divide class into 8 small groups. Assign each group to a station. Students will need to complete their Power Stations student handout. Once students have completed the worksheets at their station, have students rotate clockwise to the next station. Continue rotations until students return to their original station.
   a. Students will be identifying and interpreting the powers or denial of powers listed in the Constitution into their own words.
5. In their original groups, have students place the powers in their Power Stations chart. Students will identify the expressed (enumerated) powers and reserved powers, along with the limits placed on both the national government and the state governments.

**Next Class Period – See Classroom Feud Guide**

6. As a review of all of the powers, students will play a Classroom Feud game (using the Classroom Feud PowerPoint) in which they will need to identify the powers of the federal and state governments.

   a. Divide the class in half. Assign each team a code – Team A and Team B. Have the teams divide in half – one half of the team will participate in Round 1 and the second half of the team will participate in Round 2. Either keep score as the moderator or assign a student to be the official score keeper.

   b. Starting with Round 1 from each Team, position the students in opposition to one another at the front of the classroom. Have each group select one team member to “face-off” for control of the game board. Ask students to name one of the powers of the federal government. The student who selects the most popular response on the game board will win control for their team.

      i. *Note: This response does not need to be the number one response, just the higher ranked response.

   c. Go to the next student in the line for the team with control of the board. Ask them to name a power of the Federal government.

      i. If they get it correct, the team maintains control of the board and moves to the next student, gaining one point for each correct answer. Students receive one point for each correct response.

      ii. If they get it wrong or do not respond, the team gets a strike (click on the number on the bottom of the slide for the strike number). If the team gets three strikes, control of the board goes to the other team.

   d. The team with the most correct responses wins the round.

   e. Students from Team A and Team B will now participate in Round 2, based on powers of the state government. Have each group select one team member to “face-off” for control of the game board. Ask students to name one of the powers of the state government. The student who selects the most popular response on the game board will win control for their team.

   f. Go to the next student in the line. Ask them to name a power of the state governments.

      i. If they get it correct, the team maintains control of the board and moves to the next student, gaining two points for each correct answer.

      ii. If they get it wrong or do not respond, the team gets a strike (click on the number on the bottom of the slide for the strike number). If the team gets three strikes, control of the board goes to the other team.

      iii. The team with the most correct responses wins the round.

   g. The team with the most combined points after Round 2 wins.
**Assessment**

**Power Stations Student Handout** – Students will be assessed based on the completion and accuracy of responses on their Power Stations student handout. Students should have made their best attempt to identify all of the powers and limits on the federal and state governments as listed in the Constitution.

**Observation** – Students will be assessed based on their participation, cooperation, and respectfulness during the Power Stations group activity and the Classroom Feud game.

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<tr>
<td>Power Stations Handout A</td>
<td>5 points for each section of powers and denial of powers (4 sections, 20 points possible)</td>
<td>20 points</td>
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<tr>
<td>Power Stations Handout B</td>
<td>4 points for each section (5 sections, 20 points possible)</td>
<td>20 points</td>
</tr>
<tr>
<td>Power Stations Group Activity</td>
<td>5 points for participation and cooperation in small groups while rotating through stations</td>
<td>5 points</td>
</tr>
<tr>
<td>Classroom Feud</td>
<td>15 points for group cooperation and participation. Students should be contributing to group efforts and participating in a respectful manner.</td>
<td>15 points</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>60 points</strong></td>
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Facts of Congress: Federalism

Segment Transcript:

And now, another Fact of Congress.

Our government is like a big three layer cake.

We have local government, state government, and the national government, often called federal government.

Local government handles local issues like police, water, and building permits.

State government handles issues about your state, such as education, health care, and recreation.

Federal government handles national issues, such as national parks, the military, and space exploration.

This system of dividing responsibilities among governments is called federalism. Sometimes who does what isn’t that clear, yet this flexibility lets us decide whether a particular problem is best handled in local town halls, in state capitols, or by the men and women in the Congress.

This Fact of Congress is adjourned.

Click Here to link to the Video Segment for Facts of Congress: Federalism.
Article I, Section 8 – Powers of Congress

1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2. To borrow Money on the credit of the United States;

3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

4. To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;
Article I, Section 8 – Powers of Congress

5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

6. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

7. To establish Post Offices and post Roads;

8. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;
Article I, Section 8 – Powers of Congress

9. To constitute Tribunals inferior to the supreme Court;
10. To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;
11. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
12. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;
Article I, Section 8 – Powers of Congress

13. To provide and maintain a Navy;

14. To make Rules for the Government and Regulation of the land and naval Forces;

15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
Article II, Section 9 – Powers denied to Congress

2. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

3. No Bill of Attainder or ex post facto Law shall be passed.

5. No Tax or Duty shall be laid on Articles exported from any State.

Definitions:

Writ of habeus corpus: an official document requiring that a prisoner be brought before the court to determine whether the government has the right to continue detaining them

Bill of Attainder: a legislative act finding a person guilty of treason or felony without a trial

Ex post facto law: laws or other mandates that are passed to restrict behavior that was, when practiced, entirely legal

Example: It was legal in a city to text while driving last year, but a new law makes it illegal to text while driving and can punish those who texted while driving three years ago.
Article II, Section 9 – Powers Denied to Congress

6. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

8. No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.
Article II, Section. 10 – Restrictions on State Powers

1. No State shall enter into any Treaty, Alliance, or Confederation…coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law…or grant any Title of Nobility.

2. No State shall, without the Consent of the Congress, lay any [taxes] on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

3. No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Definitions:

Bill of Attainder: a legislative act finding a person guilty of treason or felony without a trial

ex post facto law: laws or other mandates that are passed to restrict behavior that was, when practiced, entirely legal

Example: It was legal in a city to text while driving last year, but a new law makes it illegal to text while driving and can punish those who texted while driving three years ago.
Amendment X
The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Outline of Articles in the Florida Constitution

<table>
<thead>
<tr>
<th>ARTICLE I</th>
<th>DECLARATION OF RIGHTS</th>
<th>ARTICLE VII</th>
<th>FINANCE AND TAXATION</th>
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<tbody>
<tr>
<td>ARTICLE II</td>
<td>GENERAL PROVISIONS</td>
<td>ARTICLE VIII</td>
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<td>ARTICLE III</td>
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<td>SCHEDULE</td>
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</tbody>
</table>
**POWER STATIONS**

**Instructions:** You will be circulating through 8 stations. At each station, list the powers and limits of the national and state governments in the correct sections of the handout. You will need to work with your teammates and write the powers in **your own words**. Once you have finished at all of the stations, work with your teammates to place the powers and denial of powers in the comparison diagram. Be sure to look at where the powers of the federal government and the state governments overlap and place those powers in the middle of the diagram.

**Powers of the Federal Government**

**Powers Denied to the Federal Government**
POWER STATIONS

Powers of the State Governments

Powers Denied to the State Governments
<table>
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<tbody>
<tr>
<td>Powers Denied to the Federal Government</td>
<td></td>
<td>Powers Denied to the State Governments</td>
</tr>
</tbody>
</table>
Classroom Feud Guide

Prompt to start the game

Round 1 – Name one power of the Federal government
   - Student who chooses the most popular response gains control of the board for their team

Round 2 – Name one power of the State government
   - Student who chooses the most popular response gains control of the board for their team

Below is the order in which the powers are listed in the PowerPoint. They are sorted by popularity of response – 1 being the most popular, 10 being the least.

Round 1 – Federal Government
1. Declare war
2. Coin money
3. Establish an Army and Navy
4. Enter into treaties with foreign governments
5. Regulate commerce between states
6. Regulate international trade
7. Establish post offices
8. Collect taxes
9. Making and enforcing federal laws
10. Setting up federal courts

Round 2 – State Government
1. Public education
2. Establish local governments
3. Issue licenses (driver, hunting, marriage, etc.)
4. Provide for public safety (includes police department, fire department, etc.)
5. Making and enforcing state laws
6. Conduct elections
7. Collecting state taxes
8. Setting legal drinking and smoking ages
9. State transportation and roads
10. Regulate intrastate (within the state) commerce
Lesson Plan: The Capable County

Description

Students explore the many roles filled by their county government and the role of county governments in a federalist system. After a close examination of the county, students create their own fictional county! Students are familiarized with fun facts about county government and analyze the transition of county development through the lense of westward expansion.

The student will be able to

- Identify counties as an extension of state government
- Define Dillon’s Rule and Home Rule
- Identify the organizational structures and duties of county government, including the names and functions of county officials
- Identify the types of services counties provide
- Compare counties’ revenue sources
- Identify the effect of unfunded mandates on counties

Benchmarks

- Identify the relationship and division of powers between the federal government and state governments. (SS.7.C.3.4)
- Differentiate between local, state, and federal governments' obligations and services. (SS.7.C.3.14)
Click [HERE](#) to play iCivics: Counties Work

Do you want to make your community a better place to live? In Counties Work, you decide about the programs and services that affect everyone!

Your choices shape the community, and your citizens’ satisfaction determines whether you’ll get re-elected for a second term. Choose wisely.

**Benchmarks**

- Identify the relationship and division of powers between the federal government and state governments. (SS.7.C.3.4)
- Differentiate between local, state, and federal governments' obligations and services. (SS.7.C.3.14)
### Lesson Overview

**Overview:** Students will explore the law making process and simulate methods of citizen engagement in the process. This lesson will also reinforce the idea of hierarchy of law and display responsibilities of local government and local civic organizations.

**Objectives:** Students will be able to…
- Differentiate between state and local laws and ordinances
- Identify strategies for impacting public policy
- Participate in a simulated hearing
- Evaluate the effectiveness and constitutionality of public policy
- Examine multiple perspectives on public issues
- Analyze the steps of the lawmaking process

**Time Required:**
- Two 50 Minute Class periods

**Materials Needed:**
- PowerPoint
- Evaluating Policy Handout
- Juvenile Curfew Ordinance Handout
- Florida Legislative Process Handout

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### Procedures

1. Ask students, when was the latest time at night they have ever ridden their bike? When was the latest time they were out without a parent? Elicit answers.
2. Let students know that in one Florida city, a young man under 17 was taken into custody for riding his bike at 2 am. Ask students why they think he was taken into custody.
3. Inform the students that the city had passed an ordinance (local law) on juvenile curfews.
4. Explain that local curfew laws restrict the time juveniles can be outdoors or in public places in a specific geographic area. (Teacher should review the juvenile curfew paper in advance.)
5. Ask students why some cities would have such a law/ordinance and others may not. Elicit discussion. Discuss that local legislative bodies (city councils, county commissions) develop rules or laws based on the needs of that specific community. Explain that an ordinance is like a law but on a local level. A state law impacts everyone in the state whereas a city ordinance only impacts that specific city.
6. Distribute copies of Sec. 14-26 Juvenile Curfew ordinance. Divide into eight groups; assign each group a section of the ordinance (A-H). Each group will carefully review and analyze their assigned section. Allow students to work in groups, to develop a visual presentation and teach the class that particular section. Provide class time to develop and present posters. (Modified instruction: use the jigsaw method for students to teach each other their assigned section.)

*Continued on following page*

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### Next Generation Sunshine State Standards:

- Examine multiple perspectives on public and current issues. (SS.7.C.2.13)
- Evaluate Constitutional rights and their impact on individuals and society. (SS.7.C. 3.6)
- Differentiate between local, state, and federal governments’ obligations and services. (SS.7.C. 3.14)
- Illustrate the law making process at the local, state, and federal levels. (SS.7.C.3.9)
7. Present sections in order and post sequentially in front of room. This will allow students to learn the entire ordinance.

8. Distribute copies of the intellectual tool chart. Have students complete individually. Discuss.
   a. Discuss how local legislative bodies (ex. City Commission) receive input on public policy issues. Identify current issues that may be on the agenda on your city or county commissions.

9. Assign students to groups of 5. Assign each group a position as indicated below, provide time to develop “testimony” to be given in front of a city commission. This may be modified to demonstrate a state legislative hearing using the materials included with this activity. Allow 10-15 minutes to develop testimony. Presentations will be held on the following day. Each group will decide to ask the commission or legislative committee to adopt the ordinance/law as it is written, amend the ordinance (cite specific changes), or dispose of the ordinance altogether.
   a. Group 1: Police Officers Association – Will present testimony in support of the ordinance.
   b. Group 2: Businesses Against Crime – Will present testimony in support of the ordinance with specific changes. (cite relevant sections of ordinance, intent, purpose, etc. to support position)
   c. Group 3: Teens Against Curfews – Will present testimony opposing the ordinance.
   d. Group 4: Parents Against Government Intrusion – Will present testimony against the ordinance and request specific changes.
   e. Group 5: ACLU (American Civil Liberties Union) will present testimony citing constitutional implications/violations.
   f. Group 6: Community Watch Group: Will present testimony in support of the ordinance/law.

10. Make sure to have an even number for and against the ordinance.

11. Each group should complete the Committee Appearance Form. Allow each group to present testimony. One or more persons from each group may be allowed to speak depending on time allocated for the activity. Legislative body may ask questions during the presentation. Allow 5 minutes per group. Invite resource persons from state or local government to serve as legislative body and make final decision.

12. Committee will vote to adopt the ordinance, not adopt the ordinance, or revise the ordinance. If it is revised, the committee will present the revisions.

Modification/Extension

- Assign students to work in small groups to come to consensus on the Evaluating Laws chart for the curfew ordinance. Report outcomes.
- Alternative or Extension: Create stations in the classroom with five different laws. Have a resource person* seated at each station to help clarify the law. In small groups, students will work to complete the Evaluating Laws Handout for one of the laws. Then jigsaw the students to learn about each proposed law. Follow up with letting the students know if the proposed law passed or failed.

Also attached: The Scarlet Tag and the Saggy Pants law. Note: these laws apply on a state level as opposed to the local ordinance. Distinguish between local ordinances and state laws. *Handouts attached. For additional proposed legislation, see www.leg.state.fl.us
ARTICLE II. MISCELLANEOUS OFFENSES

DIVISION 1. GENERALLY


a. *Legislative intent, findings and purposes.* *(What was the legislature trying to do?)*
   (1) The City of Tampa remains faced with an unacceptable level of crime, including juvenile crime, which threatens peaceful citizens, residents and visitors. The City of Tampa further determines that this criminal activity, both individually and collectively, presents a clear and present danger to the citizenry and to the public order and safety. The economic cost of crime in the City of Tampa continues to drain existing resources. Additionally the effect on victims, both economic and psychological, is traumatic and tragic.
   (2) It is the intent of the City of Tampa to create and implement a juvenile curfew ordinance aimed at protecting juveniles from crime and reducing juvenile crime and the direct and indirect consequences thereof.
   (3) The City of Tampa to substantially aims to reduce, if not eradicate, acts of crime and delinquency committed by juveniles and to provide for the care, safety and the protection of law abiding juveniles and other citizens, residents and visitors.
   (4) The purposes of this article are:
      a. To protect juveniles from themselves and from other citizens, residents and visitors of the City of Tampa from the dangers of crime which occur on sidewalks, streets, and in public places, and in semi-public places during late night and early morning hours.
      b. To decrease the amount of criminal activity engaged in by juveniles.
      c. To promote and enhance parental control over juveniles.

b. *Definitions.* For the purpose of this article the following definitions shall apply: *(What do specific terms mean in the law?)*
   a. *Curfew hours* shall mean: 
      b. 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day; and
      c. 12:01 until 6:00 a.m. on any Saturday or Sunday
   (2) *Direct route* shall mean the shortest path of travel through a public place to reach a final destination without any detour or stop along the way.
   (3) *Emergency* shall mean, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
   (4) *Juvenile* shall mean a person under seventeen (17) years of age whose disabilities have not been removed by marriage or by a court of competent jurisdiction or otherwise.
   (5) *Law enforcement officer* shall mean a certified law enforcement officer of any rank who is a duly sworn officer of the Tampa Police Department, Hillsborough County Sheriff’s Office, the Florida Highway Patrol or an officer of any other state or federal law enforcement agency.
   (6) *Operator* shall mean any individual, firm, association, partnership or corporation operating, managing, or conducting any business or other establishment. The term includes the members or partners of an association or partnership, the officers of a corporation, and managing employees.
   (7) *Parent* shall mean:
      a. A natural, adoptive, or step-parent of a juvenile;
      b. A court appointed person or agency acting in the role of the parent of the juvenile;
      c. A person or relative at least twenty-one (21) years of age and authorized by a parent or court appointed guardian to have care and custody of the juvenile.
   (8) *Public place* shall mean any property owned or controlled by the county, any municipality, the school board, the state or other government entity to which the business, recreation, entertainment, or other lawful purpose, streets, alleyways, highways, and sidewalks.
   (9) *Remain* shall mean:
      a. Linger or stay unnecessarily; or
      b. Fail to leave premises when requested to do so by a police officer or the owner, operator, or person in control of the premises.
   (10) *Semi-public place* shall mean any privately-owned or privately operated real property (including any structure thereon) to which the general public is invited or has the legal right of access and right to resort for business, recreation, entertainment, or other lawful purpose such as, but not limited to, any store, shop, restaurant, tavern, theater, parking lot, alley, road, pool hall, any vacant lot or abandoned building.
c. **Juvenile curfew.** (What does the law actually say?) It shall be unlawful and a violation of this section for any person under the age of seventeen (17) years to remain, linger, stay, congregate, move about, wander, or stroll in an public or semi-public place in the City of Tampa, either on foot or in or upon any conveyance or vehicle being driven or parked thereon, during the curfew hours.

**d. Exceptions.** The provisions of the juvenile curfew ordinance shall not apply if the juvenile is: *(What situations or activities will not apply under the law?)*

1. Accompanied by a parent.
2. Engaged in a lawful employment activity or traveling to or returning home from a lawful employment activity without any detour and using the most direct route.
3. In a motor vehicle engaged in interstate travel.
4. On an errand at the written approval and direction of the juvenile’s parent, without any detour and using the most direct route.
5. Involved in or attempting to remedy, alleviate, or respond to an emergency.
6. Attending an official school, religious, or organized recreational activity supervised by adults at least twenty-one (21) years of age and sanction by Hillsborough County, Hillsborough County School Board, City of Tampa, a municipality, a charitable or religious organization or other similar entity, which organizations take responsibility for the juvenile as an invitee, or going to or returning home from any such activity without any detour and using the most direct route.
7. On the swale or sidewalk abutting the juvenile’s residence or the residence of a next door neighbor if the neighbor has not complained to the police department about the juvenile’s presence.
8. Exercising First Amendment rights protected by the United States Constitution such as freedom of speech, or free exercise of religion.
9. Married in accordance with law or had disability of nonage removal by a court of competent jurisdiction.
10. Homeless or uses a public or semi-public place as his or her usual place of abode.
11. When city council pursuant to application by a sponsor or an event no provided for in these exceptions, authorizes juvenile(s) to be in a public or semi-public place during curfew hours.

**e. Enforcement procedures.** Unless flight by the person or other circumstances make it impractical, a law enforcement officer, upon finding a suspected juvenile in violation of the curfew ordinance shall: *(How will this law be enforced or carried out?)*

1. Have the suspected juveniles identify themselves with name, age and address;
2. Make every reasonable effort to immediately verify the statements or other information provided by the suspected juvenile, through written documentation, contact with the parents or others;
3. If the person is identified as a juvenile, the officer shall ascertain the juvenile’s reason for being in a public or semi-public place during the curfew hours;
4. Make every reasonable effort to contact the juvenile’s parent(s) and advise them of the curfew violation, document the warning and make arrangements for the juvenile to return home;
5. If no parent or other parental authority can be located, take the juvenile into custody on a charge of violation of this section and transport to the Juvenile Assessment Center (JAC) for processing.
6. If repeat violation, documentation prior to warning date and location and charge with violation of this section. If parent(s) can be located then juvenile will be released to their custody after processing.

Officers shall not take into custody any person pursuant to this section unless the officer reasonably believes that an offense has occurred and that, based on any response given or circumstance, none of the exceptions to this section is present.

**f. Responsibilities of parents.** *(Under this law, what are the responsibilities of parents?)* It shall be unlawful for the parent, legal guardian or other adult person at least twenty-one (21) years of age having the care, custody or control of a juvenile to allow said juvenile to violate the curfew ordinance. It shall constitute a defense:

1. If the parent(s) made a missing person notification or informed the police department that the juvenile left or remained away from his or her residence during curfew hours over the objection of those who have care, custody or control.
2. If the parent(s), using reasonable care and diligence, did not have knowledge of the presence of such juvenile in, or about or upon any place in the city way from the current residence or usual place of abode of said juvenile during curfew hours.

**g. Responsibility of operators.** *(Under this law, what are the responsibilities of business owners?)* It shall be unlawful for any operator, owner or any employee managing or conducting any business or other establishment to knowingly permit a juvenile to remain, linger, stay, congregate, move about, wander or stroll upon the premises of the establishment during curfew hours. It shall constitute a defense:
(1) If the owner, operator, or employee notified the police department that the juvenile was present on the premises of the establishment during curfew hours and refused to leave after being asked to leave the premises.

Operators are encouraged but not required to conspicuously display in or about the premises of an establishment, a legibly printed notice in substantially the following form:

“IT IS UNLAWFUL FOR A PERSON UNDER THE AGE OF SEVENTEEN (17) TO REMAIN ON THESE PREMISES BETWEEN THE HOURS OF 11:00 P.M. TO 6:00 A.M. THE FOLLOWING DAY FROM SUNDAY TO THURSDAY AND THE HOURS 12:01 A.M. TO 6:00 A.M. ON ANY SATURDAY UNLESS SPECIFICALLY ALLOWED BY LAW.”

h. **Penalties. (What are the consequences for not obeying this law?)** Upon conviction of a violation of paragraphs (f) or (g), a person shall be punished as provided in Tampa Code Section 1-6. A juvenile found to be in violation of paragraph (c) shall be subject to penalty and rehabilitation as ordered by the court pursuant to Florida Statutes Chapter 39, Part II, not to exceed the maximum penalty as provided by Tampa Code Section 1-6.

(Ord. No. 93-208, § 1, 12-23-93; Ord. No. 94-18, § 1, 2-3-04; Ord. No. 96-145, § 1, 7-18-96)

Sec. 1-6. General Penalty.
(a) **Code violations – Fine and/or imprisonment and/or probation.** It is unlawful for any person to violate or fail to comply with any provision of this Code and, where no specific penalty is provided therefore, the violation of any provision of this Code shall be punished by a fine not exceeding five hundred ($500.00) and/or imprisonment for a term not exceeding sixty (60) days and/or a term of probation not to exceed six (6) months, as set forth in section 1-6.1 or by both such fine and imprisonment. Each day any violation of any provisions of this Code shall continue shall constitute a separate offense.
Art. 2. Miscellaneous Offenses

Division 1. Generally


a. Legislative intent, findings and purposes. (What was the legislature trying to do?)
   (1) The City of Tampa remains faced with an unacceptable level of crime, including juvenile crime, which threatens peaceful citizens, residents and visitors. The City of Tampa further determines that this criminal activity, both individually and collectively, presents a clear and present danger to the citizenry and to the public order and safety. The economic cost of crime in the City of Tampa continues to drain existing resources. Additionally, the effect on victims, both economic and psychological, is traumatic and tragic.
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- **Curfew hours** shall mean:
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  - b. 12:01 until 6:00 a.m. on any Saturday or Sunday

- **Direct route** shall mean the shortest path of travel through a public place to reach a final destination without any detour or stop along the way.

- **Emergency** shall mean, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

- **Juvenile** shall mean a person under seventeen (17) years of age whose disabilities have not been removed by marriage or by a court of competent jurisdiction or otherwise.

- **Law enforcement officer** shall mean a certified law enforcement officer of any rank who is a duly sworn officer of the Tampa Police Department, Hillsborough County Sheriff’s Office, the Florida Highway Patrol or an officer of any other state or federal law enforcement agency.

- **Operator** shall mean any individual, firm, association, partnership or corporation operating, managing, or conducting any business or other establishment. The term includes the members or partners of an association or partnership, the officers of a corporation, and managing employees.

- **Parent** shall mean:
  - a. A natural, adoptive, or step-parent of a juvenile;
  - b. A court appointed person or agency acting in the role of the parent of the juvenile;
  - c. A person or relative at least twenty-one (21) years of age and authorized by a parent or court appointed guardian to have care and custody of the juvenile.

- **Public place** shall mean any property owned or controlled by the county, any municipality, the school board, the state or other government entity to which the business, recreation, entertainment, or other lawful purpose, streets, alleyways, highways, and sidewalks.

- **Remain** shall mean:
  - a. Linger or stay unnecessarily; or
  - b. Fail to leave premises when requested to do so by a police officer or the owner, operator, or person in control of the premises.

- **Semi-public place** shall mean any privately-owned or privately operated real property (including any structure thereon) to which the general public is invited or has the legal right of access and right to resort for business, recreation, entertainment, or other lawful purpose such as, but not limited to, any store, shop, restaurant, tavern, theater, parking lot, alley, road, pool hall, any vacant lot or abandoned building.

- **Swale** shall mean the low tract of land in front of or between houses often used for drainage.
Juvenile curfew. (What does the law actually say?) It shall be unlawful and a violation of this section for any person under the age of seventeen (17) years to remain, linger, stay, congregate, move about, wander, or stroll in any public or semi-public place in the City of Tampa, either on foot or in or upon any conveyance or vehicle being driven or parked thereon, during the curfew hours.
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6. Attending an official school, religious, or organized recreational activity supervised by adults at least twenty-one (21) years of age and sanction by Hillsborough County, Hillsborough County School Board, City of Tampa, a municipality, a charitable or religious organization or other similar entity, which organizations take responsibility for the juvenile as an invitee, or going to or returning home from any such activity without any detour and using the most direct route.
7. On the swale or sidewalk abutting the juvenile’s residence or the residence of a next door neighbor if the neighbor has not complained to the police department about the juvenile’s presence.
8. Exercising First Amendment rights protected by the United States Constitution such as freedom of speech, or free exercise of religion.
9. Married in accordance with law or had disability of nonage removal by a court of competent jurisdiction.
10. Homeless or uses a public or semi-public place as his or her usual place of abode.
11. When city council pursuant to application by a sponsor or an event no provided for in these exceptions, authorizes juvenile(s) to be in a public or semi-public place during curfew hours.
e. **Enforcement procedures.** Unless flight by the person or other circumstances make it impractical, a law enforcement officer, upon finding a suspected juvenile in violation of the curfew ordinance shall: *(How will this law be enforced or carried out?)*

1. Have the suspected juveniles identify themselves with name, age and address;
2. Make every reasonable effort to immediately verify the statements or other information provided by the suspected juvenile, through written documentation, contact with the parents or others;
3. If the person is identified as a juvenile, the officer shall ascertain the juvenile’s reason for being in a public or semi-public place during the curfew hours;
4. Make every reasonable effort to contact the juvenile’s parent(s) and advise them of the curfew violation, document the warning and make arrangements for the juvenile to return home;
5. If no parent or other parental authority can be located, take the juvenile into custody on a charge of violation of this section and transport to the Juvenile Assessment Center (JAC) for processing.
6. If repeat violation, documentation prior to warning date and location and charge with violation of this section. If parent(s) can be located then juvenile will be released to their custody after processing.

Officers shall not take into custody any person pursuant to this section unless the officer reasonably believes that an offense has occurred and that, based on any response given or circumstance, none of the exceptions to this section is present.
f. **Responsibilities of parents.** (Under this law, what are the responsibilities of parents?) It shall be unlawful for the parent, legal guardian or other adult person at least twenty-one (21) years of age having the care, custody or control of a juvenile to allow said juvenile to violate the curfew ordinance. It shall constitute a defense:

1. If the parent(s) made a missing person notification or informed the police department that the juvenile left or remained away from his or her residence during curfew hours over the objection of those who have care, custody or control.
2. If the parent(s), using reasonable care and diligence, did not have knowledge of the presence of such juvenile in, or about or upon any place in the city way from the current residence or usual place of abode of said juvenile during curfew hours.
g. **Responsibility of operators.** (Under this law, what are the responsibilities of business owners?) It shall be unlawful for any operator, owner or any employee managing or conducting any business or other establishment to knowingly permit a juvenile to remain, linger, stay, congregate, move about, wander or stroll upon the premises of the establishment during curfew hours. It shall constitute a defense:

(1) If the owner, operator, or employee notified the police department that the juvenile was present on the premises of the establishment during curfew hours and refused to leave after being asked to leave the premises.

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**Juvenile Curfew Ordinance**

**Part G**
h. **Penalties. (What are the consequences for not obeying this law?)** Upon conviction of a violation of paragraphs (f) or (g), a person shall be punished as provided in Tampa Code Section 1-6. A juvenile found to be in violation of paragraph (c) shall be subject to penalty and rehabilitation as ordered by the court pursuant to Florida Statutes Chapter 39, Part II, not to exceed the maximum penalty as provided by Tampa Code Section 1-6.

(Ord. No. 93-208, § 1, 12-23-93; Ord. No. 94-18, § 1, 2-3-04; Ord. No. 96-145, § 1, 7-18-96)
Sec. 1-6. General Penalty.

(b) Code violations – Fine and/or imprisonment and/or probation. It is unlawful for any person to violate or fail to comply with any provision of this Code and, where no specific penalty is provided therefore, the violation of any provision of this Code shall be punished by a fine not exceeding five hundred ($500.00) and/or imprisonment for a term not exceeding sixty (60) days and/or a term of probation not to exceed six (6) months, as set forth in section 1-6.1 or by both such fine and imprisonment. Each day any violation of any provisions of this Code shall continue shall constitute a separate offense.
## HANDOUT: EVALUATING LAWS

<table>
<thead>
<tr>
<th>QUESTIONS</th>
<th>ANSWERS</th>
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<tbody>
<tr>
<td>1. What is the problem the law is trying to solve?</td>
<td>The problem is.......</td>
</tr>
<tr>
<td>2. What is the purpose of the law?</td>
<td>The purpose of the law is.....</td>
</tr>
<tr>
<td>• Does it support the common good;</td>
<td></td>
</tr>
<tr>
<td>• Does it correct something that is harmful?</td>
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<tr>
<td>3. Is the law fair? Why or why not?</td>
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<tr>
<td>• Does it discriminate unjustly against any group or person;</td>
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<tr>
<td>• Can it be applied equally;</td>
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<tr>
<td>• Is the punishment cruel or unjust;</td>
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<tr>
<td>• Does it violate any constitutional rights?</td>
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<tr>
<td>4. Is the law clear, practical and enforceable?</td>
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<tr>
<td>• Is the law clear and easy to understand;</td>
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<tr>
<td>• Is the law worth the cost and effort of enforcement;</td>
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</tr>
<tr>
<td>• Is it practical and reasonable;</td>
<td></td>
</tr>
<tr>
<td>• Is it possible to change the law if it is found to be unfair?</td>
<td></td>
</tr>
<tr>
<td>5. Is the law necessary or are there better ways to accomplish the same purpose?</td>
<td></td>
</tr>
<tr>
<td>• Is there a proven need for the law;</td>
<td></td>
</tr>
<tr>
<td>• Should the government be involved?</td>
<td></td>
</tr>
<tr>
<td>6. What are the strengths and weaknesses of the law?</td>
<td></td>
</tr>
<tr>
<td>7. What do you think? Should the law be kept as written, changed, or eliminated? Why? If you want to change the law, how would you change it specifically?</td>
<td></td>
</tr>
</tbody>
</table>
COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. __________________________ Date: ______________________________________

Name ______________________________________________________________

Title ________________________________________________________________

Address ______________________________________________________________

City __________________________ State/Zip __________________________

Phone Number _________________________________________________________

Representing __________________________________________________________

Lobbyist (registered) Yes ☐ No ☐ ☐

State Employee Yes ☐ No ☐ ☐

I wish to speak: ☐ Proponent ☐

*I have been requested to speak: ☐ Opponent ☐

Information ☐

Subject matter: _________________________________________________________

_____________________________________________________________________

Committee/Subcommittee: ________________________________________________

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair ☐

Approved by __________________________ Chair __________________________

Copies to:
Original – Committee/Subcommittee
Copy – Person requested to appear

H-16 (Revised, 2003)
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Adapted from “How an Idea Becomes a Law” by the Florida House of Representatives

**IDEA**
From citizen, group or legislator

**DECISION**
The legislator decides if the idea should be a bill.

**BILL DRAFTED**
Bill written by staff and assigned a number.

**1ST READING**
Published in Chamber Journal.

**2ND READING**
Bill is read on floor of Chamber and may be placed on Special Order Calendar by vote.

**3RD READING**
Final reading of the bill. The bill is voted on and may die if it does not receive a favorable vote.

**COMMITTEE ASSIGNMENT /MEETING**
Bill is reviewed, voted on, and can be placed on calendar or allowed to die in committee.

**RETURN TO ORIGINAL CHAMBER**
Final versions of the bill must be identical in both Chambers.

**GOVERNOR CONSIDERATION**
Governor can sign the bill into law, allow the bill to become law without signing, or veto the bill.

**GOVERNOR FINAL ACTIONS**
If the Governor vetoes the bill, the Legislature may override his/her veto by a 2/3 vote.

**LAW**
If the Governor does not veto the bill, the bill becomes law.
The Scarlet Tag  
*Florida Statute 538*

An act relating to license plates; requiring a driver whose driving privileges are restricted because of violation related to driving under the influence of alcohol (DUI) to have a red DUI plate on any vehicle that he or she operates; providing for the Department of Highway Safety and Motor Vehicles to develop such a plate; providing a surcharge for the plate; providing for the use of such surcharges; authorizing a law enforcement officer to stop a vehicle bearing such plate without probably cause; providing an effective date.

**(Section 1)** The Department of Highway Safety and Motor Vehicles shall develop a red DUI license plate that must be displayed on any vehicle that is operated by a person whose driving privileges are restricted because of violation related to driving under the influence of alcoholic beverages or other specified substances.

**(Section 2)** The plate shall be a bright red color that is easily distinguishable from other plates issued in this state. The word “Florida” must appear on the top of the plate and the first three letters in the alphanumeric numbering system used on the plate must be “DUI”.

**(Section 3)** In addition to the other license plate fees and charges collected, an annual surcharge of $20 shall be collected for each DUI plate. The proceeds from the surcharge shall be deposited into the Trauma Services Trust Fund created by s.395.4034, Florida Statutes, and used for purposes provided in that section.

**(Section 4)** A law enforcement officer may stop any vehicle that bears a DUI plate without probable cause.
1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(2) CODE OF STUDENT CONDUCT.—Adopt a code of student conduct for elementary schools and a code of student conduct for middle and high schools and distribute the appropriate code to all teachers, school personnel, students, and parents, at the beginning of every school year. Each code shall be organized and written in language that is understandable to students and parents and shall be discussed at the beginning of every school year in student classes, school advisory council meetings, and parent and teacher association or organization meetings. Each code shall be based on the rules governing student conduct and discipline adopted by the district school board and shall be made available in the student handbook or similar publication. Each code shall include, but is not limited to:

(d)1. An explanation of the responsibilities of each student with regard to appropriate dress, respect for self and others, and the role that appropriate dress and respect for self and others has on an orderly learning environment. Each district school board shall adopt a dress code policy that prohibits a student, while on the grounds of a public school during the regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment.

2. Any student who violates the dress policy described in subparagraph 1. Is subject to the following disciplinary Actions:
   a. For a first offense, a student shall be given a verbal warning and the school principal shall call the student’s parent or guardian.
   b. For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time not to exceed 5 days and the school principal shall meet with the student’s parent or guardian.
   c. For a third or subsequent offense, a student shall receive an in-school suspension pursuant to s. 1003.01(5) for a period not to exceed 3 days, the student is ineligible to participate in any extracurricular activity for a period not to exceed 30 days, and the school principal shall call the student’s parent or guardian and send the parent or guardian a written letter regarding the student’s in-school suspension and ineligibility to participate in extracurricular activities.
Lesson Overview

Overview: In this lesson, students will learn about the different methods of amending the United States and Florida Constitutions. Participants will work individually and in groups to examine past proposals.

Objectives: Students will be able to...
- Define key terms within the articles outline the amendment process
- Compare the amendment processes in the U.S. and Florida Constitutions
- Evaluate the amendment processes in the U.S. and Florida Constitutions

Time Required:
- Two 50 minute class periods

Materials Needed:
- Making Amendments PowerPoint
- Student Handouts 1-5
- Amendment proposals

Next Generation Sunshine State Standards:
- Compare the constitutions of the United States and Florida. (SS.7.C.3.13)

Making Amendments

Procedures

Class Period 1

1. Begin this lesson by viewing the Center on Congress’ Facts of Congress Video – Amendments. After the video, ask students why they think it is important to be able to amend the United States and Florida Constitutions. Use the Making Amendments PowerPoint.
   a. Discuss the need for change and the amendments that have been added to the United States Constitution. Note that issues such as the abolishment of slavery, voting rights, and term limits on the Presidency are addressed in the United States Constitution.

2. Ask students where they think they can find the process/steps for amending the U.S. and Florida Constitutions (Answer: in the U.S. or Florida Constitution itself). Identify that in the U.S. Constitution, the Amendment process is outlined in Article V.

3. Distribute the Making Amendments student handout 1. In groups of 3-5 students, have students outline the Amendment process for the United States Constitution using Article V. Review their responses using the provided answer sheet.

4. Next, in their groups, students will make a children’s book outlining the amendment process using the You Be the Author student handout 2. Students should follow directions and produce a clear, visual book highlighting the methods of amending the United States Constitution.

Class Period 2

5. Begin by reviewing the purpose of a Constitution using the Making Amendments PowerPoint. When prompted by the PowerPoint, distribute Is It In the Florida Constitution? student handout 3.

6. Students should first work individually consider if they think each item is included in the Florida Constitution. Once they have completed the handout, divide the class into groups of three and have them compare answers. Do not give students answers.
7. Using the PowerPoint presentation, discuss the methods of amending the Florida Constitution. A focus will be placed on two methods: joint resolution (also referred to as a Legislative initiate) and voter proposed amendments (also referred to as citizen initiatives).

8. Divide the class into four groups. Give each group a different proposed constitutional amendment ballot initiative (four proposed amendments are provided). Have enough copies for each group member to have one.

9. Distribute the appropriate worksheet to accompany the proposals – either a citizen initiative or legislative initiative (handout 4 and 5) to each group member. Two groups should be focusing on a citizen initiative and two groups should be focusing on a legislative initiative.

10. Provide directions so that participants will evaluate the proposals using the criteria that judges must use to determine if an amendment proposal meets the constitutional and statutory requirements to be placed on the ballot.

11. Give students 15 to 20 minutes to read, evaluate and decide whether the proposal at their table can go on the ballot. Have each table fill out the worksheet.

12. Once finished, the students will present their proposal to the class. Once proposed, poll the class to see how many of the students would vote to support such an amendment to the Florida Constitution. Ask some of the students to explain why they think it should or should not be part of the Florida Constitution. Does it belong on the Florida Constitution? If 60% of the class would vote in favor of the amendment, it would pass and be added to the Florida Constitution.

13. Conclude by reviewing the Is It In the Florida Constitution? student handout.

Prior Knowledge/ Lesson Prep

Review the PowerPoint prior to presenting in order to familiarize yourself with the topic of amending the Florida Constitution.
**Assessment**

**Handouts 1, 3:** Students will be assessed for the completion and accuracy of responses on all handouts. Students should respond with thoughtful answers, supported opinions, and evidentiary support when requested.

**Project:** Students will be assessed as a group for their efforts on the creation of the children’s book as well as the legislative/citizen initiative handouts. Students should meet all guidelines and provide thoughtful responses to all questions.

**Participation:** Students will be assessed for the cooperation, participation, and respectfulness during the group activities. Students should be proactive and engaged throughout the various activities in this lesson.

### Suggested Scoring Rubric

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Scoring</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Making Amendments: Step-by-Step – Student Handout 1</td>
<td>2 points per blank (6 blanks, 12 points possible)</td>
<td>12 points</td>
</tr>
<tr>
<td>You Be the Author</td>
<td>10 points for content</td>
<td>20 points</td>
</tr>
<tr>
<td></td>
<td>• Included all steps</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Included appropriate illustrations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5 points for following directions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Included cover</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Met page requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Included step-by-step handout</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5 points for group participation and cooperation</td>
<td></td>
</tr>
<tr>
<td>Is It In the Florida Constitution? Student Handout 3</td>
<td>8 points for completion (students are to guess which are Constitutional amendments without prior knowledge. Do not penalize for incorrect responses)</td>
<td>8 points</td>
</tr>
<tr>
<td>Initiative Evaluation handout Handout 4 Handout 5</td>
<td>1 point for each single-answer response (ex: Yes/No questions, ballot title; 5 single-answer responses, 5 points possible)</td>
<td>25 points</td>
</tr>
<tr>
<td></td>
<td>• 5 point for each explanation provided (ex: Why or Why not?, explain the purpose; 4 explanation responses, 20 points possible)</td>
<td></td>
</tr>
<tr>
<td>Initiative Evaluation participation</td>
<td>10 points for group participation and cooperation. All students should contribute to the presentation of the initiative handout.</td>
<td>10 points</td>
</tr>
</tbody>
</table>

Total 75 points
Segment Transcript:

And now, another Fact of Congress.

What if they had a rule at your school that was mostly good, but was missing something that would make it even better?

Wouldn’t you like to change or amend it?

Well Amendments are an important part of what happens in Congress. A member proposes a bill that gets sent to a committee for hearings.

If the committee wants to, they can vote to add amendments to the bill. This can change the original language in very important ways.

If passed out of committee, the bill with the new amendments, goes to the floor of Congress for action. The full House or Senate then debates this revised bill and often considers additional amendments and sometimes even Amendments to amendments.

It’s all just part of improving the original law so it moves along in the best shape possible.

This Fact of Congress, is adjourned.

Click Here to link to the Video Segment for Facts of Congress: Amendments.
Making Amendments: Step-By-Step

Instructions: Using Amendment V (5) of the U.S. Constitution, identify two possible paths for amendment proposal and the two paths for ratification (approval) of a proposed amendment.

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution,

or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments,

which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution,

when ratified by the Legislatures of three fourths of the several States,

or by Conventions in three fourths thereof,

as the one or the other Mode of Ratification may be proposed by the Congress…and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Paths for Ratification

Name and outline both paths/processes for ratification named in Article V of the U.S. Constitution.
You Be the Author

Instructions: Below is Article V of the United States Constitution. With your group, create a “Guide to Amending the U.S. Constitution”. Your guide should be like a children’s book – very easy to understand with effective visuals. Be sure to include:

1. Cover with title of your book and the authors’ names (all group members)
2. Step-by-Step Process Page (Student Handout 1)
   a. Minimum four pages (exclusive of cover and step-by-step page) including the Q & A with the authors.
   b. All pages must be illustrated
   c. Must include all steps from the step-by-step page

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution,

or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments,

which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress…and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.
Q & A WITH THE AUTHORS

Instructions: After completing Handouts 1 and 2 (Part I), discuss and answer the questions below. These questions are asking for your opinion, however, be sure to support your responses with facts when applicable.

1. What do you think about the amendment process for the United States Constitution?

2. Why do you think the Framers designed the amendment process this way?

3. Do you think the process of amending the United States Constitution should be easier? Why or why not?

4. If you could modify the amendment process, what would you change and why?
**Is it In the Florida Constitution?**

**Instructions:** Individually, read and determine if you think the items on the list below are in the Florida Constitution. Circle “Yes” or “No” for each item. In a group of 3, compare your responses.

<table>
<thead>
<tr>
<th>Item</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limiting cruel and inhumane confinement of pigs during pregnancy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freedom of speech</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>The right to privacy</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>The power to raise and support armies</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>The permission to use marijuana for medical purposes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Right of the people to keep and bear arms in defense</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Merit selection and retention of appellate judges</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Education of children is a fundamental value</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Marriage between individuals of the same sex is recognized in the definition of marriage</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Lotteries may be operated by the state</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Bullet train</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Tobacco smoking is prohibited in indoor closed spaces</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>English is the official language</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Authorization for use of slot machines</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Coin money</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Mandated gas tax per gallon of gas</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Enter a treaty or alliance</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Issue duties on imports and exports without federal consent</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Judges shall not engage in the practice of law</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>
Citizen Initiative on Ballot

Ballot Title: English is the Official Language of Florida

On Ballot: November 1988

Proposal: Citizen Initiative

Ballot Summary: Establishes English as the official language of the State of Florida: Enables the legislature to implement this article by appropriate legislation.

Full Text of Amendment:

Section 9. English is the Official Language of Florida

(a) English is the official language of the state of Florida.

(b) The Legislature shall have the power to enforce this section by appropriate legislation.
Citizen Initiative on Ballot

Ballot Title: Animal Cruelty Amendment: Limiting Cruel and Inhumane Confinement of Pigs During Pregnancy

On Ballot: January 17, 2002

Proposal: Citizen Initiative

Ballot Summary: Inhumane treatment of animals is a concern of Florida citizens; to prevent cruelty to animals and as recommended by The Humane Society of the United States, no person shall confine a pig during pregnancy in a cage, crate or other enclosure, or tether a pregnant pig, on a farm so that the pig is prevented from turning around freely, except for veterinary purposes and during the prebirthing period; provides definitions, penalties, and an effective date.

Full Amendment: Limiting Cruel and Inhumane Confinement of Pigs During Pregnancy.

Inhumane treatment of animals is a concern of Florida citizens. To prevent cruelty to certain animals and as recommended by The Humane Society of the United States, the people of the State of Florida hereby limit the cruel and inhumane confinement of pigs during pregnancy as provided herein.

a. It shall be unlawful for any person to confine a pig during pregnancy in an enclosure, or to tether a pig during pregnancy, on a farm in such a way that she is prevented from turning around freely.

b. This section shall not apply:

1. when a pig is undergoing an examination, test, treatment or operation carried out for veterinary purposes, provided the period during which the animal is confined or tethered is not longer than reasonably necessary.
2. during the prebirthing period.

a. For purposes of this section:

1. "enclosure" means any cage, crate or other enclosure in which a pig is kept for all or the majority of any day, including what is commonly described as the "gestation crate."
2. "farm" means the land, buildings, support facilities, and other appurtenances used in the production of animals for food or fiber.
3. "person" means any natural person, corporation and/or business entity.
4. "pig" means any animal of the porcine species.
5. "turning around freely" means turning around without having to touch any side of the pig’s enclosure.

6. "prebirthing period" means the seven day period prior to a pig’s expected date of giving birth.

a. A person who violates this section shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082(4)(a), Florida Statutes (1999), as amended, or by a fine of not more than $5000, or by both imprisonment and a fine, unless and until the legislature enacts more stringent penalties for violations hereof. On and after the effective date of this section, law enforcement officers in the state are authorized to enforce the provisions of this section in the same manner and authority as if a violation of this section constituted a violation of Section 828.13, Florida Statutes (1999). The confinement or tethering of each pig shall constitute a separate offense. The knowledge or acts of agents and employees of a person in regard to a pig owned, farmed or in the custody of a person, shall be held to be the knowledge or act of such person.

b. It is the intent of this section that implementing legislation is not required for enforcing any violations hereof.

c. If any portion of this section is held invalid for any reason, the remaining portion of this section, to the fullest extent possible, shall be severed from the void portion and given the fullest possible force and application.

d. This section shall take effect six years after approval by the electors.
Ballot Title: Speech or Debate Privilege

On Ballot: November 1984

Ballot Summary:
Proposing an amendment to the State Constitution to provide that legislators' speech or debate relating to legislative duties is privileged and that legislators shall not be questioned in any other place with respect thereto.

Full Amendment Text:
ARTICLE III
LEGISLATURE

SECTION 2. Members; officers; legislative privilege.--
(a) Each house shall be the sole judge of the qualifications, elections, and returns of its members, and shall biennially choose its officers, including a permanent presiding officer selected from its membership, who shall be designated in the senate as President of the Senate, and in the house as Speaker of the House of Representatives. The senate shall designate a Secretary to serve at its pleasure, and the house of representatives shall designate a Clerk to serve at its pleasure.
(b) Members of the senate and the house of representatives shall in all cases be privileged with regard to any speech or debate relating to legislative duties, and they shall not be questioned in any other place with respect thereto.
(c) The legislature shall appoint an auditor to serve at its pleasure who shall audit public records and perform related duties as prescribed by law or concurrent resolution.
**Legislative Initiative on Ballot**

**Ballot Title:** Declaration of Rights

**On Ballot:** November 2008

**Ballot Summary:** Proposing an amendment to the State Constitution to delete provisions authorizing the Legislature to regulate or prohibit the ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship.

**Full Amendment Text:**

**ARTICLE I**

**DECLARATION OF RIGHTS**

**SECTION 2. Basic rights.**—All natural persons, female and male alike, are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property; except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law. No person shall be deprived of any right because of race, religion, national origin, or physical disability.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

**CONSTITUTIONAL AMENDMENT**

**ARTICLE I, SECTION 2**

**DECLARATION OF RIGHTS**

.--Proposing an amendment to the State Constitution to delete provisions authorizing the Legislature to regulate or prohibit the ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship.
Citizen Proposed Initiative

Amendment Review Worksheet

Imagine that you are a Justice on the Florida Supreme Court. The Attorney General of Florida has requested an advisory opinion from the Supreme Court regarding a citizen-proposed amendment to the Florida Constitution to be placed on the upcoming general election ballot. Follow the directions listed below. The Court is responsible for evaluating if the citizen initiative:

1. Has a clear and unambiguous (not misleading) title and summary, and
2. Addresses a single subject.

Remember the Court will only address these two limited issues in its review of the citizen proposal. The Court will NOT address the merits or wisdom of the proposal.

<table>
<thead>
<tr>
<th><strong>Step 1.</strong> What is the ballot title?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Step 2.</strong> Read the ballot summary.</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is the main purpose and effect of the proposed amendment?</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Step 3.</strong> Read the full amendment and compare to the title and ballot summary.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Is the title and ballot summary clear and unambiguous?</td>
</tr>
<tr>
<td>Why or why not?</td>
</tr>
<tr>
<td>YES</td>
</tr>
<tr>
<td><img src="https://example.com/yes.png" alt="YES" /></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>B. Does the ballot title and summary fairly inform the voter of the chief purpose of the amendment in clear and unambiguous language?</th>
<th>YES</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explain:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Does the amendment address a single subject?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Comments:</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Step 4.</strong> If you were a Justice, based on these issues only, would you vote to place the amendment on the ballot?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Why or why not?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Step 5.</strong> Now change hats. As a voter, would you vote to add the amendment to the Florida Constitution?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Why or why not?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Imagine that you are a justice on the Florida Supreme Court. The Florida Legislature has passed a Joint Resolution to amend the Florida Constitution. The proposed amendment has been challenged in circuit court saying that the summary is misleading and should be removed from the ballot. The judgment of the circuit court was appealed to the First District Court of Appeal, which in turn certified to the Florida Supreme Court that the judgment is of great public importance and requires immediate resolution. First, read the ballot title, ballot summary and full amendment closely. After you have finished reading these directions, complete this worksheet, which is designed to help you evaluate if the legislatively proposed amendment/ Joint Resolution:

(1) Fairly informs voters of the chief purpose and effect of the amendment, and
(2) Is not misleading to the public.

Remember that the Court cannot rule on the merits or wisdom of the proposal to amend the Florida Constitution.

---

**Legislature-Proposed Amendment Review Worksheet**

**Step 1.** What is the ballot title?

**Step 2.** Read the ballot summary.

What is the main purpose of the proposed amendment?

**Step 3.** Reread the ballot summary. Read and compare to full amendment.

A. Does the ballot summary fairly inform voters of the chief purpose and effect of the amendment?  

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Why or why not?</td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>---</td>
</tr>
<tr>
<td><strong>B. Is the ballot summary misleading to the public?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td>Why or why not? State specific parts of the summary that are misleading in comparison to the full amendment text.</td>
<td></td>
</tr>
<tr>
<td><strong>Step 4. If you were a justice, based on these constitutional and statutory issues, would you vote to place the amendment on the ballot?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td>Why or why not?</td>
<td></td>
</tr>
<tr>
<td><strong>Step 5. Now change hats. If you were a voter, would you vote for the amendment to be added to the Florida Constitution?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td>Why/why not?</td>
<td></td>
</tr>
</tbody>
</table>
Making Amendments: Step-By-Step

Instructions: Using Amendment V (5) of the U.S. Constitution, identify two possible paths for amendment proposal and the two paths for ratification (approval) of a proposed amendment.

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution,

or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments,

which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution,

when ratified by the Legislatures of three fourths of the several States,

or by Conventions in three fourths thereof,

as the one or the other Mode of Ratification may be proposed by the Congress…and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Paths for Ratification

Name and outline both paths/processes for ratification named in Article V of the U.S. Constitution.

Where does it start?

Congress (U.S. Senate AND U.S. House of Representatives)

Proposing an Amendment

2/3 of Congress (U.S. House and U.S. Senate) propose an amendment

Ratification

3/4 of state legislatures ratify the amendment

OR

3/4 of special state conventions ratify the amendments

State Legislatures

Proposing an Amendment

2/3 of state legislatures call for a Constitutional Convention to propose an amendment

Ratification

3/4 of state legislatures ratify the amendment

OR

3/4 of special state conventions ratify the amendments
### Answer Key for Is It In the Florida Constitution?

<table>
<thead>
<tr>
<th>Article and Description</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limiting cruel and inhumane confinement of pigs during pregnancy (Article X, Section 21)</td>
<td>Yes</td>
</tr>
<tr>
<td>Freedom of speech (Article I, Section 4)</td>
<td>Yes</td>
</tr>
<tr>
<td>The right to privacy (Article I, Section 23)</td>
<td>Yes</td>
</tr>
<tr>
<td>The power to raise and support armies</td>
<td>No</td>
</tr>
<tr>
<td>The permission to use marijuana for medical purposes</td>
<td>No</td>
</tr>
<tr>
<td>Right of the people to keep and bear arms in defense (Article I, Section 8)</td>
<td>Yes</td>
</tr>
<tr>
<td>Merit selection and retention of appellate judges (Article V, Section 10)</td>
<td>Yes</td>
</tr>
<tr>
<td>Education of children is a fundamental value (Article IX, Section 1)</td>
<td>Yes</td>
</tr>
<tr>
<td>Marriage between individuals of the same sex is recognized in the definition of marriage</td>
<td>No</td>
</tr>
<tr>
<td>Lotteries may be operated by the state (Article X, Section 7)</td>
<td>Yes</td>
</tr>
<tr>
<td>Bullet Train (Article X Section 19)</td>
<td>Yes</td>
</tr>
<tr>
<td>Tobacco smoking is prohibited in indoor closed spaces (Article X, Section 20)</td>
<td>Yes</td>
</tr>
<tr>
<td>English is the official language (Article II, Section 9)</td>
<td>Yes</td>
</tr>
<tr>
<td>Authorization for use of slot machines (Article X, Section 23)</td>
<td>Yes</td>
</tr>
<tr>
<td>Coin money</td>
<td>No</td>
</tr>
<tr>
<td>Mandated gas tax per gallon of gas (Article VII, Section 9)</td>
<td>Yes</td>
</tr>
<tr>
<td>Enter a treaty or alliance</td>
<td>No</td>
</tr>
<tr>
<td>Issue duties on imports and exports without federal consent</td>
<td>No</td>
</tr>
<tr>
<td>Judges shall not engage in the practice of law (Article V, Section 13)</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Amendment Proposal Outcomes

**Ballot Title:** English is the Official Language of Florida

**On Ballot:** November 1988

**Proposal:** Citizen Initiative

**Ballot Summary:** Establishes English as the official language of the State of Florida: Enables the legislature to implement this article by appropriate legislation.

**Outcome:** The amendment was approved by voters and is now in the Florida Constitution.

83.9% voted in favor of the amendment (3,457,039 votes) and 16.1% voted against the amendment (664,861 votes)

---

**Ballot Title:** Animal Cruelty Amendment: Limiting Cruel and Inhumane Confinement of Pigs During Pregnancy

**On Ballot:** January 17, 2002

**Proposal:** Citizen Initiative

**Ballot Summary:** Inhumane treatment of animals is a concern of Florida citizens; to prevent cruelty to animals and as recommended by The Humane Society of the United States, no person shall confine a pig during pregnancy in a cage, crate or other enclosure, or tether a pregnant pig, on a farm so that the pig is prevented from turning around freely, except for veterinary purposes and during the prebirthing period; provides definitions, penalties, and an effective date.

**Outcome:** The amendment was approved by voters and is now in the Florida Constitution.

54.8% voted in favor of the amendment (2,608,996) and 45.2% voted against the amendment (2,155,911)

---

**Ballot Title:** Declaration of Rights

**On Ballot:** November 2008

**Ballot Summary:** Proposing an amendment to the State Constitution to delete provisions authorizing the Legislature to regulate or prohibit the ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship.

**Outcome:** The amendment was defeated by voters.

47.9% voted in favor of the amendment (3,564,090) and 52.1% voted against the amendment (3,871,704)

---

**Ballot Title:** Speech or Debate Privilege

**On Ballot:** November 1984

**Ballot Summary:** Proposing an amendment to the State Constitution to provide that legislators' speech or debate relating to legislative duties is privileged and that legislators shall not be questioned in any other place with respect thereto.

**Outcome:** The amendment was defeated by voters.

33.4% voted in favor of the amendment (1,110,743) and 66.6% voted against the amendment (2,216,910)
### Lesson Overview

**Overview:** After engaging in this activity, students will have a better understanding of the function and structure, and impact of the government in the daily lives of citizens.

**Objectives:** Students will be able to...
- Identify how government is involved in their daily lives
- Classify the government services by level of government (National, State, and Local government)

**Time Required:**
- 2-50 minute class periods
- 2 homework sessions

**Materials Needed:**
- Journal/Paper
- Computer access for each student OR computer with projection capability
- www.centeroncongress.org/interactive-learning-modules
- Large chart paper

### Impact of Congress Journaling Activity

#### Impact of Congress – Part I

**Out of Class Assignment:**
- Instruct students to keep a journal from the time they wake up in the morning to the time they go to bed at night based on the following question:
  
  *How is the government involved in your daily life?*
  
- Students should record at least 10 instances in their life where government has some influence.

#### Impact of Congress – Part II

**In Class Activity:**
- Students will share their answers from the journaling activity.
- As a class, either on individual computers or on a computer with projection capabilities, view the Interactive Learning Module titled “The Impact of Congress”.
  - By clicking through this activity, students will see how government is involved in their daily lives: from the time they wake up in the morning until they go to bed at night.
- During the module, discuss the need for government regulation in the areas defined throughout.
  - Questions for discussion:
    - What does this regulation/policy work to accomplish?
    - Is it necessary for government to be involved?
    - How important is it for government to be involved?

**Out of Class Assignment:**
- Instruct students to expand on their previous journal entries based on what they learned from the interactive module. Students can include and expand on examples from the module. They should have a minimum of 20 examples in this journal entry.

### Next Generation Sunshine State Standards:
- Differentiate between local, state, and federal governments' obligations and services. (SS.7.C.3.14)
Impact of Congress - Part III

In Class Activity:
- In groups of 3-5 students, students will share their journals.
- On a sheet of paper, one student will record the group responses to “How is the government involved in your daily life?” For duplicate answers, students can place a check mark next to the answer that has multiples.
- Each group will need 3 pieces of large chart paper. At the top of the chart paper, label one “National”, one “State” and one “Local”.
- In their groups, students will now classify their responses to “How is the government involved in your daily life?” by the level of government – national, state, or local.
- After this is complete, each group will share their lists. As they present, create a class list on chart paper or white board.

Alternate Option
- Place 3 pieces of chart paper on the walls in separate locations in the classroom.
- Label one piece of chart paper “Local”, the next “State”, and the final sheet “Federal/National”.
- Each group will begin at one of the pieces of chart paper. Students will list their responses to “How is government involved in your daily life?” that are relevant to that level of government. Each group will have 2 minutes to list their responses.
- Once two minutes have elapsed, students will rotate and repeat the process until they have visited each piece of chart paper.
- *Duplicate answers do not need to be listed again, but students may place check marks next to responses already listed if they are consistent with their list. Students may place an “X” next to answers they do not agree with.
- *If students disagree with responses listed for a particular level of government, they can write an “L” (local), “S” (state), or “F” (federal) next to the service they disagree with to cite the appropriate level of government.

Lesson Extension
- As a class, engage in the “Importance of Civic Participation” Module on the Center on Congress Interactive Modules entitled “Where To Go With a Problem”
  - This activity will help students with the process of classifying problems/issues based on the involvement of local/state/federal government.

Suggested Scoring Rubric for Journaling Activity

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Scoring</th>
<th>Total</th>
<th>Bonus Opportunity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journal 1</td>
<td>1 point for each valid example of government involvement</td>
<td>10 points</td>
<td>¼ point for each additional, valid example listed</td>
</tr>
<tr>
<td>Journal 2</td>
<td>1 point for each valid example of government involvement</td>
<td>20 points</td>
<td>¼ point for each additional, valid example listed</td>
</tr>
</tbody>
</table>

Assessment
- Journaling – Written Assessment
  - Students will be assessed based on completion of the two journaling assignments.
  - Journals should have thoughtful responses to the prompt “How is the government involved in your daily life?”
- Participation - Observation
  - Students will also be assessed on their participation during the discussion based on the interactive learning module.
  - Students will receive a participation grade for their interactions with the group activity for classifying government impact by level of government.
Lesson Overview

Overview: In this lesson, students will identify services provided by the local, state, and federal government by examining news stories. Students will understand the need for the distribution of power based on the Constitution and apply their knowledge of levels of government to specific scenarios.

Objectives: Students will be able to...
- Identify government involvement in their daily lives
- Classify government services according to levels of government
- Evaluate the role government plays in their daily lives
- Evaluate scenarios in order to determine which level of government provides a specific service

Time Required:
- One 50 minute class period

Materials Needed:
- Center on Congress: Impact of Congress
- Center on Congress: Where to Go With a Problem
- Ball of yarn
- From the Headlines student handout

Next Generation Sunshine State Standards:
- Differentiate between local, state, and federal governments’ obligations and services. (SS.7.C.3.14)

From the Headlines

Procedures

The Web We Weave Activity*

1. Begin by asking the students how the government is involved in their daily lives. Ask students to name some of the services provided by the government (see teacher handout for suggestions). Compile a list of their suggestions on chart paper.
   a. Try to get one suggestion per student for the activity that follows

2. Next, use the Center on Congress’ Interactive Module “Where To Go With a Problem” located under The Importance of Civic Participation. This module will present scenarios/problems that students will need to classify by the level of government that would resolve the issue: local, state, or federal.

3. To begin the web activity, you will need a large ball of yarn. Take the class outside or into a large space where students can form a circle. Bring the chart paper with the list of government services the students provided.

4. Arrange students in a large circle. Start the activity by explaining the local, state, and federal government services are all connected through the federal system. Power is divided this way in order to make our government more efficient and to meet the needs of the people, who give the government the power.
   a. Begin by stating the local government is the level of government closest to the people. Name a service of local government. Holding the end of the yarn, throw the ball of yarn to a student across the circle. Have them classify a service of local government from the list compiled earlier (or they may suggest a different service of local government). Once they properly name a service of local government, have them hold the string of the yarn and throw the ball to another student. That student should then name a local service, hold the yarn, and throw the ball to another student. This should begin to form a web across the circle.

   b. Once one third of the class has named local services, call out that students should then name state services when they receive the ball. Once one third of the class has named state services, call out that they should name national government services.

   c. Note: each student should only receive the ball once.
Procedures, continued

5. Debrief the activity.
   a. Tell the students to pull their string tight. The web should tighten. Tell students that all of these
   services – be they local, state, or federal – are connected and interdependent. Each level of
   government has their responsibilities, but the services are all intertwined. When pulled tight, or
   working together, these services have clear paths and connections.
   b. Have the students drop their string. Have them observe all the different ways the web was
   connected and how by letting go of the string, the web becomes messy and disjointed. If the
   services do not work together, things can get messy.

6. Have students return to their seats. Divide the class into small groups of 3-5 students and assign each
   group a number. Create a scoreboard on the whiteboard/chalkboard/chart paper. Distribute signs to each
   group labeled “Local”, “State”, and “Federal” and the From the Headlines student handout. Using the
   From the Headlines PowerPoint, students will play a game where they read headlines and summaries of
   current events and identify the level of government involved.
   a. Read the headline and summary. In their groups, students will select the sign with the correct
   level of government and place it face down on their group’s desk. Individually and silently,
   students need to explain why they selected that level of government on their From the Headlines
   handout.
   b. Have the students reveal their answer at the same time. Each team with the correct response gets
   a point, keeping score on the board. Continue through the PowerPoint until the conclusion. Tally
   up the final scores.
   c. Debrief that game by reviewing the headlines, level of service, and having students explain their
   selection based on what they wrote on their From the Headlines handout.

*This activity is adapted from the Center for Civic Education Project Citizen lesson supplements.

Modifications/Extensions

The Web We Weave

• Prior to beginning the yarn activity, provide students with slips of paper with government services written
  on them (see Teacher Handout 1). Each student will receive one piece of paper.

• Instead of student-generated responses while tossing the yarn:
  o Call out local government and have students who have a local government service raise their hand.
    Students will pass the yarn until all local services have been identified.
  o Call out state government and have students who have state government service raise their hand.
    Students will pass the yarn until all state services have been identified.
  o Call out federal government and have students who have state government service raise their hand.
    Students will pass the yarn until all federal services have been identified.
**Assessment**

**Student Handout** – Students will be assessed based on the completion and the reasoning behind their responses on the *From the Headlines* student handout. Students will earn partial credit on their incorrect responses depending on their reasoning behind the given response.

**Observation** – Students will be assessed based on their participation, cooperation, respectfulness, and ability to follow directions on both *The Web We Weave* activity and the *From the Headlines* game. Students should be participatory.

**Suggested Scoring Rubric**

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Scoring</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Web We Weave Activity</td>
<td>5 points for participation and effort in providing an example for the activity</td>
<td>5 points</td>
</tr>
<tr>
<td>From the Headlines student handout</td>
<td>1 point for headline and identification of level of government (10 headlines and identification of government level – 10 points possible) 3 points for explanation of level of government (10 checks for level of government, 30 points possible)</td>
<td>40 points</td>
</tr>
<tr>
<td>From the Headlines Participation</td>
<td>5 points for group participation and cooperation during the game</td>
<td>5 points</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>50 points</strong></td>
</tr>
</tbody>
</table>
From the Headlines

Instructions: Write your team number in the top corner of this handout. In the table below, write the headline title and check the box for the level of government your group selected. If you disagree with your group, then include that in your explanation. Then, individually explain why you made your selection of level of government.

<table>
<thead>
<tr>
<th>Headline</th>
<th>Local</th>
<th>State</th>
<th>Federal</th>
<th>Explain your selection. Identify if you agreed or disagreed with your group.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
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</tbody>
</table>
## From the Headlines

<table>
<thead>
<tr>
<th>Headline</th>
<th>Local</th>
<th>State</th>
<th>Federal</th>
<th>Explain your selection. Identify if you agreed or disagreed with your group.</th>
</tr>
</thead>
<tbody>
<tr>
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</table>
### Teacher Handout 1
Print and copy to use as a guide during the “The Web We Weave” activity. If doing the modified version, print one copy of the table below as a guide and print another copy to cut, scramble, and distribute to students. Give each student one service.

<table>
<thead>
<tr>
<th>Local</th>
<th>State</th>
<th>Federal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trash collection</td>
<td>FCAT</td>
<td>Military</td>
</tr>
<tr>
<td>Animal services</td>
<td>Smoking regulations</td>
<td>Social Security</td>
</tr>
<tr>
<td>Parking</td>
<td>Schools</td>
<td>Interstates</td>
</tr>
<tr>
<td>Fire Services</td>
<td>Establishing state courts</td>
<td>Aviation</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>Provide marriage licenses</td>
<td>Homeland security</td>
</tr>
<tr>
<td>Sidewalks</td>
<td>Provide drivers licenses</td>
<td>Medicare/Medicaid</td>
</tr>
<tr>
<td>City planning and zoning</td>
<td>Hunting regulations/licensing</td>
<td>Postal service</td>
</tr>
<tr>
<td>City transit (bus system, metro)</td>
<td>Vital Statistics (birth and death certificates)</td>
<td>Passports</td>
</tr>
<tr>
<td>Libraries</td>
<td>Elections</td>
<td>Nutritional guidelines on packaged foods</td>
</tr>
</tbody>
</table>
Useful Resources for State and Local Government

The Florida Legislature website provides:

Florida Statutes
Florida Constitution
Law of Florida

Links to the Florida House and Senate websites
Date for the Florida legislative session
Links to Legislative and State Government Sites

Visit www.leg.state.fl.us
The Florida Senate website for kids, Senate Kids, provides:

- Biographies and information on Florida’s legislative branch
- List of Florida Senators
- How a bill becomes a law in the state of Florida
- Glossary of terms for the Florida legislature
- Contact page for e-mailing your state Senator
- Florida Facts
- Puzzles and games related to the Florida Senate

To access this resource, please visit: [http://www.fl senate.gov/senatekids/](http://www.fl senate.gov/senatekids/)
The Florida House of Representative provides a printable booklet for students complete with:

Branches of government outline

How a bill becomes a law in the state of Florida

Roles of leadership and non-member officers in the Florida legislature

History of the Florida capitol

Florida symbols

Information on the Florida legislature page and messenger program

Outline of the political parties

Quiz on the branches of government

Quiz on Florida fun facts

Puzzles and games related to the Florida Senate

To access this resource, please visit: