

Legislative Branch

Chapter Contents

- Students will be able to evaluate the criteria that a legislature must use in voting for or against a bill
- Students will be able to describe the process for a bill to become a law
- Students will be able to identify and evaluate the role of pork barreling in politics
- Students will be able to evaluate the costs and benefits of a bicameral legislature
- Students will be able to evaluate political issues while considering the varying interests of politicians

Legislative Branch

- Given its power/role in Article 1 of the Constitution

Were given many powers (considerably more than the other branches) as a result of the colonists bad experience with King George

Powers of Congress (both houses of the legislature often limit the powers of the president

Limits on the President

- President is the Commander in Chief of the armed services, but can not declare war or raise armies without Congress's approval

President can negotiate treaties but only with approval of Congress

Power to raise and spend money requires approval of Congress

Congress has the power to impeach the President

History of Power

- Prior to the Great Depression the Legislative Branch was the major player in politics...as Woodrow Wilson said “Congress is the dominant, nay, the irresistible power of the federal system.”

Since the Great Depression and World War II the legislative branch has lost power to strong presidents

Bicameral Legislature

- The legislative branch is divided into 2 houses—the House of Representatives and Senate

This was known as the Great Compromise and settled the issue of equal representation or representation based on population

Do Now

1. List four examples of Congressional limits on the Executive Branch
2. How has the power of the legislative branch changed over time?

Problem Solving 101

Develop a solution that is win/win given the following simple problem:

You are off at college and you are having problems with your roommate. He wants to leave the window open all day as he is constantly complaining about being hot. You however are cold and have the bed closest to the window. Develop a plan that allows for both you and your roommate to have a win/win solution

Generally solutions can be found in 4 ways: 1. I win/you lose 2. you win/I lose 3. we both lose (lose/lose) 4. we both win (win/win)

Problem Solving 101

You can not afford to miss class as a result of a poor grade. However, you have the flu. What solutions can you come up with to solve this problem.

Problem Solving 101

Do you suspect the solutions become easier or more difficult as you add larger numbers to the group?

DO NOW

CREATE A WIN/WIN SOLUTION TO THE FOLLOWING SCENERIO: YOU AND YOUR SIGNIFICANT OTHER HAVE BEEN FIGHTING A LOT LATELY. SHE(HE) CLAIMS THAT YOU GUYS ALWAYS DO WHAT YOU WANT TO DO AND NEVER DO WHAT SHE(HE) WANTS TO DO. THIS FRIDAY YOU WERE PLANNING ON TAKING HER TO A FOOTBALL GAME, HOWEVER SHE WOULD LIKE YOU TO HANG OUT WITH HER FRIENDS AS THEY GO OUT TO DINNER.

Role of the Legislature

- Those elected to the legislature have several difficult questions to answer—for example

Should they vote based on their beliefs or the wants of their constituents (those who elected them)—what are the results of each decision?

Should they vote in the interest of their region or the country as a whole?—what are the results of each decision?

Role of the Legislature

- What happens when good policy makes bad politics?—or good politics equal bad economics?

Examples: A senator from Michigan, needs to decide if they would support the automobile industry bailout [Politics of Auto Bailout](#)

Closing of military bases in a representatives home district—its good for the budget but how does it impact his/her re-election chances?

Examples cont...

- An Iowa senator has to evaluate the nation's policy on corn? Ethanol or no Ethanol?

A Nevada senator has to decide if storing nuclear waste in Yucca Mountain (Nevada) is a reasonable decision? Costs? Benefits?

This issue is one that is a NIMBY issue—not in my backyard

An Indiana representative needs to fill in budget gaps...should he/she increase tax on the manufacturing? Costs? Benefits?

Government:

The great fiction through
which everyone
endeavors to live at the
expense of everyone else

Pork Barreling

- The nature of these questions leads to a political phenomena called Pork Barreling [porker of the month](#)

This is the process of tying funding or votes on two unrelated bills...example—a space program bill tied to defense spending bill

Why does defense spending make a great political target for pork projects?

Why does pork happen? To answer this we need to understand how a bill becomes a law

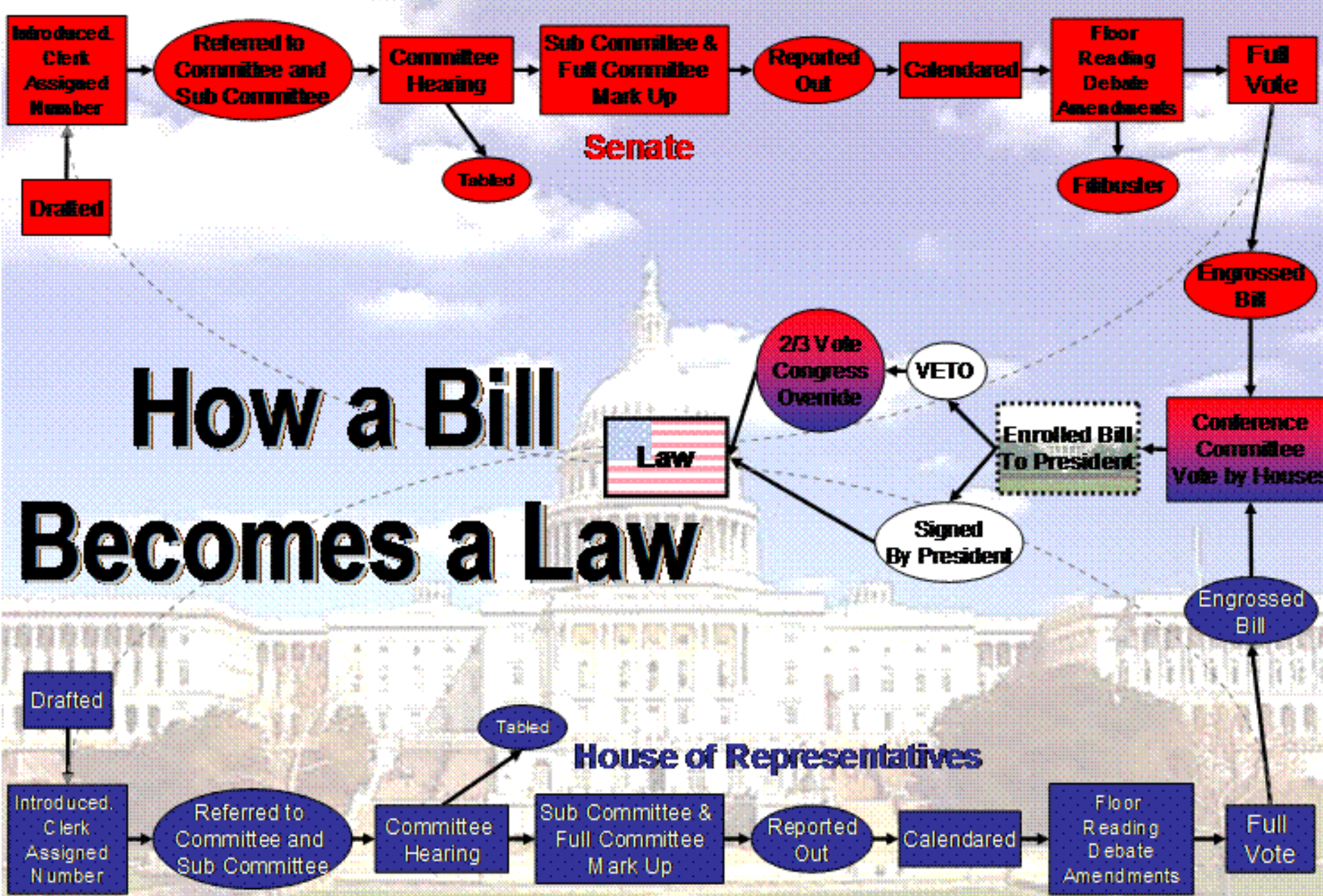
DO NOW

1. WHAT IS PORK BARRELLING?
2. WHAT IS MEANT BY THE SAYING “GOVERNMENT IS THE GREAT FICTION WHERE ONE PERSON TRIES TO LIVE AT THE EXPENSE OF ANOTHER?”
3. WHY DOES PORK SO OFTEN GET ATTACHED TO DEFENSE LEGISLATION?

How a Bill becomes a law

[I am Just a Bill](#)





How a Bill becomes a Law

- Can start in either house—most start in the House of Representatives—why?

They are on a much shorter cycle (2 years) thus they tend to introduce more legislation—need to have something to run on every 2 years

1. An idea of a law is proposed
2. The idea goes to committee
3. Will be voted on in committee—at that point it will gain enough support to go to the floor or be tabled (not dealt with)

How a bill becomes a law

4. If it gets out of committee it goes to the floor—at this point it is discussed by all members of either the House of Reps or the Senate

5. At this point the possibility of a filibuster exists—a filibuster is when a senator (only allowed in the Senate) talks until a bill dies—this possibility exists because Senators can speak for as long as they want to

The result of this is that the legislation never goes to vote—it is a way to prevent legislation that has enough votes to pass

Filabuster

[Inside a Filabuster](#)

How a bill becomes a law

6. Assuming no filibuster the bill goes to a vote— if it passes it goes to the other house of the legislature and repeats the entire process
7. If it passes the vote in the other house it goes to the president
8. The President can either sign the legislation and it becomes law or veto it (reject it)
9. If it is vetoed it goes back to the legislature and they can try to override the veto

How a bill becomes a law

10. To override a veto—it must pass both houses separately with no amendments (changes) by a 2/3 super majority

The bill will usually become a law on January 1 of the upcoming year

The some time ugly process of passing legislation has lead to pork barreling and the redrawing of district lines has led to Gerrymandering

DO NOW

- LIST THE ALL OF THE STEPS IN A BILL BECOMING A LAW



United States

Gulf of California

Gulf of Mexico

Mexico

Cuba

Map data © 2008



Chicago

Toledo

Cleveland

Joliet

Fort Wayne

Akron

Indiana

Ohio

Indianapolis

Washington

Dayton

Columbus

Cincinnati

Columbus

Parkersburg

Louisville

Ironville

Evansville

Lexington

Map data ©2013 G

INDIANA CONGRESSIONAL DISTRICTS

INDIANA CONGRESSIONAL DISTRICTS

Gerrymandering

Gerrymandering is the process of re-drawing congressional districts for political gain—this is conducted every 10 years to account for new census data [history of gerrymandering](#)

Gerrymandering

Rep	Rep	Dem	Rep	Dem
Dem	Dem	Rep	Dem	Rep
Dem	Rep	Rep	Dem	Rep
Rep	Rep	Dem	Dem	Rep
Dem	Dem	Dem	Rep	Dem

Budget

- Congress also has the responsibility of creating a budget—with all of the lawmaking powers this has enormous political consequences---what do you suppose happens as a result of this?

This is known as the “power of the purse” what is the importance of the power of the purse? This should take on increased significance given the current budget problems—we will discuss in greater detail when we get to the policy chapter