Legislative Branch

Chapters 10, 11 & 12

Congress

National Legislature

Major function is to make laws – transfer the public will into public policy (law)

Bicameralism

Terms & Sessions

2 year terms, 3rd day of January

2 sessions – one in each year

Meet for most of the year with recesses, both houses have to agree to end

Special session – called by president

House of Representatives

Size and terms – 435 members

Apportioned by Congress based on population

Each state is guaranteed at least one seat

Territories sent representatives

Choses every 2nd year for two-year terms – listen to people

Reapportionment – redistribute seats every 10 years with only 435 seats

Congressional Elections –

Date, off-year elections, Districts & Gerrymandering

Wesberry v. Sanders, 1964

Qualifications – 25, citizen for 7 years, inhabitant of the state they represent, district

Can be not excepted, punished

Senate and Members of Congress

Election and Terms

Many house of reps. Serve as senators

Two senators from each state

First chosen by state leg.

Serve 6 year terms

Continuous body

More power

Qualifications – 30, citizen for 9 years, inhabitant of state,

Can be punished and denied

Personal & Political Backgrounds

Mostly white males, but is changing

Most married, two kids, few have not religion, lawyers, business, banking, education etc.

Typically they serve four terms

Duties of the Job – legislators, committee members, reps. For the people, servants & potations

Voting options = trustees, delegates, partisans and politicos

Compensation – set own salaries, nonsalary and politics of pay

Membership Privileges

Powers of Congress

Limited government = limited powers not mentioned by constitution

Cannot create public school, make people go to church etc.

Don’t forget express and implied powers

Strict – use few implied powers vs. Liberal Construction – use implied to its fullest

Expressed Powers

* Art. I Sec. 8 sets most of the powers, but implied powers are numerous
* Power to tax – Art.I Sec.8 Cl 1
* Direct and indirect tax
* Power to borrow – ceiling on public debt
* Commerce Power – regulate interstate and foreign trade
* Currency Power – coin money and regulate the value
* Bankruptcy – establish uniform laws on the subject of bankruptcies.
* Foreign Relations and War Powers –
* Naturalization, postal power, copyrights and patents, weight and measures, territories, judicial powers

More Powers

Implied Powers

Necessary and Proper Clause or “elastic clause”

Great debate over these powers

Nonlegislative Powers

Constitutional Amendments

Electoral Duties -

Impeachment -

Executive Powers -

Investigatory Power -

Congress in Action

Congress Organizes

Congress Convenes

Opening Day in House – no rules or organization until opening day, pick speaker, democrats/right, republicans/left, elect clerk, sergeant of arms, ect. Adopt rules

Opening Day in Senate – continuous body, sworn in,

Presidents State of the Union

Presiding Officers – speaker of the House, president of the senate

Floor Leaders and other Party officers – whip, party caucus

Committee Chairman –

Seniority Rule

http://www.whitehouse.gov/photos-and-video/video/2010-state-union-address

<http://www.3news.co.nz/Republicans-take-charge-as-Congress-convenes/tabid/313/articleID/193335/Default.aspx>

Committees in Congress

Standing Committees –

House Rules Committees –

Select Committees –

Joint & Conference Committees -

How a Bill becomes a law

Creating and Introducing-

Types of Bills

Bills –

Joint resolutions

Concurrent resolutions

Resolutions

1st reading

Bill in Committee

Rules and Calendars

Bill on the Floor – quorum, debate and voting

Final Steps