



CHAPTER
28

Three Levels of Texas Government

1900–Present

SECTION 1 State Government in Texas

SECTION 2 Counties and Special Districts

SECTION 3 Municipal Government in Texas



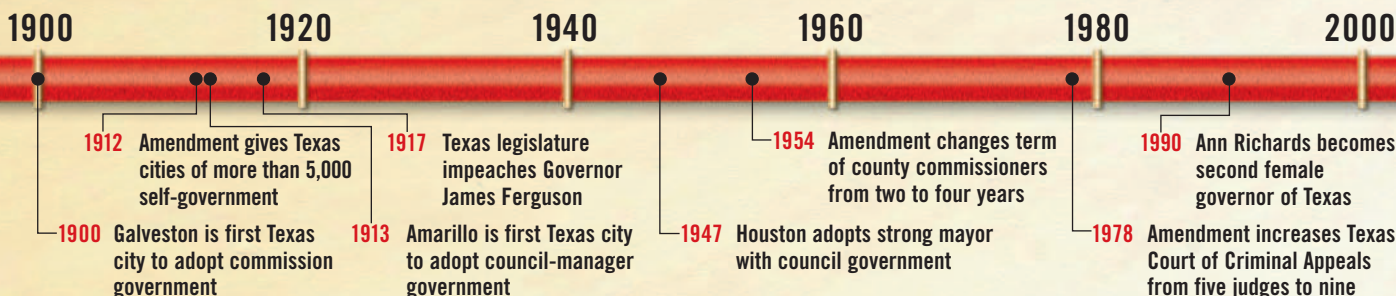
VIEW THE **Texas on Tape**
CHAPTER 28 VIDEO LESSON.

I believe government works best when it relies on the good judgment and common sense of the people themselves.

President and former Texas governor George W. Bush



Navarro County District Court





SKILL BUILDER

Reading Social Studies

Before You Read

Have you ever thought about what it would be like to be a state legislator? How would you make sure that the needs of people in your district are met? People need many different services. Paying for these services will require a large budget. Where will you get the funds? How will you persuade other legislators to vote for your bills? State and local government leaders must consider these questions every day.

Think about

- services your city, county, and state provide, such as parks and recreation facilities
- ways that you would like to improve your city, county, and state
- local, county, and state leaders who represent you



Senator Gonzalo Barrientos of Austin in the Texas Senate

As You Read

The government of the state of Texas is divided into three different levels that work together to provide for the needs of residents. State government makes and enforces laws. County, special district, and city governments provide a variety of public services to Texas citizens. Completing this graphic organizer for Chapter 28 will help you to understand the duties of the three different levels of government in Texas.

- Copy the sample outline in your Texas Notebook.
- As you read, note the different divisions that make up each level of government.
- Then list at least two supporting details for each letter in the outline.
- Add letters and numbers to your outline as needed.

Organizing Information

- I. State Government
 - A.
 - 1.
 - 2.
 - B.
 - 1.
 - 2.
 - C.
 - 1.
 - 2.
- II. County Government and Special Districts
 - A.
 - 1.
 - 2.
 - B.
 - 1.
 - 2.
- III. Municipal Government
 - A.
 - 1.
 - 2.
 - B.
 - 1.
 - 2.



State Government in Texas

Why It Matters Now

Understanding how the state government works can help you know where to turn when you have a question or problem.

TERMS & NAMES

civil law, criminal law, redistricting, lieutenant governor, consecutive, municipal, justice of the peace, misdemeanor, appeal, felony, state supreme court, court of criminal appeals

OBJECTIVES

1. Describe the structure of government at the state level.
2. Describe the functions of government at the state level.
3. Identify major sources of revenue for state governments.

MAIN IDEA

The Texas government has three branches, each with its own set of responsibilities. These branches—legislative, executive, and judicial—work together to accomplish all the work that must be done to serve the citizens of the state.

WHAT Would You Do?

Write your response to *Interact with History* in your *Texas Notebook*.



INTERACT WITH HISTORY

Imagine that you are the governor of Texas. During your election campaign, you promised to improve Texas schools. To accomplish this goal, you will need to get two new laws passed. What will you do to ensure that these laws get passed?

civil law *set of laws dealing with disputes between citizens*

criminal law *set of laws dealing with criminal acts and their punishments*

The Role of State Government

Can you think of a job your state government performs? Perhaps you answered that the state maintains highways and provides state law enforcement for the public's safety. The state also has courts to interpret and enforce laws, a prison system, and a National Guard to protect citizens in times of emergency. Also, the state supports public schools, colleges, and universities. Public health is another important responsibility. As you can see, state government has many different roles that directly affect your life.

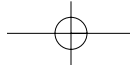
Like the federal government, the Texas government has three branches. The legislative branch makes the laws. The executive branch carries out and enforces the laws. The judicial branch interprets the laws. It also handles cases involving **civil law** and **criminal law**.

The Legislative Branch

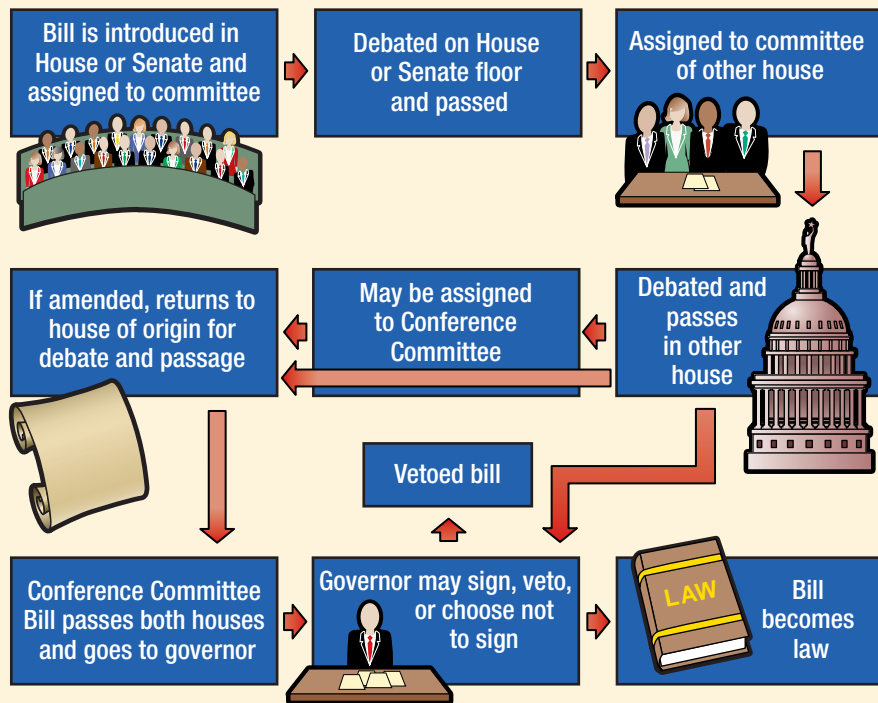
Our state legislature is made up of two houses, the Texas Senate and the Texas House of Representatives. Texas has 31 state senators and 150 state representatives. The state is divided into voting districts. All senate districts have approximately the same number of people. House districts are smaller but they also have roughly equal populations. This idea is called "one person, one vote." Each



Representatives Dawonna Dukes of Austin and Rick Noriega of Houston in the Texas House of Representatives



HOW A BILL BECOMES A LAW



▲ To create a new law, both houses of the Texas legislature and the governor must be involved in the process. ● What is the role of the legislative branch in changing a bill into a law?

person in the state has the same level of representation in the legislature. Legislative districts must be adjusted every ten years to account for population changes. This adjustment is called **redistricting**.

The legislature meets once every two years, in odd-numbered years. Members meet for 140 days between January and the end of May. The governor may call a special session after the regular session ends to deal with specific items. During the general session, legislators talk over and vote on laws that will have an impact on Texans' lives. For example, they set taxes, regulate traffic on state highways, and decide on qualifications for Texas teachers. Between sessions legislators perform their everyday jobs. They also meet with the voters in their districts.

The lieutenant governor, though part of the executive branch, heads the Texas Senate. That is, he or she enforces the procedures and rules of the state. The Speaker of the House, who is elected to the post by other representatives, rules over the Texas House of Representatives.

The Executive Branch

The governor is the chief executive of the state. He or she is elected to a four-year term and may be reelected to a second **consecutive** term. One candidate for governor described the position:



Judith Zaffirini

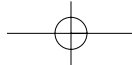
State senator Judith Zaffirini was born in Laredo, Texas. She is known as the *madrina*, or godmother, of Texas children for her efforts to pass laws benefiting children and families. Zaffirini worked for a state senator while she was in college and then taught communications at Laredo Junior College. In 1978 Zaffirini was elected to the State Democratic Executive Committee. She went on to become vice-chairperson of the Texas Democratic Party in 1984. In 1986 Zaffirini became the first Hispanic woman elected to the Texas Senate, where she has served as the chair of the Health and Human Services Committee.

of the Texas Democratic Party in 1984. In 1986 Zaffirini became the first Hispanic woman elected to the Texas Senate, where she has served as the chair of the Health and Human Services Committee.

● What leadership qualities does Judith Zaffirini exhibit?



redistricting *the process of adjusting legislative districts every ten years to account for population changes*
consecutive *following immediately after*



Municipal court

municipal *city or other local government*

justice of the peace *a local government official who tries minor cases and performs civil marriages*

misdemeanor *an unlawful act that does not do significant harm and is usually punished only by a fine*

appeal *a request to have a case heard again before a higher court or judge*

felony *a crime more serious than a misdemeanor*

TEXAS VOICES

The job of the governor of Texas is to present a budget to the Legislature, to appoint people to implement it, to set priorities, and to enforce them. . . . The governor is only weak if he decides to abdicate [surrender] his authority to the Legislature.

Gary Mauro, Texas Land Commissioner, 1998

The lieutenant governor, who is elected by popular vote, serves in place of the governor when he or she is absent or cannot perform the job. The executive branch also includes dozens of state agencies. These agencies are of three general types. Some boards and commissions are appointed by the governor and approved by the senate. They help set policies for colleges and universities, state hospitals, prisons, and the like, and for the use of natural resources. There are more than 100 of these boards and commissions in Texas.

A second type of agency is directed by a chief who is appointed by the governor and serves under him or her. The secretary of state, the labor commissioner, and the director of the Office of State-Federal Relations are all appointed by the governor.

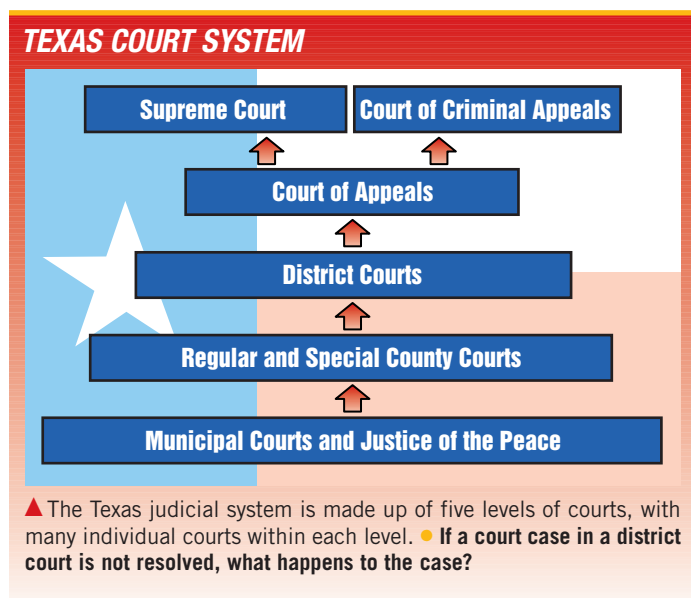
Lastly, some state agencies are headed by elected officials. These officials include the attorney general, the treasurer, the comptroller of public accounts, the agriculture commissioner, the commissioner of the General Land Office, and the three Texas Railroad Commissioners. These people run some of the state's most important agencies.

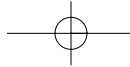
The Judicial Branch

The court system makes up the judicial branch of government. The courts see that Texas laws are properly enforced. Courts are headed by judges, who work with district attorneys, lawyers, juries, and the police. Texas judges are elected. Supreme court judges are elected to six-year terms. District and lower-court judges and justices of the peace serve four-year terms. **Municipal** court judges are often appointed by city councils.

The courts are organized by their importance and authority. The lowest level of the Texas court system is made up of municipal courts and **justices of the peace**. These courts generally deal with minor cases, such as traffic violations and **misdemeanor** criminal cases. County courts, which make up the next level, handle **appeals** from lower courts and hear some criminal and civil cases. County courts may also decide cases involving wills.

District courts make up the next level in the court system. These courts try most of the major misdemeanor and **felony** criminal cases. They hear divorce cases, election appeals, and appeals on cases involving wills. The state's courts of appeal are even





more powerful than district courts. These courts hear cases that have been tried at the county or district level but have not been resolved. There are 14 courts of appeal in Texas. Each one hears appeals from a certain region of the state.

The highest courts in Texas are the state supreme court and the court of criminal appeals. The Texas Supreme Court has nine justices who hear civil and juvenile cases sent from the state courts of appeal. The Texas Court of Criminal Appeals also has nine judges. It hears criminal cases sent from the district courts and the state courts of appeal.

The State Budget

How does the state pay the costs of running its executive, legislative, and judicial branches? It creates a budget, balancing the amount of money it needs to spend against the amount it takes in. The budget for the years 2000–2001 was more than \$98 billion.

The state collects taxes and fees to pay for the services it offers. More than 50 percent of the state’s revenue comes from taxes. The largest source of tax revenue is sales tax. Texas charges sales tax on all purchases except for items such as food and medicine.

Federal funds are the second largest source of revenue. The federal government provides money for public works, such as building and repairing highways. It also pays for programs to help the poor, to provide low-cost housing, and to fill many other needs. The rest of the state’s revenue comes from sources such as fees for licenses and permits, interest on investments, income from the state lottery, and money earned from public lands.

TEXAS STATE BUDGET, 2000–2001

DEPARTMENT	BUDGET (in billions)
General government	2.53
Health and human services	27.44
Education	44.54
Judicial system	.36
Public safety/criminal justice	7.60
Natural resources	1.86
Economic development	12.01
Regulatory services	.47
General provisions	.61
Legislature	.26

▲ The state budget for the 2000–2001 biennium was approximately \$98 billion, an increase of more than 10 percent over the 1998–1999 budget. ● What does this state budget reveal about what Texans value most?

SECTION 1 ASSESSMENT

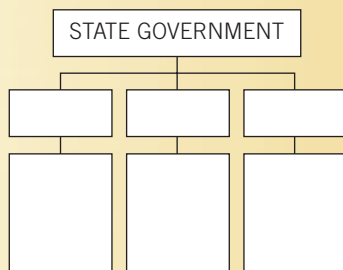
Terms & Names

Identify:

- civil law
- criminal law
- redistricting
- consecutive
- municipal
- justice of the peace
- misdemeanor
- appeal
- felony

Organizing Information

Use a diagram like the one shown to identify the three branches of state government and the government bodies within them.



To which branch of government does the Texas governor belong? Who is the current governor? Add this person’s name to the appropriate portion of your organizer.

Critical Thinking

1. How is the structure of the state government of Texas similar to that of the federal government?
2. How are the functions of the different branches of state government similar and different?


3. Imagine that the state wants to start several new, expensive public programs next year. How might it still manage to balance the state budget?

Interact with History

Review your response to *Interact with History* in your Texas Notebook. What do you think might persuade the legislature to help you get these two new education bills passed?

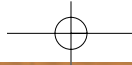
ACTIVITY

Citizenship

Find the number of your legislative district and the name and contact information of your district’s state senator and state representative(s). Why might a citizen need to contact his or her state legislator? 



Go to www.celebratingtexas.com to research the Activity topic.



Lone Star Legends

Barbara Jordan

Barbara Jordan was born on February 21, 1936, in Houston. Jordan attended the public schools of the Fourth Ward in Houston and graduated from Texas Southern University with highest honors in 1956. In 1959 she received her law degree from Boston University and passed the Texas and Massachusetts bar exams.

She returned to Houston in 1960 and opened her own law practice. Jordan first became involved in politics while registering black voters for the 1960 presidential election.

Jordan ran for the Texas Senate but failed twice. In 1967 she finally was elected, becoming the senate's first African American member since 1883 and the first African American female member ever. She soon gained the respect of her 30 Anglo male colleagues. While in office, she backed legislation to establish minimum wage laws and worked to increase voter registration. In 1972 she was unanimously elected president pro tem of the state senate.

The next year, Barbara Jordan was elected to the U.S. House of Representatives. With her outstanding public speaking skills, she became very popular—especially during the House Judiciary Committee hearings on the Watergate scandal and the impeachment hearings of President Richard Nixon in 1974. In these nationally televised hearings she demonstrated a keen mind and an excellent grasp of the U.S. Constitution. She said, “My belief in the Constitution is whole, it is complete, it is total. I am not going to sit here and be an idle spectator to the diminution, the subversion, the destruction of the Constitution.” The Democratic



Barbara Jordan

Party took notice and, in 1976, selected her to deliver the opening address at the Democratic National Convention. She was the first woman ever to do so. After three terms in the House, she retired to accept a position as a professor at the Lyndon Baines Johnson School of Public Affairs at the University of Texas at Austin.

In the early 1990s Jordan served as Governor Ann Richards's ethics advisor, and in 1992 she addressed the Democratic National Convention once again. In 1994 she served

as chairwoman of the U.S. Commission on Immigration Reform.

Jordan died on January 17, 1996, after a long-term battle with multiple sclerosis and leukemia. Jordan will be remembered not only for her impact on politics and education but also for her leadership skills. Jordan recognized the importance of her role as a leader when she said, “We as public servants must set an example for the rest of the nation. . . . We must provide the people with a vision of the future.”

LINKING TO HISTORY

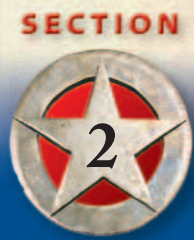
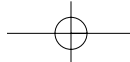
Barbara Jordan overcame many obstacles throughout her political career. Research and summarize in your Texas Notebook some of the barriers that kept African Americans from participating in politics before 1966.



LINKING TO TODAY

Use the Internet or other resources to research information about a contemporary minority woman from Texas who has made an important contribution to state politics. Create an oral presentation about this person and her accomplishments.





Counties and Special Districts

Why It Matters Now

Many of the services that you use every day are provided by your county government.

TERMS & NAMES

precinct, county commissioner, sheriff, **auditor**, **constable**, special district, **trustee**

OBJECTIVES

1. Describe the structure of government at the county level.
2. Describe the functions of government at the county level.
3. Identify major sources of revenue for county governments.

MAIN IDEA

The three branches of state government do not address all the needs of Texas citizens. Services such as law enforcement, road upkeep, and elections are provided by Texas counties. Within counties, special districts also help meet citizens' needs.

A REAL-LIFE STORY

Ann Richards served as governor of Texas from 1991 to 1995. Before that, she was state treasurer. Her first elected office was as a Travis County commissioner. She described the enormous responsibilities of county government.

Text not available for use on CD-ROM. Please refer to the text in the textbook.



Ann Richards

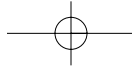
In this section, you will learn more about the duties of county commissioners as well as other officials in county government in Texas.


The 254 Counties of Texas

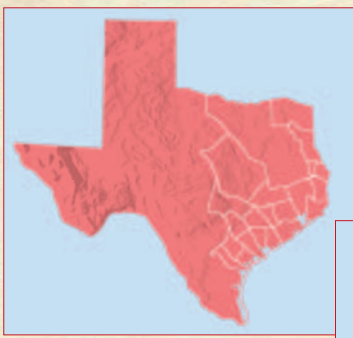
Counties were created at a time when Texas was mainly a rural state. County governments help the state collect taxes, oversee and administer law enforcement, and provide services to the largely rural population. In 1836 Texas was composed of 23 county units. Today, it has 254 counties, more than any other state in the country.

Hood County Courthouse



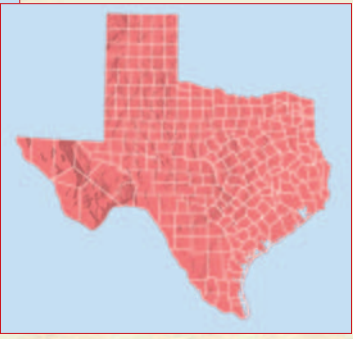






Texas counties in 1835

TEXAS COUNTIES In 1835, as part of Mexico, the area of present-day Texas was divided into three departments and 23 municipalities. When Texas became a republic in 1836, the 23 Mexican municipalities became the first Texas counties. From this time on, the number of counties in the Republic continued to grow at an even rate. When Texas became a state in 1845, the number of counties had increased to 36. Texas was divided into 122 counties when state residents voted to secede from the Union and join the Confederacy in 1861. By 1931 the number of Texas counties had grown to 254, which is the number that remains today. • **What are the advantages of having a large number of counties in Texas?**



Texas counties today

precinct *a small district formed to handle specific government tasks such as voting*

auditor *a person who examines accounts*

County Commissioners

In Texas every county is divided into four **precincts**. Each precinct has a county commissioner. These four commissioners together make up a county commissioners court, which is headed by the county judge. The county commissioners court is actually misnamed. It does not carry out any of the functions of a traditional court. The county judge, on the other hand, does. Besides ruling over the commissioners court, the county judge also may help decide cases in county courts.

The county commissioners court has many responsibilities. It sets the tax rate for the county and decides on the budget for all county operations. These include building and maintaining county jails and rural roads and bridges; managing voter registration, county parks, and juvenile and adult probation; and funding human-services programs such as welfare.

Other County Officials

County government includes many other important offices. For example, the sheriff is the top law officer of the county. He or she hires deputies and runs the county jail. Some counties have a county attorney. County attorneys generally represent the county in misdemeanor cases. More serious felony cases are sent to district attorneys or criminal district attorneys. Also, county attorneys are sometimes given the responsibility to protect public health, enforce election laws, and enforce laws that deal with fair trade practices.

Each county also has a tax assessor-collector, who collects money from taxes on property and other items. Counties get most of their income from property taxes. However, they also receive a part of the fees charged for registering a motor vehicle or a boat.

The county treasurer is in charge of receiving and paying out county funds. The county **auditor** looks over all of the county government's



PLACE

Brewster County, which is 6,200 square miles, is the largest county in Texas. The smallest, Rockwall County, fills only 147 square miles. Harris County, which includes Houston, is home to 3.4 million people. Loving County, in West Texas, has only 67 people. • **How many citizens do each of the county commissioners of Harris County represent? How many do each of the Loving County commissioners represent?**



expenses to make sure they are legal and fair. In larger counties the auditor also may create the county budget and submit it to the commissioners court.

All Texas counties have at least one **constable**. Some have as many as eight. Constables are mainly in charge of serving subpoenas (suh•PEE•nuhs), or official court orders, for the justice of the peace. However, they are also law officers. They have the power to make arrests and carry out investigations.

Another county officer is the county clerk. A county clerk keeps county records and documents. These include birth, death, and marriage certificates and information on property ownership and sales. The county clerk is also in charge of voter registration and oversees elections.

Special Districts

Texas has more than 2,300 special districts, many of which fill the gap between county and city governments. Special districts, sometimes known as invisible governments, are formed to serve a specific purpose. For example, special districts are formed to provide water and sewer service for rural communities. Other special districts provide hospitals and soil conservation services, help with flood control along rivers, and perform other valuable services.

Texas's special districts are governed by boards that are either appointed by other governmental units or elected by the public. Some boards have the power to set taxes and borrow money. Others get their money through user fees or government funding. District boards generally hire administrators, establish budgets, and set policies for their specific districts.

School Districts

A familiar type of special district is the independent school district. School districts were formed to keep education from becoming too political and to remove the responsibility for schools from city and county government. Every public school in Texas is in a school district. There are more than 1,050 school districts in the state.

A school district is run by a board of **trustees**, sometimes called a school board. These trustees are elected by the voting residents of the school district. One of the trustees' main duties is to choose the district superintendent. The superintendent is the main administrator for the schools. Trustees may hire teachers, select



COUNTY SEAT LOCATIONS

In Texas, transportation was not always as efficient as it is today. Poor roads made travel within the state difficult and time-consuming. To be sure that state residents would be able to vote in elections, county courthouses had to be located where residents could travel to the courthouse, vote, and return home all in the same day. As a result, today most county seats in Texas are located within five miles of the center of the county.

constable *a public officer usually responsible for keeping the peace and for minor court duties such as serving subpoenas*

trustee *a person who is responsible for the property or affairs of another person or an institution*

▼ The state of Texas is home to many beautiful county courthouses. • **Why do you think that many counties built such striking courthouses?**





► The oldest public school that is still operating in the state of Texas is Pease Elementary in Austin. The land was set aside by Austin citizens in 1839, and the school opened in 1876. The school was expanded in 1916 to look as it does today. ● **What sources of funding are available to school districts today for building and maintaining schools?**



books, and decide on construction of new buildings. They also set the school tax rate, approve a yearly budget, and set some policies for the school district.

School districts work with the state government. The legislature may pass laws that affect education, and it supplies money to help run schools. These funds are added to the local property taxes that help fund school operations. Some state school funds are distributed to school districts based on the number of students who attend classes. Other funds are distributed based on property taxes, school need, and other factors.

School districts provide an important tie between Texas counties and cities. In the next section, you will learn about the valuable resources provided by city governments.

SECTION 2 ASSESSMENT

Terms & Names

Identify:

- precinct
- county commissioner
- sheriff
- auditor
- constable
- special district
- trustee

Organizing Information

Use a chart like the one shown to define the duties of each listed county or

OFFICE	COUNTY (C) OR DISTRICT (D)	RESPONSIBILITIES
County Commissioner		
County Judge		
Sheriff		
County Attorney		
Tax Assessor-Collector		
County Treasurer		
County Auditor		
Constable		
County Clerk		
Superintendent of Schools		
School Board		

district office. Do you think district officials have more, less, or about the same level of authority as county officials? Explain.

Critical Thinking

1. How are special districts similar to and different from county governments?
2. Why is the office of county commissioner considered a powerful position?

3. From whom does the money used to operate county government come?

A Real-Life Story

Review *A Real-Life Story* on page 583. How do you think Ann Richards's position of county commissioner prepared her for the role of governor?

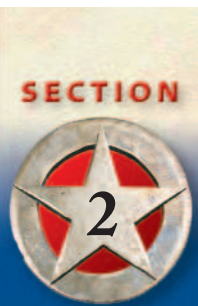
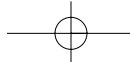
ACTIVITY

Government

As a class, discuss a new policy or a change in policy that you would like to see in your school. Create a formal letter explaining your ideas. Then, with permission, e-mail your letter to school board members.



Go to www.celebratingtexas.com to research the Activity topic.



Comparing Two Constitutions

Why It Matters Now

Understanding the source and limits of the state's power can help you better understand your role as a Texas citizen.

TERMS & NAMES

U.S. Constitution, Congress, Texas Constitution of 1876, **balanced budget, deficit**

OBJECTIVES

1. Identify how the Texas Constitution and the U.S. Constitution reflect the principle of federalism.
2. Identify how the Texas Constitution reflects the principle of limited government.
3. Identify the influence of ideas from the U.S. Constitution on the Texas Constitution.

MAIN IDEA

The Constitution of the United States and the Texas Constitution share many similarities. They also have important differences due to different attitudes about what the role of government should be.

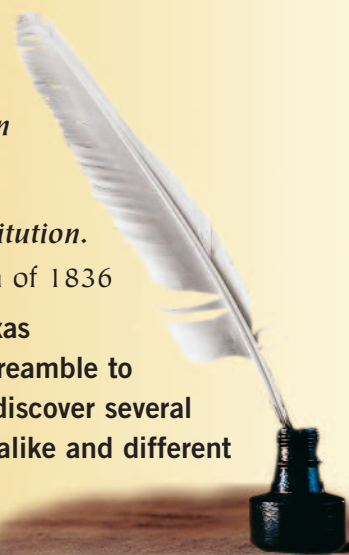
A REAL-LIFE STORY

When the 59 delegates of the Constitutional Convention of 1836 met at Washington-on-the-Brazos, their task was to write guidelines for their state government. After much discussion and debate, they began their document as follows:

We the people of Texas, in order to form a government, establish justice, insure domestic tranquility, provide for the common defense and general welfare, and to secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution.

Preamble to the Texas Constitution of 1836

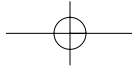
This is the preamble, or introduction, to the Texas Constitution of 1836. Have you ever read the preamble to the U.S. Constitution? In this section, you will discover several ways that the U.S. and Texas Constitutions are alike and different in their interpretations of how a government should operate.



Hand printing press similar to the one used to print the Constitution of 1836

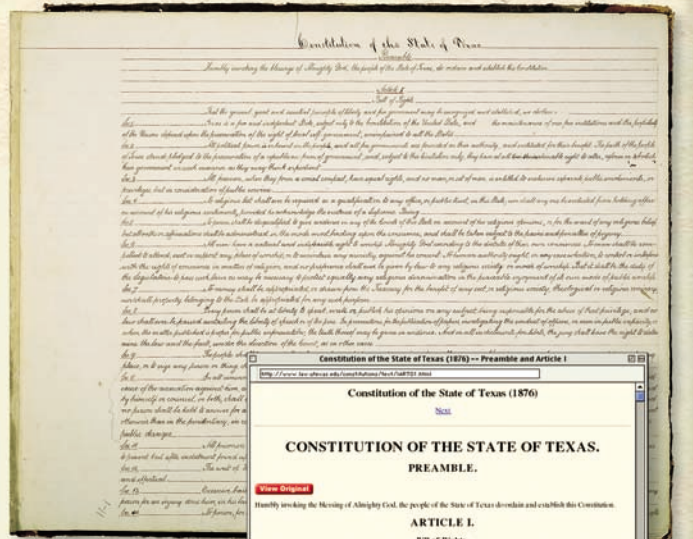
Two Constitutions

Two constitutions control the government of Texas. Under federalism, the Constitution of the United States tells what powers belong to the federal government. It sets out the structure of the federal government and details the limits of power for both the federal and state governments. The Texas Constitution defines the role of our state government and lays out the rights and responsibilities of Texas citizens. The Texas Constitution is the highest law of our state. It is subject only to the Constitution of the United States and federal laws.

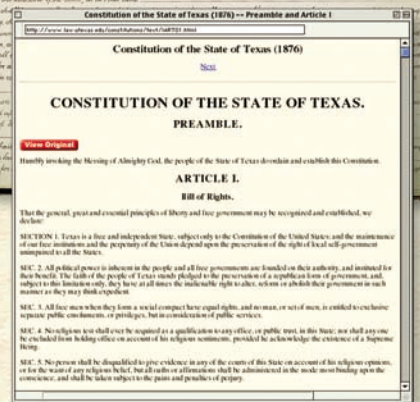


ACCESSING THE TEXAS CONSTITUTION

The original Texas Constitution of 1876 is stored in the Lorenzo de Zavala State Archives in Austin. Article 1, Section 2, of the Texas Constitution states that "All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. . . ." However, until recently, it was difficult and time-consuming for the people of Texas to locate information in this 76,000-word document. Since the constitution was ratified, it has been amended nearly 400 times, making it one of the longest state constitutions in the nation. Because the document with all of its amendments is so large and unmanageable, it has not been practical for many Texans to use. In recent years, however, Internet technology has made it possible to bring this long document to more Texas citizens. The online version of the Texas Constitution is searchable by subject and keyword, so locating any amendment is easy. ● **Why do you think it is important for Texas citizens to be able to read their state constitution?**



The Texas Constitution document



The Texas Constitution online

The U.S. Constitution

The U.S. Constitution was written in 1787. It went into effect on May 4, 1789, when it was ratified by 9 of the 13 original states. By 1791 the Constitution had been ratified by the other four original states, plus Vermont, the newest state. The Constitution was a progressive document. A country had never before placed such limits on government and allowed such broad guarantees of freedom for its people.

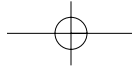
The U.S. Constitution divides the federal government into three branches. These branches are the legislative, executive, and judicial. The legislative branch, or Congress, has two houses, the Senate and the House of Representatives. The executive branch is the president and his or her cabinet and staff. The executive branch also includes the staff of all of the government departments and agencies. The judicial branch is made up of the Supreme Court and the lower federal courts. The Supreme Court's duty is to interpret the Constitution. The Court decides whether the other two branches of the federal government and the 50 state governments are acting within the rules of the U.S. Constitution.

Besides establishing the powers of the federal government, the U.S. Constitution leaves all powers that are not assigned to the federal government with the states or with the people. These powers, such as the power to hold local elections, allow individual states to deal with their own issues.



REGION

The bill that passed in 1845, which annexed Texas to the United States, contains a unique provision that allows Texas to divide into as many as five different states if it wishes. To keep from having five new slave states, the U.S. Congress decided that slavery would be banned north of latitude 36°30'N. ● **If you were to divide Texas into five parts, where would you make the divisions?**



To Mathematics

Because its language is so exact, the Texas Constitution of 1876 has been amended many times. As a result, it has grown to about 76,000 words in length, making it one of the longest state constitutions in the United States. By contrast, the U.S. Constitution, which the Texas Constitution is based on, is only about 4,500 words long. ● **About how many times longer than the U.S. Constitution is the Texas Constitution?**

▼ Each legislative session reunites Texas senators and representatives with their colleagues from across the state. ● **Do you think it is important for state legislators to stay in contact with each other between sessions? Why or why not?**

The Texas Constitution of 1876

Today Texas operates under the Constitution of 1876. This constitution was drafted to replace the 1869 Reconstruction Constitution, which gave a great deal of power to Reconstruction governor Edmund J. Davis. Many Texans felt that Davis had abused the authority he had been given. Texans' negative view of the Reconstruction governor turned into a negative view of government in general. Over time, many Texans came to feel that "the best government is the least government." The Constitution of 1876 reflected this feeling, severely limiting the power of the state legislature as well as the power of the governor.

Limited Legislative Sessions

One way to limit the legislature was to control how often and how long it could meet. If the legislature was not in session, it could not pass new laws. Therefore, the new constitution stated that the legislature would meet for just one session of 140 days every two years.

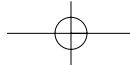
The U.S. Constitution places no limits on sessions of Congress. Like the Texas Constitution, it does require that all members of the House of Representatives stand for election every two years. U.S. senators are elected every six years. Texas senators serve four-year terms.

Limiting the legislative session has created huge problems for Texas legislators in the twenty-first century. The state of Texas is home to nearly 21 million people. The state takes in and spends billions of dollars each year. In a government of this size, problems can and do occur at any time. When a problem arises, the legislature has to wait until the next legislative session to address it unless the governor calls a special session. Only the governor has this power. Also, legislators have trouble keeping up with changes in government when they meet only once every two years. Legislators are certainly prevented from passing too many laws, which was the constitution writers' original intent.

Election of State Officers

A major difference between the two Constitutions is that the U.S. president has the right to appoint members of the cabinet, Supreme Court justices, federal judges, and many other officers of the government, subject in some cases to the approval of the Senate. In Texas, most state officers—such as the state comptroller, state land commissioner, and state attorney general—are elected. State and district court judges also are elected rather than appointed. However, the governor may appoint people to unfinished terms in these offices. He or she also appoints citizens to various boards and commissions, subject to the legislature's approval.





Government Expenses

Governments estimate their incomes and expenses in a budget, just as most families and individuals do. The Texas Constitution requires a **balanced budget**. That is, the total amount the government spends must not be more than its income from taxes and other sources.

Because the Texas legislature meets only every other year, each budget must cover two years. This is called a biennial budget. To develop the budget, the governor sends a plan to the legislature. A legislative budget board also proposes a budget. The board is made up of the lieutenant governor, the Speaker of the House, and eight key legislators. Because the budget board includes members of the legislature, the legislators often favor the board's budget over the one proposed by the governor. This allows the governor little power in setting the state budget.

The U.S. Constitution, in contrast, gives budgetary power mainly to the president, who submits a budget every year to Congress. If most members of Congress do not like the president's budget, they will not pass it. In turn, if Congress changes the budget and the president does not like the changes, he or she can veto it. However, Congress and the president must agree on a budget at some point, or the government will run out of money.

Unlike the state of Texas, the U.S. government does not have to balance its budget. This means that the federal government may borrow money to pay for programs if tax income does not cover expenses. The government's debt is known as a **deficit**. Running the government with a deficit requires borrowing money on credit. Texas does not permit this.



Texas star in pink granite in the Capitol extension, completed with state funds in 1993

balanced budget a plan for spending in which expenses equal income

deficit a condition in which expenses are greater than income

SECTION 2 ASSESSMENT

Terms & Names

Identify:

- U.S. Constitution
- Congress
- Texas Constitution of 1876
- balanced budget
- deficit

Organizing Information

Use a chart like the one below to compare the U.S. Constitution with the Texas Constitution.

	CONSTITUTION	
	U.S.	TEXAS
Legislative Sessions		
Election of State Officers		
Government Expenses		

Using the information in your chart, summarize how these two historical documents are similar and different.

Critical Thinking

1. If the Texas government wanted to change the U.S. Constitution, could the state legally do this? Why or why not? Who would decide whether this act would be legal?
2. Why do you think our current Texas Constitution requires that most state officials be elected rather than appointed by the governor?
3. How is the federal budget process similar to and

different from the budget process in the state of Texas? Create a Venn diagram to compare them.

A Real-Life Story

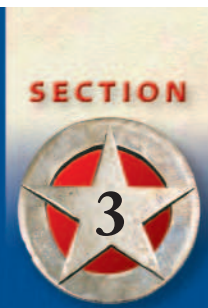
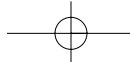
Reread the section headings of Article 1 of the Texas Constitution. In your Texas Notebook, make a list of the basic statements. Then identify how our state government supports our ability to meet these objectives.

Go to www.celebratingtexas.com to research the Activity topic.

ACTIVITY

Geography

Research the hometowns of current Texas senators and state representatives. Plot them on a county map of Texas. Which areas seem to have the most representation in the legislature? the least? Why?



Municipal Government in Texas

Why It Matters Now

The level of government Texans deal with most often is city government. City government directly affects your life every day.

TERMS & NAMES

incorporate, zoning, home-rule city, general-law city, mayor-council government, council-manager government, commission government, **strong mayor, weak mayor**

OBJECTIVES

1. Describe the structure of government at the municipal level.
2. Describe the function of government at the municipal level.
3. Identify major sources of revenue for local governments.

MAIN IDEA

City governments in Texas can take a variety of different forms. However, all cities provide people with the important services necessary for modern life.

INTERACT WITH HISTORY

Imagine that you are a taxpayer living in an older, middle-income section of your city. You feel that many of the city services provided in your neighborhood are of lower quality than those provided in newer, higher-income areas. How might you change this situation?

WHAT Would You Do?

Write your response to *Interact with History* in your *Texas Notebook*.



City Governments

Today more than 80 percent of Texans live in cities. When the people of a community decide they want to have a municipal, or city, government, they may apply to the state to become **incorporated**. An incorporated city has the authority to elect its own mayor and other officials and to make many of its own laws. In the year 2000, Texas had 1,194 incorporated cities, ranging from Houston—the largest, with more than 1.9 million people—to several towns with ten residents or less.

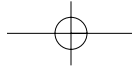
incorporate *to form into a legal body*

What Cities Do

Cities offer many of the government services on which we depend. These include police and fire protection and emergency medical services, such as ambulances. Some other city services are more difficult to see. Sewers, storm drains, and water lines all run underground. These hidden systems are some of the most important benefits cities offer.

Most city governments are involved in some form of economic development. This means they create plans to help businesses within the city grow. They also work to encourage new businesses to open in their city. Cities are in charge of inspecting restaurants, food stores, and other businesses to make sure they follow health and sanitation rules. In addition, cities make **zoning** rules that govern what kinds of buildings may be placed in certain parts of the city.

zoning *limiting the possible uses for each piece of property in a city*



- In 2000 the Galveston city council consisted of six city council members plus the mayor. In public meetings council members hear opinions and ask questions of citizens and city staff. Although Galveston invented the commission form of government in 1901, it changed in 1960 to council-manager government. The city redrew its districts after the 2000 census showed unequal population in its districts.
- **Why is it important for voting districts to have equal population?**



Finally, many cities also offer special services and facilities for the community. These may include libraries, parks and recreation centers, public health services, senior citizen centers, and homeless shelters.

Types of City Government

The Texas Constitution gives cities a great deal of freedom to establish the kind of government they want and to pass their own laws. Texas has some of the most independent city governments in the nation. However, not all cities in Texas are equally independent. Cities with more than 5,000 people are governed by the home-rule provision of the Texas Constitution. **Home-rule cities** can create any kind of government they like as long as it does not conflict with the state constitution. Cities with fewer than 5,000 people are **general-law cities**. The Texas Constitution is much more specific about what they can and cannot do.

Nearly all cities in Texas—and throughout the United States—choose one of three forms of municipal government. These are the mayor-council, council-manager, and commission forms of government.

home-rule city *city of more than 5,000 people that has the right to self-government*

general-law city *city of fewer than 5,000 people that must obey laws set by the state legislature*

- In 1997 author Sandra Cisneros received a citation when she painted her house in San Antonio's King William district purple. City officials argued that the color was not in keeping with the city's historic preservation rules.
- **Do you think that cities should have a say in how residents maintain their houses? Why or why not?**





Mayor-Council

Most Texas cities have a mayor-council government. Under this form of municipal government, citizens elect a mayor and a city council. The mayor carries out the executive duties of the city and oversees the activities of the city council. The city council debates and passes laws and also votes on the city budget.

Some mayor-council governments have a **strong mayor**. This means that the mayor has a great deal of political power. A strong mayor may appoint or remove city administrative officers, prepare the city budget, and set the agenda for the city council.

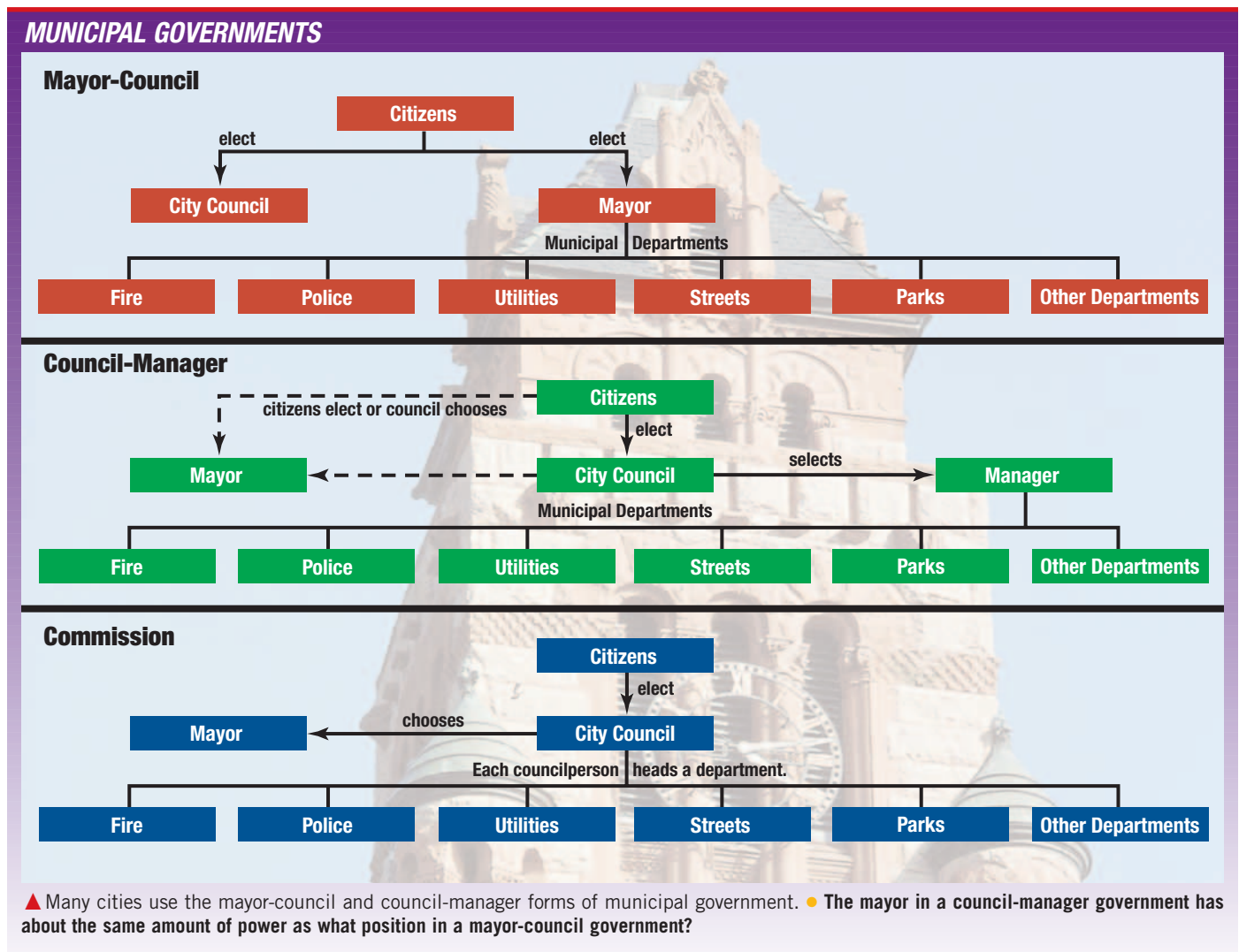
In cities with a **weak mayor**, the mayor does not have these powers. Instead, the city council makes most of the major decisions. Most Texas cities with a mayor-council form of government follow the weak-mayor model.

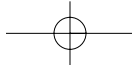
strong mayor *mayor has full executive authority*

weak mayor *mayor has limited authority; city council is in charge*

Council-Manager

In the council-manager form of government, the city council selects a city manager to be in charge of city administration. The mayor heads





To Mathematics

Cities require a good deal of income to pay for services for residents. To cover these costs, Texas cities rely heavily on sales tax. Sales tax is figured by charging a certain percentage of every dollar spent on an item. This percentage varies from city to city. The chart below lists sales-tax rates for a few Texas cities in 2000. • **In Dallas, what would be the sales tax on an item that costs \$29.95? Why do you think sales tax is lower in Dime Box than in any of the other cities in the chart?**

SALES-TAX RATES

CITY	SALES TAX PER DOLLAR
Corpus Christi	7.875 percent
Dallas	8.25 percent
Dime Box	6.75 percent
Houston	8.25 percent
San Antonio	7.875 percent

city council meetings and takes part in public ceremonies. However, he or she has little real power. The city council is largely in charge of setting policy, passing laws, and overseeing the city manager and the other city department heads. In most cities these department heads include the police chief, fire chief, head of the solid waste department, city secretary, city treasurer, city attorney, and director of planning and zoning, as well as other major city departments.

Commission

In the commission form of government, each city council member acts as the administrator of one or more city departments, such as the fire department, police department, or public utilities. After a devastating hurricane in 1900, Galveston became the first city in Texas to adopt the commission form of government. However, residents soon discovered that important city departments can more effectively be run by specialists in those areas rather than by elected city council members, some of whom may have had little experience in the field. For this reason, no cities in Texas are currently using the commission form of government.

Funding City Government

Cities must have money to pay for the services they provide. Most of this money comes from property and sales taxes. Cities also charge fees for some of the services they offer. For example, most cities require businesses to buy licenses each year. Citizens also pay fees and buy permits to construct buildings, to have new construction inspected, to own pets, and so on.

SECTION 3 ASSESSMENT

Terms & Names

Identify

- incorporate
- zoning
- home-rule city
- general-law city
- strong mayor
- weak mayor

Organizing Information

Use a chart like the one shown to organize information on the three types of municipal government.

MUNICIPAL GOVERNMENT		
Type	Led By	Duties

Critical Thinking

1. Of the three forms of municipal government, which type gives the mayor the most power? Which type has no mayor?
2. What types of problems might result from the commission form of municipal government?
3. Why might a city want more homeowners and

businesses to build within its city limits?

Interact with History

Review your response to *Interact with History* in your Texas Notebook. Imagine that you brought the issue to the attention of city leaders, but your protests did not resolve the situation. What might be your next step?

Go to www.celebratingtexas.com to research the Activity topic.



ACTIVITY
Government

Create a flowchart of your city's government. For each box in the flowchart, add the name of the person in charge of that office. Discuss as a class the types of services each department provides.



Creating a Database

LEARNING *the Skill*

Have you ever used an online catalog to search for a book in the library? If so, you have used a database to locate information. Searching the database allows you to find books on a particular topic or by a certain author in a matter of seconds.

A database is a collection of information organized for quick and easy sorting. Many businesses and organizations rely on databases to retrieve large amounts of data quickly. For example, hospitals use databases to store patients' medical and payment records. Creating your own database can be very helpful in a number of situations, such as studying for a test or preparing to write a paper.

To create a database, use the following steps:

- Select a topic for your database, such as *Texas Governors*.
- Determine what categories would be useful when sorting or searching the information in your database, such as *name, political party, years in office, and hometown*.
- Research data for each category and enter it in your database.
- Use the categories you created to sort the data. Use keywords from the entries in each category to search for specific data.

PRACTICING *the Skill*

Use a chart like the one below to create a database of government services provided in your town or city. Include the following in your database:

- the name of the department that provides the service
- the type of service
- whether the service is free or charges a fee
- the name of a contact person
- a phone number or e-mail address for that contact

DEPARTMENT	SERVICE	FREE OR COST	CONTACT	PHONE OR E-MAIL

1. Which departments provide free services in your city?
2. Who might answer your questions about parks in your city?
3. Which departments can be contacted by both phone and e-mail?
4. How might this database be sorted?

APPLYING *the Skill*

Use the steps in *Learning the Skill* to create a database of student services, counselors, sponsors, and representatives in your school. Be sure to include useful categories that will allow you to easily sort and search for information. When you have completed your database, share it with the class. Finally, compile all the class's data into a master database and make copies available to all students.

CHAPTER 28 ASSESSMENT

VISUAL Summary

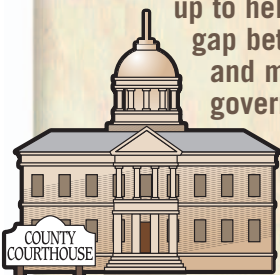
State Government

The federal government cannot supply every need of every citizen in the country. For this reason, Texans rely heavily on state government for many important laws and services.



County Government & Special Districts

County government helps meet those needs not covered by state or local government. Many times, special districts also are set up to help fill the gap between state and municipal governments.



Municipal Government

Municipal government is the most personalized level of government in Texas. Besides being easy to access, it has a major effect on people's day-to-day lives.



TERMS & NAMES

Explain the significance of each of the following:

1. redistricting
2. lieutenant governor
3. state supreme court
4. court of criminal appeals
5. county commissioner
6. sheriff
7. special district
8. mayor-council government
9. council-manager government
10. commission government

REVIEW QUESTIONS

State Government in Texas

(pages 578–581)

1. Why do Texas's legislative districts change from time to time?
2. Where does the Texas government get most of its money?

Counties and Special Districts

(pages 583–586)

3. Which county office maintains the court records?
4. What determines the share of state school funds assigned to each school district?

Municipal Government in Texas

(pages 587–590)

5. What are home-rule and general-law cities? How do they show the relationship between state and municipal government?
6. What type of municipal government do most Texas cities have?

READING SOCIAL STUDIES

After You Read

Review your completed outline with a partner. Did you note the same main ideas and supporting details? Add any additional entries. Then use your completed outline to summarize the duties of state, county, and city government officials.

- | |
|---|
| I. State Government |
| A. |
| 1. |
| 2. |
| B. |
| 1. |
| 2. |
| C. |
| 1. |
| 2. |
| II. County Government and Special Districts |
| A. |
| 1. |
| 2. |
| B. |
| 1. |
| 2. |
| III. Municipal Government |
| A. |
| 1. |
| 2. |
| B. |
| 1. |
| 2. |

CRITICAL THINKING

Making Inferences

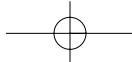
1. How does the word *teamwork* describe the law-making process?

Making Comparisons

2. How do the State Board of Education, the Texas Education Agency, and your local school district share responsibility for your education? Which do you think has the most impact? Explain.

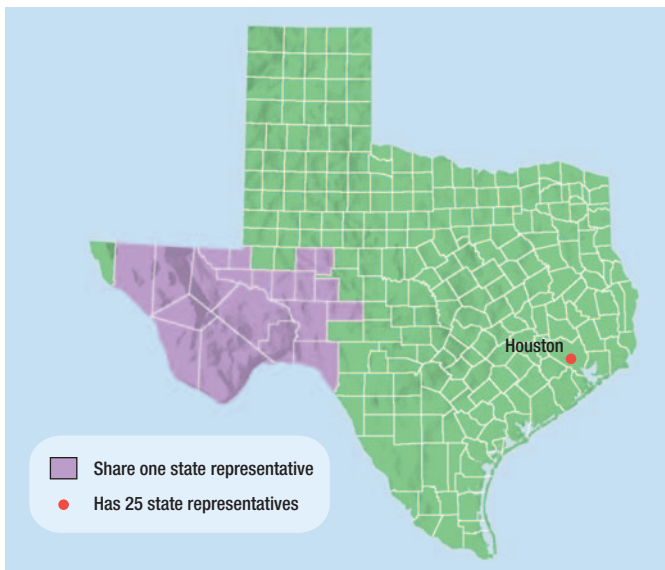
Contrasting Information

3. Why do you think a suburban community might want to become an independent city? What decisions must a new city's leaders make?



MAP & GEOGRAPHY SKILLS

Applying Skills



1. The counties of Maverick, Kinney, Val Verde, Terrell, Pecos, Brewster, Presidio, Jeff Davis, Culberson, and Hudspeth have far fewer state representatives than does the city of Houston. Explain the reason for this difference.
2. Why do you think Texas has more counties than any other U.S. state?

SOCIAL STUDIES SKILLBUILDER

Creating a Database

Use a chart like the one below to gather information for a database on your city, county, and state government representatives. Then answer the questions that follow.

Name	Title	State (s), County (c), or Municipal (m) Government	Political Party	Male (m) or Female (f)

1. Overall, are you represented by more Republicans or more Democrats?
2. How many women are included in your database?
3. What are the names of the four county commissioners in your county?

CHAPTER PROJECT

Creating a Mock Government

As a class, participate in a mock state or municipal government. First, work together as a class to determine the name, location, population, and distinguishing characteristics of your mock city or state. Record these details on a posterboard for easy reference. Next, divide the class into voting districts of three or four students each. Have each district elect a representative to serve in the city council or on the state legislature. Record these students' names on another posterboard. Finally, hold a mock primary to determine at least two candidates for mayor or governor. Complete the following two activities to take your mock government even further.

SCIENCE, TECHNOLOGY & SOCIETY

Creating a Voter Survey and Database

As a class, use word processing software to develop a survey to find out what issues voters in your hometown or mock city/state feel are important for their government to address. First, create at least five categories of questions, such as environment, economy, and so on. Next, develop at least two questions for each category to determine voters' opinions. Have voters respond to each question according to a scale of 1 (very dissatisfied) to 5 (very satisfied). Conduct your survey among actual residents of your city or among class members in your mock government. Finally, create a database from the completed surveys. Summarize the results. Submit the data in letter form to your actual city council or to your mock city council/state legislature.



Go to www.celebratingtexas.com to research this topic.

CITIZENSHIP ACTIVITY

Campaigning for Office

As a class, analyze the results of the survey you created in Science, Technology & Society. After your discussion, have the candidates for mayor or governor that you chose in the Chapter Project explain what action they would take on each issue and why. Then work with a partner to create a campaign poster, radio commercial, slogan, or other campaign tool for the candidate of your choice. Share your completed campaign tools as a class. Next, have voters encourage their representatives to vote for one candidate or the other. Finally, hold an election in class and declare a winner.