

LEGISLATIVE BRANCH

SS.7.CG.3.7 Explain the structure, functions and processes of the legislative branch of government.

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2023 BENCHMARK UPDATES

- Updated from SS.7.C.3.8 and SS.7.C.3.9
 - Changed from, “~~Analyze~~ the structure, functions, and processes of the legislative, ~~executive, and judicial branches.~~” to “Explain the structure, functions and processes of the legislative branch of government.”
 - Changed from, “Illustrate the lawmaking process at the local, state, and federal levels.”
- Depth of Knowledge Changes within Benchmark
 - Changed from, “Analyze” to “Explain”
- Benchmark Clarification Changes
 - Changed from “Students will examine the processes of the legislative (e.g., how a bill becomes a law, appointment confirmation, committee selection), ~~executive (e.g., executive order, veto, appointments), and judicial (e.g., judicial review, court order, writ of certiorari, summary judgment) branches of government.~~” to “Students will examine the processes of the legislative branch of government (e.g., how a bill becomes a law, appointment confirmation, committee selection).”
 - Changed from “Students will compare and contrast the lawmaking process at the local, state, and ~~federal~~ levels.” to “Students will compare and contrast the lawmaking process at the local, state, and national levels.”
 - Removal of “Students will distinguish among ordinances, statutes, and acts on the local, state, and federal levels.”
- Vocabulary Changes
 - No changes

Essential Teacher Content Background Information

[Teacher Content Notes Not Appropriate For Student Use]

This section addresses the following topics:

1. Making the Laws: The Legislature
2. Florida Local Government

1. Making the Laws: The Legislature

Lawmaking is central to the U.S. Government. The separation of powers and checks and balances system gives priority to the lawmaking process; legislators are elected at every level of government, which gives direct power to citizens in deciding who makes the laws.

A. The United States Congress

Congress today consists of a 435 member House of Representatives and a 100 member Senate. The Constitution guarantees each state two Senators and at least one member of the U.S. House of Representatives. Legislation must be passed by at least one half of the membership of each chamber voting to approve (218 in the House; 51 in the Senate). Proposed laws, or bills, are then considered by the president. Bills that are approved by the president become laws, which are called acts.

B. How Congress Works: The Committee System

Committees in Congress allow for deliberation and debate with a reduced number of members than the entire body. Trying to get 435 people to deliberate on a decision of national importance, or even 100, would be nearly impossible. The committee system also reflects the notion that members need to spend time on issues important to their district in order to serve their constituents well. Committees allow representatives to specialize on issues within a specific policy area. In their deliberations, committees hold hearings, conduct research, and write policy. Special interest groups often testify during these hearings in their efforts to shape legislation as it is being written. Some bills are not forwarded to the full house for a vote as the committee may recommend that a bill not receive further consideration. In other cases, the committee votes favorably on the bill and it is forwarded to the full house for a vote.

There are five different committee types in Congress. Members serve each committee type from one or both houses and/or one or both parties. Information on parties in Congress is found below as follows:

Committee Type	Committee Purpose	Committee Membership
Standing	Permanent legislative panels that consider bills and issues	Members of one house, and both parties
Select	Temporary committee that addresses a specific issue; once that committee's business is complete, the committee dissolves	Members of one house, and both parties
Special	Performs a special function beyond the authority or capacity of a standing committee	Members of one house, and one party
Joint	Policy exploration with a narrow jurisdiction	Members of the House of Representatives and the Senate
Conference	Temporary committee formed to reconcile differences in legislation passed by both chambers.	Members of the House of Representatives and the Senate

C. How Congress Works: The Party Leadership System

Political parties are mentioned nowhere in the Constitution. Still, political parties play key roles in the organization of Congress, particularly committees.

The Democratic and Republican parties are the only parties recognized in Congress. Members of Congress may be elected from minor parties, or be elected as independents (both situations are rare) although they are not granted leadership opportunities.

There is a majority and a minority party in Congress. The majority party is determined based on which political party has the most members based on the most recent election. The minority party is the party with the lesser membership, also based on the most recent election.

Majority parties in Congress enjoy unique leadership opportunities. For example, the majority party selects the Speaker of the House of Representatives, which is the only office chosen by Representatives named in the U.S. Constitution. The Senate majority party elects the “President pro tempore”, or “pro tem,” who serves in the absence of the Vice-President as president of the Senate. Majority party members also chair all standing and select committees, while the larger share of seats on each of these committees also comes from the majority party. Together, the majority party can guide the policy process because it holds leadership positions in each house, chairs all policy committees, and holds the majority on each of these committees. The Vice-President breaks ties in the Senate.

Party membership also relates to the purpose of the committee. Special committees are limited to members of one house and one party because special committees work toward a particular party’s goal, such as shaping a party’s position on a proposed policy, or getting members of that party re-elected to that house of Congress in the next election cycle. Similarly, when the committee’s purpose is to address matters of importance to all Congress members, both parties are represented from both houses. Conference committees have members from both houses and both parties because these committees negotiate agreements on bill differences between the two chambers. As both chambers must agree on the same version of all bills passed by Congress, members of both parties and houses should participate in the discussion over any revisions so that, once compromise is reached, each of conference committee members will recommend to their respective houses and parties that they support the agreed-upon version.

D. The Florida Legislature

Lawmaking in Florida follows a system similar to that practiced by the U.S. Congress. There is both a committee system and party leadership system in each legislative house. Party leadership posts are assigned based on majority and minority party membership. The majority party leadership appoints standing committee chairs. Committees are structured so that the majority party in the house holds the majority of seats on each standing committee.

Article IV of the U.S. Constitution guarantees to every state a republican (representative) form of government where the legislature and executive are elected by the people. Florida has a bicameral (two house) legislature consisting of a 120 member House of Representatives and a 40 member Senate. Both houses are term limited to eight years each, where members are allowed to serve eight years in each house (whether consecutive or non-consecutive terms) over their lives (total=16 years). House terms are two years each while Senate terms are four years each. Florida’s governor is limited to two four-year terms. The Florida legislature is a part-time legislature that meets 60 days each year beginning in early March and finishing in early May.

Being a bicameral legislature, a majority of each house of the Florida legislature must agree on all proposed laws, or bills, introduced before being forwarded to the governor. Bills passed by the Florida legislature and signed by the governor are called statutes.

2. Florida Local Government

Florida's local governments are comprised of counties and municipalities such as cities, towns and villages.

An elected board of county commissioners governs in each of Florida's 67 counties. Counties must carry out constitutionally mandated responsibilities and those established by the state. County-level constitutional services include law enforcement and jail administration, tax collection, property appraisal, state court administration and election supervision. Counties oversee road maintenance, public health, and solid waste disposal, among other responsibilities. County commissions determine other county services. Orange County, Florida's county government is unique in that Orange County has a countywide elected mayor. Otherwise, Florida's county commissioners choose their own commission chair from among their membership. Commission chairs oversee commission meetings.

Each county has its own school district that has elected school boards that govern the day-to-day operations of K-12 public education. School districts are a special-purpose local government. Funding is provided through property taxes and state revenues.

Florida also has special districts of which there are two types. Independent districts are created by the legislature for a specific purpose to be provided in a certain area such as water management districts, fire service, inland navigation, and ditch maintenance. The funding and governance of each is set by the legislature. Dependent special districts are created by cities and counties, are governed by the city or county elected commission, and derive their authority, funding and support from that government. There are about 600 independent and 300 dependent special districts throughout Florida.

A. Florida Cities

Cities are independent municipal governments founded by citizens who choose their name. Ordinances are the laws that govern cities. The city charter serves as a constitution. The charter sets forth the boundaries of the municipality, its form of government, the size of the council and governmental processes. In Florida, the legislature approves the municipality through a special act, and the charter is approved by the citizens through a referendum.

In Florida a city is recognized with certain rights and privileges; the most important is home rule. Florida's constitution recognizes that cities may enact their own ordinances and self-govern as long as the city's law does not conflict with state and federal law. Home rule powers do not extend to fiscal home rule because the state reserves all taxing authority to itself.

Self-government at the city level occurs with mayors, who serve as cities' chief executives, and city councils, who serve as city legislatures. City charters determine how much power mayors have. Some mayors function within "strong mayor" forms of government, while other cities utilize the "weak mayor" form of government. Rules regarding the length of terms, whether terms are limited, and, in how many persons will serve on city councils, are outlined in city charters.

Lesson Summary

ESSENTIAL QUESTION		
How do the structure, functions, and processes of the legislative branch vary at the national, state, and local levels of government?		
BENCHMARK		
SS.7.CG.3.7 Explain the structure, functions and processes of the legislative branch of government.		
CIVICS EOC REPORTING CATEGORY		
N/A		
OVERVIEW		
In this lesson, students will learn about and compare the structure, functions, and processes of the legislative branch at each level of government.		
BENCHMARK CLARIFICATIONS		
<ul style="list-style-type: none"> Students will examine the processes of the legislative branch (e.g., how a bill becomes a law, appointment confirmation, committee selection). Students will compare local, state, and national lawmakers (e.g., city/county commissioners/council members; state legislators [representatives and senators]; and U.S. Congressmen/Congresswomen [representatives and senators]). Students will compare and contrast the lawmaking process at the local, state and national levels. 		
BENCHMARK CONTENT LIMITS		
N/A		
CIVICS CONTENT VOCABULARY		
<ul style="list-style-type: none"> act, appointment, appointment confirmation, bicameral, bill, city commissioner or council member, committee selection, conference committee, constituents, county commissioner or council member, home rule, how a bill becomes a law, law, legislature, majority leader, majority party, majority vote, minority leader, minority party, nominate, ordinance, President Pro Tempore, school board, Speaker of the House, special committee, special interest groups, standing committee, state legislator, state representative, state senator, statute, United States Congress, United States Representative, United States Senator 		
INSTRUCTIONAL STRATEGIES		
Close reading of complex text and video	Collaborative learning	Vocabulary- Context clues
MATERIALS		
<ul style="list-style-type: none"> Highlighters 		

- Bingo Markers
- Legislative Branch Lesson Hook slide
- Three Branches of Government image (external link)
- Legislative Branch Vocabulary reference sheet
- Congress in a Flash reading
- Congress in a Flash activity sheet
- How a Bill Becomes a Law at the National Level activity sheet
- How a Bill Becomes a Law video (external link)
- How a Bill Becomes a Law at the National Level Card Sort
- Legislative Branch Notes slides
- Florida Legislative Process 101 Video Viewing Guide
- How Laws Are Made in Florida's Cities reading
- Legislative Branch Bingo Cards

B.E.S.T. STANDARDS

- ELA.7.R.2.1- Explain how individual text sections and/or features convey a purpose in texts.
- ELA.7.R.3.2- Paraphrase content from grade-level texts.
- ELA.V.1.3- Apply knowledge of context clues, figurative language, word relationships, reference materials, and/or background knowledge to determine the connotative and denotative meaning of words and phrases, appropriate to grade level.
- ELA.K12.EE.1.1- Cite evidence to explain and justify reasoning.

Suggested Student Activity Sequence & Pace

DAY	ACTIVITY SEQUENCE
DAY 1	<ol style="list-style-type: none"> 1. To begin this lesson, project the “Legislative Branch Lesson Hook” slide with the following statement: ‘There is a law in the United States that makes it illegal to pay different wages to men and women if they perform equal work in the same workplace.’ 2. Pose the following question to the students: How did this idea become a law? Allow students time to brainstorm and share out some ideas. 3. Explain to students that there is a specific process for how an idea becomes a law within the work of the legislative branch. 4. Introduce/Review the idea of three branches of government and explain to students that this lesson will be focused on the legislative branch first. Teacher Note: If SS.7.CG.3.3 has already been taught, use this time as a quick review. Otherwise, introduce the concept of three branches of government. 5. Project a “Three Branches of Government” image to help. 6. Provide students with an overview of the vocabulary they will encounter throughout this lesson. 7. Pass out this completed “Legislative Branch Vocabulary” for them to reference throughout. Preview the words with students by discussing any terms they already know, terms they have heard before, and terms that are brand new. Teacher Note: With this benchmark having an extensive amount of vocabulary terms, use the information from the Essential Teacher Content Background Information to provide additional information if necessary. 8. Hand out the “Congress in a Flash” iCivics reading and the “Congress in a Flash” activity sheet. 9. Start reading the first section of the reading together and answer the questions associated with the section. 10. Continue this process as a whole group and release it to students to work in pairs or small groups when appropriate. Teacher Note: The reading discusses Article I, which is also covered in SS.7.CG.3.3. The reading also discusses enumerated powers, which is covered in SS.7.CG.3.4. If these benchmarks have already been taught, this can be used as a review. If not, you have the opportunity to spend time going over it as a whole group to lay the foundation for when these benchmarks are taught. Review correct responses as a whole group. 11. To wrap up the lesson, have students take on the persona of a 35 year old, U.S. citizen. Ask students to decide to run for an office in one of the chambers of the national legislature. Students will write why they chose either the U.S. Senate or the U.S. House, describing the roles and responsibilities they would have if elected, and providing specific examples from the reading/activity. 12. If time permits, have students share their responses with a partner or as a whole group.
DAY 2	<ol style="list-style-type: none"> 1. Review from Day 1 that a responsibility of the U.S. Congress is to introduce bills and remind students that bills are the rough draft before possibly becoming a law. 2. Explain to students that, as a whole class, they will learn more about an important legislative process today: how a bill becomes a law.

3. Pass out the “How a Bill Becomes a Law at the National Level” activity sheet and explain to students that they will watch a video about how a bill becomes a law at the national level. While they watch the video they need to write down two things they learned and one question they have in the boxes at the top of the activity sheet.
4. Watch the video, [“How a Bill Becomes a Law”](#) from Schoolhouse Rock.
5. After the video, have students split into pairs to review the things they learned and to see if any of their questions can be answered.
6. As a whole group, ask students if there are any questions that are unanswered and resolve them as a class.
7. Ask students to share the key terms they heard during the video. (Some key terms/phrases are: idea, bill, congressman, Congress, committee, discussed, debated, House of Representatives, Senate, vote, White House, president, veto.)
8. Watch the video again and instruct students to try to put the steps of how a bill becomes a law in order. Instruct them to use pencil and write down the steps in the numbered boxes on the “How a Bill Becomes a Law at the National Level” activity sheet.
9. Once completed, wait to review and have the students put this worksheet aside for the moment (you will return to it).
10. Arrange students in small groups and hand out the “How a Bill Becomes a Law at the National Level Card Sort”.
11. Give the students a few minutes to read the cards and try to determine the correct sequence, based on using context clues and knowledge so far from the video.
Teacher Note: The card sort activity will need to be pre cut prior to the start of the lesson and placed in a baggie or with a paperclip.
12. Review the correct sequence together as a class, calling on different students to share each step. Have students move cards into the correct order as you go if they have any incorrect.
Teacher Note: Utilize the sample answers for this activity to put steps in the correct order and to provide additional content information.
13. Project the boxes from the “How a Bill Becomes a Law at the National Level” activity sheet on the board and as a whole class have students return to their sheet and write out the steps for how a bill becomes a law. They should add, move, or change information based on their initial work.
14. Explain to students that bills that become laws can also be known as acts (at the national level), statutes (at the state level) or ordinances (at the local level).
15. Explain to students that while turning ideas into bills that become laws is one of the more well known processes of the legislative branch, they are also involved in processes such as appointment confirmations (i.e. after a president nominates an individual to serve in particular roles), impeachment of the executive if necessary, and committee selections.
16. Instruct students to turn over their “How a Bill Becomes a Law at the National Level” activity sheet to add information on the back in note form.
17. Use the “Legislative Branch Notes” slides to continue teaching important points about the legislative branch.
18. To wrap up the lesson, have students select (or the teacher may assign) a number 1-10. Have students explain the step that is associated with that number in the law-making process by summarizing in 1-2 sentences.
19. Next, have students explain why that step in the process is important in 1-2 sentences.

DAY 3	<ol style="list-style-type: none"> 1. To begin the lesson, have students brainstorm how the legislative branch works at the state and local levels. 2. Have students share their responses of how the legislative branch works at state and local levels. Create a list on the board for students to reflect on later in the lesson. 3. Pass out the “Florida Legislative Process 101 Video Viewing Guide” and watch the “Florida Legislative Process 101” video as a whole group. Teacher Note: Pause the video to allow for discussion and give students time to complete the activity. Questions 1-3 are directly related to the content in the video and Questions 4-5 are follow up questions. 4. Review key concepts from the video about the state legislature in Florida and ensure that students have the important information on their table in Question #3. 5. Complete the follow up questions together as a group to allow for discussion and feedback. Teacher Note: Students should know that the national and state legislature are very similar in roles and responsibilities. In addition, Florida is a bicameral state that has a Senate and House. 6. Next, students will learn about the legislative branch at the local level by answering questions with the “How Laws are Made in Florida’s Cities” reading. Students will read the left column and answer the questions in the right column. 7. Once completed, review all elements of the legislative branch by playing vocabulary Bingo. Use the “Legislative Branch Vocabulary” sheet from Day 1 to lead the game by reading the definitions and having students play along on their own “Legislative Branch Bingo Cards”. 8. Checking for Understanding (Formative Assessment): Instruct students to write a well-crafted response to one of the following prompts: <u>Prompt 1</u> Using what you have learned in this lesson, write two informational paragraphs. In the first paragraph, summarize the lawmaking process at the federal, state and local levels. In the second paragraph, compare the three processes. Be sure to include specific evidence from your activity sheets, readings, and notes from direct instruction. <u>Prompt 2</u> Thousands of bills are proposed each year and less than five percent of the proposed bills actually become laws. Citing evidence from the materials in this lesson, explain why you think there is a low passage rate.
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Civics Content Vocabulary

Word/Term	Definition
act	legislation that has passed both houses of Congress, has been signed into law by the president, or passed despite his veto, and therefore becomes law
appointment	job or duty that is given to a person
appointment confirmation	the process of the Senate approving the president's choices for certain positions within the government
bicameral	having two chambers (e.g. the two houses of Congress, the Senate and the House of Representatives)
bill	a proposal for a law
city commissioner or council member	a member of the governing body of a city
committee selection	how representatives and senators are chosen for their assigned committees
conference committee	a temporary panel composed of House and Senate members, which is formed for the purpose of reconciling differences in legislation that has passed both chambers. Conference committees are usually convened to resolve differences on major and controversial legislation.
constituents	people public officials are elected to represent
county commissioner or council member	a member of the governing body of a county
home rule	self-government by citizens at the local level
how a bill becomes a law	the process of how a proposed law ("bill") moves through Congress and the president in order to become a law
law	a rule established by government or other source of authority to regulate people's conduct or activities
legislature	a group of organized people that have the authority to make laws for a political unit
majority leader	a position where a member of Congress is elected by the majority party to serve as the chief spokesperson for that party and to manage and schedule the business of either house
majority party	the political party with the most elected members
majority vote	more than half (50%) of the votes

minority leader	a position where a member of Congress is elected by the minority party to serve as the chief spokesperson for the party and to support the majority party in managing and scheduling the business of either house
minority party	the political party second in the number of elected members
nominate	to suggest a person for a position or office
ordinance	a law enacted by a city or county affecting local affairs such as traffic, noise, and animal control
President Pro Tempore	a high-ranking senator of the majority party who leads the U.S. Senate if the vice president is unable
school board	the group of persons elected to manage local public schools
Speaker of the House	an office identified in Article I, Section 2 of the U.S. Constitution; the leader of the U.S. House of Representatives, usually the highest ranking member of the majority party
special committee	a permanent committee established under the standing rules of both houses of Congress that focuses specific subject areas (e.g. Special Committee on Aging)
special interest groups	a group of people who are concerned with a particular issue and who try to influence legislators to act in their favor, also known as an interest group
standing committee	permanent committee that focuses on specific subject areas (e.g. Education and the Workforce Committee)
state legislator	a member of the Florida House of Representatives (state representative) or Florida Senate (state senator)
state representative	a member of the lower house of a state legislature (the Florida House of Representatives)
state senator	a member of the upper house of a state legislature (the Florida Senate)
statute	a law enacted at the state level
U.S. Congress	a two-part system of legislative branch that makes laws
U. S. Representative	a member of the U.S House of Representatives; representatives are elected in districts throughout each state
U. S. Senator	a member of the U.S. Senate elected to represent an entire state, there are two senators per state

ADDITIONAL RESOURCES

[Civics 360 Resources](#)

Florida Department of Education's Civic Literacy Reading List

- *Government and Democracy* by Charlie Ogden

ANSWER KEYS

Sample Answers: Congress in a Flash activity sheet

Sample Answers: How a Bill Becomes a Law at the National Level activity sheet

Sample Answers: Florida Legislative 101 Video Viewing Guide

Sample Answers: How Laws Are Made in Florida's Cities reading

Written Response: Sample Scoring Rubric

SOURCES

Junior Scholastic: Three Branches of Government poster:

<https://junior.scholastic.com/content/dam/classroom-magazines/junior-scholastic/issues/2017-18/090417/three-branches-of-government-poster/JS-090417-Poster-Thumb.jpg>

Schoolhouse Rock – How a Bill Becomes a Law video: <https://www.youtube.com/watch?v=2nKyihOV9z8> or <http://video.disney.com/watch/i-m-just-a-bill-4be36bc4830f7e5bc7f6b2d6>

How a Bill Becomes a Law handout: <http://www.genome.gov/12513982> &

<https://cybercemetery.unt.edu/archive/oilspill/20130102195740/http://kids.clerk.house.gov/grade-school/lesson.html?intID=17>

Congress in a Flash:

<https://www.icivics.org/teachers/lesson-plans/congress-flash?back-ref-search=congress&back-ref-filter=>

Florida Legislative 101 Video: <https://www.youtube.com/watch?v=FwBjMC2OwHI>

How Laws Are Made in Florida's Cities: www.floridaleagueofcities.com,

<http://www.floridaleagueofcities.com/docs/default-source/Civic-Education/abcs-of-city-government---elementary-level-curriculum-grades-2-5.pdf> and

<https://www.floridaleagueofcities.com/research-resources/florida-municipal-officials-manual>

Bingo card generator: myfreebingocards.com