

The Legislative Branch

The Legislative Branch of government makes the laws that govern all Americans. Article I of the Constitution sets up the Legislative Branch. Most of the words in this section are from the Constitution. However, some words have been changed to make this document easier to understand. Words written within (parenthesis) will explain what the Constitution is saying.

Section 1: Congress

All legislative powers (the power to make laws) shall be given to Congress. Congress shall be made up of a Senate and a House of Representatives.

Section 2: House of Representatives

The voters in the states they represent shall choose members of the House of Representatives every second year.

To be a representative, a person must be at least 25 years of age. He or she must have been a citizen of the United States for at least seven years. A representative must live in the state from which he or she is chosen.

House membership shall be based on state population. The current membership of the House is 435 members. The leader of the House is called the Speaker of the House. The House of Representatives shall have the power of impeachment (bringing a government official to trial for misusing a federal office.)

Section 3: The Senate

The Senate shall be made up of two Senators from each state. Senators shall serve for six years. Each senator shall have one vote. One-third of the total number of senators shall be elected every two years.

To be a senator a person must be at least 30 years of age. He or she must have been a citizen for nine years. A senator must live in the state from which he or she was chosen.

The Vice President of the United States shall be the President of the Senate. The Vice President cannot vote on Senate business unless there is a tie vote by the Senators. The Senate shall act as a court in trying all impeachment cases.

Section 4: Election and Meeting of Congress

The times, places, and manner of holding elections for Representatives and Senators shall be set by each of the states. Congress, by law, can change the states' rules. The Congress shall meet at least once each year. Such meetings are to be on the first Monday in December.

Section 5: Organization and Rules of Each House

Each house shall be the judge of the elections and qualifications of its own members. Each house may decide how it is to operate and the rules it must follow. Each house shall keep a record of its proceedings (what it does in meetings). Neither house, without the permission of the other, shall, during the session of Congress, adjourn (stop working) for more than three days. The place they are meeting cannot be changed.

Section 6: Congressional Privileges

Senators and Representatives shall be paid for their time. They shall, in all cases except Treason, Robbery, and Breach of the Peace, be free from arrest while Congress is in session.

No Senator or Representative shall, during the time he serves, be appointed to any civil office. No person holding any office under the government shall be a member of either house.

Section 7: How a Bill Becomes a Law

All bills to raise money for the government must start in the House of Representatives. Other bills can start in either house. Bills begin in a committee of the house that introduces them. If passed by the Committee, the bill will then be voted on by the full house. Each bill must be passed by both the Senate and the House of Representatives. Then it must go to the President to sign.

If the President agrees with the bill he or she signs it and it becomes a new law. If he or she does not agree with the bill, he or she must send it back to the house that it started in with an explanation why they didn't like it. If 2/3's of the members of that house pass the bill a second time, it then goes to the other house. If 2/3's of the members of that house now pass the bill, it becomes a law without the President's agreement. If any bill is not returned by the President within ten working days after it has been sent to him or her, it becomes a law.

Section 8: Powers Given to Congress

- To make and collect taxes, and to pay debts (what the government owes) for the common defense and general welfare of the United States.
- To borrow money on the credit of the U.S.
- To control commerce (trade) with other nations, among states, and with the Native American tribes.
- To make uniform (regular and equal) laws allowing people to become citizens.
- To coin (make) money and control the value of that money.
- To make standard weights and measures.
- To provide for the punishment of counterfeiters (people who make fake money)
- To establish post offices and toll roads.
- To promote the progress of science and the arts. It may give for limited times, the rights (copyrights and patents) to authors and inventors for their writings and inventions.
- To create and run courts below the level of the Supreme Court.
- To declare war and to make rules concerning the capture of enemies on land or sea.
- To punish pirates and other who commit crimes on the high seas.
- To raise and support an army and navy.
- To callout the militia (National Guard) to stop invasions or insurrections (rebellions).
- To provide for organizing, arming, and leading a militia.
- To control an area within the United States that shall be the seat of government, not to be more than ten miles square (Today this is Washington D.C.)

- To make all laws which shall be necessary and proper for carrying out the above powers (elastic clause).

Section 9: Powers Denied to Congress:

Congress may not:

- Interfere with the slave trade before 1808.
- Take away the habeas corpus (individual's legal rights) rights of citizens except in cases of war or rebellion. At those times the public safety might require taking away these rights.
- Pass ex post facto (laws that punish people for doing something before it was against the law) laws.
- Make a tax against any one group or individual.
- Make a tax against goods moving from one state to another.
- Favor one port over any other.
- Spend money unless it was approved by Congress.
- Grant any title of nobility (King, Count, Queen, ect.)

Section 10: Powers Denied to the States

No State shall:

- Enter into any treaty.
- Set any duties (taxes) on imports or exports.
- Wage war unless approved.

1. A bill can be introduced either in the _____ or the _____.
2. A money bill must be introduced in the _____.
3. Both houses of Congress must pass a bill before it goes to the _____ for his or her _____.
4. The two ways that a bill can become a law are passage by both _____ and signed by the _____, or veto by the President and passage by ____ of both the _____ and _____.
5. The main reason for the legislative branch of government is to _____
6. All of the following are powers of the federal government EXCEPT:
 - a. To declare war
 - b. To raise and collect taxes
 - c. To set the time and place for elections
 - d. To establish a post office
7. A bill becomes a law when it is passed by _____ and signed by the _____.

8. If a President vetoes a bill, _____ members of the Senate and _____ members of the House must pass it to have it become a law.
9. The Senate is made up of _____ Senators from each state, while the House of Representatives is made up of _____ members. The number from each state depends on its _____.
10. Bills must first go to _____ to be discussed and approved.
11. Do you feel that any changes should be made in the legislative branch? Explain your answer.
12. Should Congress be able to make all laws that they feel are necessary and proper for our nation? Why?
13. Why do you think that the Constitution denies powers to Congress and the States?
14. What is the most important power given to Congress? Why?

Making Comparisons - The House vs. The Senate

	House	Senate
1. Number of Members	1. _____	1. _____
2. How Many from Each State	2. _____	2. _____
3. Term of Office	3. _____	3. _____
4. Qualifications	4. _____	4. _____
	_____	_____
	_____	_____
5. Officer in Charge	5. _____	5. _____
6. Special Powers	6. _____	6. _____