

# Responsibilities of Federal, State and Local Government

## Standard 6.7: Responsibilities of Federal, State and Local Government

*Contrast the responsibilities of government at the federal, state and local levels.* (Massachusetts Curriculum Framework for History and Social Studies) **[8.T6.7]**

In the United States, there is one federal government, 50 state governments, [89,004 local governments](#), [573 American Indian tribal governments](#), and 5 territorial governments. These different governments directly affect the lives of people who live in the areas governed by the laws passed and the actions taken.

### Modules for this Standard Include:

1. [INVESTIGATE: The Functions of State and Local Government](#)
2. [UNCOVER: Disease, Vaccination, and Jacobson v. Massachusetts \(1905\)](#)
3. [ENGAGE: What Single-Use Plastic Items Should Local Governments Ban to Help Save the Environment?](#)

## 1. INVESTIGATE: The Functions of State and Local Government

The country's local, tribal, and territorial governments plan and pay for most roads, run public schools, provide water, organize police and fire services, establish zoning regulations, license professions, and arrange elections for their citizens.

Local governments work in connection with their state government, and sometimes those governments do not agree. Sanctuary city declarations, transgender restrooms, minimum wage laws, fracking policies, ride-hailing company regulations, and red light cameras at traffic lights are a few examples where local and state governments may disagree. Disagreements are furthered by the fact that most states are controlled by Republicans while most cities (where two-thirds of all Americans live) are controlled by Democrats. Nevertheless, legally and constitutionally, **state governments have power over local governments.**

## Suggested Learning Activities

- **Research Local Laws**
  - Research your local city and town laws (see [Massachusetts city and town ordinances and bylaws](#)).
  - Create an infographic or sketchnote comparing and contrasting local city/town laws with state laws.
- **Explore Preemption Conflicts**
  - Review the article [Preemption conflicts between state and local governments](#).
  - Select a topic (e.g., firearms, fracking, GMOs, labor and wages, LGBT, plastic bags, housing, soda taxes).
  - Conduct research to examine the state and local views on the topic.
  - Create a video or podcast to present your opinion about whether the state or local government should have the power to address that topic.
- **Debate** (in-person, on social media, or on [Flipgrid](#))
  - Should States Dictate that Student Athletes Can Be Paid to Play College Sports?
    - In 2019, the state of California passed the [Fair Pay to Play Act](#). Scheduled to go into effect in 2023, this law allows college athletes to earn money from uses of their names, images and likenesses. As Sports Illustrated reported, “this act guarantees college athletes a right to profit from their identities” (McCann, 2019). Similar measures are being proposed in other states around the country.
    - Proponents of the Fair Pay to Play Act, including NBA stars LeBron James and Draymond Green as well as presidential candidate Bernie Sanders, believe this legislation will address gross inequities in college sports where coaches, universities, and television networks make huge amounts of money while athletes receive no compensation.
    - Opponents including the NCAA (National Collegiate Athletic Association) contend that this law will ruin the college sports by making professionals out of amateur athletes. They also contend California schools will have an unfair advantage in recruiting the best players over schools in the states that do not allow athletes to be paid.
  - What are the arguments for and against the Fair Pay to Play Act? Would you vote to adopt or reject this law?

## 2. UNCOVER: Disease, Vaccination, and Jacobson v. Massachusetts (1905)

In 1809, the town of Milton became the first Massachusetts community to offer free smallpox vaccinations. The town of Milton’s action was followed that same year by a state law requiring smallpox vaccination, making Massachusetts the first state in the nation to promote the use of vaccination as a public health policy. Since then, advances in medical science have continued to enable physicians to treat previously incurable diseases, including vaccines for Avian Cholera (1879); Rabies (1885); Polio (1955); Measles (1963), and Mumps (1967) ([Vaccine History: Developments by Year](#), Children's Hospital of Philadelphia).



[Nurse immunizing young girl in dress in the 1930s. Mississippi Department of Archives and History.](#) No Restrictions

Historically, governments requiring vaccinations has been the subject of recurring controversy. Individuals and groups have objected to mandatory vaccination on religious and medical grounds. In a landmark supreme court case, [Jacobson v. Massachusetts](#) (1905), the Supreme Court upheld the authority of states to enforce compulsory vaccination laws.

Today kindergarten through 12th grade students in Massachusetts are required to be immunized with DTaP/Tdap, polio, MMR, Hepatitis B, and Varicella vaccines. Religious and medical exemptions are granted in a small number of cases.

### **Suggested Learning Activity**

- **Research & Debate**
  - Explore the online resources for the history of vaccines listed below.
  - Discuss: Do you think the local, state, or federal government should have the power to require people to get the yearly influenza vaccine?

### **Online Resources on the History of Vaccines**

- [History of Vaccine Safety](#), Centers for Disease Control and Prevention
- [Making the Vaccine Decision](#)
- [Just How Safe Are Vaccines? Here are the Numbers](#), LiveScience (January 12, 2017)
- [California Court of Appeals Rejects Challenge to Vaccine Law](#), Bill of Health, Harvard Law (July 30, 2018)
- [The History of Vaccines](#), College of Physicians of Philadelphia
- [What the Supreme Court Has Said About Mandating Vaccines for School: Jacobson v. Massachusetts](#)
- [Jacobson v. Massachusetts: It's Not Your Great-Great-Grandfather's Public Health Law](#), National Library of Medicine
- [School Immunizations and Religious and Medical Exemptions by County in Massachusetts](#)

### 3. ENGAGE: What Single-Use Plastic Items Should Local Governments Ban to Help Save the Environment?

In the article [How Plastics Contribute to Climate Change](#), Claire Arkin commented “Plastic pollution is not just an oceans issue. It’s a climate issue and it’s a human health issue,” (Bauman, 2019, para. 2). The creation, use, and incineration of **plastics has a significant impact on the environment**, including using up finite fossil fuels, increasing greenhouse gas emissions, filling up landfills, increasing the number of pollutants in the air, and harming or killing animals.

Experts, including the 2018 [United Nations Intergovernmental Panel on Climate Change](#), agree that urgent governmental action—nationally, internationally, and locally—is needed to try and **reverse the effects of human impact on the environment**. People, as well as governments, are concerned about climate change and global warming. A 2018 study by researchers from Yale University and George Mason University found that "seven in ten Americans (73%) think global warming is happening, an increase of ten percentage points since March 2015; six in ten understand it is human-caused" ([Climate Change in the American Mind](#), p. 3).

In response, local and state governments across the country are adopting laws intended to help save the environment. Establishing rules and regulations about **single-use plastic containers** is one place to begin addressing climate change. *National Geographic* reports that nearly half the plastic ever made has been produced since 2000 while less than a fifth of plastic trash is recycled ([Parker, 2018](#)). Worldwide, one million plastic bottles are purchased every minute, 91% of which are not recycled ([Nace, 2017](#)). In the United States, one billion toothbrushes (most of which are plastic and not biodegradable) are discarded every year ([Goldberg, 2018](#)).



[Portland, Oregon Plastic Bag Ordinance](#), by [Tony Webster](#), licensed under [CC BY 2.0](#)

Action is being taken by local communities:

- More than 300 communities in California, Hawaii, Puerto Rico, and American Samoa, and 55

countries have banned or charge fees for the **single-use plastic bags** (Funkhouser, 2019). New York State's plastic bag ban will go into effect in March 2020.

- It is estimated 500 million **plastic straws** are used and thrown away daily in the U.S. In response, communities in California, Washington, New Jersey, Florida and Massachusetts have banned plastic straws.

## Suggested Learning Activities

### • Write

- Craft a [public policy brief](#) for a new environmental policy that local or state governments should enact. Provide evidence of the problem, policies currently in place, alternative approaches, and your preferred recommendation for change.
- Turn your brief into an animated whiteboard video using the [Explain Everything](#) or [ShowMe](#) apps.

### • Discuss and Debate:

- Which of the following single-use products would you support banning or limiting in an effort to reduce plastic waste?
  - Plastic water bottles
  - Plastic packaging and containers
  - Styrofoam containers
  - Plastic utensils
  - Plastic packing straps
  - Sandwich bags
  - Plastic Wrap
  - Baby diapers

### • Research

- Would a fee-per-bag (paper or plastic bag) policy encourage more retail store customers to bring their own reusable bags when they shop?

### • Civic Action Project

- Calculate the costs of eco-friendly school supplies for your classroom.
- Write or create a video proposal to persuade your school administrators to purchase eco-friendly school supplies. Share your proposal with local government officials to persuade them to enact eco-friendly laws.
- Eco-Friendly is defined as “vegan, plastic-free, sustainable and/or re-usable” ([Ragg-Murray, 2018](#)).
- Example eco-friendly school materials are:
  - Stainless Steel Boxes
  - Reusable Cardboard Shoeboxes
  - Canvas Bags
  - Lead-free biodegradable pencils
  - Solar-powered corn plastic calculator
  - Bamboo ruler
  - Paper supplies made from 100% post-consumer waste paper and non-toxic soy-based inks
  - Sugarcane paper notebooks
  - Beeswax crayon sticks

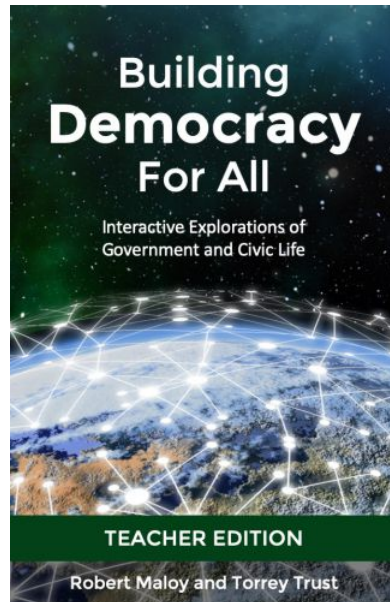
- Biodegradable pens
- Bamboo pens
- Natural grass pens
- Note: Natural grass pens are made from natural meadow grass and BPA-free plastics. BPA is the name for Bisphenol A, an industrial chemical found in polycarbonate plastics and epoxy resins which can seep from products into food and beverages. Sugarcane paper is made from leftover sugarcane pulp.

## Online Resources for Environmental Action

- [The Plastic Tide: Exploring Plastic Waste in Our Environment](#), NPR
- [Why Lakes and Rivers Should Have the Same Rights as Humans](#), Kelsey Leonard TEDTalk, December 2019.
- [25 Books That Teach Kids to Care About the Environment](#), *Huffington Post*, September 11, 2019.

## Standard 6.7 Conclusion

The nation’s federal, state, local, tribal and territorial governments have overlapping and sometimes competing goals and policies. **INVESTIGATE** examined the responsibilities of government at the state and local levels. **UNCOVER** looked at the history of Massachusetts state government efforts to mandate vaccinations. **ENGAGE** asked students to consider the roles local governments can and should play in reducing plastic consumption, waste, and pollution.



Maloy, R. W. & Trust, T. (2020). *Building Democracy for All: Interactive Explorations of Government and Civic Life*. EdTech Books. Retrieved from <https://edtechbooks.org/democracy>