

Florida League of Cities

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# Know the Layers of U.S. Government



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In the United States, there are several layers of government. These levels of government regularly interact with each other, and it is important to understand the powers and responsibilities of each level.

## FEDERAL GOVERNMENT

The U.S. Constitution established the federal government and its three branches: executive, legislative and judicial. These three branches affect laws governing the whole country.

- Executive branch:
  - ▶ Includes the President
  - ▶ Responsible for administering each federal agency and enforcing the nation's laws.
- Legislative branch:
  - ▶ Includes the Congress, made up of two houses: the House of Representatives and the Senate
  - ▶ Responsible for making laws, enacting the federal budget, and sharing authority, such as confirming presidential nominations
- Judicial branch:
  - ▶ Includes the U.S. Supreme Court
  - ▶ Responsible for interpreting laws.

The 10th Amendment of the Constitution declares states have all other powers unless reserved to the federal government, which allows each state to establish its own structure. There is no mention of local governments in the Constitution.



Florida has 27 seats in the House of Representatives and 2 seats in the Senate.



Sometimes Congress passes laws that must be put into law in every state. These laws can impact local government, too. For example, the Clean Water Act, passed in 1972, requires local governments with water systems to test, treat and return water to watershed sources.

## STATE GOVERNMENT

The Florida Constitution established three branches of government: executive, legislative and judicial. These three branches affect laws governing the State of Florida.

- Executive branch:
  - ▶ Includes the Governor, cabinet and 27 state departments
  - ▶ Responsible for administering the state departments and enforcing the state's laws.
- Legislative branch:
  - ▶ Includes the Florida Legislature, which is made up of two houses: House of Representatives and Senate
  - ▶ Responsible for making laws, enacting the state budget and sharing some executive branch functions as a shared authority, such as confirming gubernatorial nominations.
- Judicial branch:
  - ▶ Includes the Florida Supreme Court, appellate courts (five locations), circuit courts (20 locations) and county courts (67 locations)
  - ▶ Responsible for interpreting laws.

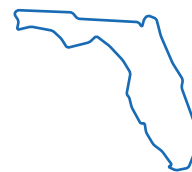


The Florida House of Representatives has 120 members with two-year terms and eight-year limits. The Florida Senate has 40 members with four-year terms and eight-year limits.

## LOCAL GOVERNMENT

In the State of Florida, there are four types of local government. Local governments affect laws governing the constituents that live within each of the local governmental boundaries.

- County:
  - ▶ A general-purpose local government created to govern specific state services (see constitutional officers below) and can deliver municipal services; often called a "sub-state" or "arm of the state."
  - ▶ 67 counties
  - ▶ Represented and governed by an elected board of commissioners
  - ▶ Has Home Rule authority.



Each Florida county has five constitutional officers: Sheriff, Tax Collector, Property Appraiser, Supervisor of Elections and Clerk of the Circuit Court.

- School district:
  - ▶ A special-purpose local government created to govern public schools from voluntary prekindergarten through 12th grade
  - ▶ 67 school districts (one per county)
  - ▶ Governed by an elected board.
  
- Special districts:
  - ▶ A special-purpose local government created to govern a specific service. There are two types of special districts: independent, created by the Legislature, and dependent, created by a city or county
  - ▶ Examples: Water management districts are independent special districts, and five of them cover all of Florida. A community redevelopment district is an example of a dependent district that a county or city would create to address a specified area meeting blight conditions and desiring redevelopment
  - ▶ 1,600-plus special districts
  - ▶ Governed by an elected or appointed board.
  
- Municipality:
  - ▶ An optional general-purpose local government created to deliver municipal services. In Florida, municipalities can be referred to as a city, town or village. It is up to the people of the municipality to choose the name
    - "Optional" in that citizens create it through referendum after the Legislature approves a feasibility study through a special act
  - ▶ 411 municipalities
  - ▶ Governed by an elected board of councilmembers or commissioners
  - ▶ Has Home Rule authority.



What is general purpose versus special purpose government? General purpose is created to provide a variety of services to its constituents. Special purpose is created to provide a specific service to its constituents.



What does Home Rule Authority mean? Home Rule powers are part of the Florida Constitution and allow counties and cities to adopt laws as long as the law doesn't conflict with state or federal law.