

The Constitutional Scenarios

Introduction to US Government

Tennessee Technical University

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During class, you will be broken into groups to determine the correct answer for one or more of them. This correct answer will include the proper citations *from the Constitution*, along with what the government could do to make the scenario constitutional (if it is not already). The emphasis is on the Constitution, not on what we do anyway.

1 Safe Harbors

To make our harbors safer and to better protect us from terrorists, Congress has designated four ports as clearinghouses for all incoming ships. Ships must stop in these harbors to get cleared before they can take their cargo to their final destination. These ‘Clearance Ports’ are located in New York City, San Diego, Seattle, and New Orleans. Is this constitutional?

2 Bugged by Florida

The Spanish Orange Beetle burrows into and eventually kills any tree it infests. Luckily, it only attacks citrus trees. Also luckily, it can only spread through infected fruit. Fortunately (for non-Floridians), only Florida has the beetle at this time. To slow the spread of the Spanish Orange Beetle to their state, California passed a law banning the importation of Floridian citrus fruit. Is this constitutional?

3 American Trees for American Workers!

Tired of seeing its forest products mills closing from lack of raw timber, and feeling frustrated that so many millions of feet of timber are exported from their state, the citizens of Oregon passed a law eliminating the exportation of raw timber from its lands (both public and private). Exporting lumber (timber

that has gone through the mill) is still acceptable under the law. Is this law constitutional?

4 No Illegal Immigrants

In an effort to reduce illegal immigration into their state, New Mexico signed a treaty with Mexico allowing for more open borders. This will allow Mexican citizens to cross over and work in New Mexico with fewer hassles, while allowing them to return to their homes in Mexico every night. Is this constitutional?

5 The Ballot is in the Mail

Unhappy with the declining turnout for elections, Wyoming made it law that all elections are to be held by mail. Three weeks prior to the election, ballots are mailed out to those registered to vote. Those voters can mail back the ballots at their leisure until the cutoff of midnight on Election Day. Is this constitutional?

6 You Dirty Rat

Tired of all the industries polluting the Pigeon River (specifically Champion), the Tennessee General Assembly decided to do something about it. They created a “Dirty List” naming the out-of-state companies that violate the Tennessee environmental laws. They then passed a law forbidding any materials from those companies on the “Dirty List” from passing into (and through) Tennessee. Is this law constitutional?

7 There *is* no Difference!

If, in the 2004 election, both Bush and Kerry received 269 votes in the electoral college, who would win the election?

8 Haven't We Done This Before?

The president, tired of dealing with that horrible Saddam Hussein, decides to invade Iraq. The war is short. Their Republican Guard is no match for our modern war making machine. The US Congress, in support, passes a bill authorizing the president to use all force necessary. Are the president's actions constitutional?