GOVERNMENT 2306

TEST IV: CHAPTERS 10, 11, & 12

VERSION A

Print your name, subject, and date in spaces indicated on the SCANTRON FORM NO. 882

Print “A” in the Test No. Space

Multiple Choice: Answer all questions. Each question is worth 1.67 poinst. Cumulative value of the multiple choice questions is 100 points.

1. Civil law deals with all of the following *except*

|  |  |  |
| --- | --- | --- |
|  | a. | private rights. |
|  | b. | individual rights. |
|  | c. | public morality. |
|  | d. | private obligations and responsibilities. |

2. Civil law in the states today is based in large part on centuries-old English

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | statutory law. | b. | constitutional law. |
|  | c. | common law. | d. | federalist papers. |

3. Under Texas law, an individual can lose the title to a homestead for all of the following reasons *except*

|  |  |  |
| --- | --- | --- |
|  | a. | delinquency on home equity loans. |
|  | b. | failure to satisfy tax liens. |
|  | c. | delinquency on home improvement loans. |
|  | d. | nonpayment of child support. |

4. Efforts to limit liability in civil cases is called

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | punitive damages. | b. | tort reform. |
|  | c. | limited liability. | d. | lawsuit. |

5. What is the name of the new law that says if either party refuses an out-of-court settlement and if the jury awards damages significantly different from the settlement offer, the loser must pay all of the winner’s legal expenses in the case?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Loser pays system | b. | Tort reform |
|  | c. | Punitive damages | d. | Slander |

6. What kind of insurance plan allows the insured person to collect from the individual’s own insurance company regardless of who is at fault in a vehicular accident?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Liability insurance | b. | Punitive damages |
|  | c. | No-fault insurance | d. | Libel |

7. Criminal law is concerned with

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | public morality. | b. | legal precedents. |
|  | c. | common law. | d. | *Stare decisis.* |

8. Citizens generally obey law for which of the following reason?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Because it is the law | b. | Fear of punishment |
|  | c. | It reflects their values | d. | All of the above |

9. Which of the following statements about crime in Texas is correct?

|  |  |  |
| --- | --- | --- |
|  | a. | Crime is more likely in large metropolitan areas. |
|  | b. | Minority-group members are arrested disproportionately for crime. |
|  | c. | The poor, regardless of racial or ethnic background, are more likely to commit violent crimes than members of the middle and upper classes. |
|  | d. | All of the above. |

10. What legal procedure guarantees fairness before the government may deprive a person of life, liberty, or property?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Due process | b. | Probable cause |
|  | c. | Compulsory process | d. | Exclusionary rule |

11. Probable cause in Texas is usually determined by which of the following?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Justices of the peace | b. | Constitutional county judges |
|  | c. | County judges-at-law | d. | Supreme Court justices |

12. Arrest warrants are issued for all of the following *except* when

|  |  |  |
| --- | --- | --- |
|  | a. | presented with probable cause that the person has committed a crime. |
|  | b. | a prosecutor files for a writ of information. |
|  | c. | a grand jury issues an indictment. |
|  | d. | an individual looks suspicious. |

13. Which of the following statements about bail is *incorrect*?

|  |  |  |
| --- | --- | --- |
|  | a. | The Texas Constitution guarantees the right to bail immediately after arrest. |
|  | b. | Texas does not recognize personal recognizance bonds. |
|  | c. | Bail can be denied where proof is evident in capital cases. |
|  | d. | Bail can be denied if the defendant is charged with committing a felony while released on bail. |

14. The assigned counsel system in Texas has been criticized for ​

|  |  |  |
| --- | --- | --- |
|  | a. | ​cronyism when judges assigned campaign contributors to the cases of poor defendants. |
|  | b. | ​privileging the poor and minorities. |
|  | c. | ​causing back logs in the case load of municipal courts. |
|  | d. | ​none of the above. |

15. Which statement is *incorrect* about the adversary system?

|  |  |  |
| --- | --- | --- |
|  | a. | Each side can challenge the material evidence. |
|  | b. | It is not a violation of due process for the government to withhold evidence. |
|  | c. | Each side can cross-examine witnesses. |
|  | d. | The prosecutor has the legal responsibility to prove guilt beyond a reasonable doubt. |

16. Anyone who lives in a metropolitan area is likely to be governed by

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | municipal and county governments. | b. | school districts. |
|  | c. | hospital districts. | d. | all of the above. |

17. \_\_\_\_\_\_\_\_\_\_ are creatures of the state and have only as much power as the Texas Constitution and Texas legislature grant them.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Counties | b. | Special districts |
|  | c. | School districts | d. | All of the above |

18. Texas cities are classified as either

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | incorporated or unincorporated. | b. | partisan or nonpartisan. |
|  | c. | general-law or home-rule. | d. | homogenous or heterogeneous. |

19. Which of the following allows registered voters to force a sometimes reluctant city council to place a proposed ordinance on the ballot?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Initiative | b. | Earmarking |
|  | c. | Mandate | d. | None of the above |

20. In a council-manager form of government, who is responsible for both executing council policies and managing the day-to-day operations of city government?

|  |  |  |
| --- | --- | --- |
|  | a. | Elected city council members |
|  | b. | The mayor |
|  | c. | The city manager |
|  | d. | The presiding officer of the city council |

21. In the strong-mayor system, who is responsible for administration of city policy?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | The council | b. | The mayor |
|  | c. | The manager | d. | The city judge |

22. In Texas, political parties do not

|  |  |  |
| --- | --- | --- |
|  | a. | nominate candidates below the county level. |
|  | b. | mention party affiliation on the ballot. |
|  | c. | increase voter turnout in the municipal and special district elections. |
|  | d. | all of the above. |

23. A majority of U.S. cities have all of the following *except*

|  |  |  |
| --- | --- | --- |
|  | a. | partisan elections. |
|  | b. | council-manager form of government. |
|  | c. | at-large elections. |
|  | d. | powers of initiative and recall. |

24. Which type of election system has served as the primary means of increasing minority representation on city councils?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Pure at-large | b. | At-large place |
|  | c. | Multi-member districts | d. | Single-member districts |

25. To become a home-rule city in Texas, a city must have a population of at least \_\_\_\_\_\_\_\_\_ residents.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | 15,000 | b. | 25,000 |
|  | c. | 5,000 | d. | 50,000 |

26. In a civil case, the individual filing the case is referred to as the

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | prosecutor. | b. | plaintiff. |
|  | c. | defendant. | d. | respondent. |

27. The means to redress an injury, including relief from ongoing injury or compensation for past damages is known as

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | remedy. | b. | plaintiff. |
|  | c. | punishment. | d. | *stare decisis.* |

28. Which law has been passed by the legislature and is written in codebooks?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Administrative | b. | Fundamental |
|  | c. | Common | d. | Statutory |

29. As a community property state, Texas requires all of the following *except*

|  |  |  |
| --- | --- | --- |
|  | a. | that a couple divide property acquired during marriage. |
|  | b. | that a spouse is not usually responsible for the other’s support after divorce. |
|  | c. | that children have a right to be supported by their parents even if the parents are divorced. |
|  | d. | alimony must be paid after five years of marriage. |

30. If an individual dies without leaving a will and there are no living relatives, then his or her property passes to

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | charity. | b. | the state. |
|  | c. | friends and neighbors. | d. | probate. |

31. In order for a corporation to secure permission to conduct legitimate business, it must receive a charter from which state official?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Governor | b. | Secretary of state |
|  | c. | Lieutenant governor | d. | Attorney general |

32. Civil law holds that when a new corporation is chartered \_\_\_\_\_\_\_\_\_\_ and the new corporation is one that can sue, be sued, or be fined for criminal activity.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | a new legal person is created | b. | the secretary of state endorses it |
|  | c. | a writ of injunction is issued | d. | the antitrust law ensues |

33. Who is responsible for bringing civil suits to seek writs of injunction to end violations of the Texas antitrust and consumer protection laws?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Lieutenant governor | b. | Attorney general |
|  | c. | Land commissioner | d. | Secretary of state |

34. Laws that prohibit union shop agreements requiring new employees to join a union are called

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | pen shop. | b. | free access. |
|  | c. | right-to-work laws. | d. | closed shop. |

35. The legislature has passed laws involving all of the following *except*

|  |  |  |
| --- | --- | --- |
|  | a. | reducing frivolous lawsuits. |
|  | b. | restricting lawsuits by prison inmates. |
|  | c. | capping jury awards of punitive damages. |
|  | d. | reforming automobile insurance lawsuits. |

36. Which court case did the U.S. Supreme Court approve seizing private residences to make way for a resort hotel, office buildings, and posh apartments? This court case caused Texas to join several other states in limiting government’s power of eminent domain.

|  |  |  |
| --- | --- | --- |
|  | a. | *Eminent Domain* v. *Kelo* |
|  | b. | *Kelo* v. *City of New London Connecticut* |
|  | c. | *Kelo* v. *City of New Jersey* |
|  | d. | *Kelo* v. *Rick Perry, et Al.* |

37. Which of the following is *not* an example of a victimless crime?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Prostitution | b. | Gambling |
|  | c. | Drug possession | d. | Driving while intoxicated |

38. Which of the following is *not* a special district in Texas?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Hospital district | b. | Metropolitan transit authority |
|  | c. | Municipal utility district | d. | Municipal government |

39. All of the following are examples of local governments in Texas *except*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | county. | b. | municipal. |
|  | c. | town. | d. | special district. |

40. The relationship between states and local governments follows from the fact that states have a \_\_\_\_\_\_\_\_\_ system of government.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | confederacy | b. | unitary |
|  | c. | federal | d. | federation |

41. Cities that limit the sale of beer and wine, freeze property taxes for seniors and people with disabilities, increase minimum wage, and place a cap on property tax rates is an example of a(n)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | referendum. | b. | recall. |
|  | c. | initiative. | d. | mandate. |

42. Voters who wish to repel an existing ordinance can petition the council to hold a(n)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | referendum election. | b. | initiative election. |
|  | c. | partisan election. | d. | *writ of mandamus.* |

43. Which of the following is a limit placed on home-rule cities in Texas?

|  |  |  |
| --- | --- | --- |
|  | a. | State law determines the specific dates for municipal elections. |
|  | b. | Local government is subject to sunshine laws. |
|  | c. | The state constitution may be amended to invalidate a local ordinance. |
|  | d. | All of the above. |

44. Which of the following is *not* a form of local government?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Council-manager system | b. | Mayor-council system |
|  | c. | Commission system | d. | Strong manager-council system |

45. The powers of the city manager come from

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | a city charter. | b. | passage of fundamental law. |
|  | c. | federal statutes. | d. | the state constitution. |

46. The two largest Texas cities with a mayor-council form of government are

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | El Paso and Dallas. | b. | Houston and Pasadena. |
|  | c. | Fort Worth and Dallas. | d. | Austin and Houston. |

47. In a weak-mayor form of government, power is

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | decentralized. | b. | diversified. |
|  | c. | centralized. | d. | none of the above. |

48. Which city governments have officials who act as both executives and legislators?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Strong-major councils | b. | Mayor-councils |
|  | c. | Commissions | d. | Weak-major councils |

49. Which factors influence the sources and amount of revenue used to meet a city’s budgetary obligations?

|  |  |  |
| --- | --- | --- |
|  | a. | Size of the city’s population |
|  | b. | The amount and type of taxes a city is allowed to levy |
|  | c. | The total assessed value of taxable property within the city limits |
|  | d. | All of the above |

50. Property appraisals in all local governments are done by which of the following?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | County clerks | b. | Tax-assessor collectors |
|  | c. | Countywide appraisal authority | d. | County auditors |

51. Home-rule municipalities can set property tax rates as high as

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | $2.00 per $100 of assessed value. | b. | $2.50 per $100 of assessed value. |
|  | c. | $3.50 per $100 of assessed value. | d. | $1.50 per $100 of assessed value. |

52. Some Texas cities have taken measures to limit increases in property taxes by

|  |  |  |
| --- | --- | --- |
|  | a. | issuing a property tax cap of $0.68 per $200 valuation of property. |
|  | b. | allowing the ability to petition for a rollback election. |
|  | c. | freezing property taxes for the disabled and the elderly. |
|  | d. | having flexibility about freezing and unfreezing property taxes. |

53. Of the ten largest cities in the United States, Texas is home to how many of the largest cities?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | One | b. | Three |
|  | c. | Two | d. | Five |

54. Big cities in Texas have suffered less than many other U.S. cities from “white flight,” urban decay, the evacuation of industry, and declining tax bases; one reason they have escaped some of the worst of these problems is

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | the state’s annexation policy. | b. | extraterritorial jurisdiction. |
|  | c. | mandates. | d. | changing demographics. |

55. The Texas state budget is exceeded only by those of California and

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Florida. | b. | New York. |
|  | c. | Arizona. | d. | Pennsylvania. |

56. Adjusting for population and inflation, state spending grew at an average annual rate of \_\_\_\_\_\_\_\_\_ percent over the last 20 years.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | 2.5 | b. | 0.8 |
|  | c. | 4 | d. | 20 |

57. During the 2014–2015 fiscal year, what percentage of estimated Texas revenues came from the federal government?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | 44 | b. | 35.5 |
|  | c. | 50 | d. | 25 |

58. Texas’s largest single individual revenue source is

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | general sales tax. | b. | selective sales tax. |
|  | c. | federal funds. | d. | gross receipts taxes. |

59. The general sales tax yielded what percentage of the state’s revenue?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | 6.25 | b. | 26.2 |
|  | c. | 4.5 | d. | 3.4 |

60. The income tax became available to the national government with the ratification of which amendment to the U.S. Constitution?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | a. | Thirteenth | b. | Fourteenth |
|  | c. | Fifteenth | d. | Sixteenth |