

**FINAL EXAMINATION**  
**CONSTITUTIONAL LAW I**

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**FALL 2007**

1. You have three (3) hours to complete this exam.
2. This is a **closed** book exam. No outside materials are allowed.
3. This exam consists of two parts. (Format of exam and point allocation)

**Part I** consists of twenty (20) multiple-choice questions which are worth 1/3 of the total grade. Please mark your responses to the multiple choice questions on the separate “ParSCORE TEST FORM” using pen or pencil and following the instructions on that form. If you change your answer, place a clear **X** through the wrong answer and mark the correct answer. A machine will score the exam and any ambiguities will be counted as a wrong answer.

**Part II** consists of two (2) essay questions which are worth 1/3 of the total grade. So you should budget your time to devote one hour and not more to each question. Please write your response in the blue books provided. Please write clearly. Write on every other line and every other page to permit instructor comments.

4. Write your exam number on your exam envelope. Put your correct class section and student exam # at the top of this page, each page of questions, each blue book, and the “ParSCORE TEST FORM.” **Do not** use your name, student ID number or Social Security Number on any exam materials.
5. At the conclusion of the exam, return all test materials, including blue books, ParScore answer sheet, scratch paper, and this exam packet to the envelope and submit it to the proctor. **DO NOT** seal the envelope. Students who do not return all exam materials at the end of the exam may not be graded.

**GOOD LUCK!**

**Part II: Essay Questions**

**Recommended Time: Two hours**

**Question One**

Congress passes the following legislation:

A. Pursuant to the Commerce Clause:

1. A law banning sale of “Morning After” contraceptives to anyone under age 14 without parental permission. Congressional findings regarding the law concluded: “Pregnancy of young girls effectively ends their education and thus makes them less able to take part in the national economic life of the country.”
2. A law, which provides a right of civil damages against any state for any person whose employment is eliminated because that state “interfered with any channel, instrumentality or thing in interstate commerce.”
3. A law that requires “All state and local governments and, all political subdivisions of such, must ban the use of coal burning stoves within their jurisdiction.” Congressional findings for the law state: "coal pollutants cause catastrophic health problems, which reduce the gross national product of the U.S. economy by 900 billion dollars annually.”

B. Pursuant to the 14<sup>th</sup> Amendment:

1. A law which prohibits any state law that restricts a person from marrying, or making decisions about personal health care, or making decisions about educating their children, or having custody of their children, or pursuing a profession, or owning property, unless the restriction is necessary to achieve a compelling state interest.
2. A law increasing the corporate income tax by 5% and designating the proceeds of the increased tax to be distributed only to those states which use the funds entirely to establish and finance state agencies that prevent women from choosing to have abortions.

C. Without stating any jurisdictional basis:

1. A law requiring the President of the United States to order all troops out of Iraq within 30 days, and that to accomplish this end, all funding for U.S. military forces within Iraq shall end within 30 days

**Discuss all constitutional issues raised by these facts. State how these issues should be resolved and why.**

**Question Two**

A. The State of California enacts the following laws:

1. Because of abuses by sub-prime lenders that have resulted in imminent economic disaster to California through massive foreclosures on the homes of residents, all

requirements for interest increases to take effect on home mortgages are null and void.

2. All geothermal power generated by state owned geothermal plants shall be sold only within the state of California. In addition, no purchaser of California State owned geothermal energy may use it to operate any business unless the employees of that business are covered by a policy of health insurance.
3. No person may be hired for any state employment who has not lived in the state of California for at least 90 days.
4. Because of the high number of deaths that have been established to result, it shall be a felony for anyone engaging in the sexual activity of bondage to use any ropes, chains, leashes or ligatures which are fastened around the neck.
5. No person shall be allowed to work as a florist, or to operate any floral business, shop or nursery which produces growing plant, herbs, or flowers unless that person has achieved a minimum education of obtaining a Bachelor of Arts Degree from an accredited university.
6. Because of the State of California's critical need to insure adequate emergency protections to people who live in high rise building following destructive earthquakes: all residential buildings over thirty stories high must use the entire area of the highest floor in the building solely for storage of water, electrical generators, emergency food, first aid and medical equipment.

**Discuss all constitutional issues raised by these facts. State how these issues should be resolved and why.**

END OF EXAM