**POLS 200 Group # \_\_\_\_, members present:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Law v Morality**

**The Big Gulp Case- Group Discussion**

In reading the NY Statewide Coalition of Hispanic Chamber of Commerce v. NYC Dept of Health, et al

Please collaborate in your groups, and answer the following questions.

**Information Recall: 1 point each**

1. What was the main public health concern in this case?

a. childhood use of tobacco products

b. excess fats in foods

c. inadequate food choices among consumers

d. an increasing rate of diabetes in younger populations

2. How did this issue come before the NY Dept of Health?

a. public initiative (petition of the people)

b. the mayor's office

c. the NY State Legislature

d. private food service companies

**Language Interpretation**: **2 points each**

3. Define the term "ultra vires" as it appears toward the bottom of page 3.

4. What is the "separate of powers" doctrine? Where does it come from?

5. Distinguish between, and give an example of, an "administrative agency" as opposed to a "legislative" branch of government.

**Issue Identification**: **1 points**

6. State the Legal Issue that the Court is trying to answer in this case.

**Concept recognition and differentiation**: **3 points each**

7. What is the main concept or legal idea that the court is using in the case? Hint: It can be a rule coming from a prior case.

8. What are the components (parts) of the legal concept the court is using?

**Concept application**: **5 points each**

9. Explain how the Court applied the main legal concept to the facts of the case, and how it is relevant to the "separation of powers" doctrine referenced above.

10. Based upon the final conclusion, what are the implications for administrative agencies considering similar actions in the future?

11. What did you learn about how the NY Supreme court addressed the relationship between moral and legal issues?