

# Source Document

U7-GUIDING QUESTIONS 14-23

## Missouri Facts

- Missouri entered the Union in 1821
- The capital of Missouri is Jefferson City
- There have been 4 Missouri Constitutions
  - 1820
  - 1865
  - 1875
  - 1945 (Our current Constitution)
- General elections are held the first Tuesday after the first Monday in November of each even numbered year
- To vote in Missouri you must:
  - Be a U.S. citizen
  - Be at least 18 years old
  - Be a resident of Missouri
- Every 10 years on the decade the United States census is taken which counts everyone in the country
- Every 20 years on the decade the people of Missouri must decide in the general election if they want to rewrite the Missouri Constitution
- Laws are called by different names at different levels of government
  - Federal government passes laws
  - State governments pass statutes
  - Local governments pass ordinances

} requirements

• Mo. generates revenue by income tax, inheritance tax and sales tax.

3.

## The Missouri Legislative Branch (The General Assembly)

### I. The General Assembly

#### A. Chambers

- The Missouri House of Representatives
- The Missouri Senate

#### B. Duty

- Make laws

#### C. Meeting dates

- 1<sup>st</sup> Wednesday after the first Monday in January to May 30<sup>th</sup> every year
- Can be called into special session by the governor or the General Assembly by a  $\frac{3}{4}$  vote

### II. The Missouri House of Representatives

#### A. Size

- 163 seats

#### B. Term

- 2 years
- Term limit of 8 years

#### C. Qualifications

- 24 years old
- Qualified voter for 2 years
- Resident of the district for 1 year

#### D. Leadership

- Presiding Officer: Speaker of the House

#### E. Special Duties

- Initiate charges of impeachment

*Starts*

## III. The Missouri Senate

## A. Size

- 34 seats

## B. Term

- 4 years
- Term limit of 8 years

## C. Qualifications

- 30 years old
- Qualified voter for 3 years
- Resident of the district for 1 year

## D. Leadership

- Presiding Officer: Lieutenant Governor
- Highest Ranking Member: President Pro Tempore

## E. Special Duties

- Try cases of impeachment

All amendments to the Missouri Constitution must be approved by the people.

## The Missouri Executive Branch

### I. The Executive Branch

#### A. Leadership

- Headed by the governor

#### B. Duty

- Enforce laws

### II. Governor

#### A. Term

- 4 years
- 2 term limit

#### B. Qualifications

- 30 years old
- United States citizen for 15 years
- Resident of Missouri for 10 years

#### C. Powers

- Grant reprieves
  - Postpones a punishment
- Grant Commutations
  - Reduces a punishment
- Grant pardons
  - Releases from punishment

#### ◦ Line item veto

- Power of Governor to veto any part of a spending bill while approving other parts of the same bill.

#### ◦ State of the State Address - At the beginning of the legislative session

### III. Other People

#### A. Lieutenant Governor

- Responsible for taking over for the governor if he/she dies, resigns, or is removed from office

#### B. Attorney General

- Responsible for prosecuting or defending all cases in court to which the state is a party

#### C. Secretary of State

- Responsible for maintaining all official records for MO
- Responsible for conducting elections

#### D. State Auditor

- Responsible for setting up accounting systems for local and state money
  - In other words makes sure that funds are used properly. *runs financial records*

#### E. State Treasurer

- Responsible for conducting banking and financial activities of the state
  - In other words is the chief financial officer of the state by taking care of all state revenues and paying all the state bills. *Invests money.*

- Missourians have ways in which they can be involved in lawmaking

- Initiative: The process by which the people pass a statute without the state legislature being involved
- Referendum: The process by which the people petition to vote on a statute passed by the state legislature

- Important people in Missouri

- Governor:
- Lt. Governor:
- U.S. Representative MO 9<sup>th</sup>:
- U.S. Senators:
- Mayor of Columbia:

~~Sam Nixon~~  
~~Matt Blunt~~  
~~Peter Kinder~~  
~~Kenny Hulshof~~ <sup>Mr. Luckinmyer</sup>  
~~Kit Bond~~ <sup>Roy Blunt</sup>  
~~Jim Talent~~ <sup>Claire McCaskill</sup>  
~~Darwin Hindman~~  
~~Dr. McDaniel~~

- County government - conduct local, state and national elections.
- County Commission - directs the business of most counties.
- Municipal (City) Governments - maintain city roads, make ordinances = laws made by city

## The Missouri Judicial Branch

### I. Organization

- Lowest: Circuit Court
- Middle: Court of Appeals
- Highest: Missouri Supreme Court

### II. Circuit Court

- A. Duty *Handles property of deceased persons and appoints guardians of minors,*
- Original jurisdiction: Hears the case's initial trial

### III. Court of Appeals

#### A. Duty

- Appellate jurisdiction: Hears cases on appeal from the Circuit Court
- Determines whether any error of law took place in the original trial

### IV. Missouri Supreme Court

#### A. Duty

- States highest court

#### B. Qualifications

- 30 years old
- United States citizen for 15 years
- Licensed to practice law in MO

#### C. Term

- 12 years
- No term limit

### V. Non-Partisan Court Plan

A special commission nominates three qualified people for a judgeship.

## VI, Judicial Vocabulary

## A. Double jeopardy

- Charging a person with the same crime twice
- This practice is outlawed in MO

## B. Due process of law

- Every person has the right to a fair legal process
- Process must take place before the government can take away life, liberty, or property

C. *Ex post facto* law

- Punishes someone for doing something that was legal when they did it
- This practice is outlawed in MO

D. Writ of *habeas corpus*

- The right to appear before a judge to determine if one is being held legally
- The right of the accused to know the charges against him/her
- This right can NEVER be suspended.

## E. Other Courts

• Probate Court - hears cases on wills and property of deceased persons

• Municipal courts - cases involving city ordinances

• Drug Court - cases for 1<sup>st</sup> time drug offenders

• Family Court - cases involving juveniles



# MISSOURI CONSTITUTION STUDY GUIDE

## ANSWERS

1. In what year did Missouri become a state? (p. 7)
2. What is the capital of Missouri? (p. 8-9)
3. How often do Missouri voters decide if they want a new constitution for the state?
4. In what year was the current Missouri Constitution adopted?
5. What is the Missouri legislative body known as? (p. 17)
6. How many representatives are in the Missouri House of Representatives? (p.18)
7. How many senators are in the Missouri Senate? (p. 18)
8. What is the term of office for State Representatives? (p. 20-21)
9. What is the term of office for State Senators? (p. 20-21)
10. Who may call a special session of the General Assembly? (p.21)

11. Who must give final approval to all amendments to the Missouri Constitution? (p.

32)

12. Describe the two types of direct democracy used in Missouri (p.31-34)

i. – **legislation or amendments that begin with the people petitioning to vote on a law or amendment.**

ii. – **legislation or amendments that end with the people voting to approve a law or amendment.**

13. Who has the power to impeach the Governor? *To start impeachment.*

14. There are six elected officials in the Missouri Executive Branch, what are their powers?

| Office | Powers  |
|--------|---|
|        | <b>grants pardons, reprieves and commutations in Missouri<br/>call special sessions of the general assembly<br/>give a state of the state address</b> |
|        | <b>first in line to become governor if the governor dies, resigns or is removed from office</b>   |
|        | <b>runs the state and national elections in the state</b>   |
|        | <b>Prosecuting or defending all state cases in court</b>  |

|  |   |
|--|---|
|  | <b>invests money and writes checks for the state</b>      |
|  | <b>Keeping financial records of local and state money</b> |

15. What is the line-item veto? (p. 46)

**Governor's power to veto** while approving other parts of the same bill. The President of the United States does NOT have this power.

16. What is the term of office for Governor? (p. 48)

17. What is the term of office for a Missouri Supreme Court judge? (p. 58)

**(they may be elected to additional 12 year terms)**

18. Which is the highest court in Missouri? (p. 58)

**Missouri**

19. What is the jurisdiction and purpose of the following courts?

| Court                   | Purpose/Jurisdiction  |
|-------------------------|---|
| Missouri Supreme _____  | Highest court in Missouri; final appellate jurisdiction in most state cases.  |
| Missouri Court of _____ | Appellate jurisdiction; hears appeals from circuit courts   |
| Missouri _____ Court    | Original jurisdiction in most civil and criminal cases: Municipal, Probate, Drug, and Family Courts are divisions of the circuit court. |
| Municipal _____         | Original jurisdiction in cases involving city ordinances  |
| _____ Court             | Original jurisdiction in cases involving wills and the property of deceased individuals   |
| _____ Court             | Jurisdiction in cases involving first time drug offenders, referred from circuit court  |
| _____ Court             | Original jurisdiction in cases involving juveniles  |

20. What is an ordinance? (p.62)

**A law made by a**

21. Describe how the Missouri Non-Partisan Court Plan is used to select judges? (p.62-63)

**qualified people for a judgeship. The committee for appellate judicial appointments consists of a MO supreme court justice, a person chosen by the Missouri Bar Association, and a person appointed by the governor. The commission nominates three qualified people when a vacancy occurs. The governor must then appoint one of the nominees within 60 days, if not, the commission selects the new justice. At the end of a judge's term, a judge may ask for an additional term by writing to the secretary of state. Then, the registered voters of Missouri decide at the next general election whether to keep the judge or get rid of them.**

*This has been copied by other states. There are no term limits.*

22. What are the responsibilities of county governments? (p. 72-74)

23. What governmental body maintains and directs the business of most counties? (p.73-

74)

24. What are the responsibilities of city (municipal) governments? (p.75-79)

25. In what month are General Elections held in Missouri? (p.93-94)

26. What are the requirements to vote in a general election? (p.94)

**Must be a U.S. .**  
**Must be at least    years old**  
**Must be a resident of**

Not in Text:

A. When does the Governor give the State of the State Address to the General Assembly?

**legislative session**

B. How does Missouri generate Revenue?

i.

ii.

iii.

C. Which court handles property of deceased persons and appoints guardians of minors?

~~D. How often do Missouri voters decide if they want a new constitution for the state?~~

~~E. In what year was the current Missouri Constitution adopted?~~

Define:

1. Responsibility: \_\_\_\_\_
2. Branch: \_\_\_\_\_
3. Power: \_\_\_\_\_
4. Guarantee: \_\_\_\_\_
5. Dispute: \_\_\_\_\_
6. Settle: \_\_\_\_\_
7. Level: \_\_\_\_\_
8. Justice: \_\_\_\_\_
9. Judicial: \_\_\_\_\_
10. Office: \_\_\_\_\_
11. Retire: \_\_\_\_\_
12. Review: \_\_\_\_\_
13. Religion: \_\_\_\_\_
14. Enforcement: \_\_\_\_\_
15. Law: \_\_\_\_\_
16. Require: \_\_\_\_\_
17. Action: \_\_\_\_\_
18. State: \_\_\_\_\_
19. Article: \_\_\_\_\_
20. Majority: \_\_\_\_\_