

Name: _____

Lap 5 – Missouri Constitution
Study Guide

Opening Documents

1. What is the general purpose of the following documents: Ordinance of Acceptance, Admission of Missouri into the Union, A Solemn Public Act, and A Proclamations? **Outlines the process for Missouri entering the Union.**
2. When Missouri initially applied for statehood what was its stance on slavery in the territory? **Anti-Slavery**
3. When Missouri entered the Union what was its stance on slavery? **Pro-Slavery, thanks to the Missouri Compromise of 1820.**
4. This president signed Missouri into the union. **James Monroe.**
5. What is the major difference between the Preamble in the United States Constitution and in the Missouri Constitution? **Missouri speaks of a higher power.**

Positions

1. Who is our current Governor? **Jay Nixon (D)**
2. Main duty is... **Make sure that all laws are faithfully executed**
3. Who is our current Lieutenant Governor? **Peter Kinder (R)**
4. Main duty is... **aid the Governor in any duties, first in the line of succession**
5. Who is our current Secretary of State?
6. Main duty is... **custodian of the state seal**
7. Who is our current State Auditor?
8. Main duty is... **dealing with the budget**
9. Who is our current State Treasurer?
10. Main duty is... **finances of the state**
11. Who is our current Attorney General?
12. Main duty is... **legal aid to the state and governor**
13. Who is Missouri's Junior Senator? **Roy Blunt (R)**
14. Who is Missouri's Senior Senator? **Claire McCaskill (D)**

Qualifications and Terms

1. What are the qualifications of a Representative?
 - a. _____ **24** _____ years old
 - b. Registered voter for _____ **2** _____ years.
 - c. Resident of the county or district you wish to represent for _____ **1** _____ years.
 - d. Term length? **2 years**
2. What are the qualifications of a Senator?
 - a. _____ **30** _____ years old
 - b. Registered voter for _____ **3** _____ years
 - c. Resident of the district for at least _____ **1** _____ years
 - d. Term length? **4 years**
3. What are the qualifications of the Governor?
 - a. Must be _____ **30** _____ years old
 - b. Be a citizen of the United States for _____ **15** _____ years
 - c. Must be a resident of the state for _____ **10** _____ years

- d. Term length? **4 years**
4. What are the qualifications of the Lieutenant Governor?
 - a. Must be 30 years old
 - b. Be a citizen of the United States for 15 years
 - c. Must be a resident of the state for 10 years
 - d. Term length? **4 years**
5. What are the qualifications of the Secretary of State?
 - a. "No person shall be elected or appointed to any civil or military office in this state who..." **not a citizen of the United States**
 - b. "Who shall have resided in the state for 1 years"
 - c. Term length? **4 years**
6. What are the qualifications of the State Auditor?
 - a. Must be 30 years old
 - b. Be a citizen of the United States for 15 years
 - c. Must be a resident of the state for 10 years
 - d. Term length? **4 years**
7. What are the qualifications of the State Treasurer?
 - a. "No person shall be elected or appointed to any civil or military office in this state who..." **not a citizen of the United States**
 - b. "Who shall have resided in the state for 1 years"
 - c. Term length? **4 years**
8. What are the qualifications of the Attorney General? Article VII, Section 8
 - a. "No person shall be elected or appointed to any civil or military office in this state who..." **not a citizen of the United States**
 - b. "Who shall have resided in the state for 1 years"
 - c. Term length? **4 years**

Articles of the Constitution

Article I

1. Where is political power vested? **The people**
2. What is the intended purpose of constitutional governments? **Promote the general welfare**
3. Who has the power over internal affairs of the government? **The people of Missouri**
4. Describe section four. **If an amendment is proposed, a convention must take place**
5. How is section five, six, eight, and nine similar to Amendment I of the United States Constitution? **Same rights/freedoms: religion, speech, right to peaceably assemble**
6. How is section twelve similar to the United States Constitution interpretation of Habeas Corpus? **Cannot be suspended!**
7. Where do you find section fifteen in the United States Constitution? **Amendment 4**
8. Describe the similarities between the United States Constitution's amendments that deal with law and order with section seventeen through twenty-two. **The same rights of the accused and describes the rights of trials and courts, but MO is more specific**
9. What is section 24's cousin in the United States Constitution? **Amendment 3**
10. What is eminent domain? **Cannot take property without just reason/compensation**
11. What is treason? **Give enemies information against your state/work against**
12. How does the Missouri state Constitution define marriage? **ONLY men and women**

Article II

1. What is the purpose of the separation of powers? **Equal say in the government, no abuse of powers**
2. What are the three branches of government? **Legislative, Executive, and Judicial**

Article III

1. The legislative power shall be vested in a **Senate** and a **House of Representatives**.
2. They will be "styled as (known as)" what? **The General Assembly of the State of Missouri**
3. How many members are in the House of Representatives? **163**
4. How long must the representative in question been voting in the district in which they are trying to represent? **2 years**
5. How long does the representative in question have to live in the country or district they are trying to represent? **1 year**
6. How many members are in the Senate? **34**
7. What is the length of term for House Representatives and Senators? **2 years 4 years**
8. Each Senator shall be **30** years of age.
9. A Senator must be a qualified voter for **3** years
10. Must live in the district they wish to represent for **1** years.
11. What is the maximum amount of years a Representative or Senator may serve in the General Assembly as a Representative or Senator? **8 years**
12. What is the total amount of years an individual may serve in the General Assembly? **16 years**
13. What is the point in Section 11 of Article III? **The houses are separated into different groups/sessions where elections take place every 2 years**
14. What is the issue of Section 12 of Article III? **Political figures or officials or workers cannot hold any other job**
15. Who issues a writ of election? **The governor**
16. What are the privileges of the legislative? **Privileged from arrest during session and 15 days between sessions of office and cannot be questioned for speaking**

Article IV

1. The supreme executive power shall be vested in? **a governor**
2. What is the main duty of the head executive of that state of Missouri? **To make sure laws are distributed and executed and keep the peace in the state**
3. The governor shall be at least **30** years old and shall have been a citizen of the United States for at least **15** years and a resident of the state at least **10** years before his election.
4. Who has the power to fill vacancies? How long do they stay in office? **governor—until a successor is appointed or elected**
5. Who shall commission all state officers? Describe the rest of the process.
Governor—issued in the name of the state, signed by governor, sealed with great seal of state and attested by the secretary of state
6. The governor is allowed to grant pardons or reprieves in all cases except for? **Treason and cases of impeachment**
7. When can the governor call out the state militia? **To execute the laws, suppress and prevent threatened insurrection and repel invasion**
8. When can the governor not call upon the state militia? **When it is called into the service of the US**
9. Translate Section 8 of Article IV **all resolutions that the senate and house agree on must be presented to the governor and then take the same process as a bill**
10. What power is given to the Governor in Section 9? **To governor may call the general assembly into session and give them necessary information**
11. What is the main duty of the Lieutenant Governor? **Ex officio president of the senate**
12. List the qualifications for the Lieutenant Governor. **30 years old, 15 year citizen, 10 years resident MO**
13. What powers does the Lieutenant Governor have? **Debate all questions, cast the deciding vote on equal division of senate and joint vote of both houses**
14. Describe the order of succession to the governorship. **Lieutenant governor, president pro tempore, speaker of the house, secretary of state, state auditor, state treasurer or attorney general**
15. In a very brief statement describe what Section 11(b) is saying? **If a governor can no longer do his job, he must resign and the next in line takes his spot**

16. What powers does the State Auditor have? **Establishes appropriate systems of accounting for all public officials of state, audit accounts and the treasury**
17. List the qualifications of the State Auditor. **30 years old, 15 year citizen, 10 year resident**
18. What are the limitations of the State Auditor? **No duty shall be placed on him by law not related to his duties**
19. What powers does the Secretary of State hold? **Custodian of the seal of the state; authenticate all official acts of governor; custodian of records**
20. What is the main duty of the Secretary of State? **“Great Seal of the State of Missouri”**
21. What is the limitation of the Secretary of State? **Cannot authenticate approval of laws by governor**
22. What is the main duty of the State Treasurer? **Custodian of all state funds and funds received from the federal government**
23. What limitations does the State Treasurer have? **Acts must be approved by governor and state government**
24. What power does the Department of Revenue have? **Collect taxes and fees payable to the state**

Article V

1. The judicial power of the state shall be vested in a **Supreme Court**, a court of **appeals**, and **circuit courts**.
2. Which court is the highest court in the country? Which state court is the highest in Missouri? **Supreme Court**
How many justices are on the Supreme Court of the state of Missouri? **7 justices**
3. How many justices are there on the United States Supreme Court? **9 justices**
4. Where do the Missouri justices meet? **Jefferson City**
5. Who controls all courts and tribunals in the state of Missouri? **The Supreme Court**
6. What powers does the Supreme Court have in section 5 and 6? **Establish rules relating to practice, procedure and pleading for all courts and administrative tribunals and they can move judges from one court to another**
7. Who elects the Chief Justice of the Supreme Court? **The judges in the supreme court**
8. Who elects the Chief Judge in district courts? **The courts in which the chief justice preside**
9. Which court has original jurisdiction over all cases and matters, civil and criminal? **Circuit Courts**
10. How many (minimum) resident associate circuit judges must there be in each county? **There must be at least one**
11. What type of cases do resident associate circuit judges hear? **All civil or criminal cases and all other matters as now provided by law for magistrate or probate judges**
12. What is the term length for a judge on the Supreme Court? **12 years**
13. What is the term length for a judge on the Court of Appeals? **12 years**
14. What is the term length for a judge on the Circuit Courts? **6 years**
15. What is the term length for a judge on the Associate Circuit? **4 years**
16. What is similar to section 18 on the national scale? **Judicial Review**
17. “Judges of the supreme court and of the court of appeals shall have been citizens of the United States for at least **15** years, and qualified voters of the state for **9** years.”
18. Age for Supreme Court and Court of Appeals judges? **30 years old**
19. “Circuit judges shall have been citizens of the United States for at least **10** years, and qualified voters of this state for **3** years.”
20. Age for circuit judges? **30 years** Must be resident of the circuit for **1** years.
21. “Associate circuit judges shall be qualified voters of this state and **a resident** of this country.”
22. Associate circuit judges must be **25** years old.
23. What do all judges have in common: supreme, appellate, circuit, and associate circuit court judges? **They shall all be licensed to practice law in this state**

Article VII

1. Who may be impeached? **All elected officials.**
2. Who has the sole power of impeachment? **The House of Representatives**
3. Where impeachment hearings shall be tried – except for the governor or a Supreme Court judge? **In front of the Supreme Court**
4. What is nepotism as outlines in Section 7? **Promoting family to paid positions**
5. How does Missouri define equality of the sexes? **No discrimination in government because of sex**

6. What is the point of taking an oath? **To uphold the values of the position**

Article VIII

1. "The general election shall be held on the _____ **Tuesday** _____ next following the first _____ **Monday** _____ in _____ **November** _____ of each _____ **even** _____ year."
2. What is the minimum age you must reach to be eligible to vote? **18 years old**
3. How do we vote in Missouri? **By secret ballot**