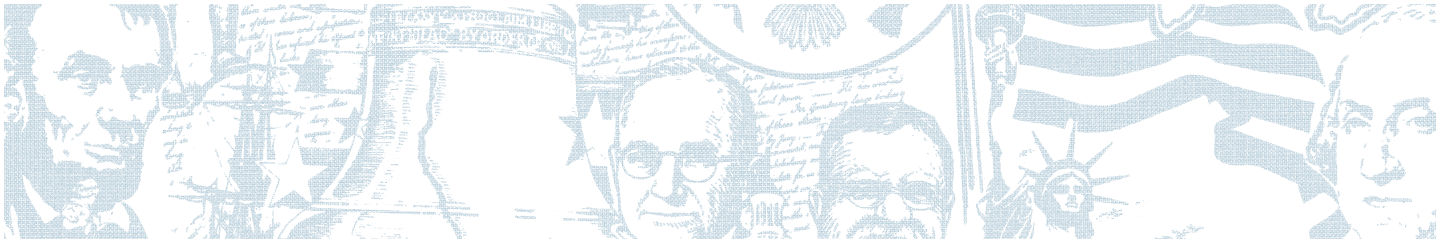


Our State Constitution - A Student's Guide to the Illinois Constitution



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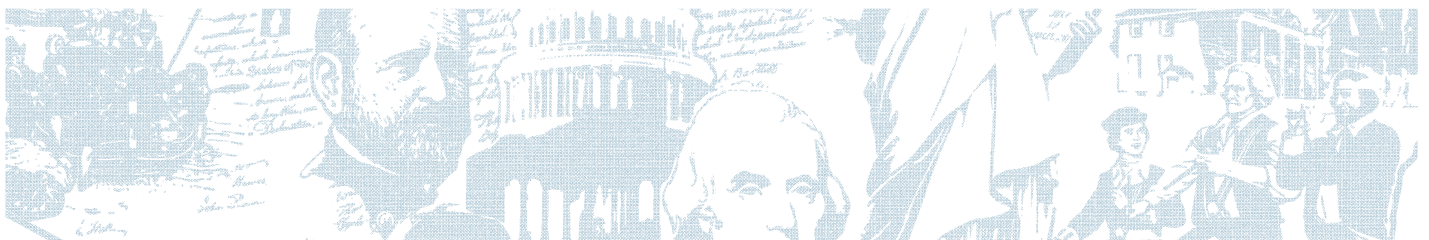
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In 1787, when the Constitution was signed, the area that is now Illinois was a wilderness. Although Marquette and Joliet discovered the Illinois country in 1673, it was not until 1818 that the state was formally admitted into the Union.

During the time between the discovery of the Illinois territory and its admission to the Union as a state, the French and the English each controlled the area for a period. Robert Cavelier, Sieur de La Salle and his lieutenant and successor, Henry de Tonty, carried the standard for France. Fort de Crevecoeur was established near Peoria in 1680, followed in 1682 by Fort St. Louis on Starved Rock. One of the first white villages, Pimitouri, later called Peoria, was established in 1691. Cahokia was organized in 1699, and Kaskaskia, four years later.

Defeated by Great Britain in the French and Indian War, France gave up claim to its possessions east of the Mississippi. British rule over this area was short, however, as a handful of American militia, led by George Rogers Clark in 1778, captured the villages of Kaskaskia, Cahokia, and Vincennes and forever ended foreign rule in the Illinois country.

Established as a county of Virginia in 1778, the Illinois country remained so until 1782. During the next five years the area had no legally constituted government, but, in 1787, it became part of the *Northwest Territory*. In 1800, the *Territory of Indiana* was established, and Illinois was included. Nine years later, Illinois, including the present state of Wisconsin, was made a territory in its own right. Kaskaskia was the capital, and Ninian Edwards of Kentucky served as the first territorial governor. On December 3, 1818, Illinois, with a population of about 35,000, was admitted to statehood. Kaskaskia was selected as the state capital, and Shadrach Bond became the first governor.

The last great Indian uprising in Illinois was the Black Hawk War in 1832. Chief Black Hawk and his Sauk and Fox warriors defeated the white militia at Stillman's Run, but retreated into Wisconsin where the band was decisively defeated.

The capital was moved from Kaskaskia to Vandalia, and, in 1839, was moved again, this time to Springfield. Abraham Lincoln urged the selection of Springfield while he was a member of the state Legislature.

Soon after Springfield was selected as the new capital, the state became divided on the question of slavery. Abraham Lincoln emerged from political retirement in 1858 to challenge Stephen A. Douglas, United States senator from Illinois, and the national policy on slavery, which he advocated. The eyes of the nation focused on the state as the two men engaged in their historic series of debates on the question. Although Lincoln was defeated for a senatorial post in 1858, he won the presidential nomination of the Republican Party in 1860 and became the first Republican president.

John Deere's invention of the prairie plow in 1837 encouraged Illinois agriculture, and it became a leading agricultural state. After the Civil War, Illinois turned to the development of its natural resources and its transportation. By 1870, coal mining had become one of Illinois' largest industries. Improved transportation, an abundance of coal, and the westward movement of industry combined to make Illinois a great industrial area.

By 1850, the state had a population of 850,000. By 1870, this figure had tripled. Today, Illinois has nearly 13 million residents. Sprawling and vibrant, Chicago was destined early in American industrial development to become the manufacturing center not only of Illinois but the entire Midwest.

Illinois Constitution

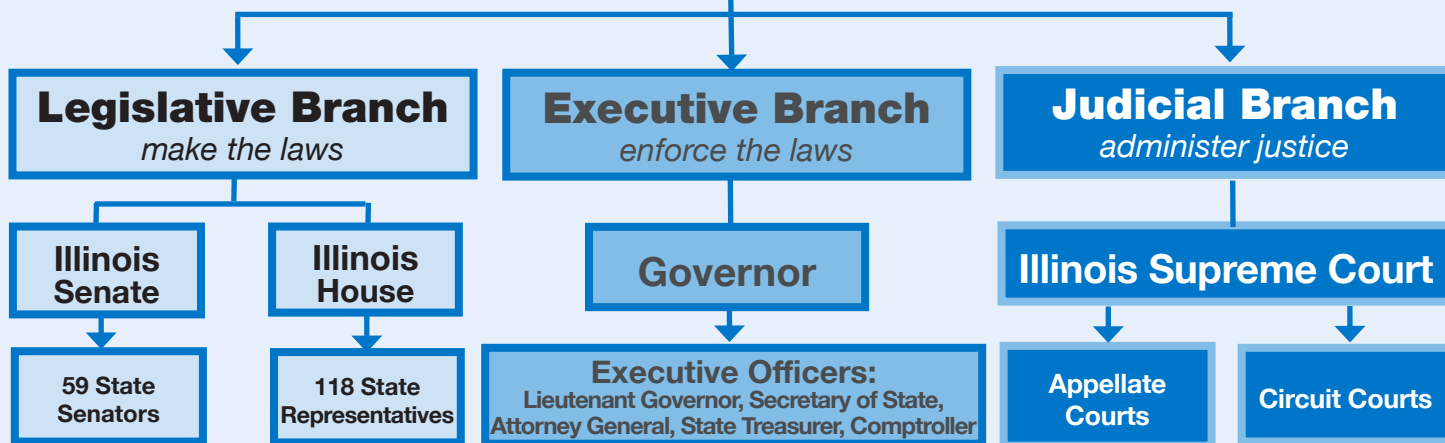
The first Constitution of Illinois was adopted in 1818 by a convention that met at Kaskaskia. This convention was attended by 33 delegates, representing the state's 15 counties. At that time, most of the population was in the southern part.

State of Illinois Quick Facts	
Capital	Springfield
State Nickname	"The Prairie State"
State Slogan	"Land of Lincoln"
State Motto	"State sovereignty, national union"
Statehood	December 3, 1818 (<i>21st state in the U.S.</i>)
Land Area	56,345 square miles
Population	12,830,632 (<i>as of 2010 census</i>)
Largest Cities	Chicago, Aurora, Rockford, Joliet, Naperville, Springfield, Peoria
State Bird	Cardinal
State Flower	Violet (<i>Viola sororia</i>)
State Tree	White Oak
State Fish	Bluegill

The Illinois Constitution

Present one was adopted in 1970

The Voters of Illinois
Qualified voters choose our elected officials



Legislative Branch Quick Facts

The Illinois General Assembly is made up of the state Senate and state House of Representatives.

body	members	terms	annual salary	qualifications
Senate	59	4 years	\$67,836	Each member of the General Assembly, both Senate and House, must be 21 years old or older, a resident of the district for two years, and a citizen
House	118	2 years		

Executive Branch Quick Facts

The Constitution provides for six executive officers.

executive officer	terms	annual salary	notes
Governor	4 years	\$177,412	To be eligible for each of the executive offices of Illinois, you must be a U.S. citizen, at least 25 years old, and a resident of the state for three years before the election.
Lieutenant Governor	4 years	\$135,669	
Secretary of State	4 years	\$156,541	
Attorney General	4 years	\$156,541	
State Treasurer	4 years	\$135,669	
Comptroller	4 years	\$135,669	

Judicial Branch Quick Facts

The Illinois Court System

Circuit Court	Appellate Court	Supreme Court
<ul style="list-style-type: none"> organized within 22 judicial circuits 	<ul style="list-style-type: none"> organized into five judicial districts 	<ul style="list-style-type: none"> final court of appeal for state matters
<ul style="list-style-type: none"> divided into felony, misdemeanors, small claims, family, juvenile and other courts 	<ul style="list-style-type: none"> three justices hear each appellate case 	<ul style="list-style-type: none"> seven Supreme Court judges, select one of their members to act as chief justice for a three-year term
<ul style="list-style-type: none"> judges elected by the voters in each circuit to six-year terms 	<ul style="list-style-type: none"> judges elected by the voters in each district to 10-year terms 	<ul style="list-style-type: none"> judges elected by the voters to 10-year terms
<ul style="list-style-type: none"> associate judges are appointed to four-year terms 	<ul style="list-style-type: none"> a panel of three judges hears the appeals and makes a ruling 	<ul style="list-style-type: none"> all courts of the state are under the supervision of the chief justice

1. Every state law starts with an idea.



The lawmaking process starts with an idea from you, the voting public, a state legislator, or someone may say to a legislator, "There ought to be a law for"

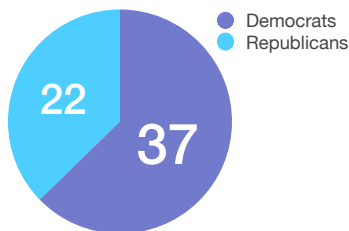
2. The bill is introduced.



A bill may start out in either the House or the Senate or the Illinois General Assembly. Each bill must be read by title three different days in each chamber before it can be passed.

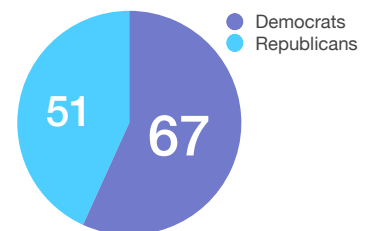
3. Your state legislators at work.

Illinois Senate -
59 Members



When the bill is first filed, it is assigned a bill number and read to the legislature for the first time. Senators and Representatives meet in small groups to research, discuss, and make changes to the bill. The state lawmaking process uses committees much like the federal government. Here the bill may have changes (amendments), may get killed, may get passed, may have public hearings, or require more debate.

Illinois House -
118 Members



4. The Illinois Legislature debates and votes.

Approved by committee

- if a majority vote favors the bill, it moves forward.



Second reading to the full legislative body

- amendments can still be proposed



Third and final reading

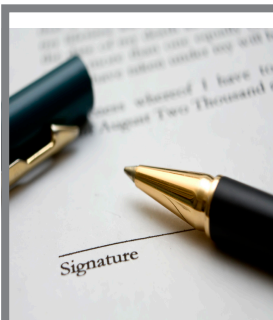
- after the final debate, the chamber votes on the bill. A simple majority is needed, 30 in the Senate — 60 in the House, for most bills to pass. Bills that are approved here move to the other chamber, following the same process.



Approval from the other chamber/house

- Once both chambers agree on the same version of the final bill, it is sent to the governor (within 30 days).

5. Governor's action.



When the bill reaches the governor, he or she has 60 days to take action. This may involve: (1) approving the bill - signing the bill into law, (2) veto with recommendations for changes, (3) veto it absolutely, (4) do nothing, which the bill will automatically become law after the 60-day period.



If a bill is vetoed, it can become law if both chambers of the General Assembly vote with a three-fifth (3/5) majority to override the governor's veto.

“The judicial power is vested in a Supreme Court, and Appellate Court, and Circuit Courts.”
— Illinois Constitution Article VI

The judicial branch of government in Illinois administers justice and interprets the laws. It is composed of a system of courts. The Illinois Constitution defines the responsibilities of the courts, the qualifications of judges, and the duties of the three-level court system. The *three-level court system* involves the (1) circuit courts, (2) appellate courts, and (3) the Supreme Court.

Circuit Court

Circuit courts are the *general trial courts*. They hear all types of cases, from traffic violations to murder arrests. In these courts, cases are heard, and judgments are made. The Illinois Constitution says that this court has jurisdiction, “...of all justiciable matters...” The judicial process of the state begins here. Most of the work on the state court system takes place in these 23 courts (in 23 *judicial circuits*), spread across the state.

Circuit courts are staffed by *Circuit* and *Associate* Judges. Circuit court judges are elected by the voters to six-year terms. Each judicial district has one *Chief Judge* elected by the Circuit court judges. Associate Judges are appointed by the Circuit Judges to a four-year term and may not rule on more serious cases. The number of judges is provided by law.

Appellate Court

The appellate court hears appeals from the circuit courts. Most cases appealed from the circuit courts are decided here, with few going to the Illinois Supreme Court.

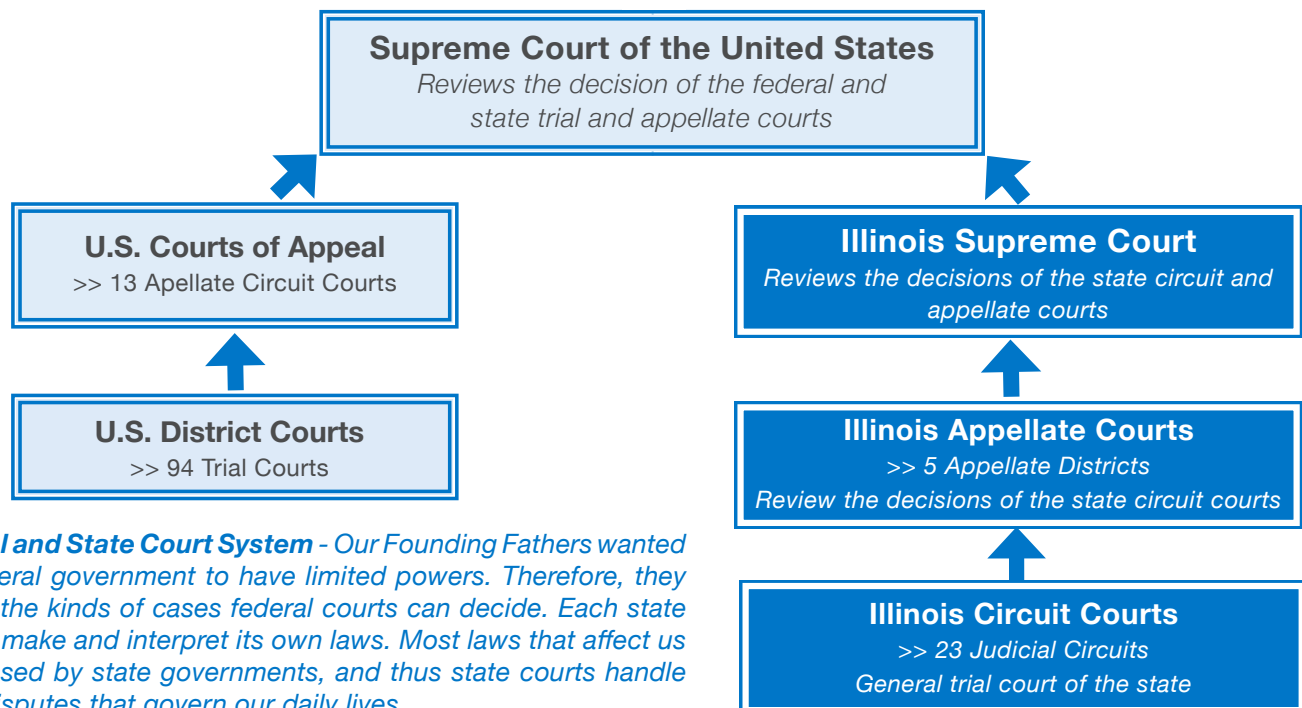
The appellate court is organized into five *judicial districts*. The first meets in Chicago, the second in Elgin, the third in Ottawa, the fourth in Springfield, and the fifth in Mount Vernon. The judges serve 10-year terms, and the number of judges is provided by law. A panel of three judges hears the appeal and at least two must agree before a decision is made.

Supreme Court

The highest court in the state is the Illinois Supreme Court. It has the highest authority on the interpretation of state and local laws. Also, it has the power to declare laws from Illinois General Assembly unconstitutional. The Illinois Supreme Court oversees the entire state court system, monitoring court workload, seeking improvements to the court system, and establishing an Administrative office to watch over these lower courts.

The Supreme Court is required to hear cases from the lower courts that involve constitutional issues or cases of extreme importance. Also, it has *original jurisdiction* (hearing a case for the first time) in the following cases:

1. *revenue* - involving taxes;
2. *mandamus* - ordering a public agency or governmental body to perform an act required by law when it has neglected or refused to do so;
3. *habeas corpus* - requiring a person to be brought before a judge to determine if a person is lawfully held in prison or jail. Otherwise, it is simply the final court of appeal on all other state matters that come from the circuit court on appeal.



Federal and State Court System - Our Founding Fathers wanted the federal government to have limited powers. Therefore, they limited the kinds of cases federal courts can decide. Each state gets to make and interpret its own laws. Most laws that affect us are passed by state governments, and thus state courts handle most disputes that govern our daily lives.

In a democracy, a citizen has the responsibility for the government under which he or she lives. By voting and staying informed on the issues he or she takes part in the business of government. With every freedom we enjoy, there are also corresponding duties. We must perform these duties, such as voting if we expect to enjoy our freedom.

Voting is a constitutional right. Early in American history, only white men over the age of 21 could vote. Then it took two constitutional amendments — one in 1870 and the other in 1920 — to give black people and women, respectively, the right to vote. Then, when Americans 18 and older were in the military fighting in wars, people began to think that if young people were old enough to die for their country, they were surely old enough to vote. So in 1971, the 26th Amendment to the U.S. Constitution gave 18-year-olds the right to vote, and so did the state of Illinois.

Primary Elections

Primaries are elections held before the general election in which party members select the candidates of their party, mainly the Republican Party and the Democratic Party. The winners of these primaries then face each other in the upcoming general election. Primaries are held in February or March before the November general election.

Voting at Age 17

Illinois and 20 other states allow 17-year-olds to vote in primaries if they are 18 by the November election. This 2014 law allows this group to vote in primaries for federal and statewide offices. Advocates say the change allows youth to develop voting habits early, a key to ensuring they turn into lifelong voters. Critics have questioned whether teens are engaged enough to cast meaningful votes. What do you think?

General Elections

The most publicized elections in Illinois are the *general elections*. They are *biennial* elections. That is, they are held every two years in even-numbered years. The Illinois gubernatorial election is held every four years. Illinois residents also vote for the President of the United States in every other general election. The next presidential election in Illinois will be 2020. President Trump will be eligible to run, as he will have served only one term (of the maximum two terms) for president.

Other Types of Illinois Elections

Other types of Illinois elections include judicial, township, municipal, school, village, park district, and some other miscellaneous elections. Many of these occur in the spring elections. Their dates are established by law. Watch your newspapers for elections that may be affecting your local area.

Voting Requirements

In Illinois, like any state, a citizen must obey the election laws. They also must meet the requirements that have been set up by those laws. Illinois requirements include:

1. A voter must be at least 18 years old on Election Day for general elections (see note regarding voting at age 17).
2. A voter must have lived in the election district for at least 30 days.
3. A voter must be a citizen.
4. New laws allow citizens to register and vote on the *same day* and provides for *automatic voter registration* when interacting with driver's license facilities or other state offices.
5. A voter in Illinois cannot claim the right to vote anywhere else.

Early Voting

Early voting helps to eliminate the idea of absentee voting from Illinois law. In-person voting before Election Day will just be referred to as early voting. This was created to allow the voter to vote in a designated polling place during the 22nd day through the 5th day preceding an election without having to supply an excuse or reason. Traditional absentee voting will now be included in the general vote-by-mail program, reflecting the way the state conducts modern-day elections.

Referendums

Voters in Illinois are sometimes asked to do more than just vote for elected officials. Sometimes they vote on public issues, such as bond issues of governmental bodies or changes in the state constitution. One of the better-known *referendums* is the one school districts use to ask voters about building new schools.

QUESTIONS

SHORT ANSWER

1. When is the next general election? _____
2. How often is a general election held? _____
3. On what day are general elections held? _____
4. What are some other kinds of elections? _____
5. If you are going to be absent on Election Day, how can you still vote? _____
6. What are the requirements for voters? _____
7. What is the purpose of a primary election? _____
8. What is the youngest age you can vote? _____

The following test will help you prepare for your final Illinois Constitution test. It has questions similar to ones you will find on your final. It is suggested you write your answers on a piece of paper so you can take the test a number of times. You will find the correct answers at the bottom of Page 32.

Hard work on this page will assure you of a better grade on your final exam. Be sure to look up any answers you don't understand or see your teacher for an explanation.

MATCHING. Match the person or body in **Column A** with the correct branch of state government in **Column B**. Put the letter of the correct answer in the space provided.

Column A

- _____ 1. The Illinois Governor
- _____ 2. The Illinois House of Representatives
- _____ 3. The Illinois State Supreme Court
- _____ 4. Illinois Circuit Courts
- _____ 5. Lieutenant Governor
- _____ 6. Illinois State Senate
- _____ 7. Attorney General

Column B

- A. The Legislative Branch
- B. The Judicial Branch
- C. The Executive Branch

FILL IN THE BLANKS. Write the correct answer in the space provided.

- _____ 8. Who can veto a bill passed by the General Assembly?
- _____ 9. If the governor dies, who becomes governor?
- _____ 10. The river that makes up the westerly border of Illinois.
- _____ 11. The highest court in Illinois.
- _____ 12. Voters not only vote for state officials, they sometimes vote on public issues or questions. What are those types of elections called?
- _____ 13. The governor of Illinois.
- _____ 14. The next presidential election in Illinois will be in what year?
- _____ 15. How many days does the governor have to consider a bill from the General Assembly?
- _____ 16. How many constitutions has Illinois had?
- _____ 17. Who may call special sessions of the General Assembly?
- _____ 18. The executive branch officer that keeps the "Great Seal" and maintains the official records of the state.
- _____ 19. Who is the chief legal officer of the state of Illinois?
- _____ 20. How are Illinois judges selected?
- _____ 21. Name the election used to select candidates for the general election.
- _____ 22. The capital of Illinois.
- _____ 23. How many branches of government in Illinois?
- _____ 24. If the General Assembly wishes to pass a bill over a veto, what fractional vote is necessary?

continued