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The early colonists came to America to find freedom, but had to face many dangers. They became very independent and self-sufficient. At first, England paid little attention to the colonists in America, and the colonists were not strictly controlled by English law and government.

However, after the colonies grew and became important centers of trade, the British imposed restrictions and trade regulations on them. Some of these restrictions put England in a favorable position concerning trade with the colonies. The colonies objected vigorously.

The colonists also objected to the quartering of soldiers, taxation without representation in Parliament and lack of true self-government, among other issues.

People soon banded together and, at the urging of patriotic groups like the *Sons of Liberty*, refused to buy English goods.

Incidents like the *Boston Tea Party* in 1773 added fuel to the revolution. The Boston Tea Party occurred when patriots, disguised as Indians, threw tons of tea into Boston Harbor, because the colonists did not like tax policies of the British. When the British punished the Bostonians, all the colonists were inflamed. Conditions grew worse and, a year after the Boston Tea Party, Patrick Henry shouted:



Patrick Henry

"The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty, or give me death!"

Henry's speech became one of the best-known pre-revolutionary speeches.

First Continental Congress

Colonial leaders decided to call a meeting to discuss how to win their rights. They were more interested in fair treatment than in independence. The *First Continental Congress* met at Carpenters' Hall in Philadelphia,

Pennsylvania, in 1774, with delegates from 12 of the 13 colonies. Georgia did not send representatives but agreed to support any plans made at the meeting. The delegates sent their complaints to the king, but British colonial policy did not change. Although they wanted their rights,



Carpenters' Hall

delegates did not dream they would soon have the responsibility of conducting a war. The colonial leaders also imposed an *embargo* (agreement prohibiting trade) on British trade and goods.

Second Continental Congress

The First Continental Congress adjourned in late October 1774, but agreed to convene the following May. By then the *American Revolution* had begun. In the spring of 1775, British soldiers were sent to Lexington, Massachusetts, to seize the guns and ammunition of the colonists and arrest colonial leaders Samuel Adams and John Hancock. It was Paul Revere who warned the Minutemen to meet British soldiers at Lexington, where, an unidentified shot started the war.

The *Second Continental Congress* met a few weeks later in May 1775, again in Philadelphia. Many of the same 56 delegates who attended the first meeting were in attendance, including one from each of the 13 colonies. These delegates had first come hoping for peace, but soon, more and more leaders called for complete separation from Great Britain.

Many critical actions were discussed and decided. The Second Continental Congress assumed the powers of a central government. An army and a navy were organized, and money was issued. General George Washington was chosen to lead the army. The Second Continental Congress became the nation's first government and continued to meet until the Articles of Confederation took effect in 1781.



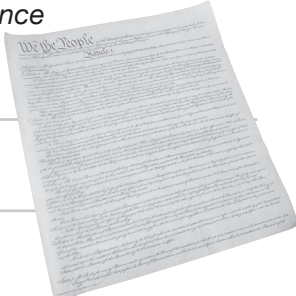
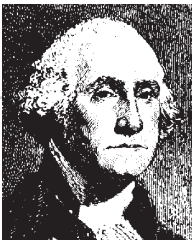
Six years after the fighting began in Lexington, the British surrendered to General Washington at Yorktown, Virginia. The Americans had won their fight for independence.

QUESTIONS

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 1. The only objection the colonists had toward British rule concerned trade regulations.
- ___ 2. When the First Continental Congress met, the members wanted to declare war against England.
- ___ 3. Patrick Henry did not want to see the war begin.
- ___ 4. The Sons of Liberty supported the colonists' cause.
- ___ 5. The English colonists were closely governed from the time of the earliest settlements.
- ___ 6. The Boston Tea Party occurred because of a tax dispute.
- ___ 7. Samuel Adams and John Hancock were colonial leaders.
- ___ 8. Patrick Henry said, "Give me liberty, or give me death!"
- ___ 9. The First Continental Congress met in 1774.
- ___ 10. Each of the 13 colonies had a representative at the Second Continental Congress.
- ___ 11. George Washington led the American Army in the Revolution.
- ___ 12. The British won the American Revolution.

Listed below is a sampling of the important events that led up to America's independence and the adoption of a new constitution. You will find the year and the significant event that happened during that time.

1763-1765	England decides on a program of taxation and control of the colonies. The American colonists begin organized protests against British rule. Patriotic groups such as the <i>Sons of Liberty</i> are formed. Laws such as the <i>Quartering Act</i> , <i>Stamp Act</i> , and <i>Sugar Act</i> anger the colonists, who are forced to pay unjust taxes and provide supplies to British troops.	
1770	Colonists reduce their boycott of British goods when they withdraw all of the <i>Townshend Act</i> , except the tax on tea. <i>Boston Massacre</i> occurs when an angry crowd of citizens surround a group of soldiers causing them to open fire.	
1773	With the American colonists and merchants still angry over British tax policies, an uprising called the <i>Boston Tea Party</i> occurs.	
1774	In response to the Boston Tea Party, the Parliament passes several acts to punish Massachusetts. Twelve of the 13 colonies name delegates to a congress, The First Continental Congress. On September 5th, they meet mainly to deal with Britain's actions.	
1775	When the Americans learn the British plan to seize their guns and ammunition, Paul Revere is sent to alert the countryside and gather the <i>Minutemen</i> . An unidentified shot triggers the <i>Battle at Lexington</i> . This starts the American Revolution and also leads to another famous battle, <i>Bunker Hill</i> .	
1776	On July 4th, The Second Continental Congress adopts the <i>Declaration of Independence</i> (written by Thomas Jefferson and a committee). A few days later church bells are rung across Philadelphia to call people to the first public reading of the Declaration.	
1781	The <i>Articles of Confederation</i> are adopted by the states.	
1787	On May 14th, The Constitutional Convention meets in Philadelphia and lasts until September 17th. Here the delegates reviewed and approved the Constitution.	
1788	Nine states ratify the Constitution, and it is put into effect (the remaining four states will ratify by 1790). America prepares to operate under this new document.	
1789	On March 4th, the new federal government is inaugurated in New York. In April, the first House of Representatives is organized. George Washington is elected the first president on April 6th. He is inaugurated on April 30th. On September 25th, the first 10 amendments (<i>Bill of Rights</i>) are adopted by Congress.	

QUESTIONS

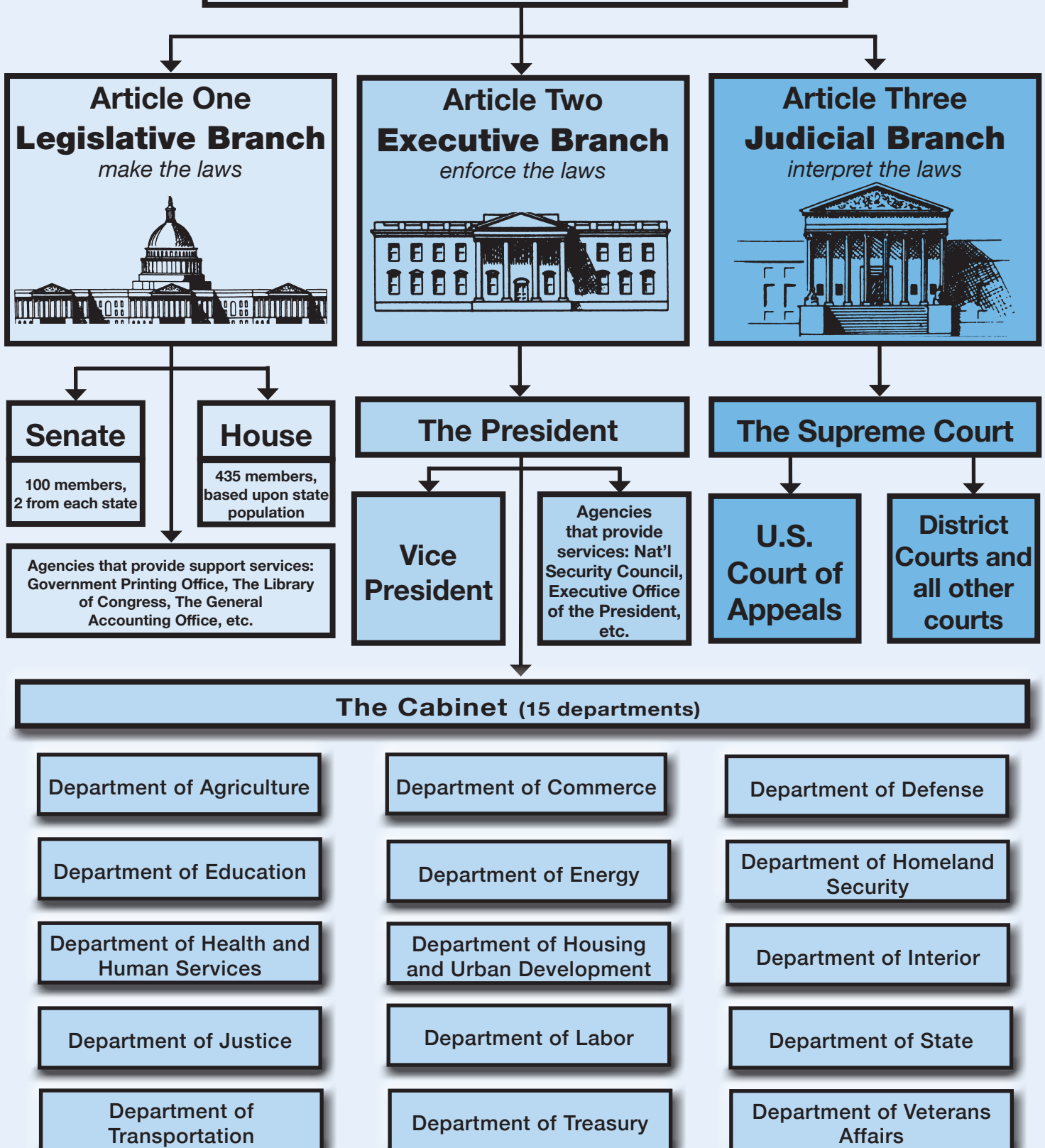
TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 1. The Minutemen helped the British at the Battle of Lexington.
- ___ 2. The Boston Tea Party occurred in 1773.
- ___ 3. The colonists especially liked the British Quartering Act and the Sugar Act.
- ___ 4. The Declaration of Independence was adopted by the Second Continental Congress.
- ___ 5. The Bill of Rights was adopted by Congress in 1789.

PUT THE EVENTS IN ORDER. Select the correct chronological order for the following events, with the first event being the oldest.

1. **a.** Boston Massacre **b.** Declaration of Independence
c. Washington becomes president ____
2. **a.** Articles of Confederation **b.** Boston Tea Party
c. The Constitution ratified by nine states ____
3. **a.** England decides on a program of taxation and control of the colonies **b.** Constitutional Convention
c. Battle of Bunker Hill ____
4. **a.** Paul Revere alerts colonists **b.** Stamp Act **c.** First House of Representatives organized ____
5. **a.** Bill of Rights adopted **b.** First Continental Congress is held **c.** Declaration is read to public ____

The Constitution SETS UP THREE BRANCHES



“Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes law, be presented to the President of the United States....” — United States Constitution, Article 1

Powers to make laws are given to Congress, consisting of the Senate and House of Representatives. A description of these powers can be found in Article 1 of the Constitution.

In both houses of Congress, no business may be transacted without a *quorum*. A quorum in each house is a majority of its members. A majority is one-half plus one.

How a Bill Becomes Law in Congress

Bills, a term for proposed laws, may start in either house of Congress (Please refer to more of the lawmaking process on Pages 21, 22 and 24). However, bills for revenue must begin in the House of Representatives (see Article 1, Section 7). After a bill is introduced, it is given a number and usually referred to a *special committee*. There are 16 Senate committees and 24 House committees, plus four special or select Senate committees.

In a committee, detailed studies are made of the bill, and hearings may be held. A committee may amend, rewrite, recommend passage, or ignore a bill. It is possible to pass some bills without committee approval, but this seldom happens. Some people feel these committees are too powerful and may keep members of Congress from considering certain laws. Committees are necessary, however, and rules controlling their behavior and power are determined by Congress.

Thousands of bills are introduced during a session of Congress. Four out of five of these bills have little

or no chance of being passed into law. Bills that seem unimportant to the committees are ignored. The bills that are taken seriously may have public hearings. After the committee finishes with a bill, it is reported to the Senate or House favorably or unfavorably. The entire Senate or House then votes on the bill.

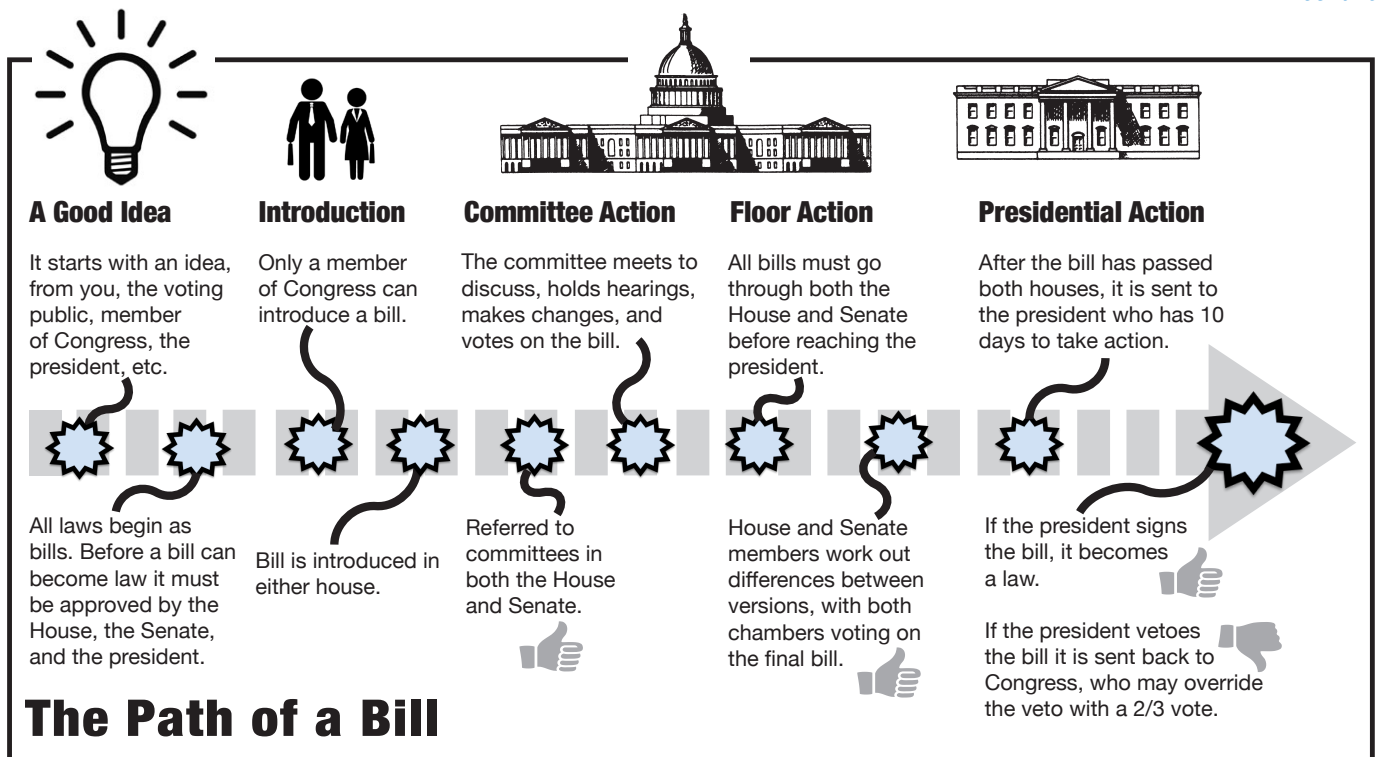
The bills that come from committees are put on a calendar and voted on according to a schedule. Changes to the bill may be made, and then the final vote is taken. The bill is sent to the other house of Congress if the vote is favorable.

In the other house of Congress, the same type of procedure is followed. If the other house passes the bill, but with changes, a joint committee from both houses is set up to work out a *compromise bill*.

After the bill has passed both houses, it is sent to the president, who may either sign or veto it. This particular duty is found in Article 1, Section 7, of the Constitution. If the president signs the bill, it becomes another law of our land. If the president does not sign the bill, but vetoes it, the two houses of Congress may try to override the president's veto by a two-thirds vote in each house. Very few bills are passed this way.

If the president does not act at all, the bill becomes a law automatically in 10 days, providing Congress is still in session. If Congress adjourns before the 10-day period is up and the president has not acted on the bill, it is automatically vetoed. This is called a *pocket veto*.

continued



Perhaps the longest debate at the Constitutional Convention concerned the method of selecting the president. An early suggestion was to give this power to Congress. But that would have destroyed the idea of the separation of powers. How could we have three branches of government, each checking the other if the legislative branch (the Congress) picked the head of the executive branch (the president)?

The writers of the Constitution also weren't ready to give the selection of the president to the people or the "common man." So they wrote a compromise into Article 2 of the Constitution. The compromise set up a system of electors to select the president. These electors came to be known as the *Electoral College*, but the Constitution itself does not mention the term "Electoral College."

Each state would get as many "electors" as there were senators and representatives from that state. And, in the 23rd Amendment to the Constitution in 1961, three additional electoral votes were added for the voters of Washington, D.C. That made a total of 538 electors (electoral votes for each state equals the number of representatives plus two for the senators), and a vote of 270 or more would be necessary to select the president. The map below shows the distribution of electoral votes based on the 2010 reapportionment.

Before 1961, the voters in Washington, D.C., didn't get to vote for the president at all. This was not considered fair in the capital of our country.

To summarize, if a candidate gets the most popular

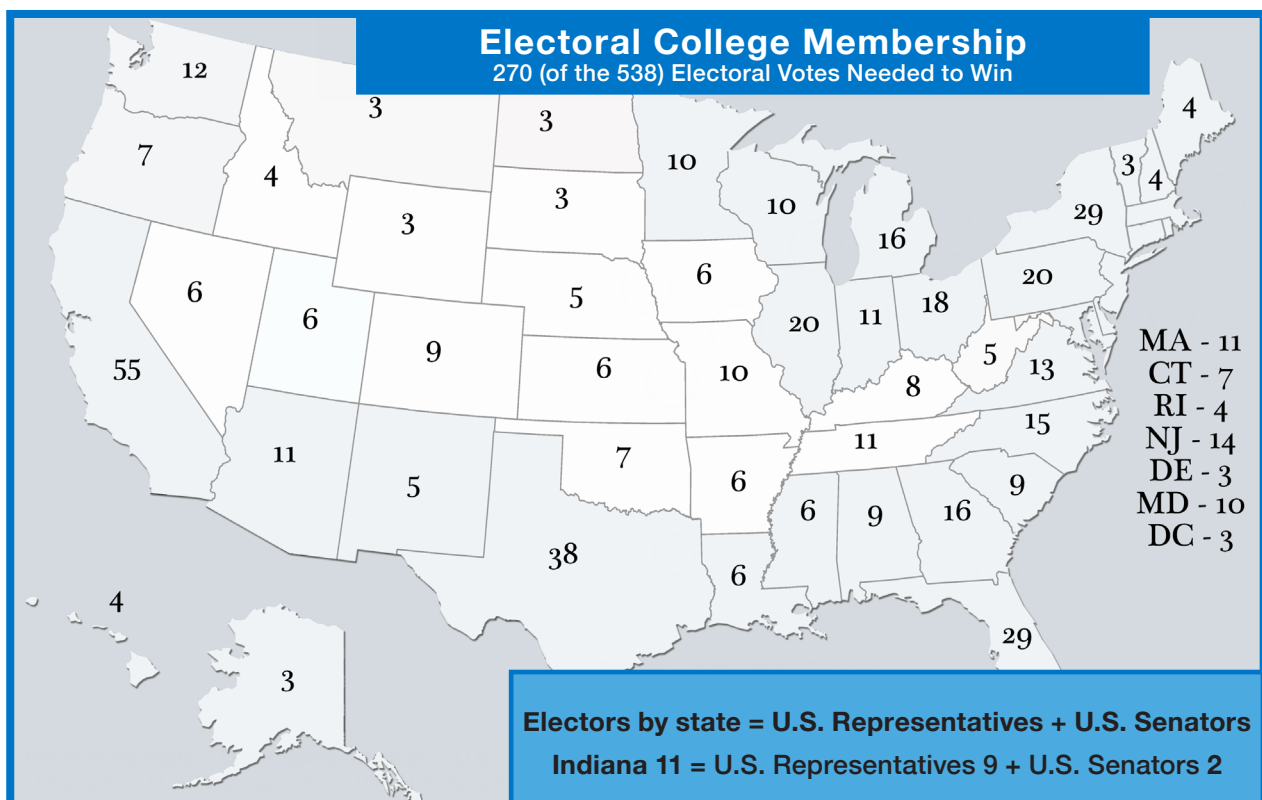
(people) votes in the state, the "electors" will then cast their votes the same way. Thus all the electoral votes for the state will (except for Maine and Nebraska) go to the winner of the state.

The writers of the Constitution also thought that the Electoral College gave states with a small population more equal weight in the presidential election.

One of the problems political scientists see in the Electoral College is that it allows a person to be selected president who has not won the popular vote in the country. In our growing beliefs in the power and rights of democracy in our nation, that could be a problem. Because all the electoral votes of a state go to the candidate who wins the vote in that state, whether the candidate wins by a single vote or a million votes, it is possible to be elected president without having the most votes.

That has not happened very often, but it did occur in 2000 when George W. Bush became president and again recently in the 2016 election. President Trump became president even though Hillary Clinton won a majority of the popular votes. And, because this has happened so recently, Americans are debating the pros and cons of the Electoral College. Since a change in the electoral vote would require a constitutional amendment, change will not come easily. Supporters of the current system say that it has served the nation well and forces candidates to gain broad geographic support rather than concentrating only on large metropolitan areas.

continued



"Laws are a dead letter without courts to expound their true meaning and operation." – Alexander Hamilton

Judicial review is the name given to the process by which the courts interpret the meaning of the Constitution and the laws passed under it. It is clear that the Constitution is the supreme law of our land and takes precedence over any law passed or any action taken by any state or federal official.

But the Constitution is not a detailed legal code, and it is not always easy to see how the Constitution can be applied to particular cases. As conditions change, new interpretations may be placed on the Constitution; actions may be taken in areas that are not directly covered by the Constitution.

Someone, then, must have the authority to say exactly what the Constitution means and to decide if the government is acting within constitutional limits. Most historians agree that the members at the Constitutional Convention meant the courts to have the power of judicial review, even though they did not write it out in detail. Apparently, they thought that the idea had been conveyed adequately through the wording of Article 3, the judicial article, and Article 6, the "supreme law of the land" clause.

There was some discussion of this question after the Constitutional Convention, but nothing was settled until 1803 when the Supreme Court handed down its decision in the case of *Marbury v. Madison*. The court ruled that one section of a 1789 law was contrary to the Constitution and, therefore, was not a valid law.

"It is emphatically the province and duty of the Judicial Department to say what the law is...If two laws conflict with each other, the Courts must decide on the operation of each. So, if a law be in opposition to the Constitution... the Court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty."

The above ruling from *Marbury v. Madison* established the precedent for judicial review, an important addition to the system of checks and balances to prevent any one branch of the government from becoming too powerful. Judicial review in the United States has been a model for other countries.

Cases Handled by the Federal Courts


The federal courts are often called the "guardians of the Constitution" because their rulings protect rights and liberties guaranteed by the Constitution. Through fair and impartial judgments, the federal courts interpret and apply the law to resolve disputes. An important distinction should be noted: Courts do not make the laws; that is the responsibility of Congress. The subjects of Judicial Review also include the legislative actions from Congress, the executive actions from the president and government agencies, and state and local laws.

On the next page, you will find examples of cases that are handled by the federal court system.

continued

LEARNING AID

JUDICIAL BRANCH FACT SHEET

Main Courts	The <i>Supreme Court</i> , <i>Court of Appeals</i> , and <i>District Courts</i> .	
Number of Courts	<i>Supreme Court</i> : 1 <i>Court of Appeals</i> : 13 <i>District Courts</i> : 94	
Number of Judges	<i>Supreme Court</i> : 9 <i>Court of Appeals</i> : 3 to 9 <i>District Courts</i> : 1 to 24	
Supreme Court Salaries	\$223,500 for Supreme Court chief justice \$213,900 for Supreme Court associate justices	
Terms of Office	For life; may be removed only by impeachment.	
Duties	Main duty of the judicial branch is to interpret laws and administer justice. <i>Supreme Court</i> : Decide if laws are constitutional <i>Court of Appeals</i> : Hear appeals from lower courts <i>District Courts</i> : Ordinary trial courts, federal cases begin here Other courts handle special cases, examples include U.S. Claims Court and U.S. Tax Court.	
Meeting Place	<i>Supreme Court</i> : Washington, D.C. <i>Court of Appeals</i> : various circuits <i>District Courts</i> : various districts	
Article Number in Constitution	Article 3 of the U.S. Constitution	

The following test will help you prepare for your final 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 multiple times. You will find the correct answers at the bottom of Page 52.

MULTIPLE CHOICE

Write the letter of the correct answer in the space provided.

1. _____ The president may serve how many terms? a. 1 b. 2 c. 3 d. 4
2. _____ What is NOT a rule of the flag code?
a. worn flags should be thrown in trash c. nothing should be attached to the flag
b. should be in the front of a parade d. exact likeness should not be used in ads
3. _____ How many amendments have been added to the Constitution? a. 10 b. 21 c. 27 d. 41
4. _____ How many years is the president's term of office? a. 2 b. 4 c. 6 d. 9
5. _____ What is the age requirement to become president? a. 18 b. 21 c. 35 d. 45
6. _____ After a bill has gone through both houses of Congress successfully, it is sent to:
a. the President c. the Speaker of the House
b. the States d. the Supreme Court
7. _____ Which amendment gave women who are citizens the right to vote in all elections?
a. 17th b. 19th c. 22nd d. 27th
8. _____ How many U.S. senators come from each state? a. 1 b. 2 c. 3 d. 4
9. _____ Each state receives at least _____ representative(s) in the U.S. House of Representatives.
a. 1 b. 2 c. 3 d. 4
10. _____ Who may veto a bill proposed by Congress?
a. the President of the United States c. the Vice President
b. the Secretary of State d. all Cabinet members
11. _____ The president of the Senate is:
a. the President of the United States c. the Secretary of State
b. the Speaker of the House d. the Vice President
12. _____ Which of these rights is not an unalienable right from the Declaration of Independence?
a. liberty b. education c. pursuit of happiness d. life
13. _____ The Declaration of Independence was written largely by:
a. Hamilton b. Washington c. Jefferson d. Adams
14. _____ The national budget is presented annually to Congress by the:
a. the Vice President c. the Secretary of State
b. the Governors d. the President
15. _____ There are how many branches of government? a. 1 b. 2 c. 3 d. 4
16. _____ The president takes the oath of office on:
a. January 4th b. January 20th c. November 7th d. September 5th
17. _____ In our First Amendment, which is NOT a "freedom"?
a. freedom of the press c. freedom of speech
b. freedom of employment d. freedom of religion
18. _____ The vote of what group really decides who will be president?
a. Electoral College c. United Nations
b. popular vote by the people d. House of Representatives
19. _____ What is described in Article 1, Section 8, of the Constitution giving Congress broad powers to write laws about new situations?
a. war power b. insight clause c. elastic clause d. inventional clause
20. _____ Which body has the power to borrow money?
a. Congress c. Executive Branch
b. Supreme Court d. State Legislatures

continued

Indiana's history is rich and distinguished. The name Indiana simply means "lands of Indians." In its early history, many Native Americans lived in this region.

There were at least 12 different Native American tribes in Indiana when the first Europeans arrived in the late 1600s. These groups included the Miami, Piankashaw, Wea, Shawnee, and Mahican. As the white settlers moved westward, many of the Native Americans were forced out of the region now known as Indiana. By 1838 few Native Americans remained in the state.

In 1679, Frenchman Robert Cavalier La Salle became the first European to cross the region. La Salle and others were searching for a water route to the Pacific Ocean, along with expanding the fur-trading industry.

Later in the 1600s, more Frenchmen followed, exploring, mapping, and building missions, forts, and trading posts. *Vincennes* became the first permanent settlement in Indiana about 1732 and later became the first territorial capital.

The rivalry between Great Britain and France in North America led to a series of wars. One of the last battles, *The French Indian War (1754-1763)* ended with the British gaining control of all land east of the Mississippi River, including Indiana. The new American residents in the 13 colonies were most interested in the westward movement and this land.

British troops did not enter the Indiana region until 1777 when fighting during the *Revolutionary War (1775-1783)* erupted here. George Rogers Clark of Virginia led American soldiers into Indiana to fight Britain and claim Indiana as American land. Their victory of 1770 at Fort Sackville in Vincennes, led to American control of the Northwest. After the Revolutionary War ended in 1783, the United States gained control of all land east of the Mississippi River. A plan had to be devised to settle state claims to the new land, and the *Northwest Ordinance of 1787* was passed. This federal law provided that this Northwest Territory would be the land divided into not

less than three, nor more than five, states. In addition, a governor and council were appointed to pass laws. One of the most important provisions of this ordinance was the establishment of townships, providing land for public schools. This promoted free public education in the new territory.

In 1800, Congress created the *Indiana Territory* out of the western part of the Northwest Territory. This vast territory had only about 5,500 settlers and included what is now Indiana, as well as Michigan, Wisconsin, Illinois, and parts of Minnesota. William Henry Harrison became the first governor of the Indiana Territory and then later the ninth president.

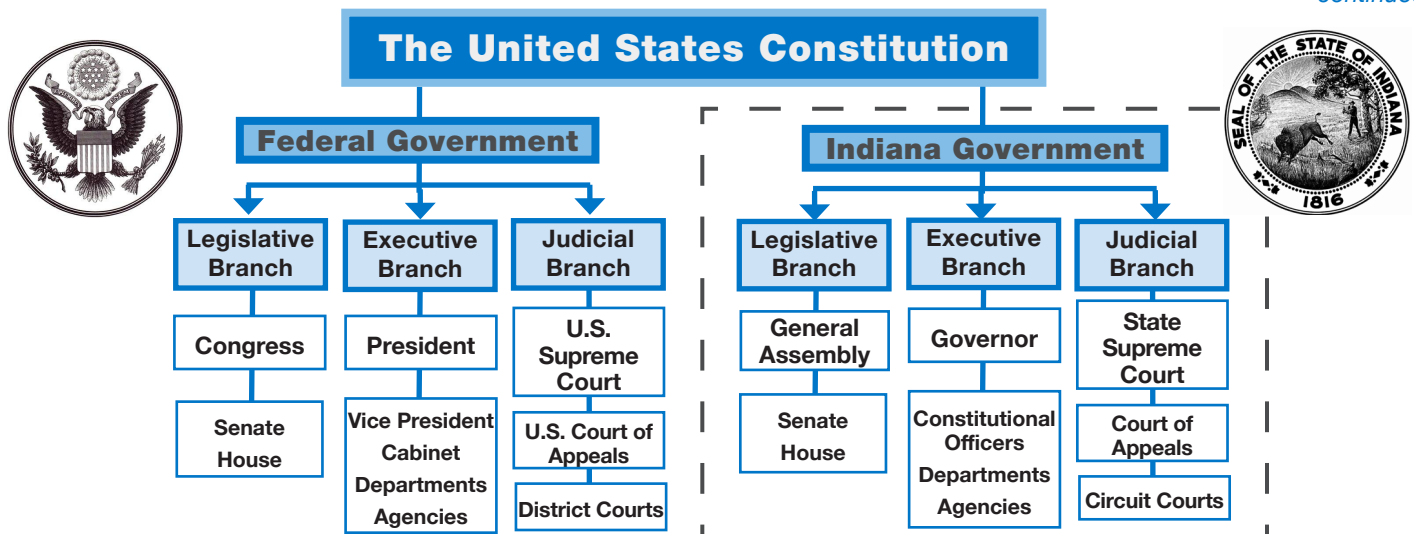
The size of the Indiana Territory was reduced over time with Michigan and Illinois splitting off. In November of 1816, the first General Assembly of 29 representatives, ten senators, and the lieutenant governor met in the capitol building in Corydon. On December 11, 1816, Indiana was admitted to the Union as the 19th state. People from other parts of the United States and Europe saw Indiana as a place where new opportunities exist.

In its first 50 years, Indiana saw farming replace fur-trading as the chief occupation of the region. The economy improved in the 1850s, as railroad expansion linked Indiana to East Coast markets. Manufacturing involved farm machinery, tools, and pork processing that were created to support the growing American economy. Because of its soil and climate, along with its central location, Indiana continues to be a base for agricultural and manufacturing industries.

The state capital moved from Corydon to Indianapolis in 1825 and remains today. The central location was important for managing and growing the state. As Native Americans moved west, there were vast amounts of land open for settlement. The young state's settler population rose sharply from 147,000 in 1820 to more than a million in the 1850s.

In April 1861, the southern states, angry over President

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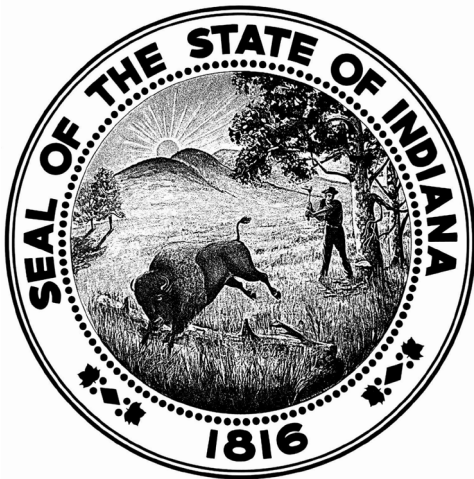
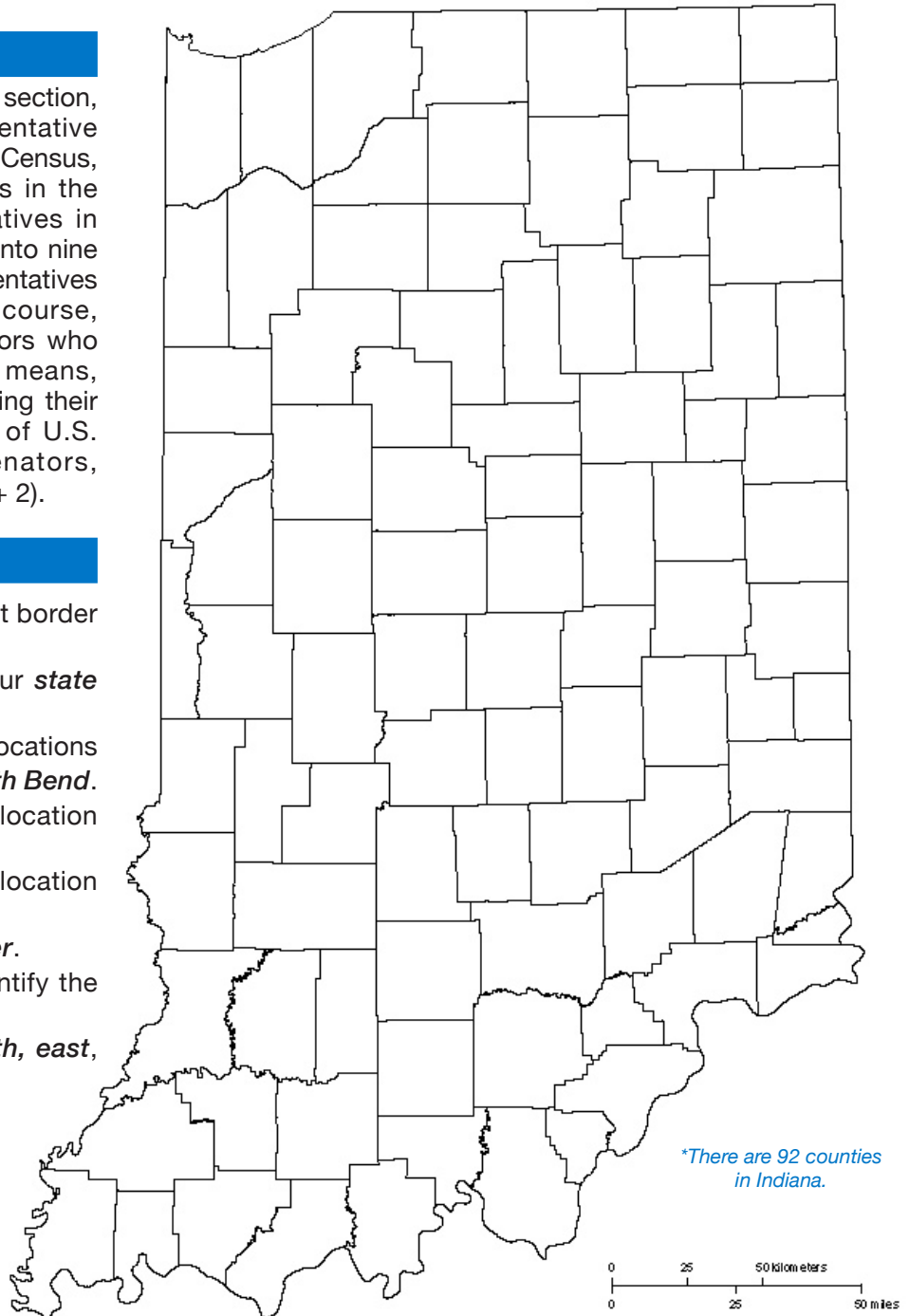
The U.S. Constitution splits governing powers between the federal government and the states. This unit will cover the state government portion of the chart above. It will also include the study of local government bodies.

Population and Government

As you have learned from the federal section, each state gets at least one representative and two senators. Based on the 2010 Census, Indiana receives nine representatives in the United States House of Representatives in Washington, DC. The state is divided into nine districts, each with one of the representatives (called *congressional districts*). Of course, Indiana has two United States senators who serve the state “at large.” At large means, they serve the total state without having their own district. Based on the number of U.S. Representatives and the U.S. Senators, Indiana receives 11 electoral votes ($9 + 2$).

Indiana Map Exercise

1. On the map, identify the **states** that border Indiana.
2. On the map, identify and label your **state capital**.
3. On the map, identify and show the locations of **Fort Wayne**, **Evansville**, and **South Bend**.
4. On the map, identify and show the location of your **hometown** with a star.
5. On the map, identify the general location of **Lake Michigan**.
6. On the map, identify the **Ohio River**.
7. Shade your county lightly and identify the **county seat**.
8. Identify the directions, **north**, **south**, **east**, and **west**.



State Seal Exercise

Here is a reproduction of the official *Great Seal of Indiana*. It was approved as the official state seal design by the 1963 General Assembly. Research the “Great Seal” and answer the following questions:

1. Do you think the sun is rising or setting, and what would that represent? _____
2. What type of tree is the leaf from, shown on the outer edge? _____
3. What is the name of the mountains in the background? _____
4. Why was a buffalo included on the seal? _____

"The executive power of the State shall be vested in a Governor. He (or she) shall hold his office during four years, and shall not be eligible more than eight years in any period of twelve years." — Indiana Constitution, Article 5

The Governor

The executive branch of Indiana enforces and administers the laws. The governor is assisted by the lieutenant governor, who becomes governor if the governor cannot continue to serve. The governor is the most important officer in the executive branch.



Governor Eric Holcomb

The governor, as well as the lieutenant governor, must be at least 30 years old, a resident of the state for the five years preceding the election, a qualified voter of the state, and a U.S. citizen. Unlike the president, a governor does not need to be a natural-born citizen. The governor receives a salary of \$111,688 and can be re-elected. The governor's term of office is four years. The governor is limited to two consecutive terms with at least four years before the same individual may hold the office again. Republican Governor Holcomb is eligible to run for re-election to a second term in the 2020 gubernatorial election.

The order of succession to the governor's office is; lieutenant governor; then the president pro tempore of the state senate. This succession noted in the state constitution was administered when Governor Frank O'Bannon died in office on September 13, 2003. Lieutenant Governor Joe Kernan was then sworn in as the new chief of the state.

The governor, besides enforcing and administering the law, also has the critical duty of vetoing or approving bills passed by the General Assembly. Other important duties include the following:

1. The governor appoints many members of the state government. Many of these appointments require the approval of the state senate. The governor may also remove any of these officials he or she feels are incompetent.
2. With the approval of the General Assembly, the governor may reorganize any executive agencies in the state that are responsible to the governor.
3. The governor may grant pardons, commutations, and reprieves as he or she thinks proper.
4. The governor, at the beginning of each session and the close of the governor's term of office, shall report to the General Assembly on the condition of the state.
5. The governor is commander-in-chief of the state militia, except in cases of national emergency when they are called into federal service. (They are then under the control of the President of the United States.)
6. The governor may call special sessions of the General Assembly.
7. Each year the governor must submit a state budget to the General Assembly for its consideration.

Veto

The governor has two types of vetoes:

1. The *regular veto* in which the whole bill is rejected, much like the veto of the president.
2. The *item or reduction veto*. This is for appropriation bills only, where the governor simply changes the appropriation. The houses can pass this appropriation by simply accepting the appropriation change.

The governor may also exercise a so-called *pocket veto* by failing to sign a bill passed in the last two days of a legislative session.

The governor's office is similar in some ways to the office of the President of the United States. However, there are some differences. Some of the most important differences are the lack of foreign affairs and national defense in the responsibilities of the governor. We might also assume that the governor has a somewhat less demanding job.

Indiana has had many famous and talented men serve as governor. Thomas Riley Marshall was governor of the state from 1909 to 1913 and was an advocate of labor and social legislation. He went on to become vice president to Woodrow Wilson in 1913. The lives of these men make an interesting and worthwhile study. Indiana has yet to elect a woman governor.

QUESTIONS

1. What are the qualifications for governor? _____
2. What is the order of succession to the office of governor? _____

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- _____ 1. The General Assembly cannot be called into special session.
- _____ 2. The governor may remove any officer he has appointed.
- _____ 3. The governor has the job of enforcing the law.
- _____ 4. The governor is the commander-in-chief of the state militia.
- _____ 5. The governor's salary is \$111,688.
- _____ 6. The governor is in charge of foreign affairs.
- _____ 7. The governor cannot grant pardons.
- _____ 8. The governor's term of office is four years.
- _____ 9. The governor may veto a bill.
- _____ 10. The governor must be 40 years old or older.

DEFINE

1. reprieves _____
2. commutations _____
3. pardons _____

"The judicial power of the State shall be vested in one Supreme Court, one Court of Appeals, Circuit Courts, and such other courts as the General Assembly may establish." — Indiana Constitution, Article 7

The judicial branch of government in Indiana administers justice and interprets the laws. The state constitution provides that the judicial power of the state is vested in a supreme court, a court of appeals, circuit courts, and any other courts that the General Assembly chooses to establish. The judicial system is composed of a system of courts, each designed to fill a specific need.

Indiana Supreme Court

The final authority on the state constitution and the highest tribunal for any action started in the state courts, except when a federal question is raised, is the Indiana Supreme Court. The route to the Supreme Court usually begins in the lower courts, which have *original jurisdiction*. It will interpret disputed cases from the Indiana Court of Appeals and the Indiana Tax Court. The court reviews cases according to a calendar set by the chief justice. Other responsibilities include:

- admitting qualified persons to practice law in Indiana
- hearing appeals from defendants sentenced to death or for terms greater than 50 years
- insuring lower courts are hearing appropriate cases
- hearing cases (on petition) involving substantial questions of law, great public importance, or emergencies

Article 7 of the Indiana Constitution states that the Supreme Court must consist of between four and seven justices. Traditionally, the court consists of five justices appointed by the governor. A special judicial nominating commission recommends three potential

candidates when there is a vacancy. After an initial two-year appointment, the justice's name appears on a regular election ballot. Voters of the state will then decide if this justice should remain on the Supreme Court for the full 10-year term. There is no limit on the number of 10-year terms a justice may serve, but retirement is mandatory at age 75. The judicial nominating commission also selects one of the members to serve as chief justice of the court (for a term of five years). The courtroom and offices of the Supreme Court are located in the state capital.

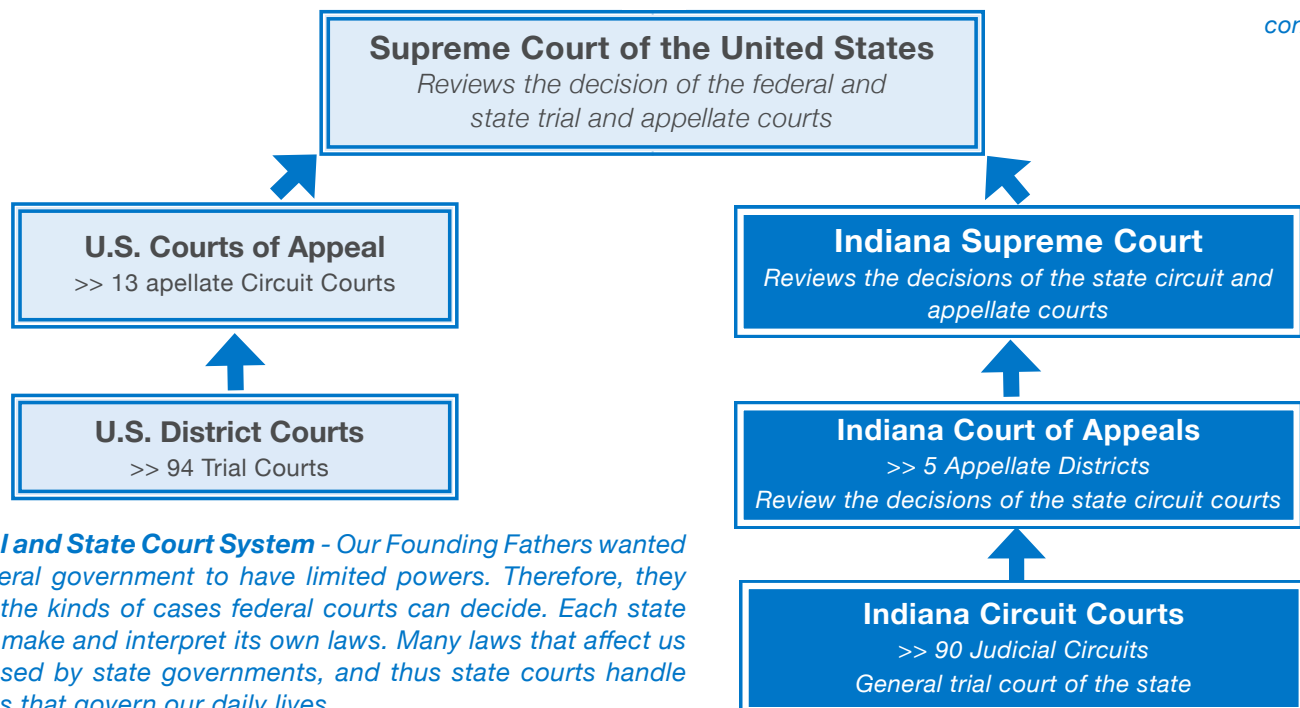
Court of Appeals

The jurisdiction of the court of appeals is defined by the constitution and the state Supreme Court. This court was originally created to relieve the growing case load of the Supreme Court. Responsibilities include:

- receiving appeals from trial courts throughout Indiana (which are not slated for the Supreme Court)
- hearing appeals from criminal cases involving sentences of less than 50 years
- reviewing decisions involving administrative agencies such as the Worker's Compensation Board

Under a 1970 revision of the Constitution, the state is to be divided into geographic districts set by the General Assembly and that each district have three judges. This established five districts, with a total of 15 judges. The judges select one of their own to become chief judge, and each district elects a presiding judge. These judges are selected in the same manner and serve the same terms as the Supreme Court justices.

continued



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. Many laws that affect us are passed by state governments, and thus state courts handle 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 Indiana.

Elections held in Indiana are either *partisan* or *non-partisan*. Partisan means running as a Democrat, Republican, Independent, or minor party candidate. Non-partisan means having no party affiliation.

There are three basic types of elections in Indiana. The first type is the election of representatives to operate the government. These representatives will be elected during primary and general elections described below. The second type of election is voting on constitutional amendments (discussed previously). And the third type is the election in which the people are asked to vote on a public issue (*referendum*). One example of a referendum is the local school district requesting a tax increase to fund a new school.

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. Indiana's primary election, also known as primary election day, is listed as a state holiday in which state government offices in Indiana are closed. It is the first Tuesday after the first Monday of May and every two years after that.

Voting at Age 17

Indiana and 20 other states allow 17-year-olds to vote in primaries if they are 18 by the November election. This state law allows this group to vote in primaries for federal and statewide offices. Advocates say the change enables 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 Indiana are the *general elections*. They are *biennial* elections. That is, they are held every two years in even-numbered years. The Indiana gubernatorial election is held every four years. Indiana residents also vote for the President of the United States in every other general election. The next presidential election will be 2020. President Trump will be eligible to run, as he will have served only one term of the maximum two terms.

Other Types of Indiana Elections

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

1. A voter must be at least 18 years old on Election Day for general elections.
2. A voter must have lived in the election district for at least 29 days.
3. A voter must be a citizen.
4. A voter must register, or sign up, to vote in their election district at least 30 days before the election. You may register at the local township, voters registration office, bureau of motor vehicles, public library or by mail. You will then receive a voter identification card confirming your eligibility and voting precinct.
5. A voter in Indiana cannot claim the right to vote anywhere else.

Absentee Ballots and Early Voting

When voters are going to be absent from the voting area on Election Day, they may apply for an *absentee ballot*. Voters who are sick, or meet other requirements, may also request an absentee ballot. Your local election officials can provide details on absentee ballots.

Indiana is one of 34 states (plus the District of Columbia) that permit early voting in some form. Early voting begins 29 days before an election and ends on the day before the election.

Voter Disqualification

A person convicted of a crime and currently serving a prison sentence is denied the right to vote. This right is restored after the sentence is served. The Indiana Constitution also states that persons deemed incompetent may be prevented from voting.

The following test will help you prepare for your final Indiana unit 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 80.

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 Indiana Governor
- _____ 2. The Indiana House of Representatives
- _____ 3. The Indiana State Supreme Court
- _____ 4. Indiana Circuit Courts
- _____ 5. Lieutenant Governor
- _____ 6. Indiana 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 southern border of Indiana.
- _____ 11. The highest court in Indiana.
- _____ 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 Indiana.
- _____ 14. The next presidential election in Indiana 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 Indiana 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 Indiana?
- _____ 20. How are Indiana judges selected?
- _____ 21. Name the election used to select candidates for the general election.
- _____ 22. The capital of Indiana.
- _____ 23. How many branches of government in Indiana?
- _____ 24. If the General Assembly wishes to pass a bill over a veto, what vote is necessary?

continued