

CONTENTS



FEDERAL SECTION

Unit 1	The American Revolution	5
Unit 2	Declaration of Independence	6
Unit 3	The Articles of Confederation	7
Unit 4	The Constitutional Convention	8
Unit 5	The Bill of Rights	11
LEARNING AID:		
	Important Constitutional Events	12
Unit 6	The Strengths of the Constitution	13
Unit 7	The Preamble and a Look Ahead	14
Unit 8	Summary of the U.S. Constitution	15
LEARNING AID:		
	Three Branches of Government Chart	17
Unit 9	Legislative Branch	18
Unit 10	Lawmaking Process	22
LEARNING AID:		
	Example of a Bill Becoming Law	25
LEARNING AID:		
	Legislative Branch Fact Sheet	26
Unit 11	Other Duties of Congress	27
LEARNING AID:		
	Division of Power	29
Unit 12	Congress and the States	30
Unit 13	Executive Branch	31
Unit 14	The President's Cabinet	33
Unit 15	The Electoral College	35

LEARNING AID:

Executive Branch Fact Sheet	36
Unit 16 Presidents of the United States	37
LEARNING AID:	
The Presidential Election	38
Unit 17 Judicial Branch.	39
Unit 18 Judicial Review.	41
LEARNING AID:	
Judicial Branch Fact Sheet	41
Unit 19 Checks and Balances.	43
Unit 20 Changing the Constitution and Other Information	45
Unit 21 The American Flag.	46
Unit 22 The Federal Budget and the Constitution	47
Unit 23 The American Economy and the U.S. Constitution	48
LEARNING AID:	
Great Seal and Map Exercise	49
LEARNING AID:	
U.S. Constitution Outline	50
LEARNING AID:	
Review Questions: Federal Unit.	52
LEARNING AID:	
Federal Unit Self-Test	54

NEW YORK SECTION

Unit 24	New York History and Constitution . . .	57
LEARNING AID:		
	New York Statistics and Geography	59
Unit 25	Overview of the New York Constitution .	60
LEARNING AID:		
	State Government Fact Sheet	61
Unit 26	State Legislative Branch	62
Unit 27	State Lawmaking Process	64
LEARNING AID:		
	How a Bill Becomes Law in New York	65
Unit 28	State Executive Branch	66
Unit 29	State Judicial Branch	68
Unit 30	Voting and Elections	70

Unit 31	Municipal Government	72
Unit 32	Local Government	73
Unit 33	Financing State and Local Government in New York	74
<i>LEARNING AID:</i>		
	New York Unit Outline.	75
<i>LEARNING AID:</i>		
	Review Questions: New York Unit	76
<i>LEARNING AID:</i>		
	New York Constitution Self-Test	77
<i>LEARNING AID:</i>		
	Name Your Government Officials . . inside back cover	

The authors of the Constitution could not have imagined that, in 200 years, people would be exploring outer space or going from coast to coast in a few hours. Nor could they have imagined all the changes in daily living that would occur. Today, we claim the protection of the Constitution, written when there were only a few million people in the United States. The Constitution now protects more than 320 million Americans. Almost everything about the United States has changed, except the Constitution. It is truly an outstanding document that has withstood the test of time.

Yet, the Constitution changes in some very important ways. In upcoming units, you will see how the Constitution is officially amended. Officials, who operate the government under the rules of the Constitution, constantly interpret its meaning. The Constitution allows a great deal of freedom to do this (and is referred to as a *living* document). It's a basic guide for government and safeguards our freedom. It's flexible and brief enough to allow for adjustments. For example, the Constitution sets up strict rules for making laws to ensure they are just and democratic. But, the Constitution also gives Congress the power to make laws. This provides our Congress with the ability to make laws in areas that did not even exist when the Constitution was written. Space exploration and the internet are two examples. Can you think of others?

Quotes on the Constitution

Two centuries of growth and unrivaled prosperity have proven the foresight of the 55 men who worked through the summer of 1787 to lay the foundation of American government. In the words of Archibald Cox, former solicitor general of the United States, "The original Constitution still serves us well despite the tremendous changes in every aspect of American life because the framers had the genius to say enough but not too much.... As the plan outlined in the Constitutional Convention succeeded, as the country grew and prospered both materially and in the realization of its ideals, the Constitution gained majesty and authority far greater than that of any individual or body of men."

Quotes from the Founding Father's give insight into the attitude and mindset of the time:

"Let our government be like that of the solar system. Let the general government be like the sun and the states the planets, repelled yet attracted, and the whole moving regularly and harmoniously in several orbits." — John Dickinson

"The happy Union of these States is a wonder; their Constitution a miracle; their example of Liberty throughout the world."

— James Madison

"Our new Constitution is now established, and has an appearance that promises permanency; but in this world nothing can be said to be certain, except death and taxes." — Ben Franklin

"The Constitution is the guide which I will never abandon."

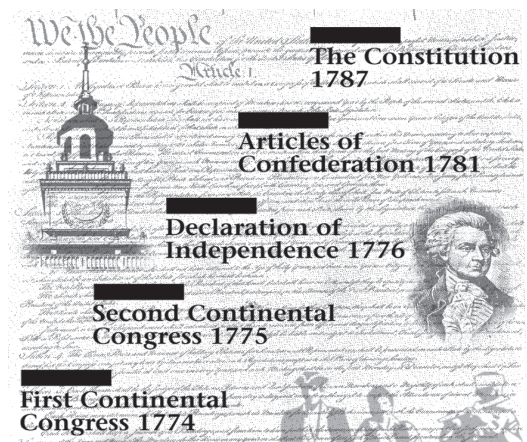
— George Washington

Within the framework of the Constitution, as interpreted by the courts, we are governed by laws, treaties, and customs. Later, you will study judicial review and the amending process, helping you better understand how the Constitution is changed.

The Constitution has lasted because it:

- provides for a government by the people;
- provides for a government that can act when in danger;
- provides for a federal union where people retain certain rights and powers in their states;
- guarantees individual rights even when the individual's views are unpopular or in the minority;
- has preserved the Union;
- provides the leaders of our government an opportunity to interpret the Constitution and apply it to changing times;
- has provisions for orderly changes.

STAIRWAY TO THE CONSTITUTION



The chart above shows the documents and events leading up to the signing of the Constitution in 1787.

QUESTIONS

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

- Changing the interpretation of the Constitution is what makes our Constitution weak.
- The Constitution allows laws to be made for subjects that did not exist in 1787.
- The Constitution can be changed only through rebellion and revolution.
- Over 500 delegates attended the Constitutional Convention and signed the Constitution.

EVENTS IN ORDER. Write the numbers **1-4**, indicating which historical event happened **first (1)**, **second (2)**, **third (3)**, or **fourth (4)**.

- The ratification of the Articles of Confederation.
- The adoption of the United States Constitution.
- The beginning of the American Revolution.
- The signing of the Declaration of Independence.

The Senate

The Senate of the United States is discussed in Article 1, Section 3, of the Constitution.

The Senate has 100 members: two from each of the 50 states. As you recall, there was a dispute between the small states and the large states at the Constitutional Convention.



Senator
Charles Schumer

The Senate was designed to calm that dispute by making all states equal. Every state, regardless of size, has two members. New York's two senators are Democrats Kirsten Gillibrand (term expires 2025) and Democrat Charles Schumer (term expires 2023).



Senator
Kristin Gillibrand

Of the 100 senators, one-third are elected every two years for six-year terms. Terms are staggered this way, so only one-third of the Senate goes out of office at any one time. This assures the Senate will have experienced members at all times. Each one-third of the Senate is called a *class*. All senators serve six-year terms.

U.S. Senate Chart of Election

class	have served	years to serve	comments
1	0	6	just elected
2	2	4	elected 2 years ago
3	4	2	elected 4 years ago
	6	0	were just up for re-election and were re-elected or replaced by class 1

Senators may be re-elected for an unlimited number of terms. This is not uncommon; many have had long careers.

Salary and Qualifications

A senator receives a salary of \$174,000 and an expense allowance. A senator must be at least 30 years old, a United States citizen for at least nine years, and a resident of the state he/she represents in the Senate.

Vacancies

If a Senate vacancy occurs, the governor of the state affected makes a temporary appointment until the next election. This appointment is a very important duty for the governor.

Officers of the Senate

The Vice President of the United States is the *president of the Senate*. This is established by the Constitution. Since the vice president is the second highest official in the executive branch of government and the Senate is part of the legislative branch, this is one way in which the two branches are drawn closer.

Although the vice president is the presiding officer of the Senate, this official may not debate or vote except in the case of a tie. The Senate also elects one of its own members to be *president pro tempore*. The president pro tempore serves in the absence of the vice president. There are also Senate *majority* and *minority leaders*. The Senate majority and minority leaders and the president pro tempore receive a salary of \$193,400.

Senate Duties

The Senate passes *bills* (a term for proposed laws) it hopes will become laws according to a plan you will read about shortly. According to this plan, the House of Representatives must also pass the bill before it is sent to the president for approval.

The Senate has the important job of approving treaties made by the president. It also approves the selection of certain federal officers by the president. The Senate is the jury in cases of *impeachment*. If a president is tried for impeachment, the chief justice of the Supreme Court presides over the trial. The Senate has sat in 15 impeachment cases. The earliest was in 1799 when U.S. Senator William Blount of Tennessee had charges dropped. The latest was in 1999 when the U.S. Senate acted as the jury in the impeachment trial of President Bill Clinton. The Senate found him not guilty.

Electing Senators

The 17th Amendment changed the way we elect senators. If you look at Article 1, Section 3, of the Constitution, you will see state legislatures originally had the power to elect senators. A look at the 17th Amendment will show that the people of the states now have that power.

House of Representatives

The House of Representatives is discussed in Article 1, Section 2, of the Constitution. The House of Representatives has 435 members from the various states. This number is fixed by law. Each state is given its share of the 435 members according to population. Going back to the Constitutional Convention, this house of Congress favored the large states in their dispute with the small states, since large states receive more members.

continued

Follow this process in the upcoming 2020 Presidential Election.

START
(in Fall 2018)

STEP 1 - IDENTIFY THE CANDIDATES

Incumbent -
Donald Trump -
eligible for one
more term.

Challengers- Many candidates participate in debates to gain party favor.

Candidates must be:

- ✓ a natural-born citizen
- ✓ 35-years old
- ✓ Resident for 14 years

STEP 2 - CAUCUSES and PRIMARIES

Campaigning: General election campaigning begins after each political party chooses a single presidential nominee. Those candidates travel the country, holding rallies and town halls, explaining their views and trying to win potential voters' support.

STEP 4 - GENERAL ELECTION

Voting at the General Election:

Every four years, citizens in every state cast their votes for one president and vice president. These voters select groups of electors to represent each state on behalf of the voters.

November 2020
General Election

STEP 5 - ELECTORAL COLLEGE

Electoral College System:

In the Electoral College system, each state gets a certain number of electors based on its representation in Congress. A simple majority of the 538 (or 270 votes) is needed to win.

538

270

Vs.

A bar chart with two orange bars. The first bar is labeled '270' and the second bar is labeled '538'. To the left of the bars is the text 'Vs.'. To the right of the bars is a stylized icon of a person with arms raised, holding a blue rectangular object, standing on a platform.

FINISH

(Inauguration Day
January 20, 2021)

National Conventions:
Both parties have delegates that will choose the nominees for president and vice president. They will also adopt a platform outlining the party's policy priorities and values.

STEP 3 - NATIONAL CONVENTIONS

April 2020
New York Primaries

Primary Elections:
A state-level election where party members choose a candidate to represent that political party at the general/presidential election.

Caucuses:
Citizens participate in local meetings where members gather votes for their preferred candidate, used to elect delegates to the national party convention.

The authors of the Constitution wanted to be sure that no person or group would seize power and control the American government. To insure that this would not happen, our United States government, under the Constitution, was divided into three parts: the executive, the legislative, and the judicial. Each of these three branches has a check on the powers of the others. These checks provide a system of balance in our government, and that is why we call the system *checks and balances*.

You may also hear this system referred to as a *separation of powers*. Although not directly mentioned in the Constitution, the first three articles mark the responsibilities of the executive, legislative, and judicial branches. It gives some power to each branch of government instead of giving all the power to one branch.

These are the most important checks and balances:

1. **Executive branch** has the power to check the legislative branch by vetoing laws that Congress wants to pass.
2. **Legislative branch** may check the executive branch by passing laws over the veto by a two-thirds vote in each house.
3. **Judicial branch** may check both the legislative and executive by declaring laws unconstitutional.

Obviously, this is not the whole system, but it is the main idea. Other checks and balances include:

Executive over the judicial branch: The president appoints all federal judges and may grant pardons or reprieves for those convicted in court.

Legislative over the executive branch: The legislative branch must approve appointments that the president makes; the Senate must approve treaties that the president makes, and the legislative branch may investigate the executive branch.

Legislative over the judicial branch: The legislative branch must approve the president's choice of judges to the judicial branch and may propose constitutional amendments to overturn judicial decisions.

Legislative over the executive and judicial branch: The legislative branch has impeachment powers over all federal officers.

Judicial over the executive branch: Supreme Court justices cannot be fired by the president.

There are other checks and balances in the American government besides those between branches of government. They include:

Checks in Congress

The Senate and House can check each other by rejecting bills passed by the other. The House has the added check of sole power to start revenue bills.

continued

A System of Checks and Balances



- must approve appointed judges
- have impeachment powers over federal officers
- may propose amendments to overturn judicial decisions
- may declare a law unconstitutional



- Supreme Court justices cannot be fired by the president
- may rule that a presidential action or law is unconstitutional

- may pass laws by overriding a presidential veto
- must approve presidential appointments and foreign treaties
- may investigate actions of the executive branch
- have impeachment powers

- president can veto laws Congress wants to pass
- president can make foreign treaties



- president appoints federal judges
- may grant pardons and reprieves for those convicted in court

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 56.

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

New York's history is rich and distinguished. The growth and development of New York closely follow that of the United States, and as the country grew and became more prosperous, so did New York. Many New Yorkers have significantly contributed to the development of the United States.

Two important Indian groups, the Algonquian and the Iroquois, inhabited the region of New York before the coming of the white settlers. The cultural contributions of these Indian groups had a unique impact on New York's history.

The first white person to visit the area of New York is thought to have been *Giovanni da Verrazano*, who was hired by France to explore the region in 1524. Many other explorers followed. Early explorers such as *Henry Hudson*, who was employed by the Dutch and named after the Hudson River, and *Samuel de Champlain*, who represented France, gave both the Dutch and the French a claim to the area.

The Dutch were responsible for much of the early settlement of the area now known as New York. They built trading posts and settlements and established a profitable fur trade with the Indians. Calling the area New Netherland, the Dutch founded the first permanent white settlement in the colony in 1624. Other settlements such as Fort Orange (Albany), New Amsterdam (Manhattan), Wiltwyck (Kingston), Rensselaerswyck (Rensselaer), and Breuckelen (Brooklyn), followed as the Dutch continued sending colonists to the area.

The English also found the area to be attractive. Many settled in New Netherland, living in harmony with the Dutch. Gradually, differences began to grow, which led to the English sending warships and seizing control of the colony. The English renamed the area, New York, in honor of the Duke of York.

While southern New York was being colonized by the English, the French were preparing to take control of northern New York. At the same time, the war in Europe

broke out between England and France. New York soon became a battleground between the two countries. At the signing of the *Treaty of Paris*, France gave up all claim to New York.

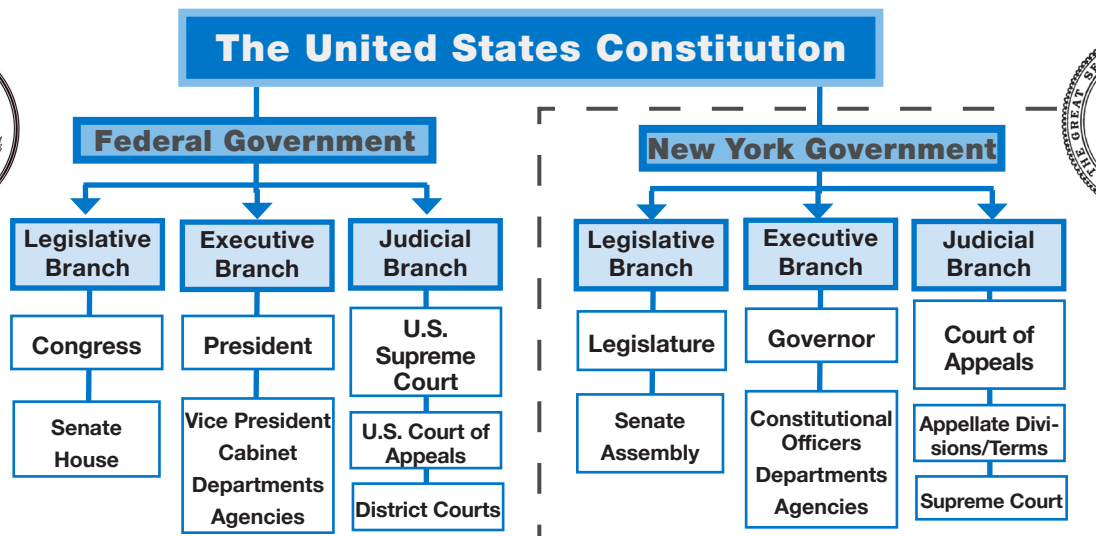
Although the conflict between the English and French had been settled, New York had little time to enjoy the peace. The problems between the colonies and England began building and finally developed into the Revolutionary War. Some New Yorkers favored British rule while others were disturbed at British treatment of the colonies. Other individuals from New York contributed their efforts to the cause of freedom for the young country, and many famous battles took place on New York soil, such as Oriskany and Saratoga, both victories for the colonists.

After the United States gained its independence, New York played an essential role in the establishment of the new government. New York City was the capital of the United States from 1785 to 1790. On July 26, 1788, New York entered the Union as the 11th state. The state, because of its prime land and climate, attracted many new settlers. After the Iroquois were driven from the region, and the War of 1812 ended, western and northern New York grew quickly, and soon the state became the largest in the Union. The development of the west part of the state showed the necessity of having an excellent transportation network. With the completion of the Erie Canal in 1825 and the coming of the railroads, the tremendous growth of the state was assured. By the mid-1850s, New York was the leader of the nation in population, manufacturing, and commerce.

New York continued its growth as goods flowed through the state. After the Civil War, many new manufacturing centers opened throughout the state and immigrants poured in because of job opportunities.

During World War I, New York City was the port of departure for United States soldiers as they left to fight on European soil.

continued



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.

"The executive power shall be vested in the governor, who shall hold office for four years; the lieutenant-governor shall be chosen at the same time, and for the same term." — New York Constitution, Article 4

The Governor

The executive branch of New York enforces and administers the laws. The governor, besides enforcing and administering the law, also has the critical duty of vetoing or approving bills passed by the Legislature. Elected by the people, the role of the governor is to protect and



Governor
Andrew Cuomo

serve the citizens of the state. The governor is the most important officer in the executive branch.

The New York Constitution states the governor must be a citizen of the United States, be a qualified voter of the state, have lived in New York for at least five years prior to the election, and be at least 30 years of age. The governor serves a term of four years and can serve an unlimited number of terms.

The governor's salary will be \$200,000 in 2019 under the resolution approved by the Legislature, an increase over the \$179,000 paid to New York's governors since 1999. The measure also calls for the salary to increase to \$225,000 in 2020 and \$250,000 in 2021, which would likely make New York the highest-paid governor in the nation.

In the event that the governor cannot complete a term, the lieutenant governor becomes governor. If the lieutenant governor is unable to serve, the Senate majority leader takes responsibility. The next in line to assume the office is the speaker of the assembly.

Governor's Responsibilities

The New York Constitution states the governor must 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 Legislature, 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 at the close of the governor's term of office, shall report to the Legislature 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 Legislature.
7. Each year the governor must submit a state budget to the Legislature for its consideration.

In addition to the defined responsibilities above, a governor needs to be a strong leader. He or she must be savvy enough to navigate political divides and foster relationships among the members of the Legislature.

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 executive branch is characterized by a strong governor, with certain powers over appointments and the budget. However, executive authority is restricted by the independently appointed and elected officials.

New York has had many famous and talented men serve as governor. The lives of these men make an interesting and worthwhile study. New York 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 Legislature 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 never changes.
- ____ 6. The governor is in charge of foreign affairs.
- ____ 7. The governor's term of office is four years.
- ____ 8. The governor may veto a bill.
- ____ 9. The governor must be 40 years old or older.