

Our State Constitution

- A Student's Guide to the Illinois Constitution

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Welcome Students, to Our State Constitution - Illinois Edition

Purpose of this Text:

Our *State Constitution* worktext is designed to help you study about your state constitution and government. It is also designed to prepare you for a final examination on these subjects, and to help you pass that examination.

Goals of This Text

There are two main goals of this text: **1.** Make you a better citizen of this country through basic knowledge of the Illinois Constitution and government. **2.** Help you pass the required state constitution curriculum and/or test. This worktext is formatted and written to ensure you meet those goals.

Features That Aid in Your Learning

1. Answer all lesson questions. At the end of each lesson in this book you will find a series of questions about that lesson. Always be sure to fill in all answers and verify that they are correct. Final constitution test questions come from these pages. Your teacher will explain how to check for correct answers. In addition, your teacher can expand on topics that are difficult to understand.

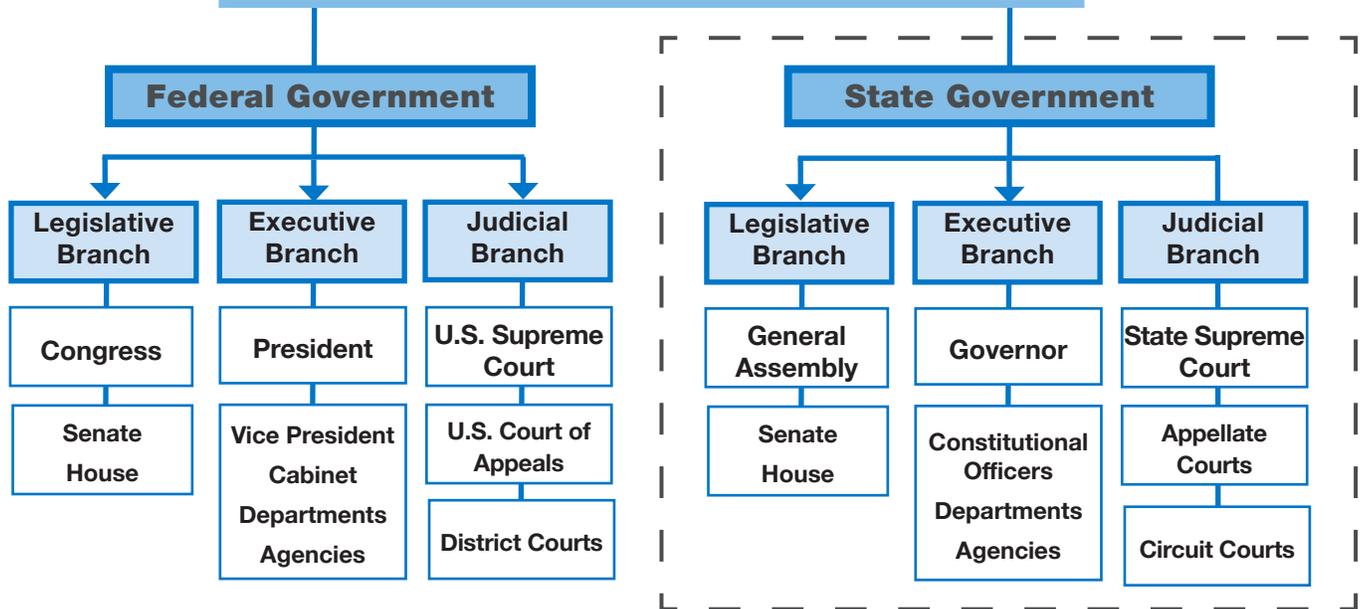
2. Review the state outline. The outline on Pages 29-30 will also help confirm your understanding of the material and get you ready for the unit test.

3. Complete the review questions. The questions on Pages 31-32 are also helpful in reviewing for your state constitution test.

4. Answer the self-tests. At the end of the Illinois unit you will find self-tests to help reinforce the concepts taught in this worktext. These test questions are like the questions on your final exam. Study them carefully. The correct answers are given at the bottom for you to check your work. Study them all before the final exam.

5. Create quizzes to help you review for tests or get family or friends to make practice tests. Use questions from the lessons in the book, from the self-tests, and from the review questions and outlines, or just make up your own. You could trade practice quizzes with other students.

The United States Constitution



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.

We should always find time to celebrate Illinois' history in our school or classroom. You should be proud and inspired citizens of the state when reading about our historical events and their outstanding individuals. This is just a sampling, and many more are discussed in other units of this book.

- **First Permanent Settlement (1699)** — French missionaries from Quebec establish the Mission of the Holy Family at Cahokia, making it Illinois's first permanent European settlement. It stands across the Mississippi River from the future site of St. Louis.

- **du Sable in Chicago (1779)** — Jean Baptiste Pointe du Sable established a trading post at present-day Chicago, becoming the area's first permanent resident. Du Sable was African American, but little else is known about his life before settling in "Eschecagou."

- **Lewis and Clark (1804)** — Lewis and Clark departed on their expedition into the Louisiana Territory from Camp Wood, near the Wood River in Illinois. They had wintered there to prepare for their long journey.

- **Lincoln-Douglas Debates (1858)** — Republican Abraham Lincoln and Democrat Stephen A. Douglas, rivals for the U.S. Senate, held seven debates across Illinois. The topic of slavery's expansion into the western territories dominated the proceedings, with Douglas promoting *popular sovereignty*—the idea that voters in each state and territory should decide whether to accept or reject slavery. Lincoln argued slavery must not be allowed to expand. Douglas won the Senate seat, but the debates made Lincoln a political star, helping pave his way to the presidency.

- **President Grant (1868)** — Ulysses S. Grant, Civil War general from Galena, is elected President of the United States. He oversaw *Reconstruction* of the former Confederacy and faced the financial Panic of 1873. He retired after two terms and later wrote his memoirs.

- **Chicago Fire (1871)** — Raging for almost three days, the Chicago Fire destroyed 18,000 buildings, killed about 300 people, and left one-third of the city's residents homeless. The fire started in the barn of Catherine O'Leary at 137 DeKoven Street, but a reporter later falsely claimed it resulted from a cow kicking over a lantern. Rebuilding from the fire triggered a period of growth and innovation.

- **Chicago Baseball (1876)** — Chicago's first professional baseball team, the White Stockings, was officially founded. They won the National League title that same year. After taking on various other names, it became officially known as the Chicago Cubs in 1902. In 1901, another team took on the original name, becoming the Chicago White Sox.

- **National Association for the Advancement of Colored People - NAACP (1909)** — The Race Riot of 1908 in Springfield, Illinois – the state capital and President Abraham Lincoln's hometown – was a catalyst showing the urgent need for an effective civil rights organization in the U.S. The first NAACP meeting was set for February 12, 1909, in Springfield to coincide with the 100th anniversary of the birth of President Abraham Lincoln, who emancipated enslaved African Americans.

- **Women's Vote (1913)** — The General Assembly granted women the right to vote for presidential electors.

- **First State Flag (1915)** — The Illinois General Assembly selects a new state flag, based on the design of Rockford's Lucy Derwent.

- **Penicillin Copyright (1948)** — Andrew J. Moyer copyrighted his method of fermenting and mass producing penicillin from his lab in Peoria. This same process allowed the drug to save countless lives in World War II and continued to do so for decades.

- **First Televised Presidential Debate (1960)** — Echoing the Lincoln-Douglas Debates in Illinois a century earlier, U.S. Senator John F. Kennedy and Vice President Richard Nixon squared off in the first televised presidential debate in U.S. history. Filmed in CBS's WBBM studio in Chicago, more than 66 million viewers tuned into the nationwide broadcast.

- **Ronald Reagan Elected (1980)** — Illinois native Ronald Reagan served as the 40th President of the United States. He won re-election in 1984 and became one of America's most popular presidents.

- **Barack Obama first African American President (2008)** — Senator Barack Obama of Illinois defeats Senator John McCain of Arizona to become the 44th U.S. president, and the first African American elected to the White House.

Be A Leader in Illinois

Leaders like Abraham Lincoln, Ulysses S. Grant, Ronald Reagan, and Barack Obama and pioneers like Jane Addams, John Deere, and Enrico Fermi have called Illinois home, not to mention icons like Ernest Hemingway, Muddy Waters, Walt Disney, Oprah Winfrey, and Michael Jordan. What will be your legacy and will you make history?

QUESTIONS

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

- ___ 1. The Lincoln-Douglas Debates were held to see who would become the President of the U.S.
- ___ 2. Ulysses S. Grant was a Civil War general before becoming president.
- ___ 3. Abraham Lincoln, Ronald Reagan, and Barack Obama all have presidential ties to Illinois.
- ___ 4. Women had the right to vote when Illinois became a state in 1818.

MATCH THE PERSON. Write the letter from *Section B* in the space that matches the person in *Section A*.

A

B

- | | | |
|--------------------|-----|--|
| 1. Lucy Derwent | ___ | a. Rival of Lincoln for U.S. Senate |
| 2. Stephen Douglas | ___ | b. Designed Illinois' first flag |
| 3. John F. Kennedy | ___ | c. Mass produced penicillin |
| 4. Ronald Reagan | ___ | d. Participated in first televised presidential debate |
| 5. Andrew J. Moyer | ___ | e. Served as president in 1980 |

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

- _____ Lewis and Clark departed on their expedition.
- _____ Trading post established at present-day Chicago.
- _____ United States Constitution signed.
- _____ Chicago Fire destroyed 18,000 buildings.

QUESTIONS

WHICH ARTICLE? In which article of the state constitution would you find information on the following? (Give section number when possible.)

1. Pollution Control _____
2. Rights of Individuals _____
3. The Governor _____
4. Jury Trial _____
5. Religious Freedom _____
6. Access for People with Disabilities _____
7. The Judicial System _____
8. Revising the Constitution _____
9. Voting Qualifications _____
10. Local Government Rules _____
11. Public High Schools _____
12. Property Taxes _____

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

- ___ 1. Voters must approve changes in the state constitution.
- ___ 2. The General Assembly can call for a convention only with the voters' approval.
- ___ 3. Six amendments at a time may be presented to the voters.
- ___ 4. An amendment to the state constitution may be proposed in either house of the Legislature.
- ___ 5. The Illinois Constitution helps establish federal laws and treaties.
- ___ 6. State constitutions are always shorter in length and contain fewer details than the U.S. Constitution.
- ___ 7. Freedom of speech is not listed in the Illinois Constitution, only in the U.S. Constitution.
- ___ 8. There are six executive branch officers listed in the Illinois Constitution.

- ___ 9. There are more amendments in the U.S. Constitution than in the Illinois Constitution of 1970.
- ___ 10. The 26th Amendment of the U.S. Constitution set the stage for the 5th Amendment of the Illinois Constitution.

MATCH THE AMENDMENT. Write the letter of the corresponding amendment from **Section B** in the space that matches the subject matter in **Section A**.

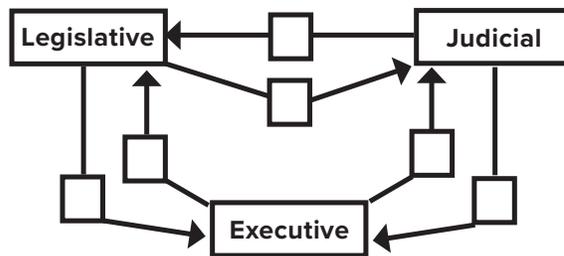
A

- ___ 1. Reduced the voting age to 18.
- ___ 2. The "recall" amendment.
- ___ 3. Expand rights to crime victims.
- ___ 4. Reduced the size of the IL House to 118.
- ___ 5. Protects the voting rights of eligible citizens.

B

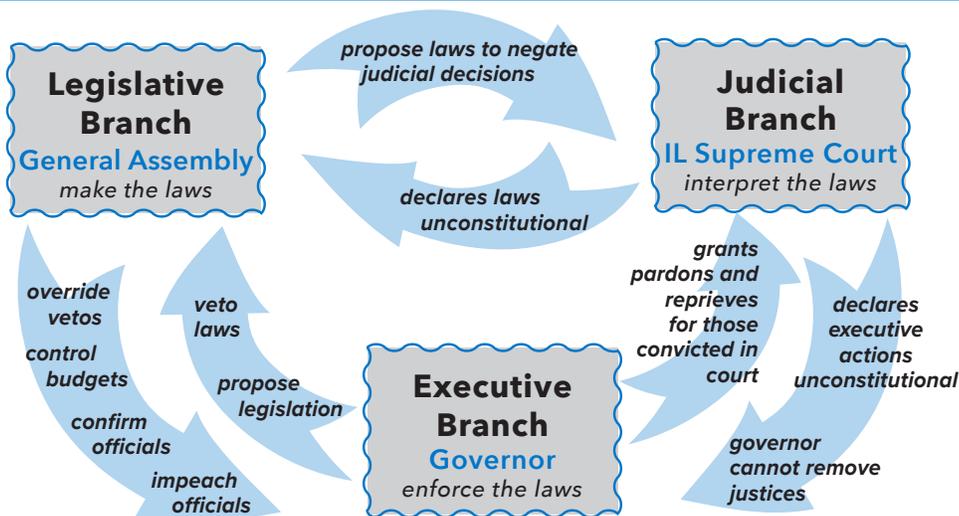
- a. 1st b. 5th c. 11th d. 12th e. 13th

FILL IN THE BOXES (CHECKS & BALANCES)



- a. governor can grant pardons to those convicted
- b. proposes laws to avoid judicial decision rulings
- c. may pass laws by overriding a governor's veto
- d. may declare laws from the General Assembly unconstitutional
- e. may veto laws passed by the General Assembly
- f. may declare executive orders unconstitutional

System of Checks and Balances in the State of Illinois



All state governments are modeled after the federal government and have three branches: executive, legislative, and judicial. The principle guiding federal and state constitutions is the **separation of powers**. The distribution of power with a system of **checks and balances** does not allow any single branch of government to have too much power. Some of the most critical "checks" by the branch are listed in the shaded arrows.

1. Every state law starts with an idea.



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

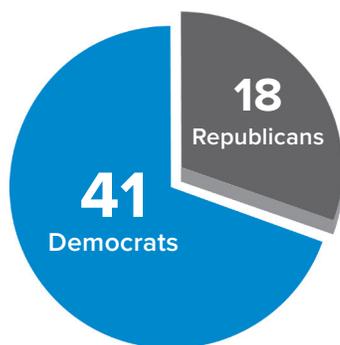
2. The bill is introduced.



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

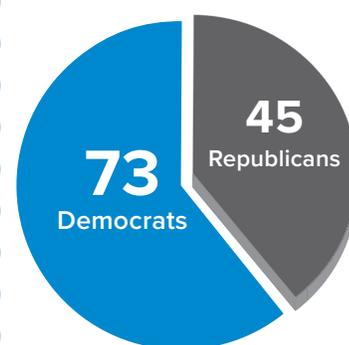
3. Your state legislators at work, discussing and debating.

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), get killed, get passed, have public hearings, or require more debate. Lobbyists may also meet with lawmakers.

Illinois House - 118 Members



4. The Illinois Legislature keeps favorable bills moving.

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 and 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 by signing the bill into law, (2) vetoing with recommendations for changes, (3) vetoing it absolutely, (4) doing nothing and 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 6

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 courts’ responsibilities, 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. The voters elect circuit court judges to six-year terms. Each judicial district has one *chief judge* selected by the circuit court judges. Associate judges are appointed by the circuit judges to a four-year term and may not rule on more severe 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.

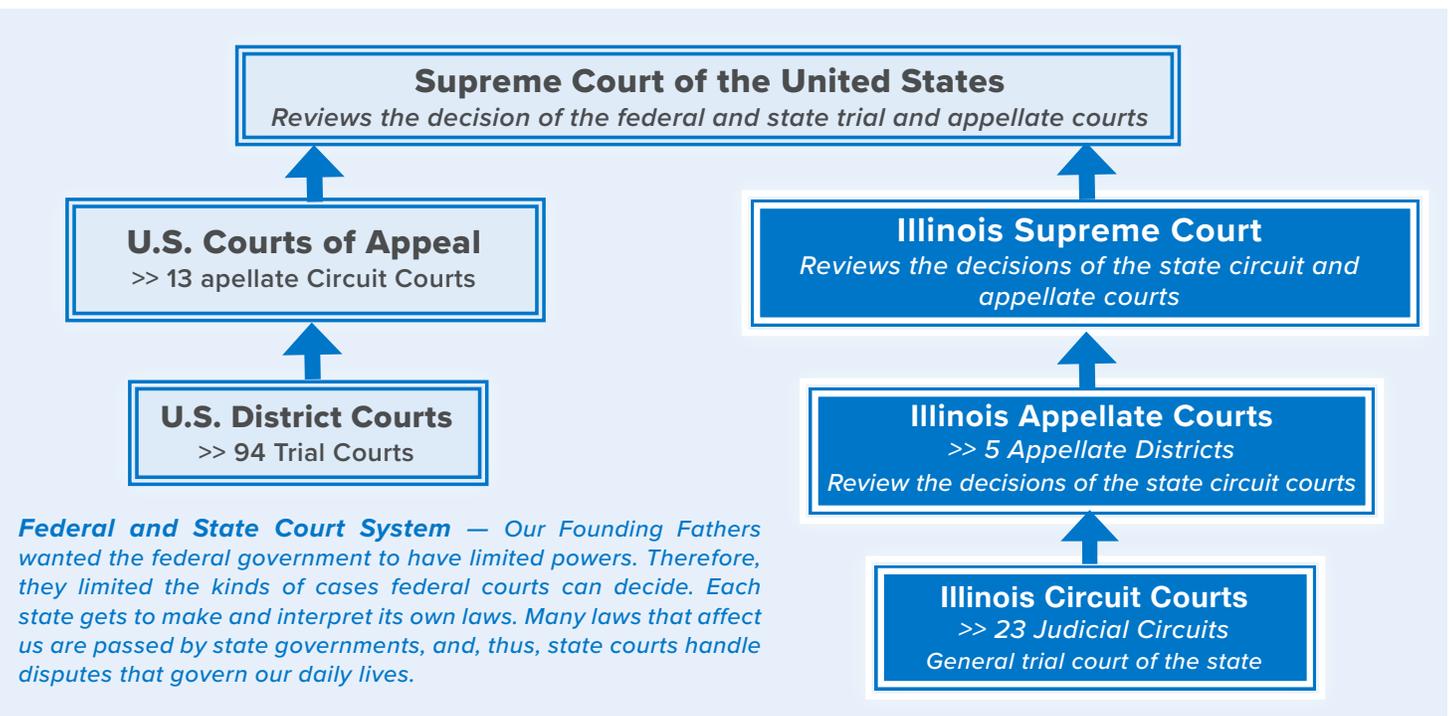
Illinois Supreme Court

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

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.

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.



Compare and Contrast the Illinois and United States Constitution

The United States Constitution details are given; fill in the blanks related to the Illinois Constitution. This will better understand the similarities and differences between both constitutions.



Topic or Detail	United States	Illinois
Bill of Rights	First 10 Amendments	In Article # _____
Number of Branches	Three 1. legislative, 2. executive, 3. judicial	Three 1. _____ 2. _____ 3. _____
Scope of Branches	<i>Enforce, Make, or Interpret</i> laws of the United States	Enforce, Make, or Interpret laws of _____
Chief Executive Officer	President	_____
Minimum age for Chief Executive	35 years old	_____ years old
Term for Chief Executive Officer	4 years (two-term maximum)	_____ years (no term limits)
First successor to the office	Vice President	_____
Name of Lawmaking Body	Congress	_____
House & Senate Key Officers	House = Speaker Senate = Vice President	House = _____ Senate = _____
Number of members in Legislative Body	House = 435, Senate = 100	House = _____, Senate = _____
Terms for Members of Legislative Body	House = 2 years, Senate = 6 years	House = _____, Senate = _____
Minimum age for Legislative Members	House = 25 years old, Senate = 30 years old	House = _____ years old Senate = _____ years old
Veto override	2/3 of both houses	_____ of both houses
Justices or Judges Terms	Term of office = for life	Term of Office = _____ years
Number of Supreme Court Justices	9 justices	_____ justices