

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

STUDENT NAME _____ CLASS _____

TEACHER _____ ROOM NUMBER _____

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For an overview of the Missouri Constitution and as an index to the state constitution, a summary is presented here. You will find additional details to many of these sections in upcoming pages of this worktext. The entire state constitution is also available on the Missouri General Assembly website at www.moga.mo.gov.

Preamble

The preamble is similar to the preamble in the U.S. Constitution and explains why the Missouri Constitution was written. Below is the wording of the preamble:

"We, the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness, do establish this Constitution for the better government of the state."

Article I - Bill of Rights

There are 35 sections of the Missouri Bill of Rights. Many of these sections were based on provisions in the U.S. Constitution. The 14th Amendment to the U.S. Constitution prohibits states from depriving any person of life, liberty, or property without the due process of law. Some of the Missouri Bill of Rights goes beyond the rights established by our U.S. Constitution.

The topics of the Missouri Bill of Rights are listed below:

Section

1. Source of political power
2. Rights of persons, equality under law, purpose of government
3. Powers of the people over internal affairs
4. Independence of Missouri
5. Religious freedom
6. Support of religion
7. Public aid for religious purposes
8. Freedom of speech and press
9. Rights of peaceable assembly and petition
10. Due process of law
11. Imprisonment of debt
12. Habeas corpus
13. Ex post facto laws
14. Open courts and judicial system
15. Search and seizure
16. Grand juries
17. Indictments in criminal cases

Section (Article 1- Bill of Rights continued)

18. Rights of accused in criminal prosecutions
19. Self-incrimination and double jeopardy
20. Bail guaranteed and exceptions
21. Excessive bail and fines
22. Right to trial by jury
23. Right to keep and bear arms
24. Subordination of military to civil powers, quartering soldiers
25. Elections and right suffrage
26. Eminent domain
27. Acquisition of excess property by eminent domain
28. Limitation on taking of private property
29. Organized labor and collective bargaining
30. Treason
31. Fines or imprisonments
32. Crime victims' rights
33. Marriage, validity and recognition
34. English to be the official language in the state
35. Right to farm
36. Right to reproductive freedom initiative

Article II - The Distribution of Powers

Article II of the Missouri Constitution divides the state government into three branches: the legislative, the executive, and the judicial. The fundamental principle of separation of powers has existed in state and local governments from the earliest times. Unlike the national government, which has only the powers outlined in the U.S. Constitution, state governments have all powers not denied by the United States or Missouri Constitution.

Article III - Legislative Department

Article III provides rules for the legislative branch of Missouri government, known as the General Assembly. Like the U.S. Congress, the General Assembly is divided into two houses, the Senate and the House of Representatives. In addition to lawmaking, the Legislature has direct authority over local government units, such as counties, townships, and special-purpose districts.

Article IV - Executive Department

Article IV of the Missouri Constitution outlines the powers and duties of the state-elected and appointed

continued

Missouri Constitution Timeline of Key Events

1788	1803	1812	1820	1821	1826	1861
The U.S. Constitution is ratified and becomes the framework of government in the United States.	The U.S. purchased the Louisiana Territory from France and included the land that would later become Missouri.	Congress organized the Missouri Territory, comprised of the land from the Louisiana Purchase.	The Missouri Compromise was passed by Congress to address the conflict over slavery in new territories.	Missouri officially becomes the 24th state, operating under its first state constitution	Being centrally located, Jefferson City was chosen as the state capitol's final location.	The Civil War begins with President Lincoln in office, 620,000 soldiers killed in battle

The Missouri Constitution

*Present one adopted in 1945.
Missouri voters choose our elected officials.*

Legislative Branch

makes the laws

Missouri General Assembly

Missouri Senate

34
State senators

Missouri House

163
State representatives

Quick Facts

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

Missouri Senate

Members: 34

Term: 4 years

Term limit: 2-term maximum

Salary: \$41,070

Qualifications:

- ▶ U.S. citizen
- ▶ At least 30 years old
- ▶ Qualified voter for 3 years
- ▶ District resident for 1 year

Missouri House

Members: 163

Term: 2 years

Term limit: 4-term maximum

Salary: \$41,070

Qualifications:

- ▶ U.S. citizen
- ▶ At least 24 years old
- ▶ Qualified voter for 2 years
- ▶ District resident for 1 year

Executive Branch

enforces the laws

Governor

Executive Officers:

Lieutenant Governor
Secretary of State
Attorney General
State Treasurer
State Auditor

Quick Facts

The **Missouri Constitution** provides for six executive offices.

Executive Officers

Number: 6

Term: 4 years

Term limit: 2-term maximum only for Governor and Treasurer

Qualifications:

- ▶ U.S. citizen for 15 years
- ▶ At least 30 years old
- ▶ Resident of state for at least 10 years prior to election

Salaries:

▶ Governor:	\$140,596
▶ Lt. Governor:	\$98,862
▶ Sec. of State:	\$113,200
▶ Attorney General:	\$119,348
▶ State Treasurer:	\$110,440
▶ State Auditor:	\$110,440

Major Departments: 16

Provide the framework for many state services

Judicial Branch

administers justice

Missouri Supreme Court

Court of Appeals

Circuit Courts

Quick Facts

Missouri Supreme Court

- ▶ *Final court of appeal for state matters*

Number of judges: 7

Term: 12 years, no limit

Elected by: governor appointed

Chief justice:

- ▶ Selected by court
- ▶ Rotated every 2 years
- ▶ Supervises state courts

Court of Appeals

- ▶ *Judges review written transcripts and oral arguments*

Term: 12 years, no limit

Elected by: governor appointed but approved by voters.

Judicial Districts: 3

Circuit Courts

- ▶ *Courts of original civil and criminal jurisdiction*

Term: 6 years

Elected by: voters or selected by panel

Judicial Districts: 45

Divisions: probate, juvenile, municipal, associate courts

"The governor shall take care that the laws are distributed and faithfully executed, and shall be a conservator of the peace throughout the state." — Missouri Constitution, Article IV

The executive branch of Missouri's government enforces and administers the law. Headed by the governor, the executive branch consists of 16 executive departments and six statewide elected officials.

The Governor

The Missouri Constitution states that the governor must be a citizen of the United States for at least 15 years, a qualified state voter, a resident of Missouri for at least ten years prior to the election, and at least 30 years of age.



Governor
Mike Kehoe

The current governor of Missouri is Republican Mike Parson, who was sworn in as the 58th governor on January 13, 2025. Kehoe, who served as Missouri's lieutenant governor and as a state senator, will succeed former Governor Mike Parson. Term limits barred Parson from seeking reelection.

The governor serves a term of four years and may be re-elected once. The governor receives a salary of \$140,596. If the governor cannot complete a term, the lieutenant governor becomes governor. If the lieutenant governor is unable to serve, the president pro tempore of the Senate assumes the office. The next in line to assume the office is the speaker of the House. Besides enforcing and administering the law, the governor also has the important duty of vetoing or approving bills passed by the General Assembly.

The governor of the State of Missouri has many other important duties. Among these are:

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. At the beginning of each session and the close of the term of office, the governor shall report to the General Assembly on the condition of the state.
5. The governor is the 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. Besides having the power to veto legislation, the governor influences the lawmaking process by submitting the state budget to the General Assembly.

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 General Assembly.

When disaster strikes, the governor is called into action. Per Article 4, Section 1 of the Missouri Constitution, "The supreme executive power shall be vested in a governor..." This gives the governor primary responsibility for executing state laws — including managing emergencies.

The Governor's Office is similar in some ways to the office of the President of the United States. However, there are some differences. The most important differences are the lack of foreign affairs and national defense in the governor's responsibilities.

Missouri has had many famous and talented governors and public officials. Harry S. Truman is just one example. The lives of these people make an interesting and worthwhile study. Your local or school library should contain interesting material on the lives of some of Missouri's chief executives and officials.

Veto

The governor may take action on bills by:

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* or money bills and means that the governor may approve only some parts of a bill while rejecting others.

QUESTIONS

1. What are the qualifications for governor? _____

2. What is the order of succession to the office of governor? _____

3. What is the governor's salary? _____

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 or she 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. For appropriation bills, the governor may approve some parts while rejecting others.
- ___ 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 and may be re-elected once.
- ___ 9. The governor may veto a bill.
- ___ 10. The governor must be 35 years old or older.

Upcoming Elections in Missouri

Upcoming Missouri General Elections: 2026, 2028 (will include gubernatorial election), 2030

Upcoming Presidential Elections: 2028, 2032

*General elections are always held on the Tuesday following the first Monday of November in even-numbered years.

Absentee and Special Voting

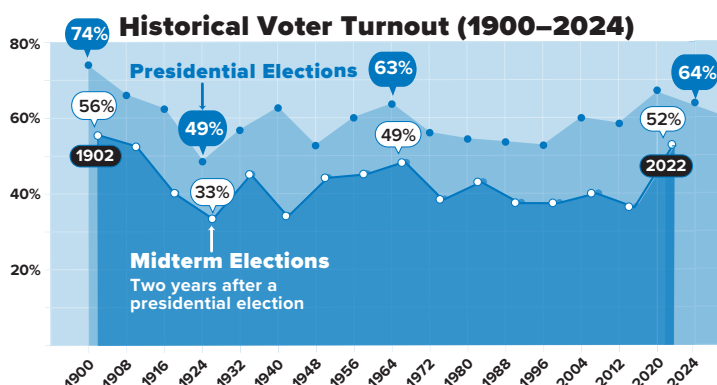
Missouri has two ways to vote prior to Election Day. The first is to vote absentee with an excuse, and registered Missourians may select one of six reasons — including out of town, away at school, or incapacitated due to illness and, therefore, will not be able to vote at the poll on election day. Absentee ballots begin six weeks before an election, ending at 5:00 p.m. the night before. Voters may request absentee with excuse ballots from the County Clerk or Election Authority in person, by email, or by fax. A parent or adult child of a registered voter may complete an absentee ballot application on behalf of the voter who wishes to vote absentee.

Missouri does not have *early voting* but has a second option called *no excuse absentee voting*. This begins two weeks before an election and can only be done in person in the office of the County Clerk or the Election Authority's Office.

You are not allowed to register and vote on the same day in Missouri (21 states currently have this option).

Voter Turnout

More than 151 million ballots were cast in the 2024 presidential election between Republican Donald Trump and Democrat Kamala Harris. The chart below shows voter turnout in the United States and the fluctuations in presidential and midterm elections. Preliminary data shows that about 64 percent of the voting-eligible population in the U.S. voted in the 2024 contest. In comparison, the 2020 general election had a 66 percent turnout rate, the highest voter turnout rate of the 21st century, due to the expansion of mail-in and early voting due to the COVID-19 pandemic. This contrasts with the 2016 general election, which had a 60 percent turnout rate of its voting-eligible population, and the 2012 general election's even lower turnout rate of 58 percent. Turnout is lower for odd-year, primary, and local elections.



Voter turnout can vary considerably from state to state. In the 2024 election, two states, Minnesota and Wisconsin, had more than three-quarters of their eligible voters cast a ballot. In contrast, Arkansas, Hawaii, and Oklahoma had just over half of their voting-eligible population participate in the 2024 election—the lowest turnout rate in the United States.

Missouri's was slightly better than the national average. Of Missouri's approximately 4.7 million voting-age citizens, 64.3 percent made it to the polls on Election Day. The percentage of voter turnout by county shows significant fluctuations. For example, Andrew County has 75 percent cast ballots versus Dunkin County with 53 percent.

Election Integrity

In Missouri, ensuring election integrity means preventing illegal voting and maintaining transparent and secure election procedures. The Secretary of State manages elections at the state level, while county clerks and election boards run local elections. State officials collaborate with federal authorities to maintain a strong and trustworthy democratic process for all. The voting process can be complex, which may confuse some voters. This confusion can be exploited by individuals with malicious intentions. Thanks to strong state practices, careful oversight, and cooperation with federal agencies, our elections stay safe and secure.

QUESTIONS

MULTIPLE CHOICE - Circle the letter of the correct answer.

- Primary elections are:
 - used by citizens for the referendum process
 - held before a general election
 - held after a general election
 - only happen for federal elections
- Which is NOT a requirement to vote?
 - being 18 years old
 - registered to vote
 - a U.S. citizen
 - state resident for 2 years
- What are the two main political parties?
 - Green & Gold
 - Tea & Libertarian
 - Democratic & Republican
 - National & State
- What is allowed in Missouri?
 - voting without an ID
 - voting at age 17 1/2
 - absentee voting
 - register & vote same day
- Which amendment to the U.S. Constitution gave 18-years-olds the right to vote?
 - 12th Amendment
 - 17th Amendment
 - 26th Amendment
 - 27th Amendment
- What is the approximate voter turnout in Missouri?
 - 46%
 - 55%
 - 64%
 - 73%
- What years will have presidential elections?
 - 2028, 2032
 - 2025, 2029
 - 2026, 2030
- What years will have gubernatorial elections?
 - 2028, 2032
 - 2025, 2029
 - 2026, 2030



Compare and Contrast the Missouri and United States Constitutions

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



Topic or Detail	United States	Missouri
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	_____ of both houses
Words in the Constitution	7,591	_____

The following test will help prepare for the final Missouri Constitution test. It has questions similar to the ones you will find on your final. It would help to write your answers on a separate sheet of paper so you can take the test several times. The correct answers are at the bottom of Page 36.

Hard work on this page will ensure a better grade on your final exam. Be sure to review any answers you do not 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 Missouri Governor
- _____ 2. The Missouri House of Representatives
- _____ 3. The Missouri Supreme Court
- _____ 4. Missouri Circuit Courts
- _____ 5. Lieutenant Governor
- _____ 6. Missouri State Senate
- _____ 7. Attorney General
- _____ 8. City Mayor
- _____ 9. City Council

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.

- 10. Who can veto a bill passed by the General Assembly? _____
- 11. If the governor resigns, who becomes governor? _____
- 12. The river that makes up the easterly border of Missouri. _____
- 13. The highest court in Missouri. _____
- 14. What are public issues that are voted on by the public called? _____
- 15. The current governor of Missouri. _____
- 16. The next presidential election will be held in what year? _____
- 17. How many days does the governor have to consider a bill when the General Assembly is in session? _____
- 18. How many different constitutions has Missouri operated under? _____
- 19. Who may call special sessions of the General Assembly? _____
- 20. The officer that keeps the "Great Seal" and maintains the official records of the state. _____
- 21. Who is the chief legal officer of the state of Missouri? _____
- 22. The Missouri Constitution guarantees the right of trial by _____.
- 23. Name the election used to select candidates for the general election. _____
- 24. The capital of Missouri. _____
- 25. How many branches of government in Missouri? _____
- 26. If the General Assembly wishes to pass a bill over a veto, what fractional vote is necessary? _____
- 27. The actions taken by government to tackle issues in our country is referred to as _____.
- 28. The political party that currently controls the state Legislature. _____

minority leader – someone chosen by members of the minority party to lead their lawmaking efforts. The minority party is the one that holds fewer than half the seats in the legislature.

misdemeanor – a minor violation of the law that is punishable by a fine or short jail sentence.

moderate – someone whose political opinions fall in between those of a liberal on the one hand and a conservative on the other.

municipality – any city or town that the state permits to be self-governing.

national debt – the total sum of money owed by the federal government.

naturalization – the process by which an immigrant to the United States may become a citizen.

nominate – to name someone as a candidate for office; to select a party member to be the party's candidate for election.

ordinance – a law passed by a local government.

original jurisdiction – the authority possessed by a court to hear and decide a case first, not an appeal from another court.

override – the ability of Congress or a state legislature to pass a bill a second time after the executive vetoes (or rejects) it.

pardon – a decision of the governor or the president to stop criminal proceedings against an accused person or to free a prisoner.

petit jury – a group of citizens, usually 12 in number, who reach a verdict (decision) at a trial after listening to the evidence.

pigeonhole – to kill a bill in committee by laying it aside and never considering it.

plaintiff – the person at a trial who claims to have been injured in some way.

pocket signature rule – if the governor does not act, the bill will automatically become law.

pocket veto – a president's way of defeating an act of Congress by taking no action on it until Congress adjourns. This method can be used only within the last ten days that Congress is in session.

political action committee (PAC) – an organization formed by a group of citizens to raise money for a candidate's campaign.

political party – an organization whose members help one another to win elections and shape government policy.

polling place – where people come to vote on Election Day.

popular sovereignty – the principle that the power to govern belongs to the people (either directly or through representation).

popular vote – vote of all the people participating in an election.

pork barrel projects – construction projects authorized by Congress that involves spending federal money in local areas.

preamble – the first paragraph of the Constitution.

president pro tempore – an officer of the Senate who presides when the vice president is absent.

primary – an election by members to determine who will be the candidates of the party.

progressive tax – any tax that takes more from high income people than from low-income people.

prohibit – a law, order, or decree that forbids something.

property tax – a tax collected by local government on the value of lands, buildings, and major articles of property.

public policy – refers to the rules, laws, and guidelines the government creates.

qualifications – conditions that a person must meet in order to hold a government office or to exercise some privilege such as voting.

quorum – number of legislators that must be present in a chamber in order to conduct official business.

ratification – act of approving or making legal.

reapportionment – the changing of the boundaries of voting districts in order to allow for changes in population.

recall – a special election to decide whether or not a state official is to be removed from office.

recession – a slowdown in the economy.

redistricting – the redrawing of congressional boundaries.

referendum – an election on a proposed law that voters (not legislators) can either adopt or reject.

regressive tax – any tax that takes proportionately more from low-income people rather than from high-income people.

representative government – government run by elected representatives of the people.

reprieves – delays of punishment.

reserved powers – the powers belonging to a state government.

revenues – taxes and other money received by government as income.

segregation – a practice (now illegal) of providing separate schools and other public facilities based upon your race.

separation of powers – the division of a government into three main parts or branches.

session – the period of time during which a legislature is meeting.

sovereign – the power of a completely independent nation to run its own affairs.

speaker of the house – the presiding officer of the U.S. House of Representatives or of the lower house of a state legislature.

standing committee – a committee (group of lawmakers) that continues to work from one term of the legislature to the next.

succession – order of replacement.

suffrage – voting rights.

summons – an order to appear in court.

surplus – when the government receives more money than it spends for a particular year.

swing state – also known as battleground states, in U.S. presidential elections states that could potentially be won by either candidate.

tariff – a tax on imports (foreign goods) as they enter a country.

tax – money required of citizens of a nation to meet the cost of government operations.

treason – the crime of betraying one's country.

treaty – a written agreement between the governments of two or more nations.

trial – formal process in a court for determining the innocence or guilt of a person.

trustee village form – a form of local government run by trustees and a village president.

unalienable – not to be given or taken away.

unconstitutional – not allowed by the Constitution.

unicameral legislature – a lawmaking body with only one house.

union – combining of individual states into one nation.

upper house – the chamber in a two-house legislature that has fewer members than the other.

verdict – a jury's decision at the end of a trial.

veto – a chief executive's decision to reject an act of the legislature.

whip – a legislative leader who tries to persuade members of his or her party to vote a certain way on a bill.