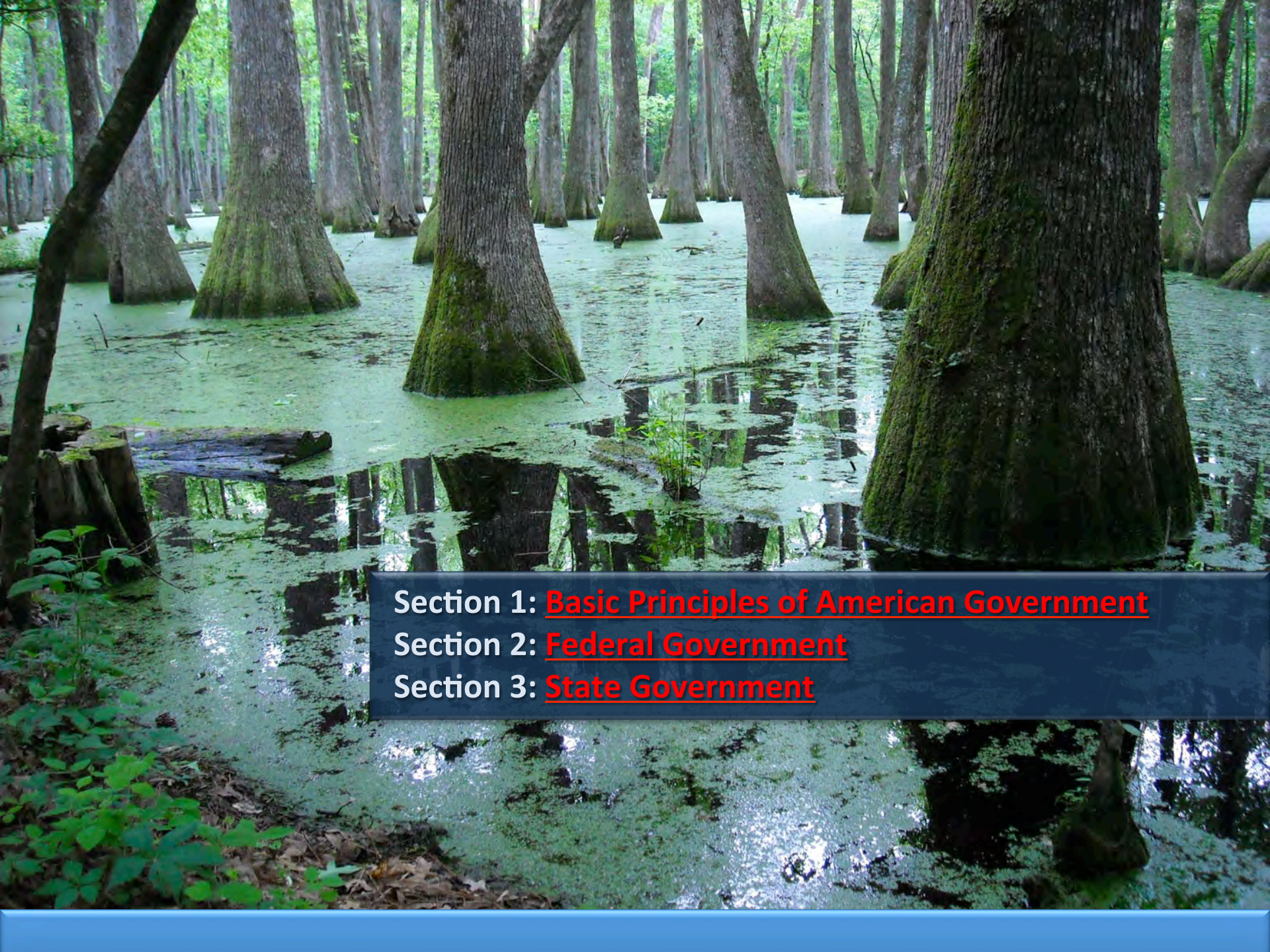


The image shows the Mississippi State Capitol building, a grand neoclassical structure with a prominent dome topped by a golden eagle. The building features a portico with tall columns and a pediment with a relief sculpture. The scene is set against a clear blue sky with some green foliage in the foreground.

A Place Called Mississippi

Chapter 13: Federal and State Government
STUDY PRESENTATION



Section 1: [Basic Principles of American Government](#)

Section 2: [Federal Government](#)

Section 3: [State Government](#)

Section 1: Basic Principles of American Government

- Essential Question: How is the government of the United States organized to rule our country?



Section 1: Basic Principles of American Government

- What terms do I need to know?
- sovereign
 - eminent domain
 - Bill of Rights



Introduction

- The United States government is marked by the separation of powers into the legislative, executive, and judicial branches.
- The government is also divided into the federal, state, and local levels.
- The United States government is guided by the same basic principles at all levels and branches.



Rule of Law

- The United States Constitution is the supreme law of the land.
- All laws, policies, and procedures at the federal, state, and local level must agree with the United States Constitution.
- The United States government is based on the rule of law, not the rule of men.



Popular Sovereignty and the Consent of the Governed

- People are sovereign in the United States, meaning that they possess supreme power and authority.
- The people of the United States elect officials to govern a specific office, and those officials govern with the consent of the governed.



Checks and Balances and Limited Government

- The Founding Fathers established three different branches to set up a system of checks and balances and to limit the power of the government.
- Each branch of the government has limited power and authority.



Representative Government

- The people of the United States elect public officials at all levels of the government to specific terms in office.
- The public officials elected represent the people of the United States.
- At the end of their elected terms, officials may be reelected or replaced.





The Constitution describes the Three Branches of Government



Legislative Branch

is led by

Congress

Capitol Building

makes laws

impeaches

overrides vetoes of the President

approves people to work for the president

citizens vote for members (Congressmen and Senators)

has two "Houses" or groups

House of Representatives

Senate



Executive Branch

is led by

President

White House

enforces laws

Commander-in-Chief of armed forces

can veto a law Congress passed

calls special sessions of Congress

citizens vote for President



Judicial Branch

is led by

Supreme Court

decides if acts of President are unconstitutional

Supreme Court Building

decides if laws made by Congress are unconstitutional

explains laws made by Congress

Nine justices (judges) are picked by the President and approved by Congress



Eminent Domain

- The Constitution gave the government the authority to take private property from citizens for public use, to promote the general welfare; this is called eminent domain.
- If land is taken, the property owner must be given a fair market value for the property.
- The exercise of power of eminent domain on behalf of private corporations is controversial.
- Many citizens disagree with the application of eminent domain.



Patents and Copyrights

- Writers, artists, and inventors in the United States have, “for limited Times . . . the exclusive Right to their respective Writings and Discoveries.”
- Patents and copyrights prohibit people from selling and profiting from someone else’s writings, paintings, and inventions.



“Full Faith and Credit” Clause

- Article IV of the United States Constitution is somewhat complicated.
- It assures that citizens are promised equal privileges, immunities, and recognition in every state.
- If you are married or divorced in one state, another state will recognize your legal status as married or divorced as well.
- A person licensed to practice law or medicine in one state may have to meet another state’s requirements to practice law or medicine there.



The Bill of Rights

- The Founding Fathers completed the United States Constitution in 1787, but some saw the need for an addition to it.
- The Bill of Rights was adopted in 1791 as a list of rights specific to citizens of the United States.
- The Bill of Rights is made up of ten amendments that explain the rights of American citizenship.



Section 2: Federal Government

- Essential Question: How does our national government's organization reflect America's beliefs and ideals?



Section 2: Federal Government

- What terms do I need to know?
 - elastic clause
 - bicameral
 - enumerated powers
 - implied powers
 - ratify
 - Electoral College
 - original jurisdiction
 - appellate jurisdiction
 - judicial review
 - bankruptcy



Introduction

- The men who were framers of the Constitution were wise, and they anticipated social and technological changes that would place new demands on the federal government.
- The Founding Fathers included an elastic clause in Article I, Section 8, paragraph 18, of the Constitution.
- The elastic clause allows Congress to make laws “necessary and proper,” or additional changes worthy of implementation.



Legislative Branch

- Article I of the United States Constitution created a bicameral legislature, consisting of the United States Senate and House of Representatives.
- Article I established the qualifications for election into the two houses, and it outlined the powers and authority of the United States Congress.



Legislative Branch: U.S. Senate

- Every state has two members in the United States Senate, making for one hundred senators because of the fifty states in our country.
- To be a member of the Senate, a person must be at least thirty years old, a citizen of the United States for at least nine years, and a resident of the state he or she represents.
- Senators are elected by popular vote, and they serve six-year terms.
- One-third of the Senate is elected in a single election year.



Legislative Branch: U.S. House of Representatives

- There are 435 members in the House of Representatives, and each state's membership is based on its population.
- To be a member of the House, a person must be at least twenty-five years old, a United States citizen for at least seven years, and a resident of the state he or she represents.
- Representatives are elected to two-year terms from congressional districts in each state and are chosen in November of even-numbered years.
- Membership in the House is determined every ten years following the United States Census.



Legislative Branch: Legislative Powers

- The Constitution grants both enumerated powers and implied powers to Congress.
- Enumerated powers are those specifically granted.
- Implied powers are those given in the elastic clause.
- All revenue bills must originate in the House of Representatives, and the House of Representatives has the power to impeach.
- The Senate confirms presidential appointments, ratifies treaties, and serves as a court in impeachment proceedings.



Executive Branch

- The Founding Fathers created the office of president, and established the process for electing a president, in Article II of the United States Constitution.
- They did not allow the president to be elected by popular vote, because they didn't trust that all citizens would know enough about the presidential candidates to make a wise decision.



Executive Branch: The Electoral College

- The Founding Fathers established the Electoral College, and they gave it the power to choose the president.
- Members of the Electoral College, presidential electors, are chosen from each state.
- The number of electors from each state equals the number of senators and representatives it has in Congress.
- In the past, each presidential elector voted for two people, and the president and vice president were assigned accordingly; a tie was determined by the House of Representatives.
- Today, the presidential candidate who wins the popular vote in each state wins the state's electoral votes.



Executive Branch: The President, Vice President, and Cabinet

- The executive branch carries out the laws enacted by Congress, and it consists of the president, the vice president, and fifteen cabinet members.
- To be elected president or vice president, a person must be at least thirty-five years old, a natural-born citizen, and a resident of the United States for at least fourteen years prior to their election.
- The president and vice president are elected to four-year terms, and the president may only serve two consecutive terms.



Executive Branch: The President, Vice President, and Cabinet, Continued

- The vice president assumes the presidency if the president dies in office, resigns, or is removed by impeachment.
- The line of succession then falls to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and then through the cabinet officers starting with the secretary of state.
- The vice president can also “act” as president for a period of time if the president becomes ill.



Judicial Branch

- Article III of the United States Constitution gives the judicial branch the power to interpret the Constitution and laws passed by Congress.
- The federal judicial system was once small and simple, but with expansion, it became increasingly more complicated and Congress created additional and special courts.



Judicial Branch: The Supreme Court

- The United States Supreme Court consists of a chief justice and eight associate justices.
- The president, with consent from the United States Senate, appoints members of the Supreme Court to lifetime appointments, without any additional qualifications in Article III.
- The Supreme Court has original jurisdiction and appellate jurisdiction.
- When the Supreme Court decides a case on constitutional grounds, all other lower courts must rule similarly on like cases.
- Judicial review, determining the constitutionality of laws, is the Supreme Court's biggest power.



Judicial Branch: Lower Federal Courts

- Congress has divided the nation into eleven judicial circuits with appellate jurisdiction, in addition to the District of Columbia Court of Appeals.
- Mississippi is part of the Fifth Circuit Court of Appeals.
- The United States Court of Appeals reviews decisions of lower courts and judgments made by administrative agencies.
- Appellants are present in appellate courts, rather than juries or witnesses.
- Below the Court of Appeals are ninety-four United States District Courts, which have original jurisdiction.
- Mississippi is divided into a Northern District and a Southern District.



Judicial Branch: Special Courts

- Special courts are created by Congress to deal with unique kinds of cases.
- Some examples of special courts include the United States Tax Court, the Court of Military Appeals, the Court of International Trade, and the United States Claims Court.



Section 3: State Government

- Essential Question: How have the people of Mississippi organized government in their state?



Section 3: State Government

- What terms do I need to know?
 - indirect initiative
 - committee
 - conference committee
 - veto
 - reprieve
 - pardon
 - jury
 - verdict
 - progressive tax



Introduction

- Mississippi's constitution was drafted in 1890.
- Like the federal government, the state government is divided into three distinct but separate branches, each of which operates within a checks-and-balances system so that each power remains limited.
- The powers of the government are further divided into the state, county, and municipal levels.

[Click for Mississippi branches of government.](#)

[Click for Mississippi local governments information.](#)



The Mississippi Constitution of 1890

- Mississippi has operated under four constitutions: the Constitutions of 1817, 1832, 1868, and 1890.
- The Mississippi Constitution of 1890 was drafted by 134 delegates, mostly white male Democrats, who met in Jackson on August 12, 1890.
- The Mississippi Constitution of 1890 was not submitted to the people for their approval; is longer than the United States Constitution, with fifteen articles and eighty-two typed pages; and describes the powers and procedures of the state government in detail.



The Mississippi Constitution of 1890: Basic Principles of the Mississippi Constitution

- The Mississippi Constitution of 1890 has principles like the United States Constitution.
- The state constitution is focused on the principles of the rule of law, popular sovereignty, limited government, separation of powers, and checks and balances.
- Some Mississippians would rather draft a new state constitution altogether, but the majority prefer to amend the 1890 document.



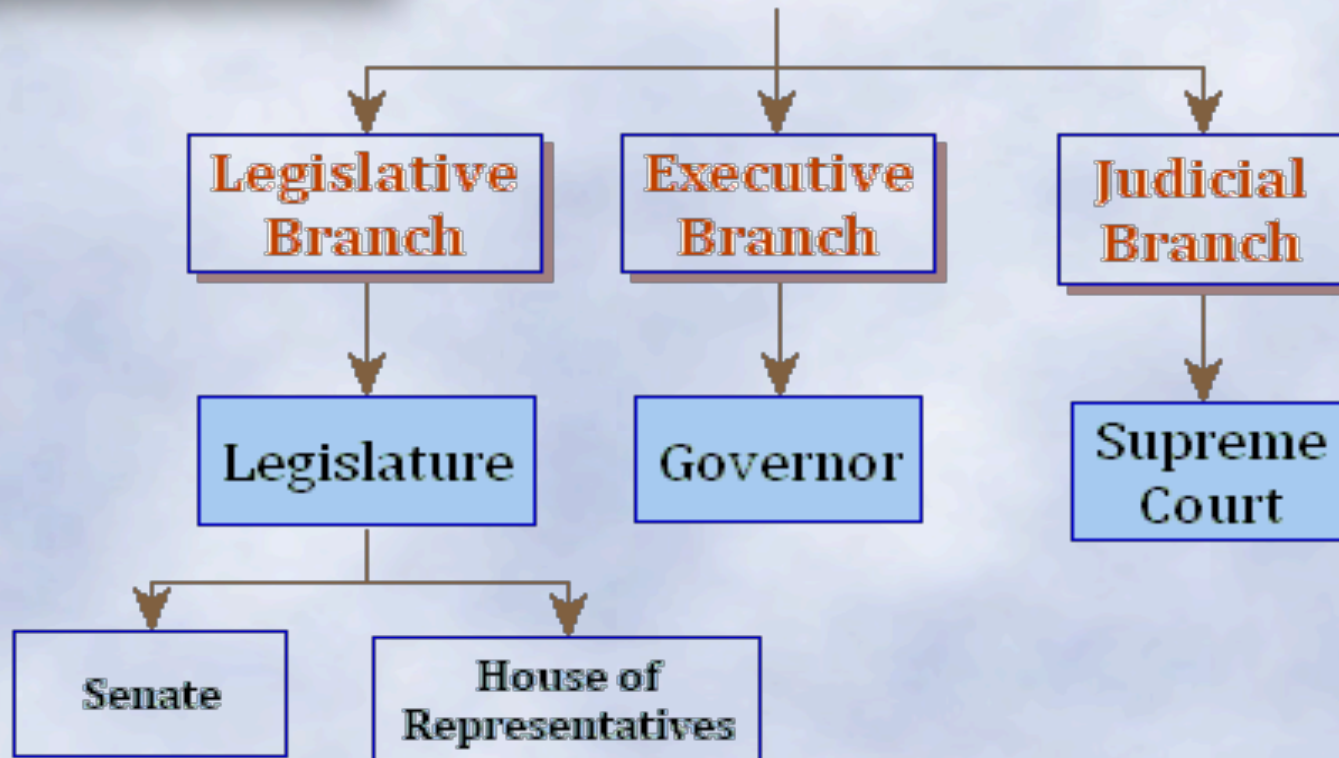
The Mississippi Constitution of 1890: Amending the Mississippi Constitution

- The United States Constitution has been amended 27 times since it was drafted, but the Mississippi Constitution of 1890 has been amended 120 times since it was drafted.
- Amending the state constitution normally originates in the legislature, where two-thirds of the members of both houses may propose an amendment.
- The proposed amendment is subject to popular vote, and the majority of votes is needed to amend the constitution.
- Mississippians may also propose amendments through indirect initiative, where citizens submit amendments.





THE CONSTITUTION OF THE STATE OF MISSISSIPPI



State Legislative Branch

- The legislative branch of the state government, consisting of the Senate and the House of Representatives, was established in Article 4 of the 1980 Constitution.
- There are 52 state senators and 122 representatives, who are elected from districts.
- Districts are subject to the “one-man-one-vote” principle, meant to make one vote as equal as possible to every other vote.
- The legislature redraws districts after each census.

[Click for redistricting information.](#)



State Legislative Branch: Legislators

- To become a state senator, a person must be at least twenty-five years old, a registered voter for four years, and a resident of the district from which he or she is elected for two years prior to the election.
- Members of the Mississippi legislature are elected to four-year, unlimited terms.
- To become a member of the House, a person must be at least twenty-one years old, a state resident for four years, and a resident of the district from which he or she is elected for two years prior to the election.



State Legislative Branch: Organization of the Legislature

- A lieutenant governor, presiding officer of the Senate, is elected by the people.
- A president pro tempore is chosen by the Senate and acts as the presiding officer when the lieutenant governor is absent.
- The presiding officer of the House of Representatives is the Speaker of the House, chosen by the members.
- Committees, small groups of representatives or senators who review bills and make membership recommendations, do most of the work in the state legislature.
- The chairpersons of committees are the most influential members of the legislature, because they have the power to determine which bills are discussed.



State Legislative Branch: Legislative Sessions

- Legislative sessions meet every year in Jackson on the Tuesday following the first Monday in January.
- The first session after a governor is elected lasts 125 days, other sessions are scheduled for 90 days, and special sessions may be called at any time by the governor.



State Legislative Branch: Powers of the Legislature

- The Mississippi legislature has broad investigative powers, in addition to its authority to make laws.
- The House of Representatives will elect a governor if a candidate does not receive majority vote and has the power to impeach, or file charges against, the governor or other public officials.
- The Senate would hear the case against public officials and rule about the future of the official.



State Legislative Branch: How Laws Are Made

- A bill is introduced to one house, and it is assigned to a committee for discussion and debate.
- If a bill is approved, it is sent to the other house for consideration.
- A “no” vote from either house kills the bill.
- A joint conference committee is usually appointed to work out the differences if the bill is amended by either house.
- A governor may sign or veto a bill once it passes both houses.



State Executive Branch

- Article 5 of the 1890 Constitution established the executive branch of the state government.
- Executive officials are elected by the people, rather than appointed by the governor.
- The secretary of state, attorney general, and other executive officials are independent of the state's chief executive, and many even be associated with another party in some cases.



State Executive Branch: Governor

- The primary function of the governor is to enforce and administer laws.
- To become governor, a person must be at least thirty years old, a citizen of the United States for twenty years, and a resident of the state for at least the five years prior to the election.
- The governor is elected for a four-year term and may serve two successive terms.
- The governor is the commander in chief of the Mississippi National Guard.
- The governor may appoint officials, adjourn meetings, sign or veto bills, and grant reprieves and pardons.



State Executive Branch: Lieutenant Governor

- The lieutenant governor is elected at the same time, and for the same term, as the governor and assumes the governor's position if the office becomes vacant.
- The lieutenant governor must meet the same qualifications as the governor and may serve two consecutive terms.
- Similar to the speaker of the House, a lieutenant governor serves as president of the Senate.
- The lieutenant governor can influence legislation in that body, but he or she cannot vote on legislation except in cases of a tie.



State Executive Branch: Secretary of State

- The secretary of state oversees and maintains Mississippi's official public records, which include the proceedings of executive departments and laws passed by the legislature.
- The secretary of state also administers the laws governing elections, corporations, and public lands.
- To become a secretary of state, a person must be at least twenty-five years old and a citizen of the state for the five years prior to the election.
- The secretary of state is elected to a four-year, unlimited term.



State Executive Branch: Attorney General

- The attorney general serves as the chief legal officer for the state.
- To become an attorney general, a person must be at least twenty-six years old, a practicing attorney for at least five years, and a citizen of the state for five years.
- An attorney general is elected for a four-year, unlimited term.
- The attorney general represents the state concerning legal issues, assists various state and local agencies, and provides opinions on questions of law to state agencies and other public bodies.



State Executive Branch:

State Auditor and State Treasurer

- The state auditor is responsible for examining all state agencies, local governments, and public schools, and has the authority to determine whether or not funds are being spent properly.
- The state treasurer is the chief financial officer of the state, manages the state's money, and maintains the financial records for all state transactions.
- Both are elected for four-year terms and must meet the same qualifications as the secretary of state.



State Executive Branch: Other Elected Executive Officials

- Other elected executive officials include the commissioner of agriculture, commissioner of commerce, commissioner of insurance, public service commissioners, and transportation commissioners.
- These officials monitor and supervise the development of areas designated to their titles.



State Executive Branch: Appointed Officials

- There are more than sixty agencies, boards, and commissioners in the executive branch of the state government appointed by the governor, lieutenant governor, and speaker of the House.
- Important boards and agencies in the state include the Mississippi Development Authority, the Mississippi Authority for Educational Television, the Board of Trustees of State Institutions of Higher Learning, and the state Board of Education.



State Judicial Branch

- Federal courts try cases involving federal law, and state courts try cases involving state law.
- Article 6 of the 1890 Constitution established the judicial system of Mississippi.
- Today, the judicial system consists of the state Supreme Court, an intermediate Court of Appeals, Circuit Courts, Chancery Courts, and a system of lower courts.



State Judicial Branch: Mississippi Supreme Court

- The Supreme Court is the highest court in state and hears appeals from Circuit and Chancery Courts.
- The Supreme Court is made up of nine justices who serve eight-year terms from the Northern, Central, and Southern Districts.
- To become a justice, a person must be thirty years old, a practicing attorney, and a citizen for five years immediately preceding the election.



State Judicial Branch: Mississippi Court of Appeals

- The jurisdiction of the Court of Appeals is limited to matters assigned to it by the Supreme Court.
- To become a judge for an Appeals Court, a person must be thirty years old, a practicing attorney, and a state citizen for five years immediately preceding the election.
- The Supreme Court hears cases imposing the death penalty, involving utility rates, annexations, bond issues, election contests, attorney discipline, judicial performance, and constitutional issues.



State Judicial Branch: Trial Courts

- The state's trial court system consists primarily of the Chancery Courts and Circuit Courts, with several local trial courts with limited jurisdiction included.
- The 1890 Constitution authorizes the establishment of Chancery and Circuit Courts based on population and caseload.



State Judicial Branch: Trial Courts: Chancery Courts

- Chancery Courts have jurisdiction over cases involving divorce, alimony, child custody, child support, wills, estates, minors' affairs, and cases of insanity.
- Most are nonjury proceedings, and Chancery Courts may hear appeals from lower courts.
- A chancellor must be twenty-six years old, a practicing attorney, and a citizen of the state for five years before the election.



State Judicial Branch: Trial Courts: Circuit Courts

- Circuit Courts deal with serious crimes, like robbery or murder, and deal with disputes between citizens involving more than \$200.
- A jury, a group of citizens chosen from a list of registered voters to determine guilt or innocence of a person on trial, makes decisions in Circuit Courts.
- The decision of the jury is called a verdict.
- Circuit Courts also hear appeals from the Justice, County, and Municipal Courts.

[Click for Circuit Court map.](#)



State Judicial Branch: District Attorneys

- Each of Mississippi's Circuit Court districts has a district attorney.
- A district attorney is a prosecutor who represents the state in criminal cases brought before circuit judges.
- A district attorney is elected to a four-year term and must be a resident of the district and a practicing attorney for two years.



Financing State Government

- The major source of revenue for the state government is the general sales tax, which is levied on many items and services purchased in Mississippi.
- The second largest source of revenue for the state government is the individual income tax, a progressive tax, which is taken from a person's annual income.
- Most money taken from these taxes goes into the state's general funds, used to pay the state's general expenses.



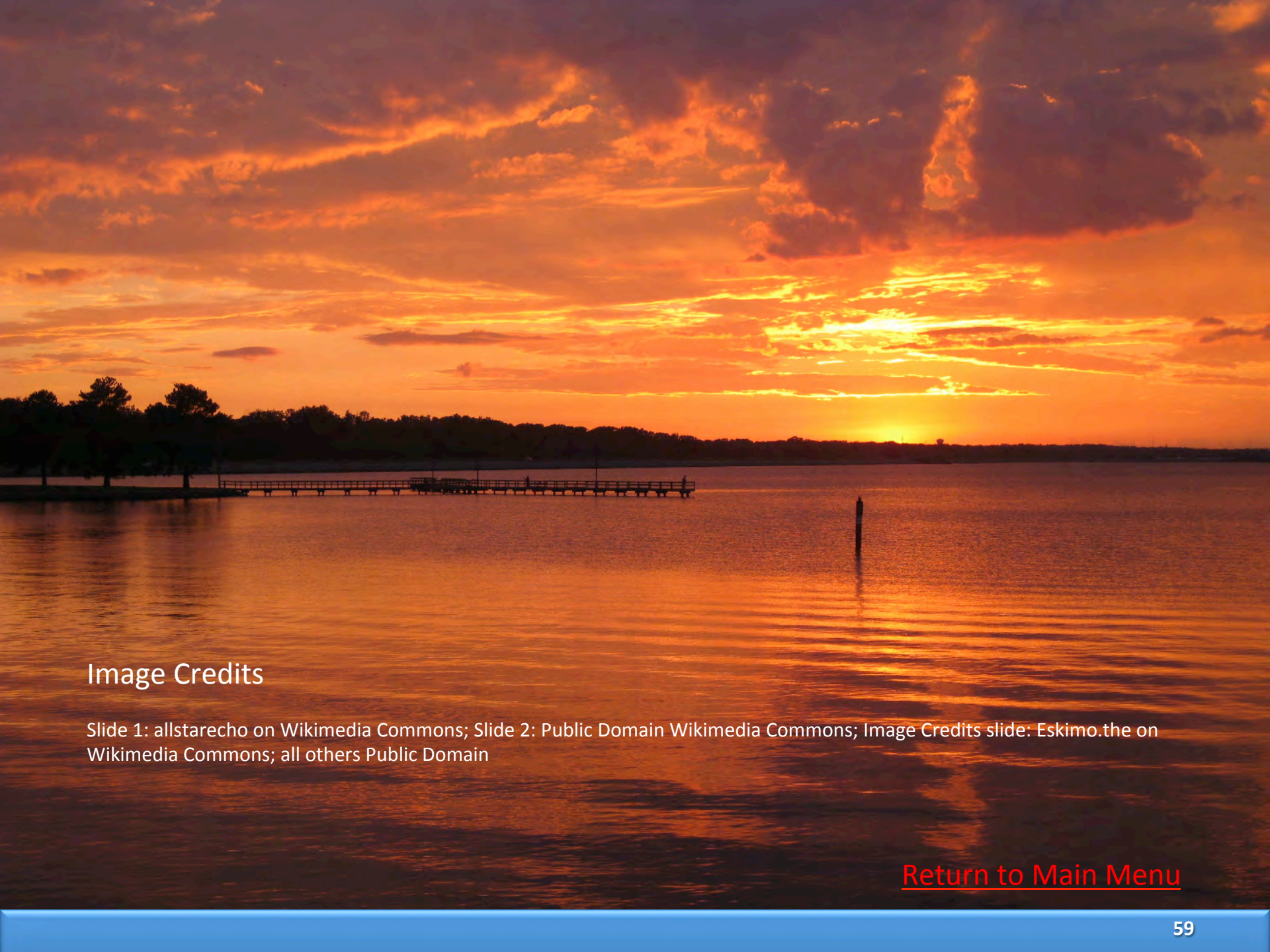


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