

FOLDABLE TITLE PAGE
----- [REQUIRED INFO] -----
REGULAR = RED
Pre-AP = ALL

**CONSTITUTION
T R E E**

FOUNDING DOCUMENTS

MAGNA CARTA MAYFLOWER COMPACT ENGLISH BILL OF RIGHTS
DECLARATION OF INDEPENDENCE ARTICLES OF CONFEDERATION

LEGISLATIVE BRANCH

1. Main duty of the Legislative Branch: MAKE THE LAWS

FLOW CHART: How a Bill Becomes a Law

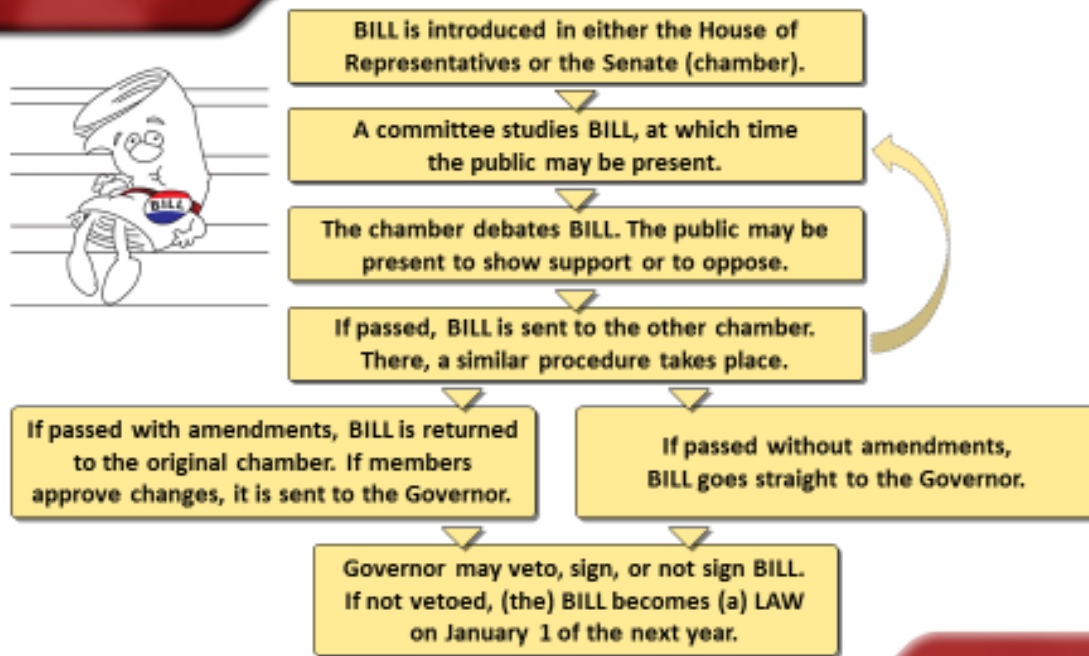


CHART: Texas Legislature

The Texas legislature is bicameral. It has two chambers: the House of Representatives (150 members) and the Senate (31 members). The U.S. Congress is bicameral. It has two chambers: the House of Representatives (435 members) and the Senate (100 members).

Texas Legislature		
	Senate	House
Term	4 years	2 years
Age	At least 26	At least 21
Residency	5+ years	2+ years
Sessions	Meets in Austin once every two years for 140 days	

U.S. Congress		
	Senate	House
Term	6 years	2 years
Age	At least 30	At least 25
Residency	9+ years as U.S. citizen; must live in state at time of election	7+ years as U.S. citizen; must live in state at time of election
Sessions	At least once each year; no time limit	

VOCABULARY: Legislative Branch

bicameral: Composed of two legislative chambers or houses.

bill: A proposal for a new law.

seniority: A rule in the Congress by which members have their choice of committee assignments in order of rank based on length of service.

interim committee: A group established by law or rules to work between sessions on legislative matters.

select committee: A group appointed by the Speaker and/or the Lt. Governor to handle specific matters. This committee is usually dissolved when its purpose is accomplished.

5. Speaker of the House. *(Please list Responsibilities below)*

1. Serves as presiding officer of the House.
2. Can vote on bills.
3. Decides which members serve on which committees.
4. Decides which committee a bill is assigned to, which may determine if a bill eventually passes or fails.

6. Lieutenant Governor. *(Please list Responsibilities below)*

1. Serves as president (presiding officer) of the Senate.
 2. Only votes if the Senate's vote ends in a tie.
 3. Decides which members serve on which committees.
 4. Decides which committee a bill is assigned to, which may determine if a bill eventually passes or fails.
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EXECUTIVE BRANCH

1. Main duty of the Executive Branch: **ENFORCE THE LAWS**

2. **VOCABULARY: Executive Branch.**

- A. martial law: **rule by military authority.**
 - B. pardon: **an official release from punishment for a crime.**
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3. **GOVERNOR.** [Length of term (as of 1972): **4 years**]

- A. **Elected by the people—not by an electoral college**
 - B. **Must be: 30+ years old / U.S. citizen / TX resident for 5 years**
 - C. **Chief executive of the state**
 - D. Lives in the **Governor's Mansion** in Austin
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4. **Legislative Powers.**

- A. **Checks legislature with veto power (checks/balances)**
 - B. **Line-item veto on budget (his only power over budget matters)**
 - C. **Can call special sessions of the legislature (to influence legislation)**
 - D. **Gives annual 'state of the state' address (to influence public)**
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5. **Executive Powers.**

- A. **Chief law enforcement officer**
 - B. **Commander in chief of Texas National Guard**
 - C. **Can declare martial law in extreme emergencies**
 - D. **Appoints individuals to various state boards and commissions**
 - E. **Appoints individuals to fill vacant offices**
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6. **Judiciary Powers.**

- A. **Can grant a pardon for a criminal**
 - B. **Can postpone or reduce sentences of those convicted of crimes**
 - **BUT cannot commute a death sentence to life in prison**
 - **Can only delay a scheduled execution for 30 days**
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7. **Attorney General.** [Elected | 4-yr term]

- A. **State's chief lawyer—represents state in lawsuits (for/against)**
 - B. **Supports city and county law enforcement**
 - C. **Provides opinions on legality of bills & advises state agencies**
 - D. **Ensures child support payments are made**
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8. Comptroller (and Treasurer.) [Elected | 4-yr term]

- A. Office of state treasurer abolished in 1996**
 - B. Collects taxes and manage state accounts & funds**
 - C. Estimates revenues to set spending cap for legislature**
 - D. Oversees banks**
 - E. Authorizes payment of state's bills**
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9. Commissioners of Land & Agriculture. [Elected | 4-yr terms]

- A. Oversees use of all state-owned land**
 - B. Handles leasing of public land for oil/gas, ranching, other uses**
 - C. Enforces all agriculture-related laws**
 - D. Encourages other states & nations to buy Texas-produced goods**
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10. Secretary of State. [Appointed: Gov | Confirmed: Senate]

- A. Oversees election matters, incl. list of registered voters**
 - B. Maintains records of all loans made in Texas**
 - C. Maintains file on formal acts of governor/legislature**
 - D. Publishes state laws and grant state charters**
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11. Railroad Commission. [Elected | 4-yr term]

- A. Regulates intrastate railroad, bus, and truck transportation**
 - B. Oversees oil & natural gas pipelines and wells**
 - C. Assists law enforcement with oil, gas, and drilling equipment theft**
 - [D. Once influenced supply/price of oil & natural gas across the U.S.]**
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12. State Board of Education. [Actually: Texas Education Agency]

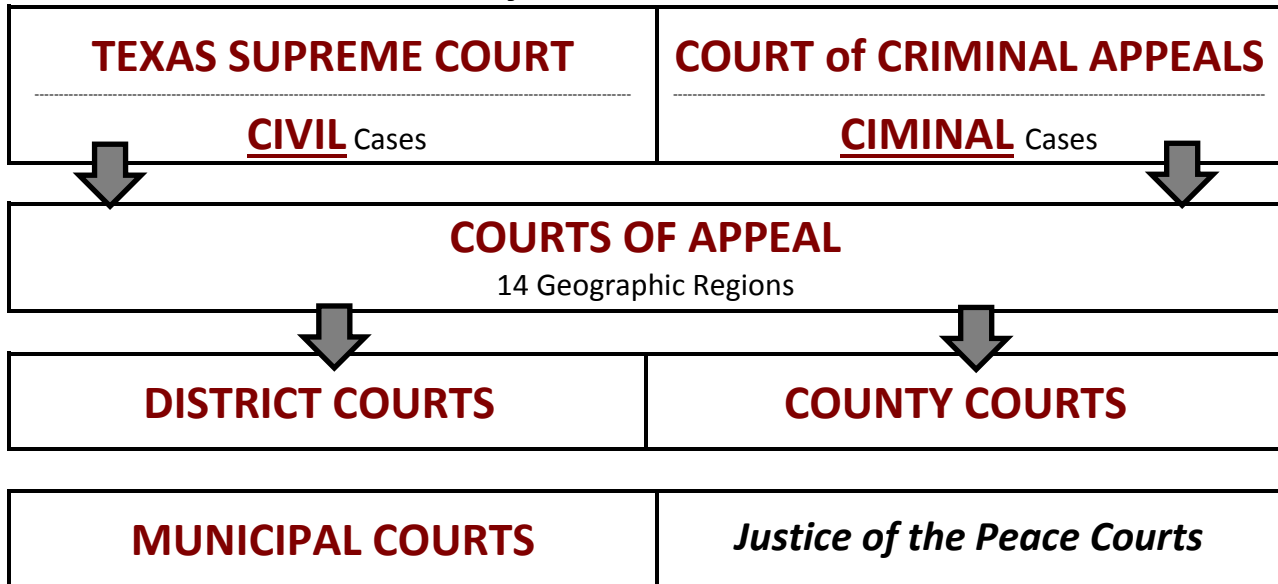
- A. How chosen? Voters elect 15 members / 15 districts every 4 years**
 - B. Oversees public schools, which does 3 things:**
 - Distributes state funds to public schools**
 - Sets curriculum standards and purchase textbooks**
 - Evaluates and certifies public schools**
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JUDICIAL BRANCH

1. Main duty of Judicial Branch: **INTERPRET THE LAWS.**

2. FLOW CHART: The Court System.

[Lone Star | 502]



3. JURY DUTY: U.S. citizen | Texas resident | **Must be at least 18 (age)**

4. VOCABULARY: Judicial Branch. (Use reading—p. 500—to define terms)

A. capital offense: **CRIMES THAT CAN BE PUNISHABLE BY DEATH**

B. grand jury: **A GROUP OF 12 CITIZENS THAT DECIDES IF THERE IS ENOUGH EVIDENCE AGAINST THE ACCUSED TO JUSTIFY A TRIAL**

C. indictment: **A FORMAL CHARGE OF WRONGDOING**

D. complaint: **A SWORN STATEMENT THAT THERE IS EVIDENCE THAT THE ACCUSED HAS COMMITTED A CRIME**

E. plea bargain: **AN AGREEMENT BETWEEN THE STATE AND THE DEFENDANT THAT OFTEN BENEFITS BOTH PARTIES**

TEXAS LAW

5. Civil Law Cases

A. Definition: **DISPUTES BETWEEN TWO OR MORE PEOPLE OR GROUPS**

B. Often involve (3): **PROPERTY RIGHTS, FAMILY MATTERS, PERSONAL INJURIES**

C. Also deal with: **CIVIL RIGHTS**

D. Two common types: **UNPAID LOANS & CHILD CUSTODY**

E. Plaintiff: **THE PARTY WHO CLAIMS TO HAVE BEEN HARMED**

F. Defendant: **THE PARTY ACCUSED OF WRONGDOING**

G. Lawsuit: **THE LEGAL ACTION THE PLAINTIFF BRINGS AGAINST THE DEFENDANT**

6. Criminal Law Cases

A. Definition: **PROTECT PEOPLE AND MAINTAIN ORDER**

B. Misdemeanors (lesser crimes)

▪ Examples (2): **THEFT (UNDER \$1500) / DISORDERLY CONDUCT**

▪ Punishments (2): **FINES / JAIL TERMS OF UP TO ONE YEAR**

C. Felonies (serious/major crimes)

▪ Examples (2): **ARMED ROBBERY / MURDER**

▪ Punishments (2): **JAIL TERMS: RANGE FROM 180 DAYS TO LIFE IN PRISON**

THE COURT SYSTEM *(Please list types of cases handled)*

7. Justice of the Peace (How many exist across the state? **NEARLY 900**)

A. **DEAL WITH MINOR OFFENSES PUNISHABLE BY FINES**

B. **DEAL WITH CIVIL CASES THAT INVOLVE SMALL SUMS OF MONEY**

8. Municipal Courts (Many of these operate in **LARGER CITIES.**)

A. **DEAL WITH MINOR CRIMES**

B. **MOSTLY TRAFFIC LAW VIOLATIONS**

9. County Courts (Both of these courts are headed by a **JUDGE.**)

County Courts at Law

A. **HEAR CIVIL CASES THAT INVOLVE AMOUNTS UP TO \$100,000**

B. (Both) **TRY CRIMINAL MISDEMEANORS PUNISHABLE BY JAIL TIME**

Constitutional County Courts

A. **HEAR SMALL CIVIL CASES**

B. (Both) **TRY CRIMINAL MISDEMEANORS PUNISHABLE BY JAIL TIME**

10. District Courts (These are the **MAIN TRIAL COURTS** in the state.)

A. **ONE OR MORE DISTRICT COURTS SERVE EACH COUNTY**

B. **TRY ALL FELONY CRIMINAL CASES & CIVIL CASES (DIVORCE/LAND)**

C. **HEAR LAWSUITS WHERE AMOUNT IS GREATER THAN \$200**

D. **VOTERS ELECT DISTRICT COURT JUDGES**

LOCAL GOVERNMENT

1. Municipal Governments

- A. Define municipal: **of or relating to the government of a city or town**
- B. Under the Texas Constitution, who legally establishes a city government?
state legislature | How are cities incorporated? **By charter**
- C. Home-rule cities: **municipality with power to set up its own system of governing**
- D. General law cities: **town or city whose government power is limited to by state law**

2. City Government

A. Mayor-Council

Voters elect mayor and council members; mayor elected at large (by all voters) and council usually elected to represent a district; mayor acts as executive and council is lawmaking body (legislature); most general law cities use mayor-council form

B. Council-Manager

Newest and most popular—more than 85% home-rule cities use it; council members elected by voters and makes laws, sets policy for city; council hires professional manager to run city based on council's decisions; manager prepares budget and hires/fires employees; can still have a mayor but with limited powers

3. County Government *(Please describe the Duties of the following officials)*

- A. **Commissioners Court: Runs day-to-day business/finances in county**
- B. **Sheriff: Chief law enforcement officer in county**
- C. **County Attorney: Prosecute criminal cases on behalf of county**
- D. **County Clerk: Administer all elections and records results; maintain vital records**
- E. **Treasurer: Manage county funds; follow commissioners court decisions (budget)**
- F. **Tax Assessor-Collector: Calculate/Collect taxes due on each property; collect fees**

4. Special Districts

- A. **Purpose: Created to address specific kinds of public services**
- B. **Examples: Hospitals, utilities, public libraries, crime, flood control; independent of county or municipal governments; some collect property taxes or sales taxes**

5. Most common type of special district: school districts

- A. **Who heads these districts? Elected board of trustees (school board)**
- B. **Six functions of these districts: Make school policies, hire teachers, select school superintendents, set salaries, maintain school buildings, and provide transportation**

6. Paying for Local Government (pp. 745-746)

- A. **SALES TAXES—largest source of state-controlled revenue (25% of all state funds)**
- B. **SPECIAL TAXES (fuel, tobacco, motor vehicles) and FEES (licenses & permits)**
- C. **FEDERAL GOVERNMENT—about a third (33%) from federal taxpayers**
- D. **BONDS—loans paid by government, issued to fund large projects (roads/bridges)**