

Midwest State Constitution

Preamble

We, the members of the Midwest State of the Junior State of America, in order to achieve high standards of citizenship, increase student understanding of democratic processes, develop individual civic responsibility, and promote involvement in our democracy, do hereby ordain and establish this Constitution of the Midwest State of the Junior State of America.

Article I: Name

SECTION 1.

This organization shall be called the Midwest State of the Junior State of America and shall exist as an autonomous division of the Junior State of America (JSA).

SECTION 2.

The jurisdictions of the Midwest State shall include the states of Illinois, Indiana (all chapters west of Indianapolis), Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. The Midwest may give a jurisdiction over a chapter to another State if it is reasonable.

Subsection 1.

Expansion beyond these states shall be authorized by the National Junior State of America unless another State decides to give the Midwest Jurisdiction over one of its own chapters.

Article II: Membership

SECTION 1.

An official JSA chapter shall be formed in the Midwest State when at least eight students of a respective high school pay their annual national membership dues (taxes).

SECTION 2.

Each chapter shall have a sovereign government, subject only to the Midwest State government, national Junior State government, and school rules.

SECTION 3.

Any high school student who has paid JSA's annual national membership tax and is a member of an official Midwest chapter shall be considered a member of Midwest JSA. A high school student is defined as an individual in grades nine through twelve.

Article III: Council of Chapter Presidents

SECTION 1.

The legislative powers of the Midwest State shall be vested in the Council of Chapter Presidents (CoCP), a body formed by the Chapter Presidents of all tax-paid chapters in the Midwest.

SECTION 2.

CoCP shall have the power to enact any Constitutional amendment or legislation which it feels is fitting and appropriate for the Midwest State.

SECTION 3.

Legislation enacted by CoCP requires a simple majority vote, unless otherwise specified by the legislation or this Constitution.

SECTION 4.

Additional powers of CoCP include the following: establishment of CoCP rules and procedures in accordance with parliamentary law, impeachment of elected State officials, and the removal of CoCP members for misconduct by a $\frac{2}{3}$ vote.

SECTION 5.

CoCP shall have the power to divide the Midwest State into regions. Region formation requires a $\frac{2}{3}$ majority vote on the boundaries and regional constitution, as well as approval from the Governor of the Midwest State.

SECTION 6.

Able members of CoCP shall meet at least thrice each year, including meetings at Fall State, Winter Congress, and Spring State.

SECTION 7.

At each meeting, CoCP shall discuss any proposed legislation or amendments to the Constitution. If no member presents legislation or amendments, then the administrators of CoCP shall decide the proceedings of the meeting.

SECTION 8.

A quorum of CoCP is reached when 50% of tax-paid chapters as of May 31 of the previous year is present. Without a quorum, CoCP cannot conduct official business at that meeting.

SECTION 9.

The Lieutenant Governor of the Midwest State has the right to be the administrator of CoCP. They share this responsibility with the Director of Chapter Internal Affairs (or the closest equivalent on Cabinet for that respective year). In the case that both the Lieutenant Governor and Director of Chapter Internal Affairs are unable to moderate CoCP, they may appoint a President Pro Tempore from the Chapter Presidents whose nomination must be approved by the Governor of the Midwest State.

SECTION 10.

The administrators of CoCP shall hold the right to invite special guests to the meeting to speak on issues they deem pertinent to the invitee. Guests are permitted to attend with prior authorization from CoCP administrators. These guests include members of the Midwest Chapter Internal Affairs department.

SECTION 11.

Chapter Presidents may invite additional guests at the discretion of the administrators of CoCP.

SECTION 12.

The Governor or the Lieutenant Governor may call an emergency CoCP meeting. All Chapter Presidents must receive at least fourteen calendar days prior notice of such a meeting. Quorum rules still apply in emergency meetings.

SECTION 13.

Emergency meetings can take place in-person or over an electronic medium, within reasonable requests for accessibility. At these meetings, CoCP can fulfill any of their functions, with the exception of impeachment, which may only occur at State-sanctioned events.

Article IV: Legislation

SECTION 1.

Legislation passed by CoCP may be sponsored by any tax-paid member or a coalition of tax-paid members.

SECTION 2.

Any legislation to be considered at that CoCP session must be declared at the beginning of the session and distributed to all Chapter Presidents at least seven calendar days in advance of the CoCP meeting.

SECTION 3.

Before beginning debate, the administrators of CoCP shall read the legislation aloud. Debate over legislation will follow traditional JSA debate procedure with 6 minute main speeches and 3 minute subsequent speeches. If no member speaks against the legislation, a motion may be made for a moderated discussion or a vote.

SECTION 4.

All legislation must be passed by a simple majority vote, unless otherwise specified, and signed by the Governor of the Midwest State to become a bylaw. This is provided that a quorum is present.

SECTION 5.

The administrators of CoCP shall have no vote. In the case of a tie, only the Lieutenant Governor, or his/her replacement in the case of impeachment, may vote.

SECTION 6.

The Governor shall have the power to veto any Constitutional amendment or legislation passed by CoCP and send it back with objections.

SECTION 7.

After reconsidering legislation vetoed by the Governor, CoCP may override the Governor's objections with a two-thirds (2/3) vote, thereby passing the legislation.

SECTION 8.

If legislation is neither returned to CoCP by the Governor with objections nor signed by the Governor within thirty days of it being presented, the legislation shall automatically be enacted.

SECTION 9.

Upon ratification, passed legislation will be posted to a public arena (online platform easily accessible by Midwest JSA members) within seven calendar days.

Article V: Elected Officials

SECTION 1.

The executive powers of the Midwest State shall be vested in the Governor of the Midwest State of the Junior State of America.

SECTION 2.

Subordinate to the Governor, there shall be the Lieutenant Governor of the Midwest State to share the executive powers pertaining to the State.

SECTION 3.

In addition to responsibilities outlined in the National JSA Constitution, the Governor's duties include representing the Midwest State in JSA's Council of Governors, ratifying legislation passed by CoCP, organizing and executing State events, and managing the affairs of the State.

SECTION 4.

The Lieutenant Governor's duties include assisting the Governor in administration of the State, presiding over CoCP, and chairing the FEC. The Lieutenant Governor is often free to select their role in the Midwest at the discretion of the Governor, but they must be prepared to aid the State whenever help is necessary.

SECTION 5.

The Governor and Lieutenant Governor shall appoint a Cabinet to help organize and run the State.

SECTION 6.

Any new elected positions may only be created by way of amending the Constitution.

Article VI: Elections

SECTION 1.

The Governor and Lieutenant Governor will be elected by tax-paid members through popular vote at each Spring State.

SECTION 2.

Any tax-paid member of the Junior State who resides within the jurisdiction of the Midwest State, and who will be in a grade 10-12 during their term of office, shall be eligible for all elective offices.

SECTION 3.

The terms of all newly elected officials shall begin June 1 and be one year in length.

SECTION 4.

There will be separate races for each position.

SECTION 5.

The elections for all elected officials will be governed by a Fair Elections Committee (FEC). No member of the Junior State who is a declared candidate for elective office or who has declared support for a candidate may serve as a member of the FEC.

SECTION 6.

The Lieutenant Governor shall be the chair of the FEC. They shall have the power to set guidelines for campaigns, including budget limits and other restrictions.

SECTION 7.

In order to be elected to the offices of Governor and Lieutenant Governor, a candidate must receive a majority of votes. In the case that no candidate receives a majority of votes, runoff elections will take place.

SECTION 8.

In the case of a tie, the FEC chair must break the tie.

SECTION 9.

Before assuming office, all elected officials shall take the following oath (or affirmation) as administered by the Governor:

“I, [name of person taking oath], do solemnly swear that I will support and uphold the constitution of the Midwest State of the Junior State of America; that I will bear true faith and allegiance to the same as well as to the principles of the Junior State of America; that I take this oath without mental reservation or purpose of evasion; and, that I will faithfully discharge the duties of the office upon which I am about to enter.”

SECTION 10.

In the event that the Lieutenant Governor cannot fulfill his/her duties as FEC Chair, the Governor shall appoint a new FEC chair to be approved by the Council of Chapter Presidents.

SECTION 11.

The FEC Chair shall appoint tax-paid delegates to the Fair Elections Committee. Appointed delegates may not have any conflicts of interest or have publicly supported a candidate prior to appointment.

SECTION 12.

The Chair of the FEC shall moderate all election activities at conventions.

SECTION 13.

In the case that the Chair of the FEC cannot attend an election activity, they may appoint a member of the FEC or Midwest Cabinet to moderate in their place.

Article VII: Cabinet

SECTION 1.

At the start of each JSA year, the Governor and Lieutenant Governor must assemble a Cabinet, over which they preside, to run the various functions of the State.

SECTION 2.

Tax-paid members of the Midwest State in grades 9-12 may apply to Midwest Cabinet, and the Governor and Lieutenant Governor must assemble a Cabinet from these candidates. Additional members may be added at the Governor and Lieutenant Governor's discretion.

SECTION 3.

The following departments shall be established for these basic functions:

Debate—To organize the debates for each major convention.

Chapter Internal Affairs—To facilitate communication between the State and chapters. **Publicity** - To publicize and advertise Midwest Activities.

Activism—To establish a community presence and work with worthy causes. **Fundraising** - To raise funds for the Midwest.

Expansion—To establish new JSA chapters.

Convention—To coordinate logistics and activities of conventions

Technology—To maintain electronic media of JSA (Website, JSApp, etc.)

Executive—To manage Cabinet and help departments execute their functions.

SECTION 4.

In the case that a Cabinet member is consistently dishonest about his/her work, fails to complete work, violates ethical codes, or demonstrates extensive incompetency, he/she may be removed after proper warning at the discretion of the Governor and Lieutenant Governor.

Article VIII: Accountability

SECTION 1.

Elected officials may be impeached, which consists of both the trial and the removal from office. Thus, a guilty trial verdict shall result in the immediate removal of the elected official.

SECTION 2.

In order for an elected official to be impeached, his/her actions must be severely detrimental to the welfare of the State or blatantly corrupt. Charges for impeachment include, but are not limited to: using office for explicit personal gain, exercising any form of the spoils system, ignoring duties to the State, outright ignoring the State as a whole, consistently failing to perform duties outlined in this Constitution.

SECTION 3.

The elected official in question must be given at least two formal warnings before the movement to impeach is brought against him/her. These notices must also be given to the other elected official and the Program Director.

SECTION 4.

To begin the impeachment process, $\frac{1}{3}$ of all Chapter Presidents in conjunction with $\frac{1}{2}$ of Cabinet Directors (heads of each department, with the exception of Executive) must petition and give the elected official at least fourteen calendar days prior notice of the impeachment trial. The notice must include, at minimum, a brief overview of the complaints filed against the elected official and an abbreviated list of evidence. The other elected official, the Director of Chapter Internal Affairs, all other Chapter Presidents, and the Program Director shall be notified as well.

SECTION 5.

The impeachment trial shall proceed as follows:

- 1) A moderator is elected from the Chapter Presidents. They may not have publicly expressed any position in the matter.
- 2) CoCP shall elect one representative to make the case against the official. The rest of CoCP shall act as a jury.
- 3) The moderator may negotiate how much time the representative and accused shall receive to present their cases. Both individuals must receive the same amount of time.
- 4) The representative shall lay out the evidence against the elected official. They may not go over the time they requested.
- 5) At this time, anyone with additional grievances can voice them for a time requested from the moderator.
- 6) The accused official shall then refute the evidence presented as well as any other lasting statements they would like to make. They may not go over the time they requested.

- 7) At this time, anyone who would like to speak to the benefit of the accused official can voice their opinion for a time requested from the moderator.
- 8) Chapter Presidents may ask questions to the accused official or any accusers at the discretion of the moderator.
- 9) The accused official shall have 2 minutes to respond to the question.
- 10) After all questions are asked, CoCP shall vote on the verdict. The moderator and accused official may not vote.
- 11) If a $\frac{3}{4}$ majority of CoCP votes to impeach the official, then the elected official will be immediately removed from office and may give a resignation speech to the State at the convention during which they were impeached if they so choose.

SECTION 6.

Trials to impeach may only happen at State-sanctioned events. A quorum of CoCP must be present for the trial to be valid.

SECTION 7.

In the event of impeachment, Chapter Presidents may not bring guests to CoCP. Chapter Presidents will be notified of this beforehand by the Director of Chapter Internal Affairs. Members of Chapter Internal Affairs will still be admitted.

SECTION 8.

In the event that the Governor is impeached, the Lieutenant Governor shall assume their role as the Midwest's representative at the National Council of Governors.

SECTION 9.

In the event that the Lieutenant Governor is impeached, the Governor's Chief of Staff in conjunction with the Director of CIA shall preside over CoCP. They will, however, not assume the title of Lieutenant Governor. All other outstanding duties given to the Lieutenant Governor will be divided amongst other Cabinet members at the Governor's discretion.

Article IX: Ratification

SECTION 1.

This Constitution shall immediately take effect upon a $\frac{2}{3}$ majority vote by a quorum of CoCP and the Governor's signature.

SECTION 2.

Amendments to this Constitution shall take effect immediately, unless otherwise specified, upon $\frac{3}{4}$ majority approval from a quorum of CoCP.

SECTION 3.

This Constitution must be re-ratified every four years if no amendments are made during that time period. If any amendments are made, the Constitution does not have to be re-ratified.

Amendment I

SECTION 1.

A voting Chapter President not in attendance at convention or incapacitated to vote may transfer franchise to a convention-attending delegate of their chapter.

Subsection 1.

Incapacitation shall be defined as inability to cast a vote based on medical emergency or similar circumstances of direct bodily inability to be present at Council of Chapter Presidents. Deliberate absence from Council meetings without cause shall not make a Chapter President eligible to transfer franchise.

SECTION 2.

In order for franchise to be transferred, written consent indicating the transfer from the Chapter President must be delivered either physically or electronically to the leader of the Council of Chapter Presidents, most typically the presiding Lieutenant Governor, prior to 24 hours before the meeting.

Subsection 1.

If the Chapter President is unable to transfer franchise due to physical inability, teacher advisors may also confer this power at any time.

SECTION 3.

Franchise shall automatically be returned to the Chapter President before the next meeting of Council of Chapter Presidents.