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THE ILLINOIS CONSTITUTION: AN ORIENTATION

RITA M. KOPP*

THE 1967 session of the Illinois General Assembly voted, by a two-thirds majority of each House, to submit to the voters the question of whether a convention shall be called to revise, alter or amend the Illinois Constitution. The present Illinois Constitution, Article XIV, section 1, provides:

Whenever two-thirds of the members of each house of the General Assembly shall, by a vote entered upon the journals thereof, concur that a Convention is necessary to revise, alter or amend the constitution, the question shall be submitted to the electors at the next general election. If a *majority voting at the election* vote for a convention, the General Assembly shall, at the next session provide for a convention (Emphasis added.)

The next general election will be held November 5, 1968. Since this is also a presidential election year and the country is troubled and divided by several issues of major national importance, the election turnout is likely to be large. It becomes extremely important, then, that the voters be made aware of the pressing need to re-examine the state constitution. Ignoring the blue ballot amounts to a "no" vote since Article XIV, section 1 requires an affirmative vote by a *majority of those voting at the election* and not just a majority of those voting on the proposition. Of course, if the voters of Illinois, after carefully considering the matter, decide that a Constitutional Convention should not be called, it is their privilege and right to defeat the question this coming November. It would be sad, however, to see the proposition defeated solely by voter apathy.

A citizen might well ask why he should be concerned about a state constitution. Haven't we been getting along reasonably well under our present Constitution? It is the opinion of many legislators, attorneys and others concerned with state government that we have not been "getting along reasonably well" with the present state Constitu-

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tion. Structurally, many state governments, including that of Illinois, are poorly organized to fulfill their functions within the American federal system. States should form a bridge within the federal system—a bridge between the central government dealing with nationwide issues and the local governments concerned with community problems. Increasingly weak state governments can have only one effect: more and more power will ultimately be assumed by the central government. Governor Daniel J. Evans of Washington stressed this point in his second inaugural address in January, 1967:

State governments are unquestionably on trial today. If we are not willing to pay the price, if we cannot change where change is required, then we have only one recourse. And that is to prepare for an orderly transfer of our remaining responsibilities to the federal government.¹

HISTORICAL BACKGROUND OF THE ILLINOIS CONSTITUTION

Illinois has had three constitutions since it was admitted to statehood in 1818. The first constitution, effective December 3, 1818, was relatively short, its main provisions being taken from the then-existing constitutions of Kentucky, Ohio, New York and Indiana. The three departments of government were differentiated, but the executive power was made comparatively weak. The only officers elected by the people were the Governor, Lieutenant Governor, Sheriff, Coroner and County Commissioners. The legislature had power to appoint nearly all other state officers. The constitution provided for its amendment only by a convention.

Pursuant to the requirements of the 1818 constitution, the General Assembly, by a two-thirds vote, submitted to the voters a proposal to call a Constitutional Convention in 1824 and again in 1842. Finally the proposition carried in 1846, and the resulting constitution was adopted in 1848.

Illinois' second constitution, effective April 1, 1848, was reflective of the nationwide trend toward more popular government: appointive powers of the legislature were severely curtailed and election of nearly all officers was vested in the people.

In 1862 there was a Constitutional Convention which proposed a new constitution. Unfortunately, the delegates became enmeshed in

¹THE COMMITTEE FOR ECONOMIC DEVELOPMENT, MODERNIZING STATE GOVERNMENT (1967).

investigations of various branches of the state government; they attempted to ratify a proposed amendment to the United States Constitution, to re-district the state for election of Congressional representatives, to issue bonds and to enact laws by passing ordinances. The nation was, of course, deeply divided at the time by the Civil War; the proposed constitution was defeated by the voters who apparently were disillusioned with the excesses of the convention and believed that the delegates were promoting the cause of the South rather than that of the North.

At the 1868 general election the voters again approved the call for a constitutional convention. That convention met in Springfield, on December 13, 1869, and completed its work by May 13, 1870. The resultant Constitution was ratified by the voters July 2, 1870, and became effective August 8, 1870. A number of previous defects were remedied—the judiciary was reorganized, the governor's powers were somewhat increased and restraints were placed on special legislation, ending the practice of granting corporate charters or divorces by special (private) bills submitted to the legislature. The Constitution of 1870 still serves Illinois today, although it has been amended fourteen times. (See Appendix I.)

There have been several attempts to revise the 1870 Constitution, but only one convention was actually called. At the 1918 general election a majority of voters approved the call, and the convention met from 1920 to 1922. Unfortunately, the convention bogged down in detail; much time was spent in gathering background material in an attempt to rewrite the entire Constitution and debate raged over some four hundred separate proposals for change. The convention recessed twice and serious splits developed between the Cook County and "down-state" factions—particularly with regard to legislative reapportionment, revenue and taxation. The voters overwhelmingly rejected the proposed constitution by a state-wide majority of four to one, and by a majority of twenty to one in Cook County. The question carried in only twenty-six of Illinois' 102 counties.

Some of the factors contributing to the defeat of the 1922 constitution were:

1. The convention attempted to rewrite the entire Constitution, including sections with which there was really little dissatisfaction.

2. There was no attempt to spotlight those sections which needed attention to establish an order of priorities for considering their revision.
3. Nearly three years elapsed before the final draft was ready for submission to the voters, resulting in loss of popular interest and confidence.
4. The document was much too long and detailed; several sections were thinly veiled attempts to curtail for all time any growth of power in Chicago and/or Cook County.
5. The constitution was submitted to the voters as a single unit without separating the more controversial provisions as had been done in 1870.

Illinois, then, continues to struggle along with an archaic state Constitution, filled with detail and burdened with instructions which are properly the province of statutory law. It is a reflection of conditions existing in the state nearly a century ago. The passage of time alone should indicate the need for re-examining the state Constitution, even absent the facts that the population of Illinois has risen from 2.5 million in 1870 to more than twelve million today, and that the state has changed from a rural to an industrial one.

SPECIFIC SUGGESTIONS FOR REVISION

The Research and Policy Committee of the Committee for Economic Development is composed of fifty Trustees from among the two hundred businessmen and educators who comprise the Committee for Economic Development. This Research and Policy Committee, being very concerned about the effectiveness of state government within the United States, issued its report in July, 1967, presenting, *inter alia*, the following general recommendations:

1. State constitutional revision should have highest priority in restructuring state governments to meet modern needs. Stress should be placed on repealing limitations that prevent constructive legislative and executive action, on clarifying the roles and relationships of the three branches of government, on permitting thorough modernization of local government in both rural and urban areas, and on eliminating matters more appropriate for legislative and executive action.
2. In our judgment, no state legislature should have more than one hundred members in total; smaller states would be better served by still fewer members. In all states, sessions should be annual, without time limitations for adjournment. Committees should be few in number, organized along broad functional lines

and supplied with strong staff support. Public hearings should be held on all major legislation. Legislators should serve four-year terms and receive salaries commensurate with their responsibilities and equal to at least half that of the governor.

3. Governors should become chief executives in fact as well as in name. Except for a jointly elected lieutenant governor, the governor should be the state's only elective executive official. He should have a four-year term, and freedom to seek re-election without restriction as to number of terms. He should have authority and responsibility for the development of long-range plans, program supervision, budgetary preparation and execution, and personnel management; staff and other resources should be adequately suited to these functions. The governor should have appointive and removal powers over all major executive department heads. The governor's salary should be at least that of a member of Congress (now \$30,000 annually); chief executives of larger states should receive substantially more.
4. State court systems should be modernized by adoption of recommendations made repeatedly and consistently by study commissions reflecting the views of the judiciary, bar associations and qualified citizens. Specifically, all judicial functions now performed by local courts should be brought into a single state-wide system. Each legislature should have authority to create new courts and abolish existing ones as the need arises, and to provide for the unified administration of the entire system. Judges should be appointed for long terms. Minimum levels of judicial compensation should be sufficient to command respect.
5. Two-party competition should be deliberately fostered in every state. Party organization and nominating procedures should receive intensive scrutiny to assure their responsiveness and representative character, and to encourage active citizen participation.
6. Interstate cooperation in solving mutual problems should be exploited actively through interstate compacts. Positive encouragement should be given to counties and other local units seeking collaboration with their counterparts both within the state and beyond its boundaries. Wider adoption of uniform state laws is needed. Active experimentation with new formulas for federal-multistate cooperation should be encouraged. All these measures can be taken without constitutional revision.

Stagnation and inertia have been characteristic of too many American state governments. Obsolete legislative, administrative and judicial mechanisms have produced weak response to the needs of the people in these times of sweeping social and economic change.²

The foregoing general recommendations of the Committee for Economic Development seem to fit the situation in Illinois all too well.

Some of the articles of the Illinois Constitution which have been suggested for thorough reconsideration are:

1. *The Revenue Article.* The constitution should grant to the legislature sufficient authority to provide an equitable tax structure. It is felt by many that real property cannot continue to bear a heavy tax burden, and that the Retailers Occupation Tax is unfair and regressive

² *Id.* at 15.

in effect. The chief source of revenue for local taxing units is the general property tax, about four-fifths of which comes from real estate taxes and one-fifth from personal property taxes. This general property tax was a major source of state revenue until 1932. Since then it has been reserved for local units, but the General Assembly is free to levy another general property tax for state use, in addition to that now levied by local governments. Sales and use taxes constitute the largest single source of income for the state government.³

2. *The Short Ballot*. It has been contended that the ballot should be shortened to allow the electors to vote intelligently on the "key" officials who are the real policymakers. A number of offices, now elective, could be filled as well, or better, by appointment.

3. *Annual Legislative Sessions*. The problems of running a government in an industrial state like Illinois are both large and complex. It is unrealistic to expect that the legislature can meet for six months and prepare an adequate biennial program. Many unforeseen changes in economic conditions could affect tax receipts and government expenditures. The present procedure has resulted in frequent resort to special sessions for enactment of deficiency appropriations in some departments and corrections of overappropriations in other departments. From the standpoint of sound fiscal management, the present procedure has not proved satisfactory.

4. *Size and Working Conditions of the General Assembly*. Presently the State Senate is composed of fifty-eight members; the House has 177 members. Their salaries (presently \$18,000 per biennium) plus a small travel and postage allowance, combined with lack of work facilities and staffing do not exactly make for an efficient state legislature, no matter how sincere and well-intentioned most of its members are.

5. *Local Autonomy*. Chicago and other large cities should have some measure of control over their problems, such as transportation, urban planning, etc., without frequent recourse to the legislature.

6. *Amendments*. The amendatory provisions of the Constitution itself should be re-examined.

7. *Obsolete Provisions*. Among these are provisions for street railroads, railroad corporations, warehouses, drains and ditches, banking law referenda, the Columbian Exposition of 1893, and specific provisions dealing with the Illinois Central Railroad and the Illinois-

³ LEAGUE OF WOMEN VOTERS OF ILLINOIS, ILLINOIS VOTERS HANDBOOK (1966).

Michigan Canal. All such obsolete matter could be deleted in one stroke if the convention should decide to do so.

These are only a few of the items which have been suggested for re-examination. The voters are not being asked to consider these issues on November 5, 1968; they are asked only to vote on whether a convention should be called to revise, alter or amend the entire state Constitution.

WHAT METHODS OF AMENDMENT ARE AVAILABLE?

Presently the Illinois Constitution provides for two methods of amendment: the convention and the Gateway method.⁴ The particular method to be employed is determined by the General Assembly.

A Constitutional Convention to revise, alter or amend the Constitution may be proposed by a two-thirds vote of each House of the General Assembly and submitted to the voters at the next general election. It is such a proposal which is being submitted on November 5, 1968. If this proposal is approved by a majority of those voting at the election, the General Assembly must then order a special election at which 116 delegates will be chosen, two from each State Senatorial district. The General Assembly also fixes the date for convening the delegates, fixes their pay, and makes the necessary appropriation.

The delegates are under no mandate to rewrite the entire constitution, but only to re-examine and consider the document as a whole. Parts of the present Constitution might well remain unchanged; other parts might be revised; other matters which are more properly the province of statutory law or which have simply become obsolete might be deleted.

The revised constitution is then submitted directly to the voters at an election scheduled by the Convention for that purpose. The Convention also decides how the proposition should be submitted to the voters—whether on a section-by-section basis, or as an entire unit, or as a unit with certain controversial sections being submitted separately. A simple majority vote of the electorate is required for passage.

The second method of amendment, the so-called Gateway method, liberalizes these requirements somewhat. A proposed constitutional amendment may originate in either House of the General Assembly.

⁴ ILL. CONST. art. XIV, §§ 1 and 2.

If approved by a two-thirds vote of each House, it is submitted to the voters at the next general election. Passage requires approval by either a majority voting in the election or two-thirds of those voting on the proposition. The Gateway method, however, contains two limitations: (1) not more than three articles may be submitted to the voters at any one election, and (2) no article may be considered oftener than once in four years. Thus the Gateway method would not allow re-consideration of the state Constitution as a whole. It would take several years of Gateway amendments to even delete certain obsolete material presently in the constitution.

Under the "majority of those voting at the election" requirement, those choosing not to cast a ballot are, in effect, counted as a "no" vote. This result of voter apathy was not contemplated in the 1870 Constitution, which was itself adopted on a ballot on which the elector had to cancel out a proposal on which he voted in the negative. If a section was not cancelled, the vote was counted as an affirmative one. This type of ballot, printed by each party and including the party's stand on any proposed constitutional amendment, was used until 1890. Voters were thus encouraged to follow the party's recommendation by using the "party circle" to vote for all candidates and issues.

With adoption of the Australian ballot in 1891, proposed constitutional amendments were printed at the bottom of an official state-printed ballot. During the period from 1892 to 1898, nearly seventy-five percent of those voting in each election failed to vote on constitutional amendments. From 1899 to 1929, constitutional amendments were printed on a separate ballot; non-voting ranged from twenty-five to forty percent of those voting in the election. From 1929 to 1949, constitutional amendments were printed on the left side of the ballot. No amendments were adopted, and more than half of all persons voting in the elections failed to vote on the constitutional provisions.

When the Gateway Amendment was ratified in 1950, it was on a separate blue ballot, and had been preceded by a well-organized campaign. Adoption of Gateway outlawed any return to the "party circle" ballot.⁵

⁵ LEAGUE OF WOMEN VOTERS OF ILLINOIS, A BRIEF HISTORY OF CONSTITUTIONAL REVISION IN ILLINOIS (1967).

WHY ISN'T THE GATEWAY AMENDATORY PROCEDURE ADEQUATE?

The Gateway Amendment, which was submitted to the voters five times (1892, 1896, 1924, 1932 and 1946) finally carried in 1950. It provides that any amendment to the Constitution must originate in the legislature, where it must receive a two-thirds vote in each House. It is then submitted to the electorate at the next general election, with alternative requirements for passage, as stated above. It was hoped that the two-thirds rule would overcome some of the difficulties experienced in getting a majority of those voting in the election to vote on the particular proposition.

Since adoption of the Gateway Amendment, fifteen constitutional amendments have been submitted to the voters; nine failed and six passed. Of the six which passed, four received a majority of the votes cast in the election, and would not have needed the Gateway Amendment for passage. The two amendments which needed Gateway to pull them through were on rather specialized topics of limited interest to the general electorate.⁶

Analysis of the nine proposals which have failed since enactment of the Gateway Amendment should not lead to the conclusion that Gateway is utterly useless. It may be that the amendatory machinery is not to blame. The failure of the amendments to carry may reflect legitimate voter resistance. Attempts to amend the Revenue Article (Article IX) have failed seven times since 1870—three times since enactment of Gateway (1952, 1956 and 1966). While many constitutional and economic experts are in accord that the present Revenue Article is inadequate in the face of needs posed by today's industrial and technological society, nevertheless any proposed changes in this Article appear to pave the way for the imposition of a state income tax, a scheme which seems clearly repugnant to Illinois voters. It may be that the Revenue Article of the Constitution can never be amended until it contains an express prohibition against a state income tax.

Consider also the attempts (in 1952, 1958 and 1966) to amend

⁶ Reapportionment and redistricting (1954), change in officers and terms of the Executive Department (1954), Illinois-Michigan Canal leasing procedures (1954) and the Judicial Amendment (1962). Only two of the six amendments which passed needed the Gateway provision to carry them: County officer's salaries (1952) and the banking amendment (1952). Further analysis of the voting statistics of the nine amendatory proposals which were defeated discloses that eight of them would have passed had the Gateway Amendment required a mere majority of votes cast on the proposal itself, rather than the two-thirds rule.

Article X (County Officers). The Article provides that the Sheriff and County Treasurer may not succeed themselves in office. Attempts at amendment have failed in each case, possibly because the voters consider it wise, especially in the case of a treasurer, to keep one individual from becoming too long entrenched in office.

Other proposed amendments which have failed to pass, despite the Gateway provision, quite possibly met defeat because of voter ignorance or apathy, or because of inadequate voter education efforts. An example of such amendment is the Judicial Amendment which failed in 1958, but which passed easily in 1962 following a concerted campaign of voter education.

It has been suggested that consideration be given to modifying the Gateway Amendment to require only a majority of those voting on the proposition. This would be entirely consistent with the provisions requiring a majority vote on an entirely new Constitution or parts thereof, submitted after a Constitutional Convention. If a majority vote is sufficient to adopt a new Constitution, it would seem reasonable that a majority vote on each proposal should be sufficient when piecemeal amendment is attempted. However, the present provision requiring two-thirds vote of both Houses of the legislature before submission to the voters should be retained as a safeguard against hasty and ill-considered changes.

CONCLUSION

Some of the arguments advanced in favor of or against the call of a Constitutional Convention are summarized in Appendix III. It is hoped that the voters of Illinois can be persuaded that the entire constitution should be re-examined by a convention of delegates elected for that purpose. We must not ignore the blue ballot on November 5, 1968; failure to vote on the proposition amounts to a "no" vote.

If a Convention is called, the election of delegates will probably be scheduled for the middle of 1969; delegates would probably convene in the fall of 1969 or later. When their work is finished it will be submitted for voter approval—hopefully by the middle of 1970. At that time, the voters will have their chance to approve or reject the product of the Convention.

Voter education campaigns currently being conducted by a number of organizations are properly stressing, first, that voter apathy must

not be allowed to defeat the proposed call of a Constitutional Convention; second, a "yes" vote on November 5, 1968, is not tantamount to approving certain substantive changes, *e.g.*, a state income tax; third, the electorate will have an opportunity to elect convention delegates of their choice, and finally, there will be another election at which the product of the Convention will be accepted or rejected. There is little hope that the Convention will be called, unless these points are conveyed to the public.

APPENDIX I
AMENDMENTS PROPOSED TO THE
ILLINOIS CONSTITUTION OF 1870*

Year	Subject Matter	Total Vote	Vote For	Vote Against	Result
1. 1878	Drainage and Ditching, Article IV, Sec. 31	448,796	295,960	60,081	Carried
2. 1880	County Officers, Art. X, Sec. 8	622,306	321,552	103,966	Carried
3. 1884	Veto of Appropriation Items, Art. V, Sec. 16	673,096	427,821	60,244	Carried
4. 1886	Anti-Contract Convict Labor	574,080	306,565	169,327	Carried
5. 1890	World's Fair Bonds, Art. IX, Sec. 13	677,817	500,299	55,073	Carried
6. 1892	Gateway Amendment, Art. XIV, Sec. 2	871,508	84,645	93,420	Failed
7. 1894	Labor Laws	873,426	155,393	59,558	Failed
8. 1896	Gateway Amendment, Art. XIV, Sec. 2	1,090,869	163,057	66,519	Failed
9. 1904	Chicago Charter, Art. IV, Sec. 34	1,089,458	678,393	90,038	Carried
10. 1908	Deep Waterway Bonds	1,169,330	692,522	195,177	Carried
11. 1916	Revenue, Art. IX, Sec. 14	1,343,381	656,298	295,782	Failed
12. 1924	Gateway Amendment, Art. XIV, Sec. 2	2,579,860	704,665	397,835	Failed
13. 1926	Revenue, Art. IX, Sec. 14	1,912,706	651,768	476,455	Failed
14. 1930	Revenue, Art. IX, Secs. 1, 2, 9, 10	2,332,696	371,812	513,861	Failed
15. 1932	Gateway Amendment, Art. XIV, Sec. 2	3,465,926	1,080,541	275,329	Failed
16. 1938	Banks, Art. XI, Sec. 5, 6, 7, 8	3,274,814	922,237	352,428	Failed
17. 1942	Revenue, Art. IX, Sec. 1	3,049,312	979,892	346,232	Failed
18. 1944	County Officers, Art. X, Sec. 8	4,079,024	898,107	653,877	Failed
19. 1946	Gateway Amendment, Art. XIV, Sec. 2	3,619,322	1,273,653	368,108	Failed
20. 1950	Gateway Amendment Art. XIV, Sec. 2	3,731,618	2,512,323	735,903	Carried
21. 1952	Revenue, Art. IX, Secs. 1, 2, 3, 9, 10, 13	2,996,885 (on amendment)	1,838,596	1,157,406	Failed
22. 1952	County Officers, Art. X, Sec. 8	3,039,455 (on amendment)	1,953,675	1,084,864	Failed

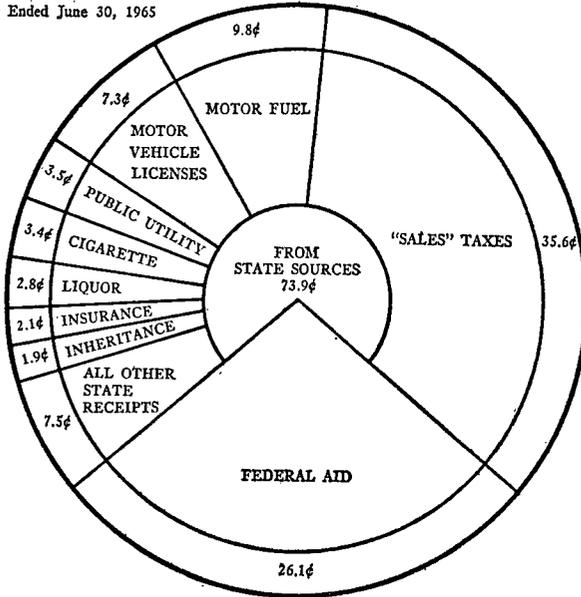
APPENDIX I (Continued)

Year	Subject Matter	Total Vote	Vote For	Vote Against	Result
23. 1952	Counties, Salary Limitations Art. X, Sec. 10	3,005,155 (on amendment)	2,024,823	979,401	Carried
24. 1952	Corporations, Banks Article XI, Sec. 6	3,018,665 (on amendment)	2,072,965	944,845	Carried
25. 1954	Legislative Department Art. IV, Secs. 6, 7, 8	2,610,726 (on amendment)	2,085,224	525,502	Carried
26. 1954	Executive Department Art. V, Secs. 1, 2, 3	2,555,801 (on amendment)	2,024,483	531,318	Carried
27. 1954	Illinois Michigan Canal	2,534,706 (on amendment)	2,011,134	523,572	Carried
28. 1956	Revenue, Art. IX, Secs. 1, 2, 3, 9, 10, 13	3,547,282 (on amendment)	1,408,132	2,139,150	Failed
29. 1958	Judicial, Art. VI	2,483,158 (on amendment)	1,589,655	893,503	Failed
30. 1958	County Officers, Art. X, Sec. 8	2,519,486 (on amendment)	1,420,011	1,099,475	Failed
31. 1962	Judicial, Art. VI	3,812,120 (total votes at election)			
		3,288,154 (on amendment)	2,166,917	1,121,237	Carried
32. 1964	Annual Legislative Sessions Art. IV, Sec. 9	4,796,641 (total votes at election)			
		3,629,803 (on amendment)	2,290,265	1,339,540	Failed
33. 1964	Continuity of Governmental Operations in Periods of Emergency Art. IV, Sec. 35	4,796,641 (total votes at election)			
		3,572,966 (on amendment)	2,297,095	1,275,871	Failed
34. 1966	Revenue, Art. IX, Secs. 1, 2, 3, 9, 10, 12, 13	3,928,478 (total votes at election)			
		3,076,879 (on amendment)	1,642,549	1,434,330	Failed
35. 1966	County Officers, Art. X, Sec. 8	3,928,478 (total votes at election)			
		3,055,739 (on amendment)	1,808,491	1,247,248	Failed

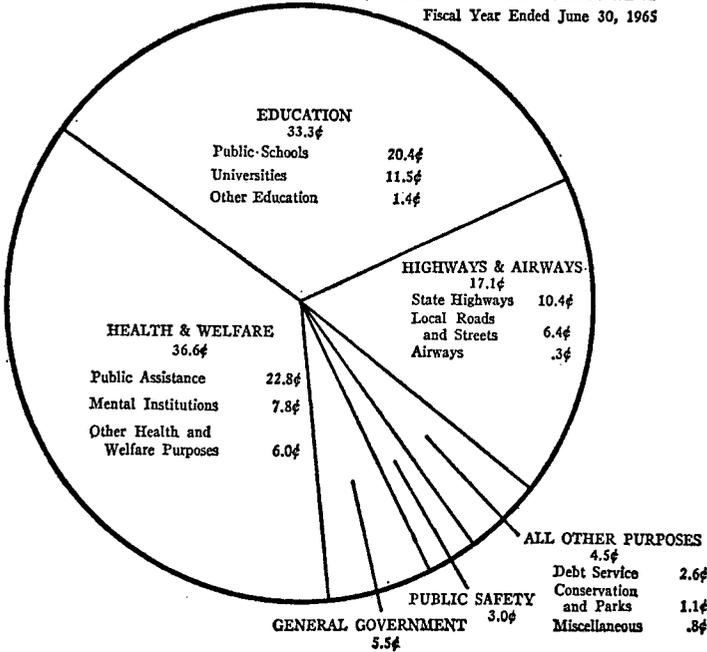
* Source: Constitution of the State of Illinois, issued by Paul Powell, Secretary of State, Springfield, Illinois, 1967.

APPENDIX II

WHERE THE 1965 STATE DOLLAR CAME FROM
Fiscal Year Ended June 30, 1965



WHERE THE 1965 STATE DOLLAR WENT
Fiscal Year Ended June 30, 1965



* LEAGUE OF WOMEN VOTERS, ILLINOIS VOTER'S HANDBOOK (1966).

APPENDIX III

SUMMARY OF SOME ARGUMENTS IN FAVOR OF AND AGAINST CALLING A CONSTITUTIONAL CONVENTION

Against	In Favor of
1. State governments, as sovereign units, are moribund; they are important only as administrative divisions of the federal government in carrying out such nationwide programs as transportation, education, health, social welfare, air and water pollution.	1. Federalism still exists, both constitutionally and politically. Efficient state governments are necessary to implement and administer local programs. Strong state governments are our protection against the development of an authoritarian, all-powerful centralized government in Washington.
2. The present Gateway procedure is adequate. Amendments can be submitted separately. Reference to more than one subject will make the matter too complicated for the average voter.	2. Gateway has not lived up to the expectations of its supporters. 15 proposals were submitted to the voters since Gateway was enacted in 1950; only 6 carried by the 2/3 vote on the amendment itself. Gateway limits the number and frequency of amendatory proposals.
3. Recent experiences in other states, <i>e.g.</i> New York and Michigan, are evidence of the futility of attempting any comprehensive constitutional reform.	3. Illinois stands to profit from the experiences of other states. The New York document was submitted as a single unit with no separation of the more controversial issues. In Illinois we have the precedent of voting separately on controversial proposals.
4. A Constitutional Convention is too costly to undertake at a time when Illinois' fiscal condition is still precarious. New York's convention, for example, was estimated to have cost \$10 million.	4. Possible expense of an Illinois Constitutional Convention has been estimated by the Legislative Council at \$1.5 million. Even if the ultimate cost is higher, it would still be less than the cost of amending the Constitution on a piece-meal basis over a long period of time.
5. Since delegates to a Constitutional Convention would be elected from Senatorial districts, the views and interests of the Senate, which favors business and management, would prevail, and the interests of other groups, <i>e.g.</i> labor, would be jeopardized.	5. The Constitutional Convention would be composed of specially selected delegates, who are not necessarily legislators. Furthermore, both political parties, which represent all segments of our society, support the calling of a Constitutional Convention. It doesn't necessarily follow that because a Senatorial district favored one party at some previous election, that the convention delegates would necessarily be of the same persuasion. The political balance of power does shift in many districts.

APPENDIX III (Continued)

Against	In Favor of
6. A Constitutional Convention might propose revisions of articles which the electorate would prefer to continue unchanged, <i>e.g.</i> the Revenue Article or Judicial Article.	6. The electorate will have ample opportunity to accept or reject those provisions when the finished product is submitted.
7. Rivalry between downstate and Cook County factions may frustrate meaningful reform.	7. Rivalry does not totally impede the enactment of significant and progressive legislation in the General Assembly. Furthermore, it is in the interest of the <i>entire</i> state to modernize our governmental operations so as to better serve <i>all</i> the citizenry, whether residents of urban or rural areas.
8. The Federal Constitution is much older than the Illinois Constitution and doesn't seem to need revision.	8. There is a basic difference between a constitution for a union of states and a constitution governing the internal affairs of a state. The Federal Constitution is a grant of power—a statement of what the states agree to do together. A state constitution covers everything else.
9. A new constitution would create chaos because we would have to write so many new laws and revise many presently existing laws.	9. All laws not in direct conflict with the new constitution would remain in effect. Improvements in the constitution would admittedly require new laws to implement them; this would be similar to the legislative session held after passage of the judicial article. It was a busy session, but there was no chaos. There will be plenty of time to draft new legislation to put the new constitution into operation.
10. A new constitution will certainly mean a state income tax.	10. Not necessarily. This depends upon how the Revenue Article is amended and whether the voters approve the final product. The details of a revised Revenue Article can best be thrashed out by a convention which has the time to relate the revenue structure to the over-all structure of the constitution.
	11. The present state Constitution lacks an adequate reapportionment article, pursuant to the U.S. Supreme Court's "one man one vote" rule.
	12. The amendatory process itself is quite stringent; Illinois is in a minority of only 11 states which require a majority voting <i>at the election</i> to call a constitutional convention.