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CALLING AND HOLDING ILLINOIS' SIXTH
CONSTITUTIONAL CONVENTION

Thirty-eight percent of the registered voters in Illinois participated in a special election on December 15, 1970 which resulted in a new Constitution for the State. The following is an outline of the events leading to that election.

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The Campaign to Call a Convention

Ninety-five years after the adoption of the 1870 Constitution of the State of Illinois and 43 years following defeat by the voters of the constitution proposed by the 1920-22 Constitutional Convention, the Illinois General Assembly on June 30, 1965 created a Constitution Study Commission to determine whether any part or all of the existing Constitution should be revised. If so, the Commission was to recommend the manner in which the altering process should take place (House Bill 1911). One month prior to the release of this Commission's recommendations to the 1967 (75th) General Assembly, Governor Otto Kerner, in his January 4 "State of the State" message urged that a constitutional convention be held to rewrite and update the 1870 charter.

Echoing the Governor's petition the Commission, chaired by State Representative Marjorie Pebworth (Riverdale, Ill., now deceased) recommended that the 75th General Assembly place the proposition on the November 1968 ballot and urged that no other constitutional proposals be placed on that ballot. Yielding to the mandate, the legislature overwhelmingly approved Senate Joint Resolution 2 calling for a vote on the issue of whether or not a convention should be held. The resolution which specified that the election would be held concurrently with the November 5, 1968 general election received the required two-thirds vote in each house of the General Assembly¹--the Senate vote was 50-0; the House vote 150-14.²

In February 1968 Governor Kerner, cognizant of the fact that a number of States had unsuccessfully attempted to hold constitutional conventions, created the Illinois Committee for Constitutional Convention (ICCC) to crystalize support throughout the State for the proposed convention. Named as co-chairman were William J. Kuhfuss and Kingman Douglass, Jr., who with their impressive credentials were able to unify statewide civic and professional groups who were long time advocates of constitutional reform.³

Campaign efforts were directed to educating Illinoisans of the merits of a convention and not on analyzing the controversial issues

which a convention would consider. By not focusing on controversial issues ICCC received strong public support thereby accruing an impressive \$250,000 campaign fund from many elements in the State.⁴ The 9-month campaign also emphasized that existing constitutional language required that a convention must be approved not only by a majority of those voting on the question but by a majority of those voting in the election, i.e., those who failed to vote would be counted against the convention. The campaign was further intensified by the strong support from newspapers which had previously opposed this method of change, thinking that it was better to deal with major amendments one at a time. More importantly the call had bipartisan support.

The following proposition was presented to the electorate on a separate blue ballot usually reserved for constitutional amendments:

Yes	For the calling of a constitutional convention
NO	

Of the 4.7 million people voting at the election, 2.9 million cast an affirmative vote on the question while 1.1 million cast a negative vote.⁵ A formidable number of voters had spoken; the mechanics for holding a convention needed to be established.

Preparing for the Convention

At the same time the General Assembly adopted Senate Joint Resolution 2 they created Constitution Study Commission II (1967 Senate Bill 1376). This Commission, consisting of eight members of the Senate, eight members of the House, and 10 public members, was charged with studying the complex problem of how to set up a successful convention in the event the referendum was approved and report thereon to the 1969 session of the legislature. Thomas G. Lyons, a public member of the Commission and a former State Senator, served as chairman of this group and Senator Terrel E. Clarke was co-chairman.

Section 2 of the act creating Commission II directed the members to "compile information and make recommendations . . . for legislation in relation to the holding and organizing [of] a constitutional convention, and to undertake studies and research, collect and organize necessary background materials, and provide for the dissemination thereof to the end that a constitutional convention may function expeditiously and efficiently." Four major preparatory projects were undertaken by the Lyons/Clarke Commission.

--"The Illinois Constitution: An Annotated and Comparative Analysis" by George D. Braden and Rubin G. Cohn (October 1969). Under the guidance of the Commission and the Institute of Government and Public Affairs of the University of Illinois, George D. Braden of the General Electric Company and Rubin G. Cohn of the University of Illinois Law School prepared a 624-page document annotating the 1870 Constitution.

--"A History of Constitution Making in Illinois" by Janet Cornelius (August 1969). This history was published by the Institute of Government and Public Affairs of the University of Illinois on behalf of the Commission. It represented a comprehensive analysis of constitution making over the last 150 years.

--"The Constitution of Illinois: A Selective Bibliography." This was originally prepared in mimeograph form by the Institute of Government and Public Affairs and later (January 1970) revised by Charlotte B. Stillwell, reference librarian, Cook County Law Library, and Stanley E. Adams, head, legislative research unit, Illinois State Library.

--The Lyons/Clarke Commission, with the cooperation of the Secretary of State's office, initiated the Constitution Convention Library Service within the Illinois State Library.

The Enabling Act Tested

Enabling legislation based on recommendations made by the Constitution Study Commission II was adopted by the legislature on May 6, 1969 and received gubernatorial approval on May 7, 1969. Key points of the bill were:⁶

1. A September 23, 1969 primary election would be held to choose four candidates for a November 18, 1969 general election at which two delegates would be elected for each of the 58 State Senate districts.
2. Delegates would be elected without party affiliation.
3. The Convention would convene on December 8, 1969 in the State Capitol in Springfield.
4. Members of the Convention would receive \$625 a month for up to 8 months and \$75 per day for up to 100 working days. Postage (up to \$120 for each delegate), mileage, and other living expenses would also be paid.
5. Elected public officials could serve as delegates; however, no payment could be made to them other than travel, postage, and expense allowances.
6. No other election or referendum could be held on the two delegate election days.
7. The enabling act did not stipulate the length of the Convention, but, presumably, the legislature felt the members would be influenced by the \$2.8 million appropriation and the limited salary provisions.

A friendly suit challenging the legality of the act was filed in the Circuit Court of the Seventh Judicial Circuit of Sangamon County which resulted in a ruling by the Illinois Supreme Court upholding the legislation (Robert P. Livingston v. Ogilvie, et al.). The suit sought to have the enabling act declared unconstitutional on numerous

grounds, three of which were: (1) The plaintiff felt the State Senate districts from which the delegates would be elected were invalid under recent decisions of the U.S. Supreme Court; (2) The sections allowing members of the General Assembly and other public officials to serve as delegates were unconstitutional; and (3) To elect the delegates without party identification was unconstitutional.

On July 10, 1969 the Illinois Supreme Court ruled that public officials could serve as delegates with the exceptions of clerks of any court, the Secretary of State, Attorney General, State's attorneys, recorders, sheriffs, collectors of public revenue and members of either house of Congress, i.e., those public officers who, under the 1870 Constitution, were ineligible to be members of the General Assembly.⁷ However, if a judge were to be elected to serve as a delegate, he would have to vacate the office of judge since he could not hold any position of profit while a judge. Furthermore, all other issues set out in the complaint, the court ruled, were not well founded.

Additional legislation passed during the session included the Constitutional Convention Lobbyist Registration Act which required that individuals promoting or opposing constitutional provisions register with the Secretary of State indicating their source of funds. During the Convention 126 lobbyists representing 67 organizations registered with the Secretary of State.⁸

It should also be mentioned that the Commission did not attempt to prepare a draft constitution since members did not envision the Commission's role as being one of promulgating a constitution as did preparatory commissions in other States.⁹

Election of Delegates

Over 500 primary petitions were filed for the 116 delegate seats with 495 remaining on the ballot following the period for withdrawal-- five of the candidates were State legislators. The enabling act allowed for the elimination of a primary in those districts where four or fewer persons filed petitions qualifying them as candidates. Accordingly, primaries were not held in seven districts.¹⁰

Forecasts for a light vote in the nonpartisan primary election were accurate--only 18 percent of the registered voters voted.¹¹ A Springfield, Ill., newspaper reported this to be the lowest vote on any issue in Illinois history.¹² Voter turnout in the November 18 general election was 27 percent and resulted in the election of 101 men and 15 women to rewrite the 100-year-old Constitution. Profiles of the members disclose that 56 were lawyers, 11 educators, 11 governmental employees, five farmers, five bankers, four engaged in public relations and advertising, three tax experts, and 21 in other occupations.¹³ Two sitting legislators were elected while 11 delegates had previous experience in the Illinois General Assembly.¹⁴

While this election process was taking place, Constitution Study Commission III, under the leadership of Senators Robert Coulson and

Robert McCarthy, was mandated to "prepare for the organization of and to aid the expeditious and efficient functioning of the Constitution Convention, to compile information and materials, to undertake studies and research, to contract for, prepare and furnish the facilities for the meeting of the Constitution Convention and to arrange for the assembling and hiring of an interim staff for the Constitutional Convention."¹⁵

The 28-member Commission (eight Senators, eight Representatives, 12 public members) organized in October 1969 and immediately set out to educate the public on constitutional issues. A public information director was employed to disseminate information through two Constitution Convention Information Centers--one in Springfield and one in Chicago. In addition, the Commission participated in an orientation seminar for approximately 50 representatives of newspapers, wire services, radio, and television who were expected to cover the Convention. The 3-day seminar was sponsored by the College of Communications and the Institute of Government and Public Affairs of the University of Illinois.¹⁶

Final Preparations

With only 2 months to fulfill its functions, the Commission divided its responsibilities into three areas and created subcommittees to carry them out: (1) rules and organization; (2) staff and personnel; and (3) site and facilities.

The Commission directed its subcommittee on rules and organization to prepare a draft of rules to be used as guidelines for the Convention in developing its own set of rules. Subcommittee members reported that the draft rules were generated from ". . . the rules and proceedings of past Illinois Constitutional Conventions, the rules and proceedings of other State Constitutional Conventions of the past 20 years, a draft prepared by the Chicago Bar Association, the legislative experience of Commission members and material from students of the Constitutional Convention process."¹⁷ Due to the preparation of those rules, valuable time was saved by the Convention in proceeding with its deliberations. Except for rules relating to the regulation of lobbyists and conflict-of-interest rules for delegates, the Convention was operating under permanent rules within 4 session days after convening.¹⁸

Applications for Convention employment were received by the Commission, references were checked, and all applicants for clerical positions were tested by the Illinois Department of Personnel. The subcommittee did not, however, attempt to evaluate the individuals but turned over approximately 80 applications to the Convention to assist them in recruiting. Temporarily employed for the first day of the Convention were six doorkeepers, five pages, three court reporters, and two telephone operators. Staffing practices of conventions in other States were analyzed and recommendations were made to the Convention that 59 positions be filled.¹⁹

Work was completed on the projects undertaken by Commission II and wide distribution was made of the major research reports. Also distributed

by Commission III were the background papers on salient constitutional issues prepared by the Constitution Research Group²⁰ and a publication prepared for the Commission by the Institute of Government and Public Affairs entitled "A Guide to Illinois Constitutional Revision: The 1969 Constitution."

From its \$100,000 appropriation, the Commission transferred \$25,000 to the Illinois State Library's special Convention library. The entire unit was later physically removed from the State Library and relocated at the site of the Convention.

The enabling act stipulated that the Convention would convene on the first day in the chamber of the House of Representatives of the General Assembly in the Capitol Building in Springfield, but a survey was conducted to recommend alternate sites for the Convention after April 1 when the General Assembly was scheduled to reconvene. Three alternate sites were recommended by the site and facilities subcommittee: (1) the recently reconstructed Old State Capitol in Springfield which, in addition to being the site of four previous constitutional conventions and the legislative chamber in which Abraham Lincoln delivered his famous "House Divided" speech, was designed to house the State Historical Library; (2) the State Armory in Springfield; and (3) the University of Illinois in Urbana. These recommendations were also transmitted to the Convention for future reference.

Other preparations made by the subcommittees for the opening session of the Convention included acquisition of office supplies, parking spaces, and telephone service. Availability of hotel and motel rooms were reported to the delegates-elect. Press kits and press cards were issued and seating arrangements were made to accommodate guests, families, and spectators.

Delegates were invited to attend a 3-day Commission-sponsored seminar which enabled the members to meet each other and attend orientation sessions. At the sessions, delegates participated in lectures and discussions on previous constitutional conventions, constitutional issues, and organization and procedure. Non-delegate participants included members of the Commission and its staff, leaders of permanent legislative offices which had expressed a willingness to assist the Convention, and others possessing an expertise in the area of constitution making.²¹

The Sixth Illinois Constitutional Convention

On the 100th anniversary of the convening of delegates to the 1869-70 Convention, the members convened in Springfield on December 8, 1969. Governor Richard B. Ogilvie presided over the proceedings with other State officials in attendance. Elected president was Samuel W. Witwer, a Chicago lawyer and a resident of Kenilworth in Cook County. Mr. Witwer had been an advocate of constitutional reform in Illinois for over 25 years and had been inactive in politics since 1960 when he was the unsuccessful Republican candidate for the U.S. Senate. Three vice-presidents representing a cross section of the State were elected-- Thomas G. Lyons, a Chicago lawyer, a former State Senator, and chairman

of Constitution Study Commission II; Elbert S. Smith, a Decatur lawyer, former State Senator, and State Auditor of Public Accounts from 1957 to 1961; and John Alexander, a young junior college teacher from Virden.²² The members elected a Chicago attorney, Miss Odas Nicholson, as secretary. The Convention established three procedural committees and nine substantive committees and granted the power to appoint committee members to the president. A 3-week recess followed during which staff was hired, office space rented, furniture purchased, and committee assignments made. This was the longest recess taken by the Convention during its deliberations.

Section 8 of the enabling act read as follows:

Each member, except the President and Vice President, shall receive \$625 per month for a period not to exceed 8 months; the President shall receive \$1,500 per month for a period not to exceed 9 months, and the Vice President(s) shall receive \$1,200 per month for a period not to exceed 9 months. Each member shall also be paid \$75 for each day, for a total not to exceed 100 days, that he is in attendance at the Convention or its committees. Each member is also entitled to a mileage allowance for necessary travel to and from Convention sites at the rate of 15 cents per mile, to a postage allotment of \$120, and to his expenses at the uniform rate established by the 75th General Assembly for members of interim commissions and committees of the General Assembly.

Section 18 appropriated money as follows:

For the salary and expenses of the members of the Convention.	\$1,750,000
For the mileage allowance and postage allotment of members as provided in Section 8 of this Act and for the other expenses properly incident to conducting the business of the Convention.	\$1,100,000

When the Convention was developing an internal budget the decision was made that an additional \$127,780 would be necessary to pay the salary and expenses of the members. When the legislature returned in April 1970, that amount was appropriated making a total of \$2,977,780 available to the Convention.

Table 1

Internal Budget of the Sixth Illinois
Constitutional Convention

Salary and expenses of members of the Convention

<u>Item</u>	<u>Amount budgeted</u>	<u>Amount expended</u>
President's salary (\$1,500 x 9 months)	\$13,500	\$13,500
Vice Presidents' salary (\$1,200 x 3 x 9 months)	32,400	32,400
Monthly salary for members (\$625 x 8 months x 110 members ^{a/})	550,000	545,489
Per diem expenses (\$75 x 100 days x 114 members ^{b/})	855,000	854,850
Meals, lodging, incidental expenses of 116 members ^{c/})	426,880	431,541
Postage (\$120 x 116 members)	13,920	13,920
Mileage	192,149	190,818
Subtotal.	2,083,849	2,082,518
 <u>Other expenses incident to conducting the business of the Convention</u>		
Personal services	500,626	473,052
Clergy for invocations	1,000	620
Staff travel	5,000	4,944
Consultants (honorariums and travel)	10,000	6,091
Rental and maintenance of real property	29,065	41,661
Purchase and lease/purchase of equipment	54,500	65,400 ^{d/}
Relocation of furniture and equipment	2,500	3,055
Operation and use of microphones and recording equipment	15,000	31,666 ^{e/}
Verbatim transcripts	10,000	61,815
Telecommunications	35,000	32,912
Computer usage	5,000	146
Books and pamphlets	3,500	2,663
Postage; printing of members proposals, committee reports, journals, letterhead, etc.	200,000	153,673 ^{f/}
Office supplies	5,000	12,974
Cleaning, painting & restoring Old State Capitol	---	4,406
Contingency	17,740	179
Subtotal, other expenses	893,931	895,257
Grand total	2,977,780	2,977,775

Table 1 (Cont'd)

Footnotes

a/ Excludes president and three vice presidents and two legislators who served as members.

b/ Excludes two members who received a salary as State legislator.

c/ Interim legislative commissions and committees received \$10 for meals, \$10 for incidentals, and \$12 for lodging in the Springfield area. (See Sec. 8 of the enabling act quoted above.)

d/ \$14,426 was later redeposited in the State's General Revenue Fund when members purchased, at the original purchase price, their desks and chairs used in Convention. Following the Convention all other furniture was turned over to existing State agencies.

e/ In addition to recording the debates, a verbatim transcript was kept as directed by Sec. 11 of PA 76-40.

f/ Postage, \$11,597; printing, \$142,076. Approximately 1,000 copies of the Journals and Committee reports were printed for the immediate use of the Convention. \$200,000 has been appropriated to the Secretary of State's office for the final printing of the verbatim Debates, Journals, Committee reports, and other supporting materials.

Source: Convention Journal, Tuesday, February 3, 1970; letter to members from the president and executive director dated March 22, 1971; and vouchers of the Convention.

Table 2

Monthly Salaries for Employees of the Sixth Illinois
Constitutional Convention

<u>Position</u>	<u>Monthly rate</u>
Executive Director	\$2,000
Executive Assistant	2,000
Chief Committee Counsels . . . (median salary)	1,500
Chief Clerk	1,350
Public Information Officer	1,350
Administrative Assistants	650-950
Research Coordinator	850
Assistant Chief Clerk	750
Research Assistants	700
Executive Secretaries	700
Information Representatives	575-750
Clerk Stenographers	435-575
Account Clerks	435-575
Minute Clerk	575
Clerk-Typists	350-435
Duplicating Clerk	350
Switchboard Operator	395
Sergeant-at-Arms and Doorkeeper	800
Doorkeepers	395
Pages	350
* * *	
Special Counsel to the Convention	\$35 (hourly rate)
Consultant to the President	\$75 (daily rate)
Parliamentarian	Expenses only ^{a/}

^{a/} The Parliamentarian continued to receive his salary from the University of Illinois in Urbana; therefore, he accepted remuneration for expenses only.

Source: Convention Journal, Tuesday, February 17, 1970.

Each Committee was assigned a permanent meeting site with an office for the chairman and a conference room for hearings. Staff included a counsel, administrative assistant, secretary, and a messenger who served as a page when Convention met as a Committee of the Whole or in plenary session. A local hotel gave 3,600 square feet to three substantive committees; however, the Convention furnished the facilities and arranged for its own telephone service so that calls would not interfere with the hotel's switchboard. Approximately 8,000 square feet were rented for the other six substantive committees and until the Convention moved into its permanent quarters in the Old State Capitol on March 20, 1970 (where 16,000 square feet were allotted them), another 3,200 square feet were rented for the administrative staff, public information staff, and the offices of the chief clerk. When sessions were held in the House of Representatives chamber in the State House, the President had access to a legislative office. Two thousand square feet were rented to house a visitor's center where pamphlets were distributed and where movies and slides on the work of the Convention were shown and discussed.

During the first 3 months, 582 proposals were introduced by the members--each one suggesting a view on what should be included in the Convention's product. Each proposal was referred to one of the nine substantive committees for study and debate. Proposals were drafted for the members by the staff of the Legislative Reference Bureau (the General Assembly's bill drafting agency), but fortunately, the deadline for submission of proposals by members (March 3, 1970) coincided with the time when the Bureau had to discontinue the service to prepare bills for the forthcoming session of the legislature.

On a weekly basis, the Legislative Council (the General Assembly's research agency) issued the "Illinois Constitutional Convention Summary" which summarized activities of the previous week and the legislative history of each proposal. The summaries were distributed to the delegates and made available to others on a subscription basis. The final issue of the Weekly Summary reported that in addition to business firms, professional people, libraries, congressmen, members of the General Assembly, and Illinois State officials, subscribers were also out-of-State residents interested in the work-product of the Convention.

Table 3

Committees of the Sixth Illinois Constitutional Convention

Committees	Total number of members*	Number of member proposals referred to each Committee
Bill of Rights	15	80
Education	11	37
Executive Article	11	32
General Government	11	77
Judiciary	11	75
Legislative	11	92
Local Government	15	54
Revenue and Finance	18	77
Suffrage and Constitutional Amendment	9	56
* * *		
Public Information	11	0
Rules and Credentials	15	0
Style, Drafting, and Submission	15	0

*In addition to the number shown, the President was an ex officio member of all substantive committees. Each Vice President was an ex officio member of those substantive committees to which he was assigned by the President.

Source: Handbook of the Sixth Illinois Constitutional Convention and Statistical Data of the Sixth Illinois Constitutional Convention.

Eleven persons, including statewide elected officials, addressed the Convention. The chairman of the Public Information Committee reported it to be the "most publicized Convention in Illinois history."²³ A statewide public telephone information service was in operation 24 hours a day, 7 days a week; a weekly news summary was mailed to 800 newspapers, television, and radio stations; public hearings were held in 17 cities throughout Illinois where 1,270 witnesses testified to the delegates; 7,300 citizens attended the field hearings; 800 witnesses testified before the nine substantive committees in Springfield; a documentary film on constitution making was made and distributed to classrooms and community organizations; an educational program was developed with the cooperation of State universities, and over 40,000 teacher guides and 800,000 student pamphlets were prepared, distributed, and used in classrooms; unrestricted press and television coverage was permitted in both committees and plenary sessions at all times; many delegates wrote weekly columns for their hometown newspapers and issued newsletters about the Convention; and the visitor's center, mentioned above, welcomed over 18,000 students and adults to the Convention.²⁴

Committees were allowed to deliberate on the issues assigned and, from the information and viewpoints presented to them, generated a total of 31 majority reports and 42 minority reports. Each report, or committee proposal, was given full study and debate by all of the delegates sitting as a Committee of the Whole. Each delegate had an opportunity to offer amendments, and upon approval, the proposals were referred to the Committee on Style, Drafting, and Submission where they were examined in terms of their constitutional language and their effect on other parts of the proposed constitution.

The Committee on Style, Drafting, and Submission reported back its findings, incorporated in 15 Committee proposals, to the full Convention where the delegates again had an opportunity to debate and amend the substance. After passage at this stage of the total process, each proposal was once again referred to the Committee on Style, Drafting, and Submission for incorporation into the total document.

Section 13 of the enabling act directed the Convention to submit to the electors of the State "The revision of alteration of, or the amendments to the Constitution, adopted by the Convention" However, the Convention never addressed itself to the question of whether they were amending the 1970 charter or drafting an entirely new document. An early clue to the way the Convention would proceed was the manner in which the committees were structured (see Appendix F). Rule 14 did not parallel the committees according to the 1870 Constitution and the 1870 Constitution was not dissected and referred to a committee for revision or alteration as had been suggested by those affiliated with recent conventions in other States. As the "official ballot" which follows discloses, a new constitution was written.

The Constitutional Referendum

On September 3, 1970, the proposed Constitution was signed. Because of the controversial nature of several issues the ballot was drafted in the following form, with four separate propositions being set out for voting, in addition to the ballot on adopting the Constitution itself. The vote each issue received at the special December 15, 1970 election is also shown.

OFFICIAL BALLOT

(Instructions to Voters: Place an "X" in the boxes opposite the propositions for which you desire to vote. The full text of the proposed 1970 Constitution and the separate propositions is available for inspection in your voting unit.)

Do you favor the proposed 1970 Constitution?	Yes	1,122,425 ^a /
	No	838,168
WHICH OF THE FOLLOWING PROVISIONS SHALL THE LEGISLATIVE ARTICLE OF THE PROPOSED 1970 CONSTITUTION CONTAIN CONCERNING THE ELECTION OF REPRESENTATIVES TO THE GENERAL ASSEMBLY? (Vote ONLY for one)		
Election of the 177 members of the House of Representatives from <u>multi-member districts</u> by <u>cumulative voting</u> .	1A	1,031,241 ^a /
OR		
Election of the 177 members of the House of Representatives from <u>single member districts</u> .	1B	749,909
WHICH OF THE FOLLOWING PROVISIONS SHALL THE JUDICIAL ARTICLE OF THE PROPOSED 1970 CONSTITUTION CONTAIN CONCERNING THE SELECTION OF SUPREME, APPELLATE AND CIRCUIT COURT JUDGES? (Vote ONLY for one)		
The <u>election</u> by the voters of Judges nominated in primary elections or by petition.	2A	1,013,559 ^a /
OR		
The <u>appointment</u> of Judges by the Governor from nominees submitted by Judicial Nominating Commissions.	2B	867,230
SHALL THE 1970 CONSTITUTION CONTAIN PROVISIONS:		
Abolishing the death penalty?	Yes	673,302
	No	1,218,791 ^b /
Lowering the voting age to 18?	Yes	869,816
	No	1,052,924 ^b /
<p>a/ This issue was approved by a majority of the electors voting at the election (2,017,719) and the proposition was adopted.</p> <p>b/ A majority of the electors voted against this proposition; therefore, the provisions were not included in the 1970 Constitution.</p> <p>Source: Proposed 1970 Constitution for the State of Illinois, Official Text with Explanation submitted by the Sixth Illinois Constitutional Convention; and Secretary of State, State of Illinois, Official Vote Cast for . . . Proposed 1970 Constitution.</p>		

Kuhfuss and Douglass were again designated to head the campaign for the adoption of the proposed 1970 Constitution. Groups lending support included the Illinois Agricultural Association, Illinois Bar Association, Illinois Municipal League, Illinois State Chamber of Commerce, Chicago Bar Association, League of Women Voters, Independent Voters of Illinois, Union League Club of Chicago, the Democratic and Republican parties of Illinois, U.S. Senators Charles Percy and Adlai Stevenson, and most of the press--all of the major newspapers in Chicago supported the proposal. Opposing the Constitution were the Illinois AFL-CIO, the coroners' and county clerks' associations, and a group labeled "SOS"--Save Our Suburbs. Independent of the major campaign were additional campaigns waged on behalf of the separately-submitted proposals.

As shown on the official ballot above, the Constitution was approved by a vote of 1,122,425 to 838,168. Cumulative voting for State Representatives was retained with the vote being 1,031,241 to 749,909. Also retained was the existing method of selecting judges--the election method received 1,013,559 votes and the appointment method received 867,230 votes. Voters defeated the propositions to abolish the death penalty and to lower the voting age to 18.25

* * *

In accordance with the enabling act, the Debates, Journals, and Proposals of the Convention are being prepared for publication and distribution. The Convention is responsible for preparing the material while the Secretary of State (Index Division) is responsible for publication. This project will be completed in June 1972 and will consist of approximately 10,000 pages. In the meantime, the Convention's records and other materials were filed in a number of locations and are available for review.

The main collection of the Convention files was deposited with the Illinois State Historical Library located in the Old State Capitol. In addition to copies of the Debates, Journals, etc., these files also contain the general correspondence, reports, and other material related to both the substantive and procedural matters of the Convention. A full set of the Journals and Committee Reports was filed with the State Library. Xerox sets of the Debates are located in the Illinois Legislative Reference Bureau, the Institute of Government and Public Affairs in Urbana, the Supreme Court Library, and the Illinois Department of Local Government Affairs in Chicago. The Illinois Legislative Council microfilmed the Debates so that additional distribution could be made during the interim until full publication and distribution was completed. Microfilm copies are located in the Illinois State Library, the Public Affairs Research Bureau of Southern Illinois University, the Northwestern University Law School Library, the Cook County Law Library, and the Library in Chicago's City Hall.

At this writing, individual copies of Committee Reports, Journals, and Delegate Proposals can be obtained from the Illinois State Library, Centennial Building, Springfield 62706. The library also has limited copies of some of the research materials prepared for the Convention, e.g., bibliography, history, etc. Braden and Cohn's "The Illinois Constitution:

An Annotated and Comparative Analysis" can be obtained from the Institute of Government and Public Affairs, University of Illinois.

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pb

Notes

1. Section 1, Article XIV, 1870 Illinois Constitution.
2. Journal of the Senate, April 18, 1967; Journal of the House of Representatives, May 16, 1967.
3. William J. Kuhfuss was president of the Illinois Agricultural Association and Kingman Douglass, Jr. was a Chicago investment banker.
4. Joseph P. Pisciotte, "How Illinois Did It," National Civic Review 58 (July 1969).
5. Secretary of State, State of Illinois, Official Vote Cast at the General Election, November 5, 1968.
6. Senate Bill 193/Public Act 76-40.
7. Section 3, Article IV, 1870 Constitution.
8. Secretary of State, State of Illinois, List of Registered Con-Con Lobbyists, May 30, 1970.
9. In 1967, the Maryland Constitution Revision Commission submitted a draft document to the Maryland Convention.
10. Thomas R. Kitsos and Joseph P. Pisciotte, "A Guide to Illinois Constitutional Revision: The 1969 Constitutional Convention."
11. Secretary of State, State of Illinois, Official Vote Cast for . . . Members of Constitution Convention--Primary and General.
12. Illinois State Journal, September 24, 1969.
13. Secretary of State, State of Illinois, "Members: Illinois Constitutional Convention 1969-1970" and Sixth Illinois Constitutional Convention, "Statistical Data on the Convention."
14. State Representatives Victor A. Arrigo and Paul F. Elward were delegates to the Convention. Former legislators were: Louis F. Bottino, Robert R. Canfield, Philip J. Carey, David Davis, Dwight P. Friedrich, John F. Leon, Thomas G. Lyons, Samuel L. Martin, John C. Parkhurst, Elbert S. Smith, and James E. Strunck.
15. 1969 House Bill 1957.
16. Report of the 1969 Constitution Study Commission, "Launching the Sixth Illinois Constitutional Convention--The Last Giant Step!" (1970).
17. Same as note 16.
18. Convention Journal, December 17, 1969.
19. Same as note 16.
20. Governor Richard B. Ogilvie appointed Samuel K. Gove, director, Institute of Government and Public Affairs, University of Illinois, to direct 19 academicians in the preparation of background papers on constitutional issues.
21. Same as note 16.
22. The Convention elected three vice presidents after they secured an opinion from Attorney General William J. Scott stating they had the authority to elect additional vice presidents as they might determine.

23. Weekly Summary No. 32, Illinois Legislative Council.
24. Weekly Summary No. 32, Illinois Legislative Council and Sixth Illinois Constitutional Convention, "Statistical Data on the Convention."
25. Secretary of State, State of Illinois, "Official Vote Cast for . . . Proposed 1970 Constitution."

APPENDIX A

Constitutional Convention Appropriations, 1965-1971

	<u>Amount appropriated</u>	<u>Amount expended</u>
Vote on proposition on whether to hold a Convention ^{a/}	(see note)	(see note)
Constitution Study Commission I (1965-67; 1965 H.B. 1911)	\$20,000	\$18,142
Constitution Study Commission II (1967-69; 1967 S.B. 1376)	75,000	71,903
Constitution Study Commission III (1969; 1969 H.B. 1957)	100,000	69,201
Reimbursement to local election officials for expenses incurred at the primary election of delegates (1969 S.B. 194)	2,500,000	2,499,573 ^{b/}
Reimbursement to local election officials for expenses incurred at the general election of dele- gates (1969 S.B. 194)	2,500,000	2,498,281
Deficiency appropriation for the primary and general elections mentioned above (1969 S.B. 1276)	1,550,000	1,192,258
Salaries and expenses of members of Convention (1969 S.B. 193)	1,750,000 ^{c/}	1,750,000
Supplemental appropriation for salaries and expenses of members (1970 S.B. 1514)	127,780	127,780
General expenses of the Convention; mileage and postage allotment for members (1969 S.B. 193)	1,100,000	1,099,995
Administrative expenses of the Auditor of Public Accounts (1969 S.B. 193)	30,000	11,935
Legislative Reference Bureau--to assist Convention (1969 S.B. 371) (1970 S.B. 1218)	50,000 16,998	33,002 16,834
Illinois Legislative Council--to assist Convention (1969 S.B. 371) (1970 H.B. 3537)	50,000 30,000	31,131 13,277

APPENDIX A (cont'd)

	<u>Amount appropriated</u>	<u>Amount expended</u>
To Secretary of State for publication and dissemination of proposed constitution together with explanatory information --tabloid form	\$1,225,000	\$873,821
Printing and distribution by printer to 102 county clerks		(340,833)
Postage and handling charges from county clerk to electorate		(351,219)
Paid to newspapers for inclusion as supplement to newspaper		(178,223)
Tape recording of constitution for the blind		(3,414)
Miscellaneous expenses incurred by Secretary of State		(132)
Reimbursement to county clerks for conduct of special December 15, 1970 election on the adoption or rejection of the proposed Constitution (1970 H.B. 299	3,300,000	3,298,292
Deficiency appropriation for the December 15, 1970 election (1971 S.B. 616)	140,000	118,638
Appropriation to Secretary of State for printing and publication of Convention's verbatim Debate, Journals, Committee reports, etc. (1971 S.B. 795)	<u>200,000</u>	<u>200,000</u> (est.)
Grand Totals	\$14,764,778	\$13,924,063

a/ Since this referendum was held in conjunction with the November 1968 general election, no cost information is available.

b/ The primary election actually cost \$2,955,296 while the general election cost \$3,234,814. A deficiency appropriation was necessary and is shown in the table.

c/ Detail provided in Table 2.

Source: Department of Finance, 52nd and 53rd Annual Reports; conversations with officials of the Index Division, Office of the Secretary of State; and members of the staff of the Illinois Legislative Council and Legislative Reference Bureau.

APPENDIX C

CONSTITUTION STUDY COMMISSION II
(Created by Senate Bill 1376, Seventy-fifth General Assembly,
Approved July 24, 1967)

Commission Membership

Senators

W. Russell Arrington, Evanston*
Albert E. Bennett, Chicago
Terrel E. Clarke, Western
Springs*
Robert Coulson, Waukegan
Alan J. Dixon, Belleville
James H. Donnewald, Breese
Robert W. McCarthy, Decatur
Cecil A. Partee, Chicago

Representatives

Mrs. Eugenia S. Chapman, Arlington
Heights
William K. Cavanagh, Springfield
Robert G. Day, Peoria*
Gene L. Hoffman, Elmhurst
James G. Krause, East St. Louis
Daniel M. Pierce, Highland Park**
Jack E. Walker, Lansing
Edward A. Warman, Skokie

Appointed by the Governor

Louis Ancel, Chicago*
David Davis, Bloomington*
Jordan Jay Hillman, Chicago
Mrs. Alice Ihrig, Oak Lawn
Thomas G. Lyons, Chicago*

Mrs. Dawn Clark Netsch, Chicago*
James Otis, Chicago
Elbert S. Smith, Decatur
William D. Stiehl, Belleville
Samuel W. Witwer, Chicago

Officers

Chairman.....Thomas G. Lyons
Co-Chairman.....Terrel E. Clarke
Secretary.....Louis Ancel
Assistant Secretary.....Robert G. Day

Staff and Consultants

Recording Secretary.....Mrs. Helen C. Dennis

Institute of Government & Public Affairs
University of Illinois

Staff Director.....Professor Samuel K. Gove
Professor Joseph P. Pisciotte
Consultants.....George Braden
Professor Rubin G. Cohn
Research Assistants.....Richard J. Carlson
Janet Cornelius
Thomas Kitsos
Susan Welch
Susan A. Wolff
Glen K. Seidenfeld

* Indicates members of the Steering Committee

** Replaced Representative John E. Cassidy who resigned

 APPENDIX D

 CONSTITUTION STUDY COMMISSION III
 (created by House Bill 1957, 76th Illinois General Assembly)
Senators

W. Russell Arrington, Evanston
 Robert Coulson, Waukegan
 Alan J. Dixon, Belleville
 James H. Donnewald, Breese
 Jack T. Knuepfer, Elmhurst
 Robert W. McCarthy, Decatur
 Cecil A. Partee, Chicago
 James C. Soper, Cicero

Representatives

Robert G. Day, Peoria
 Gene L. Hoffman, Elmhurst
 Henry J. Klosak, Cicero
 James "Pate" Philip, Elmhurst
 Daniel M. Pierce, Highland Park
 William A. Redmond, Bensenville
 Gerald W. Shea, Riverside
 Edward A. Warman, Skokie

Appointed by the Governor

Louis Ancel, Glencoe
 David Babington, Litchfield
 Edwin C. Berry, Chicago
 Kingman Douglass, Jr., Lake Forest
 Samuel K. Gove, Urbana
 Earl S. Hendricks, Murphysboro
 Mrs. Henry Herrman, Mt. Morris
 Mrs. Robert Ihrig, Oak Lawn
 William L. Lamey, Chicago
 Thomas G. Lyons, Chicago
 Earl L. Neal, Chicago
 Samuel W. Witwer, Kenilworth

Officers

Senator Robert Coulson, Chairman
 Senator Robert W. McCarthy, Co-Chairman
 Louis Ancel, Secretary
 Representative Robert G. Day, Assistant Secretary

Commission Secretaries:

Mrs. Helen C. Dennis, Park Ridge
 Miss Josephine Geroske, Springfield
 Mrs. Barbara Luker, Springfield

CONSTITUTION COMMISSION INFORMATION CENTERS:

Robert C. Pebworth, Riverdale, Public Information Director
 Institute of Government and Public Affairs, University of Illinois
 Prof. Joseph P. Pisciotte, Staff Director

 APPENDIX E

 OFFICERS AND A PARTIAL LISTING OF STAFF OF THE SIXTH ILLINOIS
 CONSTITUTIONAL CONVENTION

Office of the President

Samuel W. Witwer, President
 Joseph P. Pisciotte, Executive Director
 George D. Braden, Special Counsel to the President on matters relating
 to style, drafting, and submission
 James T. Otis, General Counsel to the Convention
 Richard Murphy, Parliamentarian
 Richard Lockhart, Consultant to the President
 John C. Brooks, Executive Assistant
 Richard J. Carlson, Research Coordinator and Administrative Assistant
 Dorothy Nadasdy, Administrative Assistant
 Yvonne I. Ahrens, Secretary to the President
 Beverly A. Criglar, Secretary to the President
 Cecilia B. Fitzsimmons, Secretary, Office of the President
 Catherine Richmond, Account Clerk

Office of the Vice Presidents

Thomas G. Lyons, Vice President
 Elbert S. Smith, Vice President
 John Alexander, Vice President
 Josephine Geroske, Secretary to the Vice Presidents

Office of the Secretary

Miss Odas Nicholson, Secretary of the Convention
 Marilyn Clarke, Secretary to Miss Nicholson

Clerk's Office

Gerald L. Sbarboro, Chief Clerk
 James Snopko, Assistant Chief Clerk
 Ivan I. Petefish, Sergeant at Arms and Head Doorkeeper
 Anna B. Brass, Minute Clerk
 Donna K. Dukett, Assistant Minute Clerk
 Kathleen Meehan, Assistant Minute Clerk
 Virginia Ubik, Assistant Minute Clerk

Office of Public Information

James T. Bradley, Information Officer
 Caroline A. Gherardini, Assistant Information Officer
 Edna M. Lutes, Information Representative
 Maribeth Gaule, Secretary

Visitors Center

Larry H. Scott, Co-director
 Patricia J. Williams, Co-director

APPENDIX E (cont'd)

Convention Library

Roddey Edelstein, Head Librarian

Mary Redmond, Assistant Reference Librarian

Research Staff

Richard J. Carlson, Research Coordinator

Gerald L. Gherardini, Research Assistant

Ken Johnson, Research Assistant

Robert J. Kennedy, Research Assistant

Ann M. Lousin, Research Assistant

Deborah I. Oakley, Research Assistant

Paul C. Schroeder, Research Assistant

Steven A. Sutton, Research Assistant

APPENDIX F

MEMBERS AND STAFF OF THE COMMITTEES OF THE SIXTH
ILLINOIS CONSTITUTIONAL CONVENTIONSubstantive Committees

Bill of Rights Committee. Elmer Gertz, chairman; James Kemp, vice chairman. Members: Victor A. Arrigo, John E. Dvorak, William F. Fennoy, Jr., Leonard N. Foster, Matthew A. Hutmacher, Thomas C. Kelleghan, Fr. Francis X. Lawlor, Arthur T. Lennon, Mrs. Virginia B. Macdonald, Roy C. Pechous, Albert A. Raby, Elbert S. Smith, Bernard Weisberg, and Lewis D. Wilson. Staff: Dallin H. Oaks, staff counsel; Lawrence R. Miller, administrative assistant; Juanita R. Gratton, secretary.

Education Committee. Paul E. Mathias, chairman; Mrs. Anne H. Evans, vice chairman. Members: John Alexander, Louis F. Bottino, J. L. Buford, Franklin E. Dove, William D. Fogal, Mrs. Betty Howard, Malcolm S. Kamin, Clyde Parker, Samuel A. Patch, and Mrs. Gloria S. Pughsley. Staff: Richard G. Browne, staff counsel; Jane G. Buresh, administrative assistant; Kathryn S. Reese, secretary.

Executive Article Committee. Joseph A. Tecson, chairman; Charles A. Coleman, vice chairman. Members: Dwight P. Friedrich, James E. Gierach, John F. Leon, Louis Marolda, Frank Orlando, James S. Parker, Harlan Rigney, Ronald C. Smith, and Charles R. Young. Staff: Jack F. Isakoff, staff counsel; Arvid Hammers, administrative assistant; Bette Shipley, secretary; Mary Ann Haney, secretary.

General Government Committee. Thomas J. McCracken, chairman; Robert R. Canfield, vice chairman. Members: William R. Armstrong, David E. Connor, David Davis, Edward H. Jenison, Mrs. Mary Lee Leahy, Michael J. Madigan, Edward J. Rosewell, Elbert S. Smith, James S. Thompson, and Mrs. Maxine Wymore. Staff: Roger Kiley, staff counsel; Robert P. Seibert, consultant; C. Chris Block, administrative assistant; Gloria J. Shoults, secretary; Beverly Tumulty, secretary.

Judiciary Committee. William L. Fay, chairman; Harold M. Nudelman, vice chairman. Members: John Alexander, Thomas E. Hunter, Mrs. Helen C. Kinney, Jeffrey R. Ladd, David Linn, Miss Odas Nicholson, Joseph V. Rachunas, Wayne W. Whalen, Mrs. Anne Willer, and Clarence E. Yordy. Staff: Rubin G. Cohn, staff counsel; Paul E. Steinhour, administrative assistant; Theresa Petrie, secretary.

Legislative Committee. George J. Lewis, chairman; Mrs. Lucy Reum, vice chairman. Members: Clifford P. Kelley, John L. Knuppel, William J. Laurino, Thomas G. Lyons, Samuel L. Martin, Mrs. Mary A. Pappas, Anthony M. Peccarelli, Louis J. Perona, William A. Sommerschild, and Frank D. Stemberk. Staff: Charles W. Dunn, staff counsel; John R. Bayalis, administrative assistant, Irene Randolph, secretary.

APPENDIX F (cont'd)

Local Government Committee. John C. Parkhurst, chairman; Philip J. Carey, vice chairman. Members: Mrs. John G. Anderson, Ted A. Borek, Madison L. Brown, Robert L. Butler, Richard M. Daley, Ralph Dunn, Ray Johnsen, Mrs. Betty Ann Keegan, Edwin F. Peterson, Elbert S. Smith, David E. Stahl, John D. Wenum, John C. Wood, and Donald D. Zeglis. Staff: David C. Baum, staff counsel; Walter Gribben, special counsel; Franklin L. Renner, administrative assistant; Joan E. Andersen, secretary.

Revenue and Finance Committee. John M. Karns, Jr., chairman; Mrs. Dawn Clark Netsch, vice chairman. Members: James S. Brannen, Frank Cicero, Jr., Richard K. Cooper, Clifford L. Downen, Wendell Durr, Paul F. Elward, Ray H. Garrison, Stanley C. Johnson, David Kenney, Thomas G. Lyons, Joseph T. Meek, Leonard F. Miska, Mrs. Jeannette Mullen, Martin Ozinga, Jr., Maurice W. Scott, James E. Strunck, and Martin Tuchow. Staff: Glenn W. Fisher, staff counsel; Martin R. Rothenberg, administrative assistant; Donna D. Hall, secretary; Kathleen A. Meehan, secretary.

Suffrage and Constitution Amending. Peter A. Tomei (now deceased), chairman; Charles W. Shuman, vice chairman. Members: John Alexander, Henry I. Green, Henry Carter Hendren, Jr., William A. Jaskula, Stanley L. Klaus, William F. Lennon, Thomas H. Miller, and Joseph C. Sharpe, Sr. Staff: Alan S. Gratch, staff counsel; Virginia H. Ubik, administrative assistant; Prudence C. McCreight, secretary.

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PROCEDURAL COMMITTEES

Public Information Committee. David E. Stahl, chairman; David Kenney, vice chairman. Members: John Alexander, William R. Armstrong, Henry I. Green, Mrs. Betty Howard, Clifford P. Kelley, Thomas G. Lyons, Elbert S. Smith, Samuel W. Witwer, and John G. Woods.

Rules and Credentials Committee. Samuel W. Witwer, chairman; David Davis, vice chairman. Members: John Alexander, Mrs. Joan G. Anderson, Paul F. Elward, Thomas E. Hunter, Matthew Hutmacher, Mrs. Betty Ann Keegan, Thomas G. Lyons, Joseph T. Meek, Mrs. Jeannette Mullen, Elbert S. Smith, William A. Sommerschild, James E. Strunck, and Bernard Weisberg.

Style and Drafting Committee. Wayne W. Whalen, chairman; Lewis D. Wilson, vice chairman. Members: John Alexander, Frank Cicero, Jr., Richard M. Daley, William A. Jaskula, Mrs. Mary Lee Leahy, Thomas G. Lyons, Samuel A. Patch, Anthony M. Peccarelli, Edward J. Rosenwell, Joseph C. Sharpe, Sr., Elbert S. Smith, Samuel W. Witwer, and Charles R. Young. Staff: Arnold Kanter, staff counsel; Margaret J. Allin, secretary; Beverly Tumulty, secretary.

Note: The President was an ex officio member of all substantive committees; each Vice-President was an ex officio member of those substantive committees to which he was assigned by the President.

