



HJ0143

LRB095 22557 RLC 52943 r

1 HOUSE JOINT RESOLUTION

2 WHEREAS, The proposed wording of the statewide referendum
3 on whether to call a constitutional convention, set to appear
4 on the November 4, 2008 General Election ballot, contains an
5 inappropriately biased "explanation of proposed call"
6 paragraph, which, among other things, informs voters that the
7 1988 constitutional convention referendum was defeated by a
8 margin of 75% to 25%; and

9 WHEREAS, Recounting the results of the 1988 referendum,
10 apart from being irrelevant to the consideration of the merits
11 of this year's question, violates State and federal
12 constitutional guarantees of a neutral, fairly-arbitrated
13 election; and

14 WHEREAS, The abrupt insertion of this fact, out of its
15 historical context, amounts to a subtle and derogatory argument
16 against the affirmative case for the calling of a convention;
17 and

18 WHEREAS, In addition to containing an impermissibly
19 prejudicial statement, the entire "explanation of proposed
20 call" paragraph is illegally appended to the constitutional
21 convention referendum question in blatant defiance of the
22 express command of Section 16-6 of the Election Code; and

1 WHEREAS, Illinois voters have the right, under the federal
2 Constitution, and the existing State constitution, to have free
3 and fair elections, devoid of misleading and superfluous ballot
4 language which, under the guise of educating voters, in fact
5 expresses the biases and preferences of political elites;
6 therefore, be it

7 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
8 NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
9 SENATE CONCURRING HEREIN, that the proposed ballot question
10 wording for the constitutional convention referendum is,
11 unconstitutional on its face, violative of State statute, and
12 therefore unacceptable; and be it further

13 RESOLVED, That House Joint Resolution 137 notwithstanding,
14 the question of whether to call a constitutional convention
15 required by Article XIV of the Illinois Constitution to appear
16 on the November 4, 2008 general election ballot should be
17 reworded, and all ballots altered accordingly, to conform to
18 the Constitution of the United States and the Constitution of
19 the State of Illinois, as well as the laws of the State of
20 Illinois, particularly Section 16-6 of the Election Code, such
21 that voters are presented with the following question:

1 -----
2 YES For the calling
3 ----- of a Constitutional
4 NO Convention.
5 -----