

# PROPOSED CALL FOR A STATE OF ILLINOIS CONSTITUTIONAL CONVENTION

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That will be submitted to the  
voters November 4, 2008.



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*This pamphlet includes explanation of the proposed call:  
arguments in favor of holding a convention;  
arguments against holding a convention; form of ballot.*

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Published as set out in House Joint Resolution 137  
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compliance with the Constitutional Convention Act by:

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**Jesse White • Secretary of State**

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*To the Electors of the State of Illinois:*

*The 1970 Illinois Constitution requires the electors of the State to decide, every 20 years, if it is necessary to revise or rewrite the Illinois Constitution. In 1988 the electors rejected the call for a constitutional convention, with 75% voting against and 25% voting in favor of convening a convention. At the general election to be held on November 4, 2008, the voters will be called upon to decide whether Illinois should convene a constitutional convention.*

## **EXPLANATION**

The purpose of a state constitution is to establish a structure for government and laws. The Illinois Constitution provides citizens with rights and protections; creates the executive, judicial, and legislative branches of government; clarifies the powers given to local governments; limits the taxing power of the State; and imposes certain restrictions on the use of taxpayer dollars. There are three ways to initiate change to the Illinois Constitution: (1) a constitutional convention may propose changes to any part; (2) the General Assembly may propose changes to any part; or (3) the people of the State by referendum may propose changes to the Legislative Article. Regardless of the method of initiating change, the people of Illinois must approve any changes to the Constitution before they become effective.

A constitutional convention is a meeting of delegates elected by the people to review the Constitution. During a convention, the delegates may propose changes to parts of the current Constitution, write a new Constitution, or make no changes whatsoever. If the people of the State on November 4, 2008 decide it is necessary to call a convention, a separate election will be held to elect delegates to represent the voters during the constitutional convention. The elected delegates will meet to review the current constitution and decide whether the constitution should be revised or rewritten. There is no limit as to how long a constitutional convention may meet. The last constitutional convention met for nine months. Once the delegates complete their work, the voters will have an opportunity to approve or reject proposed changes.

The call for a constitutional convention will be on the November 4, 2008 general election ballot. Voters that believe the 1970 Illinois Constitution should be reviewed, revised, or rewritten through the convention process should vote “YES” on the question of calling a constitutional convention.

Three-fifths of those voting on the question or a majority of those voting in the election must vote “yes” in order for a constitutional convention to be called. Voters that believe that a constitutional convention is not necessary, or that changes can be accomplished through other means, should vote “NO” on the calling of a constitutional convention.

### **Summary of Arguments In Favor of Holding a Constitutional Convention**

1. A constitutional convention allows delegates to consider important substantive issues that have failed to advance in the legislative process.
2. Changes to our state and local governments are best addressed by delegates elected solely to review the Constitution.
3. A constitutional convention would provide the first comprehensive review of the Illinois Constitution since its adoption in 1970.
4. Any proposed changes to the Constitution must be ratified by the voters before they become effective.

### **Summary of Arguments Against Holding a Constitutional Convention**

1. A constitutional convention could cost as much as \$78 million.
2. The current Illinois Constitution could be changed without a constitutional convention, and in fact has been changed 10 times since the last convention.
3. A constitutional convention could be controlled by special interest groups and lobbyists, and there is no way to limit the issues discussed.
4. A convention could threaten the economy by creating an unstable business climate.

### **Arguments In Favor of Holding a Constitutional Convention**

#### **Address Important Issues That Have Failed to Advance in the Legislative Process**

Amendments proposed by the General Assembly must be approved by both the Illinois Senate and the Illinois House of Representatives before they are submitted to the voters. If one chamber does not like an amendment, or both chambers cannot agree on the language of the proposed amendment, the voters will never have an opportunity to vote on the proposed change. State

Senators and Representatives have proposed hundreds of constitutional amendments, but only six have made it to the ballot since the 1988 vote on whether to call a constitutional convention. Many of the proposals that have failed to advance in the legislative process address important issues such as education funding, state and local taxes, electing judges, and ethics reform to reduce the influence of special interest groups and lobbyists.

### **Best Chance for Real Change**

Illinois has over 6,900 units of government, far more than any other state in the nation. Delegates to a constitutional convention could propose ideas to consolidate state and local governments to provide citizens with more responsive and cost-effective government services. A convention could restore the confidence of citizens in the political process. Delegates could discuss important issues including term limits for elected officials, citizen initiatives for changes to the Constitution, and a new process for drawing representative boundaries designed to provide fair representation. A constitutional convention with independent-minded delegates is the best opportunity to address the issues and bring about real change.

### **Periodic Review Is Important**

The delegates to the 1970 Constitutional Convention wanted to make sure the voters have the opportunity to review the Constitution every 20 years. As one delegate stated during debate at the last Constitutional Convention, “The voters ought to have that chance to express themselves every 20 years.” Holding a constitutional convention does not mean that delegates will automatically change the whole document. It is up to the delegates to decide if it is necessary to write a new Constitution, update certain portions, or leave the document unchanged.

### **Voters Must Approve Any Changes**

Opponents to a constitutional convention argue that special interest groups and lobbyists will influence delegates and dominate the convention for the benefit of their clients, but a strong argument exists that these same groups presently have disproportionate influence over the legislative process. While elected representatives approve any changes to the laws of our State, any changes proposed at a constitutional convention must be approved by the citizens. This approval process gives voters an opportunity to participate directly in any revision of the Constitution, countering the influence of special interest groups and lobbyists.

## **Arguments Against Holding a Constitutional Convention**

### **Convention Expenses Could Be High**

Estimates of the total cost for a constitutional convention range from \$58 to \$78 million. Illinois is in the midst of a financial crisis that would be made worse by holding a constitutional convention. Instead of paying for important services, your tax dollars would be diverted to pay for the cost of electing delegates, salaries for delegates and staff, printing and publication, and other administrative expenses. Considering that there are two inexpensive ways to initiate change if necessary through an amendment process, a convention is a major expense that taxpayers do not need.

### **Current Amendment Process Works**

The Constitution can be changed through an amendment process and any changes must be approved by the voters. State Senators and Representatives have the ability to propose changes to any Article of the Constitution, and citizens may propose changes to the structure and procedures of the Legislature. Since 1970, voters have approved 10 of 18 proposed amendments to the Constitution. Amendments encourage the same level of public debate that proponents believe can only be achieved during a constitutional convention. The amendment process is also less costly and it ensures that citizens have an opportunity to approve any change before it becomes effective.

### **Influence of Special Interests**

There is no way to keep delegates to a constitutional convention from the influence of special interest groups and lobbyists. To be a delegate, candidates would need to raise funds to run a campaign and win an election. Special interest groups and lobbyists will contribute money to these campaigns, and if elected, a delegate may feel indebted to those who made contributions. Delegates are not subject to the same ethical standards as constitutional and legislative officers and do not have to run for re-election, making them less accountable to the voters for their actions. Additionally, there is no way to control the issues debated during a constitutional convention. The convention could be dominated by current controversial issues like abortion, capital punishment, gay marriage, gun control, public education, and state and local taxes. Convention delegates might ultimately spend months or years, and millions of taxpayer dollars, debating policy issues that should be decided by legislators accountable to the people.

**Negative Impact on the State Economy**

Holding a convention at this time could negatively impact the economy. To grow economically and attract new jobs, the State must provide a stable climate for business and labor. An important part of this is a clear, predictable tax structure. Business leaders are worried that the uncertainty created by a convention could make it difficult to keep businesses in Illinois or attract new businesses.

**FORM OF BALLOT**

**Proposed call for a Constitutional Convention**

**Explanation of Proposed Call**

This proposal deals with a call for a state constitutional convention. The last such convention was held in 1969-70, and a new Constitution was adopted in 1970. The 1970 Illinois Constitution requires that the question of calling a convention be placed before the voters every 20 years. In 1988 the electors rejected the call for a constitutional convention, with 75% voting against calling a convention and 25% voting in favor of calling a convention. If you believe the 1970 Illinois Constitution needs to be revised through the convention process, vote “YES” on the question of calling a constitutional convention. If you believe that a constitutional convention is not necessary, or that changes can be accomplished through other means, vote “NO” on the calling of a constitutional convention.

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YES      For the calling  
-----      of a Constitutional  
NO        Convention.  
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**CAPITOL BUILDING  
SPRINGFIELD, ILLINOIS  
OFFICE OF THE SECRETARY OF STATE**

*I, Jesse White, Secretary of the State of Illinois, do hereby certify that the foregoing is a true copy of the Explanation of the Proposed Call, Arguments in Favor of Holding a Convention and Arguments Against Holding a Convention and a true copy of the Form of Ballot for this call at the regularly scheduled general election on Tuesday, November 4, 2008, as set out in House Joint Resolution 137 of the 95th General Assembly in compliance with the Constitutional Convention Act.*

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IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Illinois. Done in the City of Springfield, this First day of July 2008.

*Jesse White*

Jesse White  
Secretary of State

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These voter informational materials for the Illinois Constitutional Convention also are available in English, Chinese, Polish and Spanish at [www.cyberdriveillinois.com](http://www.cyberdriveillinois.com) or by writing the Secretary of State's Office at 111 East Monroe Street, Springfield, IL 62756.