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# Voter Petitions for Term Limits in Illinois: A Conflict Between Popular Desire and Constitutional Constraints

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Voter Petitions For Term Limits In Illinois:  
A Conflict Between Popular Desire and Constitutional Constraints.

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## Introduction to Term Limits in Illinois

The question of whether a legislator should have his or her years of service capped by term limits is an issue that demands attention because of significant voter support in Illinois.

“Legislative term limits have long been a popular response to perceived corruption or inaction in politics. Almost eight in ten [voters] (78.7 percent) favor, and more than half [of voters] (54.0 percent) strongly favor” term limits.<sup>1</sup> However, since term limits are not currently incorporated into any article of The Constitution of the State of Illinois of 1970 (hereinafter “Illinois Constitution”), those supporting term limits must amend the constitution to include them. This task is easier said than done.

Illinois Republican Governor Candidate Bruce Rauner and a group of Illinois voters called *The Committee for Legislative Reform and Term Limits* are supporting a petition (hereinafter “Committee for Legislative Reform Petition”) to enact term limits.<sup>2</sup> Candidate Rauner and the voters in support of term limits hope that this petition will be presented to the voters of Illinois in the November 2014 Illinois election.<sup>3</sup> The specific proposals of this petition are

(1) *To establish eight year term limit for members of the General Assembly* (emphasis added); (2) to require a two-thirds vote in each chamber of the General Assembly to override the Governor’s veto of legislation; (3) to abolish two-year senatorial terms; (4) to change the House of Representatives from 118 representatives to 123 representatives; (5) to change the Senate from 59 senators to 41 senators; and (6) to divide legislative (senatorial) districts into three representative districts rather than two.<sup>4</sup>

To effectuate term limits in the Illinois Constitution, a specific article must be amended to apply term limits to state legislators. The article that applies to term limits is Article IV (hereinafter “Legislative Article”) Section 2(c).<sup>5</sup> This section states the qualifications for service in the legislature.<sup>6</sup> Existing qualifications include United States citizenship, being at least twenty-one years old, and a residency requirement.<sup>7</sup> Adding term limits language to this section of the Legislative Article would add a disqualifier to the list of qualifications for legislative service.

However, even if public support is behind term limits and the section of the Illinois Constitution that needs amending is apparent, the constitution can only be changed through the use of three different methods found in Article XIV Constitutional Revision of the Illinois Constitution.<sup>8</sup> This paper evaluates the methods available to amend the constitution, predicts which method is most likely to help enact term limits, analyzes the Illinois Supreme Court case law that restrains the ideal term limits amendatory method, and finally, offers a prediction as to whether the Committee for Legislative Reform Petition will survive a constitutional challenge.

### Article XIV Constitutional Revision Methods

The Illinois Constitution provides three mechanisms in Article XIV Constitutional Revision to amend existing articles of the constitution.<sup>9</sup> The first method is found in Article XIV Section 1, and describes a Constitutional Convention (hereinafter “Con Con”) method of amendment.<sup>10</sup> Three-fifths of each house of the General Assembly may propose to voters that a Con Con should convene.<sup>11</sup> The Illinois Secretary of State must also propose a Con Con to voters if the General Assembly has not proposed a Con Con independently over a twenty-year period.<sup>12</sup> If voters approve the proposal, then the Con Con convenes and formulates proposed amendments.<sup>13</sup> These amendments are then submitted to voters for approval.<sup>14</sup> If approved, the amendments are incorporated into the Illinois Constitution.<sup>15</sup> Since 1970, there has never been a Con Con proposed to voters by the General Assembly and voters did not approve the two Con Cons that were proposed automatically.<sup>16</sup>

The second method to amend the Illinois Constitution is found in Article XIV Section 2, which entails a General Assembly amendment procedure.<sup>17</sup> Either house of the General Assembly may propose an amendment.<sup>18</sup> Three-fifths approval from each house of the General Assembly is then needed to propose the amendment to voters in an election.<sup>19</sup> The General

Assembly may not propose amendments to more than three articles of the constitution in one election cycle.<sup>20</sup> If the maximum number of General Assembly amendments is already on the ballot, the other amendment methods can still propose amendments to voters because they are separate constitutional functions.<sup>21</sup> The proposed amendment becomes effective if approved by voters.<sup>22</sup>

Finally, amendments may be proposed through the method of Article XIV Section 3, which includes a constitutional initiative procedure for the *Legislative Article* (emphasis added).<sup>23</sup> An amendment to the *Legislative Article only* may be proposed to voters through the use of a voter petition.<sup>24</sup> A petition is valid if it is signed by a number of voters that is at least eight percent of the number of electors that cast votes for governor candidates in the preceding gubernatorial election.<sup>25</sup> The total number of voters for governor candidates in the November 2010 was 3.7 million.<sup>26</sup> The requisite eight percent of signatures from 3.7 million is approximately two hundred and ninety eight thousand signatures, which quantifies what a daunting task it is to create a potentially valid voter petition. The subject matter of the proposed amendment must be limited to *structural and procedural amendments to the Legislative Article only*.<sup>27</sup> If the petition is valid, the voter petition amendment is submitted to voters for approval.<sup>28</sup> If the petition is not valid, voters will never see the proposed amendment.<sup>29</sup>

Despite term limits supporters having three distinct methods of amending the Illinois Constitution at their disposal, only one of the methods is likely to help enact term limits. The voter petition method of Article XIV Section 3 is the best method to try to amend the Legislative Article to incorporate term limits. The Illinois Constitution is a document that has seen change.<sup>30</sup> Since the Illinois Constitution was drafted in 1970, there have been eleven amendments to the original constitution.<sup>31</sup> This is a high rate of constitutional change when compared to the

Constitution of the United States.<sup>32</sup> In addition to the first ten amendments that make up the Bill of Rights, the Constitution of the United States has been amended only seventeen times in over two-hundred and twenty-five years.<sup>33</sup> There have also been twenty-one proposed amendments to the Illinois constitution since 1970.<sup>34</sup> However, despite the frequency of possible amendments to the Illinois Constitution, the General Assembly has never proposed a term limits amendment on their own initiative.<sup>35</sup> If a term limits amendment is going to make its way onto the ballot for voter approval, it will likely have to be through the voter petition method of Article XIV Section 3.

### Illinois Supreme Court Caselaw

The Illinois Supreme Court has placed limits on how an Article XIV Section 3 voter petition can be used to amend the Illinois Constitution.<sup>36</sup> For a voter petition to be valid and submitted to voters for approval, it will most likely have to survive judicial review. The controlling Illinois Supreme Court case that addresses the scope of proposed voter petition amendments is *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994).<sup>37</sup> In this case, voter groups supporting an eight-year term limit for all legislators of the General Assembly petitioned the Illinois Supreme Court to validate a term limits voter petition.<sup>38</sup> The constitutional mechanism by which the voters sought to amend the constitution was through the voter petition amendment procedure of Article XIV Section 3.<sup>39</sup> If validated, the proposed amendment to the Legislative Article Section 2(a-c) could be placed on the upcoming election ballot for voter approval.<sup>40</sup> The critical language that the voters sought to *add* to the Legislative Article Section 2(c) stated

To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. No person shall be eligible to serve as a member of the General Assembly for more than eight years (underlined portion is proposed amendment language).<sup>41</sup>

It was undisputed that the voter petition contained the necessary amount of voter signatures and complied with other formalities of Article XIV Section 3 to be a valid voter petition.<sup>42</sup> The issue the court addressed was whether a term limits voter petition was within the proper scope of Article XIV Section 3.<sup>43</sup> The court evaluated this issue in the framework of the language of Article XIV Section 3 that states, “[A]mendments shall be limited to *structural and procedural* (emphasis added) subjects contained in [the Legislative Article].”<sup>44</sup>

The court determined that this rule contains two hurdles that a voter petition must clear in order to be valid.<sup>45</sup> First, the court evaluated whether an eight-year term limit for legislators of the General Assembly was *structural* or *procedural*, or both.<sup>46</sup> The court acknowledged that the *structural* and *procedural* requirements of a voter petition amendment to the Legislative Article serves as a check on the scope of subject matter than can be amended.<sup>47</sup> Second, the court used semantic constitutional construction to interpret the meaning of the word *and*.<sup>48</sup> The court determined the word *and* in the phrase *structural and procedural* was inclusive and served as a link between the words.<sup>49</sup> The court decided that *and* is naturally inclusive in its common meaning and usage.<sup>50</sup> The interpretation of *and* further limits the scope of a valid voter petition.<sup>51</sup>

With the two hurdles of the *structural and procedural* requirement of Article XIV Section 3 recognized by the court, it then decided if the term limits petition was valid.<sup>52</sup> First, the voter petition was evaluated for *structural and procedural* subject matter.<sup>53</sup> The court gave examples of voter petition amendments that could be valid *structural and procedural* changes to the Legislative Article.<sup>54</sup> The examples included a proposed switch from a bicameral to unicameral legislature or for the conversion from multiple to single-member legislative districts.<sup>55</sup> The court decided that a voter petition amendment limiting the number of years a legislator of the General Assembly may serve was not akin to these examples and not a *structural and procedural*

amendment.<sup>56</sup> The voter petition was not a *structural* amendment because the eligibility of an individual legislator did not change the structure, or composition, of the overall legislature.<sup>57</sup> The General Assembly would remain the same organization, a bicameral legislature consisting of a House and Senate with the same number of legislators.<sup>58</sup> Additionally, the voter petition was not a *procedural* amendment because the eligibility of an individual legislator did not change how the General Assembly made law.<sup>59</sup> The court also invoked the *and* limitation on the scope of the voter petition to further bolster its analysis.<sup>60</sup> Even if the court was incorrect and the voter petition for term limits was *structural* or *procedural*, it was certainly not both at the same time.<sup>61</sup> For these reasons, the court invalidated the voter petition for term limits and barred the term limits amendment from the election ballot.<sup>62</sup>

However, the court did not decide this matter unanimously. There is a dissenting opinion, which may open the door for term limits voter petitions in the future.<sup>63</sup> The dissent disagreed with the majority opinion because it felt that term limits changed the composition of the legislature as it was currently constructed, pursuant to the Legislative Article Section 2.<sup>64</sup> Changing the composition of the legislature was within scope the drafters of the Illinois Constitution intended when the voter petition was created.<sup>65</sup> The court also argued that the common usage of the word *and* did not necessarily imply that it was meant to be inclusive and link words together.<sup>66</sup> The *and* should be used as an *or*.<sup>67</sup> This view of the word *and* eliminated one of the required *structural and procedural* hurdles a voter petition would have to clear to be valid.<sup>68</sup>

The Illinois Supreme Court Justices that decided this case did not do so in any discernable fashion to help predict how a similarly comprised court might rule. There were Justices that leaned Democrat and Republican in both the majority and dissenting opinions.<sup>69</sup> Justice Charles

E. Freeman is the only remaining Justice from the 1994 decision who is currently serving on the Illinois Supreme Court.<sup>70</sup> Justice Freeman was in the majority in *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994).<sup>71</sup>

The law and legal analysis of the Illinois Supreme Court in *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994) is followed law and has not been challenged by other rulings. It currently stands as a formidable challenge to enacting legislative term limits through the use of a voter petition. However, it is possible that other Illinois Supreme Court decisions could present a way to clear the *structural and procedural* hurdle of Article XIV Section 3.

### *Structural and Procedural Illinois Supreme Court Caselaw*

While *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994) is the paramount case on enacting term limits through the use of a voter petition, there have been other cases where a voter petition was used to try to introduce other amendments to the Legislative Article. The subject matter of the voter petitions were not necessarily similar to term limits, but the voter petitions shed light on the scope of the *structural and procedural* limitation. In *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1990), voters supporting an amendment to the Legislative Article sought to get the Tax Accountability Amendment onto the ballot in an upcoming election through the use of a voter petition.<sup>72</sup> The Tax Accountability Amendment voter petition would add requirements to the Legislative Article that expanded powers of the tax proposal committee and also required a three-fifths vote from each house of the General Assembly to levy new taxes.<sup>73</sup> The Illinois Supreme Court evaluated whether the subject matter of this voter petition was valid.<sup>74</sup> Again, there was no dispute that the voter petition had the required number of signatures and other constitutional formalities.<sup>75</sup>

The court started its analysis by acknowledging that the voter petition amendatory method of

Article XIV Section 3 was limited in its amendatory scope.<sup>76</sup> “Section 3 provides only for an amendment to the legislative article of the constitution, and under that section, not every aspect of the legislative article is subject to amendment through the initiative process.”<sup>77</sup> The court did not analyze the use of word *and* in *structural and procedural*, as done by the court of *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994).<sup>78</sup> This court focused on whether the Tax Accountability Amendment voter petition substantively changed the constitution, or if it qualified as a *structural or procedural* change.<sup>79</sup> The court reasoned that many substantive issues could fit within the *structural and procedural* requirements.<sup>80</sup> The court provided an example of a *structural and procedural* voter petition committee amendment that would be valid.<sup>81</sup> The voter petition could create in each house a special committee, provide for its membership, require notice and hearing on bills referred to the committee, and require a certain vote in each house for passage of such bills.<sup>82</sup> This example constituted amendments to existing *structure and procedure* of the Legislative Article.<sup>83</sup> The example voter petition merely made *changes* to the Legislative Article, instead of *adding* new ideas.<sup>84</sup> However, the court ruled that the Tax Accountability Amendment voter petition was not a valid proposal because the expanded power of the committee was not a concept that was addressed in the existing Legislative Article.<sup>85</sup> The voter petition was a substantive change to the Legislative Article, which was the same as legislation.<sup>86</sup> The *structural and procedural* requirements were not met.<sup>87</sup> Thus, the Tax Accountability Amendment voter petition could not be placed on the general election ballot.<sup>88</sup>

In *Lousin v. State Board of Elections* (Ill. 1982) the Supreme Court of Illinois evaluated a voter petition amendment that created an initiative process for enacting legislation through a General Assembly voter *measure* by amending the Legislative Article Sections 1-10.<sup>89</sup> Specifically, the key language that the voter petition sought to *add* was to the Legislative Article

Section 8(b). The language of the voter petition stated,

The General Assembly shall enact laws only by bill or measure. Bills may originate in either house, but may be amended or rejected by the other. A measure may be proposed by an initiative petition signed by a number of electors equal in number to at least six percent of the total votes cast for candidates for Governor in the preceding gubernatorial election and may not be amended by either house (underlined portion is voter petition language).<sup>90</sup>

The validity of the subject matter of this voter petition was challenged.<sup>91</sup> Again, there was no dispute that the voter petition had the required number of signatures and other constitutional formalities.<sup>92</sup> The court relied on the concept that the voter petition could not be used to enact changes on the Legislative Article that were not *structural and procedural*.<sup>93</sup> A voter petition cannot be used to implement new legislation by amending the Legislative Article.<sup>94</sup>

The court evaluated the validity of the voter petition by first stating that the legislative history and statements by the drafters of the Illinois Constitution intended for the amendatory power of the voter petition to be limited in scope.<sup>95</sup> Allowing for a voter petition to create a new method of enacting legislation in the General Assembly was not a *structural and procedural* change to the Legislative Article.<sup>96</sup> The court ruled that the voter petition was invalid because the amendment proposed a substantive change to the Legislative Article.<sup>97</sup> The drafters of the Illinois Constitution did not intend for the scope of the voter petition to be capable of enacting such a drastic change upon the Legislative Article.<sup>98</sup> The court held that legislative power was reserved for the General Assembly and cannot be granted to the voters through a voter petition.<sup>99</sup>

One Illinois Supreme Court case where a voter petition was found to be valid is *Coalition for Political Honesty v. State Board of Elections* (Ill. 1980).<sup>100</sup> Voters supporting legislative voting reform and abolishing multi-member districts in the Illinois House created a voter petition to amend the Legislative Article Section 1-3.<sup>101</sup> The proposed amendment is commonly referred to

as the “Cutback Amendment” and was supported by Patrick J. Quinn, a citizen activist who later went on to become the governor of Illinois.<sup>102</sup>

The critical language of the voter petition *changed* existing language of the Legislative Article Section 1 to create an Illinois House that contained 118 Representatives, instead of 177.<sup>103</sup> There were other changes proposed to the Legislative Article by the voter petition, but the reduction of the number of representatives was the critical change that the Cutback Amendment voter petition proposed.<sup>104</sup> It is important to note that all of the proposed language of the voter petition *changed* existing language of the Legislative Article, it did not *add* new text.<sup>105</sup> The court evaluated the validity of the voter petition.<sup>106</sup>

The court in *Coalition for Political Honesty v. State Board of Elections* (Ill. 1980) was very deferential to the voter petition.<sup>107</sup> While the court acknowledged the *structural and procedural* restrictions placed upon the scope of the voter petition by Article XIV Section 3, the court did not conduct a noteworthy *structural and procedural* analysis.<sup>108</sup> Instead, the court credited the concept of a voter petition because it serves as a valuable check on the legislature.<sup>109</sup> The court ruled that the Cutback Amendment voter petition was within the intended scope of the drafters of the Illinois Constitution, but also acknowledged the possible limitation of a voter petition in another context.<sup>110</sup> Since the voter petition was valid, the Cutback Amendment was put on the ballot and later approved by voters.<sup>111</sup> The Cutback Amendment is currently incorporated into the Legislative Article of the Illinois Constitution.<sup>112</sup>

The overall theme that arises from the analysis of the Illinois Supreme Court case law concerned with the *structural and procedural* requirement is that *changing* existing language of the Legislative Article has a chance of being validated by judicial review. When language is *added* that is not previously incorporated into the Legislative Article, it is likely that the voter

petition is invalid.

### The Illinois Supreme Court's Construction of AND

*Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994) also raised the issue of whether the inclusive construction of the word *and* serves as a second hurdle while evaluating the validity of a voter petition.<sup>113</sup> To determine if a voter petition must contain both *structural and procedural* subject matter or just *structural or procedural* subject matter, it is necessary to use two canons of construction. The first canon that applies is the dictionary canon.<sup>114</sup> The dictionary canon is a basic starting point for word construction. The first definition in the dictionary of the word *and* states that it is a conjunction used to connect words, phrases and clauses.<sup>115</sup> For example, the phrase “I sleep *and* dream” combines two bodily functions into one whole experience that is occurring at the same time.<sup>116</sup> The dictionary canon supports the inclusive nature of the word *and* that the court held to in *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994).<sup>117</sup>

The second canon that applies is the constitutional presumption of consistent usage.<sup>118</sup> This canon creates a presumption that constitutional and statutory drafters intended for the same words to have the same meaning throughout the whole document.<sup>119</sup> To determine if *and* is inclusive in Article XIV Section 3, the use of *and* can be evaluated in other articles and sections where its inclusive nature is well understood. For example, the Legislative Article Section 2(c) states, “To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, *and* (emphasis added) for the two years preceding his election or appointment a resident of the district which he is to represent.”<sup>120</sup> It is well established that all of these requirements must be met to serve in the legislature, which means *and* is used in an inclusive way throughout the Illinois Constitution. Canons of construction

support the inclusive usage of the word *and* as it is applied in *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994).

## Analysis

Given the Illinois Supreme Court case of *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994), it is unlikely that a voter petition for term limits will be validated by judicial review. The subject matter of a voter petition for term limits most likely falls outside of the scope of the *structural and procedural* hurdles set by the constitutional drafters of Article XIV Section 3. The drafters wanted to give the voters of Illinois a mechanism to make changes to the legislature. However, the power of the voter petition is limited. Despite its limitations, the voter petition method successfully presented the Cutback Amendment to voters for approval. The reason the Cutback Amendment petition was validated by the court and the term limits petition of *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994) was invalid is because the subject matter of the two petitions are distinguishable from one another. The Cutback Amendment voter petition proposed many intricate changes to the Legislative Article, most notably it reduced the number of representatives to 118. The court did not question this drastic change to the legislature because it fell within the confines of *structural and procedural*. While the court does not expressly state why it is *structural and procedural*, it is apparent that existing language of the Legislative Article was merely *changed* to incorporate Cutback Amendment language. No new ideas were introduced into the Legislative Article because the topic of the total number of representatives and the pairing of the three and then two representatives in each senate district was already expressly stated in the constitution.<sup>121</sup>

The term limits petition of *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994) proposes a different kind of alteration to the Legislative Article. The term limits petition

*adds* an eight-year cap on the length of legislative service. This language must be added to the Legislative Article because the topic of term limits is not incorporated originally. The court stated that term limits are not *structural and procedural* because limiting the service of individual legislators did not change the overall composition of the General Assembly or how it made law. However, another way to consider this issue, which is not expressly stated by the court, is that *adding* in new ideas to the Legislative Article goes beyond the scope of the *structural and procedural* limitation and enters the realm of substantive changes to the Legislative Article. For these reasons, voter petitions similar to that of *Chicago Bar Association v. Illinois State Board of Elections* (Ill. 1994) are likely invalid.

How does the Committee for Legislative Reform Petition fit into this analysis? To review, the specific proposals of this petition are

(1) *To establish eight year term limit for members of the General Assembly* (emphasis added); (2) to require a two-thirds vote in each chamber of the General Assembly to override the Governor's veto of legislation; (3) to abolish two-year senatorial terms; (4) *to change the House of Representatives from 118 representatives to 123 representatives* (emphasis added); (5) *to change the Senate from 59 senators to 41 senators* (emphasis added); and (6) to divide legislative (senatorial) districts into three representative districts rather than two.<sup>122</sup>

Assuming the Committee for Legislative Reform Petition contains the necessary number of signatures and is challenged, the judicial review of the Committee for Legislative Reform Petition will be interesting because the petition combines Cutback Amendment and term limits voter petition language. Perhaps the supporters of this petition are camouflaging term limits language within Cutback Amendment language because the court ruled in *Coalition for Political Honesty v. State Board of Elections* (Ill. 1980) that the language survived the *structural and procedural* limitation. However, there is still the glaring issue that the topic of term limits is not a part of the Legislative Article, which means term limits language must be *added* to the

Legislative Article. The Cutback Amendment petition has demonstrated that the voter petition amendment method of Article XIV Section 3 must serve as a “Constitutional Replace Button” and not introduce novel ideas into the text of the Legislative Article. For this reason and in the framework of current case law, if the Committee for Legislative Reform Petition undergoes judicial review, it is likely to be found invalid by the Illinois Supreme Court.

One other issue to address is whether the court would dissect the Committee for Legislative Reform Petition in order to preserve the likely valid Cutback Amendment language and discard the likely invalid term limits language. The court will likely treat the petition as a whole proposal and not pick and choose which pieces to preserve. This is because the petition requires voters’ signatures. Voter support and assent to the language of the amendment is the starting point of creating a valid petition under Article XIV Section 3. If the court dissected the voter petition to preserve pieces, then the voters are left with an amendment that is different from the one they agreed to originally. For this reason, it is unlikely that the court would take this action.

## Conclusion

The voter petition method of amending the Legislative Article is a means to give voters a say in how the legislature operates and how laws are made. However, the *structural and procedural* constraints of Article XIV Section 3 and the manner in which the Illinois Supreme Court applies these limitations makes it very difficult to draft a valid voter petition. Since the topic of term limits is not covered in the Legislative Article, the term limits language must be *added* to the Legislative Article. For this reason, a term limits voter petition is likely a substantive amendment to the Legislative Article, which does not satisfy the *structural and procedural* limitation. To have a chance of surviving judicial review, a voter petition must serve as a “Constitutional Replace Button.”

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- <sup>1</sup> *The 2012 Simon Poll on Ethics and Reform in Illinois*, Paul Simon Public Policy Institute White Paper (2012).
- <sup>2</sup> Term Limits and Reform.com, (2014), <http://termlimitsandreform.com>; *see also* Monique Garcia and Rick Pearson, *GOP governor candidate presses for term limits*, Chicago Tribune, Sept. 3, 2013, *available at* <http://articles.chicagotribune.com>.
- <sup>3</sup> Term Limits and Reform.com, (2014), <http://termlimitsandreform.com>.
- <sup>4</sup> *Id.*
- <sup>5</sup> Ill. Const. art. IV § 2(c).
- <sup>6</sup> *Id.*
- <sup>7</sup> *Id.*
- <sup>8</sup> Ill. Const. art. XIV § 1-3.
- <sup>9</sup> *Id.*
- <sup>10</sup> Ill. Const. art. XIV § 1.
- <sup>11</sup> Ill. Const. art. XIV § 1(a).
- <sup>12</sup> Ill. Const. art. XIV § 1(b).
- <sup>13</sup> Ill. Const. art. XIV § 1(c-f).
- <sup>14</sup> Ill. Const. art. XIV § 1(g).
- <sup>15</sup> *Id.*
- <sup>16</sup> Constitution of the State of Illinois, Amendments and Conventions Proposed, (2014), <http://www.ilga.gov/commission/lrb/conampro.htm>.
- <sup>17</sup> Ill. Const. art. XIV § 2.
- <sup>18</sup> Ill. Const. art. XIV § 2(a).
- <sup>19</sup> *Id.*
- <sup>20</sup> Ill. Const. art. XIV § 2(c).
- <sup>21</sup> Ill. Const. art. XIV § 1-3.
- <sup>22</sup> Ill. Const. art. XIV § 2(b).
- <sup>23</sup> Ill. Const. art. XIV § 3.
- <sup>24</sup> *Id.*
- <sup>25</sup> *Id.*
- <sup>26</sup> *Election 2010: Illinois*, N.Y. Times, 2010, *available at* <http://elections.nytimes.com/2010/results/illinois>.
- <sup>27</sup> Ill. Const. art. XIV § 3.
- <sup>28</sup> *Id.*
- <sup>29</sup> *Id.*
- <sup>30</sup> Constitution of the State of Illinois, Amendments and Conventions Proposed, (2014), <http://www.ilga.gov/commission/lrb/conampro.htm>.
- <sup>31</sup> *Id.*
- <sup>32</sup> The Charters of Freedom, The Constitution, (2014), <http://www.archives.gov/exhibits/charters/constitution.html>.
- <sup>33</sup> *Id.*
- <sup>34</sup> Constitution of the State of Illinois, Amendments and Conventions Proposed, (2014), <http://www.ilga.gov/commission/lrb/conampro.htm>.
- <sup>35</sup> *Id.*
- <sup>36</sup> *See generally* Chicago Bar Assoc. v. Illinois State Board of Elections, 641 N.E.2d 525 (Ill. 1994).

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<sup>37</sup> *Id.*  
<sup>38</sup> *Id.* at 526-28.  
<sup>39</sup> *Id.* at 526.  
<sup>40</sup> Ill. Const. art. XIV § 3.  
<sup>41</sup> Chicago Bar Assoc., 641 N.E.2d at 527.  
<sup>42</sup> *Id.*  
<sup>43</sup> *Id.* at 528-29.  
<sup>44</sup> *Id.*  
<sup>45</sup> *Id.*  
<sup>46</sup> *Id.*  
<sup>47</sup> *Id.*  
<sup>48</sup> *Id.* at 529.  
<sup>49</sup> *Id.*  
<sup>50</sup> *Id.*  
<sup>51</sup> *Id.*  
<sup>52</sup> *Id.* at 528-29.  
<sup>53</sup> *Id.*  
<sup>54</sup> *Id.* at 529.  
<sup>55</sup> *Id.*  
<sup>56</sup> *Id.*  
<sup>57</sup> *Id.*  
<sup>58</sup> *Id.*  
<sup>59</sup> *Id.*  
<sup>60</sup> *Id.*  
<sup>61</sup> *Id.*  
<sup>62</sup> *Id.*  
<sup>63</sup> *Id.* at 530-34.  
<sup>64</sup> *Id.* at 533-34.  
<sup>65</sup> *Id.*  
<sup>66</sup> *Id.* at 533.  
<sup>67</sup> *Id.*  
<sup>68</sup> *Id.*  
<sup>69</sup> *See generally* Chicago Bar Assoc. v. Illinois State Board of Elections, 641 N.E.2d 525 (Ill. 1994); Welcome To Illinois Courts, (2014), <http://www.state.il.us/COURT/SUPREMECOURT/DEFAULT.ASP>.  
<sup>70</sup> Welcome To Illinois Courts, (2014), <http://www.state.il.us/COURT/SUPREMECOURT/DEFAULT.ASP>.  
<sup>71</sup> *See generally* Chicago Bar Assoc. v. Illinois State Board of Elections, 641 N.E.2d 525 (Ill. 1994).  
<sup>72</sup> Chicago Bar Association v. Illinois State Board of Elections, 561 N.E.2d 50, 51 (Ill. 1990).  
<sup>73</sup> *Id.* at 52.  
<sup>74</sup> *Id.* at 53-54.  
<sup>75</sup> *Id.* at 51.  
<sup>76</sup> *Id.* at 53.  
<sup>77</sup> *Id.*

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<sup>78</sup> *See generally* Chicago Bar Assoc. v. Illinois State Board of Elections, 641 N.E.2d 525 (Ill. 1994).

<sup>79</sup> *Id.* at 55.

<sup>80</sup> *Id.* at 56.

<sup>81</sup> *Id.*

<sup>82</sup> *Id.*

<sup>83</sup> *Id.*

<sup>84</sup> *Id.* at 54-55.

<sup>85</sup> *Id.* at 57.

<sup>86</sup> *Id.*

<sup>87</sup> *Id.*

<sup>88</sup> Ill. Const. art. XIV § 3.

<sup>89</sup> Lousin v. State Board of Elections, 438 N.E.2d 1241, 1242-44 (Ill. 1982).

<sup>90</sup> *Id.* at 1243.

<sup>91</sup> *Id.* at 1244-45.

<sup>92</sup> *Id.* at 1242.

<sup>93</sup> *Id.* at 1245.

<sup>94</sup> *Id.*

<sup>95</sup> *Id.* at 1245-46.

<sup>96</sup> *Id.* at 1246.

<sup>97</sup> *Id.*

<sup>98</sup> *Id.* at 1245-46.

<sup>99</sup> *Id.* at 1246.

<sup>100</sup> *See generally* Coalition for Political Honesty v. State Board of Elections, 415 N.E.2d 368 (Ill. 1980).

<sup>101</sup> *Id.* at 369-70.

<sup>102</sup> *Id.* at 369; *see also* Constitution of the State of Illinois, Amendments and Conventions Proposed, (2014), <http://www.ilga.gov/commission/lrb/conampro.htm>.

<sup>103</sup> *Id.* at 370.

<sup>104</sup> *Id.*

<sup>105</sup> *Id.*

<sup>106</sup> *Id.* at 375.

<sup>107</sup> *Id.*

<sup>108</sup> *Id.*

<sup>109</sup> *Id.*

<sup>110</sup> *Id.*

<sup>111</sup> Ill. Const. art. XIV § 3; *see also* Constitution of the State of Illinois, Amendments and Conventions Proposed, (2014), <http://www.ilga.gov/commission/lrb/conampro.htm>.

<sup>112</sup> Ill. Const. art. IV § 1-3.

<sup>113</sup> Chicago Bar Assoc., 641 N.E.2d at 529.

<sup>114</sup> John F. Manning & Mathew C. Stephenson, Legislation and Regulation, 126 (Robert C. Clark et al. ed., 2010).

<sup>115</sup> *And Definition*, Merriam-Webster, <http://www.merriam-webster.com/dictionary/and> (Last visited Apr. 01, 2014).

<sup>116</sup> *And Definition*, Dictionary.com, <http://dictionary.reference.com/browse/and> (Last visited Apr. 01, 2014).

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<sup>117</sup> Chicago Bar Assoc., 641 N.E.2d at 529.

<sup>118</sup> John F. Manning & Mathew C. Stephenson, *Legislation and Regulation*, 234 (Robert C. Clark et al. eds., 2010).

<sup>119</sup> *Id.*

<sup>120</sup> Ill. Const. art. IV § 2(c).

<sup>121</sup> Coalition for Political Honesty, 415 N.E.2d at 370; *see also* Constitution of the State of Illinois, Amendments and Conventions Proposed, (2014), <http://www.ilga.gov/commission/lrb/conampro.htm>.

<sup>122</sup> Term Limits and Reform.com, (2014), <http://termlimitsandreform.com>.