

REPORT ON A CONSTITUTIONAL CONVENTION

AND

INITIAL LEGISLATIVE PROGRAM

FOR THE FUTURE MARIANAS COMMONWEALTH

This paper will present potentially useful information dealing with two areas currently under consideration by the Ad-Hoc Preparatory Committee on Transition in the Marianas, the Constitutional Convention and Initial Legislative Program.

By references to previous constitutional conventions, I will explore the steps and elements, particularly in the areas of staff assistance and research, important to conducting a successful constitutional convention.

Secondly, I will attempt to discuss the methods of planning for an initial legislative program and the research required for such an effort in the future Marianas Commonwealth. However, the political situation in the Marianas is unique thereby making analogy difficult.

In the preparation of this paper, I have relied heavily on studies published by the National Municipal League and the Council of State Governments as well as the proceedings of the First Constitutional Convention of Guam

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1969-1970. The latter illustrates frequently what not to do, and may thereby be helpful in a negative way.

I. Constitutional Convention

The decision has been made to hold a constitutional convention in the Marianas Islands. We are therefore not faced with the question of whether or not this approach is desireable. We are faced with how to accomplish this end in a manner which will benefit the people of the Marianas. One of the considerations -- indeed the primary objective of this paper -- is to try and approximate costs by pointing to previous constitutional conventions. For example, the fact that \$135,000 was required to complete Guam's First Constitutional Convention is interesting because in certain ways Guam's situation is similar to that of the Marianas. On the other hand, Guam's population is more than five times that of the Marianas and is located on one island, making the comparison a less effective one if population size and distribution are factors. In any case, three factors will greatly influence the cost of any constitutional convention -- preparation including research, staffing and duration.

Preparatory Research

During the period 1966-72, constitutional conventions were held in 12 states. Special ad hoc preparatory

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bodies were created in 7 of the 12 states to do advance research, prepare and publish relevant studies, submit substantive proposals, arrange for staff and facilities and perform other essential services. As a point of reference, the Recommended Phase I Budget suggests \$50,000 for "Studies and Planning" for the Marianas Constitutional Convention. The Ad-Hoc Committee in its Draft Report of 3/14/74 suggests that the MPSC or a "Special Planning or Preparatory Committee of the District Legislature" should guide this effort with "all appropriate assistance" to be provided by the "Secretariat." The Report recommends how this "Secretariat" should be staffed and suggests that funds should be provided by the United States Government through the Trust Territory Government.

The Constitutional Convention
Preparatory Commission

There is a great variety in the nature, size and professional expertise of such groups.^{1/} However, they do possess certain common characteristics. Their members are usually appointed by the governor alone or with participation by legislative leaders or assemblies and their research has been typically of a factual, background nature designed to provide information essential for informed

^{1/} See Appendix A.

basic decision-making and action. In size, they have ranged from 3 on the Arkansas Constitutional Convention Advisory Committee to 27 on the Maryland Constitutional Convention. The Constitutional Convention Preparatory Commission can be a study or a preparatory body or both. In most cases they employed a staff and some sought the assistance of law professors, political scientists and other experts. Funds required by the preparatory body are needed for three basic purposes: a) to secure a competent staff, b) to carry out its research and c) to publish its findings. The following examples will serve to illustrate how different states made use of the Constitutional Preparatory Commission:

Missouri - 1943 Missouri's Governor appointed the Statewide Committee for the Revision of the Missouri Constitution. In cooperation with the University of Missouri, which assumed sponsorship and coordination for the preparatory research work, the Committee published a number of pamphlets dealing with substantive topics of constitutional reform. These pamphlets varied in length from 16 to 105 printed pages. Unique among these publications was an "Organizational Manual" based on earlier constitutional conventions in Missouri and on the New York Convention of 1938. Included was a brief essay on "The Organization and Procedure of a Convention" prepared in 1919 by the Illinois

Legislative Reference Bureau. Its significance lies in its unique emphasis on the importance of the committee on style and drafting.

Alaska - 1955-56 Alaska's preparatory body, the Alaska Statehood Committee contracted with the Public Administration Service which prepared 12 mimeographed studies bound in three volumes. These studies ran from 21 to 84 pages and bore the following titles:

1. The State Constitution Within the American Political System;
2. Civil Rights and Liberties;
3. The Alaskan Constitution and the State Patrimony;
4. Suffrage and Elections;
5. The Legislative Department;
6. The Executive Department;
7. The Judicial Department;
8. The Constitution and Local Government;
9. State Finance;
10. Legal Structure and Apportionment;
11. Constitutional Amendment and Revision;
12. Initiative, Referendum and Recall.

Hawaii - 1950 In 1947, the Territorial Legislature of Hawaii created the Hawaii Statehood Commission to promote

the cause of statehood. This Commission then appointed a State Constitutional Committee, subcommittees of which were assigned specific subjects for study and eventual incorporation in a state constitution. During 1947 and 1948, the Legislative Reference Bureau of the Hawaii Territorial Legislature furnished background materials for these subcommittees. Upon the passage of an act in 1949 authorizing a Constitutional Convention for Hawaii, the separate studies were brought up to date and incorporated into a 396-page reference manual for the use of the convention delegates.^{1/} Copies were also made available to legislators and to the general public.

New York - 1938 New York's was the most thoroughly prepared of all recent conventions.^{2/} The Governor appointed the Constitutional Convention Committee composed of 52 members all of whom were distinguished for public service. In the Fall of 1937, six working subcommittees were formed, each aided by a research staff. Each worked on specific subjects likely to be considered by the Convention. Subsequently, each subcommittee published a volume incorporating

^{1/} The Manual was published with financial assistance from the Hawaii Statehood Commission and the Secretary of the Territory.

^{2/} F. P. Grad, The Drafting of State Constitutions: Working Papers for a Manual (1967), last section, p. 12.

its research. In addition, five general reference volumes, including a compilation of all the state constitutions, were published by the Constitutional Convention Committee. A Twelfth volume consisted of a general index to all the other volumes. This collection formed an entire Constitutional reference library using almost two feet of shelf space. The cost was \$65,000 and total preparation time was less than one year. All preparatory research was completed by the time the Convention met.^{1/}

Michigan - 1961-62 Michigan's Convention serves as a well-documented illustration of the organization and development of drafting and research services both before and during a constitutional convention. In 1960, the Governor appointed a 7-man Constitutional Reform Study Commission whose staff was drawn mainly from universities. Its duty was to delineate and describe major issues and areas for constitutional change. In December of 1960, the committee issued its preliminary report covering the following areas: 1) apportionment, 2) the legislative, executive and judicial branches of the government, 3) local government and 4) fiscal affairs. This same group plus four other persons then formed the Constitutional Convention Planning Committee

^{1/} Mr. Grad notes that the size and form of these materials made them difficult for many delegates to assimilate, a point worth remembering in the case of the Marianas.

whose purpose it was to develop a program for convention preparation, public education and legislation needed for the proper selection and functioning of a constituent assembly. Its final report was issued in February 1961 with further analysis of the problems discussed by its predecessor with the addition of education and corporations.

Immediately following approval of the convention by the people, the Governor created six citizen advisory committees instructed to canvas the areas of major constitutional reform and make specific recommendations. These were to function as sub-committees of the Constitutional Planning Committee launched the previous December. In June of 1961, the Constitutional Convention Preparatory Commission was set up by the executive. This eighteen-member board vigorously pushed preparatory activities. The Commission appointed three men to direct research.^{1/} The Secretary of State was given charge of readying physical facilities and the Lansing Civic Center was chosen as the site of the Convention. At this point the executive sought \$100,000 from the legislature to finance the preparatory research and arrangements. The legislature's response was

^{1/} William H. Combs, Staff Director, Dean of University Services at Michigan State; Charles W. Joiner, Associate Director, Professor and Associate Dean of the University of Michigan Law School; and Alfred H. Kelly, Chairman of the History Department, Wayne State University.

to create a joint legislative committee, having a budget of \$5,000. With no money coming from the legislature, the Governor asked the Kellogg Foundation for a subsidy. This private group donated \$85,000 to the cause of preparing for the Constitutional Convention.

The Preparatory Commission's Staff submitted its report to the full Commission in October of 1961. By this time 18 study topics had been identified and assigned to various scholars. In all, seventeen papers were given to the Convention.

Rules, Staffing, Library and Other Preparatory Commission Activities

Of all the constitutional commissions set up in recent years for the expressed purpose of preparing for a constitutional convention, the Michigan experience of 1961 again provides the most detailed account of its other preparatory activities.

For example, the Commission drafted a set of rules of procedure which were later adopted, with only minor changes, by the Convention itself. This would appear to be a practical example for the Marianas Convention to follow.

The Commission arranged housekeeping chores from printing and reporting to providing each delegate with his own notebook. An extremely important accomplishment was

the assembling of a library. The Commission also provided each delegate with annotated copies of the constitutions of Michigan and the United States along with a selection of studies, especially the useful materials prepared by the Citizens Research Council of Michigan and publications of the National Municipal League's State Constitutional Studies Project.

The Commission provided the names of scholars, knowledgeable in constitutional matters, who could be consulted during the Convention. Another list of names of people recommended by the Commission or by special interest groups was provided as well.

The question of staffing the Convention was undertaken by the Michigan Commission also. The Commission established an "Office of Research and Drafting" where there would be ten professionals such as lawyers, economists and political scientists who were competent researchers or accomplished draftsmen. The Michigan Convention readily recognized the need for a professional research and drafting support. The plan was to have these professionals work with various convention committees and allow the director to retain a degree of supervisory and editorial control. In lieu of a single director, the three aforementioned persons were appointed as co-directors and they and their

assistants were placed under the office of the president of the Convention.

Salaries were recommended by the Commission's staff to be higher than usual in order to acquire the best possible assistance. The three co-directors of research were the highest paid persons in the Convention, each receiving a salary of \$1,500 a month. The Michigan Convention paid all of its research and consultative nondelegate personnel, including the three directors, nearly \$90,000 for the seven-month period of the session. Since this represents just under one-third of the total expenditures for nondelegate's salaries, we may assume that close to \$200,000 was expended for this purpose alone.

Non-partisan selection of research staff was achieved by the use of civil service testing procedures. Six research assistants were hired immediately upon the appointment of the three co-directors of the Convention. Three of the researchers were lawyers and three were social and political scientists. The co-directors were also in charge of library services, whereupon they arranged for the employment of a three-man staff of librarians. The Convention also employed eight specialists in a consulting capacity.

During the Convention, this same staff performed a variety of functions which ranged from drafting to providing

individual delegates with technical information either directly or through the use of outside experts. Under Convention rules, all delegate proposals had to undergo staff review; it was apparent that the staff and the directors played a prominent part in advising the delegates on formulating their proposals and clarifying their ideas.^{1/}

Maryland - 1967 The 1965 Maryland Constitutional Convention Commission, among its other activities, prepared an elaborate report, including a draft constitution with extensive commentary. The document provided invaluable assistance to convention delegates and even served as the basis for convention deliberation.^{2/}

Funding of the Constitutional
Revision Commission

Financing for constitutional commissions has come from either public funds or private grants. Most are funded publicly, and at least 36 commissions deriving all or part of their support from public funds received appropriations from the state legislature. The average funding of the 42 commissions on which financial data are available

1/ The helpful detail on the Michigan Constitutional Commission was provided in Grad, last section, pp. 43-48.

2/ Thirty Years of State Constitution Making: 1938-1968 (National Municipal League, 1970), p. 40.

exceeded \$97,000. If the New York commissions are excluded, the average would become close to \$67,000. However, no attempt has been made to adjust these figures for present inflated costs, and the time period covered is thirty years. Therefore, the average funding might be closer to \$75,000 excluding New York's four commissions.^{1/}

According to data provided by the various commissions, major expenses were for travel and personal expenses of commission members, staff salaries and expenses, printing costs and postage, and consultants' fees. Nearly all the commissions reimbursed members for travel and other expenses but few paid additional compensation.

General Data on Constitutional
Commissions of Potential Relevance
to the Marianas Convention

Size - The range is from 3 members on the Arkansas Constitutional Convention Advisory Commission (1968) up to the maximum of 67 on the California Citizens Legislative Advisory Commission of 1959. The average size was 20.2, with an average of 18.7 appointive members.^{2/}

Membership - Members are either appointive or ex officio. Statutes or resolutions creating at least a

^{1/} For further details, see Appendix B.

^{2/} Thirty Years of State Constitution Making: 1938-1968, p. 43.

third of the constitutional commissions required representation of the major political parties. Geographical distribution was a major factor in selection of some commissions, sometimes by requirement. For example, membership of the Kentucky (1950) and New Mexico (1963) Commissions was based on state judicial districts. Government officials and major interest groups have been well represented with the legal profession dominant.

Structure - Each of the 62 commissions in the last 30 years has been headed by a chairman. Most selected one or more officers in addition to the chairman.

Staff - Most of the commissions employed their own either on a full-time or part-time basis. A typical staff consisted of an executive director, a research assistant, at least one secretary and often a legal counsel. By contrast, the New York commissions of the late fifties each employed a counsel, associate counsel, executive director, associate director, executive assistant, office manager, administrative assistant and a clerical staff. In addition, they solicited the help of consultants from universities throughout the nation, as well as from other New York agencies.

Those bodies having no formal research staffs of their own utilized the assistance of existing research

units, such as universities and bureaus of governmental research.

Procedure and Work - Nearly all the commissions studied worked through committees which did the bulk of the preliminary work. The number of meetings was dictated by the commission's mandate. For example, the Kentucky Revision Commission of 1950 met over a period of six years averaging one meeting per month, or approximately 72 plenary sessions. More common were short-term commissions meeting from 3 to 15 times.

Public Hearings - The 1959 California commission held 12 public hearings. The Florida Constitution Revision Commission conducted five hearings during 1966 and distributed them geographically over the state.

Duration - Life of constitutional commissions during the last 30 years varied from less than two months in the case of Pennsylvania or at least 72 months for the Kentucky Constitutional Review Commission.

Public Relations - Most commissions employed one or more methods of informing the electorate about their work, though generally speaking, public relations work seemed to be of secondary concern. Most commonly employed were press releases. Some commissions used public hearings. Four states held public forum throughout the states: Kansas (1961), New Mexico (1963), Maine (1961) and New York (1956).

Occasionally, special sessions were held for the press or the use of the media was employed. Special mailings were used by some states, sometimes in the form of a special information sheet.

However, the chief means of educating the electorate on the issues were partial and final reports. For some commissions, they were the only effort at public relations.

Massive efforts undertaken by such groups as the League of Women Voters have attempted to focus the public attention on constitutional issues, typically with light success.^{1/}

The Constitutional Convention

The enabling act - The purpose of the enabling act is to facilitate the selection of delegates and the operation of the convention. Though it need not go deeply into matters of organization, it is usually necessary unless there is a self executing provision already present in the state constitution.

The enabling act normally deals with the selection of the delegates -- their number, qualifications, basis of

^{1/} Considering the probable lack of knowledge of such important matters on the part of the people of the Marianas, it would seem prudent to emphasize this area.

selection,^{1/} method of nomination and election, date of the election, administration of the election and the method of filling vacancies. The enabling act will also authorize funds in an amount adequate to finance all convention needs, including official preconvention activities. It should cover accounting practices as well.

Compensation of delegates and a schedule for the 27 constitutional convention's work round out the jurisdiction of the typical enabling act for a constitutional convention.

The delegates - The number of delegates to the 27 constitutional conventions held during the 30-year period 1938-1968 ranged from 40 in the limited conventions in Virginia to 481 in the 1938 New Hampshire unlimited body. The average number was 170. For unlimited bodies the average was 202, for limited conventions, 129.

Most delegates were elected from state representative, state senatorial or congressional districts while a few were elected at large. The New Hampshire delegates were elected by towns and city wards, thereby explaining their great number. Of the delegates to the 1950 Hawaii convention, two-thirds were from special districts and the

^{1/} California and New Hampshire constitutions provide that delegates shall be chosen in the same manner as members of the legislature.

remaining third were elected at large, as were all delegates to the Alaska convention. Alaska in 1955 had 55 delegates.

Delegate expenses - Delegates to all the studied conventions were allowed travel and per diem expenses, with the exception of Rhode Island delegates to the 1964-69 convention, who were reimbursed for travel expenses only. Since 1960, only in Rhode Island have delegates to unlimited conventions, the kind the Marianas will be having, who assembled for any extended period of time received no salary payment.

For example, Michigan delegates received \$1,000 a month for seven months; in Connecticut, compensation was \$2,000 for the four months' duration of the convention; the same held for Maryland as for Connecticut; interestingly, delegates to the Hawaii convention in 1968 received the same compensation as legislators -- \$2,500 plus per diem (\$32.50 for Oahu delegates, and \$45 for those from other islands) for approximately three and a half months. New York compensated its delegates \$15,000 each for less than six months' work. Officers have not typically received additional compensation.

With respect to number of delegates, over half the states leave this detail up to the legislature, to be decided in the enabling act and ultimately approved by the

voters in the referendum on the call for the convention.

The Marianas, of course, will not be conducting a convention call. Therefore, it should be kept in mind that there must be enough delegates to provide adequate representation for the major population elements -- geographic, economic and political. Yet the number must be small enough to permit sensible organization and efficient procedure. A sensible range is 40 to 100 members.

Convention Organization - There are commonly a president or chairman, one or more vice presidents or vice chairmen, and a secretary. Immediately below this level there exists a typical convention organization of administrative assistants, parliamentarians, assistant secretaries, clerks, sergeant-at-arms, etc. There may also be floor leaders.

Although informal agreement on the person to be elected president has usually been reached before the convention meets, he is usually formally elected in plenary sessions. Convention vice presidents have frequently been to represent geographic groups or other factions. Thus, in Hawaii in 1968, there were five vice presidents, two from Oahu and one from each of the neighboring islands. This might provide a useful example for the Marianas.

Appendix A

STATE CONSTITUTIONAL COMMISSIONS

January 1, 1939—January 1, 1969

<i>State</i>	<i>Type of Commission Method of Creation</i>	<i>Purpose</i>	<i>Date of Creation</i>	<i>Membership (No. and method of selection)</i>
1. Arkansas	(1) Stat.	Study	1967	30 (appointed)
	(2) Stat.	Prep.	1968	3 (designated in stat.)
2. California	(1) Legis.	Study	1959	Up to 67 (appointed)
	(2) Legis.	Study	1963	54 (ex officio and appointed; later increased to 60)
3. Connecticut	Legis.	Prep.	1965	8 (appointed)
4. Delaware	Stat.	Study	1968	15 (appointed)
5. Florida	(1) Exec.	Study	1954	12 (appointed)
	(2) Legis.	Study	1955	37 (ex officio and appointed)
	(3) Exec.	Study	1958	5 (appointed)
	(4) Stat.	Study	1965	37 (ex officio and appointed)
6. Georgia	(1) Stat.	Study	1943	23 (appointed)
	(2) Stat.	Study	1963	28 (ex officio and appointed)
7. Idaho	Stat.	Study and Prep.	1965	15 (appointed)
8. Illinois	(1) Stat.	Study	1965	18 (appointed)
	(2) Stat.	Study and Prep.	1967	26 (appointed)
9. Indiana	Legis.	Study	1967	34 (appointed)
10. Kansas	(1) Exec.	Study	1957	27 (ex officio and appointed)
	(2) Exec.	Study	1961	19 (ex officio and appointed)
	(3) Stat.	Study	1968	12 (appointed)
11. Kentucky	(1) Exec. and Stat.	Study	1950	7 (ex officio and appointed)
	(2) Stat.	Study	1960	8 (ex officio and appointed)
	(3) Stat.	Study	1964	50 (ex officio and appointed)
12. Maine	Stat.	Study	1961	10 (appointed)
13. Maryland	Exec.	Prep.	1965	27 (appointed)
14. Massachusetts	Stat.	Study	1962	16 (appointed)
15. Michigan	(1) Exec.	Study	1941	32 (appointed)
	(2) Exec.	Study	1960	7 (appointed; later increased to 11)
	(3) Exec.	Study	1961	54 (appointed to 6 separate committees)
	(4) Exec.	Prep.	1961	18 (appointed)

From Thirty Years of State Constitution Making: 1938-1968
(National Municipal League, 1970), pp. 35-36.

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State		Type of Commission		Date of Creation	Membership (No. and method of selection)
		Method of Creation	Purpose		
16. Minnesota	(1)	Stat.	Study	1947	21 (appointed)
	(2)	Exec.	Study	1962	18 (appointed)
17. Missouri		Exec.	Study	1961	23 (appointed)
18. Nebraska		Legis.	Study	1967	5 (appointed)
19. New Hampshire		Stat.	Prep.	1963	9 (appointed)
20. New Jersey		Stat.	Study	1941	7 (appointed)
21. New Mexico		Stat.	Study	1963	11 plus 4 legislative advisory members (appointed)
22. New York	(1)	Stat.	Prep.	1956	15 (appointed)
	(2)	Legis.	Study	1958	21 (ex officio and appointed)
	(3)	Stat.	Study	1959	15 (appointed)
	(4)	Stat.	Prep.	1965	18 (appointed)
23. North Carolina	(1)	Legis.	Study	1957	15 (appointed)
	(2)	Unoffi- cial	Study	1968	25 (appointed)
24. Oklahoma		Legis.	Study	1968	15 (appointed)
25. Oregon	(1)	Legis.	Study	1953	17 (ex officio and appointed)
	(2)	Legis.	Study	1961	17 (appointed)
26. Pennsylvania	(1)	Stat.	Prep.	1957	15 (appointed)
	(2)	Exec.	Study	1963	34 (appointed)
	(3)	Stat.	Prep.	1967	13 (ex officio)
27. Rhode Island		Legis.	Study	1961	13 (ex officio and appointed)
28. South Carolina	(1)	Stat.	Study	1948	16 (ex officio and appointed; act provided for 21 but 5 were not appointed)
	(2)	Legis.	Study	1966	12 (ex officio and appointed)
29. Tennessee		Stat.	Study	1945	7 (appointed)
30. Texas		Legis.	Study	1967	25 (appointed)
31. Vermont	(1)	Stat.	Study	1949	7 (ex officio and appointed)
	(2)	Stat.	Study	1959	8 (ex officio and appointed)
	(3)	Stat.	Study	1968	11 (ex officio and appointed)
32. Virginia		Stat.	Study	1968	11 (appointed)
33. Washington	(1)	Legis.	Prep.	1965	12 (ex officio and appointed)
	(2)	Exec.	Study	1968	20 (ex officio and appointed)
34. West Virginia		Legis.	Study	1957	48 (ex officio and appointed)
35. Wisconsin	(1)	Exec.	Study	1960	15 (appointed)
	(2)	Exec.	Study	1963	19 (appointed)

APPENDIX B STATE CONSTITUTIONAL COMMISSIONS

State	Title	Citation(s) and Duration	Type	Size and Composition
Arkansas (1)	Constitutional Revision Study Commission	Act 121, 1967; 3/4/67-1/15/68	Stat. (study)	30 mbrs., all aptd.: 10 by gov., 5 by ch. justice, 5 by spkr. of H., 5 by pres. pro tem. of Sen., 5 by pres. of Ark. Bar Assn.
(2)	Arkansas Constitutional Convention Advisory Commission	Act 21, 1st Extraord. Sess., 1967; 4/1/68-2/6/69	Stat. (prep.)	3 mbrs.: former ch., v. ch., and exec. secy. of the Constl. Rev. Study Comm.
California (1)	Citizens Legislative Advisory Commission (Committee on Constitutional Revision)	Legis. res. in 1956 and 1957; H. R. 278 (1959); 1959-61	Legis. (study)	Not less than 25 mbrs. (Ranged up to 67 mbrs.)
(2)	Constitution Revision Commission	ACR 7(1963), 1st Extraord. Sess., extended by ACR 130(7/16/65); 7/24/63 to 90 days after end of reg. sess. Extd. on yrly. basis to present	Legis. (study)	54 mbrs. Ex-off.: 9 mbrs. of Lt. com. on legis. org.; 3 mbrs. aptd. by spkr. of H.; 3 mbrs. of Sen. by rules com.; 40 citizens by com. on legis. org. (Mbrs. later increased to 74)
Connecticut	Commission to Prepare for the Constitutional Convention	Sen. Jt. Res. 10 (1965); 2/17/65-6/1/65	Legis. (prep.)	8 mbrs., all aptd.: 3 by pres. pro tem. of Sen., 3 by spkr. of H., 2 by gov.
Delaware	Constitutional Revision Commission	Ch. 189, Vol. 59, Laws of Del. (12/28/67); 2/27/68-May, 1969	Stat. (study)	15 mbrs., all aptd.: 5 by gov., 5 by pres. pro tem. of Sen., 5 by spkr. of H. Max. of 8 from one party
Florida (1)	Governor's Citizens Committee on General Revision	Fall, 1954 to 1955 legis. sess.	Exec. (study)	12 aptd. by gov.

APPENDICES

January 1, 1939 - January 1, 1969

Purpose	Organization	Research Assistance	Funding	Commission Action
To study the constn. and make appropriate recs.	Ch. and v. ch. elec. by comn. 6 substantive committees	Staff of 5; 2 acad. consultants	\$100,000 approp. (spent \$83,607)	Rec. gen. constl. revis. by constl. conv., submission of conv. request to voters in Nov., '68. Submitted series of subst. recs. in rept.
To compile and collect information for a constl. conv. and to serve as staff for the conv. (approved by the voters 4/5/68)	Ch. elected by the comn.	Director and half-time secy.	\$15,000 approp.	Comn. prepared for constl. conv.
To provide advice and info. re changes in legis. proced. and reform	Comn. aptd. ch. and secy. Com. on constl. rev. and at least 6 other coms.	Staff: Comn. cons. and secy. Leg. counsel furn. legal opinions	Not available. Mbrs. recd. expenses	Series of recs. to legis. Rec. constl. revis. by the legis.
Provide facts and recs. on constl. rev. to jt. comn. on legis. org.	2 co-ch., v. ch., secy., parl.; ch. aptd. exec. com., which aptd. 1 com. for each art. of const.	Staff: jt. com. on legis. org. and acad. consults. Informal consul. with pub. and priv. agencies	\$412,500 through 1966	Proposed series of constl. changes, the first of which were ratified in Nov. 1966; phase II proposals were rejected by the voters, Nov. 5, 1968
Select and prepare facilities for conv., provide tent. agenda, staffing pattern, and sub-com. plan	Officers: ch. and v. ch. elected by comn. Coms: 4 aptd. by ch. and v. ch.—rules, staff, agenda, arrangements	No information	\$4,750 expended from \$500,000 approp. for comn. and constl. conv.	Prep. for constl. conv.
To report to gen. assem. a proposed draft constn. and/or amends.	Ch. elected by comn. 10 subst. coms. aptd. by comn.	Staff assis. by Div. of Urban Affairs, U. of Del.	\$25,000 ap- prop. Prep. of rept. financed by foundation funds	Required to rep. to gen. assem. in 1969 (requested extension of reporting date from 1/10/69 to 5/69)
Assist gov. in making recs. to legis. on best method of constl. rev.	No committees	No staff	Information not available	Submitted series of recs. to gov.

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THIRTY YEARS OF STATE CONSTITUTION-MAKING
STATE CONSTITUTIONAL COMMISSIONS (Continued)

State	Title	Citation(s) and Duration	Type	Size and Composition
Florida (2)	Florida Constitution Advisory Commission	SCR 555, G. L. 1955, V.I. pt. I, p. 1246-9, 6/6/55; 1955-57	Legis. (study)	37 mbrs. Ex-off.: atty. gen., pres. of Sen., spkr. of H., 8 mbrs. ea. H. constituting leg. council; aptd.: 8 by gov., 5 by ch. jus., 5 by bd. of gov. of Fla. Bar Assn.
(3)	Special Constitutional Advisory Commission	Aug. 1958-Mar. 1959	Exec. (study)	5 mbrs. aptd. by gov.
(4)	Florida Constitution Revision Commission	1965 Laws, ch. 65-561 (S. B. 977); 7/25/65 to 1/67	Stat. (study)	37 mbrs. Ex-off.: atty. gen. 5 mbrs. aptd. by ch. jus. (inc. 1 J. of sup. ct.), 10 mbrs. aptd. by gov.; 8 by spkr. of H.; 8 by pres. of Sen.; 5 by pres. of Fla. Bar Assn. with approv. of bd. of gov.
Georgia (1)	Commission To Revise the Constitution	Georgia Laws, 1943, p. 1680; 10/43-12/44	Stat. (study)	23 mbrs.: 10 from legis. branch, 3 from exec., 4 judges, and 6 lay mbrs.
(2)	Constitution Revision Commission	Georgia Laws, 1963, p. 403; 4/9/63-5/64	Stat. (study)	28 mbrs. Ex-off.: Gov., Lt. gov., atty. gen., secy. of st., spkr. of H., legis. coun., bud. off. Aptd.: 3 mbrs. of H. by spkr., 2 mbrs. of Sen. by pres., 16 citizens by gov., including 4 officials and 2 laymen
Idaho	Commission on Constitutional Revision	H.B. 280, 1965; 7/65-12/70	Stat. (study & prep.)	15 mbrs. all aptd.: 5 by legis. coun., 5 by gov., 5 by ch. jus. of sup. ct.
Illinois (1)	Constitution Study Commission	H.B. 1911, Laws of Ill. 1965, p. 3,059; 8/65-2/67	Stat. (study)	18 mbrs. all aptd.: 6 mbrs. of H. by spkr.; 6 mbrs. of Sen. by pres. pro tem.; 6 by gov.

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APPENDICES

January 1, 1939 - January 1, 1969

Purpose	Organization	Research Assistance	Funding	Commission Action
Make article-by-article rec. where rev. deemed necessary	Exec. com: comm. ch., 1 mbr. from ea. cong. dist. Spec. coms. as needed	Comm. employed a staff	\$100,000 approp.	Recommended constn. for Fla. Submitted to gov. and legis. before 1957 sess.
To revise the constitution within the framework of the 1885 document	No committees	Worked with stat. rev. dept. of atty. gen s. office	Not available	Rec. proposed constn. to legis., Mar. 1959
Prepare and submit reports and recs. for rev. of 1885 const.	Ch. aptd. by gov.; 10 coms. (2 procedural and 8 substantive)	Exec. dir. aptd. by ch., 1 secy.; but last 3 wks. "conv." 10 secys.; 3 acad. consultants	\$100,000 approp.	Proposed new constn. Submitted to legis., Jan. 1967
To submit proposed rev. constn. to gen. assem.	Gov. served as ch. 7 subst. coms. were aptd.	No special staff	No information	Submitted proposed constn. to gen. assem. 1/45
Rec. rev. by amendment or by a draft constn.	Gov. served as ch.; he aptd. v. ch. and 15 coms. (14 substantive and 1 procedural)	By secretarial staff and mbrs. of univ. fac.	\$75,000 (per year) approp.	Proposed revised const. to the legis.
Thorough study with recommendations; prepare for conv. if call is approved.	Officers: ch. and v. ch. elected by comm. Coms.: 5 aptd. by ch.	No staff. Legis. coun. and Bur. of Pub. Affairs, U. of Idaho, provided assistance; 2 academic consultants	\$35,000 approp.	Sub. a prop. new constn. in rept. to gov. and legis.. 9/25/68
Determine if revision is necessary, either by amend. or a constl. conv.	Officers: ch., v. ch., secy., asst. secy. elected by comm. 8 coms.: 1 procedural and 7 substantive	Legis. intern assigned to comm. and misc. help	\$20,000	Rec. for constl. conv. submitted to legis. 2/67

State	Title	Citation(s) and Duration	Type	Size and Composition
Illinois (2)	Constitution Study Commission	S.B. 1376, 4/27/67; 12/67-7/69	Stat. (study & prep.)	26 mbrs., all aptd.: 10 by gov., 8 by spkr. of H., 8 by pres. pro tem. of Sen. No more than half to be mbrs. of same pol. party
Indiana	Constitutional Revision Commission	Unnumbered Legis. Res., 9/7/67; 1/68-9/68; cont. by resols. to date	Legis. (study)	34 mbrs., all aptd.: 16 by lt. gov., 16 by spkr. of H., 1 by gov., 1 by sup. ct. (17 Reps., 17 Dems.)
Kansas (1)	Joint Commission on Constitutional Revision	12/6/57 Comm. aptd. by gov. was joined by a constl. revis. com. of legis. coun. to report at discretion of comm.; 12/6/57-1/16/61	Exec. (study)	27 mbrs. Ex-off.: 5 mbrs. of constl. rev. com. of legis. council; aptd.: 22 by gov.
(2)	Second Commission on Revision of the Kansas Constitution	Aptd. by gov. for duration of guber. term., joined by Const. Com. of Legis. Coun.; early 1961-Jan. 1, 1963	Exec. (study)	19 mbrs. Ex-off.: 5 legislators from legis. coun.; aptd.: 14 mbrs. by gov.
(3)	Citizens Committee on Constitutional Revision	Ch. 265, Sess. of L. of Kansas, 1968; 6/68-2/69	Stat. (study)	12 mbrs. all aptd.: 3 by gov., 3 by pres. pro tem. of Sen., 3 by spkr. of H., 3 by ch. jus. of sup. ct.
Kentucky (1)	Constitutional Review Commission	K.R.S. 447.160 (Acts 1950, Ch. 210); 2/15/50-1956	Exec. (1949) Stat. in 1950 (study)	7 mbrs. aptd. by gov.; atty. gen. ex-off.
(2)	Constitution Revision Committee, Legislative Research Commission	K.R.S. 7.170 (Acts 1960, Ch. 77); duration less than 1 year	Stat. (study)	8 mbrs.: 7 aptd. by gov.; atty. gen. ex-off.

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Purpose	Organization	Research Assistance	Funding	Commission Action
To compile infor. and to make recs. to legis. and gov. for holding a constl. conv.; to prepare and provide for dissemination of approp. studies	Ch., co-ch., asst. ch. secy., selected by comm. Steering Com. (No subst. coms.)	Res. assis. by Inst. of Govt. and Pub. Affairs, U. of Ill.	\$75,000 approp.	To submit rept. to gen. assem. and gov. in 1969
Study constn., decide if changes needed, consider need for constl. conv. or need for continuous revis.	Co-ch. desig. by lt. gov. and spkr. 8 coms. (6 subst. and 2 proceed.)	Provided by legis. coun. 2 full-time, 3 part-time staff mbrs. Assis. by I.U. Law Sch. and Inst. of Pub. Ad.	No approp.; spent \$6,000 for per diem and travel	Proposed series of amends. and rec. estab. of perm. constl. revis. comm. in rept. sub. to legis. 1969
Study the constn. and rec. changes	Officers: ch., 2 v. ch., secy. Coms.: 9 aptd. by comm. (2 procedural and 7 substantive)	No paid staff. Assisted by gov. res. ctr. and Kans. legis. coun. res. dept. 9 consultants (3 univ. profs.)	\$5,000 approp. and \$25,000 Ford Found. grant to U. of Kans. for gen. study of state constns.	Submitted rec. constl. amends. to legis.
Continue work of prior comm.	Same as prior comm.	Same as for first comm.	\$2,500 plus part of orig. Ford grant	Recs. submitted 1/1/63
To examine and evaluate the constn. and determine the provisions that need revision	Ch., v. ch. and secy. elected by gov.; 3 substantive sub-coms.	Full-time exec. secy. and part-time stenog. Revisor of Statutes was ex-special consultant	\$31,840 approp.; approx. \$10,000 was expended	Rept. of com. to be submitted early in 1969
Study const. and determine whether it needs revision	Ch., secy.; 8 substantive coms.	Govt. agencies furnished information	Travel and public expenses pd. by legis. res. comm.	Proposed amendments
To study constn. and submit recs.	Ch., v. ch., aptd. by gov.; 5 coms. Was made part of legis. comm.	Provided by exec. agencies and legis. res. comm.; exec. dir., res. dir., secy.	\$7,500 pd. from legis. res. comm. budget	Prepared two publications: "You and Your Constn." and "100 Questions about a Constl. Conv." Legis. proposed constl. conv. (Defeated by voters)

STATE CONSTITUTIONAL COMMISSIONS (Continued)

State	Title	Citation(s) and Duration	Type	Size and Composition
Kentucky (3)	Constitution Revision Assembly	K.R.S. 7.170 Amended (H.B. 39, 1964); 2/17/64-3/66	Stat. (study)	50 mbrs.; ex-off.: 7 former gov.; 43 mbrs. aptd. by gov., lt. gov., spkr. of H., and ch. jus.
Maine	Maine Constitutional Commission	Private and Special Laws, 1961, c. 212; 9/16/61-4/18/63	Stat. (study)	10 mbrs. aptd. by gov.
Maryland	Constitutional Convention Commission	Aptd. by gov., June, 1965; 7/16/65-9/12/67	Exec. (prep.)	27 mbrs. aptd. by gov.
Massachusetts	Special Commission Relative to the Need for Amendment, Revision or Simplification of the Constitution of the Commonwealth	Ch. 88, Resolves of 1962 (5/18/62); Resolves No. 81, 1967, and No. 1, 1968; 1962-1/68	Stat. (study)	16 mbrs., all aptd.: 3 mbrs. of Sen., by pres., 5 mbrs. of H. R., by spkr., 8 by gov.
Michigan (1)	Constitutional Revision Study Commission	Exec. Ord. and P. A. 1941, 195; 12/41-9/42	Exec. (study)	32 mbrs. aptd. by the gov.
(2)	Constitutional Reform Study Commission (later the Constitutional Convention Planning Commission)	10/7/60 to 2/28/61	Exec. (study)	7 mbrs. aptd. by gov. (later expanded to 11 mbrs.)

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Purpose	Organization	Research Assistance	Funding	Commission Action
To propose a revised constn.	Ch., 2 v. ch. secy., parls. - all elected by "delegates." 6 coms. created by spec. com. named by ch.	Staff of 15 coordinated by legis. res. comm., which provided secy. and res. assistance; 9 consultants	\$40,000 (Gov.'s general fund)	Assembly draft constn. submitted by legis. to voters 11/8/66. (Defeated)
Report necessary or advisable constl. amends. to legis.	Pres. elected by mbrs., secy. to the comm. No coms.	Secy. to comm. did part-time res., drafting. State librarian was consultant	\$10,000 approp. (\$4,747 actually expended)	Submitted report to legis. rec. constl. amends.
Draft const. with alter. provis.; consider possibility of conv. and its org.; draft legis. for conv.	Ch. aptd. by gov. 10 coms.: 3 procedural and 7 substantive. Ex. dir., hon. ch., secy. - all elected by comm.	Exec. dir. and staff assisted by gov't. agencies and univ.; unpaid consultants	Legis. approps. \$75,000; Exec. agencies \$70,000; fed. funds \$92,000; priv. sources \$70,000	Prepared extensive report for const. conv., including draft constn.
Consider amend. proposals; contribute to citizen understanding of constl. probs. by prep. and distrib. materials	Ch. and v. ch.; 1 com.	2 part-time staff mbrs., legal counsel and secy. to comm., several mbrs. of Harvard Res. Bur.	\$10,000 in 1962; \$10,000 in 1963 (Total: \$20,000)	Submitted report 5/67
To study constn. and determine if piecemeal or total revis. is necessary	12 subst. coms.	No formal assistance	No information	Rept. sub. to gov. 9/15/42
To analyze suggested constl. changes and to state arguments; to devel. prog. of prep., educ., and action to assure success of constl. conv.	No information	No information	No information	Submitted prelim. report in 12/60 on issues in 6 maj. areas of constl. system; final report submitted 2/28/61

01-05300

STATE CONSTITUTIONAL COMMISSIONS (Continued)

State	Title	Citation(s) and Duration	Type	Size and Composition
Michigan (3)	Citizens Advisory Committee(s)	4/5/61 to 9/61	Exec. (study)	54 mbrs. aptd. by gov. to 6 coms.
(4)	Constitutional Convention Preparatory Commission	6/61 to 10/3/61	Exec. (prep.)	18 mbrs. aptd. by gov.
Minnesota (1)	Constitutional Commission of Minnesota	<i>Lewis of Minn.</i> , 1947, ch. 614; 7/47-10/48	Stat. (study)	21 mbrs.—8 each from House and Sen., 1 mbr. sup. ct., 1 rep. of exec. br., 3 cits. aptd. by gov.
(2)	Committee on Constitution Revision	2/62 to 9/62	Exec. (study)	18 mbrs. aptd. by gov.
Missouri	Constitutional Convention Study Committee	Exec. Ord., 12/12/61; 12/61-6/62	Exec. (study)	23 mbrs., all aptd. by the gov.
Nebraska	Legislative Council Committee on a Constitutional Convention	Legis. Res. No. 37, 1967; 8/67-11/68	Legis. (study)	5 senators aptd. by exec. bd. of the legis. coun.
New Hampshire	Commission to Study the State Constitution	Laws, 1963: c. 186; 9/1/63-7/8/64	Stat. (prep.)	9 aptd. mbrs.: 2 by spkr. of H., 2 by Sen. pres., 5 by gov.

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Purpose	Organization	Research Assistance	Funding	Commission Action
Recommend changes in 6 areas: exec., legis., judic., educ., local govt., tax. and finan.	Ch. for ea. of 6 coms. designated by gov.; 1 com. for ea. of 6 areas of study	4 mbrs. of staff, 1 for ea. of 4 coms.	No information	Reports submitted by all coms.
Devel. suggestions for phys. facilities, lib. res., staffing of constl. conv.; prepare and distrib. factual studies on subst. issues	Ch. aptd. by gov.; various coms. designated	Staff dir. and 2 assoc. dirs.; staff from off. of secy. of st. and st. efers. div.	\$85,000 grant by Kellogg Found.	Comn. achieved all purposes for which created. Issued series of repts. and made prep. for conv.
To study constn. and rec. changes needed	Steering com. and 8 subst. study coms., which included noncomrs.	Full-time dir. of res., part-time res. and edit. assis.	\$12,000 approp. plus \$5,000 from legis. advis. comn.	Sub. rept. to gov., legis., and sup. ct., 10/1/48
Submit rees. for updating constn. by systematic amends. over a period of time	Ch. and secy. named by com. No subcoms.	No staff; clerical work by stat. rev. off.	No approp.	Report to gov., 9/20/62
To make rec. on advisability of calling a constl. conv. in 1963	Ch. and v. ch. elected by com. on rec. of gov.; secy. aptd. by ch. and v. ch. Steering com. of 6 mbrs., inc. officers	Limited secretarial service by gov's office	No approp.	Rept. to gov. (6/62) advised against calling constl. conv.
To make a complete study of quest. of calling a constl. conv. and to report to legis. at next reg. sess.	Ch. designated by exec. bd. of legis. coun.	Provided by legis. council staff	Expenses paid from funds of legis. coun. No separate record of com. expends.	Rec. creation of constl. comn. to make thorough study of constn. and need for revis.; report to legis. in 1970
Rec. amends. to next constl. conv.	Ch., v. ch., secy., treas., elected by mbrs. of comn. 3 coms.	No staff.—Some assistance from U. of N. H., Dept. of Gov.	\$10,000 approp. (\$4,107 actually expended)	Submitted rees. to constl. conv.

01-053301

STATE CONSTITUTIONAL COMMISSIONS (Continued)

State	Title	Citation(s) and Duration	Type	Size and Composition
New Jersey	Commission on Revision of the New Jersey Constitution	Laws of 1941, p. 1084; 11/41-5/42	Stat. (study)	7 mbrs., all aptd.: 2 each by gov., spkr. of H., and pres. of Sen., and 1 by six comm. mbrs.
New Mexico	New Mexico Constitutional Revision Commission	Laws, 1963, c. 223, extended by Laws, 1965, c. 144; Laws, 1967, c. 111; 7/63-3/69	Stat. (study)	15 aptd. mbrs.: 11 aptd. by gov., from each of 11 jud. dists., 2 mbrs. from H.R., 2 mbrs. from Sen. by the respec. presiding officers (the legis. mbrs. to serve in advs. capacity). 6 Reps., 5 Dems.
New York (1)	Temporary State Commission on the Constitutional Convention	Laws, 1956, c. 814; Fall 1956-Feb. 1958	Stat. (prep.)	15 mbrs., all aptd.: 5 by gov., 5 by spkr. Assem., 5 by temp. Sen. pres.
(2)	Special Legislative Committee on Revision and Simplification of the Constitution	Assembly Resolution 164, 3/21/58; duration less than a yr.	Legis. (study)	21 mbrs. 6 ex-off.; 15 aptd.: 5 by gov., 5 by spkr. Assem., 5 by temp. Sen. pres.
(3)	Temporary State Commission on Revision and Simplification of the Constitution	Laws, 1959, c. 4; 1/27/59-5/31/61	Stat. (study)	15 mbrs., all aptd.: 5 by gov., 5 by temp. Sen. pres., 5 by spkr. of Assem.
(4)	Temporary State Commission on Revision and Simplification of the Constitution and to Prepare for a Constitutional Convention	Laws, 1965, c. 443, and 1966, c. 129; 12/65-4/67	Stat. (prep.)	18 mbrs., all aptd.: 6 by gov., 6 by spkr. of Assem., 6 by Sen. maj. leader
North Carolina (1)	North Carolina Constitutional Commission	L. Res. 33 (5/31/57); 4/58-1/59	Legis. (study)	15 mbrs., all aptd. by gov.
(2)	North Carolina Constitutional Study Commission	Unofficial. Jt. Steering Com. of N.C. State Bar and N.C. Bar Assn. aptd. mbrs.; 4/68-12/68	Unofficial (study)	25 mbrs. aptd. by Steering Com.: 15 lawyers and 10 non-lawyers

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January 1, 1939 - January 1, 1969

Purpose	Organization	Research Assistance	Funding	Commission Action
To make recs. for gen. constl. revis.	Comm. proceeded in com. of whole	Secy., pub. rels. off., and drafting expert	\$5,000 approp.	Sub. rept. to gov., legis. and people 5/18/42. Proposed a draft constn.
Study constn. and rec. changes; prepare res. materials	Ch., v. ch., secy.; 4 coms. desig. by comm.: Exec., Judic., Legis., and Pub. Info. and Educ.	3 mbr. staff; 2 attys., 1 secy. Aid from atty. gen., legis. coun., and each state univ. 5 consultants	\$50,000 approp. through 1965; \$38,000 in 1967	Submitted report in 1967, rec. calling constl. conv. and prep. of new constn.; submitted proposed constl. revis.
Report on needed changes, collect and compile data	Ch., v. ch., secy. elected by comm.	Counsel, profess. staff and consults. were engaged	\$396,488	No recs. made
Continue the study and submit recs. to legis.	Ch., v. ch., secy. elected by comm.	Previous staff continued	\$150,000	No recs. made
Make complete study of constn. and submit recs. to gov. and legis.	Ch., v. ch., secy. aptd. by gov. Coms. aptd. by ch.: 1959-2; 1960-3	Previous staff continued	\$193,000	Proposed several recs. for constl. amends.
Prepare for a conv. to meet 4/67	Comm. selected ch., v. ch., and 3 subcoms. of 6 mbrs. each	Employed res. and clerical staff	\$150,000 (1965-66) and \$650,000 (1966-67)	Prepared for constl. conv., which met 4/4/67
Study constn. and determine the changes needed	Comm. elected ch. and v. ch.; ch. aptd. 4 coms.	Exec. secy. and assist. of Inst. of Govt., U. of N.C., 1 consult.	No approp. Contingency fund provided	Rec. series of proposed constl. amends.
To study constn., determine need for revis. or rewriting, and make recs. for amend. or revis.	Ch., 2 v. ch., and secy.-treas. elected by comm. 5 coms. (4 substantive, 1 editorial)	Inst. of gov., U. of N.C., provided profess. services	\$25,000 grant by foundation	Submitted recs. for extensive constl. revis. in form of 10 proposed amends. 12/16/68

01-05302

STATE CONSTITUTIONAL COMMISSIONS (Continued)

State	Title	Citation(s) and Duration	Type	Size and Composition
Oklahoma	Special Committee on Constitutional Revision	HCR 560 (4/30/68); 7/68-11/68	Legis. (study)	15 mbrs., all aptd.: 5 by spkr. of H., 5 by pres. pro tem. of Sen., 5 by gov. In addition, 30 non-voting advisory mbrs., 10 each aptd. by the above appointing authorities
Oregon (1)	Governor's and Legislative Constitutional Committee	SJR 28 (4/21/53); 7/28/53-12/54	Legis. (study)	17 mbrs. Ex off.: 2 spkr. H.R. and pres. of Sen.; aptd.: 9 non-leg. by gov.; 3 mbrs. Sen. by pres., 3 mbrs. H.R. by spkr.
(2)	Oregon Commission on Constitutional Revision	SJR 20 (5/10/61); 10/61-1/63	Legis. (study)	17 mbrs.: 6 aptd. by pres. of Sen. (inc. 3 sens.), 7 aptd. by spkr. of H.R. (inc. 4 reps.), 2 judges of ct. of rec. aptd. by Ch. J.
Pennsylvania (1)	Commission on Constitutional Revision	P. L. 927 (Act of 7/15/57); organized 1/7/58, reported to gov. and legis. 3/9/59	Stat. (prep.)	15 aptd. mbrs.—gov., pres. of Sen., and spkr. of H.R. each aptd. 5 mbrs.
(2)	Governor's Commission on Constitutional Revision	12/63-1/15/64	Exec. (study)	34 mbrs. aptd. by gov.
(3)	Preparatory Committee. Constitutional Convention	Act. No. 2, 1967; 5/67-11/67	Stat. (prep.)	13 mbrs., all ex officio: Lt. gov. and these ldrs. in both houses—presid. officers, maj. and min. ldrs., maj. and min. whips, and min. caucus ldrs. (7 Reps. and 6 Dems.)
Rhode Island	Commission on Revision of the Rhode Island Constitution	Res. 73, appr. by gov. 7/6/61; amend. by Res. 74, appr. by gov. 2/5/62; 8/61-9/62	Legis. (study)	13 mbrs. 3 ex-off.: pres. of Brown U., U. of R.I., and Providence Coll.; aptd. mbrs.: 3 by spkr. of H.R., 3 mbrs. of Sen., by lt. gov., 4 by gov.

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Purpose	Organization	Research Assistance	Funding	Commission Action
Study constn., deter. need and approp. means for accomplishing amend. or revis., prep. recs. for change and future study	Ch. and v. ch. elected by com. Steering com. and 3 substantive coms.	Provided by legis. council	No sep. approp. Expenses paid by legis. council	Submitted to exec. com. of legis. council recs. for revis. of legis., exec., and fin. arts. of constn.
Study constn. and determine need for change; rec. amends. to legis.	Ch. and secy.; 4 subcoms.	Ex. secy.	\$15,000 approp.	Rec. calling constl. conv. and creation of prep. comn.
Study constn. and submit recs.	Ch., v. ch., and secy. 6 subst. coms. and a drafting com.	Ex. secy., clerk, 3 part-time consults.; used drafting resources of legis. coun.	\$50,000 approp.	Submitted proposed constl. changes to legis. (passed H.R. but failed in Sen.)
Determine best means of revision, prepare drafts of amends. if by gen. revision; assist delegates to conv.	Comn. elected ch., v. ch., and secy. 8 coms.; 7 substantive and 1 procedural	Exec. dir., counsel, asst. counsel, 6 res. assis., 2 statist., 3 clerical	\$55,000 (\$50,000 approp., \$5,000 priv. found.)	Rec. constn. be changed by amend., not by conv. Submitted rec. changes
Examine constl. proposals and recommend to gov. those to be submitted to legis.	Hon. ch., ch., and secy. No coms.	None	None	Rec. 12 resols. for submission to legis. which would substantially change constn.
Make arrangements and studies for constl. conv.	Lt. gov. was elected ch. by com. 4 temp. sub-coms. on substantive matters	5 full-time and 7 part-time staff mbrs. were employed	\$100,000 approp. (approx. \$86,000 expended)	Prepared set of 8 manuals for dels., drafted rules, prep. budgets, made arrangements for phys. facilities and other needs
Make comprehen. rev. of constn.; submit recs. for revis.	Comn. elected ch. and desig. several informal coms. on various parts of constn.	No staff. 2 acad. consults.	\$15,000 approp. (Comn. spent only \$5,755)	Prepared recs.

01-05303

THIRTY YEARS OF STATE CONSTITUTION-MAKING
STATE CONSTITUTIONAL COMMISSIONS (Continued)

State	Title	Citation(s) and Duration	Type	Size and Composition
South Carolina	(1) Constitutional Revision Commission	Act 861, 1948 Gen. Ass.; 2/48-4/51	Stat. (study)	16 mbrs. (act provided for not aptd.) atty. gen. ex off.; 5 mbrs. from each house, 5 aptd. by gov.
	(2) Committee To Make A Study of the South Carolina Constitution of 1895	C. Res., S. C. Gen. Ass., 4/7/66; extended 3/22/67 and 5/14/68; 8/66-1/69	Legis. (study)	12 mbrs. (initially 9 mbrs.); lt. gov. and spkr. of H., ex off.; aptd. -4 by the gov., 3 mbrs. of Sen. by lt. gov., and 3 mbrs. of H. by spkr.
Tennessee	Constitutional Revision Commission	S.J.R. No. 20, P.A., 1945; 5/45-11/46	Stat. (study)	7 mbrs., all aptd. by gov., 2 each from east, middle, and west secs. of state and 1 at large as ch.
Texas	Constitutional Revision Commission	HS Res. 429 (5/27/68); 9/67-12/68	Legis. (study)	25 mbrs., all aptd.: 5 mbrs. of House by spkr., 5 mbrs. of Sen. by lt. gov., 10 by the gov., 5 by ch. justice
Vermont (1)	Commission To Consider Proposed Amendments to the Constitution	J. Res. No. 391, P.A., 1949; few months	Stat. (study)	7 mbrs., inc. atty. gen., at least 1 sup. ct. justice, at least 1 legis. and remainder laymen
	(2) Constitution Revision Commission	No. R-29, Acts and Resolves, 1959; 3/59-9/60	Stat. (study)	8 mbrs.: atty. gen. ex off., 7 aptd. by gov.
	(3) Constitutional Commission To Study the Vermont Constitution	Act. No. 298, 3/20/68; 1968-6/30/71	Stat. (study)	11 mbrs. 2 ex off.: ch. justice and atty. gen.; aptd.: 3 by gov., 3 sens. by Sen. com. on cons., 3 mbrs. of House by spkr. (At least one min. party mbr. in each aptd. group)

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January 1, 1939 - January 1, 1969

Purpose	Organization	Research Assistance	Funding	Commission Action
To study existing constn. and constl. needs of state	5 subst. sub-coms.	Some tech. assis.	\$10,000 approp.	Sub. rept. to gen. assem. 4/14/51
To evaluate need for changes in 1895 constn., propose changes, and suggest methods of effecting them	Ch., v. ch. and secy. selected by the com. Only an editorial com. was appointed	1 half-time staff consultant and part-time secy. from Bur. of Gov. Res., U. of S. C.	\$20,000 approp. plus printing and other costs pd. from legis. funds and Univ. assistance. Total approx. \$35,000	Com. submitted 2 interim repts. to gen. ass. rec. complete constl. revis. in final rept (1969). com. submitted proposed arts. of a new constn.
To study need for revis. and rec. changes	No committees aptd.	No staff. Bur. of Pub. Ad., U. of Tenn. provided info.: vol. assn. of soc. scientists prep. 18 repts.	No information	Sub. rept. to gov. 11/8/46
To rec. to the legis. a new or revised constn. or partial revision	Ch. aptd. by gov. 8 study coms. aptd. by ch.	Provided by legis. council. Some acad. consultants	Expenses paid from legis. contingent expense fund. No information on actual expenditures	Submitted to legis. in Dec., 1968 a recommended revised constn. with commentary and explanation
To prepare and present proposed constl. amends.	No information	No staff	\$500	Submitted rept. to gov. 9/50
Prepare and present proposed amends. to constn.	Comm. elected ch. and clerk; no coms.	None	\$500	Submitted proposed constl. amends. to legis.
To study constn. and rec. approp. amends. and to publicize them through the gen. news media	Officers elected by comm.	No information	\$2,000 approp. (for biennium)	Required to rep. to 1971 gen. assem.

STATE CONSTITUTIONAL COMMISSIONS (Continued)

January 1, 1939 - January 1, 1969

State	Title	Citation(s) and Duration	Type	Size and Composition	Purpose	Organization	Research Assistance	Funding	Commission Action
Virginia	Commission on Constitutional Revision	H. J. Res. 3, Jan. 1968; 3/68-1/69	Stat. (study)	11 mbrs., all aptd. by gov.	To rec. revisions in the constn.	Ch. aptd. by gov. 5 substantive coms. designated by ch.	Ex. dir., 2 res. assocs., 2 secys., and part-time assistance. Each com. had advisers. U. of Va. Inst. of Govt. assisted	\$75,000 approp.	Submitted rept. 1/69 to gov., gen. assem., and people with proposed revised constn. and extensive commentary
Washington (1)	Washington Constitutional Advisory Council	H.C.R. 38, 5/8/65; 9/65-12/66	Legis. (prep.)	12 mbrs. Ex off.: ch. of pol. sci. depts. of U. of Wash. and Wash. St. Univ. (no vote); 10 aptd. mbrs.: 2 by gov., 3 by ch. jus., 1 by spkr. of H.R., 1 by H.R. min. ldr., 1 by pres. pro tem. of Sen., 1 by Sen. min. ldr., 1 by dean of law school of U. of Wash.	Make studies and collect ideas helpful to a future conv.	Ch., v. ch. and secy.	1 former legislator (half-time)	No approp., but legis. council allocated \$15,000	Submitted report to legis.
(2)	Constitutional Revision Commission	Exec. Ord., 6/7/68; 6/7/68-6/69	Exec. (study)	20 mbrs., 2 ex off. and remaining mbrs. aptd. by gov.	Evaluate need for constl. rev., rec. best method of achieving it, and "insofar as feasible" draft a model state constn.	Ch. aptd. by gov. Steering com. desig. by ch. (3 mbrs., inc. ch.). No substantive coms.	Ex. dir. and 1 half-time secy.	Up to \$25,000 from gov.'s emerg. fund	Required to rep. to gov. Interim rept. submitted 11/15/68. Final rept. submitted in June 1969.
West Virginia	West Virginia Commission on Constitutional Revision	S.C.R. 5, 53rd Legis. (2/12/57); 9/30/57-11/27/62 (final mtg.); Report 2/13/63	Legis. (study)	48 mbrs. 3 ex off.: gov., spkr. of H.R., pres. of Sen.; 45 aptd.: 15 each by ex off. mbrs.	Make thorough study of constn.; report on study; determine most practical method of revis. and submit recs. to legis.	Comm. elected ch., 2 v. ch., secy. 14 coms.: 1 procedural and 13 substantive	Staff of 3: dir. and 2 assts.; some clerical assts.; no consults.	\$40,241 expended from contingent funds of 2 legis. houses	Submitted series of proposed changes in constn. to the legis.
Wisconsin (1)	Governor's Commission on Constitutional Revision	4/26/60-12/16/60	Exec. (study)	15 mbrs. aptd. by gov.	Study need and desirability of a rev. and make recs.; draft amends.; publicize advantages of proposed amends.	Ch. aptd. by gov.; secy. elected by comm. 10 substantive coms. aptd. by ch.	None	None	See 2nd comm.
(2)	Governor's Commission on Constitutional Revision	9/23/63-9/24/65	Exec. (study)	19 mbrs. aptd. by gov.	Same as for prior comm.	Same as prior comm.	None	None	Comm. rec. revis. by amends. only; 7 of comm.'s recs. were passed by legis.

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APPENDIX C CONSTITUTIONAL CONVENTIONS 1938-1968

State	Convention Dates	Type of Convention	Referendum on Convention Question	Preparatory Body	Appropriation	Number of Convention Delegates	Convention Proposal(s)	Referendum on Convention Proposal(s)
Alaska	Nov. 6, 1955- Feb. 6, 1956	Unlimited	None	Alaska Statehood Committee	\$300,000	55	New constitution	April 24, 1956: constitution adopted. Vote: 17,477 7,180 ^a
Connecticut	July 1- Oct. 28, 1965	Unlimited	None ^b	Constitutional Convention Commission	\$500,000	84	New constitution	Dec. 14, 1965: constitution adopted. Vote: 178,432 84,129
Hawaii	1. Apr. 4- July 22, 1950	Unlimited	None	State Constitution Commission	\$655,000	63	New constitution	Nov. 7, 1950: constitution adopted. Vote: 82,788 27,109
	2. July 15- Oct. 21, 1968	Unlimited	Nov. 8, 1966 Vote: 119,097 62,120	Legislative Reference Bureau	\$1,680,000 (\$875,000 expended)	82	23 amendments (revised constitution)	Nov. 5, 1968: 23 proposals submitted; 22 adopted
Maryland	July 11, 1967; Sept. 12, 1967- Jan. 10, 1968	Unlimited	Sept. 13, 1966 Vote: 160,280 31,680	Constitutional Convention Commission	\$1,230,000 (plus \$750,000 for referendum)	142	New constitution	May 14, 1968: constitution rejected. Vote: 284,033 367,101
Michigan	Oct. 3, 1961- May 11, 1962, Aug. 1, 1962	Unlimited	Apr. 3, 1961 Vote: 596,433 573,012	Constitutional Convention Preparatory Commission	\$2,000,000	144	New constitution	April 1, 1963: constitution adopted. Vote: 810,860 803,436

^aFor all referenda the first figure gives the favorable vote; the second, the opposing vote.
^bA special federal court ordered the legislature to call the convention.

TABLE 11 (Continued)
CONSTITUTIONAL CONVENTIONS
1938-1968

Referendum

TABLE 11 (Continued)
CONSTITUTIONAL CONVENTIONS
1938-1968

State	Convention Dates	Type of Convention	Referendum on Question	Preparatory Body	Appropriation	Number of Convention Delegates	Convention Proposal(s)	Referendum on Convention Proposal(s)
Michigan	Oct. 3, 1961-May 11, 1962, Aug. 1, 1962	Unlimited	Apr. 3, 1961 Vote: 596,433 573,012	Constitutional Convention Preparatory Commission	\$2,000,000	144	New constitution	April 1, 1963: constitution adopted. Vote: 810,860 803,436
Maryland	July 11, 1967; Sept. 12, 1967-Jan. 10, 1968	Unlimited	Sept. 13, 1966 Vote: 160,280 31,680	Constitutional Convention Commission	\$1,230,000 (plus \$750,000 for referendum)	142	New constitution	May 14, 1968: constitution rejected. Vote: 284,033 367,101
Missouri	Sept. 21, 1943-Sept. 29, 1944	Unlimited	Nov. 3, 1942 Vote: 366,018 265,294	Faculty group at University of Missouri	\$916,875	83	New constitution	Feb. 27, 1945: constitution adopted. Vote: 312,032 185,658
New Hampshire	1. 11 days between May 11 and June 1, 1938; Sept. 23-26, 1941 2. 12 days between May 12 and June 4, 1948 3. May 15-June 13, 1956, Dec. 2-4, 1959	Unlimited Unlimited Unlimited	Sense of people taken in annual town meetings in 1937 Nov. 5, 1946 Vote: 49,230 29,336 Nov. 2, 1954 Vote: 64,813 37,497c	None None None	\$25,000 (1938); \$26,244 (1939); \$12,000 (1941) \$60,000 \$75,000d	481 (1938) 451 (1941) 446 447 (1956) 420 (1959)	4 amendments in 1938 3 amendments in 1941 11 amendments 6 amendments in 1956 3 amendments in 1959	Nov. 8, 1938: 4 amendments submitted; 1 adopted. Nov. 3, 1942: 3 amendments submitted; 3 adopted. Nov. 2, 1948: 6 amendments submitted; 1 adopted. Nov. 7, 1950: 5 amendments submitted; 2 adopted. Nov. 6, 1956: 3 amendments submitted and adopted. Nov. 4, 1958: 3 amendments submitted and adopted. Nov. 8, 1960: 3 amendments submitted and adopted.

dThe 1956 convention was reconvened in 1959 by a letter from the president to the delegates.
eIt was not until 1961 that the legislature appropriated an additional \$15,000 to pay the staff for work done during the 1959 session.

TABLE 11 (Continued)
CONSTITUTIONAL CONVENTIONS
1938-1968

State	Convention Dates	Type of Convention	Referendum on Question	Preparatory Body	Appropriation	Number of Convention Delegates	Convention Proposal(s)	Referendum on Convention Proposal(s)
Pennsylvania	Dec. 1, 1967-Feb. 29, 1968	Limited	May 16, 1967 Vote: 1,140,931 703,576	Preparatory Committee	Budget for Conv: \$1,560,000 (Approx. \$200,000 not used)	163	5 proposals	April 23, 1968: 5 proposals submitted and adopted.
Rhode Island	1. March 28, 1944 2. June 1-3, 1951 3. June 20, 1955 4. Jan. 31, and Feb. 7, 1958 5. Dec. 8, 1964-Feb. 17, 1969	Limited Limited Limited Limited Unlimited	March 14, 1944 Vote: 15,683 524 May 25, 1951 Vote: 16,738 4,209 June 9, 1955 Vote: 24,077 20,120 Jan. 22, 1958 Vote: 12,476 1,903 Nov. 3, 1964 Vote: 158,241 70,975	None None None None None	\$25,000 \$25,000 \$25,000 \$50,000 \$224,000 (\$179,182 expended)	200 200 200 200 100	1 amendment 8 amendments 3 amendments 2 amendments New constitution	April 11, 1944: amendment adopted. Vote: 7,122 119 June 28, 1951: 8 amendments submitted; 6 adopted. July 12, 1955: 3 amendments submitted; 1 adopted. Feb. 27, 1958: 2 amendments submitted; 2 adopted. April 16, 1968: constitution rejected. Vote: 17,464 68,940
Tennessee	1. Apr. 21-June 5, 1953, July 14-16, 1953	Limited	Aug. 7, 1952 Vote: 196,376 106,583	Ad hoc group of political scientists from state colleges and universities	Not fixed (Delegates allowed legislators' pay and expenses)	99	8 amendments	Nov. 3, 1953: 8 amendments submitted; 8 adopted.

TABLE 11 (Continued)
CONSTITUTIONAL CONVENTIONS
1938-1968

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TABLE 11 (Continued)
CONSTITUTIONAL CONVENTIONS
1938-1968

Tennessee	4 Jan. 11, and Feb. 7, 1958	Limited	Jan. 22, 1958 Vote: 12,476 1,903	None	\$50,000	200	3 amendments	July 12, 1955: 3 amendments submitted; 1 adopted.
	5. Dec. 8, 1964-Feb. 17, 1969	Unlimited	Nov. 3, 1964 Vote: 158,241 70,975	None	\$224,000 (\$179,182 expended)	100	2 amendments New constitution	Feb. 27, 1958: 2 amendments submitted; 2 adopted. April 16, 1968: constitution rejected. Vote: 17,464 68,940
Tennessee	1. Apr. 21-June 5, 1953	Limited	Aug. 7, 1952 Vote: 196,376 106,583	Ad hoc group of political scientists from state colleges and universities	Not fixed (Delegates allowed legislators' pay and expenses)	99	8 amendments	Nov. 3, 1953: 8 amendments submitted; 8 adopted.
Tennessee	2. July 21-31, 1959	Limited	Aug. 8, 1958 Vote: 129,554 114,998	None	Same as 1953	99	1 amendment	Nov. 8, 1960: amendment submitted and adopted.
	3. July 26-Aug. 26, 1965; Nov. 29-Dec. 10, 1965	Limited	Nov. 6, 1962 Vote: 216,977 206,390	Legislative Council Committee	Same as 1953 and 1959	99	9 amendments	Nov. 8, 1966: 9 amendments submitted; 9 adopted.
Virginia	1. April 30-May 2, 22, 1945	Limited	March 6, 1945 Vote: 54,515 30,341	None	"a sum sufficient" (\$60,037 including \$49,373 election costs)	40	1 proposal	May 2, 1945: proposal proclaimed by convention
	2. Mar. 5-7, 1956	Limited	Jan. 9, 1956 Vote: 304,154 146,164	None	"a sum sufficient" (\$93,804, including \$83,366 election costs)	40	1 amendment	March 7, 1956: amendment proclaimed by convention
Puerto Rico	Sept. 17, 1951-Feb. 6, 1952	Unlimited	June 4, 1951 Vote: 387,016 119,164	Ad hoc group organized by Director of School of Pub. Admin. at University of P.R.	\$250,000	92	New constitution	March 3, 1952: constitution adopted. Vote: 373,594 82,877

TABLE 11 (Continued)
CONSTITUTIONAL CONVENTIONS
1938-1968

State	Convention Dates	Type of Convention	Referendum on Question	Preparatory Body	Appropriation	Number of Convention Delegates	Convention Proposal(s)	Referendum on Convention Proposal(s)
New Hampshire	4. May 14-June 10, 1964, July 7, 8, 1964	Unlimited	Nov. 6, 1962 Vote: 94,597 49,418	Commission to Study the State Constitution	\$100,000	462	21 amendments	Nov. 3, 1964: 8 amendments submitted; 5 adopted. Nov. 8, 1966: 7 amendments submitted; 6 adopted. Nov. 5, 1968: 6 amendments submitted; 5 adopted.
New Jersey	1. June 12-Sept. 10, 1947 2. March 21-June 15, 1966	Limited	June 3, 1947 Vote: 275,209 53,280	Governor's Committee on Preparatory Research Law Revision and Legislative Service Commission	\$350,000 (plus \$125,000 for election costs) \$250,000	81 126 delegates (112 votes)	New constitution 1 reapportionment amendment	Nov. 3, 1947: constitution adopted. Vote: 653,096 184,632 Nov. 8, 1966: amendment adopted. Vote: 890,710 506,884
New York	1. April 5-Aug. 25, 1938 2. April 4-Sept. 26, 1967	Unlimited	Nov. 3, 1936 Vote: 1,413,604 1,190,275 Nov. 2, 1965 Vote: 1,681,438 1,486,431	New York State Constitutional Committee Temporary State Commission on Revision and Simplification of the Constitution and to Prepare for a Constitutional Convention	\$1,350,000 \$10,000,000 (\$6,477,000 expended)	168 186	9 amendments New constitution	Nov. 8, 1938: 9 amendments submitted; 6 adopted. Nov. 7, 1967: new constitution rejected. Vote: 1,309,877 3,364,630

THIRTY YEARS OF STATE CONSTITUTION-MAKING

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Appendix D
Constitutional Conventions
1966-1972

<i>State</i>	<i>Convention Dates</i>	<i>Type of Convention</i>	<i>Referendum on Convention Question</i>	<i>Preparatory Body</i>
Arkansas	January 7-8, 1969; May 27-August 21, 1969; January 12-February 10, 1970	Unlimited	November 5, 1968 Vote: 227,429 214,432	Constitutional Revision Study Commission and Constitutional Convention Advisory Commission
Hawaii	July 15-October 21, 1968	Unlimited	November 8, 1966 Vote: 119,097 62,120	Legislative Referendum Bureau
Illinois	December 8, 1969-September 3, 1970	Unlimited	November 5, 1968 Vote: 2,979,977 1,135,440	Constitution Study Commission
Maryland	July 11, 1967; September 12, 1967-January 10, 1968	Unlimited	September 13, 1966 Vote: 160,280 31,680	Constitutional Convention Commission
Montana	November 29-December 1, 1971; January 17-March 24, 1972	Unlimited	November 3, 1970 Vote: 133,482 71,643	Montana Constitutional Revision Commission (study); and Montana Constitutional Convention Commission (preparatory)
New Jersey	March 21-June 15, 1966	Limited	None	Law Revision and Legislative Service Commission

Appendix A — Continued

Constitutional Conventions

1966—1972

<i>Appropriation</i>	<i>Number of Convention Delegates</i>	<i>Convention Proposal(s)</i>	<i>Referendum on Convention Proposals</i>
\$605,200	100 (Elected November 5, 1968, from representative districts; nonpartisan)	New constitution (submitted as single proposal)	November 3, 1970: constitution rejected; Vote: 223,334 301,195
\$1,680,000 (\$875,000 expended)	82 (Elected June 1, 1968, from representative districts; nonpartisan)	23 amendments (revised constitution)	November 5, 1968: 23 proposals submitted; 22 adopted
\$2,880,000 (plus \$5,000,000 for election of delegates and referendum on convention proposals; total: \$7,880,000)	116 (Elected November 18, 1969; 2 from each provisional state senatorial district; nonpartisan)	New constitution plus 4 additional propositions submitted separately	December 15, 1970: constitution adopted; Vote: 1,122,425 838,168 4 propositions for change rejected
\$1,230,000 (plus \$750,000 for referendum)	142 (Elected from House of Delegates' districts, June 13, 1967; nonpartisan)	New constitution (submitted as single proposal)	May 14, 1968: constitution rejected; Vote: 284,033 367,101
\$499,281	100 (Elected November 2, 1971, from house districts; partisan)	New constitution plus 3 alternative propositions submitted separately	June 6, 1972: constitution adopted; Vote: 116,415 113,883 bicameral Legislature, legalized gambling and death penalty approved
\$250,000	126 (112 votes) (apportioned among 21 counties on population basis; equal number from each major party elected March 1, 1966)	1 reapportionment amendment	November 8, 1966: amendment adopted; Vote: 890,710 506,884

Appendix A — Continued

Constitutional Conventions

1966-1972

<i>State</i>	<i>Convention Dates</i>	<i>Type of Convention</i>	<i>Referendum on Convention Question</i>	<i>Preparatory Body</i>
New Mexico	August 5— October 20, 1969	Unlimited	November 5, 1968 Vote: 80,242 35,997	Constitutional Revision Commission
New York	April 4— September 26, 1967	Unlimited	November 2, 1965 Vote: 1,681,438 1,486,431	Temporary State Commission on Revision and Simplification of the Constitution and to Prepare for a Constitutional Convention
North Dakota	April 6-8, 1971; January 3— February 17, 1972	Unlimited	September 1, 1970 (in form of a constitutional amendment) Vote: 56,734 40,094	None (Subcommittee of Legislative Research Committee, Legislative Council, made preliminary study of the constitution)
Pennsylvania	December 1, 1967—February 29, 1968	Limited	May 16, 1967 Vote: 1,140,931 703,576	Preparatory Committee
Rhode Island	December 8, 1964—February 17, 1969	Unlimited	November 3, 1964 Vote: 158,241 70,975	None
Tennessee	August 2— September 15, 1971 (including a 10-day recess)	Limited	November 5, 1968 5 subjects were proposed; only the third was approved Vote: 422,812 301,863	None

Appendix A — Continued

Constitutional Conventions

1966—1972

<i>Appropriation</i>	<i>Number of Convention Delegates</i>	<i>Convention Proposal(s)</i>	<i>Referendum on Convention Proposals</i>
\$250,000 (plus \$280,000 for election of delegates and referendum)	70 (Elected June 17, 1969, from single-member representative districts; nonpartisan)	New constitution (submitted as a single proposal)	December 9, 1969: constitution rejected; Vote: 59,685 63,387
\$10,000,000 (\$6,477,000 expended)	186 (3 delegates from each senate district and 15 at-large elected November 8, 1966; partisan basis)	New constitution (submitted as a single proposal)	November 7, 1967: constitution rejected; Vote: 1,309,877 3,364,630
\$600,000	98 (Elected November 3, 1970, from representative districts; nonpartisan)	New constitution plus 4 additional propositions submitted separately	April 28, 1972: constitution rejected; Vote: 64,312 107,249 nullifying effectiveness of vote on the 4 propositions
\$1,560,000 (plus \$261,000 for elections and \$90,000 for preparatory committee; total: \$1,911,000)	163 (3 elected from each senatorial district in November 1967, plus 13 legislators ex officio; partisan basis)	5 proposals	April 23, 1968: 5 proposals submitted and adopted
\$224,000 (\$179,182 expended)	100 (1 delegate elected from each state representative district on November 3, 1964; partisan basis)	New constitution (submitted as a single proposal)	April 16, 1968: constitution rejected; Vote: 17,464 68,940
\$413,000	99 (1 delegate elected from each representative district on August 6, 1970; nonpartisan)	1 amendment	August 3, 1972: amendment adopted; Vote: 493,076 175,287

Appendix A — Continued

Constitutional Conventions

1966—1972

<i>Appropriation</i>	<i>Number of Convention Delegates</i>	<i>Convention Proposal(s)</i>	<i>Referendum on Convention Proposals</i>
\$250,000 (plus \$280,000 for election of delegates and referendum)	70 (Elected June 17, 1969, from single-member representative districts; nonpartisan)	New constitution (submitted as a single proposal)	December 9, 1969: constitution rejected; Vote: 59,685 63,387
\$10,000,000 (\$6,477,000 expended)	186 (3 delegates from each senate district and 15 at-large elected November 8, 1966; partisan basis)	New constitution (submitted as a single proposal)	November 7, 1967: constitution rejected; Vote: 1,309,877 3,364,630
\$600,000	98 (Elected November 3, 1970, from representative districts; nonpartisan)	New constitution plus 4 additional propositions submitted separately	April 28, 1972: constitution rejected; Vote: 64,312 107,249 nullifying effectiveness of vote on the 4 propositions
\$1,560,000 (plus \$261,000 for elections and \$90,000 for preparatory committee; total: \$1,911,000)	163 (3 elected from each senatorial district in November 1967, plus 13 legislators ex officio; partisan basis)	5 proposals	April 23, 1968: 5 proposals submitted and adopted
\$224,000 (\$179,182 expended)	100 (1 delegate elected from each state representative district on November 3, 1964; partisan basis)	New constitution (submitted as a single proposal)	April 16, 1968: constitution rejected; Vote: 17,464 68,940
\$413,000	99 (1 delegate elected from each representative district on August 6, 1970; nonpartisan)	1 amendment	August 3, 1972: amendment adopted; Vote: 493,076 175,287

APPENDIX E STATE-by-STATE SUMMARY

The following State summaries include information on overall constitutional revision activities for 1968-69. The summaries contain details on gubernatorial proposals, constitutional revision commissions and constitutional conventions. The summaries generally do not contain information on actions taken on amendments during the biennium, since most amendments were part of a piecemeal revision process. No systematic effort was made to gather information on 1970 activities. However, in the few instances where such information was available it was included.

Alabama

The Governor in his message to the 1969 Legislature suggested the creation of a constitutional study commission. In 1969 the Constitutional Commission was created by the Legislature to consider amendments to, or revisions of, the 1901 constitution, and procedures for adoption of such measures. An appropriation of \$100,000 was made to the Commission which is composed of members of the House and Senate and members appointed by the Governor. The Commission will report to the 1971 Legislature.

Arkansas

In 1967 the Legislature created the Constitutional Revision Study Commission which recommended the holding of a constitutional convention. At a special session called by the Governor in 1968, the Legislature placed the question of a convention on the November 1968 ballot, and it was approved by the electorate. A second constitutional revision commission, the Constitutional Convention Advisory Commission, was active as a preparatory body assembling reports and making necessary arrangements for the convention. The convention convened January 7-9, 1969, elected its officers and made committee assignments. It recessed until May 27 and after three months of work recessed until January 12, 1970. By the time of this recess it had completed two of the three readings required. Included among the major changes were a reduction in the number of elected officers from seven to four effective in 1975, and a requirement that the State's 170-200 executive departments and agencies be grouped into not more than 20 principal departments. Also, the General Assembly would be permitted to meet annually and to call itself into special session. Other provisions provided for a more unified court system and expanded self-determination for local governments. The final adjournment was not to be later than February 15, 1970 and it was planned that the new constitution would be submitted to the voters at the November 1970 election. The convention approved the new constitution in February, and it will appear on the November 1970 ballot.

California

Constitutional revision has proceeded through a series of phases, each step covering a revision of a substantial part of the constitution. The Constitutional Revision Commission was created in 1963 with the responsibility of providing factual information and submitting recommendations to the Legislature. Based upon the Commission's recommendations

the Legislature placed upon the November 1966 ballot a measure concerning the revision of the constitution's separation of powers, legislative, executive and judicial articles, and the revision was approved by the voters. Four propositions at the June 1970 primary would revise and modernize sections of the constitution dealing with local government, corporations and public utilities, penal matters, future amendment of the constitution and state civil service. The proposals were drafted by the Constitution Revision Commission. A proposition containing many of the same changes was rejected by the voters at the November 1968 election.

Delaware

The Constitutional Revision Commission which was created in 1967 recommended a proposed new constitution in a report submitted in October 1969.

Florida

The Constitutional Revision Commission created in 1965 submitted a draft constitution to the Legislature in January 1967. It was not until July 3, 1968 that the Legislature completed its work and approved its own version. During the campaign for the new constitution, the Governor urged the voters to accept the new document. The voters in November 1968 approved all three choices offered to them: one containing the ten amendments of the "basic document," a second choice on the revision of the article on suffrage and elections, and a third on a version of the local government article. The new constitution contained a provision enabling the Governor to succeed himself for a second four-year term and the creation of an office of Lieutenant Governor. Annual sessions instead of biennial sessions were provided, as well as automatic reapportionment every ten years. Home rule for counties, and ceilings on property taxes and state bonding interest rates were also included. The constitution did not contain a revision of the 1956 judicial article.

Georgia

A resolution calling for a constitutional revision commission was introduced during the 1968 legislative session. The Governor vetoed the resolution, however, saying that amendments had made the conditions of the commission membership unacceptable. However, in 1969 the Legislature created the Constitutional Revision Commission, which in its November 1969 report recommended complete revision and submitted a proposed new constitution. In 1970 the House of Representatives passed the proposed new constitution, but it died in a Senate committee.

Hawaii

Delegates to the Constitutional Convention were elected June 1, 1968, and the convention met from July 15, 1968 through October 21, 1968. The voters ratified all but one of the twenty-three proposals submitted by the convention. The ballot offered a choice of a "yes" vote on the whole document, a similar "no" vote, or rejection of any parts of the document while approving the rest. One proposal lowering the voting age

from 20 to 18 was rejected. Included among the changes accepted were: legislative reapportionment, effective in 1970; reduction of the minimum age for Governor from 35 to 30; increasing the length of the alternate year legislative session from 30 to 60 days; limited home rule provisions for local governments; and two-year budgeting and appropriations. Also included was an increase in legislative salaries, and a provision that future legislative pay raises could be set by law on the basis of the recommendations of a special commission created for that purpose.

Idaho

A proposal by the Constitutional Revision Commission providing that amendments covering more than one subject may be submitted to the voters as a single question was defeated by the voters at the November 1968 election. The Commission, which was created in 1965, proposed a draft of a new constitution in a November 1968 report. The Governor in 1969 reminded legislators of their responsibility of placing their judgment and recommendation upon the draft constitution proposed by the Commission. The Legislature directed that the draft be publicized by the Legislative Council. The 1970 Legislature made some revisions to the draft constitution, and placed it on the November 1970 ballot.

Illinois

On November 5, 1968 the electorate approved a convention call by a margin of approximately 2.5 to 1. Two constitutional study commissions were active: one basically a study group and the other a preparatory body. The Governor in his inaugural address in 1969 emphasized the importance of the work of the impending constitutional convention. The convention, which convened December 8, 1969, was unlimited as to the topics it may cover. Although no time limitation was placed on the duration of the convention, the delegates' salaries would be limited to eight months.

Indiana

The Constitutional Revision Commission which was created by the Legislative Council in 1967 recommended in its 1969 report revision by the amendment process. The Commission was continued in 1969 and at its October 1969 meeting agreed to publicize three proposed amendments which were scheduled for referendum in 1970.

Iowa

The constitution provides for the submission of a convention call question to the voters every ten years. At the November 1970 election, the electorate will vote on the question "Shall there be a Convention to Revise the Constitution, and amend the same?" If the voters approve, the General Assembly at its next session would provide for the election of delegates.

Kansas

The Governor in 1968 asked the Legislature to take the necessary steps to call a convention. The 1968 Legislature created the Citizens

Committee on Constitution Revision which reported in February 1969. The Commission recommended extensive constitutional changes; however, final action by the Legislature was delayed until the 1970 legislative session.

Louisiana

The State Law Institute, which was given the assignment in 1964 of proposing revisions to the constitution, continued its work during 1968-69. For purposes of this study the State Law Institute was not classified as a constitutional revision commission, since its prime responsibility was law revision. The constitutional revision assignment was only one of many projects the State Law Institute had during the biennium. Two committees were active in preparing revisions of the articles on the judiciary and on parish (county) affairs. These committees were due to report during 1970. The committee on the judiciary made an interim report in January 1970 and the committee on parish (county) affairs made a final report in April 1970.

Maryland

A constitution convention met from September 1967 to January 1968, but its draft was rejected by the people on May 14, 1968. Included among the changes in the constitution were: strengthening the Governor's control over the administrative branch; reduction in the size of the Legislature; longer legislative sessions; restructuring the judicial branch, and mandatory home rule. After the defeat of the proposed constitution both the Governor and legislative leaders proposed passage of certain amendments incorporating some of the proposals contained in the defeated constitution. The 1969 General Assembly approved nine amendments which were to be voted on at a special election in November 1969. However, due to a court ruling the special election was not held. The Court of Appeals ruled that the election was in violation of a constitutional provision that amendments be submitted to the voters at the next general election. The constitution provides for the General Assembly in 1970 and every twenty years thereafter to provide by law for taking the sense of the people in regard to calling a convention. An advisory convention call question will appear on the November 1970 ballot.

Massachusetts

At the November 1968 election an initiative petition proposing a vote in 1970 on the question of holding a constitutional convention won approval. If the convention call is approved, the convention would convene in July 1971 for not more than 120 days. The convention would be limited to considering subjects relating to the executive branch, the General Court, the Executive Council, local government, simplification and rearrangement of the constitution and methods for its amendment.

Montana

The 1969 Legislative Assembly created a Constitutional Revision Commission, which is to submit a final report before September 1, 1970.

The report is to contain the findings of the Commission, a draft of any proposals for change in the constitution, and recommendations of the most feasible and desirable method of implementing the proposals. At the general election to be held in November 1970 there will be a question on the ballot whether the Legislative Assembly at the 1971 session shall call a convention to revise, alter, or amend the constitution.

Nebraska

The Nebraska Legislative Council Committee on a Constitutional Convention, which was created in 1967 with the responsibility of studying the question of calling a constitutional convention, recommended in its November 1968 report that a study commission be created. The Governor in 1969 recommended that the Legislature consider wholesale revision of the constitution. He stated he was certain that the constitutional revision committee could have recommendations as to how the constitution could be modernized rather than continuing to use the piecemeal review and revision method. In 1969 the Constitutional Revision Commission was created with the duty of studying the constitution and determining needed changes, especially to strengthen legislative powers. The Commission is to report in September 1970.

New Hampshire

At the November 1968 election the voters approved five of six amendments which had been proposed by the 1964 Constitutional Convention.

New Mexico

The Constitutional Revision Commission, which was created in 1963, recommended in 1967 calling a constitutional convention and proposed a draft constitution. The electorate approved a convention call in November 1968. The Governor in his address to the Legislature in 1969 recommended a series of proposals concerning the staging of the impending constitutional convention. The convention met from August 5, 1969 through October 20, 1969. However, the voters rejected a new constitution proposed by the convention on December 9, 1969. The defeated document would have lengthened the term of office for all state elected officers from two to four years; required the executive branch to be reorganized into twenty cabinet-level departments, with the exception of regulatory agencies, and empowered the Governor to appoint the Secretary of State, the Attorney General and the State Treasurer. Other provisions of the document would have permitted the Legislature to set its own salaries, within the limitation of fifteen percent of the average of the salaries of the Governor and the Chief Justice; removed the limitation on length of sessions; allowed the Legislature to formulate its own rules; and required all legislative business to be conducted in public.

North Carolina

The State Constitutional Study Commission was the only unofficial commission created during 1968-69. The Commission members were appointed by the Joint Steering Committee of the North Carolina State Bar and the North Carolina Bar Association. The Commission in its December 1968

report recommended extensive revision including ten amendments. The edited revision and four amendments proposed by the Commission, plus two introduced by the General Assembly, will be on the November 1970 ballot.

North Dakota

In 1969 the Governor recommended the calling of a constitutional convention. The question of whether a constitutional convention will be called will be submitted to the electorate in the form of a constitutional amendment at the 1970 primary election. If voters approve, delegates will be elected in 1970 and the convention will convene in 1972 to propose either a new constitution or amendments to the present constitution.

Ohio

The Constitutional Revision Commission was created in 1969 to study the constitution and to recommend amendments to the General Assembly. The Commission is to submit a report by January 1, 1971 and every second year until its work is completed. The act creating the Commission expires in 1979. As a result of a constitutional provision the question of calling a constitutional convention appears on the ballot every twenty years. The electorate will vote on this question in 1972. If a convention is called, the Commission is to make recommendations regarding the organization of the convention and report its proposals to the convention.

Oklahoma

The Governor in both 1968 and 1969 recommended that the Legislature approve a resolution calling for a constitutional convention. The Special Committee on Constitutional Revision which was created by the 1968 Legislature recommended in its 1968 report revision of the executive, legislative and financial articles. In 1969 another constitutional revision commission was created and in its 1969 report proposed a number of amendments. The 1970 Legislature placed the question of calling a constitutional convention on the ballot at a March 17, 1970 election. However, the convention call was defeated.

Oregon

In 1969 the Legislative Assembly adopted a revised constitution which will be placed before the voters at the May 1970 election. The revised constitution eliminates obsolete sections and reduces the length of the basic document. It also includes substantive changes by increasing the membership of each house by five (to thirty-five in the Senate and sixty-five in the House) and authorizes the General Assembly to call itself into special session. If approved, it would become effective in January 1972.

Pennsylvania

A limited constitutional convention met from December 1, 1967 through February 29, 1968. The Governor in his message to the General

Assembly declared that the convention, then in session, needed to achieve substantial changes in the interest of modern government, and pledged that the State Administration would do everything in its power to help achieve this goal. The convention proposed five amendments which were approved by the voters on April 23, 1968. The amendments provided for a unified judicial system, home rule, legislative reapportionment, a state debt limit based on state revenue rather than on an arbitrary figure and revision of the taxing system.

Rhode Island

A constitutional convention which convened December 8, 1964 proposed a new constitution which was rejected by the voters by a four to one margin on April 16, 1968. The convention finally adjourned on February 17, 1969. Some of the key changes in the rejected constitution would have given the General Assembly power to set legislative pay scales; repealed a lottery ban; established constitutional tenure for judges; reduced Senate membership; provided broader home rule powers for local government, except in the area of borrowing practices, revised the constitutional amendment process and set up new procedures for future constitutional conventions. After the referendum, the Governor in both 1968 and 1969 urged the General Assembly to initiate a call for another convention.

South Carolina

The Committee to Make a Study of the South Carolina Constitution of 1895 was created by the General Assembly in 1966. In an interim report in 1968 the Committee recommended that the General Assembly propose to the voters a proposal for changing the amending process. The voters approved an amendment in 1968 providing that the constitution may be amended in the 1970 and 1972 general elections by an article-by-article substitution procedure. The Governor in his address to the General Assembly in 1969 commended the Committee's report to the legislators and urged them to ratify the constitutional amendment approved by the voters in November 1968 permitting article-by-article amendment as being preferable to either a constitutional convention or to piecemeal amendment. In its final report the Committee proposed a revised constitution in the form of seventeen articles to be substituted for the existing constitution by an article-by-article procedure. By the end of 1969 the Committee's proposals were being considered by a steering committee of the General Assembly.

South Dakota

The 1969 Legislature created the Constitutional Revision Commission to make a comprehensive study of the constitution and to recommend changes. The Commission was given the responsibility of reporting its recommendations in the form of proposed amendments to the Legislature at regular sessions until discharged. The Commission in its 1969 report proposed that the constitution be amended so that one amendment could cover a certain subject regardless of whether it appeared in more than one article.

Tennessee

The 1968 General Assembly placed on the November 1968 ballot a proposal for a limited constitutional convention and the convention call was approved. Five suggested areas for a limited convention were offered, but the electorate approved only the proposal for classifying property into three categories for tax purposes. Delegates will be elected in 1970 and the convention will convene in August 1971.

Texas

The 1967 Legislature created the Constitutional Revision Commission. The Commission was empowered to study the constitution and recommend a new or revised constitution or a partial revision. The December 1968 report of the Commission recommended a revised constitution. However, no action was taken by the Legislature during 1969.

Utah

The Constitutional Study Commission was established in 1969 and was authorized to be in existence until 1975. The Commission was given the responsibility of recommending revisions or amendments at least 60 days before the Legislature convenes. The Commission will be examining the executive and legislative articles during 1970 in preparation for its first report to the 1971 Legislature. Present plans call for the use of an article-by-article approach. One step in this direction is the submission of a "gateway amendment" to the voters at the November 1970 election. The amendment would provide for submission of an entire article of the constitution to the voters rather than requiring each section to be voted on separately.

Vermont

The Governor called for constitutional revision in 1968. A Constitutional Commission to Study the Vermont Constitution was created by the 1968 General Assembly and in an interim report in February 1969 recommended a call for a limited constitutional convention. The proposed convention could have considered revision of up to seven voter specified sections of the constitution. However, at a special referendum on June 3, 1969 the voters rejected the legislative call by a vote of 14,861 to 23,830. The final report of the Commission is due in 1971.

Virginia

The Governor in 1968 asked the General Assembly to authorize his appointment of a small constitutional revision commission. The Commission on Constitutional Revision was created by the General Assembly in February 1968 and the Commission submitted its report in January 1969. The Governor called a special session of the General Assembly in February 1969 to consider the report, and the document was approved with modification, by the General Assembly. As proposed by the 1969 special session, the body of the proposed constitution would constitute one proposition on the ballot, while five questions dealing with general obligations bonds, revenue bonds, lotteries, tuition grants for handicapped children and the size of Richmond would appear. The 1970 session did not approve the sections

dealing with tuition grants for handicapped children and the size of Richmond. Four items will appear on the November 3, 1970 ballot - the main proposition, the two on bonds and the lottery provision. Each item will be voted on separately, so that a negative vote on one provision will not defeat the others.

Washington

The Attorney General attempted to place the question of a constitutional convention on the November 1968 ballot by means of initiative petitions, but the move failed for lack of sufficient signatures. The Governor appointed the Constitutional Revision Commission in 1968, and in its interim report in November 1968 the Commission recommended phased process of reform and then submitted a draft "gateway amendment." The Governor in his message to the 1969 Legislature proposed adoption of a "gateway amendment" which would authorize constitutional amendment by broad subject matter instead of the existing requirement that amendments be made by single subject only. Although "gateway amendments" were submitted during the 1969 session, none was approved for submission to the electorate. The Commission in its final June 1969 report proposed eight "model articles" which dealt with the subjects of the legislature, the executive, the judiciary, elections, the initiative, referendum and recall, education, local government and amendment and revisions.

West Virginia

The Governor in 1968 urged the Legislature to consider submitting the issue of calling a constitutional convention to the electorate. Several convention bills were introduced in 1968, but were not reported out of committee.

Wyoming

The 1969 Legislature created the Legislative-Executive Commission on Reorganization. For purposes of this study the Commission was not classified as a constitutional revision commission, since the scope of its assignment was not limited merely to constitutional revision. The Commission was empowered to study on a continuous basis all functions of the legislative and executive branches, determine needs, recommend changes for improved operations, including constitutional and statutory revision proposals.

APPENDIX F

STATE-BY-STATE SUMMARY

The following state summaries include information on overall constitutional revision activities during 1969-70. The summaries contain details on actions by constitutional revision commissions, constitutional conventions, Legislatures and other agencies. The summaries generally do not contain information on actions taken on amendments during the biennium, since most amendments were part of a piecemeal revision process.

Alabama

In 1969 the Constitutional Commission was created by the Legislature to consider amendments to, or revisions of, the 1901 constitution, and procedures for adoption of such measures. An appropriation of \$100,000 was made to the commission, composed of members of the House and Senate and members appointed by the Governor. The commission will report to the 1971 Legislature which convenes in May.

Alaska

As a result of a constitutional provision, the question of calling a convention appears on the ballot every ten years. At the November 1970 election the voters approved a convention call. The delegates to the convention will be chosen at the next regular statewide election, unless the Legislature provides for the election of delegates at a special election. Unless other provisions have been made by law, the call shall conform as nearly as possible to the act calling the Alaska Constitutional Convention of 1955, including but not limited to, number of delegates, districts, election and certification of delegates, and submission and ratification of revisions and ordinances. The appropriation provisions of the call are self-executing and constitute a first claim on the state treasury.

Arkansas

The 1968 Legislature placed the question of a constitutional convention call on the November 1968 ballot, and the voters approved. To prepare for the convention, the Legislature created the Constitutional Convention Advisory Commission. The convention convened in January 1969 for an organizational meeting. It recessed until May 27, and after three months of work recessed until January 12, 1970. By February 10, 1970 the convention had completed its work and adjourned. The constitution was placed on the November 1970 ballot, but the voters rejected the document. The defeated constitution would have permitted but not required annual sessions, allowed legislators to call a special session, required single-member legislative districts, permitted the legislators to set salaries of elective state executive and legislative officials, and made slight changes in the size of the House and Senate. The proposed constitution would have required the grouping of approximately 180 executive departments and agencies by the Legislature into not more than twenty principal departments. The number of state elected officials would have been reduced from

seven to four, and four year terms would have been established for elective state constitutional officers. In addition, the constitution would have provided more time for the Governor to consider a bill both before and after adjournment. The proposed constitution would have kept the voting age at twenty-one, but permitted the Legislature to lower the age to eighteen. Other provisions called for greater individual rights, a more unified court system and expanded self-determination for local government.

California

The Constitution Revision Commission was created by the Legislature in 1963 to submit recommendations to the Legislature on revising each article of the state constitution. The Legislature placed a proposition on the November 1966 ballot based on commission recommendations for six articles, concerning separation of powers, legislative, executive and judicial articles. This proposition was approved by the voters. A single proposition containing revision of five more articles was rejected in November 1968, but partially approved as four separate articles in June 1970. Approved in June 1970 was a revision of the local government article of the constitution, which authorized localities to set officials' salaries without legislative approval, local consolidations and strengthened home rule. At the November 1970 election, four more articles were approved. These propositions revised the article on civil service, the article on amending the constitution, a miscellaneous article, and the repeal of an obsolete article. Final recommendations on twelve separate articles will be presented to the Legislature early in 1971, and may appear on the ballot for voter approval in 1972.

Delaware

The 1967 Constitution Revision Commission, proposed a draft constitution in 1969. A joint legislative committee revised the document before it was submitted to the Legislature. The 1970 Legislature passed the constitution which was technically an amendment to the existing constitution. If the 1971 Legislature re-enacts the changes the constitution will become effective July 1, 1973. Included among the major changes would be joint election of the Governor and Lieutenant Governor, divesting the latter of all legislative duties. Senators would be elected for four years except that at the general election following each decennial census the even numbered senatorial districts would carry two year terms and at the general election eight years after the decennial census, the odd numbered senatorial districts would carry two year terms. Legislative compensation would be set by law, and a reapportionment commission would be created. The voting age would be reduced to nineteen and the residency requirement would be reduced.

Florida

The new constitution approved by the voters in 1968 did not contain a revised judicial article. The Legislature subsequently undertook a comprehensive review of the judicial article, and proposed an amendment which would have simplified the court structure, enlarged the powers of the judicial qualifications commission and provided for adoption of merit selection of judges by legislative action. The voters rejected the amendment at the November 1970 election.

Georgia

The 1969 Legislature created the Constitutional Revision Commission which in its November 1969 report recommended complete revision and submitted a proposed new constitution. In 1970 the House of Representatives approved the proposed new constitution, but it died in a Senate committee.

Guam

In 1968 a measure establishing a constitutional convention was adopted by the Legislature. Delegates to the convention were elected in April 1969, and the convention was authorized to meet from June 1, 1969 through July 1, 1970. The findings and recommendations of the constitutional convention were not submitted to a referendum, since the statute creating the convention specifically called for the publication and submission of a report to the Legislature, Congress and to the Governor of Guam. Two of the convention's major recommendations were: that a constitutional convention be called every ten years; and that its recommendations be submitted to or be presented by referendum to the people of Guam. Congress may adopt or reject any or all of the recommendations.

Idaho

Created in 1965, the Constitutional Revision Commission proposed a draft constitution in a November 1968 report. The 1970 Legislature revised the draft and placed it on the November 1970 ballot. It was defeated.

The defeated constitution would have provided for joint election of the Governor and Lieutenant Governor and granted gubernatorial reorganization powers, subject to legislative veto. In addition, the Governor would have been provided with more time to consider a bill both before and after adjournment. Other provisions would have expanded the terms of Senators from two to four years with half of the terms expiring every two years. It would have empowered the Legislature to petition the Governor to call a special session. Legislators would have determined their own salaries and allowances. Members of the Supreme Court would have been selected by a modified Missouri Plan, requiring appointed judges to stand for election two years following the initial appointment. The people would have been guaranteed the right of privacy and the preservation of the environment.

Illinois

Illinois voters approved a constitutional convention call in November 1968 by a margin of approximately 2.5 to 1. A Constitutional Revision Commission created in 1967 was both a study and a preparatory body. Another commission created in mid-1969 conducted an orientation conference for convention delegates and compiled resource materials. The convention, which convened in December 1969 and adjourned in September 1970, proposed a new constitution which the voters approved in December 1970.

The new constitution provides for joint election of the Governor and Lieutenant Governor and gives the Governor executive reorganization powers, subject to legislative veto. In addition, the new charter provides for an

elected State Board of Education to appoint the previously elected Superintendent of Public Instruction and an elected State Board of Elections. Also, there will be an elected Comptroller, who will perform the pre-audit function, to replace the Auditor of Public Accounts, and an Auditor General, who will perform the post-audit function, to be appointed by the Legislature. The document provides for annual legislative sessions and increases the size of the Senate by one to fifty-nine and retains the size of the House at 177. In the event the Legislature fails to reapportion a bipartisan commission may do so. It creates a Judicial Inquiry Board to investigate complaints about judges and to report to the existing Courts Commission. It reduces the voter residency requirement from one year to six months. The constitution declares it to be a state policy to maintain a healthful environment and permits individuals to sue polluters. The revenue article prohibits a graduated income tax, provides that a ratio of corporate to individual income taxes shall never exceed eight to five, and eliminates the state's \$250,000 debt limit. It grants home rule automatically to cities with populations over 25,000 and to certain counties, and to others by referendum. The voters rejected separate proposals to give the power of the ballot to eighteen year-olds, to eliminate the death penalty, to alter the plan for districting the House and make judgeship appointive instead of elective.

Indiana

The Constitutional Revision Commission, created in 1967, recommended in its 1969 report revision by the amendment process. The commission was continued in 1969 and in that year agreed to publicize three amendments which the Legislature had placed on the ballot for 1970. The voters subsequently approved the amendments; they provided for legislative determination of the length and frequency of sessions, four-year terms for Secretary of State, Auditor and Treasurer, and a Missouri-type plan for selection of judges. In its 1970 report the commission urged legislative reapproval in 1971 of the seven amendments approved for the first time in 1969. These amendments as passed at the 1969 session contained provisions which would: require single-member legislative districts; permit the Governor to serve two consecutive terms; clarify the veto power; permit the Legislature to provide by law a method for filling legislative vacancies; remove the limitation on the number of terms a county officer may serve, delete the coroner as a constitutional officer, require the election of all constitutional county officers in the off-year congressional election; permit the Legislature to prescribe by law the method of selection, tenure, duties and compensation of the Superintendent of Public Instruction; allow the Legislature to classify property for purposes of taxation or exemption from taxation. The commission also recommended adoption of seven other amendments. These amendments would provide for a revision of the suffrage and election article; require team election of Governor and Lieutenant Governor; permit the Legislature to deal with county officers by statute; move the terms of all elected state executive and administrative officials to the off-year congressional election; permit the Legislature to set different rates and to change the basis for calculation of maximum general obligation indebtedness of local governments; provide for alternate methods of proposing constitutional amendments; and revise the militia article.

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Iowa

The constitution provides for the submission of a convention call to the voters every ten years. A convention call at the November 1970 election was rejected.

Kansas

The 1968 Legislature created the Citizens Committee on Constitutional Revision, which reported in February 1969. The committee believed that best results would be obtained by amending the present constitution, and submitted a report containing recommendations for changes in each article except the article on finance and taxation. The Legislature examined the recommendations, but was limited to submitting up to three amendments to the voters at any one election. At the November 1970 election the voters approved two amendments originally drafted by the committee. One amendment permitted five rather than three amendments on the ballot, established new convention guidelines and permitted special elections on amendments. The other amendment permitted joint election of Governor and Lieutenant Governor, provided gubernatorial reorganization subject to legislative veto, increased terms of elected officers to four years, deleted reference to Treasurer and Auditor as constitutional officers and Lieutenant Governor as Senate President; the amendment also permitted the Legislature to petition the Governor for a special session.

Louisiana

The State Law Institute, authorized in 1964 to propose revisions to the constitution, continued its work during 1969-70. The Institute was not considered a constitutional revision commission for purposes of this report, since this was only one of its many projects. The Institute completed revision of local government and judicial articles.

The 1970 Legislature transferred constitutional revision to a newly created Constitutional Revision Commission. The commission was given the responsibility of submitting constitutional proposals to the Legislature at least thirty days prior to the convening of the 1971 session and every annual session thereafter, until completion of the total revision.

Maryland

In May 1968 Maryland voters rejected a proposed constitution prepared by a constitutional convention. After the defeat of the constitution both the Governor and legislative leaders proposed passage of certain amendments incorporating some of the proposals contained in the defeated constitution. The 1969 Legislature approved eight amendments for referenda in November 1969. However, early in the summer of 1969 the Court of Appeals declared the special election invalid. The 1970 Legislature reconsidered and revised several of the amendments for submission to the people at the November 1970 election.

Eight amendments were passed which: permitted prayer or religious readings, on a voluntary basis, in governmental or public schools; lowered voter residency requirements, may be less for presidential elections;

01-25830

created the Office of Lieutenant Governor and provided for team election of Governor and Lieutenant Governor; permitted Governor to reorganize executive branch, subject to legislative veto; increased the number of days the Legislature may meet annually and established a legislative compensation commission; retained membership of Legislature at present size; allowed Legislature to establish districts and required decennial reapportionment; created a uniform system of district courts, and revised method of removing judges; simplified method of adoption of home rule charters by counties.

The defeated amendment provided for gubernatorial appointment and Senate confirmation of judges, rather than election.

The constitution imposes upon the Legislature the duty of submitting a convention call question to the voter every twenty years. At the November 1970 election the voters rejected the convention call question.

Massachusetts

In November 1968 the electorate approved holding a referendum on calling a constitutional convention. However, the State Supreme Court ruled that only the Legislature can call a constitutional convention, and it ordered a referendum on the subject stricken from the November 1970 ballot.

The Legislative Research Bureau was given an assignment in 1970 to prepare by February 1971 a staff report on popular constitutional conventions. The Legislative Research Bureau was not classified as a constitutional revision commission, for purposes of this report, since the convention study was one of numerous assignments given to the Bureau by the 1970 Legislature.

Montana

The voters approved a convention call at the November 1970 election. The next Legislature is to fix the time and place for the convention and provide for its expenses and for the payment of its members and officers. The convention will prepare such revisions, alterations or amendments to the constitution as may be deemed necessary.

The 1969 Legislature created the Constitutional Revision Commission to conduct a detailed study of the constitution, compile factual data on whether the constitution impairs effective state government, compare the Montana constitution with those of other States and publish a written report to the 1971 Legislature. The report contained a general discussion on the need for constitutional revision, but contained no specific recommendations.

Nebraska

The Nebraska Legislative Council Committee on a Constitutional Convention, created in 1967 with the responsibility of studying the question of calling a constitutional convention, recommended in its November 1968 report that a study commission be created.

In 1969 the Legislature created the Constitutional Revision Commission to determine what, if any, changes were needed. In a September 1970 report the commission proposed changes for each constitutional article. Included among the recommendations were proposals to increase the maximum number of Senators to sixty, to reduce the number of elective officials and to eliminate the six month voter residency requirement. The commission also recommended that all cities and villages be permitted to adopt a home rule form of government, if they chose. It also proposed a convention call question at least once within a ten year period. The commission also made proposals in certain subject areas concerning which the Legislature placed proposed amendments on the November 1970 ballot. Included among such amendments which passed were proposals for annual legislative sessions, team election of Governor and Lieutenant Governor, revision of the court system, mandating reapportionment of judicial districts and legislative control over investment of education funds.

New Hampshire

As a result of a constitutional provision, a call for a convention must be presented to the voters ten years after the last convention call. The question will be on the ballot at the November 1972 election.

New Mexico

The Constitutional Revision Commission created in 1963, recommended in 1967 calling a constitutional convention and proposed a draft constitution. The life of the commission was extended until March 1969. Meanwhile, the electorate approved a convention call in November 1968.

The convention met from August 5 through October 20, 1969. On December 9, 1969 the voters rejected a new constitution proposed by the convention.

The defeated document would have lengthened the term of office for all state elected officers from two to four years, required the executive branch to be reorganized into twenty cabinet-level departments, with the exception of regulatory agencies, and removed the Secretary of State, the Attorney General and the State Treasurer as constitutional officers. Other provisions of the document would have permitted the legislators to set their own salaries within a limitation of fifteen percent of the average of the salaries of the Governor and the Chief Justice, removed the limitation on length of sessions, allowed the Legislature to formulate its own rules, required all legislative business to be conducted in public. The constitution would also have permitted limited home rule and lowering the voting age to twenty.

The elective franchise and taxation articles proposed by the constitutional convention, with some modifications, were placed on the ballot by the 1970 Legislature, and they were accepted by the voters at the November 1970 election.

New York

After the voters in 1967 defeated the constitution proposed by a convention, the Legislature proposed passage of certain amendments incorporating some of the proposals contained in the defeated constitution. For example, an environmental protection amendment similar to a clause in the defeated constitution was approved by the voters in November 1969. The 1970 Legislature approved an amendment repealing the Blaine amendment which prohibits direct or indirect aid to public schools and an amendment to permit lowering the voting age to eighteen. These amendments need to be re-approved by the Legislature before being submitted to the voters. Provisions similar to these were contained in the 1967 constitution.

North Carolina

The State Constitutional Study Commission, in its December 1968 report, recommended extensive revision including ten amendments. Members of the commission were appointed by the Joint Steering Committee of the North Carolina State Bar and the North Carolina Bar Association. The 1969 Legislature placed on the November 1970 ballot an amendment to revise editorially the text of the entire constitution, three amendments which originated with the commission and one endorsed by the commission. Two other amendments, initiated by individual legislators, were also placed on the ballot. The editorial revision plus the four amendments either proposed or endorsed by the commission were approved by the voters. These amendments would reduce to twenty-five the number of departments, permit gubernatorial reorganization subject to legislative veto, apply proceeds of escheats to aid students in all state institutions of higher learning and modify provisions relating to taxation.

North Dakota

The question of whether a convention should be called was submitted to the electorate in the form of a constitutional amendment at the September 1970 election. The voters approved and delegates were elected in November 1970. The convention will convene in April 1971 for an organizational meeting of no longer than three days, to elect permanent convention officers, adopt rules of procedure, and provide for such interim committees and staff members as may be necessary. The plenary meeting of the convention is to convene in January 1971. The convention may then remain in session for not longer than thirty consecutive days, excluding Sunday. The proposals of the convention are to be submitted at a special election not less than ninety nor more than 150 days after adjournment.

Ohio

The Constitutional Revision Commission was created in 1969 to study the constitution and to recommend amendments to the Legislature. The

commission is scheduled to report during the 1971 legislative session and every second year until its work is completed. The act creating the commission expires in 1979.

As a result of a constitutional provision the question of calling a constitutional convention appears on the ballot every twenty years. The electorate will vote on the question in 1972. If a convention is called, the commission is to make recommendations regarding the organization of the convention and report its proposals to the convention.

Oklahoma

The Special Committee on Constitutional Revision which was created by the 1968 Legislature recommended in its 1968 report revision of the executive, legislative and finance articles. In 1969 another constitutional revision commission was created, and in its 1969 report proposed a number of amendments. Only one of the recommendations proposed by the commissions was referred by the Legislature to the electorate. The recommendation to liberalize the amending process so as to permit the amending of several articles through the submission and adoption of one question was submitted to the electorate, and defeated at the March 1970 election. Subsequent to this action, a reinterpretation by the Attorney General of Section 1, Article XXIV, which was the provision of the amending article sought to be amended, resulted in the apparent achievement of the objective of the defeated question. The Attorney General ruled that the article "authorizes amendment of the constitution by amendment of an entire article or the addition of a new article as a single proposal or proposition, if said article embraces one general subject matter even though said article provides for the deletion, revision or transfer of provisions in other articles where germane to the proposed article submitted."

Also defeated at the March 1970 election was a convention call proposal. The constitution requires submission of a convention call question to the voters every twenty years.

The 1970 session of the Oklahoma Legislature provided for continuation of the constitutional revision studies through the adoption of a resolution requesting referral of the matter to the appropriate interim standing committee of the Legislative Council. The matter subsequently was referred to the Interim Committee on Constitutional Revisions and Regulatory Services. However, the interim committee took no action on constitutional revision.

Oregon

The 1969 Legislature drafted and placed on the May 1970 ballot a revised constitution which the voters rejected. The constitution contained a provision to increase the membership of each house by five and authorization for the Legislature to call itself into special session. It would have removed the two term limit for Governor, Secretary of State and Treasurer and expanded the right to counsel for indigents. The State would have been prohibited from selling or giving away ocean shore, and cities and counties would have been granted broad flexibility in adopting home rule charters.

Rhode Island

A constitutional convention which convened December 8, 1964 proposed a new constitution, and it was rejected by the voters by a four to one margin on April 16, 1968. The convention adjourned on February 17, 1969. Convention bills failed to receive legislative approval in 1969 and 1970.

South Carolina

The Committee to Make a Study of the South Carolina Constitution of 1895 in its June 1969 report recommended a revised constitution in the form of seventeen amendments to be substituted for the existing constitution by an article-by-article procedure. In 1968 the voters had approved an amendment providing that the constitution might be amended at the 1970 and 1972 general elections article-by-article. At the November 1970 election the voters approved five committee drafted amendments dealing with declaration of rights, elections, corporations, impeachment and functions of government. A legislative study committee will consider the additional articles proposed by the revision committee during 1971-72.

South Dakota

The 1969 Legislature created the Constitutional Revision Commission to make a comprehensive study of the constitution and to recommend changes. The commission was given the responsibility of reporting its recommendations in the form of proposed amendments to the Legislature at regular sessions until discharged. The commission in its 1969 report proposed that the constitution be amended so that one amendment could cover a certain subject regardless of whether it appeared in more than one article. The 1970 Legislature referred such a proposal to the voters who rejected the amendment at the November 1970 election. In its report to the 1971 Legislature, the commission made no recommendations. Rather the members believed it would be better to wait until the 1972 session to make any specific recommendations. Amendments may only be placed on the ballot at the next general election which would be 1972. It is expected that the commission will be examining the judicial, executive and revenue articles during 1971.

Tennessee

The 1968 Legislature placed on the November 1968 ballot a proposal for a limited constitutional convention and the convention call was approved. Five areas for a limited convention were suggested but the electorate approved only a proposal classifying property into three categories for tax purposes. Delegates were elected in August 1970 and the convention will convene in August 1971.

Texas

The Constitutional Revision Commission, created in 1967, recommended in a December 1968 report a revised constitution on which the 1969 Legislature took no action.

01-5535

Utah

The Constitutional Revision Commission was established in 1969 and may continue in existence until 1975. In its 1971 report the commission recommended four amendments dealing with the operations of the Legislature and its powers and restrictions. The major proposal covers thirty-two sections of the legislative article and would eliminate certain outdated sections or provisions. It does not touch on the basic organization of the Legislature nor its accountability to the electorate, but would make technical changes in areas such as eliminating the provision that the presiding officers of the respective houses sign passed bills in the presence of members during session and eliminating the provision requiring that bills cover but one subject. The commission recommended that the "gateway amendment" approach be used in submitting the major proposal to the voters. At the November 1970 election the voters approved a "gateway amendment" which provides for submission of an entire article of the constitution to the voters rather than requiring each section to be voted on separately. Three other amendments which it recommended to be voted on separately would empower the Legislature to create interim committees whose members would receive per diem pay, empower hiring of legal counsel by the Legislature or its committees independent of the Attorney General's office and allow the Legislature to hire a legislative auditor.

Vermont

A Constitutional Commission to Study the Vermont Constitution was created by the 1968 General Assembly and in February 1969 recommended a call for a limited constitutional convention. However, at a special referendum on June 3, 1969 the voters rejected the convention call by a vote of a 3 to 2 margin.

The commission in its January 1971 report recommended extensive revision of the constitution in the form of sixteen proposals. The Legislature will consider the proposals at the 1971 session. The commission proposed a shorter ballot and four year terms for Governor, Lieutenant Governor and Attorney General. The report also contained changes concerning legislative apportionment, making the Legislature a continuous body, providing for an organizational session and procedures for calling a special session. The commission also proposed allowing the Legislature to reorganize all subordinate courts and establishing mandatory retirement age of seventy. Judges would be appointed by the Governor from a slate developed by a Judicial Inquiry Board. The commission also proposed lowering the voting age and voter residing requirements. Others proposals were for an environmental protection article, liberalized amendment procedure and a constitutional convention provision.

Virginia

The 1968 Legislature created the Commission on Constitutional Revision which in its January 1969 report recommended a draft constitution. The constitution was revised by the Legislature at both the 1969 and 1970 sessions. The main body of the constitution, technically an amendment, along with three supplemental amendments were submitted to the voters at the 1970 election and approved.

Included among the major changes in the main body of the constitution were provisions for gubernatorial disability and increased time for the Governor to consider a bill both before and after adjournment. The document also provided for annual sessions and permitted two-thirds of the elected members to petition the Governor for a special session. It empowers the Legislature to create a judicial inquiry commission. The protection of the environment was made a state policy. The Legislature was also empowered to provide loans to students attending non-profit institutions of higher education in the State whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education. The Legislature was authorized to provide for a state agency or authority to assist in borrowing money for the construction of facilities at institutions of higher education except that the State should not be liable for any debt created by such borrowing. Counties were granted greater organizational flexibility, to bring them in line with the cities. The constitution also specifically provides for regional governments, dependent on a popular referendum in the affected areas. The document also requires that constitutional convention proposals be submitted for a referendum and lowered the voting residency requirement.

The voters also approved three separate amendments removing the constitutional restriction against lotteries, enlarging the state borrowing power for general obligation bonds if voters approve, and permitting the State to back revenue bonds which are approved by two-thirds of the House and Senate.

Washington

The Governor appointed the Constitutional Revision Commission in 1968, and in an interim report in November 1968 the commission recommended a phased process of reform and then submitted a draft "gateway amendment." The Governor in his message to the 1969 Legislature proposed adoption of a "gateway amendment" which would authorize constitutional amendment by broad subject matter instead of the existing requirement that amendments be made by single subject only. Although "gateway amendments" were submitted during the 1969 session, none was approved for submission to the electorate. The commission in its final June 1969 report proposed eight "model articles" which dealt with the Legislature, the executive, the judiciary, elections, the initiative, referendum and recall, education, local government and amendment and revisions. The 1970 session took no action on the eight "model articles" proposed by the commission.

Wyoming

The 1969 Legislature created the Legislative-Executive Commission on Reorganization of State Government. The commission was not classified as a constitutional revision commission for purposes of this report, since the scope of its assignment was not limited to constitutional revision. The commission was empowered to study on a continuous basis all functions of the legislative and executive branches, determine needs, recommend changes for improved operations including constitutional and statutory revision proposals. In its November 1970 report, the commission made one

constitutional and three statutory proposals. The constitutional proposal called for a legislative budget session during the second year of a biennium. They also called for creation of an administration and fiscal control department combining six existing agencies, establishing a three-member parole board and creating a legislative service agency.