

The 1970 Illinois Constitution: The First Two Decades*

A Selected Bibliography
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PREFATORY NOTE

The bibliography is divided into seventeen topics. They are, in order, the Sixth Illinois Constitutional Convention (which extends from the call in 1968 through the adoption in 1970); Preamble and Articles One through Fourteen of the constitution, *seriatim*; Miscellaneous (which lists commentaries on more than one article or all of the constitution); and the Transition Schedule. We have divided the commentaries on each topic into two parts. First come the articles and books, as well as a few selected reports, on each topic. Then we list the opinions issued by the Attorney General of Illinois advising officials about the topic. For analyses on the effect of these opinions, see "Effect of Attorney General's Opinions," Illinois Legislative Council File 8-252 (April 7, 1973), a memo written by Gerald L. Gherardini of the Illinois Legislative Council, and "The Role of Attorney General's Opinions in Illinois," by Attorney General William J. Scott, 67 Northwestern Law Review 643 (1972). For an analysis of the role of Attorney General's opinions on the 1970 Illinois Constitution, see "Attorney General's opinions: Take 'em or Leave 'em—at your peril," by Ann Lousin, 2 Illinois Issues 20 (No. 4 April, 1976).

We advise anyone using this bibliography to begin by searching for the topic being researched, using the section numbers in the left column as a guide to specific sections of an article, e.g., Article 4, Section 9. We advise reading books and articles first, then attorney general's opinions. If further research is necessary, please look at the list of commentaries on the 1969-1970 convention for useful histories of the sections or topics and at "miscellaneous" for more general commentaries on the constitution. Whenever an entry deals with more than one topic, the entry appears under each appropriate topic. We have terminated the list with entries available in the spring of 1988. Finally, we have endeavored to include every possible secondary source, even some not generally available, but we are aware that no bibliography can be anything but "selected" or incomplete. We are grateful to The John Marshall Law School Library for its permission to use those portions of this bibliography that appeared in their publication series in 1983 (The John Marshall Law School Publication Series Number 2.)

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S-52	8-6-69	Servicemen/Absentee Ballots for Con Con
S-61	9-5-69	County Board Member/Con Con Delegate
S-108	12-16-69	Election of Con Con Officers
S-153	4-13-70	Post-convention Payment of Con Con Officials
S-154	4-13-70	Dissemination of New Constitution and Explanation to Voters

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OPINIONS OF THE ATTORNEY GENERAL

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<i>Sec.</i>	<i>Number</i>	<i>Date</i>	<i>Topic</i>
19	S-435	3-24-72	Hiring handicapped over insurance carrier's objections
18	S-490	6-30-72	18 year old male marriages
18	S-491	7-17-72	16 year old male marriages

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| 16 | S-509 | 8-31-72 | State Employees Retirement System Eligibility for Increased Benefits |
| 6 | NP-595 | 5-30-73 | Motor Vehicles: Sale of Vehicle Registration Records (Right to Privacy) |
| 4 | -645 | 10-30-73 | Juvenile Proceedings and News Publications |
| 2 | S-671 | 2-13-73 | Age for Liquor Employment |
| 18 | S-695 | 2-13-74 | Voter Registration of Married Women |
| 18 | S-711 | 2-25-74 | Motor Vehicle Registration of Married Women |
| 18 | NP-749 | 4-19-74 | Women's right to work in mines |
| 19 | NP-755 | 5-9-74 | Handicapped Act |
| 17 | NP-790 | 7-18-74 | County Fair Housing Ordinance |
| 2 | NP-8481 | 2-18-74 | Classifying miners by minerals extracted |
| 18 | S-979 | 10-23-75 | Widower's right to accidental death benefits |
| 8 | 80-026 | 8-18-80 | Public Defender & Prisoners |
| 2 | 85-013 | 7-19-85 | Constitutionality of preferences to resident bidders. |

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NP-956	8-28-75	Alderman and Superintendent of Educational Service Region
S-1374	8-1-78	Legislative Commission's Control Over Funds Already Appropriated
82-022	7-20-82	Duty of the Auditor General to Audit the Attorney Registration and Disciplinary Commission of the Supreme Court

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1	S-335	9-29-71	Registration of 18 year olds
5	S-372	12-16-71	State Board of Elections
1	S-381	12-28-71	18 year olds as Jurors
1	S-410	3-8-72	School Director and Member of Board of Education - 18 year olds
1	S-451	4-24-72	Durational Residence Requirements

1	S-626	9-6-73	Registration and De-Registration of Students
1	S-695	2-25-74	Voter Registration of Married Women
1	S-822	10-31-74	Residency of Job Corps Trainees
2	S-1056	3-17-76	Convicts' Right to Vote
4	S-1078	4-23-76	Status of Precinct Registrars
5	S-1388	9-22-78	Members of Board and Party Delegates
5	S-1451	8-20-79	Chairman of State Board of Elections Holding Over in Office After Expiration of Term

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9	S-309	6-15-71	Veto Time Schedule
5	S-310	6-16-71	Continuous Session of 77th General Assembly
9	S-357	10-11-71	Amendatory Veto
10	S-553	3-23-72	Effective Date of Legislation
9	S-438	4-12-72	Amendatory Veto (Follow up S-357)
13	S-453	5-3-72	Special Legislation and Home Rule Amendment
7	S-458	5-30-72	Transcript of Legislative Debates
7	S-459	5-30-72	Shortening Legislative Journals
7	S-461	5-30-72	Electronic Recording of Legislative Debates
8	S-509	8-31-72	State Employees Retirement System Eligibility for Increased Benefits
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	HB 1954	9-6-72	Germaneness and Three Readings Rule
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10	S-540	1-13-72	Effective Date of Laws
5	S-548	12-27-72	Special Sessions
10	S-600	6-26-73	Effective date of Legislation: Appropriations
10	NP-629	9-14-73	Effective Date: SB 668
9	S-630	10-11-73	Altering Condition of Appropriation
9	S-631	10-16-73	Spending Unreduced Amount
13	S-633	10-16-73	Leaf Burning & Special Legislation

10	S-658	11-15-73	Fees and Salaries of County Officers
10	S-725	3-21-74	Effective Date: Death Penalty Bill
1	S-727	3-22-74	Parole & Pardon Board
9	S-783	7-18-74	Time Periods on Vetoes
6	S-791	7-18-74	Reconsideration of Confirmation
8	P-792	7-18-74	Appropriations and Transfers
13	NP-848	12-18-74	Classification of Mines by Minerals Ex- tracted
9 & 10	S-890	4-10-75	Effective Date and Veto Override
9	S-936	7-24-75	Item Veto Power and Striking Language
8	S-939	7-30-75	Illinois Purchasing Act & Germaneness
10	S-961	9-10-75	Effective Date
2	S-1027	1-5-76	Legislator as County Board Member
9	S-1097	5-27-76	Appropriations: Substantive Matter
9	S-1148	9-7-76	Vetoed Bills in Special Session
11	S-1223	4-7-77	Travel Expenses in One Week
7	NP-1325	12-28-77	Open Legislative Comm'n Meetings
8	S-1349	3-30-78	Appropriations: Substantive Matter
11	S-1365	6-29-78	Automatic Legislative Pay Raise
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2	80-027	9-4-80	Compatibility of State Representative and Township Supervisor

ARTICLE V - THE EXECUTIVE

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5	S-531	11-6-72	Declaration of Elected Executive Officers
9	S-550	2-28-73	Governor's Appointees & Ethics Statements

9	S-598	6-1-73	Governor's Power to Appoint Acting Director of Code Departments
17	NP-662	9-6-73	Cemeteries: Assets in Care Fund
17	S-628	9-10-73	State Employees Compensation: Withholding Warrant
12	S-727	3-22-74	Parole & Pardon Board
17 & 18	S-728	3-27-74	Comptroller-Treasurer: Imprest Funds
9	S-771	6-18-74	Appointing Before Effective Date
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15	S-840	11-27-74	Attorney General and "Ill. Soybean Board"
9	S-846	12-10-74	Vacancy in Superintendent of State Fair
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17 & 18	S-918	6-20-75	Ill. Building Authority Imprest Funds: Comptroller & Treasurer
21	S-1017	12-12-75	Increase in State Police Board Per Diem
18 & 20	S-1131	7-26-76	Bonding Requirement of State Treasurer
20	S-1194	1-7-77	State Officers: Blanket Bonds
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ARTICLE VI - THE JUDICIARY

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OPINIONS OF THE ATTORNEY GENERAL

<i>File</i>			
<i>Sec.</i>	<i>Number</i>	<i>Date</i>	<i>Topic</i>
15	S-392	1-7-72	Appropriation for Judicial Inquiry Board
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12	S-454	5-11-72	Judicial Nominations
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	HB 4302	8-1-72	Judicial Nominations
14	NP-507	8-7-72	Salaries of Court of Claims Judges
12	S-526	11-1-72	Retention of Judges
15	S-587	5-22-73	Judicial Inquiry Board: Authority to De-vise Travel Regulations
18	S-639	10-26-73	State Officers: Circuit Clerk
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18	S-730	4-2-74	Secretaries of Circuit Court

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| 19 | S-814 | 10-15-74 | State's Attorneys and County Officers |
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| 19 | S-881 | 4-9-75 | State's Attorney's Fees |
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| 19 | S-995 | 11-5-75 | State's Attorney - Lease of County Property for Private Purpose |
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| 19 | S-1217 | 3-24-77 | State's Attorney & Municipal Prosecutions |
| 19 | S-1237 | 5-25-77 | State's Attorney & County Merit Commission |
| 19 | S-1246 | 5-26-77 | State's Attorney & Road District |
| 19 | S-1254 | 6-10-77 | State's Attorney & Village |
| 14,18 | S-1269 | 7-25-77 | Circuit Court Clerk's Fees from Municipality |
| 14,18 | S-1292 | 8-18-77 | Circuit Court Clerk's Fees & Deposits |
| 19 | S-1411 | 3-9-79 | Compatibility of Assistant State's Attorney & City Commissioner |
| 7 | S-1426 | 4-30-79 | Holidays for County Officers |
| 19 | S-1429 | 4-30-79 | School Boards & State's Attorneys |
| 18 | S-1499 | 7-9-80 | Employment of Deputies in Office of Circuit Clerk |
| 19 | 83-001 | 2-17-83 | State's Attorney's Duties and Fees of Attorneys Privately Retained by County Officers |
| 11,12 | 85-025 | 12-9-85 | Impact of Dividing a Judicial Circuit |
| 19 | 86-006 | 9-18-86 | Conflict Between Representing County Clerk and the People |

ARTICLE VII - LOCAL GOVERNMENT

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9	S-367	9-24-71	Extension Fee
4	NP-354	10-7-71	Coroner's Salaries
9	NP-355	10-7-71	Coroner's Fees
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| 5 | S-1122 | 7-9-76 | Increase in Township Supervisor Salary |
| 4 | S-1126 | 7-16-76 | Creation of County Offices - Transfer of
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| 6,7 | S-1144 | 8-19-76 | Special Service Area: Public Hearings |
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| 7 | S-1183 | 11-22-76 | Funds/Service to Senior Citizens' Organi-
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4	S-1186	11-22-76	Savings & Loan Associations and County Deposits
9	S-1196	1-13-77	Fees Collected by Municipal Clerks
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9	NP-1208	1-26-77	Fees of Circuit Court Clerk
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| 10 | S-1411 | 3-9-79 | Compatibility of Assistant State's Attorney and City Commissioner |
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| 9 | S-1441 | 6-7-79 | Compensation of County Board Members Filling Unexpired Terms |
| 10 | S-1485 | 4-14-80 | Power of County to Provide Contractual Police Services to a City or Village |
| 6 | S-1491 | 5-12-80 | Exercise of Exclusive State Power by General Assembly |
| 10 | S-1494 | 6-30-80 | Compatibility of Village Mayor and School Board Member |
| 6 | S-1498 | 7-7-80 | Home Rule and Escheat of Property |
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| 1 | 81-012 | 5-8-81 | Local Library as a Unit of Local Government |
| 11,12 | 81-035 | 12-3-81 | Dissolution of Fire Protection Districts |
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| 7 | 82-007 | 4-20-82 | Power of a County Board to Indemnify a Regional Board of School Trustees |
| 4,7 | 82-012 | 5-14-82 | Sheriffs in Non-Home Rule Counties & Police Protection |
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| 1 | 82-018 | 6-28-82 | Counties Are Units of Local Government |
| 6 | 82-027 | 8-20-82 | Validity of Municipal Ordinances Imposing Automobile Renting, Occupation and Use Taxes Prior to Effective Date of Enabling Statute |
| | 82-028 | 9-7-82 | Meaning of "Qualified Electors", etc., in Referenda |
| 7 | 82-031 | 9-13-82 | Non-home Rule County Board's Power to Abolish T.B. Sanitarium and Board |

10	82-032	9-15-82	Municipal Police Services and Private Security Firm
7	82-037	11-09-82	Amenability of Drainage District to Non-Home Rule County Flood Plain Ordinance
4	82-039 (NP)	11-10-82	Compatibility of Offices of County Treasurer and Park District Commissioner
6	82-054	12-14-82	Application of Local Records Act to Home Rule Units
4	82-060	12-30-82	Conflict of Interest: County Board Member or Partner as Defense Counsel
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4	84-017	9-13-84	Manner of Selecting County Superintendent of Highways
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10	85-010	7-18-85	Intergovernmental Cooperation Agreements: No New Power
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10	85-019	11-19-85	Compatibility of Offices of City Council & School Board Member
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ARTICLE VIII - FINANCE

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1	NP-460	5-30-72	School Building and Public Purpose
1	S-589	5-22-73	Racing Board Indemnification - Public Purpose
2	S-605	8-10-73	Appropriations: Fiscal Year Expended
1	NP-692	1-31-74	County Grants to Private Organizations
2	S-719	3-20-74	Double Appropriations
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2	S-977	10-16-75	Appropriations: State Fair Agency
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1	NP-1001	11-26-75	Schools: Accumulated Sick Leave
1	S-1046	2-5-76	Leasing Public Space
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| 1 | S-1364 | 6-29-78 | Public Records & Medicare |
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| 1 | S-1383 | 9-1-78 | Disposal of State's Attorney Records |
| 2 | S-1391 | 9-22-78 | Amendments to FY78 Appropriation Acts |
| 1 | S-1412 | 3-9-79 | Leases as State Debt |
| 1 | S-1484 | 4-14-80 | Confidentiality of Personnel Records of Public Officers & Employees |
| 1 | 80-0431 | 2-12-80 | Disclosure of Compensation Paid to County-Contracted Medical Specialists |
| 1 | 80-020 | 6-24-81 | Expenditures During Lapse Periods |
| 2 | 82-001 | 1-26-82 | Payment for Legal Services by Speaker of House in Reapportionment Appeal |
| 3 | 82-022 | 7-20-82 | Duty of Auditor General to Audit the Attorney Registration and Disciplinary Commission of the Supreme Court |
| 1 | 82-029 | 9-9-82 | Confidentiality of Petitions for Regional Superintendents of Schools |
| 1 | 82-054 | 12-14-82 | Application of Local Records Act to Home Rule Units |
| 3 | 83-011 | 8-19-83 | Disclosures of Confidential Information to Auditor General |
| 2 | 85-008 | 7-18-85 | Land Acquisition by Contract-Debt, Appropriation |
| 1 | 85-009 | 7-18-85 | Land Public Records Act: Chicago World's Fair -1992 Authority |

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6	NP-365	11-18-71	School Exemption

4,5	S-453	5-3-77	Mobile Home Tax
6	S-366	11-18-71	Church Exemption
5	S-610	8-27-73	Banks: Personal Property Taxation
5	S-649	10-31-73	Uniform Gifts to Minors: Personal Property Taxation
6	S-672	12-17-73	Taxation Exemption: Cemetery Property
5	NP-900	5-5-75	Taxation of Mobile Homes
4,6	S-971	9-24-75	Exemption for Nursing Home
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2	S-1110	6-15-76	State Employees & State/Local Taxes
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1,4,6	S-1242	5-26-77	Taxation of Leasehold in State-owned Land
9	S-1265	7-15-77	Deferred Compensation & State Debt
4	S-1274	7-25-77	Equalized Assessments
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5	S-1493	6-30-80	Review of Capital Stock Assessments
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5	84-008	4-9-84	Entitlement of County Health Department to an Allocation of Personal Property Replacement funds

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1	S-661	12-28-73	Teachers' Loyalty Oaths
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2	S-913	6-17-75	Board of Education Terms
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2	S-916	6-20-75	Board of Education and Superintendent of Public Instruction

ARTICLE XI - ENVIRONMENT

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ARTICLE XII - THE MILITIA

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OPINIONS OF THE ATTORNEY GENERAL

	<i>File</i>		
<i>Sec.</i>	<i>Number</i>	<i>Date</i>	<i>Topic</i>
5	S-509	8-31-72	State Employee's Retirement System Eligibility for Increased Benefits
2	S-514	10-17-72	Statement of Economic Interests Illinois Gov'tl Ethics Act & Local Officials

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| 2 | S-515 | 10-17-72 | Statement of Economic Interests Applicability to Employees |
| 2 | S-550 | 2-28-73 | Governor's Appointees & Ethics Statements |
| 2 | S-615 | 9-6-73 | Governor's Appointees & Ethics Statements |
| 2 | NP-648 | 10-31-73 | Statement of Economic Interest Applicable to Public Members of Commission |
| 8 | S-734 | 4-17-74 | Branch Banking: Currency Dispensing Equipment |
| 5 | NP-906 | 5-5-75 | General Assembly Retroactive Pension Benefits |
| 8 | S-986 | 10-24-75 | Foreign Banking Office Act |
| 1 | Letter | 11-17-75 | Webber Borchers' Conviction |
| | Speaker | | |
| | Redmond | | |
| 3 | S-1063 | 3-17-76 | Oath for Member of Non-Constitutional Boards |
| 2 | S-1077 | 4-21-76 | Illinois Arts Council & Economic Interest Statements |
| 5 | S-1153 | 9-27-76 | Universities' Retirement Credit |
| 5 | S-1330 | 1-19-78 | Convicted Legislator's Pension |
| 5 | S-1407 | 1-10-79 | Effect of Pension Code Revision on Vested Rights |
| 8 | S-1488 | 4-15-80 | Trust Department May Not Establish Branch Office |
| 7 | 85-011 | 7-18-85 | Trust Companies May "Branch" |
| 5 | 85-016 | 7-22-85 | Pensions: Transfer of Creditable Service |

ARTICLE XIV - CONSTITUTIONAL REVISION

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Section

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OPINIONS OF THE ATTORNEY GENERAL

	<i>File</i>		
<i>Sec.</i>	<i>Number</i>	<i>Date</i>	<i>Topic</i>
4	S-455	5-11-72	Ratification of Federal Amendments (Saperstein)
4	S-456	5-11-72	Ratification of Federal Amendments (Blair)
4	S-571	4-2-73	Ratification of Federal Amendments
2	S-1486	4-14-80	Requirement of Readings

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Question of Call for a Convention

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ATTORNEY GENERAL'S OPINIONS REGARDING MISCELLANEOUS

<i>File Number</i>	<i>Date</i>	<i>Topic</i>
82-027	8-20-82	Anticipatory Legislation - Home Rule Renting, Occupation and Use Taxes Ordinances

TRANSITION SCHEDULE

BOOKS AND ARTICLES:

8 "Cumulative voting rights for shareholders", (analysis of *Roanoke Agency v. Edgar*) 10 Ill. Issues 40 (June 1984).

ATTORNEY GENERAL'S OPINIONS REGARDING TRANSITION SCHEDULE

<i>File Number</i>	<i>Date</i>	<i>Topic</i>
S-309	6-15-71	Veto Time Schedule
S-310	6-6-71	Continuous Session of the 77th General Assembly
Letter to Sec. of State	2-2-72	Removing Transition Scheduling from Copies of Constitution
S-468	6-23-72	Transition & County Officers' Salaries
S-557	3-23-72	Transition Schedule - Sheriff
S-599	1-29-73	Reprinting Schedule Schedule
S-624	9-6-73	County Treasurer - Successive Terms