
**The Local Government Article of
the 1970 Illinois Constitution**

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**A Background Paper for the
Committee of 50 to Re-examine the Illinois Constitution**

Illinois Commission on Intergovernmental Cooperation
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THE LOCAL GOVERNMENT ARTICLE OF THE 1970 ILLINOIS CONSTITUTION

Staff Introduction

This background paper on the local government article of the 1970 Illinois Constitution was prepared for the Committee of 50 by James M. Banovetz of Northern Illinois University and Ann Elder of Illinois State University.

Illinois has more units of local government than any other state -- approximately 6,500. In order to restrain unnecessary growth in the number of units of local government and to provide municipalities and counties with a flexible and efficient approach to local problems, the 1970 Constitution authorized a system of home rule. This power -- granted automatically to cities and villages with more than 25,000 residents, all counties with a chief executive officer elected at large, and any municipality whose voters choose home rule in a local referendum -- gives local governments the authority to exercise any local government power not specifically denied them by law and allows voters to make changes in their form of local government by referendum.

Municipalities have strongly supported home rule, but only Cook County (which acquired home rule automatically) has exercised home rule powers; this is because home rule in the 1970 Constitution was linked with the election at large of a county chief executive officer. This was an attempt to streamline county government, but has not met with much success. Only DuPage and St. Clair counties have changed to the at-large election system of selecting county board chairs.

Illinois' large number of taxing bodies and consequent overlapping tax districts led convention delegates to institute a change allowing special taxing districts to allow units of local governments to tax a subset of residents for special services, without taxing all residents of the district.

It was believed that this would stem the growth of overlapping tax districts. Local governments were also given the power to engage in cooperative activities, which strengthens local government and offers an alternative to the formation of new taxing districts. Limits were imposed on other local governments, such as townships and special districts; for example, special assessments and special taxing districts were denied to limited purpose governments which did not have those powers at the time the 1970 Constitution was adopted.

There are few local government issues which are likely to become controversial in the event of another constitutional convention. Some observers advocate the abolition of townships on the grounds that they are irrelevant in an age when the services they provide could be provided equally well by counties and municipalities. Others would like to see home rule strengthened, and there are those who would like home rule limited or abolished on the grounds that it can lead to higher taxes.

One issue which is almost certain to come before a convention, however, is the State Mandates Act. This requires the state to reimburse local governments at levels from 50 to 100 percent for state mandates that are not requested by a unit of local government, but which impose financial burdens on local governments. This has been virtually ignored, and no money has been appropriated to reimburse local governments since the act became effective in 1981. This is a potentially volatile issue, and would certainly be a part of any debate leading to a constitutional convention.

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the 1970 Illinois Constitution

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To the casual observer, Illinois residents would appear to love local government - they have so much of it! The state's approximately 6,500 local units surpass by nearly a third the number of such governments found in any other state.¹ Illinois is also a state with a local home rule system which has been labeled "the most...flexible power system" used in American local government today.²

Quite clearly, local government is a critical component of Illinois' governing system, and the state's constitutional provisions establishing that system are intrinsically important. Since the 1970 Constitution made major changes in those provisions, authorizing county and municipal home rule for the first time, its local government article has been among its most scrutinized and controversial features.

Perhaps the best summary of local government constitutional issues was set forth by the Committee on Local Government of the 1970 Constitutional Convention which asserted, in its first proposed draft of the local government article, that:

The purpose of this Article is to confirm the rights of the people to local self-government while preserving the sovereignty of the State; to provide for a system of local government in the state of Illinois which is independent, efficient, effective, and economical; to deter proliferation of units of local government; to allow reduction of the present number of units; to minimize duplication and overlapping of taxing jurisdictions; to promote intergovernmental cooperation, and to provide a flexible system for the exercise of government powers and the performance of governmental functions at the local level which does not require prior recourse to the state. Powers granted to units of local government shall be construed liberally to achieve the foregoing purpose.³

This section was ultimately eliminated by the convention, but its identification of the systemic issues confronting Illinois' local governmental system remains valid today, nearly twenty years and a new constitution later. The continuing presence of so many local governments makes the elimination of overlapping taxing jurisdictions and the reduction in the number of units of local government of continuing importance. Issues of local government autonomy and flexibility continue to be equally important. Indeed, Illinois' system of home rule, that "most flexible power system," continues to be one of the 1970 document's most controversial features, and the desirability of home rule is still hotly contested in local referenda throughout the state.

The goals which the local government committee set forth in the previously quoted draft have not been fully achieved. That the goals have remained the same over the last twenty years does not mean, however, that a new constitution is necessarily needed to achieve them. Some goal-related issues may not be soluble by constitutional prescription; solutions to others may be impeded by controversies regarding their implementation. Many of the problems are products of statutory rather than constitutional provisions; these problems might not always be affected by constitutional change.

This paper will comment upon these goals within the context of its discussion of the major local government questions which would face a new constitutional convention, analyze the impact of the 1970 document on such questions, and comment more fully upon the probability that further constitutional change will produce needed solutions.

Home Rule

Few constitutional questions have been more significant, or more disputed, than the system of home rule instituted by the 1970 Constitution. That system was intended by the framers to "confirm the rights to local self-government" (goal #1); "provide independent, efficient, effective, economical local government" (goal #2); and "provide a flexible system for the exercise of governmental powers at the local level" (goal #7). The home rule system built into the new constitution was based upon the model local government enabling acts developed by the U.S. Advisory Commission on Intergovernmental Relations (ACIR), the National League of Cities, and the National Municipal League.⁴

The 1970 Constitution bestowed home rule automatically upon all cities and villages over 25,000 in population and upon all counties with a chief executive officer elected at large by county voters. Other municipalities can become home rule units if home rule is adopted by voters in a local referendum. Sixty-seven municipalities acquired home rule automatically; 39 others have subsequently adopted home rule by referendum. Voters in four home rule communities have opted to abandon home rule, leaving 102 communities currently governed with home rule authority. Only Cook County is acknowledged to have home rule power, but both DuPage and St. Clair counties now elect their county board presidents at large and they may have acquired home rule powers by doing so.

Home Rule Powers

Essentially, home rule gives eligible municipalities or counties the authority to exercise any local government power not specifically denied to them by law, and gives voters the authority to make any changes in their form of municipal or county government by referendum. Local governments thus gain a broad measure of local flexibility and control through home rule.

Home rule units of government have used their home rule powers to solve a wide range of local problems.⁵ Such uses of power have not been controversial as long as they do not involve the use of taxing powers, but the increased scope of local taxing powers has made home rule a highly controversial subject. Under home rule, local governments may not tax income, earnings, or occupations, but they are freed from other statutory restraints on their authority to levy taxes.⁶

Because of these limitations and the unpopularity of property tax increases, home rule has not led to unpopular new taxation, nor has it produced a solution to local government fiscal problems. Available evidence suggests that home rule has not had any measurable state-wide effect on property tax levies.⁷ Still, the absence of such evidence has neither blunted the criticisms of home rule, nor had any measurable effect on voter concerns regarding possible abuse of home rule powers.

There are three systemic checks on local abuse of home rule power. One is judicial review; two others were set forth in the 1970 Constitution: local voters can abandon home rule through referendum, and the General Assembly can provide by majority vote for the exclusive exercise of a power by the state or it can, by a two-thirds vote, limit or deny the use of a power by home rule units. All three checks have been used frequently enough to demonstrate their effectiveness; and they have been invoked infrequently enough to suggest "general acceptance of the uses that are being made of home rule powers."⁸

Support and Opposition

Predictably, Illinois municipal officials are strong supporters of the home rule concept. Opposition in the General Assembly has come, not to the concept, but to specific uses or potential uses of home rule powers. Community support for home rule comes from traditional "good government" groups such as the League of Women Voters, chambers of commerce, civic organizations, and local news media. Opposition comes from local taxpayers organizations and sometimes from local business groups opposed to particular tax policies. Overall, in what may be the best local test of home rule, voters in communities with home rule powers have elected to retain those powers in 21 of the 25 referenda which have been held seeking home rule abandonment. The aggregate local vote in such elections has upheld home rule by a 3-2 margin.

County Home Rule

In counties, however, the reception to home rule has been entirely different. Nine counties have voted in eleven referenda to adopt home rule by adopting an elected executive form of government. All of the county referenda have failed by substantial and increasing margins.⁹ Thus only Cook County, which acquired home rule automatically when the 1970 Constitution went into effect, has had and exercised county home rule powers.

The 1970 constitutional convention linked county home rule to the adoption of a county executive form of government in an effort to encourage the modernization of county government. Instead, by linking government reorganization and reform, the 1970 Constitution increased the opposition to both, effectively preventing the accomplishment of either.¹⁰ The 1970 Constitution's provisions regarding county home rule, in short, have proven to be a major failure.

County Government

Home rule was not the only innovation proposed for county governments by the 1970 Constitution. Convention delegates were aware of the conclusions of the state's Commission on Urban Area Government which noted that county governments were not "...a unified or integrative system for the management of

county affairs, but a coalition of separate interests and ambitions, usually not coordinated, and vulnerable to the least personal enmity and political difference."¹¹ The local government committee of the convention itself acknowledged the weakness of county government when it reported, "Although counties are the natural unit of government to supply basic services in unincorporated suburban areas they lack the power to do so...county government is so hobbled that for all practical purposes any unincorporated community of people wishing urban services must form a new municipality or create a special district for specific services."¹²

To strengthen county government, the 1970 constitutional convention sought to induce county reorganization through the promise of home rule. It also sought to facilitate other changes in the executive branch of county government which it believed would make counties more effective local governing units.

The 1870 Constitution had provided for the election of a large number of county government officers: state's attorney, clerk, circuit clerk, treasurer, sheriff, coroner, and recorder of deeds. (The last was mandated only in counties with 60,000 in population or greater.) The problems posed by so many elected executive officials have surfaced in conflicts between the county board and these executive officers over issues such as budget and personnel policies. State courts have ruled that personnel policies adopted by constitutional officers may supersede those adopted by the county board.¹³ Constitutional officers have also been known to argue that their legal authority extends to authorizing expenditures opposed by the county board but necessary to the operations of their office. Certainly, the debates in the local government committee hearings indicated a concern among a majority of the members that the multiple elected executives in counties made efficient organization, planning, and program implementation difficult. To remedy this problem, the 1970 Constitution reduced the list of required elective county executive officers to three: sheriff, county clerk, and county treasurer. It stipulated that the election of the circuit clerk and the state's attorney could be abolished by referendum; it authorized the alteration or elimination of all other county offices by law; and it authorized the alteration of the method of selection and terms of office for officers other than sheriff, county clerk, treasurer, coroner, recorder, assessor, and auditor by county ordinance. The way was thus paved for substantial county government reform to achieve greater efficiency, effectiveness and economical administration.

Regardless of how essential such changes are deemed to be by students of government, they have not found public support and they have not been enacted. Only two counties - DuPage and St. Clair - have changed the manner of selecting their county board chair to an at-large election. Changes in other elective county offices have been negligible. Organizations of county officials have been vigorous in their opposition to the elimination of election of any officers; county voters have generally been apathetic in their reaction to reform.

As long as these conditions persist, constitutional action, short of mandating change, is not likely to have much effect. Thus, the larger question is whether the elimination of barriers to reform is sufficient to address the problems and whether the constitution is the appropriate place to take more stringent action.

Local Government Proliferation

The number of local governments has been the most obvious and one of the most controversial aspects of Illinois government. When the constitutional convention met in 1970, the number of local governments was 6,454.¹⁴ The convention's committee on local government believed the large number of taxing bodies indicated that Illinois citizens were being subjected to overlapping taxing districts and a duplication of administrative overhead, if not actual service delivery. Certainly there was concern that the accountability of public officials would be diminished in a system in which voters have to evaluate over 38,000 elected local government officials.

Strategies for Reform

In order to address local government proliferation, the committee made several proposals to the constitutional convention, all but the most controversial of which were adopted. As indicated in the proceedings of the committee on local government, the greatest emphasis in stopping proliferation was given to strengthening general purpose governments - counties and municipalities. Home rule and county reform, already discussed, were important elements in this strategy.

Another change proposed by the committee allowed general purpose governments to establish special taxing districts and to use special assessments to finance services. This provision, not contained in the 1879 Constitution, was designed to allow governments, such as counties, to provide special services to a subset of constituents without taxing all county residents. For example, street lighting and garbage collections could be provided for residents of unincorporated subdivisions within a county without forcing residents living in municipalities or rural areas to pay for such services. Since special districts have great appeal to residents seeking such specialized services, the committee felt that such special service districts would remove some of the impetus for special district formation.

The provision for special taxing districts has in fact been one of the most positive and generally supported local government provisions of the 1970 Constitution. Special taxing districts have been used by both counties and municipalities to meet citizen demands for special neighborhood services. They have been particularly useful to economic development programs: they have frequently been employed to help finance redevelopment of commercial areas or the development of industrial parks facilities. Such districts might also deserve some measure of credit for the fact that since 1970, there has been a slower rate of increase in special districts with separate taxing power in Illinois.

Local governments were given very broad power by the 1970 Constitution to engage in cooperative activities with each other. Such cooperation was viewed as a means of strengthening existing governments and offering an alternative to the formation of new special districts. This power has been frequently employed by local governments. For instance, the municipalities of Glenview, Northfield, and Northbrook used it to develop agreements to coordinate their efforts to manage the urbanization of a large tract of land in northern Cook County. Normal, Bloomington, and McLean County used it to fashion agreements to provide services to the new Diamond Star automotive assembly plant being attracted to the area.

At the same time that the local government committee was strengthening general purpose governments, it was proposing limits on other local governments such as special districts and townships. For example, special assessments and special taxing districts were denied to all limited purpose governments that did not have these powers at the time the 1970 Constitution was adopted.

The final thrust of the committee on local government's effort to shore up the structure of local government in Illinois was also its most controversial. The committee proposed the creation of a general structures commission to oversee local government. The commission would review existing governments, bringing proposals for reform and reorganization to their attention.

Not surprisingly, organizations of local government autonomy were a threat to the existence of a system of local government to which they were committed. In the face of such opposition, the convention eliminated the general structures commission from the proposed constitution. In addition, the committee on local government left the organization and power of townships virtually untouched in the new constitution.

Local Government Today

While the concept of the general structures committee was defeated, this does not mean that the issue of local government proliferation has died or that the basic situation has changed. Since the adoption of the 1970 Constitution, the number of local governments in Illinois has not changed significantly: 6,454 in 1967 to 6,468 in 1982. What has changed, however, is the composition of these units. Legislative action to provide incentives for school districts to consolidate has borne fruit, reducing the number of public school districts from 1350 to 1049. Special districts, however, have continued to proliferate, increasing from 2,313 to 2,602 in this same time period. Table 1 shows the change in local government composition from 1967 to 1982.

Table 1
Local Governments in Illinois, 1967 to 1982

<u>Local Governments</u>	<u>1967</u>	<u>1982</u>	<u>% Change</u>
Municipalities	1,256	1,280	1.9 %
Counties	102	102	0.0
Townships	1,432	1,434	0.1
School Districts	1,350	1,049	-22.3
Special Districts (not including school districts)	2,313	2,602	12.5
With taxing powers	(1,367)	(1,429)	4.5
Without taxing powers	(946)	(1,173)	24.0
Total Local Governments	6,453	6,467	0.2

Source: Bureau of the Census. Census of Government, National Summary, Vol. 1,
p. 405.

This continued proliferation of special districts suggests that the provisions for stronger general purpose governments, special taxing districts, and more extensive intergovernmental cooperation have not addressed the basic political and economic reasons for proliferation. This is only partially true. The data in Table 1 suggest that there has been some success in slowing the rate of incorporation of new cities and villages and the rate of increase of special districts with taxing powers.

There is also evidence which suggests that home rule may have slowed the rate of proliferation of local government units. Data show that "counties with a larger proportion of the population residing in home rule units have fewer governments per 10,000 residents."¹⁵

On the other hand, the increase in special districts without taxing powers shows that the problem of local government proliferation has not been wholly solved. Even if it were, Illinois would still have far more units of local government than any other state. Policies to arrive at a more manageable number of local governments still need to be sought and considered. Whether this should be done within the context of constitutional change is not clear; whether such policies could be adopted or implemented is even less clear.

Township Government

One of the most politically sensitive areas at the 1970 constitutional convention was the question of townships. As Professor Thomas D. Wilson pointed out in his evaluation of the 1970 convention, the most vigorous lobbying in the convention was done by Troy Kost in the cause of keeping townships untouched by the constitution.¹⁶ He was almost entirely successful in this effort, despite the fact that townships exhibit many of the issues involved in questions of government reform. In those parts of the states in which there are townships, they are almost entirely duplicative of services provided by counties or municipalities. Their primary responsibilities today are to provide rural roads and to maintain them and to administer a system of general assistance.

Certainly, counties could offer these services, as evidenced by the counties in the state that do not have townships at all. Those who support townships usually rely on either philosophical arguments stressing the essentially democratic nature of township government or the political desirability of having local government that is responsive to a smaller and often more rural segment of the county's population. However valid such arguments may have once been, they are losing credibility in the latter half of the 20th century. Rural townships, like the small rural cities and villages, are the victims of both the road improvements that have transferred rural shopping from small townships to regional shopping centers, and of the social and economic forces that have produced school consolidation and the demise of the neighborhood schools in rural areas. The simple truth is that the sense of neighborhood in rural areas has changed, and it can be argued that townships no longer reflect a meaningful sense of community.¹⁷

Townships in urban areas are even harder to justify. There, in particular, they do not provide any functions that are not now being provided by municipalities or counties, or that could not be provided by such governments. Township government is all but invisible to urban residents. With the advent of federal revenue sharing, townships in the Chicago area

started to provide a considerable range of human service programs. With the demise of revenue sharing, however, these functions are likely to be assumed by county governments.

Townships, in short, are no longer needed in most areas, yet it is unlikely that any action can be taken to eliminate them. Although one proposal was offered to the local government committee to eliminate townships in the 1970 Constitution, there was no significant support for such a proposal. Despite the fact that townships had been made more politically vulnerable by state legislation in 1969 by removing township supervisors from membership on the county board, there has been almost no reduction in the number of townships since 1967. (See Table 1) The absence of grassroots support for the elimination of townships, together with the resistance of township officials to the elimination of their positions, appears to assure the continued existence of this level of government for the foreseeable future, regardless of whether a new constitutional convention is held or not.

Action Needed

There are constitutional changes which have been, or might be, advocated for Illinois local governments. These involve the 1970 goal of confirming the rights to local self-government and the 1990 goals of providing a liberal construction for local government powers, promoting economic development, and improving local government fiscal health.

The right to local self-government was achieved through the adoption of the home rule system, but those rights were only partially realized since home rule was not extended to all general purpose (municipality and county) local governments. About 40 percent of Illinois residents still do not live in a home rule local government; however, local self-government is available to them if they desire it and further action to secure the right through constitutional change is probably not needed.

Two other suggestions have been advanced which would strengthen local self-government. One would be the revocation of the use of the common law principle called "Dillon's Rule" in the interpretation of the powers of municipalities and counties. The other would be constitutional action to limit the imposition of state-imposed mandates on local governments.

Dillon's Rule is a judicial principle dating from the 19th century which calls for a strict or narrow interpretation of statutory language when interpreting grants of power to units of local government. By restricting such grants of power, the principle effectively reduces the ability of local governments to adapt to changing conditions or design local solutions to local problems. Illinois municipal law has lagged behind other states that have been moving toward liberalization in the interpretation of statutory language.¹⁸ The 1970 convention recognized this Illinois weakness and, fearing that the courts would use Dillon's Rule to weaken the home rule system, added to the document the admonition that the "powers and functions of home rule units shall be construed liberally."¹⁹

This language, however, has had little measurable effect upon the court's application of Dillon's Rule in the interpretation of the powers of non-home rule units. Bills have been introduced in the Illinois General Assembly directing the courts to discontinue the use of the principle, and a similar

recommendation was advanced by the Governor's Task Force on the Future of Rural Illinois in 1986.²⁰ The most effective way of revoking the principle's application would be an amendment to the constitution directing the courts to construe liberally the powers and functions of all counties and municipalities.

Of major concern to local governments has been the growing inclination of the Illinois General Assembly to mandate local governments, including school districts, to provide additional services and incur additional expenditures in the performance of their responsibilities, but without providing local units either additional funds or additional taxing powers to cover the costs of such mandates. Passage of the State Mandates Act, requiring the state to provide new funds to local governments to underwrite the cost of compliance with new mandates, has not solved the problem. In some instances, the General Assembly has exempted new legislation from the act; in other instances, it has simply ignored the act's provisions. Despite a recent court ruling that the General Assembly's failure to comply with the act renders mandates unenforceable, the Governor's Task Force on the Future of Rural Illinois called for a constitutional amendment to protect local governments from such mandates.^{21,22}

Economic and Fiscal Concerns

Local governments are now expected to play a more active role in addressing community economic concerns. The search for industry and jobs, always a matter of concern, has become a critical first priority for Illinois cities and counties, and especially for cities and counties outside the Chicago metropolitan area where the sagging industrial and agricultural economies have created massive unemployment and underemployment problems. The region's economic woes have added still more fiscal stress to the chronic fiscal problems which have always plagued governments at the local level.

It is not at all clear, however, that constitutional action is either necessary or even desirable in attacking these problems. Contemporary economic problems are a current, hopefully temporary, concern; constitutional provisions should be directed at the enduring and timeless issues of governance. If local government is properly structured to begin with, it should be capable of responding to the challenges of each successive era without further structural alteration. If Illinois local government is well designed, it should be capable of responding to the economic development challenges of the last decades of the 20th century. Insofar as home rule governments are concerned, there is abundant evidence that they are able to respond to the challenge.²³

It is less clear whether municipalities and counties without home rule are as capable of responding to economic development challenges; certainly they are more limited in their ability to negotiate with developers and to utilize industrial revenue bonds - a key economic development tool. A review of the constitution's local government provisions would be as likely to weaken the home rule provisions as it would be to add constructive new economic development potential to municipalities and counties; thus such a review is as likely to cause problems as it is to solve them.

Similarly, the solution to local government fiscal problems does not appear to require constitutional action. Constitutional authority for local governments to levy taxes on property, income (if permission is given by the General Assembly), and consumption (sales) already exists, as does authority

to raise substantial revenues through general obligation and revenue bonds, through user charges, and through gifts. What is needed, rather, is a review of statutory authorizations and restrictions on the use of those powers, and particularly (1) the use of those powers by non-home rule governments, and (2) the adequacy of local government access to the use of property, income and consumption taxes. Finally, local government fiscal problems could be eased by the state by more rigorous compliance with its own State Mandates Act.

A New Constitutional Convention

The local government goals of the 1970 convention have been only partially achieved; those relating to the reduction of the number of units of local government have not been achieved at all. But it remains the case that constitutional action is not needed to achieve most of the stipulated goals.

Adequate constitutional authorization for the achievement of these goals has already been provided by the 1970 Constitution. What is needed, rather, is the political resolve, either by local voters or by the General Assembly, to make the difficult decisions needed to realize these goals. There are still too many units of local government, but the General Assembly can accomplish a reduction if the political will is there to do so. Past efforts have been thwarted, partly by inadequate statutory provisions for solving the fiscal problems inherent in governmental consolidation, partly by resistance to consolidation by local voters.

What continues to need action are the goals relating to the rights to local self-government and the provision of independent, efficient, effective, and economical local governments. These goals have been achieved, but only for those governments that have adopted home rule. The others, still bound by the 19th century standards for the interpretation of their statutory grants on authority, will not achieve these goals unless Dillon's Rule is modified so that a more liberal interpretation is given to their grants of authority.

The use of a constitutional convention to achieve these goals, however, entails risks. The same convention that can offer language to address these goals can also produce language that would impair the grants of home rule authority made in the 1970 document. Whether the risk is worth taking depends upon the degree of support and the importance attached to the retention of the present system of home rule.

Notes

1. Bureau of the Census, Census of Governments, 1982, (Vol. 1, p. 405).
2. William N. Cassella, Jr., "A Century of Home Rule," National Civic Review, October, 1975, pp. 441-450 at 448.
3. Record of Proceedings, Sixth Illinois Constitutional Convention, p. 1576.
4. See, for example, Jefferson B. Fordham, Model Constitutional Provisions for Municipal Home Rule, (Chicago: American Municipal Association, 1953), pp. 19-20. The American Municipal Association is now the National League of Cities.
5. See James M. Banovetz and Thomas Kelty, "Home Rule: The Aftermath of a Revolution," Illinois Issues, XI:8 and 9, August-September 1985, p. 52; and Gerald Specher, "The Use of Home Rule Powers: An Update," in James M. Banovetz and Thomas W. Kelty, Home Rule in Illinois: Image and Reality, (Springfield: Sangamon State University, Illinois Issues, 1987).
6. Taxes on income, earnings, and occupations cannot be levied unless authorized by statute. To date, the Illinois General Assembly has not given serious consideration to granting such authority.
7. James M. Banovetz and Thomas W. Kelty, "Debt, Taxes, and Home Rule," Illinois Issues, XI:12, December 1985, p. 18.
8. James M. Banovetz and Thomas W. Kelty, "The Watchdogs of Home Rule," Illinois Issues, XI:10, October 1985, pp. 17-22 at p. 22.
9. David R. Beam, et. al., County Home Rule in Illinois, (DeKalb: Northern Illinois University Center for Governmental Studies, 1977).
10. Ibid., pp. 105-106.
11. Illinois Commission on Urban Area Government, "The Constitution and Urban Area Government in Illinois, (Chicago: Public Administration Service, 1969), p. 12.
12. Committee on Local Government, Constitutional Convention, Committee Report, (Springfield: Constitutional Convention, 1970), pp. 57-58.
13. Co. of Kane, 2 PRI 2012.
14. Bureau of the Census, Ibid.
15. David L. Chicoine and Norman Walzer, Governmental Structure and Local Public Finance, (Boston: Oelgeschlager, Gunn & Hain, 1985), p. 221
16. Thomas D. Wilson "Change in Local Government: The Issues Before the 1970 Constitutional Convention, with Emphasis on Issues Affecting County Government," unpublished 1974, p. 9.

17. Michael D. Klemens, "Rural Illinois: In Trouble with a Capital T," Illinois Issues, 18:2, February 1987, p. 21.
18. See, for example City of Duluth v. Cerveney, 218 Minn. 511 at 517., 16 N.W. 779.
19. 1970 Illinois Constitution, Article VII, Section 6(m).
20. "Executive Summary: Local Government and Education," report to the Governor's Task Force on the Future of Rural Illinois, 1986.
21. Board of Education of Maine Township, v. State Board of Education, 139 Ill Ap 3rd 460, 48 NE 2nd 1053, 94 Ill Dec 176, 1985.
22. Governor's Task Force on the Future of Rural Illinois: Summary Report, March 1987, p. 29.
23. The fact that local governments are "capable" of addressing economic development problems does not mean that they will necessarily be successful. What is evident is that home rule governments have demonstrated that they do have the tools to address economic development needs. See, for example, Ann Elder and Nancy Lind, "The Implications of Uncertainty in Economic Development," Economic Development Quarterly, 1:1, February 1987, p. 30; and Thomas W. Kelly and James M. Banovetz, "Economic Development Advanced by Home Rule," Illinois Municipal Review, 64:8, August, 1985, p. 19.