

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

229th Legislative Day

2/25/2008

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 5981, offered by Representative Pihos, a Bill for an Act concerning local government. House Bill 5982, offered by Representative Currie, a Bill for an Act concerning appropriations. House Bill 5983, offered by Representative Brosnahan, a Bill for an Act concerning State government. House Bill 5984, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5985, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5986, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5987, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5988, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5989, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5990, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5991, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5992, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5993, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5994, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5995, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5996, offered by Representative Madigan, a Bill for an Act making

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appropriations. House Bill 5997, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5998, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5999, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6000, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6001, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6002, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6003, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6004, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6005, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6006, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6007, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6008, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6009, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6010, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6011, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6012, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6013, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6014, offered by

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Representative Madigan, a Bill for an Act making appropriations. House Bill 6015, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6016, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6017, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6018, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6019, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6020, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6021, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6022, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6023, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6024, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6025, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6026, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6027, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6028, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6029, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6030, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6031, offered by Representative Madigan, a Bill for an

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Act making appropriations. House Bill 6032, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6033, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6034, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6035, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6036, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6037, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6038, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6039, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6040, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6041, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6042, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6043, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6044, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6045, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6046, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6047, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6048, offered by Representative Madigan, a Bill for an Act making appropriations. House

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Bill 6049, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6050, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6051, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6052, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6053, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6054, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6055, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6056, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6057, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6058, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6059, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6060, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6061, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6062, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6063, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6064, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6065, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6066, offered by Representative

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Madigan, a Bill for an Act making appropriations. House Bill 6067, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6068, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6069, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6070, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6071, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6072, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6073, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6074, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6075, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6076, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6077, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6078, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6079, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6080, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6081, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6082, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6083, offered by Representative Madigan, a Bill for an Act making

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appropriations. House Bill 6084, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6085, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6086, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6087, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6088, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6089, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6090, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6091, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6092, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6093, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6094, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6095, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6096, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6097, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6098, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6099, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6100, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6101,

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offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6102, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6103, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6104, offered by Representative Madigan, a Bill for an Act making appropriations.

Clerk Bolin: "House Bill 6105, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6106, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6107, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6108, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6109, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6110, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6111, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6112, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6113, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 6114, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6115, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6116, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6117, offered by Representative Madigan, a Bill for an Act

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concerning appropriations. House Bill 6118, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6119, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6120, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6121, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6122, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6123, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6124, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6125, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6126, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6127, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6128, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6129, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6130, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6131, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6132, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6133, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6134, offered by

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Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6135, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6136, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6137, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6138, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6139, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6140, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6141, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6142, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6143, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6144, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6145, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6146, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6147, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6148, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6149, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6150, offered by Representative Madigan, a Bill for an Act concerning

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appropriations. House Bill 6151, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6152, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6153, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6154, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6155, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6156, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6157, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6158, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6159, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6160, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6161, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6162, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6163, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6164, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6165, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6166, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6167, offered by Representative

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Madigan, a Bill for an Act concerning appropriations. House Bill 6168, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6169, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6170, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6171, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6172, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6173, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6174, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6175, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6176, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6177, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6178, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6179, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6180, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6181, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6182, offered by Representative Madigan, a Bill for an Act concerning appropriations. House Bill 6183, offered by Representative Madigan, a Bill for an Act concerning appropriations.

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House Bill 6184, offered by Representative Madigan, a Bill for an Act concerning appropriations.

Clerk Mahoney: "House Joint Resolution Constitution Amendments- First Reading. House Joint Resolution Constitution 36, offered by Representative Colvin.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 1 of Article X of the Illinois Constitution as follows:

ARTICLE X

EDUCATION

SECTION 1. GOAL - FREE SCHOOLS

A fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities.

The State shall provide for an efficient system of high quality public educational institutions and services. Education in public schools through the secondary level shall be free. There may be such other free education as the General Assembly provides by law.

The State has the primary responsibility for financing the system of public education. This language is not hortatory. It is the duty of the Executive, Legislative, and Judicial branches to achieve the goals and responsibilities outlined in this Article.

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This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. House Joint Resolution Constitution 37, offered by Representative Froehlich.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 16 to Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 16. Recall.

(a) In order to strengthen ethical standards in State government and provide an alternative to removal by expulsion under subsection (d) of Section 6 of this Article and impeachment under Section 14 of this Article, the recall power is vested in the General Assembly, the Public Advocate, and the electors as provided in this Section. Recall of an executive branch officer or a member of the General Assembly is initiated by delivering to the Public Advocate an initial petition of no more than 200 words alleging reason for recall. Sufficiency of reason is not reviewable. In the case of an executive branch officer, an initial petition for recall must be signed by at least 22 members of the General Assembly and 1,000 electors. In the case of a General Assembly member, an initial petition must

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be signed by at least 1,000 electors of the district that elected the General Assembly member. After an initial petition is filed, proponents have 90 days to file signed recall petitions with the State Board of Elections. A recall petition must contain the alleged reason for recall and be signed by electors of the district that elected the executive branch officer or General Assembly member equal to at least 12% of the last vote for the office. Recall petition sheets may include signatures of electors from more than one election jurisdiction and shall be filed on a continuous basis with the State Board of Elections. The State Board of Elections shall certify to the Public Advocate when sufficient signatures have been filed on a recall petition. An election to determine whether to recall an executive branch officer or member of the General Assembly shall be called by the Public Advocate and held not less than 35 days nor more than 42 days after the date of certification of sufficient signatures. If the majority vote on the question is to recall, the executive branch officer or General Assembly member is removed and the vacancy shall be filled according to the provisions of this Constitution if less than one-half of the term remains. The General Assembly shall provide by law for the election of a successor if more than one-half of the term remains. After one recall election, no further recall petition shall be filed against the same executive branch officer or General Assembly member during the term for which he or she was elected.

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(b) On the first day of the January session in odd-numbered years, before the election of the Speaker of the House and President of the Senate, the General Assembly, by vote of three-fifths of the members elected to each house, shall appoint a Public Advocate from the electors of the State and may remove him or her for cause by a similar vote. In the case of a vacancy, the General Assembly shall appoint a successor by a similar vote within 14 days to serve for the remainder of the term. The Public Advocate shall serve for a term of 2 years. The Public Advocate shall promote ethical standards in State government and provide information about the recall process to any elector. On February 12 of every year, the Public Advocate shall make recommendations to the General Assembly and the Governor on how to strengthen ethical standards in State government and improve the recall process. The compensation of the Public Advocate shall be established by law and shall not be diminished during his or her term. This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. House Joint Resolution Constitution 38, offered by Representative Boland.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend the Illinois Constitution by changing Sections 1, 2, 3, 5, 6,

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7, 8, 9, 10, 12, 14, and 15 of Article IV, Sections 9 and 11 of Article V, Section 6 of Article VII, Section 3 of Article VIII, Section 9 of Article IX, Section 8 of Article XIII, and Sections 1, 2, and 4 of Article XIV as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 1. LEGISLATURE - POWER AND STRUCTURE

The legislative power is vested in a General Assembly consisting of 177 Lawmakers, elected by the electors from 59 Legislative Districts and 118 Representative Districts until 2012 and from 177 Legislative Districts beginning in 2012.

SECTION 2. LEGISLATIVE COMPOSITION

(a) Until 2012, one Lawmaker shall be elected from each of 59 Legislative Districts. Beginning in 2012, one Lawmaker shall be elected from each of 177 Legislative Districts. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. Lawmakers from one group shall be elected for terms of four years, four years and two years; Lawmakers from the second group, for terms of four years, two years and four years; and Lawmakers from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State.

(b) Until 2011, each Legislative District shall be divided into two Representative Districts. In 2008 and 2010, one

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Lawmaker shall be elected from each Representative District for a term of two years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his or her election or appointment a resident of the district which he or she is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he or she resided at the time of the redistricting and reelected if a resident of the new district he or she represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in an office with more than twenty-eight months remaining in the term, the appointed Lawmaker shall serve until the next general election, at which time a Lawmaker shall be elected to serve for the remainder of the term. If the vacancy is in any other office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he or she succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he or she is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he or she was elected or appointed shall be appointed to a

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public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Legislative Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.

(b) In the year following each Federal decennial census year, the General Assembly by law shall redistrict the Legislative Districts.

If no redistricting plan becomes effective by June 30 of that year, a Legislative Redistricting Commission shall be constituted not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party.

The Presiding Officer and Minority Leader of the General Assembly shall each appoint to the Commission two Lawmakers and two persons who are not members of the General Assembly.

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission.

Not later than August 10, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.

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If the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.

Not later than September 5, the Secretary of State publicly shall draw by random selection the name of one of the two persons to serve as the ninth member of the Commission.

Not later than October 5, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.

An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the General Assembly, which shall be initiated in the name of the People of the State by the Attorney General.

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body during the period from the second Wednesday of January in an odd-numbered year through the Tuesday immediately preceding the second Wednesday of January in the next odd-numbered year.

(b) The Governor may convene the General Assembly in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of

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appointments shall be transacted. Special sessions of the General Assembly may also be convened by proclamation of the Presiding Officer of the General Assembly, issued as provided by law.

(c) Sessions of the General Assembly and meetings of committees and legislative commissions shall be open to the public. Sessions and committee and legislative commission meetings may be closed to the public if two-thirds of the members elected to the General Assembly determine that the public interest so requires.

(SECTION 6. ORGANIZATION

(a) A majority of the members elected to the General Assembly constitutes a quorum.

(b) On the first day of the January session of the General Assembly in odd-numbered years, the Governor shall convene the General Assembly to elect from its membership a Presiding Officer.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of the General Assembly is a member of the numerically strongest political party other than the party to which the Presiding Officer belongs.

(d) The General Assembly shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by the General Assembly, except by a vote of two-thirds of the members elected. A member may be expelled only once for the same offense. The General Assembly may punish by imprisonment any person, not a

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member, guilty of disrespect to the General Assembly by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior.

SECTION 7. TRANSACTION OF BUSINESS

(a) Committees of the General Assembly and legislative commissions shall give reasonable public notice of meetings, including a statement of subjects to be considered.

(b) The General Assembly shall keep a journal of its proceedings and a transcript of its debates. The journal shall be published and the transcript shall be available to the public.

(c) The General Assembly or any committee thereof as provided by law may compel by subpoena the attendance and testimony of witnesses and the production of books, records and papers.

SECTION 8. PASSAGE OF BILLS

(a) The enacting clause of the laws of this State shall be: "Be it enacted by the People of the State of Illinois, represented in the General Assembly."

(b) The General Assembly shall enact laws only by bill.

(c) No bill shall become a law without the concurrence of a majority of the members elected. Final passage of a bill shall be by record vote. At the request of seven members, a record vote may be taken on any other occasion. A record vote is a vote by yeas and nays entered on the journal.

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(d) A bill shall be read by title on three different days in the General Assembly. A bill and each amendment thereto shall be reproduced and placed on the desk of each member before final passage.

Bills, except bills for appropriations and for the codification, revision or rearrangement of laws, shall be confined to one subject. Appropriation bills shall be limited to the subject of appropriations.

A bill expressly amending a law shall set forth completely the sections amended.

The Presiding Officer shall sign each bill that passes the General Assembly to certify that the procedural requirements for passage have been met.

SECTION 9. VETO PROCEDURE

(a) Every bill passed by the General Assembly shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judicially enforceable. If the Governor approves the bill, he or she shall sign it and it shall become law.

(b) If the Governor does not approve the bill, he or she shall veto it by returning it with his or her objections to the General Assembly. Any bill not so returned by the Governor within 60 calendar days after it is presented to him or her shall become law. If recess or adjournment of the General Assembly prevents the return of a bill, the bill and the Governor's objections shall be filed with the Secretary of State within such 60 calendar days. The Secretary of State shall return the bill and objections to

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the General Assembly promptly upon the next meeting of the same General Assembly at which the bill can be considered.

(c) When a bill is returned, the General Assembly shall immediately enter the Governor's objections upon its journal. If within 15 calendar days after such entry the General Assembly by a record vote of three-fifths of the members elected passes the bill, it shall become law.

(d) The Governor may reduce or veto any item of appropriations in a bill presented to him or her. Portions of a bill not reduced or vetoed shall become law. An item vetoed shall be returned to the General Assembly and may become law in the same manner as a vetoed bill. An item reduced in amount shall be returned to the General Assembly and may be restored to its original amount in the same manner as a vetoed bill except that the required record vote shall be a majority of the members elected. If a reduced item is not so restored, it shall become law in the reduced amount.

(e) The Governor may return a bill together with specific recommendations for change to the General Assembly. The bill shall be considered in the same manner as a vetoed bill but the specific recommendations may be accepted by a record vote of a majority of the members elected. Such bill shall be presented again to the Governor and if he or she certifies that such acceptance conforms to his or her specific recommendations, the bill shall become law. If the Governor does not so certify, he or she shall return it as a vetoed bill to the General Assembly.

SECTION 10. EFFECTIVE DATE OF LAWS

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The General Assembly shall provide by law for a uniform effective date for laws passed prior to June 1 of a calendar year. The General Assembly may provide for a different effective date in any law passed prior to June 1. A bill passed after May 31 shall not become effective prior to June 1 of the next calendar year unless the General Assembly by the vote of three-fifths of the members elected provides for an earlier effective date.

SECTION 12. LEGISLATIVE IMMUNITY

Except in cases of treason, felony or breach of peace, a member shall be privileged from arrest going to, during, and returning from sessions of the General Assembly. A member shall not be held to answer before any other tribunal for any speech or debate, written or oral, in the General Assembly. These immunities shall apply to committee and legislative commission proceedings.

SECTION 14. IMPEACHMENT

The General Assembly has the sole power to conduct legislative investigations to determine the existence of cause for impeachment and, by the vote of a majority of the members elected, to impeach Executive and Judicial officers. Impeachments shall be tried by the General Assembly. When sitting for that purpose, Lawmakers shall be upon oath, or affirmation, to do justice according to law. If the Governor is tried, the Chief Justice of the Supreme Court shall preside. No person shall be convicted without the concurrence of two-thirds of the Lawmakers elected. Judgment shall not extend beyond removal from office and disqualification to hold any public office of this State.

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An impeached officer, whether convicted or acquitted, shall be liable to prosecution, trial, judgment and punishment according to law.

SECTION 15. ADJOURNMENT (REPEALED)

ARTICLE V

THE EXECUTIVE

SECTION 9. GOVERNOR - APPOINTING POWER

(a) The Governor shall nominate and, by and with the advice and consent of the General Assembly, a majority of the members elected concurring by record vote, shall appoint all officers whose election or appointment is not otherwise provided for. Any nomination not acted upon by the General Assembly within 60 session days after the receipt thereof shall be deemed to have received the advice and consent of the General Assembly. The General Assembly shall have no power to elect or appoint officers of the Executive Branch.

(b) If, during a recess of the General Assembly, there is a vacancy in an office filled by appointment by the Governor by and with the advice and consent of the General Assembly, the Governor shall make a temporary appointment until the next meeting of the General Assembly, when he or she shall make a nomination to fill such office.

(c) No person rejected by the General Assembly for an office shall, except at the General Assembly's request, be nominated again for that office at the same session or be appointed to that office during a recess of that General Assembly.

SECTION 11. GOVERNOR - AGENCY REORGANIZATION

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The Governor, by Executive Order, may reassign functions among or reorganize executive agencies which are directly responsible to him or her. If such a reassignment or reorganization would contravene a statute, the Executive Order shall be delivered to the General Assembly. If the General Assembly is in annual session and if the Executive Order is delivered on or before April 1, the General Assembly shall consider the Executive Order at that annual session. If the General Assembly is not in annual session or if the Executive Order is delivered after April 1, the General Assembly shall consider the Executive Order at its next annual session, in which case the Executive Order shall be deemed to have been delivered on the first day of that annual session. Such an Executive Order shall not become effective if, within 60 calendar days after its delivery to the General Assembly, the General Assembly disapproves the Executive Order by the record vote of a majority of the members elected. An Executive Order not so disapproved shall become effective by its terms but not less than 60 calendar days after its delivery to the General Assembly.

ARTICLE VII

LOCAL GOVERNMENT

SECTION 6. POWERS OF HOME RULE UNITS

(a) A County which has a chief executive officer elected by the electors of the county and any municipality which has a population of more than 25,000 are home rule units. Other municipalities may elect by referendum to become home rule units. Except as limited by this Section, a home rule unit

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may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt.

(b) A home rule unit by referendum may elect not to be a home rule unit.

(c) If a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction.

(d) A home rule unit does not have the power (1) to incur debt payable from ad valorem property tax receipts maturing more than 40 years from the time it is incurred or (2) to define and provide for the punishment of a felony.

(e) A home rule unit shall have only the power that the General Assembly may provide by law (1) to punish by imprisonment for more than six months or (2) to license for revenue or impose taxes upon or measured by income or earnings or upon occupations.

(f) A home rule unit shall have the power subject to approval by referendum to adopt, alter or repeal a form of government provided by law, except that the form of government of Cook County shall be subject to the provisions of Section 3 of this Article. A home rule municipality shall have the power to provide for its officers, their manner of selection and terms of office only as approved by referendum or as otherwise authorized by law. A home rule county shall have the power to provide for its officers, their manner of selection and terms of

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office in the manner set forth in Section 4 of this Article.

(g) The General Assembly by a law approved by the vote of three-fifths of the members elected may deny or limit the power to tax and any other power or function of a home rule unit not exercised or performed by the State other than a power or function specified in subsection (1) of this section.

(h) The General Assembly may provide specifically by law for the exclusive exercise by the State of any power or function of a home rule unit other than a taxing power or a power or function specified in subsection (1) of this Section.

(i) Home rule units may exercise and perform concurrently with the State any power or function of a home rule unit to the extent that the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the State's exercise to be exclusive.

(j) The General Assembly may limit by law the amount of debt which home rule counties may incur and may limit by law approved by three-fifths of the members elected the amount of debt, other than debt payable from ad valorem property tax receipts, which home rule municipalities may incur.

(k) The General Assembly may limit by law the amount and require referendum approval of debt to be incurred by home rule municipalities, payable from ad valorem property tax receipts, only in excess of the following percentages of the assessed value of its taxable property: (1) if its population is 500,000 or more, an aggregate of three

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percent; (2) if its population is more than 25,000 and less than 500,000, an aggregate of one percent; and (3) if its population is 25,000 or less, an aggregate of one-half percent. Indebtedness which is outstanding on the effective date of this Constitution or which is thereafter approved by referendum or assumed from another unit of local government shall not be included in the foregoing percentage amounts.

(1) The General Assembly may not deny or limit the power of home rule units (1) to make local improvements by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution unless that power is subsequently denied by law to any such other units of local government or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services.

(m) Powers and functions of home rule units shall be construed liberally.

ARTICLE VIII

FINANCE

SECTION 3. STATE AUDIT AND AUDITOR GENERAL

(a) The General Assembly shall provide by law for the audit of the obligation, receipt and use of public funds of the State. The General Assembly, by a vote of three-fifths of the members elected, shall appoint an Auditor General and may remove him or her for cause by a similar vote. The

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Auditor General shall serve for a term of ten years. His or her compensation shall be established by law and shall not be diminished, but may be increased, to take effect during his or her term.

(b) The Auditor General shall conduct the audit of public funds of the State. He or she shall make additional reports and investigations as directed by the General Assembly. He or she shall report his or her findings and recommendations to the General Assembly and to the Governor.

ARTICLE IX

REVENUE

SECTION 9. STATE DEBT

(a) No State debt shall be incurred except as provided in this Section. For the purpose of this Section, "State debt" means bonds or other evidences of indebtedness which are secured by the full faith and credit of the State or are required to be repaid, directly or indirectly, from tax revenue and which are incurred by the State, any department, authority, public corporation or quasi-public corporation of the State, any State college or university, or any other public agency created by the State, but not by units of local government, or school districts.

(b) State debt for specific purposes may be incurred or the payment of State or other debt guaranteed in such amounts as may be provided either in a law passed by the vote of three-fifths of the members elected to the General Assembly or in a law approved by a majority of the electors voting on the question at the next general election following passage. Any law providing for the incurring or

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guaranteeing of debt shall set forth the specific purposes and the manner of repayment.

(c) State debt in anticipation of revenues to be collected in a fiscal year may be incurred by law in an amount not exceeding 5% of the State's appropriations for that fiscal year. Such debt shall be retired from the revenues realized in that fiscal year.

(d) State debt may be incurred by law in an amount not exceeding 15% of the State's appropriations for that fiscal year to meet deficits caused by emergencies or failures of revenue. Such law shall provide that the debt be repaid within one year of the date it is incurred.

(e) State debt may be incurred by law to refund outstanding State debt if the refunding debt matures within the term of the outstanding State debt.

(f) The State, departments, authorities, public corporations and quasi-public corporations of the State, the State colleges and universities and other public agencies created by the State, may issue bonds or other evidences of indebtedness which are not secured by the full faith and credit or tax revenue of the State nor required to be repaid, directly or indirectly, from tax revenue, for such purposes and in such amounts as may be authorized by law.

ARTICLE XIII

GENERAL PROVISIONS

SECTION 8. BRANCH BANKING

Branch banking shall be authorized only by law approved by three-fifths of the members voting on the question or a

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majority of the members elected, whichever is greater, in the General Assembly.

ARTICLE XIV

CONSTITUTIONAL REVISION

SECTION 1. CONSTITUTIONAL CONVENTION

- (a) Whenever three-fifths of the members elected to the General Assembly so direct, the question of whether a Constitutional Convention should be called shall be submitted to the electors at the general election next occurring at least six months after such legislative direction.
- (b) If the question of whether a Convention should be called is not submitted during any twenty-year period, the Secretary of State shall submit such question at the general election in the twentieth year following the last submission.
- (c) The vote on whether to call a Convention shall be on a separate ballot. A Convention shall be called if approved by three-fifths of those voting on the question or a majority of those voting in the election.
- (d) The General Assembly, at the session following approval by the electors, by law shall provide for the Convention and for the election of two delegates from each Legislative District; designate the time and place of the Convention's first meeting which shall be within three months after the election of delegates; fix and provide for the pay of delegates and officers; and provide for expenses necessarily incurred by the Convention.

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(e) To be eligible to be a delegate a person must meet the same eligibility requirements as a member of the General Assembly. Vacancies shall be filled as provided by law.

(f) The Convention shall prepare such revision of or amendments to the Constitution as it deems necessary. Any proposed revision or amendments approved by a majority of the delegates elected shall be submitted to the electors in such manner as the Convention determines, at an election designated or called by the Convention occurring not less than two nor more than six months after the Convention's adjournment. Any revision or amendments proposed by the Convention shall be published with explanations, as the Convention provides, at least one month preceding the election.

(g) The vote on the proposed revision or amendments shall be on a separate ballot. Any proposed revision or amendments shall become effective, as the Convention provides, if approved by a majority of those voting on the question.

SECTION 2. AMENDMENTS BY GENERAL ASSEMBLY

(a) Amendments to this Constitution may be initiated in the General Assembly. Amendments shall be read in full on three different days in the General Assembly and reproduced before the vote is taken on final passage. Amendments approved by the vote of three-fifths of the members elected shall be submitted to the electors at the general election next occurring at least six months after such legislative approval, unless withdrawn by a vote of a majority of the members elected.

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(b) Amendments proposed by the General Assembly shall be published with explanations, as provided by law, at least one month preceding the vote thereon by the electors. The vote on the proposed amendment or amendments shall be on a separate ballot. A proposed amendment shall become effective as the amendment provides if approved by either three-fifths of those voting on the question or a majority of those voting in the election.

(c) The General Assembly shall not submit proposed amendments to more than three Articles of the Constitution at any one election. No amendment shall be proposed or submitted under this Section from the time a Convention is called until after the electors have voted on the revision or amendments, if any, proposed by such Convention.

SECTION 4. AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES

The affirmative vote of three-fifths of the members elected to the General Assembly shall be required to request Congress to call a Federal Constitutional Convention, to ratify a proposed amendment to the Constitution of the United States, or to call a State Convention to ratify a proposed amendment to the Constitution of the United States. The General Assembly shall not take action on any proposed amendment to the Constitution of the United States submitted for ratification by legislatures unless a majority of the members of the General Assembly shall have been elected after the proposed amendment has been submitted for ratification. The requirements of this Section shall govern to the extent that they are not

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inconsistent with requirements established by the United States.

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies beginning with the 96th General Assembly.

Clerk Bolin: "First Reading of House Joint Resolution Constitution Amendment 39, offered by Representative Bassi.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 3 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Legislative Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.

(b) By April 15 of the year following each federal decennial census year, the State Board of Elections, by a record vote of a majority of the total number of members authorized by law as provided in Section 5 of Article III, shall designate a computer program for redistricting the Legislative Districts and Representative Districts that meets the requirements of this Section. The designation

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shall include detailed specifications of the computer program.

Any computer program designated by the State Board of Elections under this Section shall embody the following standards and criteria, as defined by Common Law, in this order of priority:

- (1) contiguity;
- (2) substantial equality of population;
- (3) compactness;
- (4) minimization of the number of districts that cross county or municipal boundaries; and
- (5) a fair reflection of minority voting strength.

Any computer program designated by the State Board of Elections under this Section shall not consider the following data:

- (1) residency of incumbent legislators;
- (2) political affiliations of registered voters;
- (3) previous election results; and
- (4) demographic information not required to be used by this Section or by the United States Constitution or federal law. Except as specified in this Section, the computer program shall produce districts in a random manner.

(c) In the year following each Federal decennial census year, the State Board of Elections shall redistrict the Legislative Districts and the Representative Districts using the computer program designated under subsection (b). The State Board of Elections shall approve a redistricting plan by a record vote of a majority of the total number of

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members authorized by law as provided in Section 5 of Article III, and the Board shall file that plan with the Secretary of State no later than June 1 of the year following the Federal decennial census year.

(d) The State Board of Elections shall designate a computer program under subsection (b) and shall approve a plan under subsection (c) at public meetings. The Board shall give reasonable and adequate advance notice of those meetings.

(e) An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

(f) The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

SCHEDULE

This Constitutional Amendment takes effect beginning with redistricting in 2011 and applies to the election of members of the General Assembly in 2012 and thereafter. This has been the First Reading of House Joint Resolution Constitutional Amendment 39, offered Representative Bassi. First Reading of House Joint Resolution constitutional Amendment 40, offered by Representative Bassi.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the

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adoption of this resolution a proposition to amend Sections 2 and 5 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 2. LEGISLATIVE COMPOSITION

- (a) One Senator shall be elected from each Legislative District. Senators elected in 2010 shall serve two-year terms. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into two groups. During each ten-year period, beginning with the general election in 2012, Senators from one group shall first be elected for terms of six years and then for terms of four years and Senators from the other group shall first be elected for terms of four years and then for terms of six years. The Legislative Districts in each group shall be distributed substantially equally over the State.
- (b) Each Legislative District shall be divided into two Representative Districts. One Representative shall be elected from each Representative District. Representatives elected in 2010 shall serve terms of two years. During each ten-year period, beginning with the general election in 2012, Representatives shall first be elected for terms of four years, then for terms of two years, and then for terms of four years.
- (c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his

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election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial or Representative office with more than twenty-eight months remaining in the term, the appointed Senator or Representative shall serve until the next general election, at which time a Senator or Representative shall be elected to serve for the remainder of the term. If the vacancy is in any other Senatorial or Representative office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

SECTION 5. SESSIONS

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- (a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body for a period beginning and ending at noon on the second Wednesday of January of consecutive odd-numbered years.
- (b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.
- (c) Sessions of each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so determine.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to the election of members of the General Assembly in 2010 and thereafter. It does not affect the terms of members elected before 2010. This has been the First Reading of House Joint Resolution

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Constitutional Amendment 40. Having no further business,
the House Perfunctory Session will stand adjourned."