



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SIXTH GENERAL ASSEMBLY**

**8TH LEGISLATIVE DAY**

**Perfunctory Session**

**TUESDAY, FEBRUARY 3, 2009**

**4:09 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**8th Legislative Day**

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The Senate met pursuant to adjournment.  
Pursuant to the Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.  
Silent prayer was observed.

**MESSAGE FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

February 3 2009

Ms. Deborah Shipley  
Secretary of the Senate  
Room 403 State house  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 2-10, I am scheduling a perfunctory session at 4:00 PM on Tuesday, February 3, 2009.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**INTRODUCTION OF BILLS**

**SENATE BILL NO. 184.** Introduced by Senator Haine, a bill for AN ACT concerning civil law. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 185.** Introduced by Senator Cullerton, a bill for AN ACT concerning public aid.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 186.** Introduced by Senator Lightford, a bill for AN ACT concerning education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 187.** Introduced by Senator Maloney, a bill for AN ACT concerning education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 188.** Introduced by Senator Dillard, a bill for AN ACT concerning civil law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

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**SENATE BILL NO. 189.** Introduced by Senator Garrett, a bill for AN ACT concerning government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 190.** Introduced by Senator Garrett, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 191.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 192.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 193.** Introduced by Senator Sandoval, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 194.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 195.** Introduced by Senator Sandoval, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 196.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 197.** Introduced by Senator Sandoval, a bill for AN ACT concerning liquor.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 198.** Introduced by Senator Sandoval, a bill for AN ACT in relation to safety.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 199.** Introduced by Senator Sandoval, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 200.** Introduced by Senator Sandoval, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

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**SENATE BILL NO. 201.** Introduced by Senator Sandoval, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 202.** Introduced by Senator Sandoval, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 203.** Introduced by Senator Sandoval, a bill for AN ACT concerning the Federal Stimulus Plan.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 204.** Introduced by Senator Demuzio, a bill for AN ACT concerning higher education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 205.** Introduced by Senator Demuzio, a bill for AN ACT concerning public employee benefits.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 206.** Introduced by Senator Bond, a bill for AN ACT concerning finance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 207.** Introduced by Senator Bond, a bill for AN ACT concerning revenue, which may be cited as the Homestead Assessment Transparency Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 208.** Introduced by Senator Holmes, a bill for AN ACT concerning civil law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 209.** Introduced by Senator Steans, a bill for AN ACT concerning health.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 210.** Introduced by Senator Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 211.** Introduced by Senator Collins, a bill for AN ACT concerning criminal law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 212.** Introduced by Senator Koehler, a bill for AN ACT concerning public health.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 213.** Introduced by Senator Harmon, a bill for AN ACT concerning education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 214.** Introduced by Senator Sullivan, a bill for AN ACT concerning public employee benefits.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 215.** Introduced by Senator Link, a bill for AN ACT concerning public health.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 216.** Introduced by Senator Lightford, a bill for AN ACT concerning public health.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 217.** Introduced by Senator Forby, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 218.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 219.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 220.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 221.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 222.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 223.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 224.** Introduced by Senator Lightford, a bill for AN ACT concerning healthcare.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

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**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 38**

Offered by Senator Risinger and all Senators:  
Mourns the death of Jack H. Querciagrossa.

**SENATE RESOLUTION NO. 39**

Offered by Senator Link and all Senators:  
Mourns the death of Carl Anthony Zetterman, Sr., of Waukegan

**SENATE RESOLUTION NO. 40**

Offered by Senator Link and all Senators:  
Mourns the death of Richard "Duke" Goodwin of Winthrop Harbor.

**SENATE RESOLUTION NO. 41**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Elder Carl Edwin Prude, Sr., of East St. Louis.

**SENATE RESOLUTION NO. 42**

Offered by Senator Viverito and all Senators:  
Mourns the death of Kathleen L. "Sissy" Ford.

**SENATE RESOLUTION NO. 43**

Offered by Senator Pankau and all Senators:  
Mourns the death of Ron Putzell of Itasca.

**SENATE RESOLUTION NO. 44**

Offered by Senator Hunter and all Senators:  
Mourns the death of Kenneth H. Tate of Chicago.

**SENATE RESOLUTION NO. 45**

Offered by Senator Hunter and all Senators:  
Mourns the death of Orlinda (Hunter) Golliday.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator Dahl offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 46**

WHEREAS, Clyde Tombaugh, discoverer of the planet Pluto, was born on a farm near the Illinois community of Streator; and

WHEREAS, Dr. Tombaugh served as a researcher at the prestigious Lowell Observatory in Flagstaff, Arizona; and

WHEREAS, Dr. Tombaugh first detected the presence of Pluto in 1930; and

WHEREAS, Dr. Tombaugh is so far the only Illinoisan and only American to ever discover a planet; and

WHEREAS, For more than 75 years, Pluto was considered the ninth planet of the Solar System; and

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WHEREAS, A spacecraft called New Horizons was launched in January 2006 to explore Pluto in the year 2015; and

WHEREAS, Pluto has three moons: Charon, Nix and Hydra; and

WHEREAS, Pluto's average orbit is more than three billion miles from the sun; and

WHEREAS, Pluto was unfairly downgraded to a "dwarf" planet in a vote in which only 4 percent of the International Astronomical Union's 10,000 scientists participated; and

WHEREAS, Many respected astronomers believe Pluto's full planetary status should be restored; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that as Pluto passes overhead through Illinois' night skies, that it be reestablished with full planetary status, and that March 13, 2009 be declared "Pluto Day" in the State of Illinois in honor of the date its discovery was announced in 1930.

Senator Haine offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 47**

WHEREAS, The federal "Freedom of Choice Act" would invalidate any "statute, ordinance, regulation, administrative order, decision, policy, practice, or other action" of any federal, state, or local government or governmental official (or any person acting under government authority) that would "deny or interfere with a woman's right to choose" abortion, or that would "discriminate against the exercise of the right ... in the regulation or provision of benefits, facilities, services, or information"; and

WHEREAS, The federal "Freedom of Choice Act" would nullify any federal or state law "enacted, adopted, or implemented before, on, or after the date of (its) enactment" and would effectively prevent the State of Illinois from enacting similar protective measures in the future; and

WHEREAS, The federal "Freedom of Choice Act" would invalidate more than 550 federal and state abortion-related laws, laws supported by the majority of the American public; and

WHEREAS, The federal "Freedom of Choice Act" would specifically invalidate the following common-sense, protective laws and rules properly enacted by the State of Illinois:

- (1) born alive infant protection (5 ILCS 70/1.36);
- (2) ambulatory surgical treatment center regulation (210 ILCS 5/Act) and 77 Ill. Adm. Code 205.330, 205.540 (codifying consent decree);
- (3) prohibitions on abortion counseling and referral by recipients of State funds (410 ILCS 230/4-100) and 77 Ill. Admin. Code 655.10;
- (4) limitations on use of State funds to purchase insurance coverage for abortions (5 ILCS 375/6.1);
- (5) requiring only a licensed physician to perform an abortion (720 ILCS 510/3.1);
- (6) Health Care Right of Conscience Act (745 ILCS 70/Act); and
- (7) abortion reporting (77 Ill. Adm. Code 505.20 through 505.50); and

WHEREAS, The federal "Freedom of Choice Act" will not make abortion safe or rare, but will instead actively promote and subsidize abortion with state and federal tax dollars and do nothing to ensure its safety; and

WHEREAS, The federal "Freedom of Choice Act" will protect and promote the abortion industry, sacrifice women and their health to a radical political ideology of unregulated abortion- on-demand, and silence the voices of everyday Americans who want to engage in a meaningful public discussion and debate over the availability, safety, and even desirability of abortion; therefore, be it

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RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Senate strongly opposes the federal "Freedom of Choice Act" and urges the United States Congress to summarily reject it; and be it further

RESOLVED, That the Senate strongly opposes the federal "Freedom of Choice Act" because it seeks to circumvent the states' general legislative authority as guaranteed by the 10th Amendment to the United States Constitution; and be it further

RESOLVED, That the Senate strongly opposes the federal "Freedom of Choice Act" because it seeks to undermine the right and responsibility of the states and the people to debate, vote on, and determine abortion policy; and be it further

RESOLVED, That the Senate strongly opposes the federal "Freedom of Choice Act" because the protection of women's health through state regulations on abortion is a compelling state interest that should not be nullified by Congress; and be it further

RESOLVED, That the Senate strongly opposes the federal "Freedom of Choice Act" because its enactment would nullify 7 laws in the state of Illinois, laws that the legislature and the people of Illinois strongly support; and be it further

RESOLVED, That suitable copies of this resolution be transmitted to the Governor, the President of the United States, the President and President pro tempore of the Senate, and the U.S. Speaker of the House of Representatives, and each member of the Illinois Congressional Delegation.

Senator Koehler offered the following Senate Resolution, which was referred to the Committee on Assignments:

#### **SENATE RESOLUTION NO. 48**

WHEREAS, The Illinois Primary Health Care Association is the sole trade association representing all of Illinois' Federally Qualified Health Centers; and

WHEREAS, Federally Qualified Health Centers are nonprofit, community-owned and operated health providers serving uninsured and medically underserved people in our community; and

WHEREAS, Illinois Federally Qualified Health Centers serve as the medical home for over 1 million people at more than 300 sites statewide, providing access to primary, dental and mental health care; and

WHEREAS, Federally Qualified Health Centers expand access to affordable, high quality, cost-effective health care to all people, regardless of ability to pay, and contain health care costs by fostering prevention and integrating the delivery of primary care with aggressive outreach, patient education, translation and other enabling services; and

WHEREAS, In Illinois, 1.4 million individuals lack access to health insurance coverage; and

WHEREAS, The Illinois Primary Health Care Association has proposed a plan called "ACCESS ILLINOIS" to provide a medical home to 2 million insured and uninsured patients by 2015; and

WHEREAS, This plan will generate substantial benefits for the State of Illinois and all its residents; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we fully support the goals of the Illinois Primary Health Care Association's ACCESS ILLINOIS plan; and be it further

RESOLVED, That we stand together to do our part in preserving, strengthening, and expanding

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Federally Qualified Health Centers in our State; and be it further

RESOLVED, That the Illinois Senate does hereby recognize the valued contributions of Federally Qualified Health Centers in expanding access to health care and improving the health and well being of the citizens of the great State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be sent to the Illinois Primary Health Care Association.

Senator Haine offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 49**

WHEREAS, The month of April has been designated "National Child Abuse Prevention Month" as an annual tradition that was initiated in 1979 by former President Jimmy Carter; and

WHEREAS, The most recent National Child Abuse and Neglect Data System (NCANDS) figures show that almost 900,000 children were victims of abuse and neglect in the United States in 2004, causing unspeakable pain and suffering to our most vulnerable citizens; among the children who are victims of abuse and neglect, nearly four children die each day in this country; and

WHEREAS, Children age one and younger accounted for 45 percent of child abuse and neglect fatalities in 2004, and children age three and younger accounted for 81 percent of all child abuse and neglect fatalities in 2004; and

WHEREAS, Abusive head trauma, including the trauma known as Shaken Baby Syndrome, is recognized as the leading cause of death of physically abused children; Shaken Baby Syndrome is a totally preventable form of child abuse, caused by a caregiver losing control and shaking a baby that is usually less than one year in age; it can result in loss of vision, brain damage, paralysis, seizures, or death; and

WHEREAS, A 2003 report in the Journal of the American Medical Association estimates that, in the United States, an average of 300 children will die each year, and 600 to 1,200 more will be injured, of whom two-thirds will be babies or infants under one year in age, as a result of Shaken Baby Syndrome, with many cases resulting in severe and permanent disabilities; and

WHEREAS, Medical professionals believe that thousands of additional cases of Shaken Baby Syndrome are being misdiagnosed or not detected; and

WHEREAS, Shaken Baby Syndrome often results in permanent, irreparable brain damage or death to an infant and may result in more than \$1,000,000 in medical costs to care for a single, disabled child in just the first few years of life; and

WHEREAS, The most effective solution for ending Shaken Baby Syndrome is to prevent such abuse, and it is clear that the minimal costs of education and prevention programs may prevent enormous medical and disability costs and untold grief for many families; and

WHEREAS, Prevention programs have demonstrated that educating new parents about the danger of shaking young children and how they can help protect their child from injury can bring about a significant reduction in the number of cases of Shaken Baby Syndrome; and

WHEREAS, Education programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives; and

WHEREAS, Efforts to prevent Shaken Baby Syndrome are supported by advocacy groups across the

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United States that were formed by parents and relatives of children who have been killed or injured by shaking, such as the National Shaken Baby Coalition, the Shaken Baby Association, the SKIPPER (Shaking Kills: Instead Parents Please Educate and Remember) Initiative, the Shaken Baby Alliance, Shaken Baby Prevention, Inc., A Voice for Gabbi, Don't Shake Jake, the Kierra Harrison Foundation, the Cynthia Gibbs Foundation, Reagan's Rescue, and the Hannah Rose Foundation, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and victim's families in the health care and criminal justice systems; and

WHEREAS, Child abuse prevention programs and "National Shaken Baby Syndrome Awareness Week" are supported by the National Shaken Baby Coalition, the National Center on Shaken Baby Syndrome, the Children's Defense Fund, the American Academy of Pediatrics, the Child Welfare League of America, Prevent Child Abuse America, the National Child Abuse Coalition, the National Exchange Club Foundation, the American Humane Association, the American Professional Society on the Abuse of Children, the Arc of the United States, the Association of University Centers on Disabilities, Children's Healthcare is a Legal Duty, Family Partnership, Family Voices, National Alliance of Children's Trust and Prevention Funds, United Cerebral Palsy, the National Association of Children's Hospitals and related institutions, Never Shake a Baby Arizona/Prevent Child Abuse Arizona, the Center for Child Protection and Family Support, and many other organizations; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that in honor of survivors of Shaken Baby Syndrome like Kristina Simmons of Decatur, non-survivors like Taylor Nicole (Pinkas) Rogers of Edwardsville and Reagan Williams of Danville, and in honor of all the other precious children that did or did not survive, we hereby designate April 20-26, 2009, as "Shaken Baby Syndrome Awareness Week" in the State of Illinois; and be it further

RESOLVED, That we commend those hospitals, child care councils, schools, and other organizations that are working to increase awareness of the danger of shaking young children and educate parents and caregivers as to how they can help protect children from such injuries; and be it further

RESOLVED, That we encourage the people of Illinois to remember the victims of Shaken Baby Syndrome and to participate in educational programs to help prevent Shaken Baby Syndrome; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the National Shaken Baby Coalition.

Senator Cullerton offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

#### **SENATE JOINT RESOLUTION NO. 1**

WHEREAS, Illinois State government faces an integrity crisis that is as grave as the financial crisis that confronts our nation; and

WHEREAS, The integrity crisis was precipitated by former Governor Rod Blagojevich, who, in January 2009 by virtue of the authority vested in the General Assembly by the Illinois Constitution, was impeached by the House and removed from office by the Senate following his conviction in a Senate trial presided over by the Chief Justice of the Supreme Court of Illinois; the seriousness and public alarm regarding Blagojevich's misdeeds and abuse of power were amplified further by the fact that he was preceded in office by Governor George Ryan, who was convicted and imprisoned for wrongdoing during his time as an elected official; and

WHEREAS, Governor Blagojevich, throughout his tenure as Governor, repeatedly stymied and obstructed bipartisan efforts to pass legislation strengthening the State's ethics laws and increasing government transparency; among the waylaid measures were those reforming the State pension systems and Procurement Code, strengthening revolving door prohibitions, and expanding government

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whistleblower protections; and

WHEREAS, The legitimacy of democratic government is dependent entirely upon the public's expectation that elected officials will remain mindful of the sacred trust that has been placed in them and act exclusively in the best interests of their fellow citizens, free from any considerations of use of their offices for personal advantage or gain; and

WHEREAS, It is imperative that lawmakers move swiftly to put this dark period in our State's history behind us and take all necessary steps to ensure that it is never repeated; to do so will require legislators to immediately begin a review of current State statutes, take public testimony, and determine what additional measures should be enacted to reform Illinois government and ensure that citizens receive the honest services to which they are rightfully due from their public servants; and

WHEREAS, We commend Governor Patrick Quinn's decision to create the Illinois Reform Commission, the purpose of which is to undertake a focused evaluation of both existing Illinois law and the operational practices of the State of Illinois from the perspective of ethics in government, proposing, as the Commission deems appropriate, amendments to existing law; and

WHEREAS, Lawmakers stand ready to work with Governor Quinn, reform advocates, and the citizens of Illinois to restore integrity to State government; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Joint Committee on Government Reform; and be it further

RESOLVED, That the Joint Committee shall consist of 16 members, 4 of whom shall be appointed by the President of the Senate, 4 of whom shall be appointed by the Speaker of the House of Representatives, 2 of whom shall be appointed by the Minority Leader of the Senate, and 2 of whom shall be appointed by the Minority Leader of the House of Representatives; the President of the Senate and Speaker of the House shall serve as co-chairs of the committee; the Minority Leader of the Senate and Minority Leader of the House, if they so choose, may serve as co-vice chairs; and be it further

RESOLVED, That the Joint Committee shall meet at the call of the Speaker and President; and be it further

RESOLVED, That suitable copies of this resolution be presented to all Illinois Constitutional Officers, Illinois Supreme Court Justices, and members of Governor Patrick Quinn's Illinois Reform Commission.

Senator Haine offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

#### **SENATE JOINT RESOLUTION NO. 2**

WHEREAS, Illinois Route 140/111 is a major thoroughfare in the southern portion of the State of Illinois, with a major artery running through the city of Alton; and

WHEREAS, The members of American Legion Post 126 in Alton, American Legion Post 354, V.F.W. Post 1308, and Marine Corps League Detachment #1160 have all requested that Route 140/111 be designated the American Veterans Memorial Parkway; and

WHEREAS, Men and women who have served their country would be honored by this designation; and

WHEREAS, Designating Route 140/111 as the American Veterans Memorial Parkway would serve as a reminder to people of the State of Illinois on the bravery and dedication of our armed forces; therefore, be it

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RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the portion of Illinois Route 140/111 between Bethalto and Alton be designated as the American Veterans Memorial Parkway in honor of the brave men and women of the United States Armed Forces; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the American Veterans Memorial Parkway; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Secretary of the Illinois Department of Transportation.

Senator Haine offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

### SENATE JOINT RESOLUTION NO. 3

WHEREAS, The Legislature of the State of Illinois recognizes that Alzheimer's disease is the 21st century's health epidemic; and

WHEREAS, The Legislature of the State of Illinois recognizes that ten million baby boomers in the United States will develop Alzheimer's disease; and

WHEREAS, The Legislature of the State of Illinois recognizes that one in eight baby boomers in America will develop Alzheimer's; and

WHEREAS, Today, there are between 200,000 and 500,000 people under age 65 with young-onset Alzheimer's disease or other dementias in the United States; and

WHEREAS, People under age 65 with Alzheimer's disease or other dementias whose employment is terminated because of the disease are likely to lose job-related health insurance and may become uninsured and uninsurable; and

WHEREAS, Individuals with young-onset Alzheimer's disease who qualify for Medicare benefits under Social Security Disability Insurance (SSDI) must wait five months after the eligibility determination is made to start receiving SSDI benefits and 24 months after that date for Medicare benefits to start; and

WHEREAS, The Medicare waiting period causes many people with Alzheimer's disease to decide whether they will face high medical out-of-pocket expenditures for care or forgo medical care; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we urge the members of the Illinois delegation to the United States Congress to phase out Medicare's two-year waiting period so that persons under age 65 with Alzheimer's disease are eligible for Medicare immediately after receiving their determination of disability; and be it further

RESOLVED, That a suitable copy of this resolution be sent to each member of the Illinois Congressional delegation.

Senator Bond offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

### SENATE JOINT RESOLUTION NO. 4

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WHEREAS, During the 95th General Assembly, Senate Joint Resolution 101 created the Nuclear Power Issues Task Force to study and compile information on nuclear power issues; and

WHEREAS, The Nuclear Power Issues Task Force was to report its findings and recommendations to the General Assembly by January 1, 2009; and

WHEREAS, The Nuclear Power Issues Task Force needs additional time to complete its work; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Nuclear Power Issues Task Force shall submit a report, as required in Senate Joint Resolution 101 of the 95th General Assembly, no later than January 1, 2010; and be it further

RESOLVED, That with this reporting extension, the Nuclear Power Issues Task Force shall continue to operate pursuant to Senate Joint Resolution 101 of the 95th General Assembly.

Senator Hunter offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

#### **SENATE JOINT RESOLUTION NO. 5**

WHEREAS, According to the 2005 American Community Survey, over 12 million people lived in Illinois; and

WHEREAS, Of the people living in Illinois, 72 percent are White, 15 percent are African-American, 4 percent are Asian, and 9 percent are of Other Races; and

WHEREAS, Of the citizens in Illinois, 15 percent are of Hispanic or Latino origin and 85 percent are not of Hispanic or Latino origin; and

WHEREAS, Seven percent of the population is under 5 years of age, 19 percent is between 5 and 17 years of age, 58 percent is between 18 and 64 years of age, and 16 percent of the population is 65 years of age or older; and

WHEREAS, There are 3,229,558 children under 18 years of age living in households in Illinois; and

WHEREAS, Of the children living in Illinois, 65 percent are White, 18 percent are African-American, 4 percent are Asian, and 13 percent are Other Races; and

WHEREAS, Of the children in Illinois, 20 percent are of Hispanic or Latino origin and 80 percent are not Hispanic or Latino; and

WHEREAS, Eighty-eight percent of children live in the same household as their parents, seven percent live with grandparents, three percent live with other relatives, and two percent live with unrelated foster parents; and

WHEREAS, Of the 4,691,020 households in Illinois, 50 percent are defined as married-couple family household, four percent are defined as male householder - no wife present, 13 percent are defined as female householder - no husband present, and 33 percent are defined as non-family household; and

WHEREAS, Eight percent of children who live in married-couple family households received public assistance in the past 12 months; 21 percent of children who live in male householder - no wife present family households received public assistance in the past 12 months; and 43% of children who live in female householder - no husband present family household received public assistance in the past 12

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months; and

WHEREAS, Of the low-income households in Illinois, 78 percent experienced housing problems; and 23% of White households experienced housing problems compared to 42 percent of African-American households and 53 percent of Hispanic households; and

WHEREAS, Examination of educational achievement for Illinois residents 25 years and older reveals that 15 percent have achieved less than a high school diploma, 28 percent graduated from high school, 28 percent attended college or received an associated degree, 18 percent received a bachelor's degree, and 11 percent have attained a graduate degree or higher or professional degree; and

WHEREAS, Fifty-four percent of low-income households pay more than 50 percent of their household income for housing; and

WHEREAS, Over 44,000 adults are in prison, and 94 percent are male and six percent are female; 60 percent are African-American, 11 percent are Hispanic, and 28 percent are White; and

WHEREAS, Of the more than 1,400 juveniles in prison, 92 percent are male and eight percent are female; and 54 percent are African-American, 11 percent are Hispanic, and 34 percent are White; and

WHEREAS, Children reared by single parents are more likely to drop out of high school, commit criminal acts, and become homeless; and

WHEREAS, Since 2002, over 26,000 children per year are indicated for abuse or neglect and are living with parents more likely to be identified as the perpetrator; and

WHEREAS, The socioeconomic status of the parents affects the risk of children experiencing violent acts, growing up in violent communities, and not having access to a quality education or affordable and quality health care; and

WHEREAS, Families are under stress and are increasingly unable to protect or provide for their children; and

WHEREAS, Family violence, including domestic violence, negatively affects children's emotional and psychological well-being; and

WHEREAS, Families living below poverty and middle income earners are more likely to become homeless as there is a severe shortage of affordable housing; and

WHEREAS, The family is the primary institution for caring and providing for the emotional, physical, and social well-being of children and assuring that they receive the moral guidance and social skills to successfully reach their potential and contribute as citizens; and

WHEREAS, Many children live in communities where food deserts exist - they are unable to access healthy food; and

WHEREAS, Children living in some urban communities are frequently exposed to different levels of assorted toxic chemicals both inside and outside the home; and

WHEREAS, Low-income children and their parents are less likely to have access to quality health care, less likely to have incomes to secure safe and affordable housing, and less likely to have community schools with certified teachers than affluent families; and

WHEREAS, There is a relationship between child well-being, family well-being, and a community's social and economic strength; and

WHEREAS, Parents are primarily responsible for instilling in their children moral, community, civic, and social responsibility; and

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WHEREAS, Community institutions, agencies, and organizations have a moral and social responsibility to assist their members in achieving optimal well-being; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Parents and Community Accountability Study Committee, hereafter referred to as the Committee, consisting of 29 members appointed as follows:

- (1) Three members appointed by the President of the Senate;
- (2) Two members appointed by the Minority Leader of the Senate;
- (3) Three members appointed by the Speaker of the House of Representatives;
- (4) Two members appointed by the Minority Leader of the House of Representatives;
- (5) One member of the Governor's staff appointed by the Governor;
- (6) Two members appointed by the Chair of the Illinois African-American Family Commission;
- (7) Two members appointed by the Joint Chair of an association that represents Illinois African American legislators;
- (8) One member appointed by the Chair of the Illinois Prisoner Review Board;
- (9) One member from each of the following State agencies appointed by their respective heads: Department of Children and Family Services, Department of Human Services, Department on Aging, Illinois State Board of Education, Department of Juvenile Justice, Department of Healthcare and Family Services, and Department of Corrections; and
- (10) Six public members representing the interests of child welfare advocates, public health researchers, the general public, the formerly incarcerated, faith-based community, and court personnel - each appointed by the Governor; and be it further

RESOLVED, That the Department of Human Services in conjunction with the Department of Children and Family Services shall provide staff and administrative support to the Committee; and be it further

RESOLVED, That the Committee shall examine issues related to racial and socioeconomic disparities affecting the pro-social development of children and youth; shall identify ways to engage more parents in being accountable for the actions of their children; and shall identify ways to engage more communities in being accountable for investing in pro-social development of children and families; the Committee shall also research the types of supports needed to help parents develop the necessary skills to ensure that their children achieve positive youth development and to reduce factors that lead to violence in the community, home, and school; the Committee shall also study what systems are needed to assist communities to reinvest in and support children and families; and be it further

RESOLVED, That the Committee shall hold public hearings in every Legislative District it deems necessary and present a report of its findings and recommendations to the 96th General Assembly before June 30, 2010.

Senator Hunter offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

#### **SENATE JOINT RESOLUTION NO. 6**

WHEREAS, During the 95th General Assembly, Senate Joint Resolution 9 created the Illinois Justice Study Committee to review all non-capital wrongful felony conviction cases that have been resolved as of the effective date of that resolution and which resulted from DNA testing; a pardon granted on the basis of actual innocence; and dismissal of charges or acquittals upon a retrial based on relief granted by either the Illinois Appellate or Supreme Courts, or the federal District, Court of Appeals, or United States Supreme Court; and

WHEREAS, The Illinois Justice Study Committee was to report its findings and recommendations to  
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the Governor and the General Assembly by December 31, 2008; and

WHEREAS, The Illinois Justice Study Committee needs additional time to complete its work; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois Justice Study Committee created by Senate Joint Resolution 9 of the 95th General Assembly shall submit its report by December 31, 2010; and be it further

RESOLVED, That with this reporting extension, the Illinois Justice Study Committee shall continue to operate pursuant to Senate Joint Resolution 9 of the 95th General Assembly.

Senator Crotty offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

#### **SENATE JOINT RESOLUTION NO. 7**

WHEREAS, Fetal Alcohol Spectrum Disorders (FASD) are the leading cause of mental retardation in Western civilization, including the United States, and are 100% preventable; and

WHEREAS, The term FASD includes a broader range of conditions and therefore has replaced the term fetal alcohol syndrome as the umbrella term describing the range of effects that can occur in an individual whose mother consumed alcohol during pregnancy; and

WHEREAS, FASD are a major cause of numerous social disorders, including learning disabilities, school failure, juvenile delinquency, homelessness, unemployment, mental illness, and crime; and

WHEREAS, The incidence rate of fetal alcohol syndrome is estimated at one out of 500 live births and the incidence rate of fetal alcohol spectrum disorders is estimated at one out of every 100 live births; in Illinois, it is estimated that there are potentially 9,000 children born with FASD each year; and

WHEREAS, It is estimated that FASD alone can cost between one and 5 million dollars per child, not inclusive of societal costs associated with lost productivity, incarceration, and quality of life; and

WHEREAS, Learning and life skills affected by prenatal alcohol exposure vary among persons, depending on amount, timing, and pattern of exposure and on each person's current and past environments; as a result, services for people with FASD vary according to the parts of the brain that have been affected, the person's age or level of maturation, the health or functioning of the person's family, and the person's overall living environment; given the range of need, services must be individualized; and

WHEREAS, Children diagnosed with FASD consistently have lower IQs and have difficulty with behavior regulation, impulsivity, socialization, and poor judgment; and

WHEREAS, Early identification of the disability and proper school interventions can greatly increase the potential for success in school and in life; and

WHEREAS, Illinois does not currently have a statewide, coordinated response to FASD that includes data collection, educational services, and mental health services; and

WHEREAS, The estimated cost that each individual with fetal alcohol syndrome will cost taxpayers is significant; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we

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urge the Department of Human Services, in collaboration with the Departments of Children and Family Services, Healthcare and Family Services, Corrections, and Financial Institutions and Professional Regulation, the Illinois State Board of Education, and the Illinois Planning Council on Developmental Disabilities to complete an assessment of existing State and federal assistance programs and to conduct public hearings across the State to gather testimony from parents, educators, healthcare providers, clinicians, mental health providers, FASD service providers, and others regarding the services they feel need to be in place in this State in order to serve this unique population of children and adults; and be it further

RESOLVED, That the Illinois Department of Human Services shall issue a report highlighting its findings and recommendations for improving Illinois' services to children, adults, and their families affected by FASD to the Governor and the General Assembly no later than January 2, 2010; and be it further

RESOLVED, That a copy of the report be sent to the Directors of the Departments of Children and Family Services, Healthcare and Family Services, Financial Institutions and Professional Regulation, and Corrections, the Superintendent of the Illinois State Board of Education, the Illinois Planning Council on Developmental Disabilities, the Illinois General Assembly, the Office of the Governor, and the Governor's Office of Management and Budget.

Senator Lightford offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

#### **SENATE JOINT RESOLUTION NO. 8**

WHEREAS, Several recent economic and academic studies have demonstrated a growing skills gap among workers in the nation; and

WHEREAS, These studies have demonstrated that the greatest disparity in skills exists among the nation's traditionally underrepresented minority populations, specifically African Americans, Latinos, and Native Americans; and

WHEREAS, A logical and efficient manner of addressing this skill gap is through the provision of post-secondary education; and

WHEREAS, Illinois needs to improve college access for all of its citizens in order to address the skill gap, provide a cadre of more qualified and competent workers for Illinois businesses, and improve the State economy; and

WHEREAS, Traditionally underrepresented populations, specifically African Americans, Latinos, and Native Americans, make up an increasingly higher percentage of the State's population, and thus will be called upon to make up an increasingly higher percentage of the State's workforce; and

WHEREAS, Traditionally underrepresented populations, specifically African Americans, Latinos, and Native Americans, make up a disproportionately lower percentage of those students attending colleges and universities in Illinois as compared to their overall Illinois population; and

WHEREAS, It has been demonstrated that traditionally underrepresented student populations are more successful in their degree attainment when they are taught and supported by faculty and staff that includes those of similar ethnic and cultural backgrounds; and

WHEREAS, Traditionally underrepresented populations, specifically African Americans, Latinos, and Native Americans, make up a disproportionately lower percentage of the faculty and staff at colleges and universities in Illinois as compared to their overall Illinois population; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that a

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bi-partisan task force on the status of underrepresented minorities in higher education is commissioned to evaluate the status of traditionally underrepresented populations, specifically African Americans, Latinos, and Native Americans, in this State's public and private institutions of higher education; and be it further

RESOLVED, That membership on this task force include 2 Republican and 2 Democrat members of the House of Representatives, appointed by the Speaker of the House; 2 Republican and 2 Democrat members of the Senate, appointed by the President of the Senate; the Chairperson, or his or her designee, of the State Board of Education, the Executive Director, or his or her designee, of the Board of Higher Education, and the Executive Director, or his or her designee, of the Illinois Student Assistance Commission; and the head, or his or her designee, of a group representing independent Illinois colleges and universities, the head, or his or her designee, of a group representing black concerns in higher education in Illinois, the head, or his or her designee, of a group representing Latinos and higher education in Illinois, and the head, or his or her designee, of a group representing the interests of community colleges in Illinois, each appointed jointly by the Speaker of the House and President of the Senate; and be it further

RESOLVED, That this task force assess accessibility of institutions of higher education in Illinois for those in the above-stated Illinois populations who want to enroll as students; and be it further

RESOLVED, That the task force assess the representation of these populations in all job categories, including faculty, staff, and civil service, at institutions of higher education in Illinois; and be it further

RESOLVED, That the task force assess issues of campus climate that might affect the success of students and the retention of faculty and staff at institutions of higher education in Illinois; and be it further

RESOLVED, That the task force pay particular attention during its assessment of those college and university programs that target areas of the most drastic skills disparity, as identified by previously published economic and academic studies; and be it further

RESOLVED, That in order to make these assessments, the task force shall receive assistance from the Board of Higher Education and shall hold a series of regional public hearings on college and university campuses across the State; and be it further

RESOLVED, That this task force shall file a report with the General Assembly, the Office of the Governor, the State Board of Education, and the Board of Higher Education upon completion of its assessments, and that this report shall include any findings and recommendations for further legislative action that are generated as a result of the task force's work; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Chairperson of the State Board of Education, the Executive Director of the Board of Higher Education, and the Executive Director of the Illinois Student Assistance Commission.

Senator Cronin offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

**SENATE JOINT RESOLUTION NO. 9  
CONSTITUTIONAL AMENDMENT**

SC0009

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES 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 Sections 4.1, 4.2, 4.3, 4.4, 4.5, and 4.6 to Article III of the Illinois Constitution as follows:

ARTICLE III

[February 3, 2009]

## SUFFRAGE AND ELECTIONS

SECTION 4.1. RECALL PETITIONS; STATE OFFICERS

(a) Recall of an executive branch officer, as identified in Section 1 of Article V, a member of the General Assembly, or a supreme, appellate, or circuit judge is initiated by delivering to the Secretary of State a petition alleging reason for recall. Sufficiency of reason is not reviewable. After the initial petition is filed, proponents have 160 days to file signed petitions.

(b) A petition to recall an executive branch officer must be signed by electors of the State equal to at least 12% of the last vote for the office, with signatures from each of at least 5 counties equal to at least 1% of the last vote for the office in the county. A petition to recall a member of the General Assembly or a supreme, an appellate, or a circuit judge must be signed by electors of the district that elected the member or judge equal to at least 20% of the last vote for the office.

(c) The Secretary of State shall maintain a continuous count of the signatures certified to the Secretary.

SECTION 4.2. RECALL ELECTIONS; STATE OFFICERS

(a) An election to determine whether to recall an officer and, if appropriate, to elect a successor shall be called by the Governor and held not less than 60 days nor more than 80 days after the date of certification of sufficient signatures.

(b) A recall election may be conducted within 180 days after the date of certification of sufficient signatures in order that the election may be consolidated with the next regularly scheduled election occurring wholly or partially within the same jurisdiction in which the recall election is held, but only if the number of voters eligible to vote at that next regularly scheduled election equal at least 50% of all the voters eligible to vote at the recall election.

(c) If the majority vote on the question is to recall, the officer is removed and, if there is a candidate, the candidate who receives a plurality is the successor for the balance of the term. The officer subject to recall may not be a candidate.

SECTION 4.3. RECALL ELECTIONS; LAW IMPLEMENTING

The General Assembly, by law, shall provide for circulation, filing, and certification of petitions, nomination of candidates, and the recall election.

SECTION 4.4. RECALL; GOVERNOR'S OR SECRETARY'S DUTIES

If recall of the Governor or Secretary of State is initiated, the recall duties of that officer shall be performed by the Lieutenant Governor or Comptroller, respectively.

SECTION 4.5. RECALL; INITIATE ANEW

If an officer is not recalled at an election, then another recall may not be initiated against that officer until at least 6 months after the election.

SECTION 4.6. RECALL; LOCAL OFFICIALS BY LAW

Officers of units of local government and school districts who hold office either by election or by appointment to fill a vacancy in an elected office are not subject to Sections 4.1 through 4.5, but the General Assembly, by law, may provide for recall of those officers.

## SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Dillard offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

**SENATE JOINT RESOLUTION NO. 10  
CONSTITUTIONAL AMENDMENT**

SC0010

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES 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 VI of the Illinois Constitution as follows:

ARTICLE VI  
THE JUDICIARY

[February 3, 2009]

## SECTION 3. SUPREME COURT - ORGANIZATION

(a) The Supreme Court shall consist of seven Judges. Three shall be selected from the First Judicial District and one from each of the other Judicial Districts. Four Judges constitute a quorum and the concurrence of four is necessary for a decision. Supreme Court Judges shall select a Chief Justice from their number to serve for a term of three years.

(b) If a Supreme Court Judge recuses himself or herself in a particular case or matter before the Court because of an actual or potential conflict of interest, then the Judge shall notify the Clerk of the Supreme Court in writing of the recusal. A Judge of the Appellate Court shall then be selected to serve as an Interim Supreme Court Judge to hear that particular case or matter until it is resolved or otherwise disposed of by the Court. The Interim Supreme Court Judge shall be selected in a random manner from a pool of Appellate Judges as determined by Supreme Court Rule.

(Source: Illinois Constitution.)

## SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

At the hour of 4:15 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, February 4, 2009, at 4:00 o'clock p.m.