

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-NINTH GENERAL ASSEMBLY

6TH LEGISLATIVE DAY

PERFUNCTORY SESSION

FRIDAY, JANUARY 30, 2015

11:52 O'CLOCK A.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
6th Legislative Day**

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No index entries found.

NOTE: Full text of Amendments will not be included in House Journals from the 97th GA forward; they can be viewed on the Illinois General Assembly website (www.ilga.gov). For inquiries regarding this, please contact the House Clerk’s office.

The House of Representatives met in Perfunctory Session pursuant to adjournment.

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

Flex Time Report, submitted by the Illinois Historic Preservation Agency on January 29, 2015.

Department of Corrections - Correctional Industries - Financial Audit, submitted by the Office of the Auditor General on January 29, 2015.

Illinois Office of the Secretary of State - Financial Audit, submitted by the Office of the Auditor General on January 29, 2015.

Chicago State University - Financial Audit, submitted by the Office of the Auditor General on January 29, 2015.

Northeastern Illinois University - Financial Audit, submitted by the Office of the Auditor General on January 29, 2015.

Eastern Illinois University - Financial Audit, submitted by the Office of the Auditor General on January 29, 2015.

Regional Office of Education #13 - Clinton/Marion/Washington Counties, submitted by the Office of the Auditor General on January 29, 2015.

Regional Office of Education #31 - Kane County, submitted by the Office of the Auditor General on January 29, 2015.

Collection Statistic for Calendar Year 2014, submitted by the Office of the Attorney General on January 30, 2015.

Juvenile Justice Reform Quarterly Report/October 1, 2014 through December 31, 2014, submitted by the Illinois State Police on January 30, 2015.

2014 African American Employment Plan Survey, 2014 Hispanic Employment Plan Survey, 2014 Asian American Employment Plan Survey, submitted by the Office of the Attorney General on January 30, 2015.

Child Care Flexible Work Time Report/Reporting Year: 2015, submitted by the Illinois Pollution Control Board on January 30, 2015.

Flexible Work Schedule Arrangements, submitted by the Illinois Department on Aging on January 30, 2015.

Report of an Inadvertent Disclosure of Protected Personal Information, submitted by the Illinois Department of Healthcare and Family Services on January 30, 2015.

Policy Statement on Flexible Work Requirements, submitted by the Illinois Educational Labor Relations Board on January 30, 2015.

Monetary Award Program (MAP) Evaluation, submitted by the Illinois Students Assistance Commission on January 30, 2015.

State of Illinois Annual Report Summary 2014, submitted by the Illinois Department of Central Management Services on January 30, 2015.

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2015 Hispanic, Asian and African American Employment Plans and Appendices documents, submitted by the Illinois Department of Central Management Services on January 30, 2015.

LETTERS OF TRANSMITTAL

January 30, 2015

Mr. Tim Mapes
Clerk of the House
420 State House
Springfield, IL 62706

Dear Mr. Clerk:

Please be advised that Representative Norine Hammond will serve as Assistant Republican Leader for the 99th General Assembly, effective immediately.

If you have any questions, please feel free to contact me.

Sincerely,

s/ Jim Durkin
House Republican Leader

January 30, 2015

Mr. Tim Mapes
Clerk of the House
420 State House
Springfield, IL 62706

Dear Mr. Clerk:

Attached please find the Republican Spokesperson committee appointments for the 99th General Assembly. These appointments are effective immediately.

If you have any questions, please feel free to contact my Chief of Staff, Scott Reimers, at (217) 782-5104.

Sincerely

s/ Jim Durkin
House Republican Leader

Agriculture & Conservation
Appropriations- Elementary & Secondary Education
Appropriations- General Services
Appropriations- Higher Education
Appropriations- Human Services

MOFFITT
PRITCHARD
MORRISON
BRADY
BELLOCK

Appropriations- Public Safety	CABELLO
Business/ Occupational Licenses	POE
Cities & Villages	FORTNER
Community College Access	BRADY
Consumer Protection	HAMMOND
Counties & Townships	MOFFITT
Economic Development	MCSWEENEY
Elem/ Sec: Charter Schools	SOSNOWSKI
Elem/ Sec: Licensing & Oversight	MITCHELL
Elem/ Sec: School Curriculum & Policies	PRITCHARD
Energy	DAVIDSMEYER
Environment	TRYON
Executive	HAYS
Financial Institutions	UNES
Health Care Availability & Access	HAYS
Health Care Licenses	MCAULIFFE
Higher Education	HAMMOND
Human Services	BELLOCK
Insurance	REIS
International Trade/ Commerce	SOMMER
Judiciary – Civil	SANDACK
Judiciary – Criminal	CABELLO
Juvenile Justice & System Involved Youth	TRYON
Labor & Commerce	KAY
Personnel & Pensions	MORRISON
Public Utilities	BROWN
Revenue & Finance	HARRIS
RULES	SULLIVAN
Small Business Empowerment & Workforce Development	CAVALETTO
State Government Administration	PRITCHARD
Transportation: Regulation, Roads & Bridges	FORTNER
Transportation: Vehicle Safety	UNES
Special Committee on Adoption Reform	SOMMER
Special Committee on Business Growth & Incentives	KAY
Special Committee on Health & Healthcare Disparities	LEITCH
Special Committee on Intermodal Infrastructure	FORTNER
Special Committee on Museums, Arts & Cultural Enhancement	MCAULIFFE
Special Committee on Renewable Energy & Sustainability	MORRISON
Special Committee on Restorative Justice	SANDACK
Special Committee on Special Needs Services	CAVALETTO
Special Committee on Tollway Oversight	FORTNER
Special Committee on Tourism & Conventions	BRAUER
Special Committee on Veteran's Affairs	MCAULIFFE
Special Committee on Youth & Young Adults	DAVIDSMEYER

January 30, 2015

Mr. Tim Mapes
 Clerk of the House
 420 State House
 Springfield, IL 62706

Dear Mr. Clerk:

Attached please find the committee appointments for the 99th General Assembly. These appointments are effective immediately.

If you have any questions, please feel free to contact my Chief of Staff, Scott Reimers, at (217)782-5104.

Sincerely,

s/Jim Durkin
House Republican Leader

Committee	Republican Appointments	Members
Agriculture & Conservation	Moffitt, Spokesperson Anthony Cavaletto Demmer Frese Meier Poe Stewart	8
Appropriations- Elementary & Secondary Education	Pritchard, Spokesperson Bennett Demmer Ives McSweeney Sosnowski Wheeler, B.	7
Appropriations- General Services	Morrison, Spokesperson Andersson Brauer Brown Harris Winger	7
Appropriations- Higher Education	Brady, Spokesperson Batinick Bennett Hammond Phillips Poe Pritchard Sosnowski Wehrli	9
Appropriations- Human Services	Bellock, Spokesperson Davidsmeyer Demmer Frese Jesiel	9

	Kay Leitch Meier Unes	
Appropriations- Public Safety	Cabello, Spokesperson Anthony Bryant Cavaletto Jesiel Kay McAuliffe Moffitt Reis Stewart	10
Business/Occupational Licenses	Poe, Spokesperson Batinick Davidsmeyer Sommer	4
Cities & Villages	Fortner, Spokesperson Anderson Ives	3
Community College Access & Affordability	Brady, Spokesperson Hammond Ives Sandack	4
Consumer Protection	Hammond, Spokesperson Bennett Breen Frese McSweeney Wehrli Wheeler, K.	7
Counties & Townships	Moffitt, Spokesperson Cavaletto McDermed Phillips	5
Economic Development & Housing	McSweeney, Spokesperson Breen Brown Kay Reis Wheeler, K.	6
Elementary & Secondary: School Curriculum & Policy	Pritchard, Spokesperson Batinick	10

	Cavaletto Hammond Jesiel Meier Moffitt Sandack Sosnowski Wheeler, B.	
Elementary & Secondary: Charter School Policy	Sosnowski, Spokesperson Anthony Demmer Sullivan Wheeler, B.	5
Elementary & Secondary Education: Licensing & Oversight	Mitchell, Spokesperson Pritchard	2
Energy	Davidsmeyer, Spokesperson Anthony Breen Fortner Mitchell	5
Environment	Tryon, Spokesperson Brauer McDermed Meier Mitchell Morrison Phillips	7
Executive	Hays, Spokesperson Sosnowski Sullivan Tryon	4
Financial Institutions	Brown, Spokesperson Bellock Davidsmeyer Harris Leitch Moffitt Reis Sullivan Unes Winger	10
Health Care Availability & Access	Hays, Spokesperson McAuliffe	2
Health Care Licenses	McAuliffe, Spokesperson Brown	5

	Davidsmeyer Hays McDermed	
Higher Education	Hammond, Spokesperson Bennett Brady Demmer Hays Pritchard Wheeler, B.	7
Human Services	Bellock, Spokesperson Demmer Hammond Jesiel Stewart Unes	6
Insurance	Reis, Spokesperson Batinick Brady Breen Davidsmeyer Hammond Kay Sommer Unes Winger	10
International Trade/Commerce	Sommer, Spokesperson Kay Unes Wehrli	4
Judiciary – Civil	Sandack, Spokesperson Andersson Breen Kay	4
Judiciary – Criminal	Cabello, Spokesperson Anthony Bryant Stewart Sandack Wheeler, B.	6
Juvenile Justice & System Involved Youth	Tryon, Spokesperson Bryant Hays Jesiel McDermed	5
Labor & Commerce	Kay, Spokesperson Bellock Brady	10

	Breen Cabello Ives Phillips Stewart Tryon Wheeler, K.	
Personnel & Pensions	Morrison, Spokesperson Ives Jesiel Poe	4
Public Utilities	Sullivan, Spokesperson Brown Cabello Leitch McAuliffe Mitchell Sandack Wehrli Wheeler, K.	9
Revenue & Finance	Harris, Spokesperson Sosnowski Stewart Sullivan Tryon	5
Small Business Empowerment & Workforce Development	Cavaletto, Spokesperson Andersson Frese Wheeler, K. Wehrli Winger	6
State Government Administration	Pritchard, Spokesperson Bennett Harris McDermed McSweeney Morrison	6
Transportation: Regulation, Roads & Bridges	Fortner, Spokesperson Andersson Brauer Hammond Harris Phillips Wheeler, K.	8
Transportation: Vehicle Safety	Unes, Spokesperson Brady	3

	Brauer	
Rules	Sullivan, Spokesperson Leitch	2
Special Committee on Adoption Reform	Sommer, Spokesperson Wheeler, B.	2
Special Committee on Business Growth & Incentives	Kay, Spokesperson Batinick Frese Meier Reis Sandack	6
Special Committee on Health & Healthcare Disparities	Leitch, Spokesperson Bellock Demmer Mitchell Phillips Wheeler, B.	6
Special Committee on Intermodal Infrastructure	Fortner, Spokesperson Bryant Cabello Ives McDermed Moffitt	6
Museums, Arts & Cultural Enhancement	McAuliffe, Spokesperson Andersson Brauer Wheeler, B.	4
Special Committee on Renewable Energy & Sustainability	Morrison, Spokesperson Andersson Bennett Fortner Harris Sandack Tryon Winger	8
Special Committee on Restorative Justice	Sandack, Spokesperson Anthony Breen Wheeler, K.	4
Special Committee on		

Special Needs Services	Cavaletto, Spokesperson Anthony Bellock Brady Jesiel Meier Wehrli	7
Special Committee on Tourism & Conventions	Brauer, Spokesperson Bryant McAuliffe Unes	4
Special Committee on Tollway Oversight	Fortner, Spokesperson Cabello Harris Sosnowski	4
Special Committee on Veterans' Affairs	McAuliffe, Spokesperson Batinick Davidsmeyer Frese Moffitt Stewart Unes Winger	9
Special Committee on Youth & Young Adults	Davidsmeyer, Spokesperson Brown Bryant Demmer Ives	5

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
FIRST READING**

Representative Drury introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 18**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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) The Independent Redistricting Commission shall adopt and file with the Secretary of State a redistricting plan for Legislative Districts and Representative Districts by June 30 of the year following each federal

decennial census. Legislative Districts shall be contiguous and substantially equal in population. Representative Districts shall be contiguous and substantially equal in population. The redistricting plan shall comply with federal law. Subject to the foregoing, the Commission shall apply the following criteria: (1) the redistricting plan shall not dilute or diminish the ability of a racial or language minority community to elect the candidates of its choice, including when voting in concert with other persons; (2) districts shall respect the geographic integrity of units of local government; (3) districts shall respect the geographic integrity of communities sharing common social and economic interests, which do not include relationships with political parties or candidates for office; and (4) the redistricting plan shall not either purposefully or significantly discriminate against or favor any political party or group. In designing the redistricting plan, the Commission shall consider party registration and voting history data only to assess compliance with the foregoing criteria, and shall not consider the residence of any person. The Commission shall hold at least one public hearing in each Judicial District before, and at least one public hearing in each Judicial District after, releasing the initial proposed redistricting plan. The Commission may not adopt a final redistricting plan unless the plan to be adopted without further amendment, and a report explaining its compliance with this Constitution and the criteria applicable, have been publicly noticed at least seven days before the final vote on the plan. An adopted redistricting plan shall have the force and effect of law and shall be published promptly by the Secretary of State. The State Board of Elections shall provide the Commission and the public with complete and accurate census information and technology sufficient to propose redistricting plans. The Commission shall adopt rules governing its procedure and the implementation of this Section.

(b) The Commission shall act in public meetings by affirmative vote of six Commissioners, except that approval of any redistricting plan shall require the affirmative vote of at least seven Commissioners, including at least (1) two Commissioners from each political party whose candidate for Governor received the most and second-most votes cast in the last general election for Governor, and (2) two Commissioners not affiliated with either such political party. The Commission shall elect from its number a chairperson and vice chairperson, who shall not be affiliated with the same political party. Six Commissioners shall constitute a quorum. All meetings of the Commission attended by at least four Commissioners, except for meetings qualified under attorney-client privilege during pending litigation, shall be open to the public and publicly noticed at least two days prior to the meeting. All records of the Commission, including communications between Commissioners regarding the Commission's work, shall be open for public inspection, except for records qualified under attorney-client privilege. The Commission may retain assistance from counsel, technical staff, and other persons with relevant skills and shall be provided with adequate resources to complete its work.

(c) For the purpose of conducting the Commissioner selection process, an Applicant Review Panel comprised of three Reviewers shall be chosen in the following manner in the year in which each federal decennial census occurs. Beginning no later than January 1 and ending no later than March 1 of the year in which the federal decennial census occurs, the Auditor General shall request and accept applications of individuals applying to serve as Reviewers. By March 31, the Auditor General shall appoint a Panel of three Reviewers, selected by random draw from eligible applicants. The Panel shall act in public meetings by affirmative vote of at least two Reviewers. All meetings of the Panel shall be open to the public and publicly noticed at least two days before the meeting. All records of the Panel, including applications to serve on the Panel or the Commission, shall be open for public inspection, except for private information about applicants for which there is no compelling public interest in disclosure. The Panel may retain assistance from counsel, technical staff, and other persons with relevant skills and shall be provided with adequate resources to complete its work.

(d) The 11-member Independent Redistricting Commission shall be chosen in the following manner in the year in which each federal decennial census occurs. Beginning no later than January 1 and ending no later than March 1 of the year in which the federal decennial census occurs, the Auditor General shall request and accept applications to serve as Commissioners. By May 31, the Applicant Review Panel shall select 100 eligible applicants based on their relevant analytical skills, impartiality, and ability to contribute to a fair redistricting process, and shall ensure that such applicants reflect the demographic and geographic diversity of the State. The Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate each may remove up to five of the applicants selected by the Panel. By June 30, the Panel shall conduct a random drawing from the remaining applicants in order to select seven Commissioners that individually and collectively satisfy the following requirements (with the random drawing to continue until seven qualified Commissioners are selected): (1) the seven Commissioners shall reside among the Judicial Districts in the same proportion as the number of judges elected therefrom under Section 3 of Article VI of this Constitution, (2) two Commissioners shall be affiliated with the political party

whose candidate for Governor received the most votes cast in the last general election for Governor, two Commissioners shall be affiliated with the political party whose candidate for Governor received the second-most votes cast in such election, and the remaining three Commissioners shall not be affiliated with either such political party, and (3) no more than two Commissioners may be affiliated with the same political party. The Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate each shall appoint one Commissioner from among the remaining applicants on the basis of the appointee's contribution to the demographic and geographic diversity of the Commission.

(e) To be eligible to serve as a Reviewer, a person must have education and experience in the examination and assessment of personnel, records, systems, or procedures for 10 years preceding his or her application, must have demonstrated understanding of and adherence to standards of ethical conduct, and must not have been affiliated with any political party within the three years preceding appointment. To be eligible to serve as a Commissioner, Special Commissioner for Redistricting, or Reviewer, a person must (1) be a resident and registered voter of the State for the four years preceding appointment, (2) within the three years preceding appointment, must not have been the holder of, or a candidate for, any public office in the State, an employee or officer of the State or a unit of local government or a political party, registered as a lobbyist anywhere in the United States, or party to a contract to provide goods or services to the State or a principal, officer, or executive employee of such a contractor, and (3) within the three years preceding appointment, must not have resided with any person described in clause (2) of this subsection. For 10 years after service as a Commissioner or Special Commissioner, a person is ineligible to serve as a Senator, Representative, officer of the Executive Branch, judge, or associate judge of the State or an officer or employee of the State whose appointment is subject to confirmation by the Senate. A vacancy on the Commission or Panel shall be filled within five days by an eligible applicant in the manner in which the office was previously filled; with respect to the Commission, the replacement Commissioner shall be drawn where possible from the remaining applicants previously selected by the Panel.

(f) If the Commission fails to adopt and file with the Secretary of State a redistricting plan by June 30 of the year following a federal decennial census, the Chief Justice of the Supreme Court and the most senior justice of the Supreme Court who is not affiliated with the same political party as the Chief Justice shall appoint jointly by July 31 a Special Commissioner for Redistricting. The Special Commissioner shall design and file with the Secretary of State by August 31 a redistricting plan satisfying the requirements and criteria set forth in subsection (a) and a report explaining its compliance with this Constitution and the criteria applicable. The Special Commissioner shall hold at least one public hearing in the State before releasing his or her initial proposed redistricting plan and at least one public hearing in a different location in the State after releasing his or her initial proposed redistricting plan and before filing the final redistricting plan with the Secretary of State. The redistricting plan shall have the force and effect of law and shall be published promptly by the Secretary of State.

(g) The Supreme Court shall have original jurisdiction in cases relating to matters under this Section. The Commission shall have exclusive authority and shall be provided by the General Assembly adequate resources to defend any redistricting plan adopted by the Commission.

(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 and the Representative 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 Speaker and Minority Leader of the House of Representatives shall each appoint to the Commission one Representative and one person who is not a member of the General Assembly. The President and Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member 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.

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 House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.~~

(Source: Amendment adopted at general election November 4, 1980.)

SCHEDULE

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

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 18 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Ford introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 19

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 Article IX of the Illinois Constitution by changing Section 3 as follows:

ARTICLE IX REVENUE

SECTION 3. LIMITATIONS ON INCOME TAXATION

(a) A tax on or measured by individual income ~~may~~ shall be at a graduated or a non-graduated rate. At any one time there may be no more than one such tax imposed by the State for State purposes on individuals and one such tax so imposed on corporations. Any such tax imposed on corporations shall be at a non-graduated rate. In any such tax imposed upon corporations the rate shall not exceed the average of the lowest and highest rates ~~rate~~ imposed on individuals by more than a ratio of 8 to 5.

(b) Laws imposing taxes on or measured by income may adopt by reference provisions of the laws and regulations of the United States, as they then exist or thereafter may be changed, for the purpose of arriving at the amount of income upon which the tax is imposed.

(Source: Illinois Constitution.)

SCHEDULE

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

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 19 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Cassidy introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 20

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 12 of and to add Section 12.1 to Article VI of the Illinois Constitution as follows:

ARTICLE VI
THE JUDICIARY

SECTION 12. ELECTION AND RETENTION

(a) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections as the General Assembly shall provide by law. A person eligible for the office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions.

(b) The office of a Judge shall be vacant upon his death, resignation, retirement, removal, or upon the conclusion of his term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.

(c) A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment.

~~(d) Not less than six months before the general election preceding the expiration of his term of office, a Supreme, Appellate or Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of three fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election.~~

~~(e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in office. A reduction shall become effective when a vacancy occurs in the affected unit.~~

(Source: Illinois Constitution.)

SECTION 12.1. JUDICIAL RETENTION PROCEDURES

(a) There shall be a Judicial Retention Commission in each Judicial District to determine qualifications for retention of Judges of the Supreme and Appellate Courts for each District and a separate Judicial Retention Commission to determine qualifications for retention of Circuit Judges for each Circuit. A combined Judicial Retention Commission shall be impaneled to consider the qualifications of judges seeking retention in the First Judicial District and the Cook County Circuit. If more than 40 Judges in a Circuit, or in Cook County in the combined District and Circuit, have filed declarations of candidacy for retention under this Section, one or more additional Judicial Retention Commissions shall be impaneled so that not more than 40 Judges are assigned to a single Judicial Retention Commission. When more than one Commission is impaneled in a Circuit or in a combined District and Circuit, the Administrative Director of the Illinois Courts shall divide the candidates for retention by lot into equal groups or groups that are as close to equal as possible and shall by lot designate the groups for assignment to each Judicial Retention Commission.

(b) Each Judicial Retention Commission shall consist of 11 members. Six members shall be non-lawyers and 5 members shall be lawyers. All members shall be residents of the appropriate District or Circuit.

(c) Two non-lawyer members of each Judicial Retention Commission shall be appointed by the Governor and 2 non-lawyer members shall be appointed by the State official or officer first in the order indicated who was elected to office and is not affiliated with the same political party as the Governor: the Attorney General, the Secretary of State, the Comptroller, the Treasurer, the President of the Senate, the Speaker of the House of Representatives. If all of those State officials and officers are affiliated with the same political party as the Governor, one non-lawyer member shall be appointed by the Minority Leader of the Senate and one non-lawyer member shall be appointed by the Minority Leader of the House of Representatives. If there is a vacancy in a position for which the original appointment was made under this subsection (c), a successor non-lawyer member shall be appointed by the same person who appointed the predecessor non-lawyer member if that person's office and political party affiliation have not changed since the predecessor non-lawyer member was appointed. If that person's office or political party affiliation have changed since the predecessor non-lawyer member was appointed, the successor non-lawyer member shall be appointed: (i) by the Governor if the Governor is affiliated with the same political party as the predecessor non-lawyer

member; or (ii) otherwise by the State official or officer first in the order indicated in this subsection (c) who was elected to office and is not affiliated with the same political party as the Governor.

(d) If a Circuit or a District comprises a single county, one non-lawyer member of each Judicial Retention Commission shall be appointed by the county board chairman and one non-lawyer member shall be appointed by the county board member with the longest service on the county board who is not affiliated with the same political party as the chairman. If 2 or more county board members who are not affiliated with the same political party as the chairman are tied for the longest service, one of them shall be chosen by lot to make the appointment. If the county board consists only of members of the same political party, the county board shall appoint 2 non-lawyer members of the Judicial Retention Commission, but those appointees may not both be affiliated with the same political party. If there is a vacancy in a position for which the original appointment was made under this subsection (d) and the county board does not consist only of members of the same political party, a successor non-lawyer member shall be appointed by the same person who appointed the predecessor non-lawyer member if that person's office and political party affiliation have not changed since the predecessor non-lawyer member was appointed. If that person's office or political party affiliation have changed since the predecessor non-lawyer member was appointed, the successor non-lawyer member shall be appointed: (i) by the county board chairman if the county board chairman is affiliated with the same political party as the predecessor non-lawyer member; or (ii) otherwise by the county board member with the longest service on the county board as determined under this subsection (d) who is not affiliated with the same political party as the chairman. If there is a vacancy in a position for which the original appointment was made under this subsection (d) and the county board consists only of members of the same political party, the county board shall appoint a successor non-lawyer member and the member appointed may not be affiliated with the same political party as the other non-lawyer member appointed under this subsection (d).

(e) If a Circuit or a District is comprised of more than a single county, the chairmen of the county boards within that Circuit or District shall select 2 non-lawyer members of the Judicial Retention Commission, but both of those appointees may not be affiliated with the same political party. If there is a vacancy in a position for which the original appointment was made under this subsection (e), the vacancy shall be filled by the county board chairmen, and the member appointed may not be affiliated with the same political party as the other non-lawyer member appointed under this subsection (e).

(f) If any official, group of officials, or body fails to appoint a non-lawyer member to a Judicial Retention Commission or fill a vacancy, the Supreme Court shall make the appointment or fill the vacancy. When a Judge of the Supreme Court is seeking retention, he or she shall not participate in the appointment of any member of his or her District's Judicial Retention Commission under this subsection (f) or under subsection (h).

(g) For purposes of filling a non-lawyer vacancy on a Judicial Retention Commission under this Section, the political affiliation of the predecessor non-lawyer member shall be deemed to be his or her political affiliation at the time of his or her appointment.

(h) The lawyer members of each Judicial Retention Commission shall be selected by secret ballot, without political party or other designation, by the lawyers who are admitted to practice in Illinois and who reside in the appropriate District or Circuit, in a manner provided by Supreme Court Rule. The lawyer members of the Judicial Retention Commission shall be admitted to practice in Illinois and reside in the appropriate District or Circuit. If an inadequate number of lawyers is selected in the manner set forth in this Section, the Supreme Court shall appoint the other lawyer members. If there is a vacancy in a position for which the original appointment was made under this subsection (h), the currently eligible lawyer who was not selected in the most recent election held under this subsection (h) in the appropriate District or Circuit but who received more votes than the other currently eligible lawyers who were not selected shall be appointed; however, if no lawyer is eligible to fill a vacancy in this manner, the Supreme Court shall appoint a lawyer to fill the vacancy.

(i) To ensure racial diversity in any District or Circuit where African-Americans, Asian-Americans, or Hispanic-Americans exceed 3% of the population and are not represented on a Judicial Retention Commission, the Supreme Court shall appoint a lawyer member from the listed racial group that exceeds 3% of the population so that that group has no less than one member on that Commission.

(j) The term of each member of a Judicial Retention Commission shall begin 8 months before the general election in each year in which a general election is held, and shall expire on the first Monday in November of the same year. Appointments and elections to a Judicial Retention Commission may not take place earlier than 45 days before the term is to commence. A member appointed to fill a vacancy shall serve for the unexpired portion of the term.

(k) The chairman of each Judicial Retention Commission shall be selected by its members.

(l) Any person who holds any office under the United States or this State or any political subdivision or unit of local government of this State and receives compensation for services rendered in that office, or who holds any office or official position in a political party, is ineligible to serve on a Judicial Retention Commission. Compensation for service in the State militia or the armed services of the United States for a period of time as determined by Supreme Court Rule is not a disqualification to service on a Judicial Retention Commission.

(m) Members of a Judicial Retention Commission may not serve consecutive terms on a Commission. No person may serve on more than one Judicial Retention Commission at the same time.

(n) All members of a Judicial Retention Commission are subject to ethics and economic disclosure requirements as provided by law, and lawyer members are subject to campaign financing disclosure requirements as provided by law.

(o) Not less than 10 months before the general election next preceding the expiration of his or her term of office, a Supreme, Appellate, or Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy for retention in that office. The Secretary of State shall, within 14 days of receipt of the declaration of candidacy, submit the Judge's name to the Administrative Director of the Illinois Courts. The Administrative Director of the Illinois Courts shall certify the number of Judicial Retention Commissions that are necessary. Not less than 7 and not more than 8 months before the general election next preceding the expiration of the term of office of the Judge, the Administrative Director of the Illinois Courts shall notify the chairman of the appropriate Judicial Retention Commission of the Judge's candidacy. The chairman shall then promptly convene the Commission.

(p) A Judicial Retention Commission may conduct investigations, meetings, and hearings, all of which may be confidential, and employ staff members as may be necessary to perform its duties. Each Commission shall determine its own rules, which shall be broadly disseminated and at a minimum shall contain provisions affording judges seeking retention the opportunity to appear before it and, when it finds that a Judge is not qualified to serve another term, an opportunity for rehearing. Members of Commissions may not receive any compensation for their services but are entitled to reimbursement for necessary expenses. The General Assembly shall appropriate funds to the Supreme Court for expense reimbursement and for all other administrative expenses of the Commissions.

(q) If, by concurrence of not less than three-fifths of its members, the Commission finds the candidate to be qualified to serve another term, the candidate shall be retained in office for a full term commencing on the first Monday in December following the general election. The standard for determining qualifications to serve another term is that the person who by his or her character, background, temperament, professional aptitude, experience, and commitment to justice is deemed by the Commission to be qualified to be retained in office. Each qualified person may be considered for retention by a Judicial Retention Commission free from discrimination on the basis of race, color, creed, national ancestry, or sex.

(r) Not less than 84 days before the election, the Commission shall prepare and submit to each candidate its finding as to whether the Commission finds or fails to find that the candidate is qualified to serve another term. Not less than 77 days before the election, the Commission shall submit to the Secretary of State a list stating by name which candidates: (i) it has found qualified to serve another term; (ii) it has found to be not qualified; and (iii) have withdrawn their candidacy by written notification to the Commission.

(s) If a Judicial Retention Commission finds that a Judge is not qualified for retention, the Judge has the right to be informed of the reason or reasons for the finding. That judge may stand for retention by the electorate at the general election by filing in the office of the Secretary of State, not less than 70 days before the election, a declaration of candidacy for retention by the electorate. Not less than 63 days before the election, the Secretary of State shall certify the Judge's candidacy to the proper election officials. When a Judge files a declaration of candidacy for retention by the electorate, the reason or reasons for the Commission's finding that the Judge is not qualified for retention shall be made public by the Commission. At the election, the name of each Judge who has timely filed a declaration of candidacy for retention by the electorate shall be submitted to the electors, separately and without party designation, on the sole question of retention in office for another term. Retention elections shall be conducted at general elections in the appropriate Judicial Districts and Circuits. The affirmative vote of three-fifths of the electors on the question of retention shall elect a Judge to that office for a full term commencing on the first Monday in December following the election.

(t) A Judge eligible to file a declaration of candidacy for retention who fails to do so within the time specified in this Section, or having filed, fails of retention, shall vacate the office on the first Monday in December following the election, whether or not a successor is qualified. If an incumbent Judge, eligible to

do so, does not timely file a declaration of candidacy for retention, the selection of a successor, if any, shall proceed in the manner provided in Section 12.

(u) An authorized reduction in the number of Judges shall be without prejudice to the right of Judges in office at the time to seek retention in accordance with this Section. The reduction shall become effective when a vacancy occurs in the affected unit.

SCHEDULE

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

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 20 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

- HOUSE BILL 0419. Introduced by Representative Drury, AN ACT concerning safety.
- HOUSE BILL 0420. Introduced by Representative Burke, Kelly, AN ACT concerning transportation.
- HOUSE BILL 0421. Introduced by Representative Feigenholtz, AN ACT concerning regulation.
- HOUSE BILL 0422. Introduced by Representative Morrison, AN ACT concerning public employee benefits.
- HOUSE BILL 0423. Introduced by Representative Morrison, AN ACT concerning transportation.
- HOUSE BILL 0424. Introduced by Representative Morrison, AN ACT concerning regulation.
- HOUSE BILL 0425. Introduced by Representative Morrison, AN ACT concerning education.
- HOUSE BILL 0426. Introduced by Representative Morrison, AN ACT concerning public employee benefits.
- HOUSE BILL 0427. Introduced by Representative Morrison, AN ACT concerning education.
- HOUSE BILL 0428. Introduced by Representative Morrison, AN ACT concerning civil law.
- HOUSE BILL 0429. Introduced by Representative Morrison, AN ACT concerning public employee benefits.
- HOUSE BILL 0430. Introduced by Representative Ford, AN ACT concerning criminal law.
- HOUSE BILL 0431. Introduced by Representative Ford, AN ACT concerning elections.
- HOUSE BILL 0432. Introduced by Representative Guzzardi, AN ACT concerning employment.
- HOUSE BILL 0433. Introduced by Representative Phelps, AN ACT concerning wildlife.
- HOUSE BILL 0434. Introduced by Representative Sullivan, AN ACT concerning revenue.
- HOUSE BILL 0435. Introduced by Representative Sullivan, AN ACT concerning local government.
- HOUSE BILL 0436. Introduced by Representative Gordon-Booth, AN ACT concerning transportation.
- HOUSE BILL 0437. Introduced by Representative Wheeler, Barbara, AN ACT concerning safety.
- HOUSE BILL 0438. Introduced by Representative Wehrli, AN ACT concerning education.

- HOUSE BILL 0439. Introduced by Representative Hoffman, AN ACT concerning transportation.
- HOUSE BILL 0440. Introduced by Representative Franks, AN ACT concerning revenue.
- HOUSE BILL 0441. Introduced by Representative Franks, AN ACT concerning finance.
- HOUSE BILL 0442. Introduced by Representative Franks, AN ACT concerning finance.
- HOUSE BILL 0443. Introduced by Representative Franks, AN ACT concerning government.
- HOUSE BILL 0444. Introduced by Representative Franks, AN ACT concerning government.
- HOUSE BILL 0445. Introduced by Representative Franks, AN ACT concerning government.
- HOUSE BILL 0446. Introduced by Representative Franks, AN ACT concerning government.
- HOUSE BILL 0447. Introduced by Representative Franks, AN ACT concerning government.
- HOUSE BILL 0448. Introduced by Representative Franks, AN ACT concerning State government.
- HOUSE BILL 0449. Introduced by Representative Franks, AN ACT concerning State government.
- HOUSE BILL 0450. Introduced by Representative Franks, AN ACT concerning State government.
- HOUSE BILL 0451. Introduced by Representative Franks, AN ACT concerning State government.
- HOUSE BILL 0452. Introduced by Representative Franks, AN ACT concerning State government.
- HOUSE BILL 0453. Introduced by Representative Franks, AN ACT concerning transportation.
- HOUSE BILL 0454. Introduced by Representative Franks, AN ACT concerning transportation.
- HOUSE BILL 0455. Introduced by Representative Franks, AN ACT concerning transportation.
- HOUSE BILL 0456. Introduced by Representative Franks, AN ACT concerning criminal law.
- HOUSE BILL 0457. Introduced by Representative Franks, AN ACT concerning criminal law.
- HOUSE BILL 0458. Introduced by Representative Franks, AN ACT concerning courts.
- HOUSE BILL 0459. Introduced by Representative Franks, AN ACT concerning courts.
- HOUSE BILL 0460. Introduced by Representative Franks, AN ACT concerning civil law.
- HOUSE BILL 0461. Introduced by Representative Franks, AN ACT concerning civil law.
- HOUSE BILL 0462. Introduced by Representative Franks, AN ACT concerning civil law.
- HOUSE BILL 0463. Introduced by Representative Franks, AN ACT concerning finance.
- HOUSE BILL 0464. Introduced by Representative Franks, AN ACT concerning regulation.
- HOUSE BILL 0465. Introduced by Representative Franks, AN ACT concerning regulation.
- HOUSE BILL 0466. Introduced by Representative Franks, AN ACT concerning criminal law.

- HOUSE BILL 0467. Introduced by Representative Franks, AN ACT concerning housing.
- HOUSE BILL 0468. Introduced by Representative Franks, AN ACT concerning education.
- HOUSE BILL 0469. Introduced by Representative Franks, AN ACT concerning education.
- HOUSE BILL 0470. Introduced by Representative Franks, AN ACT concerning education.
- HOUSE BILL 0471. Introduced by Representative Franks, AN ACT concerning elections.
- HOUSE BILL 0472. Introduced by Representative Franks, AN ACT concerning elections.
- HOUSE BILL 0473. Introduced by Representative Franks, AN ACT concerning revenue.
- HOUSE BILL 0474. Introduced by Representative Franks, AN ACT concerning revenue.
- HOUSE BILL 0475. Introduced by Representative Franks, AN ACT concerning revenue.
- HOUSE BILL 0476. Introduced by Representative Franks, AN ACT concerning revenue.
- HOUSE BILL 0477. Introduced by Representative Franks, AN ACT concerning regulation.
- HOUSE BILL 0478. Introduced by Representative Franks, AN ACT concerning local government.
- HOUSE BILL 0479. Introduced by Representative Franks, AN ACT concerning local government.
- HOUSE BILL 0480. Introduced by Representative Franks, AN ACT concerning elections.
- HOUSE BILL 0481. Introduced by Representative Phelps, AN ACT concerning safety.
- HOUSE BILL 0482. Introduced by Representative Phelps, AN ACT concerning firearms.
- HOUSE BILL 0483. Introduced by Representative Phelps, AN ACT concerning criminal law.
- HOUSE BILL 0484. Introduced by Representative Kay, AN ACT concerning State government.
- HOUSE BILL 0485. Introduced by Representative Cassidy, AN ACT concerning revenue.
- HOUSE BILL 0486. Introduced by Representative Cassidy, AN ACT concerning civil law.
- HOUSE BILL 0487. Introduced by Representative Ford, AN ACT concerning transportation.
- HOUSE BILL 0488. Introduced by Representative Riley, AN ACT concerning regulation.
- HOUSE BILL 0489. Introduced by Representative Davidsmeyer, AN ACT concerning public employee benefits.
- HOUSE BILL 0490. Introduced by Representative Davidsmeyer, AN ACT concerning wildlife.
- HOUSE BILL 0491. Introduced by Representative Davidsmeyer, AN ACT concerning State government.
- HOUSE BILL 0492. Introduced by Representative Davidsmeyer, AN ACT concerning State government.
- HOUSE BILL 0493. Introduced by Representative Winger, AN ACT concerning revenue.
- HOUSE BILL 0494. Introduced by Representative Cassidy, AN ACT concerning education.

At the hour of 12:21 o'clock p.m., the House Perfunctory Session adjourned.