

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

3rd Legislative Day

1/23/2009

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 261, offered by Representative Lang, a Bill for an Act concerning gaming. House Bill 262, offered by Representative Yarbrough, a Bill for an Act to abolish the death penalty. House Bill 263, offered by Representative Yarbrough, a Bill for an Act concerning public health. House Bill 264, offered by Representative Miller, a Bill for an Act concerning urban development. House Bill 265, offered by Representative Davis, Will, a Bill for an Act concerning civil law. House Bill 266, offered by Representative Davis, Will, a Bill for an Act concerning safety. House Bill 267, offered by Representative Davis, Will, a Bill for an Act concerning elections. House Bill 268, offered by Representative Mitchell, Bill, a Bill for an Act concerning elections. House Bill 269, offered by Representative Hoffman, a Bill for an Act concerning revenue. House Bill 270, offered by Representative Hoffman, a Bill for an Act concerning local government. House Bill 271, offered by Representative Nekritz, a Bill for an Act concerning professions and occupations. House Bill 272, offered by Representative Franks, a Bill for an Act concerning education. House Bill 273, offered by Representative Stephens, a Bill for an Act concerning revenue. House Bill 274, offered by Representative Acevedo, a Bill for an Act concerning regulation. House Bill 275, offered by Representative Bradley, John, a Bill for an Act concerning transportation. House Bill 276, offered by Representative Fritchey, a Bill for an Act

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concerning government. House Bill 277, offered by Representative Bellock, a Bill for an Act concerning health. House Bill 278, offered by Representative Bellock, a Bill for an Act concerning appropriations. House Bill 279, offered by Representative Bellock, a Bill for an Act concerning human rights. House Bill 280, offered by Representative Bellock, a Bill for an Act concerning criminal law. House Bill 281, offered by Representative Bellock, a Bill for an Act concerning education. House Bill 282, offered by Representative Bellock, a Bill for an Act concerning police. House Bill 283, offered by Representative Bellock, a Bill for an Act concerning civil law. House Bill 284, offered by Representative Phelps, a Bill for an Act concerning finance. House Bill 285, offered by Representative Davis, Will, a Bill for an Act concerning regulation. House Bill 286, offered by Representative Coulson, a Bill for an Act concerning government. House Bill 287, offered by Representative Coulson (sic-Colvin), a Bill for an Act concerning education. House Bill 288, offered by Representative Fritchey, a Bill for an Act concerning education. House Bill 289, offered by Representative Hannig, a Bill for an Act concerning finance. House Bill 290, offered by Representative Mathias, a Bill for an Act concerning elections. House Bill 291, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 292, offered by Representative Mathias, a Bill for an Act concerning elections. House Bill 293, offered by Representative Mathias, a Bill for an Act concerning

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unemployment insurance. House Bill 294, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 295, offered by Representative Mathias, a Bill for an Act concerning local government. House Bill 296, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 297, offered by Representative Mathias, a Bill for an Act concerning State government. House Bill 298, offered by Representative Mathias, a Bill for an Act in relation to taxes. House Bill 299, offered by Representative Mathias, a Bill for an Act concerning the legislature. House Bill 300, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 301, offered by Representative Hoffman, a Bill for an Act concerning local government. House Bill 302, offered by Representative Hoffman, a Bill for an Act in relation to public employee benefits. House Bill 303, offered by Representative Reis, a Bill for an Act concerning revenue. House Bill 304, offered by Representative Yarbrough, a Bill for an Act concerning State government. House Bill 305, offered by Representative Rita, a Bill for an Act concerning revenue. House Bill 306, offered by Representative Rita, a Bill for an Act concerning public employee benefits. House Bill 307, offered by Representative Rita, a Bill for an Act concerning revenue. House Bill 308, offered by Representative Madigan, a Bill for an Act concerning State government. House Bill 309, offered by Representative Durkin, a Bill for an Act concerning transportation. House Bill 310, offered by Representative Durkin, a Bill for an

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Act concerning finance. House Bill 311, offered by Representative Flowers, a Bill for an Act concerning public health. House Bill 312, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 313, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 314, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 315, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 316, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 317, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 318, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 319, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 320, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 321, offered by Representative Hannig, a Bill for an Act making appropriations and House Bill 322, offered by Representative Mulligan, a Bill for an Act concerning environmental safety. Introduction and reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment 7, offered Representative Mathias.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH 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

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VIII of the Illinois Constitution by changing Section 2 as follows:

ARTICLE VIII
FINANCE

SECTION 2. STATE FINANCE

(a) The Governor shall prepare and submit to the General Assembly, at a time prescribed by law, a State budget for the ensuing fiscal year. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal year, the estimated receipts, and a plan for expenditures and obligations during the fiscal year of every department, authority, public corporation and quasi-public corporation of the State, every State college and university, and every other public agency created by the State, but not of units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the State and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget.

(b) The General Assembly by law shall make appropriations for all expenditures of public funds by the State. Appropriations may become law only with the concurrence of three-fifths of the members elected to each house of the General Assembly. Appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

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

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Illinois Constitutional Amendment Act. House Joint
Resolution Constitutional Amendment 8, offered by
Representative Mathias.

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

ARTICLE IV

THE LEGISLATURE

SECTION 3. LEGISLATIVE REDISTRICTING

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

Any computer program designated by the State Board of Elections under this Section shall embody the following

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standards and criteria, as defined by Common Law, in this order of priority:

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

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

- (1) residency of incumbent legislators;
- (2) political affiliations of registered voters;
- (3) previous election results; and
- (4) demographic information not required to be used by this Section or by the United States Constitution or federal law.

Except as specified in this Section, the computer program shall produce districts in a random manner.

(c) In the year following each Federal decennial census year, the State Board of Elections shall redistrict the Legislative Districts and the Representative Districts using the computer program designated under subsection (b). The Board shall file such computer generated plan with the Secretary of State no later than June 1 of the year following the Federal decennial census year.

(d) The State Board of Elections shall designate a computer program under subsection (b) and shall approve a plan under

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subsection (c) at public meetings. The Board shall give reasonable and adequate advance notice of those meetings.

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

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

This Constitutional Amendment takes effect beginning with redistricting in 2011 and applies to the election of members of the General Assembly in 2012 and thereafter. House Joint Resolution Constitutional Amendment 9, offered by Representative Mathias.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH 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 IV of the Illinois Constitution by changing Section 6 as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 6. ORGANIZATION

(a) A majority of the members elected to each house constitutes a quorum.

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(b) On the first day of the January session of the General Assembly in odd-numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer. A person may serve no more than a total of 10 years in any one of the following offices and no more than a combined total of 14 years in any 2 or more of the following offices: Speaker of the House of Representatives, President of the Senate, Minority Leader of the House of Representatives, or Minority Leader of the Senate; provided that service before the second Wednesday in January of 2012 shall not be considered in the calculation of a person's service.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be.

(d) Each house shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by either house, except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. Each house may punish by imprisonment any person, not a member, guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four

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hours at one time unless the person persists in disorderly or contemptuous behavior.

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. There being no further business, the House Perfunctory Session will stand adjourned."