

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

83rd Legislative Day

1/4/2010

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 4679, offered by Representative Flowers, a Bill for an Act concerning insurance. House Bill 4680, offered by Representative Flowers, a Bill for an Act concerning civil law. House Bill 4681, offered by Representative Jakobsson, a Bill for an Act concerning transportation. House Bill 4682, offered by Representative Yarbrough, a Bill for an Act concerning financial regulation. House Bill 4683, offered by Representative Ford, a Bill for an Act concerning State government. House Bill 4684, offered by Representative Jakobsson, a Bill for an Act concerning civil law. House Bill 4685, offered by Representative Franks, a Bill for an Act concerning education. House Bill 4686, offered by Representative Franks, a Bill for an Act concerning transportation. House Bill 4687, offered by Representative Watson, a Bill for an Act concerning elections. House Bill 4688, offered by Representative Jakobsson, a Bill for an Act concerning education. House Bill 4689, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 4690, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 4691, offered by Representative Zalewski, a Bill for an Act concerning insurance. House Bill 4692, offered by Representative Franks, a Bill for an Act concerning transportation. House Bill 4693, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 4694, offered by Representative Franks, a Bill for an Act concerning safety. House Bill

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4695, offered by Representative Franks, a Bill for an Act concerning criminal law. House Bill 4696, offered by Representative Franks, a Bill for an Act concerning local government. House Bill 4697, offered by Representative Franks, a Bill for an Act concerning education. House Bill 4698, offered by Representative Lyons, a Bill for an Act concerning business. House Bill 4699, offered by Representative Mitchell, Bill, a Bill for an Act concerning local government. House Bill 4700, offered by Representative Brady, a Bill for an Act concerning transportation. House Bill 4701, offered by Representative Brady, a Bill for an Act concerning transportation. House Bill 4702, offered by Representative Mulligan, a Bill for an Act concerning business. House Bill 4703, offered by Representative Mulligan, a Bill for an Act concerning State government. House Bill 4704, offered by Representative Ramey, a Bill for an Act concerning transportation. House Bill 4705, offered by Representative Stephens, a Bill for an Act concerning unemployment insurance. House Bill 4706, offered by Representative Winters, a Bill for an Act concerning education. House Bill 4707, offered by Representative Winters, a Bill for an Act concerning gaming. House Bill 4708, offered by Representative Connelly, a Bill for an Act concerning local government. House Bill 4709, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 4710, offered by Representative Moffitt, a Bill for an Act concerning State government. House Bill 4711, offered by Representative Eddy, a Bill for an Act concerning education. House Bill

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4712, offered by Representative Pritchard, a Bill for an Act concerning revenue. House Bill 4713, offered by Representative Pritchard, a Bill for an Act concerning criminal law. House Bill 4714, offered by Representative Pritchard, a Bill for an Act concerning revenue. House Bill 4715, offered by Representative Pritchard, a Bill for an Act concerning criminal law. House Bill 4716, offered by Representative Pritchard, a Bill for an Act concerning education. House Bill 4717, offered by Representative Eddy, a Bill for an Act concerning transportation. House Bill 4718, offered by Representative Lang, a Bill for an Act concerning courts. House Bill 4719, offered by Representative Lang, a Bill for an Act concerning courts. House Bill 4720, offered by Representative Franks, a Bill for an Act concerning public employee benefits. House Bill 4721, offered by Representative Franks, a Bill for an Act concerning wildlife. House Bill 4722, offered by Representative Feigenholtz, a Bill for an Act concerning antifreeze. House Bill 4723, offered by Representative Brady, a Bill for an Act concerning revenue. House Bill 4724, offered by Representative Mitchell, Bill, a Bill for an Act concerning revenue. House Bill 4725, offered by Representative Zalewski, a Bill for an Act concerning revenue. House Bill 4726, offered by Representative Sente, a Bill for an Act concerning insurance. House Bill 4727, offered by Representative Mathias, a Bill for an Act concerning criminal law. House Bill 4728, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 4729, offered by Representative

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Mathias, a Bill for an Act concerning senior citizens and disabled persons. House Bill 4730, offered by Representative Mathias, a Bill for an Act concerning unemployment insurance. House Bill 4731, offered by Representative Mathias, a Bill for an Act concerning the legislature. House Bill 4732, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 4733, offered by Representative Mathias, a Bill for an Act concerning aging. House Bill 4734, offered by Representative Mathias, a Bill for an Act concerning government. House Bill 4735, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 4736, offered by Representative Mathias, a Bill for an Act concerning revenue. And House Bill 4737, offered by Representative Hannig, a Bill for an Act concerning government. House Joint Resolution Constitutional Amendments-First Reading. Representative Franks, offers House Joint Resolution Constitutional Amendment 38.

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 2 as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 2. LEGISLATIVE COMPOSITION

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

(b) Each Legislative District shall be divided into two Representative Districts. In 1982 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years.

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

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve

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until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

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

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

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to General Assembly members elected or appointed to terms beginning in or after 2013. House Joint Resolution Constitutional Amendment 39

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

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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.
- (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.

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(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 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.

House Joint Resolution Constitutional Amendment 40, 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 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

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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 Illinois Constitutional Amendment Act. There being no further business, the House Perfunctory Session will stand adjourned."