

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

2ND LEGISLATIVE DAY

THURSDAY, JANUARY 9, 2003

12:00 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
2nd Legislative Day**

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The House met pursuant to adjournment.

Speaker Madigan in the chair.

Prayer by Lee A. Crawford, Assistant Pastor with the Victory Temple Church in Springfield, IL.

Representative O'Brien led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

118 present. (ROLL CALL 1)

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 1

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, January 9, 2003, the Senate stands adjourned until Wednesday, January 22, 2003, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, January 29, 2003, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, February 4, 2003, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Thursday, January 23, 2003; and when it adjourns on that day, it stands adjourned until Friday, January 24, 2003; and when it adjourns on that day, it stands adjourned until Tuesday, January 28, 2003; and when it adjourns on that day, it stands adjourned until Wednesday, January 29, 2003; and when it adjourns on that day, it stands adjourned until Thursday, January 30, 2003; and when it adjourns on that day, it stands adjourned until Tuesday, February 4, 2003, at 1:00 o'clock p.m.

Adopted by the Senate, January 9, 2003.

Linda Hawker, Secretary of the Senate

INTRODUCTION AND FIRST READING OF BILLS

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

HOUSE BILL 0109. Introduced by Representative Jones, AN ACT in relation to health facilities.

HOUSE BILL 0110. Introduced by Representative Black, AN ACT concerning taxation.

HOUSE BILL 0111. Introduced by Representatives Bost - Watson, AN ACT in relation to alcoholic liquor.

HOUSE BILL 0112. Introduced by Representative Boland, AN ACT concerning elections.

HOUSE BILL 0113. Introduced by Representative Boland, AN ACT concerning the use of mail-in ballots in certain elections.

HOUSE BILL 0114. Introduced by Representative Boland, AN ACT concerning the use of mail-in ballots in certain elections.

HOUSE BILL 0115. Introduced by Representatives Moffitt - Smith, AN ACT in relation to fire protection.

HOUSE BILL 0116. Introduced by Representatives Smith - Moffitt, AN ACT concerning fire protection districts.

HOUSE BILL 0117. Introduced by Representatives Moffitt - Smith, AN ACT concerning taxes.

HOUSE BILL 0118. Introduced by Representatives Moffitt - Smith, AN ACT in relation to corrections.

HOUSE BILL 0119. Introduced by Representatives Moffitt - Smith, AN ACT in relation to criminal law.

HOUSE BILL 0120. Introduced by Representatives Smith - Moffitt, AN ACT in relation to fire protection.

HOUSE BILL 0121. Introduced by Representatives Watson - Smith - Moffitt, AN ACT in relation to fire equipment.

HOUSE BILL 0122. Introduced by Representatives Smith - Moffitt, AN ACT concerning the State Fire Marshal.

HOUSE BILL 0123. Introduced by Representatives Moffitt - Smith, AN ACT in relation to vehicles.

HOUSE BILL 0124. Introduced by Representative Bassi, AN ACT in relation to public employee benefits.

HOUSE BILL 0125. Introduced by Representatives Bassi - Lyons, Eileen, AN ACT concerning taxes.

HOUSE BILL 0126. Introduced by Representatives Bost - Stephens, AN ACT in relation to firearms.

HOUSE BILL 0127. Introduced by Representative Turner, AN ACT concerning cosmetologists.

HOUSE BILL 0128. Introduced by Representative Turner, AN ACT concerning elections.

HOUSE BILL 0129. Introduced by Representative Poe, AN ACT concerning disaster service volunteers.

HOUSE BILL 0130. Introduced by Representative Parke, AN ACT in relation to trusts.

HOUSE BILL 0131. Introduced by Representatives Lyons, Eileen - Bellock - Bost - Watson, AN ACT concerning taxes.

HOUSE BILL 0132. Introduced by Representatives Capparelli - Saviano - Lyons, Joseph - Burke - Bradley, AN ACT in relation to the Metropolitan Water Reclamation District.

HOUSE BILL 0133. Introduced by Representative Hannig, AN ACT in relation to criminal law.

HOUSE BILL 0134. Introduced by Representative Lindner, AN ACT in relation to vehicles.

HOUSE BILL 0135. Introduced by Representative Lindner, AN ACT concerning appropriation bills.

HOUSE JOINT RESOLUTIONS CONSTITUTIONAL AMENDMENTS FIRST READING

Representative Lang introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 1

WHEREAS, The Ninety-second Congress of the United States of America, at its Second Session, in both houses, by a constitutional majority of two-thirds, adopted the following proposition to amend the Constitution of the United States of America:

"JOINT RESOLUTION

RESOLVED BY THE HOUSE OF REPRESENTATIVES AND SENATE OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE CONCURRING THEREIN), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE _____

Section 1. Equality of rights under law shall not be denied or abridged by the United States or any State on account of sex.

Section 2. The Congress shall have the power to enforce by appropriate legislation the provisions of this article.

Section 3. This Amendment shall take effect two years after the date of ratification.""; and

WHEREAS, A Joint Resolution is a resolution adopted by both houses of the General Assembly and does not require the signature of the Governor; a Joint Resolution is sufficient for Illinois' ratification of an amendment to the United States Constitution; and

WHEREAS, The United States Congress has recently adopted the 27th Amendment to the Constitution

of the United States, the so-called Madison Amendment, relating to Compensation of Members of Congress; this amendment was proposed 203 years earlier by our First Congress and only recently ratified by three-fourths of the States; the United States Archivist certified the 27th Amendment on May 18, 1992; and

WHEREAS, The founders of our nation, James Madison included, did not favor further restrictions to Article V of the Constitution of the United States, the amending procedure; the United States Constitution is harder to amend than any other constitution in history; and

WHEREAS, The restricting time limit for the Equal Rights Amendment ratification is in the resolving clause and is not a part of the amendment proposed by Congress and already ratified by 35 states; and

WHEREAS, Having passed a time extension for the Equal Rights Amendment on October 20, 1978, Congress has demonstrated that a time limit in a resolving clause can be disregarded if it is not a part of the proposed amendment; and

WHEREAS, The United States Supreme Court in Coleman v. Miller, 307 U.S. 433, at 456 (1939), recognized that Congress is in a unique position to judge the tenor of the nation, to be aware of the political, social, and economic factors affecting the nation, and to be aware of the importance to the nation of the proposed amendment; and

WHEREAS, If an amendment to the Constitution of the United States has been proposed by two-thirds of both houses of Congress and ratified by three-fourths of the state legislatures, it is for Congress under the principles of Coleman v. Miller to determine the validity of the state ratifications occurring after a time limit in the resolving clause, but not in the amendment itself; and

WHEREAS, Constitutional equality for women and men continues to be timely in the United States and worldwide, and a number of other nations have achieved constitutional equality for their women and men; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the proposed amendment to the Constitution of the United States of America set forth in this resolution is ratified; and be it further

RESOLVED, That a certified copy of this resolution be forwarded to the Archivist of the United States, the Administrator of General Services of the United States, the President pro tempore of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and each member of the Illinois congressional delegation.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 1 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

Representative Cross introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 2**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 8.1 to Article IV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 8. 1. PASSAGE OF REVENUE BILLS

A bill that would result in the increase of revenue to the State by an increase of a tax on or measured by income or by an increase of a tax on or measured by the selling price of any item of tangible personal property may become law only with the concurrence of three-fifths of the members elected to each house of the General Assembly.

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 2 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

Representative Hassert introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 3**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 8.5 to Article IV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 8. 5. REVENUE BILLS; SUNSET

(a) A bill that contains one or more provisions that would result in the increase of revenue to the State may become law only if each of those provisions is explicitly limited in effect to no more than 5 years after the effective date of the bill.

(b) A sunset date established under subsection (a) may be extended by the General Assembly by law for up to an additional 5 years in each of up to 3 separate bills. If the General Assembly extends the sunset date of a provision 3 additional times, the General Assembly by law may thereafter remove the sunset date as to that provision.

(c) A bill that fails to comply with this Section is void.

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 3 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

Representative Schmitz introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 4**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 8.1 to Article IV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 8. 1. PASSAGE OF REVENUE BILLS.

(a) A bill that would result in the increase of revenue to the State may become law only with the concurrence of three-fifths of the members elected to each house of the General Assembly.

(b) A house of the General Assembly may not pass a bill that would result in the increase of revenue to the State until:

(1) at least 30 calendar days have elapsed (i) after the introduction of the bill in that house or (ii) after an amendment to the bill has been adopted in that house, whichever is later; and

(2) that house has held at least 2 public hearings on the bill prior to passage by that house. Notice of each hearing must be given to the public at least 6 days before the date of the hearing. At least one of the hearings held by each house must be held outside the corporate limits of:

(A) the capital city of the State; and

(B) the largest city in Illinois by population as measured by the federal decennial census.

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 4 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

Representative Eileen Lyons introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 5**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD 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 Sections 2 and 5 of Article IV of the Illinois Constitution:

ARTICLE IV
THE LEGISLATURE

(ILCON Art. IV, Sec. 2)

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Senators elected in 2006 shall serve six-year terms. Senators elected in 2008 shall serve four-year terms. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into two three groups. During each ten-year period, beginning with the general election in 2012, Senators from one group shall first be elected for terms of six years and then for terms of four years 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 other third group shall first be elected, for terms of two years, four years and then for terms of six 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.~~ Representatives elected in 2006 shall first serve terms of four years and then terms of two years. Representatives elected in 2008 shall serve terms of four years. During each ten-year period, beginning with the general election in 2012, Representatives shall first be elected for terms of four years, then for terms of two years, and then for terms of four years.

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

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial or Representative office with more than twenty-eight months remaining in the term, the appointed Senator or Representative shall serve until the next general election, at which time a Senator or Representative shall be elected to serve for the remainder of the term. If the vacancy is in any other Senatorial or 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 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. (Source: Amendment adopted at general election

November 4, 1980.)

(ILCON Art. IV, Sec. 5)

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body for a period beginning and ending at noon on the second Wednesday of January of consecutive odd-numbered years. ~~during the term for which members of the House of Representatives are elected.~~

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.

(c) Sessions of each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so determine. (Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to the election of members of the General Assembly in 2006 and thereafter. It does not affect the terms of members elected in 2002 or 2004.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 5 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

Representative Boland introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 6**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD 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 Sections 2 and 5 of Article IV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

(ILCON Art. IV, Sec. 2)

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Senators elected in 2006 shall serve terms of six years. Senators elected in 2008 shall serve terms of four years. Senators elected in 2010 shall serve terms of two years. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into two ~~three~~ groups. During each ten-year period, beginning with the general election in 2012, Senators from one group shall first be elected for terms of six years and then for terms of four years, ~~four years and two years;~~ Senators from the second group, for terms of four years, two years and four years; and Senators from the other ~~third~~ group shall first be elected, for terms of ~~two years,~~ four years and then for terms of six ~~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.~~ Representatives elected in 2006 shall serve terms of four years. Representatives elected in 2010 shall serve terms of two years. During each ten-year period, beginning with the general election in 2012, Representatives shall first be elected for terms of four years, then for terms of two years, and then for terms of four years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States

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

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial or Representative office with more than twenty-eight months remaining in the term, the appointed Senator or Representative shall serve until the next general election, at which time a Senator or Representative shall be elected to serve for the remainder of the term. If the vacancy is in any other Senatorial or 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 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. (Source: Amendment adopted at general election November 4, 1980.)

(ILCON Art. IV, Sec. 5)

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body for a period beginning and ending at noon on the second Wednesday of January of consecutive odd-numbered years. ~~during the term for which members of the House of Representatives are elected.~~

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.

(c) Sessions of each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so determine. (Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to the election of members of the General Assembly in 2006 and thereafter. It does not affect the terms of members elected before 2006.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 6 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

Representative Franks introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 7

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD 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 2 of Article X of the Constitution as follows:

ARTICLE X

EDUCATION

(ILCON Art. X, Sec. 2)

SECTION 2. STATE BOARD OF EDUCATION - STATE SUPERINTENDENT OF EDUCATION CHIEF STATE EDUCATIONAL OFFICER

(a) There is created a State Board of Education to be elected or selected on a regional basis. The number of members, their qualifications, terms of office and manner of election or selection shall be provided by law. The Board, except as limited by law, may establish goals, determine policies, provide for planning and evaluating education programs and recommend financing. The Board shall have such other duties and powers as provided by law.

(b) A State Superintendent of Education shall be nominated at a general primary election and elected by the electors of the State at the general election every 4 years, beginning in 2006. The State Superintendent of Education shall hold office for 4 years beginning on the second Monday of January after his or her election. To be eligible to hold the office of State Superintendent of Education a person must be a United States citizen, at least 25 years old, and a resident of the State for 10 years preceding his or her election.

The names of the candidates for State Superintendent of Education shall be printed on the ballot directly below the names of the candidates for Secretary of State.

Any vacancy in the office of State Superintendent of Education shall be filled in the manner provided in Section 7 of Article V.

Until the State Superintendent of Education initially elected under this Section takes office, the State Board of Education shall appoint a chief state educational officer.

The State Superintendent of Education shall be the chief educational officer of the State.

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act, and when the State Superintendent of Education initially elected under Section 2 of Article X of the Illinois Constitution takes office, the term of office of the chief state educational officer appointed by the State Board of Education shall expire.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 7 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

Representative Franks introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 8**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 25 to Article I of the Illinois Constitution as follows:

ARTICLE I
BILL OF RIGHTS

SECTION 25. TAXPAYER SUITS

Notwithstanding any other provision of this Constitution or any law or judicial decision to the contrary, each taxpayer of this State or of any taxing district in this State has standing to bring suit in the circuit court to enforce the rights of taxpayers of the State or of that taxing district, as the case may be. These rights of taxpayers include, but are not limited to, the right, on behalf of the State or a taxing district, to enjoin the illegal disbursement of public funds, to recover public funds illegally expended, to recover anything of value obtained through the breach of a public official's fiduciary duty, and to enforce any rights of taxpayers recognized at common law or created by the General Assembly by law. Standing is subject to (i) giving any prior notice to or making any prior demand on a public official that is required by law to bring suit and (ii) complying with any procedures that are required by law.

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 8 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

ADJOURNMENT RESOLUTION

Representative Currie asked and obtained unanimous consent to suspend the provisions of Rule 25 for the immediate consideration of the foregoing message from the Senate reporting their adoption of SENATE JOINT RESOLUTION 1.

Representative Currie then moved the adoption of the resolution.
The motion prevailed and SENATE JOINT RESOLUTION 1 was adopted.
Ordered that the Clerk inform the Senate.

At the hour of 3:00 o'clock p.m., Representative Currie moved that the House do now adjourn.
The motion prevailed.

And in accordance therewith and pursuant to SENATE JOINT RESOLUTION 1, the House stood adjourned until Thursday, January 23, 2003, at 1:00 o'clock p.m.

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
QUORUM ROLL CALL FOR ATTENDANCE

January 09, 2003

0 YEAS

0 NAYS

118 PRESENT

P Acevedo
P Aguilar
P Bailey
P Bassi
P Beaubien
P Bellock
P Berrios
P Biggins
P Black
P Boland
P Bost
P Bradley
P Brady
P Brauer
P Brosnahan
P Brunsvold
P Burke
P Capparelli
P ChapaLaVia
P Churchill
P Collins
P Colvin
P Coulson
P Cross
P Cultra
P Currie
P Curry
P Daniels
P Davis, Monique
P Davis, Steve

P Davis, Will
P Delgado
P Dunkin
P Dunn
P Eddy
P Feigenholtz
P Flowers
P Forby
P Franks
P Fritchey
P Giles
P Graham
P Granberg
P Hamos
P Hannig
P Hartke
P Hassert
P Hoffman
P Holbrook
P Howard
P Hultgren
P Jakobsson
P Jefferson
P Jones
P Joyce
P Kelly
P Kosel
P Krause
P Kurtz
P Lang

P Leitch
P Lindner
P Lyons, Eileen
P Lyons, Joseph
P Madigan
P Mathias
P Mautino
P May
P McAuliffe
P McCarthy
P McGuire
P McKeon
P Mendoza
P Meyer
P Miller
P Millner
P Mitchell, Bill
P Mitchell, Jerry
P Moffitt
P Molaro
P Morrow
P Mulligan
P Munson
P Myers
P Nekritz
P Novak
P O'Brien
P Osmond
P Osterman
P Pankau

P Parke
P Phelps
P Pihos
P Poe
P Reitz
P Rita
P Rose
P Ryg
P Sacia
P Saviano
P Schmitz
P Scully
P Slone
P Smith
P Sommer
P Soto
P Stephens
P Sullivan
P Tenhouse
P Turner
P Wait
P Washington
P Watson
P Winters
P Wirsing
P Wojcik
P Yarbrough
P Younge