

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

85TH LEGISLATIVE DAY

Perfunctory Session

MONDAY, JANUARY 26, 2004

4:00 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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85th Legislative Day**

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The House met pursuant to adjournment.
Representative Poe in the chair.
Prayer by Bradley S. Bolin, Assistant Clerk of the House.
Amber L. Evans, Minutes Clerk, led the House in the Pledge of Allegiance.

CHANGE OF SPONSORSHIP

Representative O'Brien asked and obtained unanimous consent to be removed as chief sponsor and Representative Dugan asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 3882.

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 4179. Introduced by Representative Jones, AN ACT concerning banking.
- HOUSE BILL 4180. Introduced by Representative Eddy, AN ACT concerning State employee group insurance.
- HOUSE BILL 4181. Introduced by Representative Lindner, AN ACT concerning legislative member initiatives.
- HOUSE BILL 4182. Introduced by Representative Lindner, AN ACT concerning appropriation bills.
- HOUSE BILL 4183. Introduced by Representative Lindner, AN ACT concerning education.
- HOUSE BILL 4184. Introduced by Representative Lindner, AN ACT in relation to public employee benefits.
- HOUSE BILL 4185. Introduced by Representative Lindner, AN ACT in relation to public employee benefits.
- HOUSE BILL 4186. Introduced by Representative Lindner, AN ACT concerning juveniles.
- HOUSE BILL 4187. Introduced by Representative Lindner, AN ACT in relation to minors.
- HOUSE BILL 4188. Introduced by Representative Lindner, AN ACT concerning juveniles.
- HOUSE BILL 4189. Introduced by Representative Colvin, AN ACT concerning advisory referenda.
- HOUSE BILL 4190. Introduced by Representative Colvin, AN ACT concerning public utilities.
- HOUSE BILL 4191. Introduced by Representative Franks, AN ACT concerning the courts.
- HOUSE BILL 4192. Introduced by Representative Franks, AN ACT concerning elections.
- HOUSE BILL 4193. Introduced by Representatives Feigenholtz - Miller, AN ACT in relation to health.
- HOUSE BILL 4194. Introduced by Representatives Hannig - Franks, AN ACT concerning taxes.
- HOUSE BILL 4195. Introduced by Representative Winters, AN ACT concerning taxes.
- HOUSE BILL 4196. Introduced by Representative Winters, AN ACT concerning compensation of State personnel.
- HOUSE BILL 4197. Introduced by Representative Bellock, AN ACT concerning education.
- HOUSE BILL 4198. Introduced by Representative Hoffman, AN ACT concerning elections.
- HOUSE BILL 4199. Introduced by Representative Hoffman, AN ACT concerning elections.
- HOUSE BILL 4200. Introduced by Representative Moffitt, AN ACT concerning professional regulation.
- HOUSE BILL 4201. Introduced by Representative Moffitt, AN ACT in relation to public health.
- HOUSE BILL 4202. Introduced by Representative Saviano, AN ACT concerning the regulation of professions.
- HOUSE BILL 4203. Introduced by Representative Saviano, AN ACT in relation to the regulation of professions.
- HOUSE BILL 4204. Introduced by Representative Saviano, AN ACT in relation to the regulation of professions.
- HOUSE BILL 4205. Introduced by Representative Saviano, AN ACT in relation to the regulation of professions.
- HOUSE BILL 4206. Introduced by Representative Saviano, AN ACT in relation to the regulation of professions.

- HOUSE BILL 4207. Introduced by Representative Parke, AN ACT in relation to insurance.
HOUSE BILL 4208. Introduced by Representative Pihos, AN ACT concerning insurance.
HOUSE BILL 4209. Introduced by Representative Sacia, AN ACT concerning professional regulation.
HOUSE BILL 4210. Introduced by Representative Bellock, AN ACT concerning professional regulation.
HOUSE BILL 4211. Introduced by Representative Mitchell, Jerry, AN ACT in relation to criminal law.
HOUSE BILL 4212. Introduced by Representative Sacia, AN ACT concerning professional regulation.
HOUSE BILL 4213. Introduced by Representative Watson, AN ACT concerning health care.
HOUSE BILL 4214. Introduced by Representative Pihos, AN ACT concerning insurance.
HOUSE BILL 4215. Introduced by Representative Kosel, AN ACT concerning liens.
HOUSE BILL 4216. Introduced by Representative Osmond, AN ACT concerning the State Comptroller.
HOUSE BILL 4217. Introduced by Representative Sacia, AN ACT in relation to the regulation of professions.
HOUSE BILL 4218. Introduced by Representative Beaubien, AN ACT concerning professional regulation.
HOUSE BILL 4219. Introduced by Representative Osmond, AN ACT in relation to health, which may be known as the Colleen O'Sullivan Law.
HOUSE BILL 4220. Introduced by Representative Hassert, AN ACT in relation to business transactions.
HOUSE BILL 4221. Introduced by Representative Leitch, AN ACT concerning professional regulation.
HOUSE BILL 4222. Introduced by Representative Hultgren, AN ACT concerning insurance.
HOUSE BILL 4223. Introduced by Representative Eddy, AN ACT in relation to public health.
HOUSE BILL 4224. Introduced by Representative Eddy, AN ACT concerning taxes.
HOUSE BILL 4225. Introduced by Representative Mitchell, Jerry, AN ACT concerning education.

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
FIRST READING**

Representative Grunloh introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 25**

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 9 to Article XIII of the Illinois Constitution as follows:

ARTICLE XIII
GENERAL PROVISIONS

SECTION 9. MARRIAGE

A marriage, to be considered valid in this State, must be a union between a man and a woman.

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

Representative Lindner introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 26**

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 1, 2, and 3 of Article IV and Section 1 of Article XIV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 1. LEGISLATURE - POWER AND STRUCTURE

The legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives, elected by the electors from 59 Senatorial ~~Legislative~~ Districts and 119 ~~448~~ Representative Districts.

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

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Senatorial ~~Legislative~~ District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Senatorial ~~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 Senatorial ~~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 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 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.)

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Senatorial ~~Legislative~~ Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population. A Representative District need not be entirely within a single Senatorial District.

(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 Senate and House of Representatives 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 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.

The Senate, by resolution adopted by a record vote of three-fifths of the members elected, may by June 15 of that year designate a different computer program for redistricting the Senate. The House of Representatives, by a resolution adopted by a record vote of three-fifths of the members elected, may by June 15 of that year designate a different computer program for redistricting the House of Representatives.

(c) ~~(b)~~ In the year following each Federal decennial census year, (i) the Senate, by resolution adopted by a record vote of three-fifths of the members elected, ~~General Assembly by law~~ shall redistrict the Senatorial Legislative Districts and (ii) the House of Representatives, by resolution adopted by a record vote of three-fifths of the members elected, shall redistrict the Representative Districts. Each adopted redistricting resolution shall be filed with the Secretary of State by the presiding officer of the house that adopted the resolution.

(d) If a Senatorial or Representative redistricting resolution is not adopted and effective by June 15 of that year, the State Board of Elections, as soon thereafter as is practicable, shall produce a Senatorial or Representative redistricting plan, or both as the case may be, through the use of the computer program designated by the affected chamber, if it made a designation under subsection (b), or else through the use of the computer program designated by the State Board of Elections under that subsection. The State Board of Elections shall file the redistricting plan with the Secretary of State.

~~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.~~

(e) A ~~An~~ approved redistricting plan, adopted by redistricting resolution or produced by the State Board of Elections, that is filed with the Secretary of State shall be presumed valid, shall have the same force and effect as a ~~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.

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

ARTICLE XIV

CONSTITUTIONAL REVISION

SECTION 1. CONSTITUTIONAL CONVENTION

(a) Whenever three-fifths of the members elected to each house of the General Assembly so direct, the question of whether a Constitutional Convention should be called shall be submitted to the electors at the general election next occurring at least six months after such legislative direction.

(b) If the question of whether a Convention should be called is not submitted during any twenty-year period, the Secretary of State shall submit such question at the general election in the twentieth year following the last submission.

(c) The vote on whether to call a Convention shall be on a separate ballot. A Convention shall be called if approved by three-fifths of those voting on the question or a majority of those voting in the election.

(d) The General Assembly, at the session following approval by the electors, by law shall provide for the Convention and for the election of two delegates from each ~~Senatorial~~ Legislative District; designate the time and place of the Convention's first meeting which shall be within three months after the election of delegates; fix and provide for the pay of delegates and officers; and provide for expenses necessarily incurred by the Convention.

(e) To be eligible to be a delegate a person must meet the same eligibility requirements as a member of the General Assembly. Vacancies shall be filled as provided by law.

(f) The Convention shall prepare such revision of or amendments to the Constitution as it deems necessary. Any proposed revision or amendments approved by a majority of the delegates elected shall be submitted to the electors in such manner as the Convention determines, at an election designated or called by the Convention occurring not less than two nor more than six months after the Convention's adjournment. Any revision or amendments proposed by the Convention shall be published with explanations, as the Convention provides, at least one month preceding the election.

(g) The vote on the proposed revision or amendments shall be on a separate ballot. Any proposed revision or amendments shall become effective, as the Convention provides, if approved by a majority of those voting on the question.

(Source: Illinois Constitution.)

SCHEDULE

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.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 26 was taken up, read in full a first time, ordered printed and placed in the Committee on Rules.

At the hour of 4:15 o'clock p.m., Representative Poe moved that the House do now adjourn.

The motion prevailed.

And in accordance therewith and pursuant to SENATE JOINT RESOLUTION 45, the House stood adjourned until Tuesday, February 3, 2004, at 1:00 o'clock p.m.