

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

3RD LEGISLATIVE DAY

PERFUNCTORY SESSION

FRIDAY, JANUARY 23, 2009

12:16 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
3rd Legislative Day**

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

LETTER OF TRANSMITTAL

January 23, 2009

Honorable Daniel W. Hynes
Illinois State Comptroller
201 State House
Springfield, IL 62706

Dear Comptroller Hynes:

Please be advised that Representative Bill Black will serve as Deputy Republican Leader for the 96th General Assembly.

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

Sincerely,
s/Tom Cross
House Republican Leader

MOTION SUBMITTED

Representative Fritchey submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 196.

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
FIRST READING**

Representative Mathias introduced the following:

**HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 7**

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 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.

(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 7 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Mathias introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 8

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 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) ~~(b)~~ In the year following each Federal decennial census year, the State Board of Elections ~~General Assembly by law~~ 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 subsection (c) at public meetings. The Board shall give reasonable and adequate

advance notice of those meetings.

~~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) 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.~~

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

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

Representative Mathias introduced the following:

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 9

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.

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

(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 9 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 0261. Introduced by Representative Lang, AN ACT concerning gaming.

HOUSE BILL 0262. Introduced by Representative Yarbrough, AN ACT to abolish the death penalty.

HOUSE BILL 0263. Introduced by Representative Yarbrough, AN ACT concerning public health.

HOUSE BILL 0264. Introduced by Representative Miller, AN ACT concerning urban development.

HOUSE BILL 0265. Introduced by Representative Davis, William, AN ACT concerning civil law.

HOUSE BILL 0266. Introduced by Representative Davis, William, AN ACT concerning safety.

HOUSE BILL 0267. Introduced by Representative Davis, William, AN ACT concerning elections.

HOUSE BILL 0268. Introduced by Representative Mitchell, Bill, AN ACT concerning elections.

HOUSE BILL 0269. Introduced by Representative Hoffman, AN ACT concerning revenue.

HOUSE BILL 0270. Introduced by Representative Hoffman, AN ACT concerning local government.

HOUSE BILL 0271. Introduced by Representative Nekritz, AN ACT concerning professions and occupations.

HOUSE BILL 0272. Introduced by Representative Franks, AN ACT concerning education.

HOUSE BILL 0273. Introduced by Representatives Stephens - Schmitz, AN ACT concerning revenue.

HOUSE BILL 0274. Introduced by Representative Acevedo, AN ACT concerning regulation.

HOUSE BILL 0275. Introduced by Representative Bradley, John, AN ACT concerning transportation.

HOUSE BILL 0276. Introduced by Representative Fritchey, AN ACT concerning government.

HOUSE BILL 0277. Introduced by Representative Bellock, AN ACT concerning health.

- HOUSE BILL 0278. Introduced by Representative Bellock, AN ACT concerning appropriations.
- HOUSE BILL 0279. Introduced by Representative Bellock, AN ACT concerning human rights.
- HOUSE BILL 0280. Introduced by Representative Bellock, AN ACT concerning criminal law.
- HOUSE BILL 0281. Introduced by Representatives Bellock - Cross, AN ACT concerning education.
- HOUSE BILL 0282. Introduced by Representative Bellock, AN ACT concerning police.
- HOUSE BILL 0283. Introduced by Representative Bellock, AN ACT concerning civil law.
- HOUSE BILL 0284. Introduced by Representative Phelps, AN ACT concerning finance.
- HOUSE BILL 0285. Introduced by Representative Davis, William, AN ACT concerning regulation.
- HOUSE BILL 0286. Introduced by Representatives Coulson - Osmond - Pritchard, AN ACT concerning government.
- HOUSE BILL 0287. Introduced by Representative Colvin, AN ACT concerning education.
- HOUSE BILL 0288. Introduced by Representative Fritchey, AN ACT concerning education.
- HOUSE BILL 0289. Introduced by Representative Hannig, AN ACT concerning finance.
- HOUSE BILL 0290. Introduced by Representative Mathias, AN ACT concerning elections.
- HOUSE BILL 0291. Introduced by Representative Mathias, AN ACT concerning revenue.
- HOUSE BILL 0292. Introduced by Representative Mathias, AN ACT concerning elections.
- HOUSE BILL 0293. Introduced by Representative Mathias, AN ACT concerning unemployment insurance.
- HOUSE BILL 0294. Introduced by Representative Mathias, AN ACT concerning revenue.
- HOUSE BILL 0295. Introduced by Representative Mathias, AN ACT concerning local government.
- HOUSE BILL 0296. Introduced by Representative Mathias, AN ACT concerning revenue.
- HOUSE BILL 0297. Introduced by Representatives Mathias - Moffitt, AN ACT concerning State government.
- HOUSE BILL 0298. Introduced by Representative Mathias, AN ACT in relation to taxes.
- HOUSE BILL 0299. Introduced by Representative Mathias, AN ACT concerning the legislature.
- HOUSE BILL 0300. Introduced by Representative Mathias, AN ACT concerning revenue.
- HOUSE BILL 0301. Introduced by Representative Hoffman, AN ACT concerning local government.
- HOUSE BILL 0302. Introduced by Representative Hoffman, AN ACT in relation to public employee benefits.
- HOUSE BILL 0303. Introduced by Representative Reis, AN ACT concerning revenue.
- HOUSE BILL 0304. Introduced by Representative Yarbrough, AN ACT concerning State government.

- HOUSE BILL 0305. Introduced by Representative Rita, AN ACT concerning revenue.
- HOUSE BILL 0306. Introduced by Representative Rita, AN ACT concerning public employee benefits.
- HOUSE BILL 0307. Introduced by Representative Rita, AN ACT concerning revenue.
- HOUSE BILL 0308. Introduced by Representative Madigan, AN ACT concerning State government.
- HOUSE BILL 0309. Introduced by Representative Durkin, AN ACT concerning transportation.
- HOUSE BILL 0310. Introduced by Representative Durkin, AN ACT concerning finance.
- HOUSE BILL 0311. Introduced by Representative Flowers, AN ACT concerning public health.
- HOUSE BILL 0312. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0313. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0314. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0315. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0316. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0317. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0318. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0319. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0320. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0321. Introduced by Representative Hannig, AN ACT making appropriations.
- HOUSE BILL 0322. Introduced by Representative Mulligan, AN ACT concerning environmental safety.

At the hour of 12:28 o'clock p.m., the House Perfunctory Session adjourned.