

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

Speaker Granberg: "The House will come to order. Members will be in their seats. The Chaplain for today is Father Tom Dennis of the Cathedral of the Immaculate Conception in Springfield. Father Dennis is the guest of Representative Raymond Poe. Guests in the gallery may wish to rise for the invocation."

Father Dennis: "Hear us O God, we pray. Listen to Your people and do not turn Your ear from our appeal. We ask Your presence as this Assembly discerns and debates the welfare of our state. May there be here a spirit of cooperation and respect, a spirit of wisdom and right judgement, a spirit of humility and service. Bless these Legislators and the work that they do. May their first desire be the good of all people. We ask this in the name of all that is holy.

We ask this of You, O God, whose name is written in every human heart. Amen."

Speaker Granberg: "Representative Crotty will led us in the Pledge of Allegiance."

Crotty - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Granberg: "Mr. Clerk, Roll Call for Attendance. Representative Cross for excused absences. Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. We're all here today."

Speaker Granberg: "Representative Hannig, are there any excused absences?"

Hannig: "Yes, thank you, Mr. Speaker. Let the record show there are no excused absences on our side."

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

Speaker Granberg: "Thank you. The Clerk shall take the record, 117 Members being present, a quorum is present. The House shall come to order. Committee Reports."

Clerk Bolin: "Representative Woolard, Chairman from the Committee on Agriculture and Conservation to which the following Bills and Resolutions were referred, action taken on February 26, 1997. Reported the same back with the following recommendations: 'do pass standard debate' House Bill 282. House Bill 283. House Bill 284. House Bill 285. House Bill 367. House Bill 554. House Bill 602. Representative Burk, Chairman from the Committee on Executive to which the following Bills and Resolutions were referred action taken on February 27, 1997. Reported the same back with the following recommendations: 'Do pass Short Debate'. House Bill 190, and House Bill 473. 'Do pass as amended Short Debate'. House Bill 235. 'Do pass standard debate'. House Bill 108. House Bill 109. House Bill 196. House Bill 198. Representative Bugielski, Chairman from the Committee on Financial Institutions, to which the following Bills and Resolutions were referred action taken on February 26, 1997. Reported the same back with the following recommendations: 'Do pass Short Debate'. House Bill 201. 'Do pass as amended Short Debate'. House Bill 271. Representative Deering, Chairman from the Committee on Transportation and Motor Vehicles, to which the following Bills and Resolutions were referred, action taken on February 26, 1997. Reported the same back with the following recommendations: 'Do pass Short Debate'. House Bill 596. 'Do pass as amended Short Debate'. House Bill 288 and House Bill 320. Attention Members, Rules Committee will be meeting in 3 minutes in the Speaker's Conference Room. The Rules Committee will be

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

meeting in 3 minutes in the Speaker's Conference Room. At 12:15. Rules Committee will be meeting at 12:15 in the Speaker's Conference Room."

Speaker Granberg: "The House will come to order. Mr. Clerk, what is the status of Senate Bill 84?"

Clerk Bolin: "Senate Bill 84 is on the Order of Senate Bills, Third Reading."

Speaker Granberg: "Return the Bill to Second Reading, Mr. Clerk. Committee notes (sic-Reports)."

Clerk Bolin: "House Committee on Executive will meet on Thursday, February 27, 1997 at 1:20 p.m. in Room 114 to consider Floor Amendment #1 to Senate Bill 84."

Speaker Granberg: "It is the intention of the Chair to recess the House until the hour of 1:30. The House Committee on Executive will meet at 1:20 to hear Floor Amendment #1, to Senate Bill 84. The House now stands in recess until the hour of 1:30...1:30."

Clerk Boland: "Introduction - First Reading and Introduction of Bills. House Bill 1032, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code. House Bill 1033, offered by Representative McAuliffe, a Bill for an Act to amend the State Mandates Act. House Bill 1034, offered by Representative McAuliffe, a Bill for an Act amend the State Mandates Act. House Bill 1035, offered by Representative Beaubien, a Bill for an Act to amend the Trusts and Trustees Act. House Bill 1036, offered by Representative Leitch, a Bill for an Act to amend the Corporate Fiduciary Act. House Bill 1037, offered by Representative Persico, a Bill for an Act to amend the Trust and Trustee Act. House Bill 1038, offered by Representative Granberg, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 1039, offered by

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

Representative Woolard, a Bill for an Act to amend the Illinois Horse Racing Act of 1975. First Reading of these House Bills."

Clerk Bolin: "Introduction - First Reading of Bills. House Bill 1040, offered by Representative Turner, A., a Bill for an Act to amend the Hotel Operators' Occupation Tax Act. House Bill 1041, offered by Representative Lopez, a Bill for an Act to amend the Private Detective, Private Alarm, Private Security and Locksmith Act. House Bill 1042, offered by Representative Hughes, a Bill for an Act concerning managed care arrangements. House Bill 1043, offered by Representative Currie, a Bill for an Act concerning tobacco. House Bill 1044, offered by Representative Moore, a Bill for an Act to amend the Illinois Dental Practice Act. House Bill 1045, offered by Representative Scott, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1046, offered by Representative Johnson, Tom, a Bill for an Act in relation to offenses committed with explosives, incendiary devices, or flammable substances. House Bill 1047, offered by Representative Johnson, Tom, a Bill for an Act to amend the Illinois Local Library Act. House Bill 1048, offered by Representative Johnson, Tom, a Bill for an Act to amend the Property Tax Code. House Bill 1049, offered by Representative Johnson, Tom, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1050, offered by Representative Brunsvold, a Bill for an Act concerning wildlife. House Bill 1051, offered by Representative Brunsvold, a Bill for an Act to amend the Hunter Interference Prohibition Act. House Bill 1052, offered by Representatives Brunsvold, a Bill for an Act to amend the Firearm Owners Identification Card Act. House Bill 1053, offered by Representative Deering, a Bill for an

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

Act to amend the Illinois Pension Code. House Bill 1054, offered by Representative Deering, a Bill for an Act to amend the Environmental Protection Act. House Bill 1055, offered by Representative Deering, a Bill for an Act to amend the Environmental Protection Act. House Bill 1056, offered by Representative Deering, a Bill for an Act to amend the Pharmacy Practice Act of 1987. House Bill 1057, offered by Representative Deering, a Bill for an Act to amend the Illinois Plumbing License Law. House Bill 1058, offered by Representative Deering, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1059, offered by Representative Deering, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1060, offered by Representative Deering, a Bill for an Act to create the Downstate Horse Racing Recovery Act. House Bill 1061, offered by Representative Deering, a Bill for an Act to amend the Wildlife Code. House Bill 1062, offered by Representative Deering, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1063, offered by Representative Phelps, a Bill for an Act to amend the Illinois Public Labor Relations Act. House Bill 1064, offered by Representative Phelps, a Bill for an Act to amend the Private College Act. House Bill 1065, offered by Representative Phelps, a Bill for an Act to amend the Higher Education Student Assistance Act. House Bill 1066, offered by Representative Phelps, a Bill for an Act to amend the Health Care Surrogate Act. House Bill 1067, offered by Representative Phelps, a Bill for an Act in relation to taxes. House Bill 1068, offered by Representative Clayton, a Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill 1069, offered by Representative Clayton, a Bill for an Act to

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

amend the Illinois Purchasing Act. House Bill 1070, offered by Representative Clayton, a Bill for an Act to amend the Election Code. House Bill 1071, offered by Representative Clayton, a Bill for an Act to amend the Election Code. House Bill 1072, offered by Representative Wirsing, a Bill for an Act concerning the Department of Human Services House Bill 1073, offered by Representative Madigan, a Bill for an Act to amend the Election Code. House Bill 1074, offered by Representative Madigan, a Bill for an Act to amend the Illinois Governmental Ethics Act. House Bill 1075, offered by Representative Madigan, a Bill for an Act to amend the Illinois Governmental Ethics Act. House Bill 1076, offered by Representative Ronen, a Bill for an Act to amend the Regulatory Agency Sunset Act. House Bill 1077, offered by Representative Ronen, a Bill for an Act to amend the Illinois Nursing act of 1987. House Bill 1078, offered by Representative Ronen, a Bill for an Act to amend the Illinois Nursing Act of 1987." House Bill 1079, offered by Representative Ronen, a Bill for an Act to amend the Illinois Nursing Act. House Bill 1080, offered by Representative Morrow, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 1081, offered by Representative Leitch, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 1082, offered by Representative Leitch, a Bill for an Act to amend the Illinois Antitrust Act. House Bill 1083, offered by Representative Leitch, a Bill for an Act to amend the Commercial and Public Building Asbestos Abatement Act. House Bill 1084, offered by Representative Leitch, a Bill for an Act to amend the Illinois Pension Code. House Bill 1085, offered by Representative Gash, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1086, offered

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

by Representative Gash, a Bill for an Act to amend the Illinois Act on the Aging. House Bill 1087, offered by Representative Gash, a Bill for an Act to amend the Illinois Lottery Law. House Bill 1088, offered by Representative Schakowsky, a Bill for an Act regarding support for unemployed persons. House Bill 1089, offered by Representative Gash, a Bill for an Act to amend the Illinois Highway Code. House Bill 1090, offered by Representative Gash, a Bill for an Act to require administrators of certain educational institutions to report certain criminal offenses. House Bill 1091, offered by Representative Novak, a Bill for an Act to amend the Illinois Pension Code. House Bill 1092, offered by Representative Gash, a Bill for an Act to amend the Criminal Code of 1961. House Bill 1093, offered by Representative Fritchey, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1094, offered by Representative Woolard, a Bill for an Act to amend the Meat and Poultry Inspection Act. House Bill 1095, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 1096, offered by Representative Bugielski, a Bill for an Act to amend the Illinois Pension Code. House Bill 1097, offered by Representative Phelps, a Bill for an Act to amend the School Code. House Bill 1098, offered by Representative Phelps, a Bill for an Act to amend the School Code. House Bill 1099, offered by Representative Phelps, a Bill for an Act to amend the School Code. House Bill 1100, offered by Representative Davis, Monique, a Bill for an Act to amend the Illinois Mathematics and Science Academy Law. Section 2. House Bill 1101, offered by Representative Scott, a Bill for an Act to amend the State Employee Indemnification Act.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

First Reading of these House Bills.

Clerk Bolin: "First Reading and Introduction of House Resolutions. House Resolution #43, offered by Representative Granberg. House Resolution #44, offered by Representative Crotty. House Resolution #45, offered by Representative Morrow. House Resolution #46, offered by Representative Morrow. Committee Report. Representative Dart, Chairman from the Committee on Judiciary I to which the following Bills and Resolutions were referred, action taken on February 27, 1997. Reported the same back with the following recommendations: 'Do pass Short Debate'. House Bill 236. House Bill 287 and House Bill 60. 'Do Pass as amended Short Debate.' House Bill 289. House Bill 97. House Bill 63 and House Bill 92."

Speaker Granberg: "The House will come to order. A Motion by Representative Currie to adjourn the House until 1:30, Friday, 1:30. All in favor say 'aye', 'aye', opposed. The House is adjourned until 1:30, Friday, February 28. Allowing Perfunctory time for the Clerk."

Clerk Rossi: "The House Perfunctory Session will come to order. Committee Reports. Representative Pugh, Chairman from the Committee on Human Services, to which the following Bills were referred, action taken on February 27, 1997. Reported the same back with the following recommendations: 'Do pass Short Debate.' House Bill 614 and House Bill 686. 'Do pass as amended Short Debate.' House Bill 214. House Bill 540 and House Bill 653. Introduction - First Reading of Bills. House Bill 1102, offered by Representative Slone, a Bill for an Act in relation to alcohol. House Bill 1103, offered by Representative Giglio, a Bill for an Act to amend the Public Utilities Act. House Bill 1104, offered by Representative Giglio, a Bill for an Act and to amend the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

Illinois Pension Code. House Bill 1105, offered by Representative Mitchell, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1106, offered by Representative Saviano, a Bill for an Act to amend the Environmental Protection Act. House Bill 1107, offered by Representative Deuchler, a Bill for an Act to amend the Toll Highway Act. House Bill 1108, offered by Representative Deuchler, a Bill for an Act to amend the Illinois Pension Code. 3-114.4 and to amend the State Mandates Act. House Bill 1109, offered by Representative Burke, a Bill for an Act to create the Police Officer Disciplinary Act. House Bill 1110, offered by Representative Burke, a Bill for an Act to amend the School Code. House Bill 1111, offered by Representative Leitch, a Bill for an Act regarding trust relationships. House Bill 1112, offered by Representative Moffitt, a Bill for an Act to amend the School Code. House Bill 1113, offered by Representative Erwin, a Bill for an Act to amend the Check Number Act. House Bill 1114, offered by Representative Erwin, a Bill for an Act in relation to gambling. First Reading of these House Bills. Introduction of Resolutions. House Resolution #47, offered by Representative Gash. Is assigned to the Rules Committee. Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #8, offered by Representative Schoenberg.

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

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 repeal Section 8 of Article VI, amend Sections 10, 11, and 12 of Article VI, and add Section 12.5 to Article VI of the Constitution to read as follows:

ARTICLE VI
THE JUDICIARY

SECTION 8. ASSOCIATE JUDGES

(Repealed). Each--Circuit--Court--shall--have--such-number-of Associate-Judges-as-provided-by-law.--Associate--Judges--shall--be appointed--by--the--Circuit--Judges-in-each-circuit-as-the-Supreme Court-shall-provide-by--rule.--In--the--First--Judicial--District, unless--otherwise--provided--by--law,--at--least-one-fourth-of-the Associate-Judges-shall-be--appointed--from,--and--reside,--outside Chicago.--The-Supreme-Court-shall-provide-by-rule-for-matters-to-be assigned-to-Associate-Judges.

(Source: Illinois Constitution.)

SECTION 10. TERMS OF OFFICE

The terms of office of Supreme and Appellate Court Judges shall be ten years; and of Circuit Judges, six years;--and--of Associate-Judges,--four-years.

SECTION 11. ELIGIBILITY FOR OFFICE

No person shall be eligible to be a Judge or-Associate-Judge unless he or she is a United States citizen, a licensed attorney-at-law of this State, and a resident of the district or circuit unit which selects him or her. No change in the boundaries of a unit shall affect the tenure in office of a Judge or Associate-Judge incumbent at the time of such change.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

SECTION 12. ELECTION AND RETENTION

(a) Supreme ~~Court~~, ~~Appellate~~ and ~~Circuit~~ Judges shall be nominated at primary elections or by petition and Judges shall be elected at general or judicial elections as the General Assembly shall provide by law. A person eligible for the office of Judge may cause his or her name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions.

(a-5) Appellate and Circuit Judges shall be appointed by the Supreme Court from nominees submitted by Judicial Nominating Commissions in accordance with subsection (c-5) of this Section.

(b) The office of a Judge shall be vacant upon his or her death, resignation, retirement, removal, or upon the conclusion of his or her term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.

(c) A vacancy occurring in the office of Supreme ~~Court~~, ~~Appellate~~ or ~~Circuit~~ Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Supreme Court Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment.

(c-5) As soon as a vacancy occurs in the office of Appellate or Circuit Judge, or if such a vacancy will occur within 6 months by a day certain, the Administrative Director of the Illinois

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

Courts shall promptly notify the chairperson of the appropriate Judicial Nominating Commission, who shall immediately convene the Commission and give notice to the public.

Within 60 days after receiving the notice of a vacancy, the Judicial Nominating Commission shall submit to the Supreme Court a list of 3 nominees who, by their character, background, temperament, professional aptitude, experience, and commitment to justice are deemed by the Commission to be best qualified to fill the vacancy. The Commission shall also give due consideration to diversity of representation on the bench. The Commission shall submit the nominees' names in alphabetical order. The selection of Judges for appointment by the Supreme Court shall be from among those persons best qualified to hold judicial office in this State. All such qualified persons have the right to be considered for selection by a Judicial Nominating Commission free from discrimination on the basis of race, color, creed, national ancestry, or sex. The Commission may not include on a list a nominee who is on another list then pending before the Supreme Court. The function of a list of nominees shall terminate upon the making of the required appointment from the list.

Immediately upon receiving a list of nominees from a Judicial Nominating Commission, the Supreme Court shall make the list public. Not fewer than 28 nor more than 56 days after receiving a list, the Supreme Court shall appoint from the list a person to fill the vacancy. If the Supreme Court does not make an appointment within 56 days, the Commission shall immediately submit the list to the Governor, who shall make the appointment from the list within 28 days after receiving the list.

A person appointed to fill a vacancy pursuant to this subsection shall serve an initial term equal to the term specified in Section 10.

(d) Not less than six months before the general election

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

preceding the expiration of his or her term of office, a Supreme, Appellate or Circuit Judge who has been elected or appointed to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself or herself. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of 50% ~~three-fifths~~ of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his or her election for retention.

(e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in office. A reduction shall become effective when a vacancy occurs in the affected unit.

(f) The office of Associate Judge is abolished, and all Associate Judges in office on the effective date of this amendment shall on that date assume the office of Circuit Judge. In order to end the terms of those Judges, the Administrative Director of the Illinois Courts, as soon as possible after the effective date of this amendment, shall by lot divide those Judges into 3 groups that are as equal in number as possible. The terms of the Judges in the first group shall end on the first Monday in December after the next general election following the adoption of this amendment and every 6 years thereafter. The terms of the Judges in the second group shall end on the first Monday in December after the second general election following the adoption of this amendment

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

and every 6 years thereafter. The terms of the Judges in the third group shall expire on the first Monday in December after the third general election following the adoption of this amendment and every 6 years thereafter.

The Judges described in this subsection may be retained in the same manner as other Circuit Judges.

SECTION 12.5. JUDICIAL NOMINATING COMMISSIONS

(a) There shall be a Judicial Nominating Commission in each Judicial District for the nomination of Judges for the Appellate Court, in each Judicial Circuit for the nomination of Judges for the Circuit Court, and in each Judicial Subcircuit for the nomination of Judges for the Subcircuit Courts.

(b) Each Judicial Nominating Commission shall consist of 11 members. Six of the members must be persons who are not licensed to practice as an attorney or counselor at law within this State and are residents of the appropriate District, Circuit, or Subcircuit ("non-lawyer members"). The remaining 5 members must be persons who are licensed to practice as an attorney or counselor at law within this State and are residents of the appropriate District, Circuit, or Subcircuit ("lawyer members").

(c) Three of the non-lawyer members of each Judicial Nominating Commission shall be appointed by the Attorney General. The remaining 3 non-lawyer members shall be appointed by the officer first in the following order who is not affiliated with the same political party as the Attorney General: the President of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the Senate.

(d) The lawyer members of each Judicial Nominating Commission shall be selected in the manner provided by Supreme Court Rule.

(e) Upon appointment of the initial non-lawyer members of each Judicial Nominating Commission, the Attorney General shall divide the appointees by lot into 3 groups as equal in number as

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

possible, with one of the Attorney General's appointees in each group. The Attorney General shall by lot designate the members in those groups to serve initial terms of 2, 4, and 6 years respectively. The initial lawyer members of each Judicial Nominating Commission shall also be divided by lot into 3 groups as equal in number as possible, and the members in those groups shall by lot be designated to serve initial terms of 2, 4, and 6 years respectively, all in the manner provided by Supreme Court Rule. Thereafter, the terms of all Commission members shall be 6 years.

(f) A vacancy in the non-lawyer membership of a Judicial Nominating Commission shall be filled for the remainder of the unexpired term or for a full term, as the case may be, by the Attorney General (if the Attorney General is affiliated with the same political party as the official who appointed the member whose vacancy is to be filled) or by the other officer specified in subsection (c) of this Section (if the Attorney General is affiliated with a political party different from that of the official who appointed the member whose vacancy is to be filled). A vacancy at the end of a term in the lawyer membership of a Judicial Nominating Commission shall be filled in the manner provided by Supreme Court Rule.

(g) The members of each Judicial Nominating Commission shall select a Chairperson of the Commission. The Chairperson shall serve for a term of 3 years unless his or her remaining term as a member of the Commission expires sooner.

(h) A person is not eligible to serve on a Judicial Nominating Commission if he or she (i) holds any office under the United States or this State, or any political subdivision, municipal corporation, municipality, or unit of local government of this State, and receives compensation for services rendered in that office or (ii) holds any office or official position in a

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

political party. Compensation for service in the State militia or the armed services of the United States, for the period of time determined by Supreme Court Rule, does not disqualify a person from serving on a Judicial Nominating Commission under this subsection. A member of a Judicial Nominating Commission may not be appointed to judicial office while serving on the Commission or for a period of 6 months thereafter.

(i) A person who has served a full term of 6 years as a member of a Judicial Nominating Commission may not serve on a Commission during the next 3 years following expiration of that 6-year term. A person may not serve on more than one Judicial Nominating Commission at the same time.

(j) A Judicial Nominating Commission may conduct investigations, meetings, and hearings, all of which may be secret, and may employ staff members as necessary to perform the Commission's duties. Judicial Nominating Commission members may not receive any compensation for their services on the Commission but shall be reimbursed for their necessary expenses actually incurred in performing their duties. The General Assembly shall appropriate funds to the Supreme Court for that reimbursement and for all other administrative expenses of the Judicial Nominating Commissions.

(k) A Judicial Nominating Commission shall submit nominees for the office of Appellate or Circuit Judge to the Supreme Court upon the concurrence of not less than three-fifths of the members of the Commission voting on the nominations.

(l) Lawyer and non-lawyer members of Judicial Nominating Commissions are not subject to economic disclosure requirements as provided by law.

SCHEDULE

This Constitutional Amendment takes effect upon approval by

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

February 27, 1997

the electors of this State. First Reading and Introduction of this House Joint Resolution for Constitutional Amendment."

Clerk Bolin: "First Reading and Introduction of House Bills. Introduction - First Reading of Bills. House Bill 1115, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1116, offered by Representative Moffitt, a Bill for an Act in relation to taxes. House Bill 1117, offered by Representative Erwin, a Bill for an Act to amend the Criminal Code of 1961. First Reading and Introduction of these House Bills."

Clerk Bolin: "Having no further business, the House Perfunctory Session will stand adjourned. And the House will reconvene tomorrow, February 28, at 1:30 p.m."