

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

71st Legislative Day

November 7, 2001

Clerk Rossi: "This Perfunctory Session will come to order. Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on November 6, 2001, reported the same back with the following recommendation/s: to the Floor for consideration. To the Order of Second Reading House Bill 2871. To the Order of Second Reading House Bill 2935 and to the Order of Third Readings Senate Bill 384. Message from the Governor to the Honorable Members of the Illinois House of Representatives of the 92nd General Assembly. Pursuant to Article IV of Section 9(b) of the Illinois Constitution of 1970, I hereby veto and return the following House Bills: House Bill 176, House Bill 198, House Bill 222, House Bill 417, House Bill 442, House Bill 1302, House Bill 1697, House Bill 1812, House Bill 1813, House Bill 2254, House Bill 2425, House Bill 3071, House Bill 3078, House Bill 3377 signed, George H. Ryan, Governor. Message from the Governor to the honorable Members of the Illinois House of Representatives of the 92nd General Assembly. Pursuant to the authority vested in the Governor by Article IV, Section 9(e) of the Illinois Constitution of 1970 and reaffirmed by the people of the State of Illinois by popular referendum in 1974, the following gubernatorial action shall be consistent with the fundamental purposes in the intent of the Bill, I hereby return the following House Bills with my specific recommendations for change. House Bill 196, House Bill 279, House Bill 445, House Bill 549, House Bill 1011, House Bill 1039, House Bill 1356, House Bill 1696, House Bill 2412, House Bill 2528, House Bill 3172 and House Bill 3307. With these specific recommendations for change, these House Bills with... will have my approval. I respectfully

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request your concurrence. Sincerely, George H. Ryan, Governor. House Resolution 471, offered by Representative Hoffman; House Resolution 476, offered by Representative Novak; House Resolution 495, offered by Representative Hultgren; House Bill (sic-Resolution) 497, offered by Speaker Madigan; House Resolution 498, offered by Representative Bill Mitchell; House Resolution 503, offered by Representative Jim Meyer; House Joint Resolution 51, offered by Representative Acevedo are assigned to the Rules Committee. Introduction - First Reading of House Bills. House Bill 3638, offered by Representative Tom Ryder, a Bill for an Act in relation to vehicles. House Bill 3639, offered by Representative Bill Mitchell, a Bill for an Act concerning education. House Bill 3640, offered by Representative Bill Mitchell, a Bill for an Act concerning higher education. House Bill 3641, offered by Representative Julie Curry, a Bill for an Act concerning education. House Bill 3642, offered by Representative Franks, a Bill for an Act concerning elections. House Bill 3643, offered by Representative Mulligan, a Bill for an Act concerning taxation. House Bill 3644, offered by Representative Franks, a Bill for an Act in relation to public employee benefits. House Bill 3645, offered by Representative Holbrook, a Bill for an Act in relation to vehicles. House Bill 3646, offered by Representative Granberg, a Bill for an Act in relation to vehicles. House Bill 3647, offered by Representative Julie Curry, a Bill for an Act concerning swimming facilities. House Bill 3648, offered by Representative Winkel, a Bill for an Act to re-enact a portion of Public Act 90-456 relating to criminal law. House Bill 3649, offered by Representative Dale Righter, a Bill for an Act to re-enact a portion of

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Public Act 90-456 relating to juveniles. House Bill 3650, offered by Representative Bill Mitchell, a Bill for an Act relating to higher education. House Bill 3651, offered by Representative Hannig, a Bill for an Act concerning taxes. House Bill 3652, offered by Representative O'Brien, a Bill for an Act in relation to vehicles. House Bill 3653, offered by Representative Holbrook, a Bill for an Act concerning public bodies. House Bill 3654, offered by Representative Hoffman, a Bill for an Act in relation to public employee benefits. House Bill 3655, offered by Representative Black, a Bill for an Act concerning average daily attendance. House Bill 3656, offered by Representative Franks, a Bill for an Act concerning schools. House Bill 3657, offered by Representative Hoffman, a Bill for an Act in relation to vehicular offenses. House Bill 3658, offered by Representative Franks, a Bill for an Act concerning workplace injuries and diseases. House Bill 3659, offered by Representative Bill Mitchell, a Bill for an Act concerning taxation. House Bill 3660, offered by Representative McKeon, a Bill for an Act regarding appropriations. House Bill 3661, offered by Representative Boland, a Bill for an Act concerning the duties of the Secretary of State. House Bill 3662, offered by Representative Holbrook, a Bill for an Act concerning child care. House Bill 3663, offered by Representative Holbrook, a Bill for an Act concerning licensure of locksmith agencies. House Bill 3664, offered by Representative Scully, a Bill for an Act in relation to criminal law. House Bill 3665, offered by Representative Boland, a Bill for an Act in relation to taxation. House Bill 3666, offered by Representative Novak, a Bill for an Act concerning taxation. House Bill 3667, offered by

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Representative Jim Meyer, a Bill for an Act in relation to public employee benefits. Introduction and First Reading of these House Bills."

Clerk Bolin: "First Reading of House Joint Resolution and Constitutional Amendment #8 offered by Representative Black.

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT 8

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 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

(ILCON Art. IV, Sec. 1)

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 Districts and 119 Representative Districts.

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

(ILCON Art. IV, Sec. 2)

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Senatorial

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District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Senatorial 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 Districts in each group shall be distributed substantially equally over the State.

(b) 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

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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. 3)

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Senatorial 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.

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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) 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, shall redistrict the Senatorial 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

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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.

(e) A 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 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.

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

ARTICLE XIV
CONSTITUTIONAL REVISION

(ILCON Art. XIV, Sec. 1)

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.

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(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. First Reading of this Constitutional Amendment. Being no further business, the House Perfunctory Session now stands adjourned."