

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

9th Legislative Day

2/4/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Crawford: "Let us pray as we lift our hearts. Most gracious and most kind Father, we honor and we reverence You as the great Jehovah Shalom, the God of a perfect peace. I pray that You will grant to us a peace that will pass all of our understandings. I pray that You will rule us and govern us by Your sovereign grace. I pray, Father, that we keep our eyes and keep our minds upon You. For Your word have instructed us for they that do so You have promised that You would grant us a perfect peace. This we kindly ask in Your Son's name. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hartke."

Hartke - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Jones, Osterman and Rita are excused today."

Speaker Madigan: "Mr. Bost."

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Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Daniels and Lindner are excused today."

Speaker Madigan: "Clerk shall take the record. There being 113 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. Representative Hartke in the Chair."

Speaker Hartke: "On page 2 on the Calendar, on House Bills-Second Reading, appears House Bill 11. Representative Bost. Mr. Bost. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 11, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 30. Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 30, a Bill for an Act relating to simulated voting by minors. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. The Chair recognizes Representative Parke. For what reason do you seek recognition?"

Parke: "Thank you, Mr. Speaker. For a point of personal privilege. It is indeed my privilege to introduce the newest Member of the Illinois House of Representatives. His name is Paul Froehlich and I'm sure that everybody will want an opportunity to meet him and to know a little bit about him. So, I am pleased now to introduce to the Body

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the new Representative from Schaumburg Township, Paul Froehlich."

Speaker Hartke: "Mr. Froehlich."

Froehlich: "Ladies and Gentlemen, I represent Schaumburg, Northwest Cook County, a little part of DuPage. I look forward to meeting people on both sides of the aisle and it's certainly good to be here. Thanks."

Speaker Hartke: "Welcome. We will work with you. Chair recognizes Representative Krause."

Krause: "Thank you, Mr. Speaker. Just a point of personal privilege, that this evening is the Annual Conference of Women Legislators annual dinner and we want all of the women here to attend from the House and Senate. Starting at 6:30 for a reception at Saputo's, dinner at 7. We have the state superintendent of schools joining us, as well as the new deputy director of human services. Thank you."

Speaker Hartke: "Thank you, Representative. On page 2 on the Calendar, on House Bills-Second Reading, appears House Bill 105. Representative Bassi. Representative Bassi. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 105, a Bill for an Act concerning open meetings. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 2 on the Calendar, on House Bills-Second Reading, appears House Bill 118. Representative Moffitt. Out of the record. House Bill 119. Mr. Moffitt. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 119, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 2 on the Calendar, on House Bills-Second Reading, appears House Bill 176. Representative Bellock. Patti Bellock. Out of the record. On page 2 on the Calendar, on House Bills-Second Reading, appears House Bill 34. Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 34, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A fiscal note has been requested on the Bill and the note has not been filed."

Speaker Hartke: "The Bill will remain on Second Reading pending the notes. House Bill 56. Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 56, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 2 on the Calendar appears House Bill 135. Representative Lindner. Representative Lindner. Out of the record. Chair recognizes Representative Holbrook. For what reason do you seek recognition?"

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Holbrook: "Thank you, Speaker. The Tourism Committee is scheduled for 2:00 on Wednesday has been canceled. The Sponsor's not gonna call his Bill. The Tourism Committee tomorrow has been canceled. Thank you."

Speaker Hartke: "Members should take note that the Tourism canceled... Tourism Committee for tomorrow has been canceled. Chair recognizes Representative Giles."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Members on the Elementary & Secondary Education Committee tomorrow, instead of meeting at 8:00 we will meet at 9:00 tomorrow morning. At 9:00 instead of 8:00. That's for the Members of the Elementary & Secondary Education. Thank you."

Speaker Hartke: "The Chair recognizes Representative Delgado."

Delgado: "Yes, thank you, Mr. Speaker. All those Members of the Human Services Committee, we ordinarily meet at 8 a.m. tomorrow, Human Services Committee in D-1 will meet at 10 a.m., 10 a.m. for Human Services Committee in D-1."

Speaker Hartke: "The Chair recognizes Representative Fritchey."

Fritchey: "Thank you, Speaker. Judiciary I, which is scheduled to meet at 8 a.m. tomorrow, will be meeting at 9:30 a.m. Thank you."

Speaker Hartke: "Members should take note of the change of some of the committee meeting start times for tomorrow. Members should also be reminded that there are three weeks left for Bills to be heard in committee. So, if you're sponsoring a Bill you should... you're being encouraged to call your legislation. Representative Joe Lyons."

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Lyons, J: "Thank you, Speaker. And I'd like to bring to the attention of all Members of Financial Institutions. The two Bills that we had posted neither Sponsor will be calling their Bills, therefore, we will be canceling Financial Institutions at 4:00 today. We'll cancel Financial Institutions. Thank you."

Speaker Hartke: "The House is preparing to adjourn. Allowing perfunctory time for the Clerk, Representative Currie now moves that the House stand adjourned 'til the hour of 12 noon, February the 5th. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. First Reading and introduction of House Bills. House Bill 1087, offered by Representative Daniels, a Bill for an Act concerning the Department on Aging. House Bill 1088, offered by Representative Franks, a Bill for an Act in relation to court reporters. House Bill 1089, offered by Representative Joyce, a Bill for an Act in relation to criminal law. House Bill 1900... House Bill 1090, offered by Representative Jones, a Bill for an Act in relation to interrogations. House Bill 1091, offered by Representative Jones, a Bill for an Act in relation to minors. House Bill 1092, offered by Representative Brunsvold, a Bill for an Act relating to higher education. House Bill 1093, offered by Representative Phelps, a Bill for an Act concerning unemployment insurance. House Bill 1094, offered by Representative Phelps, a Bill for an Act concerning

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wildlife. House Bill 1095, offered by Representative Phelps, a Bill for an Act in relation to criminal law. House Bill 1096, offered by Representative Phelps, a Bill for an Act in relation to deer hunting. House Bill 1097, offered by Representative Leitch, a Bill for an Act concerning professional regulation. House Bill 1098, offered by Representative Mitchell... Representative Bill Mitchell, a Bill for an Act in relation to taxation. House Bill 1099, offered by Representative Bill Mitchell, a Bill for an Act concerning the Department of Employment Security. House Bill 1100, offered by Representative Bill Mitchell, a Bill for an Act concerning the executive branch. House Bill 1101, offered by Representative Bill Mitchell, a Bill for an Act concerning health. House Bill 1102, offered by Representative Daniels, a Bill for an Act in relation to caregiving. House Bill 1103, offered by Representative Daniels, a Bill for an Act concerning human services. House Bill 1104, offered by Representative Daniels, a Bill for an Act concerning the Department of Human Services. House Bill 1105, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 1106, offered by Representative Daniels, a Bill for an Act concerning transportation. House Bill 1107, offered by Representative Daniels, a Bill for an Act concerning taxes. House Bill 1108, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 1109, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 1110, offered by Representative

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Lang, a Bill for an Act in relation to highways. House Bill 1111, offered by Representative Madigan, a Bill for an Act concerning civil procedure. House Bill 1112, offered by Representative Madigan, a Bill for an Act concerning civil procedure. House Bill 1113, offered by Representative Madigan, a Bill for an Act concerning civil procedure. House Bill 1114, offered by Representative Madigan, a Bill for an Act concerning civil procedure. House Bill 1115, offered by Representative Madigan, a Bill for an Act concerning crane operators. House Bill 1116, offered by Representative Kosel, a Bill for an Act in relation to alcoholic liquor. House Bill 1117, offered by Representative Bellock, a Bill for an Act concerning parks and sports facilities. House Bill 1118, offered by Representative Joyce, a Bill for an Act concerning higher education. House Bill 1119, offered by Representative Turner, a Bill for an Act relating to higher education. House Bill 1120, offered by Representative Smith, a Bill for an Act concerning taxation. House Bill 1121, offered by Representative Smith, a Bill for an Act authorizing a horse feed checkoff. House Bill 1122, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 1123, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 1124, offered by Representative Smith, a Bill for an Act in relation to public employee pensions, amending named Acts. House Bill 1125, offered by Representative Smith, a Bill for an Act in

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relation to public employee benefits. House Bill 1126, offered by Representative Jones, a Bill for an Act concerning parole. House Bill 1127, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. House Bill 1128, offered by Representative Molaro, a Bill for an Act in relation to pensions. House Bill 1129, offered by Representative Molaro, a Bill for an Act in relation to pensions. House Bill 1130, offered by Representative Molaro, a Bill for an Act in relation to pensions. House Bill 1131, offered by Representative Molaro, a Bill for an Act in relation to pensions. House Bill 1132, offered by Representative Molaro, a Bill for an Act in relation to pensions. House Bill 1133, offered by Representative Hoffman, a Bill for an Act in relation to health in the workplace. House Bill 1134, offered by Representative Hoffman, a Bill for an Act in relation to health in the workplace. House Bill 1135, offered by Representative Forby, a Bill for an Act concerning wildlife. House Bill 1136, offered by Representative Granberg, a Bill for an Act in relation to unemployment insurance. House Bill 1137, offered by Representative Saviano, a Bill for an Act concerning professional regulation. House Bill 1138, offered by Representative Saviano, a Bill for an Act in relation to the regulation of professions. House Bill 1139, offered by Representative Lang, a Bill for an Act concerning tax collection. House Bill 1140, offered by Representative Lang, a Bill for an Act in relation to health. House Bill

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1141, offered by Representative Fritchey, a Bill for an Act concerning vehicles. House Bill 1142, offered by Representative Fritchey, a Bill for an Act in relation to gaming. House Bill 1143, offered by Representative Fritchey, a Bill for an Act in relation to gaming. House Bill 1144, offered by Representative Fritchey, a Bill for an Act in relation to gaming. House Bill 1145, offered by Representative Fritchey, a Bill for an Act in relation to gaming. House Bill 1146, offered by Representative Fritchey, a Bill for an Act in relation to gaming. House Bill 1147, offered by Representative Fritchey, a Bill for an Act in relation to gaming. House Bill 1148, offered by Representative Fritchey, a Bill for an Act in relation to horse racing. House Bill 1149, offered by Representative Dunkin, a Bill for an Act concerning elections. House Bill 1150, offered by Representative Fritchey, a Bill for an Act concerning electronic fund transfers. House Bill 1151, offered by Representative Giles, a Bill for an Act to amend the School Code by changing Section 2-3.25(g). House Bill 1152, offered by Representative Black, a Bill for an Act concerning disabled persons. House Bill 1153, offered by Representative Black, a Bill for an Act in relation to cable television. House Bill 1154, offered by Representative Black, a Bill for an Act concerning the use of Social Security numbers. House Bill 1155, offered by Representative Black, a Bill for an Act concerning taxation. House Bill 1156, offered by Representative Black, a Bill for an Act concerning municipal utility

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taxes. House Bill 1157, offered by Representative Hamos, a Bill for an Act in relation to child custody. House Bill 1158, offered by Representative Holbrook, a Bill for an Act in relation to sports authorities. House Bill 1159, offered by Representative Winters, a Bill for an Act in relation to gambling. House Bill 1160, offered by Representative Boland, a Bill for an Act regarding higher education. House Bill 1161, offered by Representative Winters, a Bill for an Act concerning unemployment. House Bill 1162, offered by Representative Parke, a Bill for an Act concerning the regulation of electricians. House Bill 1163, offered by Representative Parke, a Bill for an Act in relation to criminal law. House Bill 1164, offered by Representative Parke, a Bill for an Act concerning insurance. House Bill 1165, offered by Representative Colvin, a Bill for an Act concerning environmental safety. House Bill 1166, offered by Representative Colvin, a Bill for an Act concerning voter registration. House Bill 1167, offered by Representative Molaro, a Bill for an Act concerning schools. House Bill 1168, offered by Representative Molaro, a Bill for an Act concerning schools. House Bill 1169, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. House Bill 1170, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. House Bill 1171, offered by Representative Molaro, a Bill for an Act concerning higher education. House Bill 1172, offered by Representative Molaro, a Bill

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for an Act in relation to public employee benefits. House Bill 1173, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. House Bill 1174, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. House Bill 1175, offered by Representative Eddy, a Bill for an Act in relation to criminal law. House Bill 1176, offered by Representative Saviano, a Bill for an Act in relation to transportation. House Bill 1177, offered by Representative Joyce, a Bill for an Act relating to education. House Bill 1178, offered by Representative McGuire, a Bill for an Act concerning preventive services. House Bill 1179, offered by Representative McGuire, a Bill for an Act concerning personal care attendants. House Bill 1180, offered by Representative Jerry Mitchell, a Bill for an Act to amend the School Code. House Bill 1181, offered by Representative Flowers, a Bill for an Act concerning hospitals. House Bill 1182, offered by Representative Collins, a Bill for an Act in relation to minors. House Bill 1183, offered by Representative Molaro, a Bill for an Act concerning appropriations for teacher pensions. House Bill 1184, offered by Representative Parke, a Bill for an Act concerning workers' compensation. House Bill 1185, offered by Representative Reitz, a Bill for an Act in relation to public employee benefits. House Bill 1186, offered by Representative Reitz, a Bill for an Act concerning vehicles. House Bill 1187, offered by Representative Reitz, a Bill for an Act in relation to

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public utilities. House Bill 1188, offered by Representative Reitz, a Bill for an Act concerning telecommunications. House Bill 1189, offered by Representative Reitz, a Bill for an Act in relation to vehicles. House Bill 1190, offered by Representative Reitz, a Bill for an Act relating to telecommunications. House Bill 1191, offered by Representative Brosnahan, a Bill for an Act concerning civil procedure. House Bill 1192, offered by Representative Bradley, a Bill for an Act concerning insurance. House Bill 1193, offered by Representative Coulson, a Bill for an Act concerning health improvement. House Bill 1194, offered by Representative Boland, a Bill for an Act in relation to firefighters. House Bill 1195, offered by Representative O'Brien, a Bill for an Act in relation to fire protection. First Reading of these House Bills."

Clerk Bolin: "Introduction of Resolutions. House Resolution 37, offered by Representative Howard. House Joint Resolution 8, offered by Representative McAuliffe. House Joint Resolution 9, offered by Representative Poe. And House Joint Resolution 10, offered by Representative Bellock. These Resolutions are referred to the House Rules Committee."

Clerk Rossi: "Introduction and First Reading of House Joint Resolution Constitutional Amendment #13, offered by Representative Black.

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE

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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:

THE LEGISLATURE

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 Representative Districts. One Senator shall be elected from each Senatorial 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 a term of four years, four years, two years; Senators from the second group, for terms from four years, two years and four years; and Senators from the third group, for terms of two years, four years, four years. The Senatorial Districts in each group shall be distributed substantially equally over the State. One Representative shall be elected from each Representative District for a term of two years. 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

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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. 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. 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.

LEGISLATIVE REDISTRICTING

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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. 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: contiguity; substantial equality of population; compactness; minimization of the number of districts that cross county or municipal boundaries; 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: residency of incumbent legislators; political affiliations of registered voters; previous election results; and 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

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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. In the year following each Federal decennial census year, the Senate, by resolution adopted by a record vote of three-fifths of the Members elected shall redistrict the Senatorial Districts and to 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 filled with the... filed with the Secretary of State by the presiding officer of the House that adopted the resolution. 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 this subsection. The State Board of Elections shall file the redistricting plan with the Secretary of State. A redistricting plan, adopted by redistricting resolution or produced by the State Board

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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. The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate.

ARTICLE XIV

CONSTITUTIONAL REVISION

SECTION 1.

CONSTITUTIONAL CONVENTION

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. 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. 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. The General

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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 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. To be eligible to be a delegate a person must meet the same eligibility requirements as a Member of the General Assembly. The vacancies shall be filled as provided by law. 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 any 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. The vote of 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.

This Constitutional Amendment takes effect upon being... This Constitutional Amendment takes effect beginning with

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redistricting in 2011 and applies to the election of Members of the General Assembly in 2012 and thereafter."

Clerk Rossi: "Introduction and First Reading of House Bills. House Bill 1196, offered by Representative Granberg, a Bill for an Act in relation to aging. House Bill 1197, offered by Representative Saviano, a Bill for an Act in relation to the regulation of professions. House Bill 1198, offered by Representative Saviano, a Bill for an Act in relation to the regulation of professions. House Bill 1199, offered by Representative Saviano, a Bill for an Act in relation to the regulation of professions. House Bill 1200, offered by Representative Saviano, a Bill for an Act concerning professional regulation. House Bill 1201, offered by Representative Saviano, a Bill for an Act concerning advanced practice registered nurses. First Reading of these House Bills. There being no further business, the House Perfunctory Session now stands adjourned."