

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

81st Legislative Day

1/24/2006

Speaker Hannig: "The hour of 1:00 having arrived, the House will be in order. The Members will please be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Reverend Dr. Peter C. Fowler with St. Augustine African Orthodox Church in Chicago. Reverend Fowler is the guest of Representative Dunkin."

Reverend Fowler: "Let us bow our heads, in the name of the Father, and the Son and the Holy Spirit. Almighty and Everlasting God, who by Thy holy Apostles did these... did preside over this council of Thy blessed Apostles and has promised through Thy Son to be with us to the end of the world. We beseech Thee to be with this Legislative Body as about to assemble. Save them from all errors, ignorance, pride, and prejudice. And of Thy great mercies vouchsafe, we beseech Thee, so to direct and sanctify and govern them in their work by Thy mighty power of Thy Holy Spirit. Oh, Heavenly Father, Lord of the harvest, hear our prayers. We beseech Thee and send forth to Thy labors of this state, the great Governor of this state, and all the Members and staff of the Legislature in Thy harvest, fit and prepare them by the grace for the work You have given them to do and grant that both by their lives and labor they may show forth Thy glory to our Lord. May the God of wisdom guide you. May His follow protect you, His love surround you as the water surrounds the fishes of the sea. And may the clear conscience of His presence abide with you each hour of every day. Amen."

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Speaker Hannig: "Representative McAuliffe will lead us in the Pledge today."

McAuliffe - 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 Hannig: "Roll Call for Attendance. Representative Currie."

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

Speaker Hannig: "And Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Bassi and Representative Black are excused."

Speaker Hannig: "All right. Mr. Clerk, take the record. There are 112 Members answering the Roll Call, a quorum is present. Mr. Clerk, do you have any Committee Reports?"

Clerk Mahoney: "Referred to the House Committee on Rules is House Resolution 835, offered by Representative Osterman. House Resolution 836, offered by Representative Dunkin. House Resolution 838, offered by Representative Acevedo. House Resolution 840, offered by Representative Turner. House Resolution 841, offered by Representative Pihos. House Resolution 842, offered by Representative Pihos. House Resolution 843, offered by Representative Meyer. House Resolution 844, offered by Representative Flowers. House Resolution... House Joint Resolution 87, offered by Representative Giles. House Joint Resolution 88, offered by Representative Currie. House Joint Resolution 89, offered

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by Representative Smith. And House Joint Resolution 90, offered by Representative Art Turner."

Speaker Hannig: "Mr. Clerk, read the Agreed Resolutions."

Clerk Mahoney: "The Order of Agreed Resolutions. House Resolution 823, offered by Representative Myers. House Resolution 825, offered by Representative Bellock. House Resolution 826, offered by Representative Monique Davis. House Resolution 827, offered by Representative Myers. House Resolution 834, offered by Representative Bellock. House Resolution 837, offered by Representative Granberg. House Resolution 839, offered by Representative Flider. House Resolution 845, offered by Representative Dunkin."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor of the Agreed Resolutions say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. On page 2 of the Calendar, on the Order of House Bills-Second Reading, we're gonna start on the top and just go down the list. So, be prepared if you have a Bill on this Order of Business. House Bill 1295, Representative Froehlich. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1295, a Bill for an Act concerning liquor. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. House Bill 2414, Representative Acevedo. Okay. Out of the record. Representative Flowers, you have House Bill 4125. Out of the record. Representative Feigenholtz, House Bill 4134. Out of the

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record. Representative Boland, Mike Boland, you have House Bill 4137. Out of the record. Representative Fritchey, 4173. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4173, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendment #1 was approved in committee. No Motions filed."

Speaker Hannig: "Third Reading. Representative Cross on House Bill 4217. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4217, a Bill for an Act concerning libraries. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flowers, you have... Out of the record. Representative Beaubien on House Bill 4317. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4317, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Watson, you have House Bill 4349. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4349, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Lang, you have House Bill 4350, Representative Lang. Lou Lang, you wish us to read the Bill? Out of the record. House Bill 4359, Representative Jakobsson. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4359, a Bill for an Act concerning gaming. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bost, you have House Bill 4444. Out of the record. Representative Jerry Mitchell on 41... House Bill 4127. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 41... House Bill 4127, a Bill for an Act concerning property. Third Reading of this House Bill."

Speaker Hannig: "Excuse me. Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4127, a Bill for an Act concerning property. Third Reading of this House Bill."

Speaker Hannig: "We've gone now to page 3 of the Calendar, House Bills-Third Reading, final action. Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, 4127 is a very simple Bill. It conveys a portion of land, about 7.2 acres, from the Oregon Park District to the senior group there that plans to build a new senior center and move it away from downtown and out on the... more on the outskirts of Oregon. The downtown facility was in pretty rough shape. There was no... no parking whatsoever and they've sold that building. The Park District land is not big enough for them to do much with and being on the outskirts of town. They've entered in agreement by selling this land to the not-for-profit senior group for a dollar with the understanding that they will start construction within 5 years. If that doesn't happen, the land reverts back to the Park District. Be happy to answer any questions."

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Speaker Hannig: "Representative Mitchell moves for the passage of House Bill 4127. This is on the Order of Short Debate. Does anyone stand in opposition? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Is that right? Representative Durkin and Jenisch. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Monique Davis, do you wish us to call House Bill 4141? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4141, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 4141 merely adds taxi... the language 'taxi driver' to our current language. That if a taxi driver is attacked, the criminal penalties would be similar to the penalties if you attack a police officer and it's aggravated battery. The reason we thought it was necessary was because the president of the union of the taxi cab in Chicago felt that there is a large number of attacks occurring to taxi drivers and they felt by spelling out their name in this legislation, it would allow them some decorum of safety. So, I ask for a favorable vote."

Speaker Hannig: "This Bill is on the Order of Short Debate. Representative Lindner, you're recognized for 5 minutes in response."

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Lindner: "Thank you, Mr. Speaker. Representative, you know we discussed this in the Judiciary II Committee and discussed that there is already language in there for a common carrier. Don't you think that covers taxis?"

Davis, M.: "You said that this language is... they're already covered in the current language?"

Lindner: "Yes, I believe they are under the statute now."

Davis, M.: "Yeah. We... we realize that you felt that this was not necessary. However, the president of the cab drivers' union felt that by spelling out 'taxi drivers' it'll allow the judicial body to pay close attention to the attacks that occur on taxi drivers. Other drivers that are included include, of course, bus drivers, juvenile transportation. But these are the only drivers who are accepting cash from their riders."

Lindner: "I understand what you're trying to do, Representative. I just felt that it's... says in the statute, 'that any employer or passenger of any transportation facility or system engaged in the business of transportation of the public for hire', and that if we would have put taxi drivers in there instead of in a separate section that it would have made the statute more readable, but I will support your Bill."

Davis, M.: "Thank you. You will support it. Thank you very much. We just feel that it is unfair for the cab drivers to be expected to pick up all passengers and subject themselves to violent behavior. And their feeling is, with this action, they'll feel a little safer and I'm sure their company will agree. Thank you very much."

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Speaker Hannig: "Representative Molaro. This is on Short Debate. Do you wish to have it removed from Short Debate?"

Molaro: "Do you mean we're done?"

Speaker Hannig: "We're ready to vote, otherwise. So, Representative Monique Davis..."

Molaro: "I'm ready too."

Speaker Hannig: "...is recognized to close."

Davis, M.: "I just would appreciate a favorable vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr... Representative... Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Osmond, do you wish us to read House Bill 4179? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4179, a Bill for an Act concerning name changes. Third Reading of this House Bill."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 4179 amends the Code of Civil Procedure, provides that a person who is convicted of identity theft shall not be permitted to file a petition for a name change in the courts of Illinois. I'd be happy to answer any questions."

Speaker Hannig: "This on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting

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is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Dugan, we have House Bill 4187. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 4187, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Dugan."

Dugan: "Thank you, Speakers, Members of the House. 4187 addresses two veterans' issues. One, this Bill would allow Gold Star license plates that are issued to military persons from the Armed Services who die while serving their country, this would give their license plates free of charge. The Bill also addresses veterans' plates that when a veteran does... is deceased that his spouse is able to continue to apply and receive that veteran's plate from the spouse who did serve in the Armed Forces. So, I will answer any questions. I'd like a 'yes' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kelly, shall we read 4192? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4192, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Kelly."

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4192 enlarges the Metropolitan Water Reclamation District by annexing a less than one acre tract of land in Matteson. Last year, I passed House Bill 3800 which became... Excuse me. House Bill 3800 which I passed last year was supposed to include the land described in House Bill 4192, but did not in... but due to an oversight, it was not included. And this Bill cleans up this oversight."

Speaker Hannig: "The Lady has moved for the passage of House Bill 4192. This is on the Order of Short Debate. And in response, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Good afternoon. Representative, is this the Bill you talked to me about the other day?"

Kelly: "Yes, it is."

Parke: "I thought you said it was sort of technical in nature? Is this... is this expanding and... and enlarges the... this parcel? Is this just with one parcel?"

Kelly: "Right. It's the same development, Trinity Creek Subdivision in the Village of Matteson and they left off one lot. So, we need this one lot so the developer can complete the development."

Parke: "All right. Yes, one other question. This is in your district, Representative?"

Kelly: "Oh, yes, in my district."

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Parke: "And this is all you're gonna put in this Bill. It's not gonna come... we're not gonna see it come back as a vehicle or anything like that?"

Kelly: "No."

Parke: "So, it's your intent that this is the way you want it to go outta here and go to the Governor's Desk?"

Kelly: "Yes."

Parke: "Thank you."

Speaker Hannig: "Representative Kelly to close."

Kelly: "I just ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 71 voting 'yes' and 39 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Verschoore, for what reason do you rise?"

Verschoore: "I intended to vote 'no' on that and I hit my button and evidently it didn't register."

Speaker Hannig: "Okay. The record will re... will reflect your intentions, Representative."

Verschoore: "Thank you."

Speaker Hannig: "Representative Beiser, do you wish us to read House Bill 4297? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4297, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Beiser."

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Beiser: "Yes, Mr. Speaker. House Bill 4297 is a contin... in another Bill in a continuing effort to fight methamphetamine. And basically, what 4297 says is that if you use a fake ID, fake identification, to obtain products that can be used in the production of methamphetamine, that it will be a Class II felony for the first offense and a Class I felony for the second offense and any further."

Speaker Hannig: "This is on the Order of Short Debate. And in response, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. On this... Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Parke: "Representative, can you raise your hand? I don't know where you're... oh, thank you, thank you. Is this only has to do with methamphetamine?"

Beiser: "Yes."

Parke: "So, if it's any other identity theft, this does not apply?"

Beiser: "Right. It's only if they use ident... if you're convicted of identity theft in the purchase of products used... that could be used to produce methamphetamine."

Parke: "And it changes it to a Class III felony?"

Beiser: "No. The... it was... it was amended to a Class II felony for the first offense, Class I felony for the second offense and thereafter."

Parke: "Does the judge have any discretion or is it like a Class X felony where they have no choice?"

Beiser: "It's... it's just a Class II felony. It's..."

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Parke: "I mean, does the judge have any discretion or it's just flat out whatever the law applies to Class II felonies, that's what he has to do?"

Beiser: "He will use the sentencing guidelines that are in the law."

Parke: "All right. And is anybody in opposition to your legislation?"

Beiser: "There was none at the committee hearings that were in op... opposition."

Parke: "Thank you."

Speaker Hannig: "Okay, this is on the Order of Short Debate. Representative Froehlich, do you wish to have it removed from Short Debate?"

Froehlich: "No, Sir. Just a... ask a question."

Speaker Hannig: "Okay. We'll let you... The Gentleman will yield for a question."

Froehlich: "Yeah. Representative, do you have a... a fiscal note yet on this? Do we have an idea of what the estimate's gonna be as far as the cost to DOC?"

Beiser: "There has not been one filed to my knowledge and there has been nothing... No."

Froehlich: "Okay. Thank you."

Speaker Hannig: "Representative Beiser to close."

Beiser: "I would just ask my colleagues to give us their 'aye' vote as we, again, like I said, continue to fight methamphetamine. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Representative Granberg, do you wish to be recorded on this methamphetamine Bill? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jerry Mitchell, would you like us to read House Bill 4308? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4308, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, again, House Bill 4308 is a... is a fairly simple concept, but it... it brings more light to a wonderful program we have here in Illinois. We are one of the leading states in nationally board-certified teachers. There is a line item in the state budget to assist teachers with some grants with some stipends for going through this year-long grueling process that has proven time and time again to improve the skills of teachers across this state. What I'm trying to do is to take the Teaching Excellence Program and remove it from the line item it's in now that lumps it with many other things and gives it a separate line item. At this point, I'm not asking for money. We already put several million dollars in this program, but I want this to stand alone so that when we check the state board's budget we can see how much assistance we're giving teachers, we can see how much money we're putting in to one of the best programs we have in the State of Illinois. It just simply sets it aside and gives it a home of its own. The state board is neutral on

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this Bill. I had... don't believe there's any opposition that I know of. Be happy to answer any questions. Thank you, Mr. Speaker."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Durkin and Turner, do you wish to be recorded? Representative Durkin. Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative... Representative Rose has filed a Motion to Table House Bill 4432. Is that correct? Representative Rose. Representative Rose has filed a Motion in writing to table House Bill 4432. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion's adopted and the Bill is tabled. Representative Franks, you're recognized to make a Motion to Table."

Franks: "Thank you, Mr. Speaker. I'd like to make a Motion to Table House Bill 4825."

Speaker Hannig: "You've heard the Gentleman's Motion. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Bill is tabled. Okay. The Chair is getting ready to... to adjourn. We're gonna ask the Clerk to read the committee schedule for the balance of today and before Session tomorrow. Mr. Clerk."

Clerk Mahoney: "Committee schedule. At 2 p.m. today, Agriculture & Conservation will meet in Room D-1, Public

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Utilities will meet at... in Room 122-B, Transportation & Motor Vehicles in Room 114. At 4 p.m., Elections & Campaign Reform will meet in Room 122-B, Financial Institutions will meet in Room 114, Health Care Availability & Access will meet in Room 118, Housing & Urban Development will meet in Room D-1. And at 5 p.m., Consumer Protection will meet in Room 114."

Speaker Hannig: "Are there any announcements? The Gentleman from Cook, Representative McKeon, for what reason do you rise?"

McKeon: "Thank you, Mr. Speaker. The Committee on Housing & Urban Development is canceled for today, be rescheduled for next week. Committee on Housing & Urban Development is canceled for today."

Speaker Hannig: "Any other announcements? Then Representative Currie moves, that allowing perfunctory time for the Clerk, that the House stands adjourned until Wednesday, January 25 at the hour of 12 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted. And the House stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 5003, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 5004, offered by Representative Coulson, a Bill for an Act in relation to transportation. House Bill 5005, offered by Representative Coulson, a Bill for an Act concerning revenue. House Bill 5006, offered by Representative Coulson, a Bill for an Act concerning elections. House Bill 5007, offered by

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Representative Coulson, a Bill for an Act concerning elections. House Bill 5008, offered by Representative Madigan, a Bill for an Act concerning safety. House Bill 5009, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5010, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5011, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5012, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5013, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5014, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5015, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5016, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5017, offered by Representative Madigan, a Bill for an Act concerning local government. House Bill 5018, offered by Representative Madigan, a Bill for an Act concerning veterans. House Bill 5019, offered by Representative Madigan, a Bill for an Act concerning finance. House Bill 5020, offered by Representative Madigan, a Bill for an Act concerning finance. House Bill 5021, offered by Representative Madigan, a Bill for an Act concerning finance. House Bill 5022, offered by Representative Madigan, a Bill for an Act concerning revenue. House Bill 5023, offered by Representative Madigan, a Bill for an Act concerning pensions. House Bill 5024, offered by

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Representative Madigan, a Bill for an Act concerning pensions. House Bill 5025, offered by Representative Madigan, a Bill for an Act concerning gaming. House Bill 5026, offered by Representative Madigan, a Bill for an Act concerning gaming. House Bill 5027, offered by Representative Madigan, a Bill for an Act concerning gaming. House Bill 5028, offered by Representative Madigan, a Bill for an Act concerning gaming. House Bill 5029, offered by Representative Madigan, a Bill for an Act concerning gaming. House Bill 5030, offered by Representative Madigan, a Bill for an Act concerning elections. House Bill 5031, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5032, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5033, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5034, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5035, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5036, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5037, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5038, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5039, offered by Representative Madigan, a Bill for an Act concerning education. House Bill 5040, offered by Representative Madigan, a Bill for an Act concerning business. House Bill 5041, offered by Representative Madigan, a Bill for an Act concerning business. House Bill

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5042, offered by Representative Madigan, a Bill for an Act concerning criminal law. House Bill 5043, offered by Representative Madigan, a Bill for an Act concerning criminal law. House Bill 5044, offered by Representative Madigan, a Bill for an Act concerning criminal law. House Bill 5045, offered by Representative Madigan, a Bill for an Act concerning criminal law. House Bill 5046, offered by Representative Madigan, a Bill for an Act concerning criminal law. House Bill 5047, offered by Representative Madigan, a Bill for an Act concerning criminal law. House Bill 5048, offered by Representative Madigan, a Bill for an Act concerning courts. House Bill 5049, offered by Representative Madigan, a Bill for an Act concerning employment. House Bill 5050, offered by Representative Madigan, a Bill for an Act concerning civil law. House Bill 5051, offered by Representative Madigan, a Bill for an Act concerning civil law. House Bill 5052, offered by Representative Madigan, a Bill for an Act concerning regulation. House Bill 5053, offered by Representative Madigan, a Bill for an Act concerning regulation. House Bill 5054, offered by Representative Madigan, a Bill for an Act concerning regulation. House Bill 5055, offered by Representative Madigan, a Bill for an Act concerning regulation. House Bill 5056, offered by Representative Madigan, a Bill for an Act concerning regulation. House Bill 5057, offered by Representative Madigan, a Bill for an Act concerning regulation. House Bill 5058, offered by Representative Madigan, a Bill for an Act concerning transportation. House Bill 5059, offered by Representative

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Madigan, a Bill for an Act concerning transportation. House Bill 5060, offered by Representative Madigan, a Bill for an Act concerning transportation. House Bill 5061, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5062, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5063, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5064, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5065, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5066, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5067, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5068, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5069, offered by Representative Madigan, a Bill for an Act concerning State Government. House Bill 5070, offered by Representative Madigan, a Bill for an Act concerning government. House Bill 5071, offered by Representative Madigan, a Bill for an Act concerning government. House Bill 5072, offered by Representative Madigan, a Bill for an Act concerning government. House Bill 5073, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5074, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5075, offered by Representative Madigan, a Bill for an Act concerning revenue. House Bill

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5076, offered by Representative Madigan, a Bill for an Act concerning revenue. House Bill 5077, offered by Representative Madigan, a Bill for an Act concerning revenue. House Bill 5078, offered by Representative Madigan, a Bill for an Act concerning revenue. House Bill 5079, offered by Representative Madigan, a Bill for an Act concerning revenue. House Bill 5080, offered by Representative Madigan, a Bill for an Act concerning revenue. House Bill 5081, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5082, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5083, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5084, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5085, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5086, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5087, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5088, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5089, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5090, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. House Bill 5091, offered by Representative

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Madigan, a Bill for an Act concerning finance. House Bill 5092, offered by Representative Madigan, a Bill for an Act concerning finance. House Bill 5093, offered by Representative Madigan, a Bill for an Act concerning finance. House Bill 5094, offered by Representative Madigan, a Bill for an Act concerning finance. House Bill 5095, offered by Representative Madigan, a Bill for an Act concerning finance. House Bill 5096, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5097, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5098, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5099, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5100, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5101, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5102, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5103, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5104, offered by Representative Madigan, a Bill for an Act making appropriations."

Clerk Mahoney: "House Bill 5105, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5106, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5107, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5108, offered by Representative

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Madigan, a Bill for an Act making appropriations. House Bill 5109, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5110, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5111, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5112, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5113, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5114, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5115, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5116, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5117, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5118, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5119, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5120, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5121, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5122, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5123, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5124, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5125, offered by Representative Madigan, a Bill for an Act making

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appropriations. House Bill 5126, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5127, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5128, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5129, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5130, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5131, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5132, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5133, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5134, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5135, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5136, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5137, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5138, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5139, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5140, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5141, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5142, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5143, offered by

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Representative Madigan, a Bill for an Act making appropriations. House Bill 5144, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5145, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5146, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5147, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5148, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5149, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5150, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5151, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5152, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5153, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5154, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5155, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5156, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5157, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5158, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5159, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5160, offered by Representative Madigan, a Bill for an

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Act making appropriations. House Bill 5161, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5162, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5163, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5164, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5165, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5166, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5167, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5168, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5169, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5170, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5171, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5172, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5173, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5174, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5175, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5176, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5177, offered by Representative Madigan, a Bill for an Act making appropriations. House

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Bill 5178, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5179, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5180, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5181, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5182, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5183, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5184, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5185, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5186, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5187, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5188, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5189, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5190, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5191, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5192, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5193, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5194, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5195, offered by Representative

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Madigan, a Bill for an Act making appropriations. House Bill 5196, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5197, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5198, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5199, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5200, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5201, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5202, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5203, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5204, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5205, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 5206, offered by Representative Biggins, a Bill for an Act concerning revenue. House Bill 5207, offered by Representative Biggins, a Bill for an Act concerning revenue. House Bill 5208, offered by Representative Biggins, a Bill for an Act concerning revenue. House Bill 5209, offered by Representative Sullivan, a Bill for an Act concerning revenue. House Bill 5210, offered by Representative Sullivan, a Bill for an Act concerning revenue. House Bill 5211, offered by Representative Lindner, a Bill for an Act concerning local government. House Bill 5212, offered by Representative Lindner, a Bill for an Act concerning local

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government. House Bill 5213, offered by Representative Gordon, a Bill for an Act concerning transportation. House Bill 5214, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 5215, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 5216, offered by Representative Parke, a Bill for an Act concerning criminal law. House Bill 5217, offered by Representative Parke, a Bill for an Act concerning revenue. House Bill 5218, offered by Representative Phelps, a Bill for an Act concerning local government. House Bill 5219, offered by Representative Leitch, a Bill for an Act concerning State Government. House Bill 5220, offered by Representative Winters, a Bill for an Act concerning State Government. House Bill 5221, offered by Representative Sacia, a Bill for an Act concerning appropriations. House Bill 5222, offered by Representative McAuliffe, a Bill for an Act concerning education. House Bill 5223, offered by Representative Miller, a Bill for an Act making appropriations. House Bill 5224, offered by Representative Jefferson, a Bill for an Act concerning civil law. House Bill 5225, offered by Representative Rita, a Bill for an Act concerning transportation. House Bill 5226, offered by Representative Rita, a Bill for an Act concerning transportation. House Bill 5227, offered by Representative Molaro, a Bill for an Act concerning gaming. House Bill 5228, offered by Representative Watson, a Bill for an Act concerning animals. House Bill 5229, offered by Representative Watson, a Bill for an Act making appropriations. House Bill 5230, offered

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by Representative Watson, a Bill for an Act making appropriations. House Bill 5231, offered by Representative Watson, a Bill for an Act making appropriations. House Bill 5232, offered by Representative Watson, a Bill for an Act concerning safety. House Bill 5233, offered by Representative Dunn, a Bill for an Act concerning local government. House Bill 5234, offered by Representative Molaro, a Bill for an Act concerning transportation. House Bill 5235, offered by Representative Molaro, a Bill for an Act concerning business. House Bill 5236, offered by Representative Molaro, a Bill for an Act concerning public employee benefits. House Bill 5237, offered by Representative Molaro, a Bill for an Act concerning pension financing. House Bill 5238, offered by Representative Giles, a Bill for an Act concerning finance. House Bill 5239, offered by Representative Giles, a Bill for an Act concerning regulation. House Bill 5240, offered by Representative Giles, a Bill for an Act concerning regulation. House Bill 5241, offered by Representative Dunkin (sic-Durkin), a Bill for an Act concerning State Government. House Bill 5242, offered by Representative Hamos, a Bill for an Act concerning State Government. House Bill 5243, offered by Representative Currie, a Bill for an Act concerning government. House Bill 5244, offered by Representative Kelly, a Bill for an Act concerning education. House Bill 5245, offered by Representative Brauer, a Bill for an Act concerning health. House Bill 5246, offered by Representative Saviano, a Bill for an Act concerning transportation. House Bill 5247, offered by

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Representative Colvin, a Bill for an Act concerning business. House Bill 5248, offered by Representative Mitchell, Bill, a Bill for an Act concerning finance. House Bill 5249, offered by Representative Meyer, a Bill for an Act concerning criminal law. House Bill 5250, offered by Representative Hannig, a Bill for an Act concerning appropriations. House Bill 5251, offered by Representative Verschoore, a Bill for an Act concerning certain individuals killed in the line of duty. House Bill 5252, offered by Representative Dunkin... Durkin, a Bill for an Act concerning State Government. House Bill 5253, offered by Representative Kosel, a Bill for an Act concerning transportation. And House Bill 5254, offered by Representative Jones, a Bill for an Act concerning State Government. House Joint Resolution Constitutional Amendments-First Reading. House Joint Resolution Constitutional Amendment #28.

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT #28

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH 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 10, 11, and 12 of and add Sections 12.1, 12.2, 12.3, 12.4, and 12.5 to Article VI of the Illinois Constitution as follows:

ARTICLE VI

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THE JUDICIARY

SECTION 10. TERMS OF OFFICE

(a) Except as provided in subsection (b), the terms of office of Supreme and Appellate Court Judges shall be ten years; of Circuit Judges, six years; and of Associate Judges, four years.

(b) The initial term for each Judge of the Circuit of Cook County appointed to office under Section 12.1 shall expire on the first Monday in December following the third general election after his or her appointment. Thereafter, if retained in office pursuant to Section 12.4, the term of all Judges of the Circuit of Cook County shall be 10 years. Terms of office for Judges of the Circuit of Cook County elected before the effective date of this Constitutional Amendment shall expire at the end of the term for which they were elected.

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 unit which selects him or her. No change in the boundaries of a unit after a Judge or Associate Judge is selected shall affect the tenure in office of a Judge or Associate Judge incumbent at the time of the change or prohibit that Judge from seeking retention when his or her current or any future term expires

SECTION 12. ELECTION AND RETENTION

(a) Except as otherwise provided in this Article, Supreme, Appellate and Circuit Judges shall be nominated at primary

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elections or by petition. 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 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.

(b) Except as otherwise provided in this Article, the office of a Judge shall be vacant upon his death, resignation, retirement, removal, or upon the conclusion of his 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) Except as otherwise provided in this Article, a vacancy occurring in the office of Supreme, 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 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.

(d) Except as otherwise provided in this Article, not less than six months before the general election preceding the expiration of his term of office, a Supreme, Appellate or

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Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself. 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 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 election.

(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."

Clerk Bolin: "SECTION 12.1. APPLICATION PROCESS FOR APPOINTMENT OF JUDGES IN THE CIRCUIT OF COOK COUNTY

(a)A vacancy in the office of Judge in the Circuit of Cook County shall be deemed to have occurred upon: (1) the death, resignation, or removal of a Judge; (2) the retirement of a Judge before or upon the expiration of his or her current term; (3) the failure of a Judge to be retained in office by the Judicial Review Commission or by the electorate, as

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provided in Section 12.4; or (4) the creation of a new judgeship by the General Assembly.

(b) For vacancies in a judgeship in the Circuit of Cook County, the Chief Judge of the Circuit shall cause notice to be given to the bar of the Circuit, in the same manner as notice of matters of general interest to the bar is customarily given in the Circuit, that the vacancy exists and will be filled pursuant to the provisions of Section 12.2. The notice of any vacancy covered by this Section shall be given as soon as possible, but no later than 30 days after the accumulation of five consecutive vacancies in the Circuit of Cook County. The Chief Judge of the Circuit of Cook County shall give notice of these vacancies to the Chair of the Judicial Nominating Commission at the same time the Chief Judge gives public notice of the vacancies. If the Chief Judge of the Circuit of Cook County fails to give notice of vacancies in the Circuit of Cook County within the time period prescribed by this Section, the Director of the Administrative Office of Illinois Courts shall give notice of the relevant vacancies within five days of the expiration of the time period set forth in this Section.

(c) Any person who is qualified to serve as a Judge pursuant to the provisions of Section 11 may seek appointment to fill any vacancy in the Circuit of Cook County, provided that a person may seek to fill a vacancy in the Circuit of Cook County or, where applicable, a subcircuit of the Circuit of Cook County, only if he or she resides in the Circuit of Cook County and, where applicable, the particular subcircuit of the Circuit of Cook County at the time the vacancy

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arises. Any person seeking to fill a vacancy shall have 30 days after the notice of vacancy is given within which to file with the Chief Judge of the Circuit of Cook County and with the Director of the Administrative Office of Illinois Courts an application in the form prescribed and furnished by the Director and shall also file any other materials prescribed by the Judicial Nominating Commission that is considering applications for the vacancy for which the person is applying.

SECTION 12.2. APPOINTMENT OF JUDGES IN THE CIRCUIT OF COOK COUNTY

(a)The Supreme Court shall fill vacancies in the Circuit of Cook County, and any subcircuit thereof, from the nominees submitted by the Judicial Nominating Commission for the Circuit of Cook County or subcircuit thereof.

(b)The appropriate Judicial Nominating Commission shall investigate the qualifications of all applicants for the particular vacancy and, in particular, shall evaluate each applicant's character, background, temperament, professional aptitude, experience, intellect, integrity, sense of compassion, and commitment to equal justice under law. All applicants shall be considered for appointment by the Judicial Nominating Commission free from discrimination on the basis of race, color, creed, national origin, sex, sexual orientation, disability (so long as the applicant is able to perform the essential functions of a Judge), political party, or political affiliation. Within 49 days after the last day for applicants to file applications to fill the vacancy, the Judicial Nominating Commission shall

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submit to the Supreme Court and make public a list of the three best qualified nominees for the vacancy in alphabetical order, together with a written statement setting forth its evaluation of each of the three nominees, based on all of the criteria listed in this subsection.

(c) Upon receipt of the Judicial Nominating Commission's list of three nominees, the Chief Justice of the Supreme Court shall promptly issue an order providing at least 28 days after the Supreme Court's receipt of the list of nominees for the submission of written public comment about the three nominees. All written comments shall be made public by the Director of the Administrative Office of Illinois Courts as soon as possible after they are received, except that the comments shall be deemed confidential and not be made public if the commenter so requests.

(d) No member of a Judicial Nominating Commission may be appointed to State judicial office while serving on the Commission or for a period of three years thereafter. The Judicial Nominating Commission may not include on a list a nominee who is on another list of nominees 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.

(e) The Supreme Court shall appoint an applicant to fill the pending vacancy in the Circuit of Cook County no later than 14 days after the close of the public comment period provided under subsection (c).

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(f)A person appointed to fill a vacancy pursuant to this Section shall serve an initial term as specified in Section 10.

SECTION 12.3. JUDICIAL NOMINATING COMMISSIONS

(a)In the Circuit of Cook County, a circuit-wide Judicial Nominating Commission shall be created to nominate, from those applicants who have applied for each at-large vacancy on the Circuit Court for the Circuit of Cook County, three candidates for each such vacancy. Separate Judicial Nominating Commissions shall be created to nominate candidates from those applicants who have applied for vacancies in each subcircuit of the Circuit of Cook County.

(b)The circuit-wide Judicial Nominating Commission shall consist of 15 members, eight of whom are not lawyers and seven of whom are lawyers. Two of the non-lawyer members and four of the lawyer members, all of whom shall be residents of the Circuit of Cook County, shall be chosen from the Circuit of Cook County at large. Two non-lawyer members and one lawyer member shall be chosen from each of three subdistricts within the Circuit of Cook County and they shall be residents of the subdistrict from which they are chosen. The subdistricts shall be determined on the basis of population by the General Assembly in like manner to that provided for legislative redistricting in Section 3 of Article IV. A separate Judicial Nominating Commission shall be created for each judicial subcircuit within the Circuit of Cook County. Each subcircuit Judicial Nominating Commission shall consist of 11 members, six of whom are not lawyers and five of whom are lawyers. Three of the

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non-lawyer members and three of the lawyer members shall be residents of the subcircuit in which they serve. The remaining members shall be residents of the Circuit of Cook County, but need not be residents of the subcircuit in which they serve.

(c)Half of the non-lawyer members of each Judicial Nominating Commission shall be appointed by the Attorney General and the other half by the State official or officer first in the order indicated who was elected to office and is not affiliated with the same political party as the Attorney General: the Secretary of State, the Comptroller, the Treasurer, the President of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the Senate; provided that two of the resident non-lawyer members and one of the resident lawyer members of each subcircuit Judicial Nominating Commission shall be appointed by the President of the Cook County Board of Commissioners and one resident non-lawyer member and two resident lawyer members of each subcircuit Judicial Nominating Commission shall be appointed by the member of the Cook County Board of Commissioners with the most seniority who is of another political party than the President of the Cook County Board of Commissioners.

(d)The lawyer members of each Judicial Nominating Commission, except the resident lawyer members of subcircuit Judicial Nominating Commissions, shall be selected by the Supreme Court pursuant to Supreme Court Rule. Not more than a simple majority of the lawyers appointed shall be primary electors of the same political party.

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(e) Upon appointment of the initial non-lawyer members of each Judicial Nominating Commission, the Attorney General shall divide the appointees by lot into three groups equal in number as near as may be within one of his or her appointees in each group and shall by lot designate the groups to serve initial terms of two, four, and six years, respectively. The initial lawyer members of each Judicial Nominating Commission shall also be divided by lot into three groups equal in number as near as may be and the groups shall by lot be designated to serve initial terms of two, four, and six years, respectively, all in such manner as provided by Supreme Court Rule. Thereafter, the terms of all Judicial Nominating Commission members shall be six years. No one who shall have served a term of more than two years as a member of a Judicial Nominating Commission shall be eligible to serve another term on a Judicial Nominating Commission for at least three years after the expiration of his or her original term.

(f) A vacancy in the non-lawyer membership of a Judicial Nominating Commission shall be filled for an unexpired term or for a full term, as the case may be, by the Attorney General, if qualified by being affiliated with the same political party as the official or officer who had appointed the person whose vacancy is to be filled, or otherwise by the State official or officer who is so qualified and first in the order indicated in subsection (c). A vacancy in the lawyer membership of a Judicial Nominating Commission shall be filled for an unexpired term or for a full term, as the

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case way be, by the Supreme Court pursuant to Supreme Court Rule.

(g)The Chair of each Judicial Nominating Commission shall be selected by majority vote of all members of the Commission. The term of a Chair shall be two years unless his or her term as a member of the Commission expires sooner.

(h)Any person who holds any office under the United States, this State, or any political subdivision, municipal corporation, or unit of local government of this State and receives compensation for services rendered in that office, or who holds any office or official position in a political party, shall be ineligible to serve on a Judicial Nominating Commission. Compensation for services in the State militia or the armed services of the United States for a period of time as may be determined by Supreme Court Rule shall not be considered a disqualification. No member of a Judicial Nominating Commission may be appointed to judicial office while serving on the Commission or for a period of three years thereafter.

(i)Each Judicial Nominating Commission may conduct investigations, meetings, and hearings, all of which may be confidential, and employ staff members as may be necessary to perform its duties. Members of each Commission shall not receive any compensation for their services but shall be entitled to reimbursement for necessary expenses. The General Assembly shall appropriate funds for that reimbursement and for all other administrative expenses of the Judicial Nominating Commissions.

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(j)Nominations by a Judicial Nominating Commission of candidates for appointment to fill judicial vacancies shall be submitted to the Supreme Court only upon the concurrence of not less than three-fifths of all members of the Commission.

(k)All members of each Judicial Nominating Commission shall be subject to ethics and economic disclosure requirements as provided by law."

Clerk Mahoney: "SECTION 12.4. RETENTION PROCEDURES FOR JUDGES IN THE CIRCUIT OF COOK COUNTY

(a)No later than the first Monday in December of the calendar year before the year in which a term of a Judge of the Circuit of Cook County expires pursuant to Section 10, he or she may file in the office of the Director of the Administrative Office of Illinois Courts a declaration of candidacy for retention in that office. Any Judge of the Circuit of Cook County who holds office subsequent to the effective date of this Constitutional Amendment shall be eligible for retention in the office to which he or she was appointed. No later than 11 months before the general election next preceding the expiration of the term of office of a Judge seeking retention, the Director of the Administrative Office of Illinois Courts shall notify the Chair of the appropriate Judicial Review Commission of the Judge's candidacy. The Chair shall then promptly convene the Commission.

(b)No later than 195 days before the general election to be held in that calendar year, each Judicial Review Commission shall issue a notice to the public and shall make all

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reasonable efforts to publicize the notice. The notice shall provide that any individual or organization shall have until at least 165 days before the general election in which to submit written comments about the performance of and capacity to continue serving of any Judge being considered for retention by the particular Judicial Review Commission. The Judicial Review Commission's notice to the public shall list the names and then current assignments of all Judges being considered by it for retention and shall provide an address to which written comments may be sent. All written comments shall be made public by the Director of the Administrative Office of Illinois Courts at the same time that the evaluations of the Judges and the Judicial Review Commission's written report on each Judge are made public pursuant to subsection (d), except that written comments shall not be made public if the commenter so requests.

(c) If by concurrence of not less than three-fifths of its members the Judicial Review Commission finds the candidate to be qualified to serve another term, the candidate shall be deemed retained in office for a full term commencing on the first Monday in December of that calendar year. The standard for determining qualifications to serve another term shall be the same used to determine whether a person shall be recommended to fill a vacancy pursuant to subsection (b) of Section 12.2. All Judges shall be considered for retention by the Judicial Review Commission free from discrimination on the basis of race, color, creed, national origin, sex, sexual orientation, disability (so long as the Judge can perform the essential functions of a

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Judge), political party, or political affiliation. Not less than 150 days before the general election to be held in that calendar year, the Judicial Review Commission shall submit to each candidate its finding as to whether the candidate is qualified or not qualified to serve another term. The Judicial Review Commission's finding shall include a written statement evaluating the candidate's performance in office during the term that is expiring and shall comment upon its assessment of the candidate's performance under all of the criteria set forth in subsection (b) of Section 12.2.

(d) Not less than 135 days before the election, the Judicial Review Commission shall submit to the Director of the Administrative Office of Illinois Courts a list stating by name: (i) which candidates it has found qualified to serve another term; (ii) which candidates it has found not qualified to serve another term; and (iii) which candidates have withdrawn their candidacy by written notification to the Judicial Review Commission. At the same time that the Judicial Review Commission tenders its list to the Director of the Administrative Office of Illinois Courts, the Judicial Review Commission shall also make its list public. In addition, the Judicial Review Commission shall make public its written evaluations, which it previously submitted to all of the candidates who sought retention, except for those candidates who withdrew their retention candidacies no later than 135 days before the general election.

(e) A Judge found not qualified for retention by a Judicial Review Commission shall have the right to stand for

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retention by the electorate at the general election. The Judge shall file in the office of the Secretary of State, not less than 135 days before the election, a declaration of candidacy for retention by the electorate. Not less than 115 days before the general election, the Secretary of State shall certify the Judge's candidacy to the proper election officials. At the election, the name of each Judge who has timely filed a declaration of candidacy for retention by the electorate shall be submitted to the electorate, separately and without party designation, on the sole question of retention in office for another term. Retention elections shall be conducted at the same time as general elections. The affirmative vote of three-fifths of the electors voting on the question of retention shall be necessary to retain a Judge in that office for a full term commencing on the first Monday in December following the election.

(f) A Judge eligible to file a declaration of candidacy for retention who (i) fails to do so by the first Monday in December of the calendar year before the expiration of his or her then current term or (ii) declares his or her candidacy for retention and subsequently withdraws that candidacy pursuant to subsection (d) or fails of retention shall vacate the office on the first Monday in December following the general election held in that calendar year, whether or not a successor shall yet have been selected and qualified. If an incumbent Judge does not timely file a declaration of candidacy for retention or withdraws as a candidate 135 days or more before the next general election, the selection of a successor, if any, shall proceed

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immediately in the manner provided in Sections 12.1 and 12.2 so that the successor may take office as soon as the vacancy occurs.

(g)An authorized reduction in the number of Judges in the Circuit of Cook County shall be without prejudice to the right of Judges in office at the time of the reduction to seek retention in accordance with this Section. The reduction shall become effective when a vacancy occurs in the Circuit of Cook County.

SECTION 12.5. JUDICIAL REVIEW COMMISSIONS

(a)In the Circuit of Cook County, a Judicial Review Commission shall be created to determine qualifications for retention of Circuit Judges. A separate Judicial Review Commission shall be created for each subcircuit of the Circuit of Cook County to review the performance in office of any Judge in the Circuit of Cook County who was originally elected by subcircuit rather than on an at-large basis.

(b)The members of a Judicial Review Commission shall be appointed as provided by subsections (b), (c), and (d) of Section 12.3 with respect to members of a Judicial Nominating Commission.

(c)The terms of all members of a Judicial Review Commission shall begin 11 months before the general election in each calendar year in which a general election is held and shall expire on the first Monday in November of the same calendar year. Appointments to a Judicial Review Commission may not be made earlier than 45 days before the term is to commence.

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(d)A vacancy in the membership of a Judicial Review Commission shall be promptly filled as provided in subsection (f) of Section 12.3 with respect to vacancies on a Judicial Nominating Commission.

(e)The Chair of each Judicial Review Commission shall be elected by a majority vote of all of the members of the Commission. The term of a Chair shall be 11 months.

(f)Judicial Review Commissions shall be governed by the provisions of subsections (a), (b), (c), (d), (f), (h), (i), (j), and (k) of Section 12.3 with respect to Judicial Nominating Commissions, as well as by this Section.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act, except that Judicial Nominating Commissions shall be empaneled by the following April 1 and the Director of the Administrative Office of Illinois Courts shall not certify any judicial vacancies in the Circuit of Cook County until the following July 1. A vacancy occurring in any judicial office in the Circuit of Cook County may be filled, until that July 1, as provided in Section 12 of Article VI but only for a term ending upon the selection of a Judge to fill the vacancy pursuant to Section 12.1. (sic-read in full a first time) Committee Reports. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on January 24, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 4699;

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'do pass as amended Short Debate' is House Bill 4204 and House Bill 4521; 'recommends be adopted' House Joint Resolution 73. Representative Granberg, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on January 24, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4377. Representative Collins, Chairperson from the Committee on Public Utilities, to which the following measure/s was/were referred, action taken on January 24, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 4419. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on January 24, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4202; 'recommends be adopted' House Resolution 796. Representative Mendoza (sic-Boland), Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on January 24, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4736; 'do pass as amended Short Debate' House Bill 4345. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on January 24, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration' referred to the Order of

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Second Reading is House Bill 1744; referred to the Order of Resolutions is House Joint Resolution 83. House Perfunctory Session. Committee Reports. Representative Colvin, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on January 24, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4172 and House Bill 4205. There being no further business, the House Perfunctory Session will stand adjourned."