

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

13th Legislative Day

2/20/2007

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 1277, offered by Representative Feigenholtz, a Bill for an Act concerning regulation. House Bill 1278, offered by Representative Chapa LaVia, a Bill for an Act concerning finance. House Bill 1279, offered by Representative Burke, a Bill for an Act concerning regulation. House Bill 1280, offered by Representative Joyce, a Bill for an Act concerning revenue. House Bill 1261... 1281, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 1282, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 1283, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 1260... 1284, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 1285, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 1286, offered by Representative Harris, a Bill for an Act concerning health. House Bill 1287, offered by Representative Davis, Monique, a Bill for an Act concerning education. House Bill 1288, offered by Representative Holbrook, a Bill for an Act concerning regulation. House Bill 1289, offered by Representative Pihos, a Bill for an Act concerning criminal law. House Bill 1290, offered by Representative Turner, a Bill for an Act concerning criminal law. House Bill 1291, offered by Representative Turner, a Bill for an Act concerning criminal law. House Bill 1292, offered by Representative Holbrook, a Bill for an Act concerning regulation. House

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95th GENERAL ASSEMBLY
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Bill 1293, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 1294, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 1295, offered by Representative Granberg, a Bill for an Act concerning finance. House Bill 1296, offered by Representative Rose, a Bill for an Act concerning aging. House Bill 1297, offered by Representative Ford, a Bill for an Act concerning public health. House Bill 1298, offered by Representative Verschoore, a Bill for an Act concerning employment. House Bill 1299, offered by Representative Feigenholtz, a Bill for an Act concerning transportation. House Bill 12... 1300, offered by Representative Hamos, a Bill for an Act concerning agriculture. House Bill 1301, offered by Representative Lyons, a Bill for an Act concerning State government. House Bill 1302, offered by Representative Saviano, a Bill for an Act concerning transportation. House Bill 1303, offered by Representative Kosel, a Bill for an Act concerning regulation. House Bill 1304, offered by Representative Bradley, John, a Bill for an Act in relation to firearms. House Bill 1305, offered by Representative Bradley, John, a Bill for an Act concerning criminal law. House Bill 1306, offered by Representative Bradley, John, a Bill for an Act concerning revenue. House Bill 1307, offered by Representative Bradley, John, a Bill for an Act concerning revenue. House Bill 1308, offered by Representative Bradley, John, a Bill for an Act concerning property. House Bill 1309, offered by Representative McCarthy, a Bill for an Act concerning public safety.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

13th Legislative Day

2/20/2007

House Bill 1310, offered by Representative Hoffman, a Bill for an Act concerning public employee benefits. House Bill 1311, offered by Representative Hoffman, a Bill for an Act concerning transportation. House Bill 1312, offered by Representative Hoffman, a Bill for an Act concerning State government. House Bill 1313, offered by Representative Hoffman, a Bill for an Act concerning education. House Bill 1314, offered by Representative Hoffman, a Bill for an Act concerning transportation. House Bill 1315, offered by Representative Hoffman, a Bill for an Act concerning transportation. House Bill 1316, offered by Representative Hoffman, a Bill for an Act concerning transportation. House Bill 1317, offered by Representative Hoffman, a Bill for an Act concerning transportation. House Bill 1318, offered by Representative Hoffman, a Bill for an Act concerning gaming. House Bill 1319, offered by Representative Molaro, a Bill for an Act concerning insurance. House Bill 1320, offered by Representative Bost, a Bill for an Act concerning firearms. House Bill 1321, offered by Representative Miller, a Bill for an Act concerning finance. House Bill 1322, offered by Representative Flowers, a Bill for an Act concerning children. House Bill 1323, offered by Representative Flowers, a Bill for an Act concerning revenue. House Bill 1324, offered by Representative Flowers, a Bill for an Act concerning insurance. House Bill 1325, offered by Representative Nekritz, a Bill for an Act concerning government. House Bill 1326, offered by Representative Cultra, a Bill for an Act concerning local government.

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95th GENERAL ASSEMBLY
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13th Legislative Day

2/20/2007

House Bill 1327, offered by Representative Mathias, a Bill for an Act concerning regulation. House Bill 1328, offered by Representative Golar, a Bill for an Act concerning insurance. House Bill 1329, offered by Representative Franks, a Bill for an Act concerning State government. House Bill 1330, offered by Representative Yarbrough, a Bill for an Act concerning education. House Bill 1331, offered by Representative Hamos, a Bill for an Act concerning public employee benefits. House Bill 1332, offered by Representative Ford, a Bill for an Act concerning State government. House Bill 1333, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1334, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1335, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1336, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1337, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1338, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1339, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1340, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1341, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1342, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 1343, offered by Representative Flowers, a Bill for an Act concerning public utilities.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

13th Legislative Day

2/20/2007

House Bill 1344, offered by Representative Feigenholtz, a Bill for an Act concerning State government. House Bill 1345, offered by Representative Graham, a Bill for an Act concerning civil law. House Bill 1346, offered by Representative Cross, a Bill for an Act concerning courts. House Bill 1347, offered by Representative Hannig, a Bill for an Act concerning education. House Bill 1348, offered by Representative Hannig, a Bill for an Act concerning education. House Bill 1349, offered by Representative Granberg, a Bill for an Act concerning revenue. House Bill 1350, offered by Representative Dunkin, a Bill for an Act concerning aging. House Bill 1351, offered by Representative Dunkin, a Bill for an Act concerning State government. House Bill 1352, offered by Representative Dunkin, a Bill for an Act concerning education. House Bill 1353, offered by Representative Dunkin, a Bill for an Act concerning revenue. House Bill 1354, offered by Representative Black, a Bill for an Act concerning energy. House Bill 1355, offered by Representative Brauer, a Bill for an Act concerning State government. House Bill 1356, offered by Representative Brauer, a Bill for an Act concerning education. House Bill 1357, offered by Representative Davis, Monique, a Bill for an Act concerning business. House Bill 1358, offered by Representative Sullivan, a Bill for an Act concerning revenue. And House Bill 1359, offered by Representative Davis, Monique, a Bill for an Act concerning employment. House Joint Resolution Constitutional Amendment, First Reading. House Joint Resolution Constitutional Amendment 17.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
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2/20/2007

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article VII of the Illinois Constitution by changing Section 6 as follows:

ARTICLE VII

LOCAL GOVERNMENT

SECTION 6. POWERS OF HOME RULE UNITS

- (a) Any municipality which has a population of more than 25,000 is a home rule unit. Other municipalities may elect by referendum to become home rule units. Except as limited by this Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt.
- (b) A home rule unit by referendum may elect not to be a home rule unit.
- (d) A home rule unit does not have the power (1) to incur debt payable from ad valorem property tax receipts maturing more than 40 years from the time it is incurred or (2) to define and provide for the punishment of a felony.
- (e) A home rule unit shall have only the power that the General Assembly may provide by law (1) to punish by imprisonment for more than six months or (2) to license for

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

13th Legislative Day

2/20/2007

revenue or impose taxes upon or measured by income or earnings or upon occupations.

(f) A home rule unit shall have the power subject to approval by referendum to adopt, alter or repeal a form of government provided by law. A home rule municipality shall have the power to provide for its officers, their manner of selection and terms of office only as approved by referendum or as otherwise authorized by law.

(g) The General Assembly by a law approved by the vote of three-fifths of the members elected to each house may deny or limit the power to tax and any other power or function of a home rule unit not exercised or performed by the State other than a power or function specified in subsection (1) of this section.

(h) The General Assembly may provide specifically by law for the exclusive exercise by the State of any power or function of a home rule unit other than a taxing power or a power or function specified in subsection (1) of this Section.

(i) Home rule units may exercise and perform concurrently with the State any power or function of a home rule unit to the extent that the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the State's exercise to be exclusive.

(j) The General Assembly may limit by law the amount of debt which home rule counties may incur and may limit by law approved by three-fifths of the members elected to each house the amount of debt, other than debt payable from ad

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

13th Legislative Day

2/20/2007

valorem property tax receipts, which home rule municipalities may incur.

(k) The General Assembly may limit by law the amount and require referendum approval of debt to be incurred by home rule municipalities, payable from ad valorem property tax receipts, only in excess of the following percentages of the assessed value of its taxable property: (1) if its population is 500,000 or more, an aggregate of three percent; (2) if its population is more than 25,000 and less than 500,000, an aggregate of one percent; and (3) if its population is 25,000 or less, an aggregate of one-half percent. Indebtedness which is outstanding on the effective date of this Constitution or which is thereafter approved by referendum or assumed from another unit of local government shall not be included in the foregoing percentage amounts.

(l) The General Assembly may not deny or limit the power of home rule units (1) to make local improvements by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution unless that power is subsequently denied by law to any such other units of local government or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services.

(m) Powers and functions of home rule units shall be construed liberally.

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

13th Legislative Day

2/20/2007

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. There being no further business, the House Perfunctory Session will stand adjourned."