

STATE OF ILLINOIS  
99th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

93rd Legislative Day

1/20/2016

Clerk Hollman: "House Perfunctory Session will come to order. First Reading in full of House Joint Resolution Constitutional Amendment #45, offered by Representative Smiddy.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 Section 3 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 3. LEGISLATIVE REDISTRICTING

(a) The Independent Redistricting Commission, comprised of eleven Commissioners, shall adopt and file with the Secretary of State a district plan for Legislative Districts and Representative Districts by June 30 of the year following each federal decennial census. Legislative Districts shall be contiguous and substantially equal in population. Representative Districts shall be contiguous and substantially equal in population. The district plan shall comply with federal law. Subject to the foregoing, the Commission shall apply the following criteria: (1) the district plan shall not dilute or diminish the ability of a racial or language minority community to elect the candidates of its choice, including when voting in concert with other persons; (2) districts shall respect the geographic integrity of units of local government; (3) districts shall respect the

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*geographic integrity of communities sharing common social and economic interests, which do not include relationships with political parties or candidates for office; and (4) the district plan shall not either purposefully or significantly discriminate against or favor any political party or group. In designing the district plan, the Commission shall consider party registration and voting history data only to assess compliance with the foregoing criteria, and shall not consider the residence of any person.* The Commission shall hold at least one public hearing in each Judicial District before, and at least one public hearing in each Judicial District after, releasing the initial proposed district plan. The Commission may not adopt a final district plan unless the plan is to be adopted without further amendment, and public notice of a report explaining its compliance with this Constitution and the criteria applied has been given at least seven days before the final vote on such plan. Upon adoption, a district plan shall have the force and effect of law and shall be published promptly by the Secretary of State. The State Board of Elections shall provide the Commission and the public with complete and accurate census information and technology sufficient to propose district plans. The Commission shall adopt rules governing its procedures and the implementation of matters under this Section.

(b) The Commission shall act in public meetings by an affirmative vote of six Commissioners, except that approval of any district plan shall require the affirmative vote of at least seven Commissioners, which shall include (1) at least two Commissioners from each political party whose candidate

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for Governor received the most and second-most votes cast in the last general election for Governor, and (2) at least two Commissioners not affiliated with either such political party. The Commission shall elect its chairperson and vice chairperson, who shall not be affiliated with the same political party. Six Commissioners shall constitute a quorum. All meetings of the Commission attended by a majority of its quorum, except for meetings qualified under attorney-client privilege during pending litigation, shall be open to the public and public notice shall be given at least two days prior to any meeting. All records of the Commission, including communications between Commissioners regarding the Commission's work, shall be open for public inspection, except for records qualified under attorney-client privilege during pending litigation. The Commission may retain assistance from counsel, technical staff, and other persons with relevant skills, and shall be provided with adequate resources by the General Assembly to complete its work.

(c) For the purpose of conducting the Commissioner selection process, an Applicant Review Panel comprising three Reviewers shall be chosen in the following manner in the year in which each federal decennial census occurs. Beginning not later than January 1 and ending not later than March 1 of the year in which the census occurs, the Auditor General shall request and accept applications to serve as Reviewers. By March 31, the Auditor General shall appoint a Panel of three Reviewers, selected by random draw from eligible applicants. The Panel shall act in public meetings by an affirmative vote of two Reviewers. All meetings of the Panel shall be open to the

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public and public notice shall be given at least two days prior to any meeting. All records of the Panel, including applications to serve on the Panel or the Commission, shall be open for public inspection, except private information about applicants for which there is no compelling public interest in disclosure. The Panel may retain assistance from counsel, technical staff, and other persons with relevant skills, and shall be provided with adequate resources by the General Assembly to complete its work.

(d) A Commission shall be chosen in the manner set forth in this subsection (d) in the year in which each federal decennial census occurs. Beginning not later than January 1 and ending not later than March 1 of the year in which the census occurs, the Auditor General shall request and accept applications to serve as Commissioners. By May 31, the Applicant Review Panel shall select one hundred eligible applicants based on their relevant analytical skills, impartiality, and ability to contribute to a fair redistricting process, and shall ensure that such applicants reflect the demographic and geographic diversity of the State. The Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate each may remove up to five of the applicants selected by the Panel. By June 30, the Panel shall publicly select seven Commissioners by random draw from the remaining applicants; of those seven Commissioners, including any replacements, (1) the seven Commissioners shall reside among the Judicial Districts in the same proportion as the number of Judges elected therefrom under Section 3 of Article VI of

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this Constitution, (2) two Commissioners shall be affiliated with the political party whose candidate for Governor received the most votes cast in the last general election for Governor, two Commissioners shall be affiliated with the political party whose candidate for Governor received the second-most votes cast in such election, and the remaining three Commissioners shall not be affiliated with either such political party, and (3) no more than two Commissioners may be affiliated with the same political party. The Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate each shall appoint one Commissioner from among the remaining applicants on the basis of the applicant's contribution to the demographic and geographic diversity of the Commission.

(e) To be eligible to serve as a Reviewer, a person must have education and experience in the examination and assessment of personnel, records, systems, or procedures for ten years preceding his or her application, must have demonstrated understanding of and adherence to standards of ethical conduct, and must not have been affiliated with any political party within the three years preceding appointment. To be eligible to serve as a Commissioner, Special Commissioner, or Reviewer, a person (1) must be a resident and registered voter of the State for the four years preceding appointment, (2) within the three years preceding appointment, must not have been the holder of, or a candidate for, any public office in the State, an employee or officer of the State or a unit of local government or a political party, registered as a lobbyist anywhere in the United States, or party to a contract

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to provide goods or services to the State or a principal, officer, or executive employee of such a contractor, and (3) within the three years preceding appointment, must not have resided with any person described in clause (2) of this subsection.

(f) If the Commission fails to adopt and file a district plan with the Secretary of State by June 30 of the year following a federal decennial census, the Chief Justice of the Supreme Court and the most senior Judge of the Supreme Court who is not affiliated with the same political party as the Chief Justice shall jointly appoint a Special Commissioner for Redistricting by July 31. The Special Commissioner shall design and file with the Secretary of State by August 31 a district plan satisfying the requirements and criteria set forth in subsection (a) and a report explaining its compliance with this Constitution and the criteria applied. The Special Commissioner shall hold at least one public hearing in the State before releasing his or her initial proposed district plan and at least one public hearing in a different location in the State after releasing his or her initial proposed district plan and before filing the final district plan with the Secretary of State. Upon its filing, the final district plan filed by the Special Commissioner shall have the force and effect of law and shall be published promptly by the Secretary of State.

(g) The Supreme Court shall have original and exclusive jurisdiction in cases relating to matters under this Section. The Commission shall have exclusive authority, and shall be

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provided adequate resources by the General Assembly, to defend any district plan adopted and filed by the Commission.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This was First Reading in full of House Joint Resolution Constitutional Amendment #45. Introduction and First Reading of House Bills. House Bill 4451, offered by Representative Brown, a Bill for an Act concerning education. House Bill 4452, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4453, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4454, offered by Representative Mitchell, Bill, a Bill for an Act concerning substance abuse. House Bill 4455, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4456, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4457, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4458, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4459, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4460, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 4461, offered by Representative Cassidy, a Bill for an Act concerning public aid. House Bill 4462, offered by Representative Mussman, a Bill for an Act concerning public health. House Bill 4463, offered by

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Representative Ford, a Bill for an Act concerning criminal law. House Bill 4464, offered by Representative Brown, a Bill for an Act concerning public aid. House Bill 4465, offered by Representative Feigenholtz, a Bill for an Act concerning regulation. House Bill 4466, offered by Representative Smiddy, a Bill for an Act concerning appropriations. House Bill 4467, offered by Representative Hoffman, a Bill for an Act concerning employment. House Bill 4468, offered by Representative Hoffman, a Bill for an Act concerning employment. House Bill 4469, offered by Representative Hammond, a Bill for an Act concerning education. House Bill 4470, offered by Representative Williams, a Bill for an Act concerning the use of cell site simulator devices. House Bill 4471, offered by Representative Nekritz, a Bill for an Act concerning elections. House Bill 4472, offered by Representative Leitch, a Bill for an Act concerning education. First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."