



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

11TH LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 26, 2003

12:00 O'CLOCK NOON

SENATE
Daily Journal Index
11th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Patrick Welch, Peru, Illinois, presiding.
 Prayer by Pastor T. Ray McJunkins, Union Baptist Church, Springfield, Illinois.
 Senator Link led the Senate in the Pledge of Allegiance.

Senator Woolard moved that reading and approval of the Journals of Tuesday, February 18, 2003, Wednesday, February 19, 2003 and Thursday, February 20, 2003 be postponed pending arrival of the printed Journals.

The motion prevailed.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 14

Concurred in by the House, February 21, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2

A bill for AN ACT in relation to alcoholic liquor.

HOUSE BILL NO. 12

A bill for AN ACT in relation to persons with disabilities.

HOUSE BILL NO. 53

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 69

A bill for AN ACT concerning State facility closure.

HOUSE BILL NO. 81

A bill for AN ACT concerning health care.

HOUSE BILL NO. 130

A bill for AN ACT in relation to trusts.

HOUSE BILL NO. 135

A bill for AN ACT concerning appropriation bills.

HOUSE BILL NO. 138

A bill for AN ACT in relation to counties.

HOUSE BILL NO. 194

A bill for AN ACT concerning education.

Passed the House, February 20, 2003.

ANTHONY D. ROSSI, Clerk of the House

The foregoing **House Bills Numbered 2, 12, 53, 69, 81, 130, 135, 138 and 194** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Rossi, Clerk:

[February 26, 2003]

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 99
A bill for AN ACT concerning elections.
HOUSE BILL NO. 210
A bill for AN ACT concerning education.
HOUSE BILL NO. 273
A bill for AN ACT concerning bonds.
HOUSE BILL NO. 307
A bill for AN ACT in relation to court fees.
HOUSE BILL NO. 313
A bill for AN ACT in relation to vehicles.
HOUSE BILL NO. 338
A bill for AN ACT relating to schools.
HOUSE BILL NO. 345
A bill for AN ACT concerning child abduction.
HOUSE BILL NO. 354
A bill for AN ACT in relation to criminal law.
HOUSE BILL NO. 355
A bill for AN ACT in relation to criminal law.

Passed the House, February 21, 2003.

ANTHONY D. ROSSI, Clerk of the House

The foregoing **House Bills Numbered 99, 210, 273, 307, 313, 338, 345, 354 and 355** were taken up, ordered printed and placed on first reading.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bill listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Floor Amendment No. 2 to Senate Bill 21
Senate Floor Amendment No. 1 to Senate Bill 232
Senate Floor Amendment No. 2 to Senate Bill 268

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Committee Amendment No. 2 to Senate Bill 2
Senate Committee Amendment No. 1 to Senate Bill 18
Senate Committee Amendment No. 1 to Senate Bill 50
Senate Committee Amendment No. 1 to Senate Bill 64
Senate Committee Amendment No. 1 to Senate Bill 69
Senate Committee Amendment No. 1 to Senate Bill 73
Senate Committee Amendment No. 1 to Senate Bill 76
Senate Committee Amendment No. 1 to Senate Bill 78
Senate Committee Amendment No. 2 to Senate Bill 78
Senate Committee Amendment No. 1 to Senate Bill 98
Senate Committee Amendment No. 1 to Senate Bill 101
Senate Committee Amendment No. 2 to Senate Bill 102
Senate Committee Amendment No. 3 to Senate Bill 102
Senate Committee Amendment No. 1 to Senate Bill 108
Senate Committee Amendment No. 1 to Senate Bill 110
Senate Committee Amendment No. 1 to Senate Bill 244
Senate Committee Amendment No. 1 to Senate Bill 368
Senate Committee Amendment No. 1 to Senate Bill 562
Senate Committee Amendment No. 1 to Senate Bill 600.

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PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 45

Offered by Senator Lightford and all Senators:

Mourns the deaths of Nicole Rainey of Bollingbrook; Teresa Johnson-Gordon of Berwyn; Danielle Green of Broadview and Charita Rhodes of West Chicago.

SENATE RESOLUTION NO. 46

Offered by Senator Dillard and all Senators:

Mourns the death of Walter A. Kistenfeger Jr. of Clarendon Hills.

SENATE RESOLUTION NO. 47

Offered by Senator Shadid and all Senators:

Mourns the death of Edward "Ted" Sheridan Kress of Brinfield.

SENATE RESOLUTION NO. 48

Offered by Senators Link - del Valle and all Senators:

Mourns the death of Joseph D. Murphy of Chicago..

SENATE RESOLUTION NO. 49

Offered by Senator Link and all Senators:

Mourns the death of Robert S. Boak of North Chicago.

SENATE RESOLUTION NO. 50

Offered by Senator Haine and all Senators:

Mourns the death of Maud R. Hylton of East Alton.

SENATE RESOLUTION NO. 51

Offered by Senator Dillard and all Senators:

Mourns the death of Leo Leonard Gedvilas of Naperville.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senators Watson - Rauschenberger - Petka, Bomke, Brady, Burzynski, Cronin, Dillard, Geo-Karis, J. Jones, W. Jones, Lauzen, Luechtefeld, Peterson, Philip, Radogno, Righter, Risinger, Roskam, Rutherford, Sieben, D. Sullivan, Syverson, Winkel and Wojcik offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 52

WHEREAS, Medicaid is a medical assistance program to low income and uninsured individuals that is jointly administered by the state and federal government; and

WHEREAS, The federal funding mechanism for Medicaid is driven by a state's per capita income; and

WHEREAS, The federal funding mechanism for Medicaid has not significantly changed since the program's creation in 1965; and

WHEREAS, The United States economy has drastically changed since 1965; and

WHEREAS, Federal medical assistance percentage (FMAP) rates vary from 50% to 76%; and

WHEREAS, Illinois is one of the only nine states to receive the lowest FMAP rate of 50%; and

WHEREAS, Of the nine states receiving the lowest FMAP rate, Illinois has the highest unemployment rate; and

WHEREAS, Of the nine states receiving the lowest FMAP rate, Illinois is second only to New Hampshire in the percentage of manufacturing jobs in the state and is therefore more vulnerable to economic slowdowns; and

WHEREAS, Of the nine states receiving the lowest FMAP rate, Illinois is the only state with a substantially higher Medicaid population in relation to the percentage of federal Medicaid funding received; and

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WHEREAS, Illinois contributes more than \$1 billion annually, an amount equal to almost 15% of its annual state income tax collections, for the support of Medicaid programs in other states; and

WHEREAS, Illinois only recovers 73 cents of every tax dollar sent to the federal government; and

WHEREAS, Illinois would receive approximately \$80 million from the federal government for every 1% increase in the FMAP rate; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That we find Illinois to be a unique state in the Medicaid system, contributing far more than it receives and being far more susceptible to economic slowdowns than other states; and be it further

RESOLVED, That we ask and encourage the United States Congress to consider these factors in devising a sufficient Medicaid funding mechanism that does less harm to Illinois taxpayers; and be it further

RESOLVED, That a suitable copy of this Resolution be sent to each member of the Illinois Congressional delegation, United States Senator Peter Fitzgerald, United States Senator Richard Durbin and United States Senate Majority Leader William Frist, M.D.

Senators Watson – Rauschenberger - Petka, Bomke, Brady, Burzynski, Cronin, Dillard, Geokaris, J. Jones, W. Jones, Lauzen, Luechtefeld, Peterson, Philip, Radogno, Righter, Risinger, Roskam, Rutherford, Sieben, D. Sullivan, Syverson, Winkel and Wojcik offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 15

WHEREAS, Medicaid is a medical assistance program to low income and uninsured individuals that is jointly administered by the state and federal government; and

WHEREAS, The federal funding mechanism for Medicaid is driven by a state's per capita income; and

WHEREAS, The federal funding mechanism for Medicaid has not significantly changed since the program's creation in 1965; and

WHEREAS, The United States economy has drastically changed since 1965; and

WHEREAS, Federal medical assistance percentage (FMAP) rates vary from 50% to 76%; and

WHEREAS, Illinois is one of the only nine states to receive the lowest FMAP rate of 50%; and

WHEREAS, Of the nine states receiving the lowest FMAP rate, Illinois has the highest unemployment rate; and

WHEREAS, Of the nine states receiving the lowest FMAP rate, Illinois is second only to New Hampshire in the percentage of manufacturing jobs in the state and is therefore more vulnerable to economic slowdowns; and

WHEREAS, Of the nine states receiving the lowest FMAP rate, Illinois is the only state with a substantially higher Medicaid population in relation to the percentage of federal Medicaid funding received; and

WHEREAS, Illinois contributes more than \$1 billion annually, an amount equal to almost 15% of its annual state income tax collections, for the support of Medicaid programs in other states; and

WHEREAS, Illinois only recovers 73 cents of every tax dollar sent to the federal government; and

WHEREAS, Illinois would receive approximately \$80 million from the federal government for every 1% increase in the FMAP rate; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, That we find Illinois to be a unique state in the Medicaid system, contributing far more than it receives and being far more susceptible to economic slowdowns than other states; and be it further

RESOLVED, That we ask and encourage the United States Congress to consider these factors in devising a sufficient Medicaid funding mechanism that does less harm to Illinois taxpayers; and be it further

RESOLVED, That a suitable copy of this Resolution be sent to each member of the Illinois Congressional delegation, United States Senator Peter Fitzgerald, United States Senator Richard Durbin and United States Senate Majority Leader William Frist, M.D.

Senator Obama offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 16

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WHEREAS, Alzheimer's disease is a progressive degenerative disease of the brain that affects numerous Illinois citizens; and

WHEREAS, Over 200,000 citizens of Illinois are afflicted with Alzheimer's disease; 10% of persons over the age of 65 and nearly 50% of persons over the age of 85 suffer from the disease; over 50% of all nursing home residents have Alzheimer's disease or a related dementia; and

WHEREAS, 70% of people with Alzheimer's disease live at home, and 75% of these individuals depend upon the care of family and friends; frequently, the family caregivers' health is compromised due to the stress of providing care; and

WHEREAS, Alzheimer's disease is extremely costly; the average lifetime cost of Alzheimer's disease is \$174,000 per person; the cost of home care can exceed \$18,000 per year and the cost of nursing home care averages \$42,000 per year; and

WHEREAS, A significant function of government is to promote the health, safety, and welfare of its citizens; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois Legislative Alzheimer's Disease Task Force is created, to consist of 8 members of the Illinois General Assembly appointed as follows: 2 members of the Senate appointed by the President of the Senate, one of whom shall serve as co-chairman; 2 members of the Senate appointed by the Minority Leader of the Senate; 2 members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall serve as co-chairman; and 2 members of the House of Representatives appointed by the Minority Leader of the House of Representatives; all Task Force members shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, That the mission of the Task Force shall be to help optimize the quality of life for people who suffer from Alzheimer's disease and their families through advocacy, education, support, and services, while actively promoting research to eliminate the disease; the Task Force shall examine, along with any other issues it chooses to investigate with respect to Alzheimer's disease, the following issues: (1) the disease's facts, prevalence, and costs; (2) the financial barriers to essential care; (3) the continuum of care, including medical assessment or diagnosis, drug therapy, caregiver training and support, home and community based care, adult day services, residential care options, and hospice care; and (4) the training and qualifications of those who work with individuals with Alzheimer's disease; and be it further

RESOLVED, That the Task Force shall receive the assistance of legislative staff, may employ skilled experts with the approval of the President of the Senate, and shall report its findings to the General Assembly on or before December 1, 2003.

Senator Burzynski offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 17
CONSTITUTIONAL AMENDMENT**

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES 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 8 of Article IV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

(ILCON Art. IV, Sec. 8)

SECTION 8. PASSAGE OF BILLS

(a) The enacting clause of the laws of this State shall be: "Be it enacted by the People of the State of Illinois, represented in the General Assembly."

(b) The General Assembly shall enact laws only by bill. Bills may originate in either house, but may be amended or rejected by the other.

(c) No bill shall become a law without the concurrence of a majority of the members elected to each house. Final passage of a bill shall be by record vote. In the Senate at the request of two members, and in the House at the request of five members, a record vote may be taken on any other occasion. A record vote is a vote by yeas and nays entered on the journal.

(d) A bill shall be read by title on three different days in each house. A bill and each amendment thereto shall be reproduced and placed on the desk of each member before final passage.

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Bills, except bills for appropriations and for the codification, revision or rearrangement of laws, shall be confined to one subject. Appropriation bills shall be limited to the subject of appropriations.

A bill expressly amending a law shall set forth completely the sections amended.

The Speaker of the House of Representatives and the President of the Senate shall sign each bill that passes both houses to certify that the procedural requirements for passage have been met.

(e) After November 2, 2004, no portion of any bill shall require a unit of local government or school district to establish, expand, modify, or increase its programs, activities, or services in such a way as to necessitate the expenditure of additional public revenue by a unit of local government or school district, unless at least one of the following applies:

(1) the State appropriates additional funds to the unit of local government or school district that fully fund the additional expenditures necessary to carry out the requirement for each year the requirement is in effect;

(2) the bill passes with the concurrence of at least three-fifths of the members elected to each house;

(3) that portion of the bill imposes a federal law that the unit of local government or school district would otherwise be required to meet by federal law or imposes a State or federal court order, with no additional requirements imposed by the State;

(4) that portion of the bill creates, expands, or modifies a specifically defined crime; or

(5) that portion of the bill creates, expands, or modifies benefits paid by employers to unemployed workers or for employees or dependents for workplace injuries if the benefits apply uniformly to all employees, public and private, employed in this State.

A law enacted after November 2, 2004 may not be the basis for administrative rules, regulations, or actions that require a unit of local government or school district to establish, expand, modify, or increase its programs, activities, or services in such a way as to necessitate the expenditure of additional public revenue by a unit of local government or school district, unless the law authorizes the rules, regulations, or actions.

This subsection (e) does not apply to any portion of a bill that limits or regulates the ability of a unit of local government or school district to raise revenue. (Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Silverstein offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 18 CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES 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 V of the Illinois Constitution by changing Sections 1, 3, 7, and 18 and by repealing Section 17 as follows:

ARTICLE V THE EXECUTIVE

(ILCON Art. V, Sec. 1)

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Lieutenant Governor, Attorney General, Secretary of State, ~~and Comptroller of the Treasury Comptroller and Treasurer~~ elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office. (Source: Illinois Constitution.)

(ILCON Art. V, Sec. 3)

SECTION 3. ELIGIBILITY

To be eligible to hold the office of Governor, Lieutenant Governor, Attorney General, Secretary of State, ~~or Comptroller of the Treasury Comptroller or Treasurer~~, a person must be a United States citizen, at least 25 years old, and a resident of this State for the three years preceding his ~~or her~~ election. (Source: Illinois Constitution.)

(ILCON Art. V, Sec. 7)

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

If the Attorney General, Secretary of State, ~~or Comptroller of the Treasury Comptroller or Treasurer~~

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fails to qualify or if ~~the~~ his office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor. If the Lieutenant Governor fails to qualify or if ~~the~~ his office becomes vacant, it shall remain vacant until the end of the term. (Source: Illinois Constitution.)

(ILCON Art. V, Sec. 17)

SECTION 17. COMPTROLLER - DUTIES (REPEALED)

~~The Comptroller, in accordance with law, shall maintain the State's central fiscal accounts, and order payments into and out of the funds held by the Treasurer. (Source: Illinois Constitution.)~~

(ILCON Art. V, Sec. 18)

SECTION 18. COMPTROLLER OF THE TREASURY ~~TREASURER~~ - DUTIES

The ~~Comptroller of the Treasury~~ Treasurer, in accordance with law, shall (i) maintain the State's central fiscal accounts, and order payments into and out of the funds held by him or her, (ii) be responsible for the safekeeping and investment of monies and securities deposited with him or her, and for their disbursement upon his or her order, and (iii) have the duties and powers that may be prescribed by law of the Comptroller. (Source: Illinois Constitution.)

SCHEDULE

A Comptroller of the Treasury, but not a Comptroller or Treasurer, shall be elected in 2010 and thereafter. This Constitutional Amendment otherwise takes effect upon the conclusion of the terms of the Comptroller and the Treasurer elected in 2006.

Senator Lauzen offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 19
CONSTITUTIONAL AMENDMENT**

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Sections 1, 2, and 3 of Article IV and Section 1 of Article XIV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

(ILCON Art. IV, Sec. 1)

SECTION 1. LEGISLATURE - POWER AND STRUCTURE

The legislative power is vested in a General Assembly consisting of a Senate and a House of Representatives, elected by the electors from 59 ~~Senatorial Legislative~~ Districts and ~~119~~ 448 Representative Districts. (Source: Amendment adopted at general election November 4, 1980.)

(ILCON Art. IV, Sec. 2)

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each ~~Senatorial Legislative~~ District. Immediately following each decennial redistricting, the General Assembly by law shall divide the ~~Senatorial Legislative~~ Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The ~~Senatorial Legislative~~ Districts in each group shall be distributed substantially equally over the State.

~~(b) Each Legislative District shall be divided into two Representative Districts. In 1982 and every two years thereafter One Representative shall be elected from each Representative District for a term of two years.~~

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial

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office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term. (Source: Amendment adopted at general election November 4, 1980.)

(ILCON Art. IV, Sec. 3)

SECTION 3. LEGISLATIVE REDISTRICTING

(a) ~~Senatorial~~ ~~Legislative~~ Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population. A Representative District need not be entirely within a single Senatorial District.

(b) By April 15 of the year following each Federal decennial census year, the State Board of Elections, by a record vote of a majority of the total number of members authorized by law as provided in Section 5 of Article III, shall designate a computer program for redistricting the Senate and House of Representatives that meets the requirements of this Section. The designation shall include detailed specifications of the computer program.

Any computer program designated by the State Board of Elections under this Section shall embody the following standards and criteria, as defined by Common Law, in this order of priority:

- (1) contiguity;
- (2) substantial equality of population;
- (3) compactness;
- (4) minimization of the number of districts that cross county or municipal boundaries; and
- (5) a fair reflection of minority voting strength.

Any computer program designated by the State Board of Elections under this Section shall not consider the following data:

- (1) residency of incumbent legislators;
- (2) political affiliations of registered voters;
- (3) previous election results; and
- (4) demographic information not required to be used by this Section or by the United States

Constitution or federal law.

Except as specified in this Section, the computer program shall produce districts in a random manner.

The Senate, by resolution adopted by a record vote of three-fifths of the members elected, may by June 15 of that year designate a different computer program for redistricting the Senate. The House of Representatives, by a resolution adopted by a record vote of three-fifths of the members elected, may by June 15 of that year designate a different computer program for redistricting the House of Representatives.

(c) ~~(b)~~ In the year following each Federal decennial census year, (i) the Senate, by resolution adopted by a record vote of three-fifths of the members elected, ~~General Assembly by law~~ shall redistrict the ~~Senatorial~~ ~~Legislative~~ Districts and (ii) the House of Representatives, by resolution adopted by a record vote of three-fifths of the members elected, shall redistrict the Representative Districts. Each adopted redistricting resolution shall be filed with the Secretary of State by the presiding officer of the house that adopted the resolution.

(d) If a Senatorial or Representative redistricting resolution is not adopted and effective by June 15 of that year, the State Board of Elections, as soon thereafter as is practicable, shall produce a Senatorial or Representative redistricting plan, or both as the case may be, through the use of the computer program designated by the affected chamber, if it made a designation under subsection (b), or else through the use of the computer program designated by the State Board of Elections under that subsection. The State Board of Elections shall file the redistricting plan with the Secretary of State.

~~If no redistricting plan becomes effective by June 30 of that year, a Legislative Redistricting Commission shall be constituted not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party. The Speaker and Minority Leader of the House of Representatives shall each appoint to the Commission one Representative and one person who is not a member of the General Assembly. The President and Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member of the General Assembly. The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the~~

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original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission. Not later than August 10, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.

If the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.

Not later than September 5, the Secretary of State publicly shall draw by random selection the name of one of the two persons to serve as the ninth member of the Commission.

Not later than October 5, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.

(e) A ~~An approved~~ redistricting plan, adopted by redistricting resolution or produced by the State Board of Elections, that is filed with the Secretary of State shall be presumed valid, shall have the same force and effect as a ~~of~~ law, and shall be published promptly by the Secretary of State.

(f) The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, ~~which shall be initiated in the name of the People of the State by the Attorney General.~~ (Source: Amendment adopted at general election November 4, 1980.)

ARTICLE XIV

CONSTITUTIONAL REVISION

(ILCON Art. XIV, Sec. 1)

SECTION 1. CONSTITUTIONAL CONVENTION

(a) Whenever three-fifths of the members elected to each house of the General Assembly so direct, the question of whether a Constitutional Convention should be called shall be submitted to the electors at the general election next occurring at least six months after such legislative direction.

(b) If the question of whether a Convention should be called is not submitted during any twenty-year period, the Secretary of State shall submit such question at the general election in the twentieth year following the last submission.

(c) The vote on whether to call a Convention shall be on a separate ballot. A Convention shall be called if approved by three-fifths of those voting on the question or a majority of those voting in the election.

(d) The General Assembly, at the session following approval by the electors, by law shall provide for the Convention and for the election of two delegates from each ~~Senatorial Legislative~~ District; designate the time and place of the Convention's first meeting which shall be within three months after the election of delegates; fix and provide for the pay of delegates and officers; and provide for expenses necessarily incurred by the Convention.

(e) To be eligible to be a delegate a person must meet the same eligibility requirements as a member of the General Assembly. Vacancies shall be filled as provided by law.

(f) The Convention shall prepare such revision of or amendments to the Constitution as it deems necessary. Any proposed revision or amendments approved by a majority of the delegates elected shall be submitted to the electors in such manner as the Convention determines, at an election designated or called by the Convention occurring not less than two nor more than six months after the Convention's adjournment. Any revision or amendments proposed by the Convention shall be published with explanations, as the Convention provides, at least one month preceding the election.

(g) The vote on the proposed revision or amendments shall be on a separate ballot. Any proposed revision or amendments shall become effective, as the Convention provides, if approved by a majority of those voting on the question. (Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect beginning with redistricting in 2011 and applies to the election of members of the General Assembly in 2012 and thereafter.

Senator Crotty offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 20 CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES 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 1 of

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Article X of the Illinois Constitution as follows:

(ILCON Art. X, Sec. 1)

SECTION 1. GOAL - FREE SCHOOLS

(a) A fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities.

The State shall provide for an efficient system of high quality public educational institutions and services. Education in public schools through the secondary level shall be free. There may be such other free education as the General Assembly provides by law.

The State has the primary responsibility for financing the system of public education.

(b) The People of the State of Illinois recognize that excessive reliance on real property taxation for financing the system of public education has impeded the fundamental goal of education. The official policy of the State shall be to reduce taxes on owner-occupied residential real property and to improve education by establishing the Education and Permanent Property Tax Relief Trust Fund in this Article.

Beginning on January 1 of the year following adoption of this Constitutional Amendment by the People, a surtax on or measured by income at a rate of 3% shall be levied annually on that portion of the income of individuals that exceeds \$250,000. All receipts shall be deposited into the Education and Permanent Property Tax Relief Trust Fund. The corporate rate limitation ratio set forth in subsection (a) of Section 3 of Article IX shall remain in effect and be measured by the non-graduated rate authorized in Section 3 of Article IX. Interest earned on the Education and Permanent Property Tax Relief Trust Fund shall be allocated to the Trust Fund.

On July 1 of each year, 50% of the public funds in the Education and Permanent Property Tax Relief Trust Fund shall be distributed in equal amounts to every taxpayer who is an owner-occupier of residential real property in the State and the other 50% of the public funds in the Trust Fund shall be distributed equally on a per student basis to improve education in public schools through the secondary level.

The General Assembly shall provide by law for the implementation of the public policy set forth in this subsection (b). Every distribution from the Education and Permanent Property Tax Relief Trust Fund shall include the name of each elected officer of the Executive Branch and the following statement: "Adopted by constitutional amendment by the People of the State of Illinois." (Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Petka offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 21
CONSTITUTIONAL AMENDMENT**

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES 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 2 of Article III of the Illinois Constitution as follows:

**ARTICLE III
SUFFRAGE AND ELECTIONS**

(ILCON Art. III, Sec. 2)

SECTION 2. VOTING DISQUALIFICATIONS

A person convicted of a felony, or otherwise under sentence in a correctional institution or jail, or civilly committed as a sexually dangerous person or as a sexually violent person, shall lose the right to vote, which right shall be restored not later than upon completion of his sentence or civil commitment. (Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Obama offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

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**SENATE JOINT RESOLUTION NO. 22
CONSTITUTIONAL AMENDMENT**

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES 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 at least 6 months after the adoption of this resolution a proposition to add Section 25 of Article I of the Illinois Constitution as follows:

ARTICLE I
BILL OF RIGHTS

SECTION 25. UNIVERSAL HEALTH CARE COVERAGE

Health care is an essential safeguard of human life and dignity, and there is an obligation for the State of Illinois to ensure that every person is able to realize this fundamental right. On or before May 31, 2006, the General Assembly by law shall enact a plan for universal health care coverage that permits everyone in Illinois to obtain decent health care on a regular basis.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

INTRODUCTION OF BILL

SENATE BILL NO. 2010. Introduced by Senator Dillard, a bill for AN ACT concerning medical districts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 69, sponsored by Senator Bomke was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 81, sponsored by Senators Trotter - Obama was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 130, sponsored by Senator Dillard was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 194, sponsored by Senator Righter was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 307, sponsored by Senator Shadid was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 313, sponsored by Senator Shadid was taken up, read by title a first time and referred to the Committee on Rules.

Senator Burzynski announced that there will be a Republican caucus immediately upon recess.

Senator Halvorson announced that there will be a Democrat caucus immediately upon recess..

EXCUSED FROM ATTENDANCE

On motion of Senator Demuzio, Senator Schoenberg was excused from attendance due to family illness.

REPORT FROM RULES COMMITTEE

[February 26, 2003]

Senator Demuzio, Chairperson of the Committee on Rules, during its February 26, 2003 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Committee Amendment No. 1 to Senate Bill 368.**
 Executive: **Committee Amendment No. 1 to Senate Bill 18; Committee Amendment No. 1 to Senate Bill 101; Committee Amendments numbered 2 and 3 to Senate Bill 102.**
 Financial Institutions: **Committee Amendment No. 1 to Senate Bill 235; Committee Amendment No. 1 to Senate Bill 562.**
 Health and Human Services: **Committee Amendment No. 1 to Senate Bill 64; Committee Amendment No. 1 to Senate Bill 76; Committee Amendment No. 1 to Senate Bill 110.**
 Judiciary: **Committee Amendment No. 1 to Senate Bill 50; Committee Amendment No. 1 to Senate Bill 244.**
 Labor and Commerce: **Committee Amendment No. 2 to Senate Bill 2; Committee Amendment No. 1 to Senate Bill 73; Committee Amendment No. 1 to Senate Bill 90; Committee Amendment No. 1 to Senate Bill 600.**
 Licensed Activities: **Committee Amendments numbered 1 and 2 to Senate Bill 78.**
 Local Government: **Committee Amendment No. 1 to Senate Bill 157.**
 Revenue: **Committee Amendment No. 1 to Senate Bill 289.**
 Transportation: **Committee Amendment No. 1 to Senate Bill 69; Committee Amendment No. 1 to Senate Bill 98.**

Senator Demuzio, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 2 to Senate Bill 21
 Floor Amendment No. 1 to Senate Bill 44
 Floor Amendment No. 1 to Senate Bill 292

The foregoing floor amendments were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on Rules, reported that the Committee recommends that **Senate Bill No. 589** be re-referred from the Committee on Licensed Activities to the Committee on Rules.

At the hour of 12:27 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 3:25 o'clock p.m., the Senate resumed consideration of business.
 Senator Welch, presiding.

REPORT FROM RULES COMMITTEE

Senator Demuzio, Chairperson of the Committee on Rules, during its February 26, 2003 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Bill No. 1043**
 Education: **Senate Bills Numbered 346, 381, 623, 624, 634, 684, 693, 696, 697, 805, 814, 877, 878, 879, 890, 891, 902, 903, 1030, 1038, 1039, 1040, 1106 and 1107**
 Environment and Energy: **Senate Bills Numbered 876, 884, 887, 914, 1055, 1056, 1060, 1061, 1085, 1098 and 1099**
 Executive: **Senate Bills Numbered 620, 699, 875, 898, 1028, 1034, 1036, 1042, 1046, 1047, 1074, 1095, 1096, 1111, 1459, 1604, 1605, 1655, 1656 and 2001.**
 Financial Institutions: **Senate Bills Numbered 683, 905, 1048, 1063 and 1116**

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Health and Human Services: **Senate Bills Numbered 220, 351, 467, 633, 639, 691, 692, 806, 807, 809, 810, 811, 819, 880, 1025, 1031, 1033, 1062, 1064, 1067, 1079, 1081, 1082, 1083, 1087 and 1109.**

Insurance and Pensions: **Senate Bills Numbered 429, 430, 498, 501, 517, 518, 580, 589, 599, 601, 818, 820, 892, 908, 909, 910, 911, 1080, 1103, 1104, 1115, 1119, 1120 and 1134.**

Judiciary: **Senate Bills Numbered 45, 55, 238, 278, 279, 353, 382, 406, 468, 516, 616, 641, 642, 679, 681, 686, 688, 817, 883, 888, 893, 899, 1029, 1035, 1051, 1127, 1128, 1578 and 1793**

Labor and Commerce: **Senate Bills Numbered 158, 489, 621, 632, 682, 889 and 1070**

Licensed Activities: **Senate Bills Numbered 190, 355, 698, 1032, 1068 and 1110.**

Local Government: **Senate Bills Numbered 428, 594, 604, 605, 612, 685, 886, 1027, 1073, 1105, 1117, 1122 and 1124**

Revenue: **Senate Bills Numbered 270, 315, 321, 466, 593, 606, 607, 615, 694, 813, 881, 1023, 1024, 1044, 1049, 1101, 1102, 1126 and 1135**

State Government: **Senate Bills Numbered 226, 336, 680, 689, 808, 812, 897, 915, 1069 and 1105**

Transportation: **Senate Bills Numbered 338, 349, 901, 1041, 1072, 1084, 1093, 1100 and 1108.**

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 207

A bill for AN ACT concerning lead poisoning.

HOUSE BILL NO. 236

A bill for AN ACT concerning telecommunications.

Passed the House, February 26, 2003.

ANTHONY D. ROSSI, Clerk of the House

The foregoing **House Bills numbered 207 and 236** were taken up, ordered printed and placed on first reading.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 53

Offered by Senator Hendon and all Senators:

Mourns the deaths of Nita Anthony, Robert Brown, Demetrica Carwell, Bianca Ferguson, Kevin Gayden, Debra Gill, Danielle Greene, Chanta Jackson, Teresa Johnson-Gordon, David Jones, Charles Lard, LaTorya McGraw, Antonio Myers, Nicole Patterson, Nicole Rainey, DaShand Ray, Damien Riley, Charita Rhodes, Maurice Robinson, Eazay Rogers and Michael Wilson.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 135, sponsored by Senator Winkel was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 138, sponsored by Senator Link was taken up, read by title a first time and referred to the Committee on Rules.

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House Bill No. 273, sponsored by Senator Link was taken up, read by title a first time and referred to the Committee on Rules.

LEGISLATIVE MEASURES FILED

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to Senate Bill 179
Senate Committee Amendment No. 1 to Senate Bill 240
Senate Committee Amendment No. 1 to Senate Bill 328
Senate Committee Amendment No. 1 to Senate Bill 1459.

At the hour of 3:25 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, February 27, 2003, at 12:00 o'clock noon.