

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SIXTH GENERAL ASSEMBLY**

**84TH LEGISLATIVE DAY**

**PERFUNCTORY SESSION**

**MONDAY, JANUARY 11, 2010**

**12:05 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
84th Legislative Day**

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The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

### REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

The Bilingual Needs and Bilingual Pay Survey, FY 2009, submitted by Department of Central Management Services, Bureau of Personnel on January 5, 2010.

Breach of Security Notification, submitted by Northern Illinois University on January 5, 2010.

Report of Medicaid Services for Persons who are Medically Fragile, Technology Dependent, submitted by Department of Healthcare and Family Services on January 5, 2010.

River Edge Redevelopment Zone Program Evaluation Report, December 2009, submitted by Department of Commerce and Economic Opportunity on January 7, 2010.

Financial Audit of the Office of the Treasurer, College Savings Program, submitted by Office of the Auditor General on January 7, 2010.

Compliance Examination of the Illinois Council on Developmental Disabilities, submitted by Office of the Auditor General on January 7, 2010.

Financial Audit and Compliance Examination of IMSA Fund for Advancement of Education, submitted by Office of the Auditor General on January 7, 2010.

### LETTERS OF TRANSMITTAL

January 11, 2010

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session** on Monday, **January 11, 2010**.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

January 5, 2010

Mark Mahoney  
Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I have established the following deadlines in the **Year 2010** for the **96<sup>th</sup> General Assembly**.

January 15, 2010	Final Day to Request House Bills from Legislative Reference Bureau.
February 11, 2010	Final Day for Introduction of House Substantive Bills.
March 12, 2010	Final Day for Standing and Special Committees of the House to Report Out House Substantive Bills.
March 26, 2010	Final Day for Third Reading and Passage of House Substantive Bills.
April 23, 2010	Final Day for Standing and Special Committees of the House to Report Out Senate Substantive Bills.
May 7, 2010	Final Day for Third Reading and Passage of Senate Substantive Bills.
May 7, 2010	Final Day for Consideration of Joint Action Motions and Conference Committee Reports.

With kindest personal regards, I remain.

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

#### **Memorandum**

To: All House Members (Springfield Office)

Date: January 8, 2010

Re: Attached Schedule and House Session

Attached is the current schedule of committee hearings for next week.

The House will convene Session on Tuesday, January 12 at 11 a.m.

On Wednesday, January 13, the House will conduct business prior to the Governor's State of the State address which is scheduled to begin at 12 noon.

Session for Thursday, January 14 will be cancelled.

If you have any questions, please contact Tim Mapes, 217-782-6360.

#### **TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Mendoza replaced Representative Lang in the Committee on Rules on January 5, 2010.

### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on January 5, 2010, reported the same back with the following recommendations:

#### **LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the bill be reported "approved for consideration" and be placed on the order of Second Reading--Short Debate: SENATE BILLS 1252 and 2093.

#### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Elementary & Secondary Education: SENATE BILLS 315 and 616.  
Environment & Energy: HOUSE RESOLUTION 655.  
Executive: SENATE BILLS 49, 1402, 1526, 1868 and SENATE JOINT RESOLUTION 74.  
Judiciary II - Criminal Law: SENATE BILL 1013.  
Revenue & Finance: HOUSE BILL 4622 and SENATE BILL 32.  
State Government Administration: SENATE BILLS 1425 and 2101.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson	A Black(R), Republican Spokesperson
Y Mendoza(D) (replacing Lang)	A Schmitz(R)
Y Turner(D)	

#### **CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Ryg was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 49.

#### **INTRODUCTION AND FIRST READING OF BILLS**

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4738. Introduced by Representatives Sente - Farnham and Smith, AN ACT concerning criminal law.

HOUSE BILL 4739. Introduced by Representative Osmond, AN ACT concerning business.

HOUSE BILL 4740. Introduced by Representative Sacia, AN ACT concerning business.

HOUSE BILL 4741. Introduced by Representative Franks, AN ACT concerning revenue.

HOUSE BILL 4742. Introduced by Representative Franks, AN ACT concerning utilities.

HOUSE BILL 4743. Introduced by Representative Holbrook, AN ACT concerning revenue.

HOUSE BILL 4744. Introduced by Representatives Tryon - Reboletti, AN ACT concerning State government.

HOUSE BILL 4745. Introduced by Representative Lang, AN ACT concerning criminal law.

HOUSE BILL 4746. Introduced by Representative Lang, AN ACT concerning criminal law.

- HOUSE BILL 4747. Introduced by Representative Lang, AN ACT concerning employment.
- HOUSE BILL 4748. Introduced by Representative Lang, AN ACT concerning employment.
- HOUSE BILL 4749. Introduced by Representative Lang, AN ACT concerning employment.
- HOUSE BILL 4750. Introduced by Representative Lang, AN ACT concerning employment.
- HOUSE BILL 4751. Introduced by Representative Lang, AN ACT concerning finance.
- HOUSE BILL 4752. Introduced by Representative Lang, AN ACT concerning finance.
- HOUSE BILL 4753. Introduced by Representative Lang, AN ACT concerning finance.
- HOUSE BILL 4754. Introduced by Representative Lang, AN ACT concerning finance.
- HOUSE BILL 4755. Introduced by Representative Soto, AN ACT concerning education.
- HOUSE BILL 4756. Introduced by Representative Ford, AN ACT concerning public aid.
- HOUSE BILL 4757. Introduced by Representative Tryon, AN ACT concerning local government.
- HOUSE BILL 4758. Introduced by Representative Tryon, AN ACT concerning local government.
- HOUSE BILL 4759. Introduced by Representative Brady, AN ACT concerning public employee benefits.
- HOUSE BILL 4760. Introduced by Representative Brady, AN ACT in relation to public employee benefits.
- HOUSE BILL 4761. Introduced by Representative Brady, AN ACT concerning election officials.
- HOUSE BILL 4762. Introduced by Representative Ramey, AN ACT concerning criminal law.
- HOUSE BILL 4763. Introduced by Representative Mathias, AN ACT concerning civil law.
- HOUSE BILL 4764. Introduced by Representative Chapa LaVia, AN ACT concerning criminal law.
- HOUSE BILL 4765. Introduced by Representative Franks, AN ACT concerning health.
- HOUSE BILL 4766. Introduced by Representatives Scia - Black - Sommer, AN ACT concerning regulation.
- HOUSE BILL 4767. Introduced by Representatives Mulligan - Watson, AN ACT concerning State government.
- HOUSE BILL 4768. Introduced by Representative Nekritz, AN ACT concerning State government.

### **HOUSE RESOLUTIONS**

The following resolutions were offered and placed in the Committee on Rules.

#### **HOUSE RESOLUTION 751**

Offered by Representative Senger:

WHEREAS, Of all of the types of childhood muscular dystrophies, duchenne muscular dystrophy is the

world's most common and catastrophic form of genetic childhood disease; and

WHEREAS, Duchenne muscular dystrophy is characterized by rapidly progressive muscle weakness; and

WHEREAS, Duchenne muscular dystrophy is genetically inherited, with mothers being the carriers in 70% of all cases; and

WHEREAS, If a female is a carrier of the dystrophin gene, there is a 50% chance per birth that her male offspring will have duchenne muscular dystrophy, and a 50% chance per birth that her female offspring will be carriers of the gene; and

WHEREAS, Duchenne muscular dystrophy affects approximately 1 in every 3,500 boys worldwide; and

WHEREAS, The life expectancy of children with duchenne muscular dystrophy is their late teens to early twenties; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the date of June 20 of every year as Duchenne Muscular Dystrophy Awareness Day in the State of Illinois.

#### HOUSE RESOLUTION 762

Offered by Representative Stephens:

WHEREAS, Governor Pat Quinn has proposed to convey the Thomson Correctional Center to the United States federal government for use as a prison and detention facility for persons subject to the Military Commissions Act of 2006; and

WHEREAS, Persons subject to the Military Commissions Act include persons accused of complicity in some of the gravest war crimes ever committed by members of the human race; and

WHEREAS, The Thomson Correctional Center was designed and built as a 1,600-bed conventional maximum-security prison facility, with the security perimeter of a conventional prison, and is well-suited for this purpose; and

WHEREAS, Nothing in this Resolution should be taken as opposition to using the Thomson Correctional Center as a conventional 1,600-bed maximum-security prison; we recognize that this would create much-needed jobs for the Thomson area, including employment for a significant number of workers in northwestern Illinois; and

WHEREAS, Nothing in this Resolution should be taken as opposition to the sale, at a fair price, of the Thomson Correctional Center, to the Federal Bureau of Prisons, for use as a conventional 1,600-bed prison facility, the purpose for which it was designed; and

WHEREAS, The Quinn proposal contemplates using Thomson, not as a conventional 1,600-bed maximum-security prison, but as a federal detention facility for approximately 200 persons subject to the Military Commissions Act of 2006, which covers unlawful enemy combatants engaged in hostilities against the United States; and

WHEREAS, Unlawful enemy combatants subject to the Military Commissions Act of 2006 are currently housed at Camp Delta, Camp V, and Camp Echo at the Guantanamo Bay detention camp at the Guantanamo Bay Naval Base in Cuba, where they are guarded by United States armed forces; and

WHEREAS, If unlawful enemy combatants against the United States, subject to the Military Commissions Act of 2006, are kept in detention, they ought to be kept in a purpose-built facility that has been constructed for the specialized duty of keeping them in confinement under extraordinary conditions of high security, including: (a) the maintenance of a suitable security perimeter around the facility, and (b) specially trained and specialized security guards, who should either be members of the U.S. armed forces or be persons who have undergone training equivalent to members of the U.S. armed forces; and

WHEREAS, While the current headcount of persons who will be treated indefinitely as detainees subject to the Military Commissions Act of 2006 is not public information, a current press account published in the "New York Times" on May 21, 2009 indicates that the headcount of detainees currently at Guantanamo Bay is approximately 200; and of that number somewhat more than 100 are scheduled, under the current policy of the administration of President Barack Obama, to be moved to the United States; and of that number 50 to 100 are likely to be classified as being too dangerous to ever release; and

WHEREAS, This group of 200 Guantanamo Bay detainees, classified as unlawful enemy combatants subject to the Military Commissions Act of 2006, is the core group of people at the heart of this debate over the future of the Thomson Correctional Center; other unlawful enemy combatants may be captured and detained in the future, but this is the headcount of people who are the subject of this debate right now; and



WHEREAS, Even assuming that the Thomson Correctional Center were to be adaptively re-used as a federal detention center for up to 200 detainees, it will likely house far fewer prisoners, and create fewer jobs, than if it is put into use as the 1,600-bed conventional maximum-security prison that it was designed to be; and

WHEREAS, There is ongoing concern that the persons detained in Guantanamo have allies around the world who may respond to these detentions with an ongoing threat of homicidal violence that will stretch indefinitely into the future; and

WHEREAS, The federal administrative decision to close the current detention facilities at Guantanamo Bay, and transfer these detainees to the populated territory of the United States, and the proposal that they be detained in Illinois, does not take account of this ongoing and indefinite threat to the people of the United States, or the people of Illinois; and

WHEREAS, Exercising its oversight responsibilities, the United States Senate, on May 19, 2009, by a bipartisan vote of 90-6, stripped language from the Supplemental Appropriations Act of 2009 that would have appropriated \$80 million to implement the closure of the detention camps at Guantanamo, thereby expressing the sense of a consensus majority of the Senate that this threat should not be imposed upon the peaceful, law-abiding people of the United States; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the 1,600-bed Thomson Correctional Center, located in a thickly-populated rural section of northwest Illinois near the Mississippi River, is not a suitable facility, nor does it have a suitable security perimeter, nor is it placed in a suitable location, for the indefinite detention of up to 200 unlawful enemy combatants who are subject to the Military Commissions Act of 2006; and be it further

RESOLVED, That Governor Patrick Quinn and his administration should immediately halt all negotiations or contacts with the U.S. Federal Bureau of Prisons, the U.S. Department of Homeland Security, and all other relevant federal offices and departments, relating to the proposed transfer of the Thomson Correctional Center to the federal government for purposes of a Military Commissions Act of 2006 detention facility, until they initiate consultations with the Illinois General Assembly and receive its consent to undertake this move; and be it further

RESOLVED, That we urge the Quinn administration to redouble its efforts to find a use for the Thomson Correctional Center as the 1,600-bed maximum-security conventional correctional facility, the functional use for which it was designed; and be it further

RESOLVED, That we urge the administration of President Barack Obama, in the strongest terms, to reconsider its decision to close the detention facilities at Guantanamo Bay, Cuba, on the grounds that this location, within the island of Cuba, guarded by the armed forces of the United States, is by far the best and safest location for the indefinite detention of unlawful enemy combatants subject to the Military Commissions Act of 2006; and be it further

RESOLVED, That we commend the United States Senate for its defense of the people of the United States, and urge the Congress to maintain its position in favor of the continued operation of Guantanamo Bay and against the transfer of unlawful enemy combatants to the territory of the United States; and be it further

RESOLVED, That suitable copies of this Resolution be transmitted to the President of the United States, to the two United States Senators from Illinois, to the nineteen members of the United States House of Representatives from Illinois, and to the Governor of Illinois.

#### HOUSE RESOLUTION 765

Offered by Representative Phelps:

WHEREAS, The links between coal production, economic growth, prosperity, and energy security are unbreakable; and

WHEREAS, Coal is the main source of energy throughout the world, provides half of the electricity used in the United States, and is a considerable amount of the electricity generated in the midwest and Illinois; and

WHEREAS, The Illinois Coal Association reports that of all the states, Illinois has the largest reported bituminous coal resources with almost 255 of our nation's reserves; coal bearing rocks underlie about 65% of Illinois (36,806 out of a total of 56,500 square miles), including all or parts of at least 86 of the 102

counties in the State; and

WHEREAS, According to the Illinois State Geological Survey (ISGS) there are 100 billion tons of recoverable coal beneath the surface of Illinois, enough coal to meet the country's need for coal for the next 100 years; there is more energy content in the coal in Illinois than in the oil in Saudi Arabia and Kuwait combined; and

WHEREAS, The industry that mines coal is a highly mechanized one; at the start of 2008, there were 17 mines operating in central and southern Illinois; the bulk of these mines are operated by leading companies in American coal mining; Illinois coal mines produced 32.4 million tons of coal in 2007; and

WHEREAS, Coal mine lands are being restored, as part of the reclamation process, to meet ongoing, economic, recreational, educational, transportation, and housing needs of local communities and the State; and

WHEREAS, The backlog of permit approvals and the lack of transparency in the federal permitting process are jeopardizing jobs, economic opportunity, and coal production throughout Illinois and the region; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois General Assembly call upon the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the President's Council on Environmental Quality, and the Illinois congressional delegation and other State government officials to support coal production and the jobs, economic growth, and energy security provided by coal mining by fixing a regulatory system that is frustrating these vital objectives; and be it further

RESOLVED, That a suitable copy of this resolution be sent to the head of the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the President's Council on Environmental Quality, and the members of the Illinois congressional delegation.

#### HOUSE RESOLUTION 766

Offered by Representative Pihos:

WHEREAS, The National Highway Traffic Safety Administration (NHTSA), a division of the United States Department of Transportation, has a mission to save lives, prevent injuries, and reduce economic costs due to road traffic crashes, through education, research, safety standards, and enforcement; and

WHEREAS, The Office of Defects Investigation of the NHTSA is responsible for conducting defect investigations and administering safety recalls to support the NHTSA's mission to improve safety on the nation's highways; and

WHEREAS, An investigation by the Chicago Tribune in November 2009 concluded that as many as 2,000 school buses across the nation have potentially serious safety problems and are transporting students even though school bus equipment and parts manufacturers and the NHTSA have known about recalled equipment and parts for as many as eight years; and

WHEREAS, The federal recall process is lengthy and without suitable accountability and safety procedures to ensure that children travel in school buses that are safe and properly maintained; and

WHEREAS, Recall procedures for vehicles, such as school buses with faulty equipment or parts are a matter of public record as soon as a manufacturer officially files a recall notice; bus companies, however, are not required to review the recall list on the NHTSA website; and

WHEREAS, The NHTSA has not enforced timely recall efforts by manufacturers of faulty parts and equipment, nor does it have the responsibility to ensure the school bus owners are notified immediately of potential safety issues; and

WHEREAS, The Illinois Department of Transportation is the agency required by statute to conduct periodic, non-scheduled inspections of school buses in this State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Department of Transportation to request NHTSA to evaluate the NHTSA Office of Defects Investigation's procedural and administrative duties in relation to the promptness and effectiveness of manufacturer recalls; and be it further

RESOLVED, That we urge the Illinois Department of Transportation to review its procedures and duties to ensure that (1) school buses in Illinois are not being driven with recalled equipment and parts and (2) children being transported on school buses are safe; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Illinois congressional delegation, the Secretary of the United States Department of Transportation, and the Secretary of the

Illinois Department of Transportation.

#### HOUSE RESOLUTION 768

Offered by Representative Acevedo:

WHEREAS, Mechanical insulation is defined to encompass all thermal, acoustical, and personnel safety requirements in mechanical piping and equipment, hot and cold applications, and Heating, Venting, and Air Conditioning (HVAC) applications that can be used in a variety of buildings, such as manufacturing facilities, power plants, refineries, hospitals, universities, government buildings, and other facilities; and

WHEREAS, Buildings are responsible for 40% of United States energy demand and 40% of all greenhouse gas emissions; and

WHEREAS, Methodically and properly installed mechanical insulation provides long-term energy efficiency, emission reduction, cost savings, and safety benefits, and can be used to reduce the number of tons of greenhouse gas emissions that could be prevented from release into the atmosphere, prevent loss of energy, control condensation, depending on the thickness of the insulation, protect occupant safety and public health wellness, and regulate surface temperature; and

WHEREAS, Combined, buildings used in commercial and industrial sectors consume 2.5 times more energy than residential buildings, according to Annual Energy Outlook provided by the Energy Information Administration in December 2008; and

WHEREAS, Loss of energy can increase the temperature within a facility or area, putting additional stress on other equipment and building infrastructure and reducing that equipment's performance and life expectancy; and

WHEREAS, According to the National Insulation Association, maintenance of mechanical insulation at industrial facilities alone can generate more than \$3,600,000,000 in energy savings per year, reduce 37,000,000 metric tons of carbon dioxide and other greenhouse gas emission, and create more than 27,000 jobs annually; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the House of Representatives encourages energy efficient and environment-friendly building and facility certification programs to incorporate the use of mechanical insulation as part of their standards and ratings system; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Executive Director of the Capital Development Board.

#### HOUSE RESOLUTION 772

Offered by Representative Brauer:

WHEREAS, According to estimates released by the American Cancer Society in 2009, 192,370 women in the United States will be diagnosed with breast cancer, of which 40,170 will die; and

WHEREAS, Breast cancer is the most common cancer in women; if breast cancer is detected in its earliest stages, women have more treatment options and a 96% survival rate; and

WHEREAS, In Illinois, partial or total costs of mammograms are covered by Medicare, Medicaid, and most private health plans; and

WHEREAS, Women in their forties account for more than a quarter of breast cancer diagnoses and are more prone to aggressive cancers that are resistant to treatment; and

WHEREAS, The American Cancer Society recommends annual screening using mammography and clinical breast examination for all women beginning at age 40; and

WHEREAS, The Illinois General Assembly has recognized the benefits of early detection of breast cancer and has passed legislation expanding access to mammograms for all women in Illinois; and

WHEREAS, Since 1995, the Illinois Breast and Cervical Cancer program has provided free screening and treatment for uninsured women living in Illinois; through this program, over 66,000 women have been screened for breast and cervical cancer; and

WHEREAS, In November of 2009, a report issued by the U.S. Preventative Services Task Force contradicted the American Cancer Society's recommendations for breast cancer screening by recommending that women have mammogram screenings every two years starting at age 50; and

WHEREAS, The contradiction between the American Cancer Society recommendations for early

detection of breast cancer and the U.S. Preventative Services Task Force's findings and recommendations has caused confusion and concern among women and the health care industry; and

WHEREAS, U.S. Health and Human Services Secretary Kathleen Sebelius officially responded to the recommendations made by the U.S. Prevention Services Task Force by stating that women should continue getting mammograms starting at age 40; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we state our belief that breast cancer is a serious health problem facing adult women and that mammography is part of the solution beginning at age 40; and be it further

RESOLVED, That we encourage all women to consult with their health care providers about the benefits of early detection of breast cancer; and be it further

RESOLVED, That we urge the Illinois Department of Public Health to continue and expand its efforts to promote awareness that early screenings for breast cancer and continue promoting breast cancer screening based on recommendations that are consistent with those of the American Cancer Society; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Governor and the Director of the Illinois Department of Public Health.

#### HOUSE RESOLUTION 790

Offered by Representative Dunkin:

WHEREAS, An increased number of Illinois municipalities are experiencing infestations of the common bed bug (*Cimex lectularius*); the health, habitability, and quality of life in affected dwellings has been diminished by this growing public nuisance; and

WHEREAS, Bed bug infestations are uniquely challenging to exterminate; the infestations have, however, been successfully treated through Integrated Pest Management (IPM) strategies; and

WHEREAS, The Ohio Department of Agriculture has petitioned the U.S. EPA for a waiver of Section (18) of the Federal Insecticide, Fungicide, and Rodenticide Act to facilitate the indoor use of the insecticide Propoxur to treat bed bug infestations in residences; 12 additional states have contemplated joining this petition; and

WHEREAS, Propoxur is classified as a probable human carcinogen (Group B2) by the United States Environmental Protection Agency and is listed as a known human carcinogen by the State of California; and

WHEREAS, In April of 2009, the U.S. EPA held its first-ever National Bed Bug Summit to solicit recommendations on dealing with the growing public nuisance of bed bugs; among the major recommendations emanating from that summit was policy support for Integrated Pest Management (IPM) approaches; and

WHEREAS, The common bed bug is a public health nuisance; it is in the public interest to protect the health of Illinois citizens and promote safe and effective strategies for the eradication of bed bugs; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Department of Agriculture, the Illinois Department of Public Health, and other relevant State agencies to not join the petition for an EPA waiver for residential Propoxur use in combating bed bugs; and be it further

RESOLVED, That we urge all relevant State agencies to fully examine their statutory authority to promote the use of IPM strategies in the eradication of bed bugs; and be it further

RESOLVED, That suitable copies of this resolution be sent to the Directors of the Illinois Department of Agriculture and the Illinois Department of Public Health.

#### HOUSE RESOLUTION 792

Offered by Representative Stephens:

WHEREAS, The members of the Illinois House of Representatives recognize the important role that the Illinois territory played in the War of 1812; and

WHEREAS, The Illinois territory was on the border of the conflict between Great Britain, then allied

with many Native American nations, and the young United States of America; the British occupied a part and at times all of the Michigan territory and used Illinois territory to conduct Indian raids on American settlements during the war; and

WHEREAS, Although only a small company of U.S. troops were stationed in the Illinois territory, these brave men held their own against the British and Indian invasions and attacks against settlers in the area; and

WHEREAS, After the Treaty of Ghent was signed and the war ended, it was once again safe to work and settle in the Illinois territory; and

WHEREAS, Illinois gained statehood in 1818 and began to form its place in the history of our country; and

WHEREAS, The Illinois War of 1812 Bicentennial Commission has been formed to recognize the important role that the Illinois territory played in this epic part of American history; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the State of Illinois and the Governor to support the Illinois War of 1812 Bicentennial Commission and their efforts to recognize the upcoming anniversary; and be it further

RESOLVED, That a suitable copy of this resolution be sent to the Governor of the State of Illinois to recognize the Illinois War of 1812 Bicentennial Commission.

#### HOUSE RESOLUTION 797

Offered by Representative Crespo:

WHEREAS, Dr. Daisaku Ikeda, president of Soka Gakkai International (SGI), a global association of lay Buddhists with more than 12 million members in 192 countries, including 5,000 in the State of Illinois, has been a pioneer in citizen-diplomacy and has courageously pursued efforts to build a culture of peace through active engagement in grassroots dialogue; and

WHEREAS, Dr. Daisaku Ikeda has spent the past 40 years tirelessly engaging in more than 1,500 dialogues for peace with such noted world leaders as historian Dr. Arnold Toynbee, former South African President Nelson Mandela, former Soviet Union President Mikhail Gorbachev, former U.S. Secretary of State Henry Kissinger, and civil rights leader Rosa Parks, in order to demonstrate how the power of one person's determination to build a culture of peace can change the destiny of all humankind; and

WHEREAS, Dr. Daisaku Ikeda established the Soka education system, including the Soka University of America in California, Soka University in Japan, and the Soka school system in several countries around the world to provide an educational environment that prepares youth to become global leaders skilled in dialogue and diplomacy, and motivated by compassion for humanity and the planet; and

WHEREAS, SGI members in Illinois follow Dr. Ikeda's example by working to foster the development of youth and contribute to peace, culture, and education within their respective communities; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dr. Daisaku Ikeda, president of Soka Gakkai International, on the occasion of his 82nd birthday and designate January 2, 2010 as "Daisaku Ikeda Day" in the State of Illinois for his efforts to promote peace and for teaching by example that the key to a contributive and happy life is to live with courage and hope; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dr. Daisaku Ikeda as a symbol of our esteem and respect.

#### HOUSE RESOLUTION 803

Offered by Representative Bellock:

WHEREAS, According to the National Highway Traffic Safety Administration, the month of December is National Drunk and Drugged Driving Month; and

WHEREAS, Approximately 3 in every 10 Americans will be involved in an alcohol-related crash at some point in their lives; and

WHEREAS, Everyday, 36 people in the U.S. die and approximately 700 more are injured in motor vehicle crashes that involve an alcohol-impaired driver; in total, one death occurs every 45 minutes; and

WHEREAS, In 2008, 11,773 people were killed in alcohol-impaired driving accidents, accounting for nearly 32% of all traffic-related deaths in the U.S.; drugs other than alcohol (marijuana or cocaine) were involved in about 18% of motor vehicle accident deaths; and

WHEREAS, In 2008, there were 363 alcohol-related driving fatalities in Illinois, or 2.8 fatalities per 100,000 Illinois citizens; and

WHEREAS, In 2000, the costs associated with alcohol-related crashes in the U.S. were estimated at \$114.3 billion, including \$51.1 billion in monetary costs and an estimated \$63.2 billion in quality of life losses; and

WHEREAS, Legislation has proven effective in protecting people from alcohol and drug-related accidents; Illinois is one of many states leading the way in making roads safer through strict legislation targeted at those choosing to drive under the influence of alcohol or other drugs; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the month of December as Illinois Drunk and Drugged Driving Month in the State of Illinois and encourage the citizens of this State to remember those who have lost their lives in alcohol and drug-related fatal accidents; and be it further

RESOLVED, That we restate our commitment to ensuring that Illinois roads are safe and free from drivers under the influence of alcohol and drugs; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation, the Director of the Illinois State Police, the President of Women in Government, and the Executive Director of the Illinois Mothers Against Drunk Driving organization.

#### HOUSE RESOLUTION 809

Offered by Representative Acevedo:

WHEREAS, Since the commission in 1962 of the United States Navy Sea, Air and Land Forces, commonly known as the Navy SEALs, the organization's members have distinguished themselves as a highly-skilled and disciplined maritime force and have played a significant role in U.S. military operations around the world, including the current wars in Iraq and Afghanistan; and

WHEREAS, Among the members of the Navy SEALs are 3 courageous men who have honorably served our nation in a time of war, including tours of duty in Iraq and Afghanistan; Petty Officer 2nd Class Matthew McCabe, originally of Perrysburg, Ohio, served on the amphibious assault ship Belleau Wood before training in special warfare; Petty Officer 2nd Class Jonathan Keefe, originally from Yorktown, Virginia, enlisted in 2006 and began his SEAL training that same year; and Petty Officer 1st Class Julio Huertas, originally from Blue Island, Illinois, who enlisted in 1999 and has served in special warfare units since 2002; and

WHEREAS, Recently, these 3 Navy SEALs were arraigned and are facing court martial after a detainee complained to Iraqi authorities that he suffered a "bloody lip" while in the custody of Americans; and

WHEREAS, After the 3 SEALs refused to accept non-judicial sentences, they were charged with dereliction of duty and making a false statement; in addition, Petty Officer McCabe was charged with one count of assault on a detainee and Petty Officer Huertas was charged with impeding an investigation; and

WHEREAS, The charges stem from an incident in early September of 2009 after the 3 Navy SEALs captured and allegedly punched in the stomach Ahmed Hashim Abed, a man believed to be the mastermind behind the killing and mutilation of 4 United States contractors in Fallujah, Iraq, in 2004; and

WHEREAS, In light of the widespread belief that these charges are the result of an overly sensitive reaction by military officials to allegations of detainee abuse, there has been a great outpouring of support for the 3 SEALs, including a campaign led by several members of the United States Congress urging U.S. Secretary of Defense Robert Gates to intervene in this matter; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the sacrifices made by our brave servicemen and women in the United States military and the extraordinary circumstances they encounter in combat environments every day; and be it further

RESOLVED, That we urge all relevant United States military officials to reconsider the charges brought against U.S. Navy Petty Officer 2nd Class Matthew McCabe, Petty Officer 2nd Class Jonathan Keefe, and Petty Officer 1st Class Julio Huertas; and be it further

RESOLVED, That suitable copies of this resolution be presented to U.S. Secretary of Defense Robert Gates and the members of the Illinois congressional delegation.

## HOUSE JOINT RESOLUTION 80

Offered by Representative Washington:

WHEREAS, Bobby E. Thompson has been a political figure in the Lake County area for 18 years and was the first African American mayor in the county, having served as mayor of North Chicago; and

WHEREAS, The portion of Illinois State Route 137 in Waukegan lying between Greenwood Avenue and Sheridan Road/McKinley Avenue is now known as the Amstutz Expressway; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the portion of the Amstutz Expressway in the city limits of North Chicago be renamed the Bobby E. Thompson Expressway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State regulations, plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Illinois Secretary of Transportation and to former North Chicago Mayor Bobby E. Thompson.

## HOUSE JOINT RESOLUTION 81

Offered by Representative Currie:

**BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN**, that the two Houses shall convene in Joint Session on Wednesday, January 13, 2010 at the hour of 12:00 o'clock noon for the purpose of hearing his Excellency Governor Pat Quinn present to the General Assembly his Report on the Condition of the State, required by Article V Section 13, of the Constitution of the State of Illinois.

At the hour of 12:08 o'clock p.m., the House Perfunctory Session adjourned.

At the hour of 2:15 o'clock p.m., the House reconvened perfunctory session.

**TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Durkin replaced Representative Black in the Committee on Rules on January 11, 2010.

Representative Beaubien replaced Representative Schmitz in the Committee on Rules on January 11, 2010.

Representative Holbrook replaced Representative Turner in the Committee on Rules on January 11, 2010.

**REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on January 11, 2010, reported the same back with the following recommendations:

**LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the bill be reported "approved for consideration" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 328 and 1369.

That the resolution be reported “recommends be adopted” and be placed on the House Calendar:  
HOUSE JOINT RESOLUTION 81.

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Revenue & Finance: HOUSE AMENDMENT No. 2 to SENATE BILL 2093.  
State Government Administration: HOUSE RESOLUTION 809.

**LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:**

SENATE BILL 32 was recalled from the Committee on Revenue & Finance and reassigned to the Committee on Rules.

The committee roll call vote on the foregoing Legislative Measures is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson

Y Durkin(R) (replacing Black)

A Lang(D)

Y Beaubien(R) (replacing Schmitz)

Y Holbrook(D) (replacing Turner)

At the hour of 2:15 o'clock p.m., the House Perfunctory Session adjourned.

At the hour of 6:39 o'clock p.m., the House reconvened perfunctory session.

**TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Durkin replaced Representative Black in the Committee on Rules (A) on January 11, 2010.

Representative Beaubien replaced Representative Schmitz in the Committee on Rules (A) on January 11, 2010.

Representative Holbrook replaced Representative Turner in the Committee on Rules (A) on January 11, 2010.

Representative Mautino replaced Representative Lang in the Committee on Rules (A) on January 11, 2010.

Representative Farnham replaced Representative Collins in the Committee on Judiciary II - Criminal Law on January 11, 2010.

Representative Currie replaced Representative Turner in the Committee on Executive on January 11, 2010.

Representative Lang replaced Representative Burke in the Committee on Executive on January 11, 2010.

Representative Osmond replaced Representative Biggins in the Committee on Executive on January 11, 2010.

Representative Harris replaced Representative Acevedo in the Committee on Executive on January 11, 2010.



Representative Pritchard replaced Representative Biggins in the Committee on Revenue & Finance on January 11, 2010.

Representative Berrios replaced Representative Crespo in the Committee on Elementary & Secondary Education on January 11, 2010.

Representative Ford replaced Representative Colvin in the Committee on Elementary & Secondary Education on January 11, 2010.

Representative Harris replaced Representative Monique Davis in the Committee on Elementary & Secondary Education on January 11, 2010.

Representative Howard replaced Representative Osterman in the Committee on Elementary & Secondary Education on January 11, 2010.

Representative Mautino replaced Representative Miller in the Committee on Elementary & Secondary Education on January 11, 2010.

Representative Chapa LaVia replaced Representative Flider in the Committee on Elementary & Secondary Education on January 11, 2010.

Representative Jakobsson replaced Representative Franks in the Committee on State Government Administration on January 11, 2010.

Representative Lang replaced Representative Collins in the Committee on State Government Administration on January 11, 2010.

Representative Ford replaced Representative Crespo in the Committee on State Government Administration on January 11, 2010.

Representative Yarbrough replaced Representative Farnham in the Committee on State Government Administration on January 11, 2010.

Representative Golar replaced Representative McAsey in the Committee on State Government Administration on January 11, 2010.

### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on January 11, 2010, (A) reported the same back with the following recommendations:

#### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Revenue & Finance: HOUSE AMENDMENT No. 1 to SENATE BILL 328.

The committee roll call vote on the foregoing Legislative Measures is as follows:

5, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson  
Y Mautino(D) (replacing Lang)  
Y Holbrook(D) (replacing Turner)

Y Durkin(R) (replacing Black)  
Y Beaubien(R) (replacing Schmitz)

**REPORTS FROM STANDING COMMITTEES**

Representative Howard, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on January 11, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1013.

The committee roll call vote on Senate Bill 1013 is as follows:

6, Yeas; 0, Nays; 0, Answering Present.

Y Howard(D), Chairperson	Y Farnham(D) (replacing Collins)
Y Reboletti(R), Republican Spokesperson	Y Golar(D)
Y McAsey(D)	Y Sacia(R)
A Wait(R)	

Representative Lyons, Chairperson, from the Committee on Executive to which the following were referred, action taken on January 11, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 1402, 1526 and 1868.

The committee roll call vote on Senate Bills 1402 and 1526 is as follows:

7, Yeas; 4, Nays; 0, Answering Present.

Y Lang(D) (replacing Burke)	Y Lyons(D), Vice-Chairperson
N Brady(R), Republican Spokesperson	Y Harris(D) (replacing Acevedo)
Y Arroyo(D)	Y Berrios(D)
N Osmond (R) (replacing Biggins)	Y Rita(D)
N Sullivan(R)	N Tryon(R)
Y Currie(D) (replacing Turner)	

The committee roll call vote on Senate Bill 1868 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Lang(D) (replacing Burke)	Y Lyons(D), Vice-Chairperson
Y Brady(R), Republican Spokesperson	Y Harris(D) (replacing Acevedo)
Y Arroyo(D)	Y Berrios(D)
Y Osmond (R) (replacing Biggins)	Y Rita(D)
Y Sullivan(R)	Y Tryon(R)
Y Currie(D) (replacing Turner)	

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on January 11, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 1 to SENATE BILL 328.

The committee roll call vote on Amendment No. 1 to Senate Bill 328 is as follows:

8, Yeas; 0, Nays; 0, Answering Present.

Y Bradley(D), Chairperson	Y Mautino(D), Vice-Chairperson
Y Pritchard(R) (replacing Biggins)	A Bassi(R)
Y Beaubien(R)	A Chapa LaVia(D)
Y Currie(D)	A Eddy(R)
Y Ford(D)	Y Gordon, Careen(D)
Y Sullivan(R)	A Turner(D)
A Zalewski(D)	

Representative Dugan, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on January 11, 2010, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 1425 and 2101.

The committee roll call vote on Senate Bill 1425 is as follows:

13, Yeas; 0, Nays; 0, Answering Present.

Y Jakobsson(D) (replacing Franks)	Y Dugan(D), Vice-Chairperson
A Wait(R), Republican Spokesperson	A Bassi(R)
A Boland(D)	Y Bost(R)
Y Burns(D)	A Lang(D) (replacing Collins)
Y Ford(D) (replacing Crespo)	Y Davis, Monique(D)
Y Yarbrough(D) (replacing Farnham)	Y Froehlich(D)
Y Golar(D) (replacing McAsey)	Y Moffitt(R)
Y Myers(R)	Y Poe(R)
Y Ramey(R)	

The committee roll call vote on Senate Bill 2101 is as follows:

9, Yeas; 5, Nays; 0, Answering Present.

Y Jakobsson(D) (replacing Franks)	Y Dugan(D), Vice-Chairperson
A Wait(R), Republican Spokesperson	A Bassi(R)
A Boland(D)	N Bost(R)
Y Burns(D)	Y Lang(D) (replacing Collins)
Y Ford(D) (replacing Crespo)	Y Davis, Monique(D)
Y Yarbrough(D) (replacing Farnham)	Y Froehlich(D)
Y Golar(D) (replacing McAsey)	N Moffitt(R)
N Myers(R)	N Poe(R)
N Ramey(R)	

Representative Smith, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on January 11, 2010, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 315 and 616.

The committee roll call vote on Senate Bill 315 is as follows:

15, Yeas; 4, Nays; 0, Answering Present.

Y Smith(D), Chairperson	Y Berrios(D) (replacing Crespo)
Y Mitchell, Jerry(R), Republican Spokesperson	N Bassi(R)
N Cavaletto(R)	Y Ford(D) (replacing Colvin)
Y Davis, Monique(D)	Y Dugan(D)
Y Eddy(R)	Y Chapa LaVia(D) (replacing Flider)
Y Froehlich(D)	Y Golar(D)
Y Mautino(D) (replacing Miller)	Y Howard(D) (replacing Osterman)
Y Pihos(R)	Y Pritchard(R)
N Reis(R)	N Senger(R)
A Watson(R)	Y Yarbrough(D)

The committee roll call vote on Senate Bill 616 is as follows:

18, Yeas; 1, Nay; 0, Answering Present.

Y Smith(D), Chairperson	Y Crespo(D), Vice-Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson	Y Bassi(R)

Y Cavaletto(R)  
 Y Harris(D) (replacing Davis, M)  
 Y Eddy(R)  
 Y Froehlich(D)  
 Y Mautino(D) (replacing Miller)  
 Y Pihos(R)  
 N Reis(R)  
 A Watson(R)

Y Ford(D) (replacing Colvin)  
 Y Dugan(D)  
 Y Chapa LaVia(D) (replacing Flider)  
 Y Golar(D)  
 Y Howard(D) (replacing Osterman)  
 Y Pritchard(R)  
 Y Senger(R)  
 Y Yarbrough(D)

**INTRODUCTION AND FIRST READING OF BILLS**

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4769. Introduced by Representative Bassi, AN ACT concerning transportation.

HOUSE BILL 4770. Introduced by Representative Franks, AN ACT concerning education.

HOUSE BILL 4771. Introduced by Representative Pritchard, AN ACT concerning the legislature.

**HOUSE JOINT RESOLUTIONS  
 CONSTITUTIONAL AMENDMENTS  
 FIRST READING**

Representative Black introduced the following:

**HOUSE JOINT RESOLUTION  
 CONSTITUTIONAL AMENDMENT 41**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH 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 add Section 7 to Article III of the Illinois Constitution as follows:

ARTICLE III  
 SUFFRAGE AND ELECTIONS

SECTION 7. RECALL OF EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY

(a) Electors may petition for the recall of an executive branch officer as identified in Section 1 of Article V or a member of the General Assembly. If the recall petition is valid, on a separate ballot the question "Shall (officer) be recalled from the office of (office)" must be submitted to the electors, along with the names of any candidates certified for the successor election, at a special election called by the State Board of Elections or at a regularly scheduled election to occur not more than 100 days after the date of certification of the recall petition. The officer or member subject to recall may be a candidate in the successor election.

(b) An executive branch officer or member of the General Assembly is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the officer or member. If an officer or member is recalled, the candidate who receives the highest number of votes in the successor election is elected successor for the balance of the term. Once a recall election petition is certified, the petition may not be withdrawn and another recall petition may not be initiated against that officer or member during the remainder of his or her current term of office.

(c) Any elector of the State, or the applicable Legislative or Representative District, may file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall an officer or member no sooner than 6 months after the beginning of the officer's or member's current term of office. The affidavit must identify the name of the officer or member and the office to be recalled, the name and

address of the proponents of the recall petition, and the date of filing with the State Board of Elections. A recall petition shall not be circulated prior to filing the affidavit, and a recall petition must be filed with the State Board of Elections no later than 160 days after filing the affidavit.

(d) A petition to recall an executive branch officer must include signatures of at least 100,000 electors of the State. A petition to recall a member of the General Assembly must be signed by electors of the respective Legislative District or Representative District equal to at least 8% of the total votes cast for the office in the election at which the member was elected. The form, circulation, and manner of filing a recall petition shall comply with the requirements provided by law for a statewide advisory public question, except the deadlines set forth in this Section.

(e) A recall petition is valid unless an objection is made within 45 days after the date the petition is filed, and an objection to the recall petition may be made in the same manner as to a candidate for the office subject to recall. The State Board of Elections shall certify the recall petition not more than 105 days after the date the recall petition is filed. Any recall petition or election pending on the date of the next general election at which a candidate for the office subject to recall is elected is moot.

(f) If a recall election is initiated, the name of no successor candidate may appear on the ballot unless a nominating petition has been filed with the State Board of Elections no more than 40 days after filing of the recall petition. The nominating petition of an established party candidate must contain the same number of signatures and be circulated in the same manner as an established party candidate for nomination to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. The nominating petition of an independent or new party candidate must contain the same number of signatures and be circulated in the same manner as an independent or new party candidate, respectively, for election to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. A nominating petition may be objected to in the same manner as a candidate for the office subject to recall, unless otherwise provided by law. The State Board of Elections shall certify a valid nominating petition not more than 105 days after the date the recall petition is filed.

(g) An election to determine whether to recall an executive officer or member of the General Assembly and to elect a successor shall be proclaimed by the State Board of Elections and held not less than 60 days and no more than 100 days after the date of certification of the recall petition.

(h) The provisions of this Section are self-executing and judicially enforceable.

#### SCHEDULE

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

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 41 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

Representative Black introduced the following:

#### **HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 42**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH 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) Legislative Districts ~~shall~~ ~~shall~~ be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.

(b) In the year following each Federal decennial census year, the General Assembly by law shall redistrict the Legislative Districts and the Representative Districts.

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 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.

An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

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

#### SCHEDULE

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

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 42 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

#### **SENATE BILLS ON SECOND READING**

Having been reproduced, the following bills were taken up, read by title a second time and held on the order of Second Reading: SENATE BILLS 315, 616, 1013, 1402, 1425, 1526, 1868 and 2101.

At the hour of 6:49 o'clock p.m., the House Perfunctory Session adjourned.