

July 27, 2010

To the Honorable Members of the
Illinois House of Representatives,
96th General Assembly

I hereby return House Bill 5206 with specific recommendations for change.

This bill authorizes election officials to use an electronic reporting system to cancel the voter registration of any person who has passed away during the preceding month. The integrity of our election systems is a bedrock of our democracy, and I commend the sponsors for their hard work.

The fundamental purpose of this bill is to assure the voters of our State that the democratic process functions properly and that their voices are heard, fairly and clearly. House Bill 5206 strengthens voters' confidence in the registration and election system. It is an important step toward empowering voters in the state of Illinois, but it is only a small step.

Our democracy is based on the principle of government of the people, by the people, and for the people. Elective offices belong to the citizens of Illinois—not the officeholder. For citizens to have confidence that their officeholders are representing their interests, there must be a mechanism that compels our lawmakers to squarely address issues that may be unpopular or inconvenient. An Ethics Initiative will return power to the citizens of Illinois and require our legislature to address those issues that matter most.

The Ethics Initiative that I propose gives the people of our state the ultimate power to express and protect their interests: the power to change state law. Too often, issues such as ethics and campaign finance reform get pushed from the forefront. Voters need a safety valve to ensure that ideas, however inconvenient or unpopular for incumbent officeholders, proceed through the legislative process.

The legislative power to pass laws is a mighty power. My recommendation below does not detract from the General Assembly's constitutional authority. Under my proposal, the General Assembly retains its full lawmaking authority. No bill can be passed without adhering to constitutional requirements and the Ethics Initiative will not alter that process. What the Ethics Initiative does do is give citizens a direct voice to participate in lawmaking. Measures that withstand the scrutiny of the petition process will be assured of a vote—either by the legislature in the General Assembly or by the people of Illinois on the ballot.

The people of Illinois are weary of the status quo. Just as residents of the City of Chicago have the power to directly petition for a proposed ordinance before the City Council and citizens of Massachusetts can petition a proposed statute before their state legislature, so too do the people of Illinois deserve to have their voices heard. For far too long, Illinois citizens have been relegated to the sidelines regarding issues such as campaign finance reform and establishing standards of ethical conduct for public officials. An Ethics Initiative will strengthen the people and require the General Assembly to squarely address issues that affect the integrity of government.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 5206, entitled "AN ACT concerning elections.", with the following specific recommendations for change:

on page 1, line 5, after "6-62", by inserting "and by adding Section 28-15"; and

on page 2, below line 25, by inserting the following:

“(10 ILCS 5/28-15 new)

Sec. 28-15. The Ethics Initiative.

(a) The initiation and submission of citizen initiative petitions on standards of ethical conduct and campaign finance reform are subject to the provisions of this Section and Article.

(b) Upon request by a proponent of an Ethics Initiative, the Legislative Reference Bureau shall draft one or more bills and a summary of those bills that may be the subject of a citizen initiative petition on standards of ethical conduct or campaign finance reform. The summary of the bill or bills shall appear on the citizen initiative petition and the bill or bills shall be submitted to the Clerk of the House of Representatives, as provided for in subsections (c) and (d) of this Section.

(c) On a written petition to the State Board of Elections signed by 100,000 voters, it is the duty of the State Board of Elections to submit any citizen initiative petition on standards of ethical conduct or campaign finance reform to the Clerk of the House of Representatives for a roll call vote by each chamber of the General Assembly as provided for by this Section.

(1) A citizen initiative petition under this Section shall be limited to the subjects of standards of ethical conduct and campaign finance reform.

(2) Notwithstanding any other provision of this Article to the contrary, citizen initiative petitions filed under this Section may be submitted to the State Board of Elections at any time and are not subject to the requirements related to the binding and securing of petitions in Section 28-3. A single petition sheet may include the signatures of voters from any election authority in the State and may include the signatures of voters from one or more election authorities.

(3) The provisions of Section 28-4 and Sections 10-8 through 10-10.1 relating to objections to nominating petitions, hearings on objections, and judicial review shall apply to and govern, insofar as may be practicable, objections to petitions for citizen initiatives on ethics and campaign finance reform.

(d) Upon receipt by the Clerk of the House of Representatives of the petition and the bill or bills, the Clerk shall submit the petition and the bill or bills to the Speaker of the House. The bill or bills shall be introduced in the House of Representatives not later than 2 days following submission to the Clerk of the House of Representatives.

(e) The bill or bills submitted to the Clerk of the House of Representatives may be passed by the House of Representatives according to the provisions of Article IV of the Illinois Constitution of 1970 within 15 session days after receiving the bill or bills from the Clerk of the House of Representatives. If, on the 15th session day after receiving the bill or bills, the House of Representatives has not taken a record vote on the bill or bills, the House of Representatives, in accordance with all procedures of Article IV of the Illinois Constitution of 1970, shall take a record a record vote on the bill or bills. If the bill or bills receive the concurrence of a majority of members elected to the House of

Representatives by a record vote, the bill or bills shall be transmitted to the Senate. If within 15 session days of receiving the bill or bills from the House of Representatives, the bill or bills receives the concurrence of a majority of members elected to the Senate by a record vote, the bill or bills shall be transmitted to the Governor as provided for in Article IV, Section 9 of the Illinois Constitution of 1970. The Governor shall act on the bill or bills in accordance with Article IV, Section 9 of the Illinois Constitution of 1970.

(f) If the bill or bills do not become law as provided for by subsection (e) of the Section in the form in which it was presented on the citizen initiative petition, the petition shall be returned to the State Board of Elections. The State Board of Elections shall prepare an advisory question to be voted upon by the electors of the State at the next general election. The ballot of the general election next occurring shall contain an advisory question of public policy in substantially the following form:

Shall the Illinois General Assembly pass legislation [insert summary of citizen initiative petition here] during the next session of the Illinois General Assembly and shall the Governor approve that legislation and make it law?

The votes must be recorded as "Yes" or "No".

(g) Nothing in this Section shall be construed as a limitation of the legislative power of the General Assembly, the executive power of any Executive Branch officer, or the judicial power of the courts of the State of Illinois."

With these changes, House Bill 5206 will have my approval. I respectfully request your concurrence.

Sincerely,

PAT QUINN
Governor