

**PETITION**

We, the undersigned registered and duly qualified voters of the State of **Illinois**, and pursuant to Section 28-1 *et. seq.* of the Election Code, do hereby petition that the following state constitutional amendment question (full text on back side of this petition) be placed on the ballot for submission to the voters of **Illinois** at large by referendum at the General Election to be held in this State of **Illinois** in the year November 2<sup>nd</sup>, 2010:

<i>For the proposed Amendment to Article IV of the Constitution, the “Bambenek Put-Back Amendment”, which shall convert the legislature to a unicameral body with three-member districts, establish term limits, reform legislative compensation, decentralize legislative power, establish transparency in the legislative process and other reforms.</i>	YES
	NO

\*\*\*NOTE\*\*\* - Do not use this form in Aurora (Kane), Bloomington, Chicago, Danville, East St. Louis, Galesburg, Peoria or Rockford unless the “City” field is pre-filled. Otherwise, use only in the county listed in the form.

SIGNATURE	ADDRESS	CITY	COUNTY
1.			Macon, IL
2.			Macon, IL
3.			Macon, IL
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12.			Macon, IL
13.			Macon, IL
14.			Macon, IL
15.			Macon, IL

**Circulator Affidavit**

I, \_\_\_\_\_, being first duly sworn, do hereby certify that I am at least 18 years of age and a citizen of the United States, that I reside at \_\_\_\_\_, in the **City, Town, or Village** of \_\_\_\_\_, County of \_\_\_\_\_, State of **Illinois**, and that the signatures on the sheet were signed in my presence and are genuine, that the text of the amendment was made available upon request, and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition duly qualified and registered voters of the State of **Illinois**, and that their respective residences are correctly stated, as set forth above.

Signed and sworn to (or affirmed) by \_\_\_\_\_ before me, on \_\_\_\_\_  
 (Name of Circulator) (insert month, day, year)

\_\_\_\_\_  
 (circulator signature)

\_\_\_\_\_  
 (Notary Public’s Signature)

(SEAL)

SHEET NO. \_\_\_\_\_

Return this petition to: *John Bambenek, 715 Erin Drive, Champaign, IL 61822*

# The Bambenek Put-Back Amendment: An Amendment to Article IV of the Constitution of the State of Illinois

## Amends Section 1 to read as follows:

The legislative power is vested in the General Assembly consisting of a Senate made up of 177 Senators. The Senators shall be elected by the electors from 59 Legislative Districts.

## Amends Section 2 to read as follows:

(a) Three Senators shall be elected from each Legislative District for a term of two years. No Senator may serve for more than four terms after 2012. No political party shall limit its Primary nomination process to less than two candidates for Senator in any Legislative District. In elections for Senators, including those for nomination, each elector may cast three votes for one candidate or distribute them equally among no more than three candidates. The candidates with the highest number of votes shall be declared elected.

(b) To be eligible to serve as a member of the Senate a person must be at least 21 years old and a United States citizen. The candidate must be a resident of the district he is to represent for the two years preceding his election. In the general election following a redistricting, a candidate for the Senate may be elected from any district that 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.

(c) When a vacancy occurs, the seat shall remain vacant until the next general election.

(d) No member of the Senate shall receive compensation as a public officer or employee from any other governmental entity for time during which he is a member of the Senate. No member of the Senate, during the term for which he was elected, shall be appointed to a public office which has been created or the compensation for which was increased by the Senate during that term.

## Amends Section 3 to read as follows:

(a) Legislative Districts shall be compact, be contiguous, be substantially equal in population, reflect minority voting strengths, promote competitive elections, and consider political boundaries. The General Assembly shall establish by law a method to determine a score for any map for Legislative districts using only this criteria.

(b) A Legislative Redistricting Commission shall be constituted by March 1 of the year following each Federal decennial census year. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party. The Senate President and Senate Minority Leader shall each appoint four persons to the Commission. For the redistricting process beginning in 2011 only, four members of the Commission must be members of the Illinois House of Representatives.

(c) 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. The Commission shall provide to the public data and tools to create Legislative Districts not later than April 7. The Commission shall accept maps for the redistricting of Legislative Districts through May 7.

(d) The Commission shall evaluate all submitted maps according to only the criteria set forth in subsection (a) as implemented by law and assign each map a score. The Commission shall eliminate maps that fail to meet federal and State law and shall eliminate maps that are substantially the same geographically as other maps of equal or better score. Not later than May 22, the Commission shall give to the Senate the maps for Legislative Districts with the three best scores.

(e) The Senate, by a record vote of three-fifths of the members elected, may adopt a redistricting resolution from the three maps for Legislative Districts submitted by the Commission. If the Senate has failed to file a redistricting resolution by June 30, the Secretary of State shall certify the redistricting map for Legislative Districts that received the best score from the Commission. In the event of multiple maps with the same best high score, the maps to be certified shall be selected at random.

(f) A redistricting resolution or redistricting map 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.

(g) The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the General Assembly. Aggrieved individuals shall be entitled to file objections with the Legislative Redistricting Commission for failure to perform duties associated with any portion of this section or by individuals whose maps were scored inconsistent with this section or eliminated unfairly. The aggrieved individual shall be entitled to judicial review of any complaint filed with the Commission.

## Amends Section 4 to read as follows:

(a) Beginning with the General Election in 2012 all Senators shall stand for election to be elected for two-year terms.

(b) The requirements to be listed on the ballot for election as Senator shall

be the same regardless of political affiliation or non-affiliation. No candidate may be removed from the ballot except in the clear and convincing case of fraud, deception or unintelligibility.

## Amends Section 5 to read as follows:

(a) The Senate shall convene on the second Wednesday of January following a general election. The Senate shall be a continuous body during the succeeding two-year term.

(b) The Governor may convene the Senate in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the Senate may also be convened by an issued proclamation of the presiding officer of the Senate as provided by law.

(c) Sessions of the Senate and meetings of committees and legislative commissions shall be open to the public. Sessions, committee meetings, committees and legislative commissions may be closed to the public if two-thirds of the members elected determine that the public interest so requires.

## Amends Section 6 to read as follows:

(a) A majority of the members elected to the Senate constitutes a quorum.

(b) On the first day of the January session following the general election, the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer. No person can hold the same leadership position for more than two terms. A "leadership position" is defined as President of the Senate, Majority Leader, Minority Leader, Committee Chairperson, or Committee Minority Spokesperson.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader is a member of the numerically strongest political party other than the party to which the President belongs.

(d) The Senate shall determine the rules of its proceedings, judge the elections, returns, and qualifications of its members, and choose its officers. No member shall be expelled except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. The Senate may punish by imprisonment any person, not a member, guilty of disrespect to the Senate by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior.

## Amends Section 7 to read as follows:

(a) Committees and legislative commissions of the Senate shall give reasonable public notice of meetings, including a statement of subjects to be considered.

(b) The Senate shall keep a journal of its proceedings and a transcript of its debates. The journal shall be published and the transcript shall be available to the public.

(c) The Senate or any committee thereof as provided by law may compel by subpoena the attendance and testimony of witnesses and the production of books, records, and papers.

## Amends Section 8 to read as follows:

(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 Senate."

(b) The Senate shall enact laws only by bill.

(c) No bill shall become a law without the concurrence of a majority of the members elected to the Senate. Final passage of a bill shall be by record vote. At the request of two members of the Senate a record vote may be taken on any other occasion. A record vote is a vote by yeas, nays, and abstentions entered on the journal. Abstentions shall not count towards the total number of votes.

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

(e) No bill shall receive its final vote unless it has been public in its final form for seven calendar days, which includes posting of the bill on the General Assembly's website.

(f) Each bill must be substantially similar to its condition when introduced. If amendments have significantly altered the nature of the bill, it must be reintroduced as a new bill and meet all of the requirements of a new bill.

(g) 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.

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

(i) Any bill shall be called for a vote within fourteen session days upon the motion of at least twenty-five Senators. If there are no more than fourteen session days left in a legislative session, those bills must be called before the end of the session. This clause shall be judicially enforceable by any aggrieved Senator.

(j) The President of the Senate shall sign each bill that passes to certify that

the procedural requirements for passage have been met.

## Amends Section 9 to read as follows:

(a) Every bill passed by the Senate shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judicially enforceable. If the Governor approves the bill, he shall sign it and it shall become law.

(b) If the Governor does not approve the bill, he shall veto it by returning it with his objections to the Senate. Any bill not so returned by the Governor within 60 calendar days after it is presented to him shall become law. If recess or adjournment of the Senate prevents the return of a bill, the bill and the Governor's objections shall be filed with the Secretary of State within such 60 calendar days. The Secretary of State shall return the bill and objections to the Senate promptly upon its next meeting for consideration.

(c) The Senate shall immediately enter the Governor's objections upon its journal. If within 15 calendar days after such entry, the Senate by a record vote of three-fifths of the members elected passes the bill, it shall become law.

(d) The Governor may reduce or veto any item of appropriations in a bill presented to him using the line-item veto power. Portions of a bill not reduced or vetoed shall become law. An item vetoed shall be returned to the Senate and may become law in the same manner as a vetoed bill. An item reduced in amount shall be returned to the Senate and may be restored to its original amount in the same manner as a vetoed bill except that the required record vote shall be a majority of the members elected to the Senate. If a reduced item is not so restored, it shall become law in the reduced amount.

## Amends Section 10 to read as follows:

The Senate shall provide by law for a uniform effective date for laws passed prior to June 1 of a calendar year. The Senate may provide for a different effective date in any law passed prior to June 1. A bill passed after May 31 shall not become effective prior to June 1 of the next calendar year unless the Senate by the vote of three-fifths of the members elected provides for an earlier effective date.

## Amends Section 11 to read as follows:

A member shall receive a salary and allowances as provided by law, but changes in the salary of a member shall not take effect during the term for which he has been elected. Salary and allowances for Senators cannot be changed without a bill passing the Senate consistent with this Article.

## Amends Section 14 to read as follows:

(a) The Senate shall have the sole power of impeachment, but a majority of the members elected must concur therein. Proceedings may be initiated in either a regular session or a special session of the Senate.

(b) A resolution of impeachment shall give reasonable notice of the acts or omissions alleged to constitute impeachable offenses but need not conform to any particular style. Upon the adoption of a resolution of impeachment a notice of an impeachment of any officer, other than a Judge of the Supreme Court, shall be served upon the Chief Justice by the Clerk of the Senate. The Chief Justice shall call a session of the Supreme Court to meet at the Capitol in an expeditious fashion after receiving such notice to try the impeachment. A notice of an impeachment of any Judge of the Supreme Court shall be served by the Clerk of the Senate, upon the clerk of the judicial district within which the Capitol is located. The clerk of the judicial district shall choose at random seven Judges of the District Courts in the State to meet within thirty days at the Capitol to sit as a Court to try such impeachment. This Court shall organize by electing one of its number to preside.

(c) The case against the impeached civil officer shall be brought in the name of the Senate and shall be managed by two senators appointed by the Senate. The two senators may make technical or procedural amendments to the articles of impeachment, as they deem necessary. The trial shall be conducted in the manner of a civil proceeding and the impeached civil officer shall not be allowed to invoke a privilege against self-incrimination, except as otherwise applicable in a general civil case.

(d) No person shall be convicted without the concurrence of two-thirds of the members of the Court of impeachment that clear and convincing evidence exists indicating that such person committed one or more impeachable offenses. Judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit, or trust in this State. The party impeached, whether convicted or acquitted, may still be subject to separate prosecution and punishment according to law. No officer may exercise official duties after impeachment and notice until the officer is acquitted.

## Repeals Section 15

*This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to redistricting beginning in 2011 and to the election of General Assembly members beginning in 2012.*

*Should any part of this Amendment be rendered or declared invalid by a court of competent jurisdiction of the State of Illinois or the United States, such invalidation of such part or portion of this Amendment should not invalidate the remaining portions thereof, and they shall remain in full force and effect.*