

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

3rd Legislative Day

1/18/2011

Clerk Mahoney: "House Perfunctory Session will come to order.

Introduction reading of House Bills-First Reading. House Bill 113, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 114, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 115, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 116, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 117, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 118, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 119, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 120, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 121, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 122, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 123, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 124, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 125, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 126, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 127, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 128, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 129, offered by

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Representative Madigan, a Bill for an Act making appropriations. House Bill 130, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 131, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 132, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 133, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 134, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 135, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 136, offered by Representative Madigan, a Bill for an Act making appropriations. House Bill 137, offered by Representative Ford, a Bill for an Act concerning education. House Bill 138, offered by Representative Ford, a Bill for an Act concerning education. House Bill 139, offered by Representative Ford, a Bill for an Act concerning education. House Bill 140, offered by Representative Ford, a Bill for an Act concerning education. House Bill 141, offered by Representative Reitz, a Bill for an Act concerning civil law. House Bill 142, offered by Representative Reitz, a Bill for an Act concerning safety. House Bill 143, offered by Representative Reitz, a Bill for an Act concerning criminal law. House Bill 144, offered by Representative Franks, a Bill for an Act concerning public employee benefits. House Bill 145, offered by Representative Franks, a Bill for an Act concerning public employee benefits. House Bill 146, offered by Representative

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Franks, a Bill for an Act concerning public employee benefits. House Bill 147, offered by Representative Dugan, a Bill for an Act concerning transportation. House Bill 148, offered by Representative Phelps, a Bill for an Act concerning firearms. House Bill 149, offered by Representative Cross, a Bill for an Act concerning public employee benefits. House Bill 150, offered by Representative Pihos, a Bill for an Act concerning the licensure of nurses. House Bill 151, offered by Representative Davis, William, a Bill for an Act concerning government. House Bill 152, offered by Representative Davis, Monique, a Bill for an Act concerning education. House Bill 153, offered by Representative Hays, a Bill for an Act concerning State government. House Bill 154, offered by Representative Osmond, a Bill for an Act concerning safety. House Bill 155, offered by Representative Osmond, a Bill for an Act concerning government. House Bill 156, offered by Representative Osmond, a Bill for an Act concerning local government. House Bill 157, offered by Representative Osmond, a Bill for an Act concerning regulation. House Bill 158, offered by Representative Osmond, a Bill for an Act concerning human rights. House Bill 159, offered by Representative Davis, Monique, a Bill for an Act concerning regulation. House Bill 160, offered by Representative Rose, a Bill for an Act concerning criminal law. House Bill 161, offered by Representative Rose, a Bill for an Act concerning public aid. House Bill 162, offered by Representative Rose, a Bill for an Act concerning public aid. House Bill 163,

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offered by Representative Rose, a Bill for an Act concerning public aid. House Bill 164, offered by Representative Rose, a Bill for an Act concerning transportation. House Bill 165, offered by Representative Winters, a Bill for an Act concerning employment. House Bill 166, offered by Representative Winters, a Bill for an Act concerning education. House Bill 167, offered by Representative Winters, a Bill for an Act concerning criminal law. House Bill 168, offered by Representative Winters, a Bill for an Act concerning transportation. House Bill 169, offered by Representative Winters, a Bill for an Act concerning liquor. House Bill 170, offered by Representative Dugan, a Bill for an Act concerning revenue. House Bill 171, offered by Representative Thapedi, a Bill for an Act concerning public health. House Bill 172, offered by Representative Thapedi, a Bill for an Act concerning revenue. House Bill 173, offered by Representative Tryon, a Bill for an Act concerning transportation. House Bill 174, offered by Representative Flowers, a Bill for an Act concerning civil law. House Bill 175, offered by Representative Connelly, a Bill for an Act concerning revenue. House Bill 176, offered by Representative Lyons, a Bill for an Act concerning corrections. House Bill 177, offered by Representative Lyons, a Bill for an Act concerning local government. House Bill 178, offered by Representative Yarbrough, a Bill for an Act concerning human rights. House Bill 179, offered by Representative Reitz, a Bill for an Act concerning libraries. House Bill 180, offered by

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Representative Hatcher, a Bill for an Act concerning criminal law. House Bill 181, offered by Representative Osmond, a Bill for an Act concerning State government. House Bill 182, offered by Representative Saviano, a Bill for an Act concerning government. House Bill 183, offered by Representative Saviano, a Bill for an Act concerning local government. House Bill 184, offered by Representative Saviano, a Bill for an Act concerning State government. House Bill 185, offered by Representative Moffitt, a Bill for an Act concerning revenue. House Bill 186, offered by Representative Durkin, a Bill for an Act concerning courts. House Bill 187, offered by Representative Pritchard, a Bill for an Act concerning sex offenders. House Bill 188, offered by Representative Mitchell, Jerry, a Bill for an Act concerning transportation. House Bill 189, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 190, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 191, offered by Representative Eddy, a Bill for an Act concerning local government. House Bill 192, offered by Representative Eddy, a Bill for an Act concerning civil law. House Bill 193, offered by Representative McAuliffe, a Bill for an Act concerning criminal law. House Bill 194, offered by Representative McAuliffe, a Bill for an Act concerning civil law. House Bill 195, offered by Representative McAuliffe, a Bill for an Act concerning local government. House Bill 196, offered by Representative McAuliffe, a Bill for an Act concerning criminal law. House Bill 197,

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offered by Representative Cross, a Bill for an Act concerning State government. House Bill 198, offered by Representative Cross, a Bill for an Act concerning revenue. House Bill 199, offered by Representative Cross, a Bill for an Act concerning criminal law. House Bill 200, offered by Representative Cross, a Bill for an Act concerning education. House Bill 201, offered by Representative Pihos, a Bill for an Act concerning education. House Bill 202, offered by Representative Saviano, a Bill for an Act concerning State government. House Bill 203, offered by Representative Burns, a Bill for an Act concerning criminal law.

Clerk Bolin: "First Reading of House Joint Resolution Constitutional Amendment #4, offered by Representative Rose.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH 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 Sections 4, 5, and 6 of Article IV and Section 2 of Article V of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 4. ELECTION

(a) Members of the General Assembly shall be elected at the general election in even-numbered years.

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(b) The proclamation of results of each election of members of the General Assembly must take place as soon as practical after the general election, but in no case later than seven days prior to the date the General Assembly first convenes under subsection (b) of Section 6 of this Article.

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the first day of December (excluding Saturday and Sunday).

The General Assembly shall be a continuous body during the term for which members of the House of Representatives are elected.

(b) The Governor may convene the General Assembly or the Senate alone 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 General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.

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

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(d) Notwithstanding any other provision of this Section, the General Assembly may not be in session in any general election year from the date of the general election until the first day of December (excluding Saturday and Sunday), except to respond to an act of God, act of terrorism, or other imminent threat to the safety or security of the people of the State or the United States of America.

SECTION 6. ORGANIZATION

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

(b) On the first day of December (excluding Saturday and Sunday) following a general election, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be.

(d) Each house 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 by either house, 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. Each house may punish by imprisonment any person, not a member,

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guilty of disrespect to the house 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.

ARTICLE V

THE EXECUTIVE

SECTION 2. TERMS

(a) The Attorney General, the Secretary of State, the Comptroller, and the Treasurer shall hold office for four years beginning on the second Monday of January after their election and until their successors are qualified. The Governor shall hold office for four years beginning on first day of December (excluding Saturday and Sunday) after his or her election and until his or her successor is qualified. The Lieutenant Governor shall hold office for four years beginning on the first day of December (excluding Saturday and Sunday) after his or her election. All of the elected officers of the executive branch shall be elected at the general election in 1978 and every four years thereafter.

(b) The proclamation of results of each election of the Governor and Lieutenant Governor must take place as soon as practical after the general election, but in no case later than seven days prior to the date the General Assembly first convenes under subsection (b) of Section 6 of Article IV.

SCHEDULE

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

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Illinois Constitutional Amendment Act. This has been the First Reading of House Joint Resolution Constitutional Amendment #4. First Reading of House Joint Resolution Constitutional Amendment #5, offered by Speaker Madigan.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH 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 Article XIII of the Illinois Constitution by adding Section 5.1 as follows:

ARTICLE XIII

GENERAL PROVISIONS

SECTION 5.1. PENSION BENEFIT INCREASES

(a) A bill shall not become a law without the concurrence of three-fifths of the members elected to each house of the General Assembly if that bill increases a benefit under any pension or retirement system of the State, any unit of local government or school district, or any agency or instrumentality thereof. However, if the Governor vetoes a bill so passed by returning it with his objections to the house in which it originated, then that bill shall not become law unless, upon its return, it is passed by a record vote of two-thirds of the members elected to each house of the General Assembly. Likewise, if the Governor returns a bill so passed with specific recommendations for change to the house in which it originated, then those recommendations may be accepted only by a record vote of

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two-thirds of the members elected to each house of the General Assembly. The provisions of this subsection (a) apply notwithstanding Article IV.

(b) An ordinance, resolution, or other action of the governing body of any unit of local government or school district shall not be valid without the concurrence of three-fifths of the members of that governing body if that ordinance, resolution, or other action increases a benefit under any pension or retirement system for officials or employees of that unit of local government or school district, or any agency or instrumentality thereof.

(c) For the purposes of this Section, a bill, ordinance, resolution, or other action increases a benefit if it increases the amount of an existing benefit, adds a new benefit, or expands the class of persons eligible for a benefit, regardless of whether it includes an increase in contributions or a reduction in any other benefit.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the First Reading of House Joint Resolution Constitutional Amendment #5. There being no further business, the House Perfunctory Session will stand adjourned."