

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

159th Legislative Day

1/4/2011

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of rules... Resolutions-First Reading. House Resolution 1570, offered by Representative Mendoza. And House Resolution 1571, offered by Representative Reitz. First Reading of these Resolutions. Referred to the House Committee on Rules. There being no further business, the House Perfunctory Session will stand adjourned."

Speaker Mautino: "The hour of 1:30 having arrived, the House shall be in order. We shall be led in prayer today by Lee Crawford, the pastor of the Cathedral of Praise Christian Center in Springfield. Mr. Crawford."

Pastor Crawford: "Let us pray. Most gracious God, our Father who art in heaven, it is because of Your divine and Your tender mercies that we are not consumed. It is because of Your precious compassions that they fail us not. We're thankful this day for Your mercies, they're new unto us every morning. Now savant and most gracious God in heaven, today we invoke Your blessings upon this August Assembly, upon the Speaker of this House, upon its Leaders and all of its Members. May they be empowered with Your wisdom and with Your insight. May they be empowered with Your strength and with Your might. May they be empowered with Your spirit and with Your guidance. May they have a heart, the mind, and the will to do that which is good, to do that which is the perfect will of God, for this Your great people and for this great State of Illinois. This we pray in Your Son's name, Amen."

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Speaker Mautino: "We shall be led in the Pledge today by Representative Carberry."

Carberry - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Mautino: "Roll Call for Attendance. Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Mulligan and Pritchard are excused today."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Burns, Mell, and Miller are excused today."

Speaker Mautino: "Mr. Clerk, take the record. 113 having answered the Roll, a quorum is present and the House is prepared to do its business. Mr. Clerk."

Clerk Mahoney: "Committee Reports Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 04, 2011: approved for floor consideration, referred to the Order of Second Reading is House Bill 1515. Representative Arroyo, Chairperson from the Committee on Mass Transit reports the following committee action taken on January 04, 2011: do pass as amended Short Debate Senate Bill 3965. Representative Reitz, Chairperson from the Committee on Health Care Licenses reports the following committee action, taken on January 04, 2011: report... recommends be adopted is a Motion to Concur in Senate Amendment #1 to House Bill 1720. Representative Beiser, Chairperson from

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the Committee on Aging reports the following committee action taken on January 04, 2011: recommends be adopted is a Motion to Concur with Senate Amendment #1 to House Bill 6063. Representative Phelps, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on January 04, 2011: do pass Short Debate Senate Bill 902. Representative Boland, Chairperson from the Committee on Higher Education reports the following committee action taken on January 04, 2011: do pass Short Debate is Senate Bill 647. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on January 04, 2011: do pass Short Debate House Joint Resolution Constitutional Amendment 62."

Speaker Mautino: "On page 8 of the Calendar, under the Order of Concurrence, appears House Bill 1720. Representative Harris."

Harris: "Mr. Speaker and Members of the House, this concurrence makes a change to a Bill that passed the House and Senate unanimously at the request of the Department of Public Health to be sure that in a hospital expansion they have the authority to regulate a building which is outside the boundaries of the rest of the hospital campus. I would appreciate your support."

Speaker Mautino: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 1720. Are there any Members seeking recognition? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1720?' All in favor vote 'yes'... This is final action.

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All in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang, Representative Farnham. Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur with Senate Amendment 1 to House Bill 1720. Representative Reitz, on page 9 of the Calendar appears House Bill 6063, under the Order of Concurrence. Representative Reitz."

Reitz: "Hello. We're on. All right. Thank you. House Bill 6063, the Senate Amendment allows us... It has... eliminates language restricting participation in the comprehensive community residential setting program, and it eliminates advisory committee that has already done the evaluation. The intent of this Bill is to allow different disciplines in long-term care to access this fund. We should have, hopefully, federal funds that will help supplement this. We have a number of Alzheimer units that we're hoping will be able to use this and keep people from being moved out when they don't have the private assets to pay their way. And I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved the House concur in Senate Amendment #1 to House Bill 6063. No one seeking recognition... This is final action. All those in favor vote 'yes'; opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 6063. House... House Supplemental Calendar #1, under House Bills-

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Second Reading appears House Bill 1515. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1515, a Bill for an Act concerning finance. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Mautino: "Leave this Bill on Second Reading. Under Senate Bills-Second Reading. Mr. Clerk, read Senate Bill 647."

Clerk Mahoney: "Senate Bill 647, a Bill for an Act concerning education. Second Reading. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Senate Bill 902, Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 902, a Bill for an Act concerning fish. Second Reading. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Mr. Clerk, Senate Bill 3965."

Clerk Mahoney: "Senate Bill 3965, a Bill for an Act concerning local government. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. On the Calendar is... Excuse me, Supplemental Calendar #1 is Constitutional Amendments under Second Reading. Mr. Clerk, read House Joint Resolution Constitutional Amendment 62."

Clerk Mahoney: "House Joint Resolution Constitutional Amendment 62, offered by Representative Madigan."

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

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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 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

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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 is Second Reading in full for this Constitutional Amendment."

Speaker Mautino: "Third Reading... Mr. Clerk, move that Bill to Third Reading. Mr. Clerk, what's the status of House Joint Resolution Constitutional Amendment 61?"

Clerk Mahoney: "House Joint Resolution Constitutional Amendment 61 is on the Order of Second Readings. It has been in it's entirety on two occasions."

Speaker Mautino: "Mr. Clerk, move it to Third and read the Bill for a third time."

Clerk Mahoney: "House Joint Resolution Constitutional Amendment 61, offered by Representative Farnham."

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

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general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 2.1 to Article VIII of the Illinois Constitution as follows:

ARTICLE VIII

FINANCE

SECTION 2.1. LIMITATIONS ON APPROPRIATIONS AND TRANSFERS

(a) For the fiscal year ending in 2014 and each fiscal year thereafter, aggregate appropriations and transfers from the general funds are limited as provided in this Section. "General funds" include the General Revenue Fund, the Common School Fund, the General Revenue Common School Special Account Fund, and the Education Assistance Fund and any other funds designated by the General Assembly by law making specific reference to this Section. "Appropriations and transfers" do not include (i) reappropriations from a previous fiscal year, (ii) those made for debt service payments, (iii) those made to pay pension obligations, and (iv) those made to a budget stabilization fund.

(b) Aggregate fiscal year appropriations and transfers from the general funds may not exceed the limitation amount. The limitation amount is the aggregate amount of appropriations and transfers from the general funds in the previous fiscal year, as adjusted. The adjustment is the average annual percentage change in the average per capita personal income for Illinois for the five most recent calendar years for which data is available, as defined and reported by the United States Department of Commerce, or its successor.



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(c) The Governor may declare a fiscal emergency by filing a declaration with the Secretary of State and copies with the Senate and House of Representatives. The declaration must be limited to only one State fiscal year, set forth compelling reasons for declaring a fiscal emergency, and request that the limitation amount for that fiscal year be increased by a specific dollar amount. If the Comptroller and Treasurer advise the General Assembly that they concur in the Governor's declaration, then by a record vote of three-fifths of the members elected in each house, the General Assembly by law may authorize increased appropriations and transfers in a specific dollar amount that is no more than the increased amount requested by the Governor in the declaration.

(d) If the general funds revenues for a fiscal year exceed the limitation amount for that fiscal year, then those excess revenues must be deposited into one or more budget stabilization funds. A budget stabilization fund must be designated by law making specific reference to this Section or, in the absence of law, by the Comptroller. If the aggregate unexpended and unobligated amount in the budget stabilization funds at the end of a fiscal year exceeds an amount equal to ten percent of the limitation amount for that fiscal year, then that excess shall be refunded in a manner and in amounts determined by the General Assembly by law.

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 Third Reading in its entirety of this Constitutional Amendment."

Speaker Mautino: "The Gentleman from Jackson, Leader Bost."

Bost: "Thank you, Mr. Speaker. To the Resolution. Ladies and Gentlemen, controlling future growth of government and spending is a key issue. I believe in that and I've spoke about that, but what House Joint Resolution Constitutional Amendment #61 proves is that all spending limits are not created equal. If we would take the time, and had we taken the time in committee to actually hear from the opponents of this Bill, which were not given that opportunity to speak, they probably would have brought up a few important issues when we try to put some key spending places... Mr. Speaker, I'll address that at a future time."

Speaker Mautino: "Thank you, Representative Bost. I appreciate your remarks. Representative Sacia, the Gentleman from Winnebago. And for the Members, we are not currently on the... it's not the intent to call the Bill right now, if you're looking at debate to the Bill itself. Mr. Clerk, take it out of the record. On page 5... excuse me... on page 4 of the Calendar, under Senate Bills-Third Reading appears Senate Bill 1310. Representative Lang. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1310, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Leader Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a fourth Bill in a series of Bills that represents the

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rewrite of the Criminal Code and the Code of Corrections. It came through the CLEAR Commission. We have passed the other three parts of this with little or no opposition. The CLEAR Commission has been meeting since 2005 to review and reform the Criminal Code to make it more readable, understandable, and just. This Bill specifically reflects changes recommended by the CLEAR commission to various bodily harm, sex fraud and deception offenses under the Criminal Code. The vast majority of these changes are simple realignment and editing changes that are deemed necessary to eliminate redundancy and consistency in confusing language. I'd be happy to answer your question, but I know of no opponents."

Speaker Mautino: "The Gentleman from Cook has moved passage of Senate Bill 1310. And on this, the Gentleman from DuPage, Representative Reboletti is seeking recognition."

Reboletti: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "He indicates he will. And I would ask the Members of the House to please bring the noise level down."

Reboletti: "Representative, I know that the CLEAR Commission's been working on this for a matter of years. What are some of the major changes in this particular portion? Now, the CLEAR Commission's been taking the Code piece by piece and doing some realignment and some changing of some terms so that prosecutors, defense attorneys, judges understand the terms and references so that we have some consistency throughout the process. So, what are some of the major changes in this rewrite?"

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Lang: "I'm sorry. It's so noisy in here. Did you ask me what the major changes are?"

Reboletti: "Just a couple examples of some of the major changes."

Lang: "Well, there was a... a slight rewrite in the Section on mental state in the Section of bodily harm. Lots of... lots of individual and small changes in... in all sorts of areas, Representative, and you really don't want me to read a 20-page analysis to you, I'm sure, and much more, I'm sure you know what's in the Bill."

Reboletti: "Well, I see you have legal counsel standing to your left maybe."

Lang: "Yes, my counsel is here with me."

Reboletti: "Now, I just want to bring to the Body's attention that the CLEAR Commission has been working on this for a number of years, that these rewrites are very important to the administration of justice in this state, and that we have some consistency throughout the legislation as we move these new parts of the Code around. So, I would urge an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1310. No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Winters, Representative Poe, do you wish to be recorded? Mr. Clerk, take the record. 112 voting 'yes', 1 voting 'no', 0 voting 'present'. And Senate Bill 1310, having received the Constitutional Majority, is declared

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passed. On page 5 of the Calendar, under Senate Bills-  
Third Reading appears Senate Bill 25... The Gentleman from  
Sangamon, Representative Poe is seeking recognition."

Poe: "Yeah. I'd like to be recorded as a 'yes' on that last  
vote. I hit the wrong button. Thank you."

Speaker Mautino: "The Journal will reflect the change. Mr.  
Clerk on page 5 of the Calendar appears Senate Bill 2530,  
Representative Jackson. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2530, a Bill for an Act concerning  
local government. Third Reading of this Senate Bill."

Jackson: "Senate Bill... Chairman, Ladies and Gentlemen, Senate  
Bill 2530 is a TIF... extension of Venice, Illinois. The City  
of Venice has asked..."

Speaker Mautino: "Representative Jackson... Representative  
Jackson, can you hold for just one moment. Representative  
Jackson, would you take this Bill out of the record  
momentarily; we're just checking on an Amendment."

Jackson: "Thank you."

Speaker Mautino: "The Gentleman asks that the Bill be removed  
from the record. On page 5 of the Calendar is Senate Bill  
2814, Representative Rita. Representative Rita. On the  
Order of Third Reading... Out of the record. Page 5 of the  
Calendar, Senate Bill 2814, Representative Rita. Mr.  
Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2814, a Bill for an Act concerning  
professional regulation. Third Reading of this Senate  
Bill."

Speaker Mautino: "The Gentleman from Cook, Representative  
Rita."

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Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2814, as amended, basically extends for a two-year extension of the registration Act of the Fire Distributor and Employee Registration Act. Be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2814. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Farnham, Representative Lang, do you wish to be recorded? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 0 voting 'present'. And Senate Bill 2814, having received the Constitutional Majority, is declared passed. On page 5... page 6 of the Calendar under Senate Bills-Second Reading appears Senate Bill 2969. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2969, a Bill for an Act concerning transportation has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Mahoney: "Senate Bill 2969, a Bill for an Act concerning transportation. Third Reading."

Speaker Mautino: "The Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. This Bill is in response when unattended consequence of a previous Bill that we had passed. And what this will do will, allow counties to opt

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out of the safety towing law, that way the current law does not allow a county to opt out of the safety towing law without opting out of the relocation towing law. This.. this legislation will simply allow for this option. And what we need to is, it's really a consumer protection matter, but there was unattended consequences in the original Bill and this would.. this would solve those problems."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2969. And on that question, Representative Eddy, the Gentleman from Crawford."

Eddy: "Thank you, Speaker. Happy new year."

Speaker Mautino: "Happy new year to you, too, Sir."

Eddy: "Would the Sponsor yield for a quick question?"

Speaker Mautino: "He indicates he will."

Franks: "No."

Eddy: "Representative, why.. why are we exempting out Cook County?"

Franks: "I think they asked to be."

Eddy: "So, were you taking requests from other counties, or.."

Franks: "Well, anybody under three million and it's not a requirement. This is just if a county wants to opt out, they may. And the City of Chicago.. I think that Cook County has an objection to it, so we exempted then."

Eddy: "So, basically, Cook County didn't want to have the option of opting out."

Franks: "No."

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Eddy: "I guess that clarifies it. They could have opted out anyway, but I'm just curious as to whether or not there was a specific reason, but you don't know of any. Okay."

Franks: "I wish I did."

Eddy: "Thank you."

Speaker Mautino: "No one seeking further recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bradley, Durkin. Representative McAsey. Mr. Clerk, take the record. 112 voting 'yes', 1 voting 'no', and 0 voting 'present'. Senate Bill 2969, having received the Constitutional Majority, is declared passed. Page 2 of the Calendar, under House Bills-Second Reading, appears House Bill 1445. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1445, has been read a second time, previously. Floor Amendments 1 and 2, both offered by Representative Feigenholtz, have both been approved for consideration."

Speaker Mautino: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Amendment #1 is trailer legislation regarding birth certificates for adult adoptees."

Speaker Mautino: "That Lady's moved the House adopt Floor Amendment #1 to House Bill 14... Representative Feigenholtz."

Feigenholtz: "I'm sorry, Mr. Speaker. I'd like to withdraw Amendment #1."



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Speaker Mautino: "Lady withdraws Floor Amendment #1. Mr. Clerk, further Amendments?"

Clerk Mahoney: "Floor Amendment #2."

Speaker Mautino: "Representative Feigenholtz on Floor Amendment #2."

Feigenholtz: "Thank you, Mr. Speaker. House Amendment... Floor Amendment #2 is a cleanup Bill to a Bill that became law earlier this year regarding death certificates, missing birth certificates, and the birth parent preference form. I'd be glad to answer any questions."

Speaker Mautino: "The Lady moves the House adopt Floor Amendment #2 to House Bill 1445. All in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'yeses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

Clerk Mahoney: "No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. And read the Bill for a third time."

Clerk Mahoney: "House Bill 1445, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Again, this is just a cleanup Bill to the birth certificate access law. It was brought forth by the Chicago Bar Association adoption law. Subcommittee passed out of committee unanimously with bipartisan support. And I'd be glad to answer any questions."

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Speaker Mautino: "The Lady has moved passage of House Bill 1445. And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Eddy: "Representative, you removed Amendment #1 just a minute ago, and that was the one that really had, I guess for a lack of a better term, some more substantive changes. This is cleanup, technical cleanup?"

Feigenholtz: "That's correct."

Eddy: "Okay. So, this isn't the version that people had any concerns with at all. So..."

Feigenholtz: "No. I believe not."

Eddy: "No opposition. Is that right? Okay. Thank you very much."

Speaker Mautino: "Further discussion? The Gentleman from Tazewell, Representative Sommer."

Sommer: "Thank you, Mr. Speaker. The Lady is correct. This is mostly clean up on this legislation we passed last year. I would however point out to those who are concerned about the provisions that did it not... not allow the birth parents who surrendered a child prior to 1946 have any opportunity to remain anonymous. That was a major portion of my objection. The original Bill, I think this is an improvement to what passed, but I would ask all Members who looked at that Bill closely this year... past year to consider the Bill in its entirety and consider that those individuals are still not protected. Thank you."

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Speaker Mautino: "The Lady has moved the House pass... Lady has moved passage of House Bill 1445. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Leitch, Representative Osterman, do you wish to be recorded? Mr. Clerk... Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 76 voting 'yes', 37 voting 'no', 0 voting 'present'. House Bill 1445 has received the Constitutional Majority, is declared passed. Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 04, 2011: approved for floor consideration, recommends be adopted is Amendment #2 to Senate Bill 2530."

Speaker Mautino: "Mr. Clerk, on page 5 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 2530. Read the Bill, Sir. Mr. Clerk, would you place this Bill on Second Reading. Are there any Amendments pending?"

Clerk Mahoney: "Floor Amendment #2, offered By Representative Jackson, has been approved for consideration."

Speaker Mautino: "Representative Jackson on Floor Amendment #2."

Jackson: "Amendment 2 is a technical Amendment. They had to change a word for Venice support added as an extension to the TIF."

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Speaker Mautino: "The Gentleman moves the House adopt Floor Amendment #2 to Senate Bill 2530. No one seeking recognition, all in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2530, a Bill for an Act concerning local government. Third Reading."

Speaker Mautino: "Representative Jackson."

Jackson: "Yes. Mr. Chairman, Ladies and Gentlemen. The City of Venice has asked that we extend the TIF district as expanded to 35 years to help them demonstrate a long-term commitment to economic development. The city has recently been making great strides in business expansion, both for the use of TIF and business districts. I ask for your favorable vote, and I stand for any questions you may have."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2530. On that question, the Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. I have a question. I'm trying to find House Committee Amendment, I believe, #2 and I can't find it on the system. Oh, is it..."

Speaker Mautino: "That is a Floor Amendment."

Franks: "Oh, it's just one..."

Speaker Mautino: "Not a committee Amendment."

Franks: "Yeah, I'm told it's just... it's a technical Amendment."

Speaker Mautino: "That's correct."

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Franks: "So, if we look at House Committee Amendment #1, that would have the language that we need, but for the one technical Amendment?"

Speaker Mautino: "Representative Jackson."

Jackson: "That is true."

Franks: "Is House... A parliamentary question. Has House Committee Amendment #1 been adopted?"

Speaker Mautino: "Mr. Clerk."

Clerk Mahoney: "Amendment #1 was adopted in the House Executive Committee."

Franks: "Okay."

Speaker Mautino: "Representative Franks."

Franks: "Those are all the questions I had then. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Representative Stephens. Out of the record. Mr. Stephens has no questions. The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Eddy: "Representative, are all taxing districts or have all taxing districts supplied some type of letter indicating their support as is usually the custom?"

Jackson: "Yes, they have."

Eddy: "Okay. Thank you very much."

Jackson: "Yes, Sir."

Eddy: "Just wanted to make sure we had that on the record."

Speaker Mautino: "No one seeking further recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Representative Hammond, Representative Dunkin. Mr. Clerk, take the record. Senate Bill 2530, having received 109 voting 'yes', 4 voting 'no', 0 voting 'present', has received the Constitutional Majority and is declared passed. Under the Order of Consideration Postponed, on page 7 of the Calendar appears Senate Bill 1381. Representative Lang. Mr. Clerk, move the Bill to Second. Representative Lang."

Lang: "Thank you. I move to table House Amendment 1."

Speaker Mautino: "The Gentleman has moved to table Amendment #1. No one seeking discussion on the matter, all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Franks, do you wish to be recorded? Mr... Mr. Clerk, take the record. The Motion to Table, with a vote of 51 'yes', 59 voting 'no', 2 voting 'present', has failed. Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I think many people on the floor misunderstood, that wasn't a vote on the Bill. That was simply a vote to table an Amendment. So, maybe you'll rethink your positions on just simply tabling an Amendment about an effective date and maybe we'll come back to this. Thank you."

Speaker Mautino: "The Gentleman from Bond, Representative Stephens."

Stephens: "Or maybe we won't."

Speaker Mautino: "Mr. Clerk, move the Bill to Third Reading. Mr. Clerk, take the Bill out of the record. Mr. Clerk,

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page 5 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 3976. Majority Leader Currie. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill... Senate Bill 3976, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you very much, Speaker and Members of the House. This Bill would create the Illinois Voting Rights Act of 2011. And the point of the Bill is to say that after we have taken into account in mapmaking, in redistricting, all the constitutional, federal statutory, state constitutional requirements, then the mapmakers ought to, where possible, protect the rights of minority voters by creating crossover districts, coalition districts, or influence districts where it is possible. Again, this requirement, this mandate, would be in addition to and subordinate to all those other constitutional requirements and statutory requirements as well. The concepts behind coalition, crossover and minority influence districts are not new. They're well-established principles in redistricting and in fact, they have been referred to specifically in a case before the United States Supreme Court. And what this... what this does, in my view, and why it's good is that it's important to protect the interest of minority voters. This is one more way we can do that, and I think it's a good idea for Illinois to... to make this part of our way of doing the mapping proposition. It also... the Bill also requires that the state has at least four public hearings before the

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adoption of a map. I... I would have to tell you this is definitely a floor. Ten years ago there were at least 20 such hearings and I anticipate that this year, the number would likely be at least as large, but this sets a minimum number. I would appreciate your support for the Bill. And I'd be happy to answer your questions."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3976. And on that question, the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Lang: "Representative, can you answer some questions for purposes of legislative intent, please?"

Currie: "Happy to."

Lang: "Thank you. The Bill provides definitions for the terms crossover, coalition, and influence districts. What is the sources of these definitions?"

Currie: "The specific definitions were taken from Justice Kennedy's plurality opinion in Bartlett v. Strickland. Although, again, these are traditional concepts in mapmaking."

Lang: "Representative Currie, why do need a Bill that calls for the creation of crossover, coalition, and influence districts?"

Currie: "Well, we don't have to, but I think it's a good idea. I think its good public policy to protect the interests of Members of minority communities when they go to the ballot box to express their electoral preferences. And certainly, in terms of Supreme Court decrees opinions, beyond the



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mandates of the Federal Voting Rights Act and constitutional provisions, the states are quite free to draw these districts and once we have met the constitutional and statutory requirements already in place, it seems to me a good idea to mandate this next set of criteria in the remap process."

Lang: "Representative, is it unconstitutional to mandate the drawing of crossover, coalition and influence districts? Does it violate the Equal Protection Clause of the United States or Illinois Constitution?"

Currie: "No. In fact, I just said that the legislation expressly states, you might want to check Section 5-5(a) and 5-5(d), that the requirement to create these districts is subordinate, is secondary, is after the fact, to any requirement imposed by the Constitution, Federal Constitution, State Constitution, or Federal Laws. This would be a statutory mandate, but subordinate to all those other requirements in redistricting. So, only after the mapmaker has complied with all the other requirements, would this mandate come into play."

Lang: "Representative, does the legislation create a preference between crossover, coalition or influence districts? Which one should the mapmaker draw if given a choice?"

Currie: "Bill doesn't specify, doesn't require one over another. If, hypothetically, a mapmaker has more than one option, I'd expect that other traditional redistricting principles would help guide the mapmaker in doing the... drawing the lines."

Lang: "Thank you, Representative."

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Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Durkin: "Representative Currie, I just have a procedural question. This passes out of the House, the Governor, must he sign it before the new General Assembly or his new term comes into play?"

Currie: "He has... he has the usual number of days in order to make a decision of whether or not to sign. And..."

Durkin: "So, he can carry over... carry over to... in to..."

Currie: "And surely, if he made a decision after the new Assembly comes in and that decision were not to do otherwise then sign the Bill, then the Bill would not become law."

Durkin: "Okay. Thank you. The Bartlett case also discussed majority-minority district. Could you explain to me, do you know what a majority-minority district is, how it's defined based on the opinion?"

Currie: "Yeah. I'm familiar with the concept, but I'm not an expert in redistricting, and I know courts have looked at that question differently over time."

Durkin: "The Gentleman to your right, I think, is pretty astute at that type of analysis. And I would..."

Currie: "Yeah, but he's not..."

Durkin: "...I would be..."

Currie: "He doesn't have..."

Durkin: "I gladly would..."

Currie: "...he doesn't have the microphone."

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Durkin: "But I've... I've seen over the years that Gentleman in his position have whispered into a Legislator's ears to give them some sage advice. And I would gladly allow him to do this at the moment. So, I guess the question is, do we have a definition based on statute, what a majority-minority district is?"

Currie: "I know that in the most recent Supreme Court case on redistricting, the court did talk about a 51 percent or 50 percent plus one as a definition of a minority district, but my understanding is that in earlier cases the court had not been quite so rigid in its definition."

Durkin: "Did the Bartlett decision state that there should be a preference toward a majority-minority district in this redistricting process? You have a preference of that over the other districts."

Currie: "You know what, I don't have a copy of that decision in front of me. And if you do, you're certainly welcome to share your perception of what that opinion holds."

Durkin: "I'll rely on by my last recommendation to... if... All right. Now, I... I'm going to ask you a question about some testimony, it was last April, in which this was brought up in committee. In which Representative Fortner stated that... so then the ability, the influence, is if you can make a single majority district, that's preferable than making multiple influence districts. Your response, I think it would be required by the courts as I say today specified under Federal Law. So, do you agree with that statement from last April that there is a preference towards the majority-minority districts in this process?"

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Currie: "You know, we're talking to some degree hypothetically here cause it's hard to know exactly how you define what population, where it is, how it constitutes a majority-minority district. You can't really tell that 'til you're looking at data. But I would say..."

Durkin: "I guess we wouldn't have any dis..."

Currie: "...what under... under this Bill, whatever the Voting Rights Act, federal constitutional requirements, and state constitutional requirements mandate, that's what the mapmakers will do."

Durkin: "Is there any reason why we don't have a definition of a majority-minority district in this... in this legislation, when we do have definitions for influence district, crossover district, and a coalition district. A minority... majority-minority district, there's no definition or mention of it in this Bill."

Currie: "Because we're going to have to follow the Federal Voting Rights Act and the federal constitutional requirements. I don't think there's any need to include that definition."

Durkin: "Than what is the need for having definitions for the other groups?"

Currie: "You know, as I said earlier, I think that these are all principles, there all activities that happen in redistricting; they're not new concepts. Because there had been a recent Supreme Court decision, and an opinion from Justice Kennedy, we thought we might just as well lift that specific language, but it's not a new concept, not a new

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idea. People who do redistricting know what those... those... those definitions are."

Durkin: "Should the person who's drawing the map create as many min... majority-minority districts as possible before considering crossover, coalition, and influence districts?"

Currie: "You know, there can be any number of hypotheticals and it's really hard to answer that kind of question in the abstract. So, show me... show me the census data, show me the geography, show me how the population is dispersed or how it is coalesced in one smaller area and I can better answer your question."

Durkin: "Well, I believe that in the testimony last April, you did state that there was a preference for the majority-minority district in that testimony. So..."

Currie: "Again... again, it's hypothetical until you have the data."

Durkin: "Okay."

Currie: "But again, let me just reiterate one more time, I hope one final time, that the mapmakers under this Bill would first have to follow the Voting Rights Act, federal constitutional principles, before this new mandate would kick in."

Durkin: "Who's going to be... who's going to have the map writing authority this time?"

Currie: "Pardon me?"

Durkin: "Who will be drawing the map?"

Currie: "The... under our Illinois Constitution, the State Legislature has the responsibility to draw the map."

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Durkin: "The Majority Party in the House and the Senate, correct?"

Currie: "The Members of the Legislature, both House and Senate."

Durkin: "So, I have as much right to opine on the map as you do?"

Currie: "I can't imagine you would not take advantage of every opportunity to opine on everything."

Durkin: "All right. I'm going to remember this. I'm going to hold you to this, Representative Currie. I'm... I'm very encouraged by your response. Is... next question, is race the dominant in controlling rationale and drawing crossover, coalition, and influence districts?"

Currie: "No. And in fact, under various court decrees it can't be, but it is important, I think, in our system of governance and in terms of the Constitution and the Voting Rights Act, that we do have some interest in making sure that members of minority groups are given a full opportunity to participate effectively in elections."

Durkin: "I see. Okay. Does this legislation... is it... is it fair to assume that it assigns voters to certain districts based on race, or language?"

Currie: "No."

Durkin: "Okay. Does this legislation mandate any type of racial classifications above other traditional redistricting criteria?"

Currie: "No, in fact, I said... I've been saying through most of this discussion that you start with the Federal Constitution which says one person one vote and says you

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may not discriminate against people based on race. And you start with the Federal Voting Rights Act, which has certain requirements about making sure that you're not discriminating against members of minority groups and you have an Illinois Constitution and then, after you've done all that, then we come to this new mandate."

Durkin: "All right. Here's a question. This is for the clarification for those who will have the power of the pen, but does an influence district take priority over a compact district?"

Currie: "Again, you know, this is a hypothetical question. Of course, compactness is an important principle in redistricting, but until you look at the data the word 'compact' has no particular meaning."

Durkin: "Well, every question that we're going to have is going to be hypothetical, so I just... for everybody 'cause there is no census figures that we've received yet. So every question and every response is based on hypotheticals. Now, if the drawer... if the mappers, who's in charge of the drawing map had a choice between drawing a crossover district... Hold on... hold on let me..."

Currie: "You mean or the influence or the coalition. Nothing in this language says that one should have priority over another. And let me just clarify..."

Durkin: "So..."

Currie: "...yeah, of course, the Illinois Constitution does specify contiguity and compactness, and as I said, all those kinds of principles take precedence before this new mandate would kick in."

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Durkin: "Do municipal boundaries..."

Currie: "But again, it's difficult always to see..."

Durkin: "How about..."

Currie: "...what... how..."

Durkin: "Are municipal boundaries part of the equation in this type of redistricting process?"

Currie: "Traditionally, that's been an issue that mapmakers have been... have consulted, but it's not specifically referenced in this Bill."

Durkin: "Do you intend that that will be part of the rationale when we eventually get to the drawing stage?"

Currie: "No. It's a traditional... it's a factor that... that mapmakers traditionally have considered."

Durkin: "Okay. And as well as county boundaries, school districts..."

Currie: "Political boundaries, indeed."

Durkin: "...urban, rural. I mean, I... assuming that I'm not going to be brought into Danville or the Iroquois County from Western Springs. So, I guess that that would be a consideration. I would hope that you would..."

Currie: "We'll do our best."

Durkin: "Thank you. What is the... I want to get back a little bit to influence districts. What is the... what is the rationale for promoting an influence district under this... in the legislation?"

Currie: "Well, the rationale is to, again, try to give full voice to members of the minority community. So, an influence district is one in which even... even if the members of the minority group are not a majority, they may



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have the opportunity to have a significant influence on the eventual electoral outcome."

Durkin: "Would you consider a district that has mainly Republican in a minority district, minority?"

Currie: "No."

Durkin: "No. Okay."

Currie: "Yeah."

Durkin: "Now, you said earlier that I would have the ability to opine on the lines and I'm going to take you up on that offer. And... so... but I'll end my questioning there. I do appreciate your... your answers to these questions and I know a few of my colleagues will have a few more. But thank you for your indulgence."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Dunkin. No questions. The Gentleman from DuPage, Representative Fortner."

Fortner: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Fortner: "I know we had a lot of discussion with this in committee yesterday. I've got a few additional questions since then. Does this legislation create a cause of action for a minority that would constituent less than 50 percent of the population?"

Currie: "I'm sorry. I... I'm sorry, I'm having trouble hearing. Could we have order, Speaker? A little order, I can't hear the Gentleman's question."

Speaker Mautino: "I would ask the Members of the House if they would bring the noise level down, take some of the

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conversations to the back of the chambers, please and bring the noise level down so that we may hear the debate."

Fortner: "Yeah, let me repeat that. In Representative Durkin's line of questions, there was a lot of questions about majority-minority district. As you indicated in the Bartlett decision, they had specified that as 50 percent plus one. My question is, would this legislation create a cause of action for a group, one of the... one of the minority groups that would be protected under this legislation, if they constitute less than 50 percent of the population. Would this create a cause of action for that group?"

Currie: "So... so, this is a district in which..."

Fortner: "Well, let's say then..."

Currie: "It's an influence district. It's a coalition district."

Fortner: "Well, let's say that... let's say that a group felt the map that they had a population less than 50 percent in a map that was presented but they felt that they were not provided the full benefit of their compact group that was below 50 percent. Would this be..."

Currie: "That's hypothetical. It's up to a court to make that determination, not me."

Fortner: "The hypothetical is whether or not there would be, but when we do legislation, we certainly are identifying would someone be able to then go before a court. That was the basis. What's the intent here? Is this intending to allow groups to challenge the map if they would be a group protected that would be less than 50 percent?"

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Currie: "Right now, of course, people who think that they have... their rights have been violated by a map that doesn't, for example, take full heed of the Federal Voting Rights Act, have the opportunity to go into court and I would think if there were reason to believe that somebody had been discriminated against because this mandate, the new one, was not adhered to, they'd have the opportunity to try to make that case in court."

Fortner: "Because one of the things that I would see here is that there is not a... there's no threshold. Obviously the definitions that you've taken from the Bartlett decision, there's no threshold for what sort of percentage are we creating opportunity for groups maybe as small as 10 percent to come to Illinois courts and say, hey, we weren't taken account of."

Currie: "Exactly. Anytime we pass a law, someone can sue. It doesn't mean that they have a good case, and there is no way in which it would make sense to put percentages in a Bill like this because it's totally hypothetical. Until you see the map, until you understand voting behavior, there is no way to define what would count, for example, as a crossover or a coalition district."

Fortner: "Well, it may be hypothetical in the map, but we often provide guidance to the court to say we think this is a threshold that applies for whatever law we choose to cast."

Currie: "No. I totally disagree. I think that would not work at all because, again, it's a hypothetical construct and there may be circumstances, all kinds of circumstances. You could imagine, and I can imagine that no matter what number

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you put in you would not be meeting the point, the principles behind this Bill, if you tried to put specific numbers in the way."

Fortner: "So, does this Bill create any safe harbor for the map drawer to try to determine how they would comply with this legislation."

Currie: "You know, I think, again, this is part of standard mapmaking, this is not... these are not new concepts. Mapmakers have been dealing, not only with the Federal and State Constitutions but the Federal Voting Rights Act for a very long time. And they have looked at all kinds of issues in redistricting including the creation of crossover, coalition and minority influence districts. So, I don't think there's anything new here except to put a little light on the issue and to make it clear that when the other requirements are met, these districts ought to be given a priority."

Fortner: "So, I don't want to put words in your mouth, but it sounds like you're saying if we're relying on the past, if previous cases have not defined a safe harbor based on these standards, neither is this Illinois law."

Currie: "Sorry. They have not... I'm not what... I'm sorry."

Fortner: "If... if the previous court decisions have not, I mean, they defined what these terms mean, but if they haven't provided a safe harbor in these, then neither does this Illinois law. Is that..."

Currie: "I... I'm not sure what you mean by a safe harbor. Again, this is all very hypothetical and... and I... I guess I'd just say one more time that this is not to do anything brand new

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except to say that the next priority, after you have met these other requirements, is to look at the possibility, and it's always a possibility, of creating coalition, crossover, or minority influence districts."

Fortner: "Well, one of the places..."

Currie: "That's all it does."

Fortner: "I understand that, but there are cases and let me use specifically here in Illinois a few years ago there was a federal case heard by the Seventh Circuit in the City of Aurora having to do with their ward maps. So, we've got specific data where the question was whether or not one could get sufficient Latino representation. There... the suit was whether or not there should be more full majority districts versus having a majority plus influence districts. And in a case like that, where there was a specific instance of mapmaking here in Illinois, at that point the Seventh Circuit said that given all the facts at the time, the Bartlett decision had not been decided at that point, that they could see no reason not to say we could have a majority district plus influence districts. The question would be, then, how does this comport with that Aurora decision, now that we have the Bartlett decision which was not available and the court at the time recognized that it certainly had been granted on that, but there was not yet a decision made in Bartlett."

Currie: "I'm not familiar with that case, and again, I would just say that it's very difficult to answer these questions absent sense of state, absent a map that shows where the

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population exists and what the demographics of that population really are."

Fortner: "Well, again, I understand that for the future one can say that, but this would have been a case where we'd have had a specific... where there was specific data available here in Illinois and the question that came up was given a choice between a single majority-minority district and multiple influence districts versus multiple majority-minority districts, that case has come up..."

Speaker Mautino: "Excuse me, Representative. One moment, please. I would ask the Members... if I can get your attention. Please bring the noise level down. The Sponsor of the Bill cannot hear the questions. Please take conversations to the back and give some respect to the Representatives both asking and answering questions. Thank you. Please proceed and..."

Fortner: "Thank you, Speaker. I will be coming to a conclusion shortly."

Speaker Mautino: "Thank you."

Currie: "Thank you, Speaker. I appreciate that help. Again, I answered the question. I'm not familiar with the law, with that particular court case, but my answer is the same as the answer to your last question on the same point."

Fortner: "Okay. The other thing that was in that City of Aurora decision, the Seventh Circuit talked about that as a benchmark. If you're looking at questions of vote dilution in a minority district, that once you compare to a compact race neutral map, that was one of the findings in the

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decision from that Seventh Circuit case. Does this alter that landscape in any way that you would know?"

Currie: "Again, I am not familiar with the court case."

Fortner: "No further questions. Thank you."

Speaker Mautino: "Thank you, Representative. Our final questioner will be the Lady from Brown County, Representative Tracy."

Tracy: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Tracy: "Leader Currie, going to the... the issues of the transparency and... and looking at this proposal that we have before us, it seems that we're restricted to half the number of public hearings that previously we talked about in this Senate Joint Resolution 121."

Currie: "Well, we really have two points. First, nothing in this language precludes any number of additional hearings beyond the four; the four is the floor. We can have many more and 10 years ago we did."

Tracy: "Well, why... why didn't..."

Currie: "In Senate Joint Resolution 121, more hearings were, in fact, required. And Representative, it's my recollection that you voted 'no' on passage of Senate Joint Resolution 121. So, I stand as a strongly for transparency and accountability as anybody on this House Floor. And my vote reflects that commitment. The four..."

Tracy: "Well... well given that..."

Currie: "...the number four in this measure is a floor. It's only the beginning. There is no reason for us to specify numbers of hearings. We do not ordinarily do that in

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legislation, and I think that this is good enough for starters."

Tracy: "Well, it just seems to me that for starters, if we wanted to reflect transparency to the fullest, we would at least have a minimum number, which is in this case half of the one that you mentioned in 121, the Resolution that I didn't support."

Currie: "Right."

Tracy: "So, certainly for more transparency, I favor putting in a larger number."

Currie: "Well, again, I just comment that you had the opportunity to vote for twice as many and you turned it down."

Tracy: "Well, and certainly that would..."

Currie: "So, I thought maybe that was why you rejected that. And I thought if I reduced the number of hearings, maybe I'd get your vote."

Tracy: "Well... To me that doesn't reasonably support the idea of more transparency. But one other thing, I noticed that if you look at the two pieces of legislation, this one before us doesn't mandate hearings on the proposed map such as was done in the previous Resolution. So, it seems to me it moves backwards in transparency."

Currie: "Again, all I can tell you is we're talking about a floor. It is unusual for us in legislation on any topic to specify any number of public hearings; 10 years ago we had 20. The floor established in Senate Bill 3976 is just that, and I welcome the opportunity to hear from you and



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your constituents in the many public hearings that will happen when a remap is underway."

Tracy: "And it... it... one other thing, though, if we're talking about transparency, which means that things are open to the public, why do we not have a platform or a means for the public to talk on hearings after the map is drawn?"

Currie: "We had all of those things 10 years ago. I have every reason to think that we will in the remap of the next decennial as well."

Tracy: "But other than your assurance that you think we will, this legislation doesn't guarantee we will."

Currie: "As most legislation doesn't guarantee any number of hearings at all. And again, you had the opportunity to support twice the number of hearings, you rejected it."

Tracy: "Well, it's kind... that's kind of a reverse argument, but in all events, I would request a verification on the vote on this, Mr. Spe... Mr. Speaker, I finished my questioning, but I would request a verification on this vote."

Speaker Mautino: "And your request is acknowledged."

Tracy: "Thank you."

Speaker Mautino: "Seeing no further Members seeking recognition, the question is, 'Shall Senate Bill 3976 pass?' Excuse me. The Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Franks: "Thank you. Representative, I know this Bill mandates the committees of the House and Senate conduct a minimum of four public hearings before drawing a redistricting plan."

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Would these... would it each of the chambers have these four, or would they be together?"

Currie: "They could do it together or more likely, they'll do it separately."

Franks: "So, there could be as many as eight hearings throughout the state."

Currie: "There could be as many as 25."

Franks: "Okay."

Currie: "Nothing in this language restricts the number of hearings that will be held. And again, 10 years ago there were at least 20. There are other important items that aren't in the Bill, but I think are worth your understanding, and that is that 10 years ago there was the opportunity for the citizens of the state to come to a central location, use a computer with census data in it, we supplied the software so ordinary citizens would have an opportunity to draw a map and share that map with Members of the Legislature. And we're not man..."

Franks: "I forgot how we did that."

Currie: "...we're not mandating that in this Bill, 'cause we don't mandate things like that. But I'd be very surprised if we didn't offer even more opportunity for the citizens to participate directly in the drawing of the Representative and Senatorial districts in the next 10 years."

Franks: "Thank you. I... I was here last time, but I don't remember exactly what we did. So, it'd be your hope that there would be at least as open as last time, and allow citizens a hands-on experience to use the computers

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themselves and also give their ideas of what a reasonable map should be."

Currie: "Absolutely."

Franks: "Okay. Cou... could you walk me through what happened about 10 years ago with this committee process?"

Currie: "Well, we had a very big committee in the House of Representatives that held hearings I believe statewide. Now, you may remember also that the Legislature did not draw a map 10 years ago, and under the Illinois Constitution, if the Legislature fails to draw a map then there is a commission of eight Members, two each appointed by each of the legislative leaders and that commission of eight people is then charged with the responsibility to draw new lines. If... and the idea there is to encourage bipartisanship, to encourage people to work cooperatively and collaboratively, and in order to encourage, especially that degree of cooperation, the Constitution provided that in the event that the commission can't produce a map, then basically a ninth Member will be added by random chance. So, that effectively says there will be a winner take all, five to four, that kind of vote and the framers of the Illinois Constitution included that provision because they hoped that would be adequate to encourage the commission to come to agreement on a map. Ten years ago that did not happen, and ultimately the... a name was drawn from the... a list given by the Illinois Supreme Court, and... and the map was adopted.

Franks: "Correct."

Currie: "But that's the procedure."

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Franks: "And you envision that will be the same type of committee structure this time as was done last."

Currie: "I would certainly hope so."

Franks: "And actually, since the 1970 Constitution, this is the first time where you won't be pulling a name out of a hat randomly, hopefully."

Currie: "Well, if the Legislature can agree upon a map, and if the Legislature can't, a commission could."

Franks: "Okay."

Currie: "We can... we can... we can hope."

Franks: "Okay. Well, I appreciate this and... To the... to the Bill, and I'm going to vote for this Bill. I... I certainly don't think it's the... the end all be all. I think it's a baby step, but I think it's an important first step to reform. I think we need to go much farther, but oftentimes we have to take incremental steps to get where we need to be down the road. So, I'm encouraging my colleagues to vote 'aye'. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Jasper, Representative Reis."

Reis: "I call for the previous question."

Speaker Mautino: "The Gentleman from Jasper, Representative Reis has moved the previous question. Yes, he did and were just making sure. All in favor say 'yes'; opposed 'no'. In opinion of the Chair, the 'yesses' have it. And the previous question is put. Representative Currie to close."

Currie: "Thank you very much, Speaker and Members of the House. This has been a very useful discussion. The point of this Bill, the Illinois Voting Rights Act of 2011 is to make

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sure that after the other requirements have been met in remapping and redistricting, population equality one person, one vote, an end to racial discrimination compliance with the Voting Rights Act, making sure that districts are of equal size, contiguous and compact, then the next... the next responsibility for the mapmakers... mapmakers will be to draw, if it's possible, minority influence, crossover, and... and coalition districts. And the reason we're offering this, the reason that we'd like to do this, is because we do think it is very important to make sure that the rights of minority voters to have a stake and a voice in the outcome of the elections is a very important priority for this Assembly and for the citizens of the State of Illinois. So, I think this is a straightforward proposition, and I think it's one that everybody in this chamber should support. In fact, just for the record, in the Senate the vote on this Bill was 53 to 4. So, this measure had overwhelming support among both Parties in the State Senate and I certainly hope we'll do as well by the principle that members of minority groups should be full and equal partners in the decision about who should represent them. I hope that this chamber will do as well as our neighbor across the rotunda was able to do."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3976. Representative Tracy has requested a verification. And on this question, all in favor vote 'yes'; opposed vote 'no'. And the voting is open. Have all voted who wish? Please vote your own switches there has been a verification requested. Have all voted who wish? Have all voted who

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wish? Mr. Clerk, take the record. 67 voting 'yes', 46 voting 'no', 0 voting present. Representative Tracy."

Tracy: "Thank you. Is Rep... Representative Dunkin... Okay."

Speaker Mautino: "Mr. Clerk..."

Clerk Mahoney: "The..."

Speaker Mautino: "...Mr. Clerk, would you read the list of the Members voting in the affirmative."

Clerk Mahoney: "The following Representatives voting in the affirmative are Acevedo; Arroyo; Beiser; Berrios; Boland; John Bradley; Burke; Carberry; Chapa LaVia; Collins; Colvin; Crespo; Currie; D'Amico; Monique Davis; Will Davis; DeLuca; Dugan; Dunkin; Farnham; Feigenholtz; Flider; Flowers; Ford; Franks; Froehlich; Gabel; Golar; Careen Gordon; Jehan Gordon; Hannig; Harris; Hernandez; Hoffman; Holbrook; Howard; Jackson; Jakobsson; Jefferson; Lang; Lilly; Lyons; Mautino; Mayfield; May; McAsey; McCarthy; McGuire; Mendoza; Moore; Nekritz; Osterman; O'Sullivan; Phelps; Reitz; Riley; Rita; Sente; Smith; Soto; Thapedi; Turner; Verschoore; Walker; Yarbrough; Zalewski; and Mr. Speaker."

Speaker Mautino: "The Lady from Brown, Representative Tracy, questions of the affirmative."

Tracy: "Would Representative Lang be in the chamber?"

Speaker Mautino: "Representative Lang. The Gentleman is not in the chamber. Mr. Clerk, remove him from the Roll. Further questions?"

Tracy: "Representative Hernandez."

Speaker Mautino: "Representative Hernandez is in the second row, center aisle."

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Tracy: "Representative Moore."

Speaker Mautino: "Representative Moore is in the rear of the chamber..."

Tracy: "Okay. Gotcha."

Speaker Mautino: "...by Representative McAsey waving."

Tracy: "It'd sure help if everybody would sit down."

Speaker Mautino: "I would ask that the staff..."

Tracy: "That's all. Thank you very much."

Speaker Mautino: "...retire to the back of the chambers. Members..."

Tracy: "Thank you, Mr. Speaker."

Speaker Mautino: "The Lady withdraws... Representative Lang has returned to the chamber. Mr. Clerk, please return him to the Roll. Representative Tracy has withdrawn the verification request for verification. And with a vote of 67 voting 'yes', 46 voting 'no', and 0 voting 'present', Senate Bill 3976 has received the Constitutional Majority and is declared passed. Representative Mendoza on a Motion. Mr. Clerk..."

Mendoza: "Mr... Thank you Mr. Speaker. I make a Motion to suspend the posting requirements on House Resolution 1570."

Speaker Mautino: "Lady moves to suspend the postings requirements on House Resolution 1570. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the posting requirements are suspended. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1567, offered by Representative Cross. House Resolution 1568, offered by Representative Rita. House

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Resolution 1569, offered by Representative Hoffman. House Resolution 1572, offered by Representative Will Davis. And House Resolution 1573, offered by Representative Sacia."

Speaker Mautino: "Majority Leader Currie moves the House adopt the Agreed Resolution. All in favor say 'yes'; opposed 'no'. Opinion of the Chair, the 'yeeses' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements."

Clerk Mahoney: "Committee announcements. No committees will meet today. The Executive Committee originally meeting today is meeting tomorrow at 10 a.m. in Room 118. Executive is meeting on Wednesday, tomorrow, 10 a.m. in Room 118. At 10 a.m., Elections & Campaign Reform will also meet in Room C-1. Elections & Campaign Reform at 10 a.m. in Room C-1. State Government Administration will meet in Room 114 tomorrow at 10 a.m. International Trade & Commerce will meet tomorrow in Room 115 at 10 a.m., in Room 115 at 10 a.m."

Speaker Mautino: "Majority Leader Currie now moves that the House adjourn 'til Wednesday, January 5 at the hour of 11:30 a.m. So, allowing perfunctory time for the... for the Clerk, the House... And now, allowing perfunctory time for the... the Clerk, the House stands adjourned."