

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Speaker Madigan: "The Third Special Session of the House will come to order. The Members will be in their chairs for the Roll Call for Attendance. Ladies and Gentlemen, this is a Roll Call for Attendance. Please record yourself. Representative Currie for excused absences."

Currie: "Thank you, Speaker. Representatives Bradley, Dan Burke, and DeLuca are excused and some Members are delayed because of traffic problems near Bloomington."

Speaker Madigan: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. These Members are absent: Anthony, Brauer, Cross, Harms, Hatcher, Pihos, Poe, Ives. Thank you."

Speaker Madigan: "The Clerk shall take the record. On this question, there are 99 people responding to the Attendance Roll Call; therefore, there is a quorum present. Mr. Clerk, read the Joint Proclamation of the Presiding Officers."

Clerk Hollman: "The Joint Proclamation by the Presiding Officers.

WHEREAS, Article IV, Section 5(b) of the Illinois Constitution empowers the President of the Senate and the Speaker of the House to convene special sessions of the General Assembly;

WHEREAS, Article V, Section 2 of the Illinois Constitution provides that elected officers of the Executive Branch hold office beginning on the second Monday in January after their election;

WHEREAS, in accordance with Article V, Section 7 of the Illinois Constitution, the General Assembly has the power to pass legislation calling for a special election in the case of a vacancy in or failure of an elected officer to qualify for

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

the office of Attorney General, Comptroller, Secretary of State, or Treasurer;

WHEREAS, the person elected Comptroller will not assume the office on January 12, 2015;

WHEREAS, an emergency exists that requires immediate action by the General Assembly;

NOW, THEREFORE, pursuant to Article IV, Section 5(b) of the Illinois Constitution, and in conformity with the Special Session Act, A SPECIAL SESSION OF THE 98th GENERAL ASSEMBLY IS HEREBY PROCLAIMED AND CALLED AS FOLLOWS:

1. The Special Session shall convene at 11:00 a.m. on January 8, 2015, at the State Capitol in Springfield, Illinois.
2. The purpose of the Special Session shall be to consider House Bill 4576 or any other legislation, pending or otherwise, that would provide for a special election in the event of a vacancy in or the failure of an elected officer to qualify for the office of Attorney General, Comptroller, Secretary of State, or Treasurer.
3. The Secretary of State, the Secretary of the Senate, and the Clerk of the House shall take whatever reasonable steps necessary to notify the members of the purpose, date and time set for convening this emergency Special Session. Signed John J. Cullerton, President of the Senate and Michael J. Madigan, Speaker of the House."

Speaker Madigan: "Mr. Clerk, on the Order of Resolutions."

Clerk Hollman: "Special Session House Resolution #1 and Special Session House Resolution #2 are offered by Representative Currie."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Speaker Madigan: "The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I move to suspend all applicable rules so that the House may give immediate consideration to Special Session House Resolutions 1 and 2."

Speaker Madigan: "You've all heard the Lady's Motion. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And the Motion is adopted. Mr. Clerk, please read Special Session House Resolutions 1 and 2."

Clerk Hollman: "Special Session House Resolution #1.

RESOLVED, that the Rules of the House of Representatives of the Ninety-Eighth General Assembly be adopted as the Rules of this Third Special Session, so far as the same may be applicable, and that the Committees of the House of Representatives of the Ninety-Eighth General Assembly, and their membership, shall constitute the Committees of the House during this Third Special Session. Special Session House Resolution #2.

RESOLVED, that the Clerk inform the Senate that a majority of the House of Representatives has assembled, pursuant to the joint proclamation of the presiding officers, convening a Third Special Session of the General Assembly, and are now ready for the transaction of business."

Speaker Madigan: "Representative Currie moves for the adoption of Special Session Resolutions 1 and 2. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And the Resolutions are adopted. The Chair recognizes Mr. Durkin. Ladies and Gentlemen..."

Durkin: "Well, thank you, Mr. Speaker."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Speaker Madigan: "...Ladies and Gentlemen, Mr. Durkin."

Durkin: "A point of personal privilege, if I could have everyone's attention just for a brief moment."

Speaker Madigan: "Ladies and Gentlemen, can we discontinue the conversations. Give your attention to Mr. Durkin."

Durkin: "Thank..."

Speaker Madigan: "Mr. Durkin."

Durkin: "Thank you very much and happy new year to all. And I'm glad to be back here. We have three new Members that I'd like to introduce to the Members of the House of Representatives who've joined us today. To my right is Terri Bryant who's taking over Mike Bost's seat. Terri, thank you for joining us. And we'll see if you can flip the papers like him at some point in this Session. I'm sure you'll have the opportunity based on the tenor of the debate. Also, I'd like to introduce Representative Steve Andersson, who's joined us, who's taking over for Tim Schmitz. Steve, where you at? Steve. And this morning at 9:30 Representative Margo McDermed was sworn in to take over the responsibilities of Representative Renee Kosel. If we could give them a warm welcome, I would greatly appreciate it. Welcome. Also, just a little bit of news. Our beloved friend, Raymond Poe from Springfield just... Sherman, just outside of town, as we know went over... went through some... some very difficult medical issues a few months ago. He was diagnosed with a form of lymphoma. Fortunately, he was able to find a suitable donor within the last month and a half. I spoke to him yesterday. He plans to return in March. His spirits are great. Chicken day will be on. For those of you

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

who enjoy fine Springfield cuisine, it'll be here in the fall... in the spring. So, anyway, I just want you... let you know that Ray is with us. He expresses his best wishes to us and he will be back in Springfield in March and hopefully, he'll be back in this chamber very soon after that. Thank you very much."

Speaker Madigan: "The plan would be for the House to stand at ease pursuant to the call of the Chair. And the Chair recognizes Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And the Republicans will caucus in 118 immediately. Thank you."

Speaker Madigan: "Republicans will caucus in Room 118 immediately. Democrats will stand at ease to the call of the Chair. Thank you. The House will come to order. The Chair recognizes the Clerk. Mr. Clerk."

Clerk Hollman: "Committee Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 08, 2015: recommends be adopted is a Motion to Concur with Senate Amendments 1 and 2 to House Bill 4576."

Speaker Madigan: "The Chair recognizes Representative Currie."

Currie: "Thank you, Spea... thank you, Speaker, Members of the House. I move to suspend the one-hour posting rule in Rule 15 so that we can immediately consider the Concurrence Motion with Senate Amendments to House Bill 4576."

Speaker Madigan: "You've all heard the Lady's Motion. Is there leave? Leave is granted. Mr. Clerk. On the Order of House Calendar... Supplemental Calendar #1 there appears, on the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Order of Concurrence, House Bill 4576. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a straightforward proposition. It would apply going forward to any vacancy in the offices of Attorney General, Secretary of State, Comptroller, and Treasurer. The measure provides that a Special Election would be held at the next General... regularly scheduled election if, in this office, there is a vacancy or the person elected fails to qualify for more than 30 days and there are more than 28 months remaining in the term at the time of the vacancy or failure to qualify. This follows very closely what happens if there is a vacancy of 28 months or more in the office of a Member of the State Senate. And it is very similar to federal rules governing what happens if there is a vacancy in a term for a Member of the House or a Member of the Senate. I'd be happy to answer your questions. I just want to underscore that this applies going forward. This is not just about the Comptroller's Office. It's about Attorney General, Secretary of State, Treasurer, and Comptroller and the authority that we've been given under the 1970 Constitution clearly makes it possible for the General Assembly to provide by law for a Special Election. So, I'd be happy to answer your questions. I'd be grateful for your support."

Speaker Madigan: "The Lady moves that the House do concur in Senate Amendments #1 and 2 to House Bill 4576. The Chair recognizes Mr. Sandack."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Sandack: "Thank you, Mr. Speaker. I rise on a point of order. On December 3, 2014, the House adjourned sine die pursuant to House Joint Resolution 117, which the House adopted that same day December 3, 2014. The Senate adopted it on December 4, 2014. The term 'sine die' is Latin for 'without day'. It is specifically referenced in House Rules... it is not specifically referenced in the House Rules; however, it is addressed in Roberts Rules of Order newly revised which is the parliamentary authority for the House pursuant to House Rule 99. Roberts provides that adjournment sine die usually refers to the close of a Session of several meetings where, unless called into Special Session, the Body will not reconvene until such time as prescribed by bylaws or Constitution, as the case of the Session of the Legislature. Other relevant parliamentary authorities expand upon the meaning and impact of sine die adjournment. For example, one of the nation's first parliamentary authorities, the Manual of Parliamentary Authority, by Thomas Jefferson, provides that when Legislative Sessions are terminated all matters depending upon them are discontinued and at their next meeting shall be taken up de novo, or anew. And very specific guidance is provided by Mason's Manual of Parliamentary Procedure, which is the parliamentary authority for 70 of the 99 state Legislative Bodies in the United States. It provides a Motion to Adjourn sine die has the effect of closing the Session and terminating all unfinished business before the House. And all legislation pending upon adjournment sine die expires with the Session. So, according to these parliamentary

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

authorities, when adjournment closes a Session, as in adjournment sine die, pending matters expire with that Session that can only be in... reintroduced in the next Session. Our Constitution does provide that the General Assembly is a continuous Body during the term of a House Member and this allows for additional Special Sessions after a sine die adjournment. The referenced parliamentary authorities, however, indicate that legislation from any Session adjourn sine die is no longer pending but may be reintroduced in the next Session. Consequently, Mr. Speaker, I rise today in... to question the Special Session consideration of House Bill 4576 from the regular Session of the 98th General Assembly, which appears to have expired for purposes of House consideration when the House adjourned the regular sine die on December 3, 2014. Thank you, Mr. Speaker."

Parliamentarian Wier Vaught: "It's been awhile. On behalf of the Speaker, under the 1970 Illinois Constitution, the General Assembly is a continuous Body, but the General Assembly is not required to main... to remain in continuous Session. The framers of the 1970 Constitution included the concept of Special Sessions specifically to ensure that the Body could convene if it had recessed or if it had adjourned sine die. They cited to this specifically in their debates. Both the Governor and the Presiding Officers jointly have the authority to convene a Special Session for a limited purpose. The fact that the House adjourned its regular Session sine die has no impact on the ability of the General Assembly to convene for purposes of a Special Session or to pass

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

legislation during that Special Session. Again, on behalf of the Speaker, I move the opinion that the General Assembly may act on any legislation during a Special Session so long as it is in compliance with the passage requirements set forth in the Constitution and the purpose of the Special Session. My opinion is bolstered by a 1972 opinion of the Attorney General and a line of cases interpreting what is known as the 'enrolled bill doctrine'. Representative, just so you know, even if a sine die adjournment prevented the House from taking up legislation that was pending before it at the time of adjournment, this Bill was actually pending before the Senate at the time of adjournment. The Senate has not adjourned and they have now sent over a newer legislative measure, a Motion to Concur, and they have sent that over during a third Legislative Session. I'm sorry. Excuse me. During a Third Special Session. Therefore, a sine die adjournment would not prevent the House from acting on the Motion during this Third Special Session."

Speaker Madigan: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. I wish to appeal the ruling of the Chair and a Roll Call vote, please."

Speaker Madigan: "The Gentleman has appealed the ruling of the Chair. The question on this Motion is, 'Shall the Chair be sustained?' If you wish to vote for the Chair, Mr. Hoffman, you'll vote 'yes'. If you wish to vote against the Chair, you'll vote 'no'. Mr. Clerk, take the record. Mr. Clerk, take the record. On this question, there are 66 people voting

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

'yes', 40 people voting 'no'. The ruling of the Chair is sustained. Representative Currie."

Currie: "Thank you, Speaker. I'd be happy to close, if we're ready for a close."

Speaker Madigan: "The Chair recognizes Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Madigan: "Sponsor yields."

Durkin: "Just... I just want to make that a few just preparatory comments. And you know, it's... I'm quite pleased that Representative Currie, Majority Leader, is carrying this Bill. I know you... I've known you for a number of years. You represent Hyde Park. That is a neighborhood of..."

Currie: "And South Shore and Kenwood..."

Durkin: "...South Shore..."

Currie: "...and South Chicago."

Durkin: "Hyde Park..."

Currie: "All excellent communities."

Durkin: "...Hyde Park in the shadows of the University of Chicago, a neighborhood that... a neighborhood of deep thinkers and for those who fight for democracy, transparency, and fair play. And I'm really glad that you're sponsoring this Bill. And you look at the University of Chicago, which is in the shadows of, I presume, where you live, the model that knowledge grow from more to more and shall be human life be enriched. So, again, I'm glad you're carrying this Bill. We'd like to talk a little bit about how democracy is being advanced today. Just right out of the box, is the Comptroller's Office not

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

doing their job under Comptroller Stermer? Is there a problem?"

Currie: "I have no idea what you're talking about. This Bill has to do with succession in the event that a person elected fails to qualify and in the event that there are more than 28 months remaining in a term."

Durkin: "Is there a problem with the operations of the Comptroller's Office right now?"

Currie: "This Bill is not about the operations of the Comptroller's Office. It is about the right of the people in a democracy to select their leaders, to select their Constitutional Officers, Governors, Attorneys General, Comptrollers, Treasurers. That's all this Bill is about. It sets a procedure in place any time there is a vacancy of 28 months or more so that the people may decide who should fill that office. That's all it does."

Durkin: "Okay. Well, we'll discuss the emergency..."

Currie: "For an office..."

Durkin: "...nature of our convening of this General Assembly, one of the speakers will bring that up shortly. For purpose of today, how many votes will it take for favorable passage of this Bill?"

Currie: "It will take 60 votes."

Durkin: "Thank you. If we would have taken up this legislation..."

Speaker Madigan: "Mr. Durkin."

Durkin: "Yeah."

Speaker Madigan: "Apparently a question was put to the Chair?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Durkin: "Well, I can put it to the Majority Leader. She's from the University of Chicago, deep thinkers. She's very intellectual."

Speaker Madigan: "We know... we..."

Durkin: "I know that she understands the Rules and..."

Speaker Madigan: "...we all know that, right."

Durkin: "Yeah."

Speaker Madigan: "But on your question..."

Durkin: "Yes."

Speaker Madigan: "...this will require 60 votes. Thank you."

Durkin: "Thank you. Then I'll direct another question to you. If you could just... Give me just a moment. If we... this General Assembly would have been convened shortly after the untimely passage of Comptroller Topinka, and before the close of the year, how many votes would it take to pass the Bill?"

Speaker Madigan: "Seventy one."

Durkin: "If we were to wait until next week when a new General Assembly is sworn in, and we were to take this legislation up, how many votes would that take for a favorable passage?"

Speaker Madigan: "Sixty."

Durkin: "Thank you. Now, back to Representative Currie. The question is, why now?"

Currie: "Well, one of the reasons for now rather than later, is that after the new Assembly convenes there already will be in place all the Constitutional Officers. And it is possible that at that point, were we to say that the term of Comptroller will be up for election in 2016, it's conceivable there could be legal issues over whether the person that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Governor-elect Rauner appointed would, by that time, have a vested right, a property right in the job. So the cleanest way to do it is to do it now."

Durkin: "The cleanest way to be able to strip an incoming Governor of his executive authority would be to do it now, correct?"

Currie: "No. It's nothing to do with the Governor and his authority."

Durkin: "Oh, please."

Currie: "The only..."

Durkin: "Come on, Representative, Currie."

Currie: "Look, this is in perpetuity. The law that we are passing today, if we pass it, would apply any day down the road to any Governor, Republican or Democratic, any officeholder, whether a Republican or a Democrat. This is generic legislation."

Durkin: "We are here for one reason..."

Currie: "It is Demo..."

Durkin: "...and one reason only."

Currie: "It is about democratic governance, not about political partisanship."

Durkin: "Really? Representative Currie, you and I have served a number of years together and quite frankly, we wouldn't be here but for the vacancy in that office. I appreciate your response. I don't buy it though. It's unfortunate we are in a lame duck Session. Is this a lame duck Session? Are we in a lame duck Session? Refer to it as a lame duck Session, right now."

Currie: "I have so heard it."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Durkin: "All right. I con... to recall that last time we were in lame duck Session we imposed the single largest tax increase upon Illinoisans and businesses, correct??"

Currie: "I don't believe that is right. I think that would have happened when Ogilvie was Governor and the income tax was first adopted in the State of Illinois."

Durkin: "I... I looked at it differently."

Currie: "Nothing to something is really larger."

Durkin: "Okay. All right."

Currie: "No two ways you look it."

Durkin: "Okay. We are now considering House Bill 4576, correct?"

Currie: "Yes."

Durkin: "That Bill, 4576, was passed by the House of Representatives April 7, 2014 and is now currently was sitting on Third Reading in the Senate as of late November, correct?"

Currie: "That is correct."

Durkin: "And the Bill, House Bill 46... 4576 requires the Department of Commerce and Economic Opportunity to conduct a study regarding credit and background checks to determine what impact unpaid..."

Currie: "That was the way..."

Durkin: "...checks supporting... unpaid information has on individual's ability to be considered, interviewed, and hired by an employer. Is that correct? That is what..."

Currie: "That was the original Bill."

Durkin: "Correct."

Currie: "You're right."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Durkin: "And today, what we are doing is that we are changing the complete nature of House Bill 4576 and amending the Election Code to allow for special elections in certain circumstances when a vacancy occurs for Constitutional Office, correct?"

Currie: "And we have done the same with many, many, many Bills over many, many, many Generals Assembly."

Durkin: "Okay. I want to make reference to your House Rules, the ones which you vote and you impose upon the Minority year in and year out, House Rule 63. Motion on Different Subject. No Motion or other legislative measure on a subject different from that under consideration shall be admitted under color of Amendment. That is basically our germaneness requirements. How is the Amendment which we are ruling on today, which amends the Election Code, how is that germane to the Section which we... that is originally amended under 4659, which is under the Department of Commerce and Economic Opportunity Administrative Code? How is this Amendment germane to that?"

Currie: "First of all, I believe the germaneness Rule applies during Second Reading. As you know, we are on a Concurrence Motion on a Bill that has already passed the Senate on Third Reading. Second, the title of the Bill is an Act concerning State Government and if the provision of the Senate Amendments that we are now voting to... with that we should concur with these Amendments if deciding how the voters get to choose their Comptroller, their Attorney General, their Secretary of State, their Treasurer, if that is not an Act about State Government, then I don't know what is."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Durkin: "That was nonresponsive and it was good but nonresponsive. Again, how is this Amendment germane to the Economic Opportunity Act?"

Currie: "I think I explained the germaneness issue and in my view, this measure, the measure before us, is appropriate. It is not inap... in... it belongs right here where it is, an Act concerning State Government. And I would encourage you to talk about the merits of the issue..."

Durkin: "Well..."

Currie: "...not about procedural niceties."

Durkin: "I'll ask whatever questions I think are appropriate. We have men and women who are here for the first time. We have visitors who come and visit the State Capitol. I think we owe it to them to be able to ask questions about procedure and why we are here and also the substance of any Bill. I will disagree with you. It'll be on the record. I don't believe that the Amendment, which we are acting on, is germane and I believe it is contrary to House Rule 63 of your House Rules. All right. I don't think it's fair also. Let's get to the substance. What offices are affected by this legislation?"

Currie: "Attorney General, Secretary of State, Treasurer, and Comptroller. There are separate... separate rules in the 1970 Constitution that deal with succession of the Governor and succession of the Lieutenant Governor."

Durkin: "And what are the circumstances that are going to trigger the inaction of this proposed legislation?"

Currie: "Failure to qualify within 30 days and a... the number of months in the remaining part of the term would be 28. So,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

we're following basically the model set by what the Constitution prescribed for Members of the State Senate. The idea, and this is borne out by discussions in the 1970 Constitutional Convention, all manner of descriptions of the 1870 Constitution the idea is if there is a long time left, then appointment by the Governor for a vacancy of the Constitutional Office may not be the best plan. It's up to the General Assembly, that's us, to decide whether we should shorten that schedule."

Durkin: "I'm glad you raised the 1970 Constitutional Convention and I want to take it... focus it on one Section of our Constitution which was amended that was Article V of the Constitution. Let me read it to you; it's very clear. I think as clear as clear can be. Officers of the Executive Branch shall hold office for four years beginning on the second Monday of January. They shall be elected at the General Election in 1978 and every four years afterward. Now, your Bill calls for an election in two years and also during a Presidential Election year, correct?"

Currie: "What... what... what the mea..."

Durkin: "Which it will."

Currie: "The measure says... it says specifically following the Constitution, Section 7... you read from Section 1 or 2... Section 7 says, the appointee, this is in the event of a vacancy, shall hold office until the elected officer qualifies or until his successor is elected and qualified as may be provided by law, may be provided by law. That's us. We are the lawmakers of this... this provision gives us explicit authority to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

establish an election schedule in the event of a long-term vacancy."

Durkin: "That is a nonspecific area within the Constitution which does allow for a variety of things to happen. But we currently have in place language that says that the General Election for those individuals shall occur every four years. After next week, under this set of circumstances, fact scenario, where a new Comptroller, Comptroller Stermer, will be relieved of his duties and I appreciate the work he's done a new Comptroller will be sworn in and will have to run in two years. How does that jive with Article V, the last sentence of a very specific, unambiguous Section of the Illinois Constitution? It states that elections shall occur every four years."

Currie: "And... and the way it works because that's a General Proposition Section 7, which I just read, is a limiting. It's an exception. An exception to the General Rule is if the General Assembly decides in the event of a vacancy to provide by law for an election for a successor candidate."

Durkin: "So, you dismiss Section 5 stating that... that is basically it's not mandatory..."

Currie: "No, no, no."

Durkin: "...it's advisory at best."

Currie: "No, what I said is that's the General Proposition, but we are given specific language... I just read it to you; I'll read it to you one more time..."

Durkin: "All right."

Currie: "Okay."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Durkin: "I'm familiar with the language, but I guess..."

Currie: "Until a successor is elected and qualified as may be provided by law. So, it's an exception. So, then there will be one time during which a candidate for Comptroller will run in the Presidential year but will revert immediately back to the language you described from Section 5, immediately."

Durkin: "Curren... currently..."

Currie: "The next election..."

Durkin: "...your Sections..."

Currie: "...will be when the other statewide officeholders are elected."

Durkin: "...Section 7(a) you're referring to is vague, is that it does leave open a question of what the General Assembly chooses to do; however, Section 5 is not vague. It's very specific. And as the constitutional scholars that we have in Hyde Park and everywhere else in the State of Illinois will clearly say, when there is a specific versus an ambiguous Section within a Constitution or a Code, the specific Section is going to prevail. So, I will disagree with you on that. I do want to get... explore a little bit more about the Constitutional Convention. 'Cause you would agree that a Constitutional Convention, that of... specifically of 1970, does provide... the debate does provide guidance and I think some value to interpretations of the law and Constitution. Would you agree to that?"

Currie: "I do."

Durkin: "Okay."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Currie: "And I'd be happy to read some Sections from the debate in the 1970 discussions that I think underscore the point."

Durkin: "Well, I... I'll tell you what. Let me start first and I'll let you follow afterwards."

Currie: "Okay."

Durkin: "If you don't mind? Okay, thank you. I want to talk about two people in particular and I think people that we all, and particularly yourself, hold in great regard. And that is at that time Lieutenant Governor Paul Simon, who served as the state and this nation as U.S. Senator for a number of years. And also, a person I know... I know you knew well, and that was Delegate Dawn Clark Netsch, who became a statewide officer and served with great honor for a number of years. And during that 1970 debate regarding the election of every four years, non-Presidential years, having statewide offices be elected, Lieutenant Governor Paul Simon, January 4, made the following statement remarks to the delegates. The election of Governor, Lieutenant Governor, and perhaps other state offices should take place in the non-Presidential year so that serious discussion of state issues will not be overwhelmed by the national political scene, non-Presidential year."

Currie: "Okay. That's what we do."

Durkin: "Delegate Dawn Clark Netsch. I considered very carefully at the time of writing that all of the pros and cons for electing the state officers, either in a Presidential year or in a non-Presidential year. While I tried to bring scholarly detachment to most of my conclusions in that article, I found in that the case that the arguments for electing the state

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

officers in a non-Presidential year were so overwhelming that I was compelled to express a personal view in the article. I think, indeed, they are overwhelming. I think there is a point in time where we are trying desperately to give this state a shot in the arm, and I will tell you this, this state needs a shot in the arm, and it will happen next week, a much needed shot in the arm. I think we very badly need to separate... separate out the issues of the state from the issues of a national election. And I hope that this convention would support that position. And lastly, Delegate David Kennedy, a former faculty member at the Southern Illinois University in 1970... '78 and thereafter, all state executive officers are to be elected to a term of four years. Thus, the Presidential Election will be avoided and there'll be greater emphasis on state issues. That is the legislative intent of Article V. We are now throwing that aside and stating we are going to have a Constitutional Officer elected in two years to the office of Comptroller, which will be during a Presidential year, completely opposite of what we all agree are some of the greatest independent minds and thinkers who have represented the State of Illinois, Paul Simon and Dawn Clark Netsch. Would you agree or disagree?"

Currie: "I would... I would point out that all these Constitutional provisions have to be read in the entirety of the Section, not just pulling out one small piece. And I would argue, I would urge, that what you have done is to take one issue, and it's an important one, that these offices should be voted for generally in non-Presidential years which will be true when

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

we concur with Senate Amendments 1 and 2 to Senate... to House Bill 4576. It will still be true with the one aberration that is understood and approved, clearly and literally, in the 1970 Constitution. Let me... let me read to you from some of the other debates that happened on Section 7. So, we leave unaltered the existing Constitutional language, which in the past has served to support statutes calling for special elections when an appreciable time remains in an uncompleted term. And then later Delegate Young, we've cleaned up the language, rearranged the list of officers, shortened the Section, leaving the manner as it is in the present Constitution for the Legislature to determine the manner of election, if there is to be one, in the event of a vacancy. You have to read the whole Section. The general rule is we will elect statewide officers every four years, the non-Presidential year, but the Constitution also clearly provided an avenue for the Legislature to call for a Special Election in order to prevent the appointment of a Constitutional Officer for an extended period of time by the Governor, any Governor, of either political Party."

Durkin: "Well, that's fine. But what we're doing today is basically... it flies in the face of what I just stated is a very specific within our Constitution that we are going to allow for the election of Comptroller. First, are there any other offices that we believe which could become vacant very shortly? Secretary of State, for example. Would that be..."

Currie: "You can never tell. We did have a vacancy..."

Durkin: "Attorney General, would those..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Currie: "...some years ago in the office of the Secretary of State. Alan Dixon, as I recall, was elected to the United States Senate leaving that position vacant, subject to appointment by then Governor Jim Thompson."

Durkin: "Why don't we just wait until the new Governor gets sworn in? Let's let him handle this situation."

Currie: "Well, let... let me remind you that were we to do that I think we could expose ourselves to a legal challenge..."

Durkin: ""Well, you're afraid of that individual's..."

Currie: "...because at the point at which..."

Durkin: "...going to get appointed is going to have rights that'll be vested under the Constitution..."

Currie: "And so, we're not."

Durkin: "...you're not going to be able to throw it in her butt in two years..."

Currie: "We're not..."

Durkin: "...correct?"

Currie: "we are not exposing ourselves to a legal challenge, but we might if we waited until there were a... an appointment made after January 10 to fill the office of Comptroller."

Durkin: "Okay."

Currie: "That person could argue a property right as I earlier mentioned. I don't know that that would succeed, but I don't know why you'd want to ask for litigation when you can avoid it."

Durkin: "We clearly have a divided chamber on this issue. And I think you would agree with that."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Currie: "I hope... I hope you're wrong because I hope that the Members of this chamber value democracy. I hope the Members of this chamber value the right of people to vote for the Constitutional Officers of their choice."

Durkin: "Well, I do know that the Members of this side of the aisle value the Constitution and I just read a very specific passage within Article V of the Constitution and also recited language from some of our finest statesmen that have served in Illinois government who state that it is not wise to have statewide offices coincide with the Presidential Election. And that is why Article V was created. Let's... Here's an idea. Why don't we just put this aside and take up the issue that what I think everybody at one point has agreed upon, at least in the Senate, and also in the House... this side of the House, which is to eliminate the office which would state that we would put the question to the voters in '14... in '16 and then we could have an election in 2018. Why don't we take that up right now?"

Currie: "Representative, we have every opportunity to take up that issue and I encourage you to introduce a measure in the next General Assembly to do so. We have, in fact, until May 2016 to decide if we want to offer that option to the voters as an Amendment to the current Constitution."

Durkin: "Thank you. There's a Democratic Senator, shortly after the passage of a... of Comptroller Topinka, Senator Heather Steans wrote an op-ed to the Chicago Tribune. And she stated that it's... I believe it's important for us to focus on what Comptroller Topinka was trying to accomplish, eliminating the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

office to save Illinois taxpayers \$12 million a year. I sponsored the Amendment led by my colleague Senator Kwame Raoul of Chicago, both Democrats, that would consolidate the functions of the Comptroller into the office of the State Treasurer's Office. While the bi... measure passed the Senate with bipartisan support, it failed to receive action in the House. That was SJR Constitutional Amendment 13 in the 97th General Assembly. I recall you being the chairman of the Rules Committee. Could you tell me why there was overwhelming support in the Senate, particularly bipartisan support, but why that measure never moved out of the Rules Committee?"

Currie: "That was then; this is now."

Durkin: "Oh..."

Currie: "Today, before us is the question, what do you want to do about a long-term vacancy in an elective position? Do you want to give the voters the opportunity to fill that slot part way through what would have been a full four-year term or don't you? It's a question about democracy. It's a question about our trust in the people of the State of Illinois. It's not just a question about this Comptroller's Office. It's about any of the four offices I described to you earlier and this will apply in the future whether the Governor is the Democrat or Republican, whether the officeholder was elected as a Republican or Democrat or a Member of the Green Party. That's the question before us today and I would urge all of us to support democracy."

Durkin: "I'm think... And thank you for emphasizing democracy. I think it's very important. We'll get to that just shortly."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

I've got a question for you. If Governor Quinn was reelected and the Comptroller... Democrat nominee for Comptroller was elected and passed away, would we be here today taking up this measure?"

Currie: "I would hope so. I would certainly hope so."

Durkin: "I think that's a simple yes or no. Could you please... please give me the luxury of answering one way or the other?"

Currie: "Yes."

Durkin: "Wow. That's a whopper, holy cow. All right. I'm glad we're talking about democracy and I think it's important that we learn something from today about what democracy's about because at the end of January we are going to take up a matter regarding the House Rules of the next General Assembly. And nothing has changed in that. The voices of the Minority Party and the 5.2 million residents that they... Illinoisans that they represent will be stifled once and once again. We will ask for democratic concepts, matters of democracy which you are stating today that are important in this process and I hope you will live by that when we take this up in January, the House Rules, the concepts of democracy, fair play, about representation. And I'm going to hold you to that, Representative Currie, 'cause you usually call that. You're the one that represents the... or sponsors those Rules. But lastly, I just want to say that this is really a, I think, a very... very... I can't believe we're here. And to the Bill, Mr. Speaker. I... I think this is really just a shameful way for us to finish up our business in a lame duck Session. We know what's going on here and quite frankly, to me this is a power

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

grab in the 11th hour of a lame duck Session, plain and simple. But the fact is a new Governor was elected by the majority of the Illinoisans. They signal that they want a change. We have divided government in Illinois. Divided government means compromise. It means working with both sides of the aisle to achieve what's important for the State of Illinois. Today, sets a tone, which is contrary to that, and I think it's unfortunate. But as I said earlier, I'm glad we're talking about democracy because I think that what we're... what we're talking about today, at least the spirit that I'm hearing from the other side of the aisle, I'd like to see where that spirit's going to be at the end of January when we talk about these undemocratic Rules of the House which have been imposed and shoved down the throats of the 40... of the House Minority for a number of years and also their constituents. I will vote 'no' and I would respectfully request that all our Members and even our independent thinkers on that side vote 'no' as well."

Speaker Madigan: "Mr. Franks."

Franks: "Thank you... thank you, Mr. Speaker. You know, last month we were presented with an unprecedented situation. And now, it falls upon us to enact legislation that... that addresses it. And as emotional as this situation is, given the recent loss that many of us really are still shocked by, I think we need to separate the issue from the passing of our friend, Comptroller Topinka. I don't like, as our previous speaker said, I don't like the timing of this either. But we have to look at the Bill on its merits. The totality of what those of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

us who support this measure are trying to accomplish is actually very simple. It's simply to allow the peoples' voices to be heard on an issue of critical importance. This Body, working on solutions for unprecedented situations, is not in itself unprecedented. It is what we do here. We take on unforeseen issues and unintended consequences and find solutions all the time. And I would imagine most everyone in this room has amended legislation that they have filed or voted for trailer Bills or legislation that was described as cleanup languages. And ultimately, that's what this measure up for consideration right now is. The laws that we're subject to were not drafted with enough specificity and we need to fix that. And I submit that democratic institutions are never... are never weakened by increased participation of the people that they serve. If this legislation had been introduced in response to a similar vacancy in a Republican Secretary of State's Office with a Democratic Governor appointing a successor, I would be saying the exact same thing. Because the people don't vote for a political Party, they vote for the person they believe that's best suited to discharge the duties of the office. And given the 3 to 2 split in our current Constitutional Officeholders, I don't know how anyone can see it any other way. And that being the case, the people should have the right to elect a Comptroller at the most reasonable opportunity. The 2016 General Election is going to happen and the simple act of adding a few lines to the ballot will cost nothing. But it will ensure that the voices of the people are heard and that there will is enacted. This is not

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

a partisan issue. I'd be voting the same way regardless of who is or who will be the Governor. And my friend before spoke about eliminating or merging the Comptroller and the Treasurer's Office, and I filed that Bill 10 years ago. I strongly support that. I know many of us do here. So, let's file that Bill now. Mr... Leader Durkin, if you'd like to file it, I'd be honored to be your Chief co or I'll file it and you can be mine, but that's something that we should consider next week. And while we're at it, why don't we file another Bill eliminating the office of the Lieutenant Governor. We should do both of those next week while we have the opportunity after we get sworn in and I'd like to work with you on that as well. Both of those courses of actions are the right ideas for the same reason that the Bill that we're discussing today, and hopefully will pass, is also a good idea. Because the people will have a greater opportunity to influence the institutions that govern them. I don't like the timing; I think it stinks. But the fact of the matter is we have a situation that we have to address. Look into your hearts. You know the right thing to do is to vote 'yes' to give the people a chance to weigh in. We don't own these offices. No political Party has a right to control these offices. These peo... these offices belong to the citizens of the State of Illinois and they should have the ultimate say. Please vote 'aye'."

Speaker Madigan: "Mr. Reis."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Reis: "Thank you, Mr. Speaker. I have a couple inquiries before I ask the Sponsor a question. First, an inquiry of the Chair. We are in the Third Special Session. Is that correct?"

Speaker Madigan: "The answer is yes."

Reis: "Okay. Then I have a parliamentary inquiry. According to our state statutes, you have to give a four-day notice on a proclamation in order for it to meet. And I was just wondering why that was waived?"

Parliamentarian Wier Vaught: "Representative, on behalf of the Speaker, I believe you're referencing a Section of the Special Sessions Act..."

Reis: "Yes."

Parliamentarian Wier Vaught: "...that requires the Secretary of State provide at least four days' notice to Members of the General Assembly. However, that provision is waived if the Speaker and the President, in their proclamation, declare that the Special Session is considered an emergency Special Session. In this instance, the Speaker and the President have jointly declared this is an emergency Special Session; thus, the four-day rule has been waived."

Reis: "Very good. And now, I... back to the inquiry of the Chair. According to the Special Session Act, it says that in order to... for the four-day notice to be waived that a demonstrable emergency must exist. And I was just wondering what that was."

Speaker Madigan: "Mr. Reis, I believe the parliamentarian just responded to your inquiry, but I'll ask her to do it again."

Reis: "Well, this... I think..."

Parliamentarian Wier Vaught: "Representative..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Reis: "...is addressed to you."

Parliamentarian Wier Vaught: "Sorry. Representative, on behalf of the ch... on behalf of the Speaker, the demonstrable..."

Reis: "Demonstrable."

Parliamentarian Wier Vaught: "Excuse me. The demonstrable emergency..."

Reis: "I have a definition here too I'm going to read."

Parliamentarian Wier Vaught: "I appreciate it. Emergency presented here it, frankly, is again in the discretion of the Speaker..."

Reis: "That's why I asked him for his."

Parliamentarian Wier Vaught: "...and the President to determine whether or not there is an emergency."

Reis: "That's why I asked him for his."

Parliamentarian Wier Vaught: "They have both determined that there's an emergency."

Reis: "That's why I asked him."

Parliamentarian Wier Vaught: "The Sponsor of the Bill has also explained the reason... the reason for the... the reason for the emergency. Thank you."

Reis: "What is the emergency? I mean, are we failing on our bonds? Are we about to go bankrupt? Was there a weather tragedy? What is the demonstrable which, by the way, means able to demonstrate, able to be proven or shown emergency?"

Speaker Madigan: "Yeah, Mr. Reis, I don't plan to get into a dialogue with you, but I would simply say that I believe the Majority Leader has responded to your question very adequately."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Reis: "Well, I think we should discuss this, Mr. Speaker, because if we do..."

Speaker Madigan: "So, Mr. Reis, go ahead and discuss it. Proceed."

Reis: "Okay. I will with the... the Sponsor. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Reis: "Representative, I'm going to... or Leader Currie, I'm going to ask you the same question. What is the demonstrable emergency?"

Currie: "Well, first of all, that is defined by the Speaker and by the Senate President. I don't have access to the inner workings of their minds, but I'm sure they felt there was adequate reason to declare it an emergency."

Reis: "Now, he'd..."

Currie: "Second, I pointed out that were we to wait to change the..."

Reis: "That's not the issue. I think we are meeting..."

Currie: "...the pattern of succession. If we were to wait..."

Reis: "...I think we are meeting in violation of a Proclamation."

Currie: "...if we were to wait to do this until the next General Assembly, by which time a... an appointment may have been made by the Governor-elect for what could conceivably be deemed a four-year term, we'd be opening ourselves to costly, likely unsuccessful, but costly, nevertheless, litigation."

Reis: "That's fine."

Currie: "And it seems to me it is emergent to do this before we run the risk of costly losing, but expensive, litigation."

Reis: "So, is that your answer as to the demonstrable emergency?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Currie: "Yeah. I had two answers. One is it's the decision of the Speaker and the President. Second, I can imagine why they might have thought there was an emergency."

Reis: "Well, the Speaker doesn't want to answer the question; you don't want to answer the question 'cause you said the Speaker's supposed to answer the question. But I think our meeting today is in violation of the Proclamation, the Special Session Act. There are... is no emergency. It's not been defined. Technically we should have a four-day notice before we are meeting. So, I'm going to go back. Did... Was this a demonstrable emergency the day after Miss Topinka passed away? Was this the emergency a week later, two weeks later? Was it an emergency last week? Why was it suddenly an emergency yesterday?"

Currie: "The point is the Constitution gives the presiding officers the opportunity..."

Reis: "As long as you follow the law."

Currie: "...to call the Session. And they have done so. Let's get on with the business at hand."

Reis: "I can always tell when I'm close, Representative, because you want to move on. And since we are wanting to follow the Constitution, it's mentioned several times in both Proclamations where we're referring to the Illinois Constitution, the Illinois Constitution clearly says that the Governor, the sitting Governor, shall appoint these positions. It also says in our Constitution for State Senators that if the vacancy is more than 28 months before the next election, that there shall be a Special Election. This had to

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

have been discussed. Why wasn't it put into the original Constitution?"

Currie: "Representative, I answered that question. I quoted from the delegates of the 1970 Constitutional Convention responding to the 1870 Constitution in which everybody clearly understood that in the event of a long-term vacancy the General Assembly had the ability, had the authority by law to prescribe a Special Election. That's all this Bill that... we're talking about a Bill. That's what the Bill does. As clearly... it clearly enunciated..."

Reis: "Yeah."

Currie: "...by the 1970 Constitution."

Reis: "It... We're stretching this beyond recognition. Why wasn't this addressed during the last 12 years of your Majorities here in Springfield?"

Currie: "It doesn't happen very often that there is a vacancy and even if there is one, it might not be a long-term one."

Reis: "But this was an emergency. Why didn't you guys address this before?"

Currie: "You know, Representative, why don't we talk about what's before us today. Today, before us..."

Reis: "'Cause I'm trying to lay out that you're doing this for political reasons because you can. Because you can. You had all the time in the world to fix this, but you waited until not only after an untimely death happened, but until after the 71 Majority vote. So, if it was so important to fix it, why didn't we fix it before? And I want to go back to December of 2008. You and I were both on the floor..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Currie: "Just... just to clarify. We could have done the same kind of legislation when we were here in early December, if we had made it effective next spring. It would have only required 60 votes. So, you're under a mistaken apprehension."

Reis: "Well..."

Currie: "This measure doesn't really take effect until 2016. So, we didn't have to make it immediately effective. So, you're dreaming if you think that we didn't do it because it would have required too many votes."

Reis: "I'd like to remind you we are in the super Minority. And I dream a lot. But why... I'm going to go back to December of 2008 and many of us on our side of the aisle wanted a Special Election for the appointment to replace Senator Obama and you guys fought us tooth and nail. You're not going to do this. We're not going to waste money. And you blocked our attempts at having a Special Election to replace Senator Obama."

Currie: "I think one of the beauties of the legislation right now before us is that we're not going to require local governments to spend a fortune on a Special Election that could have happened the day after tomorrow. We are piggybacking on a regularly scheduled General Election in November of 2016."

Reis: "My point is this..."

Currie: "So, there will be no extra costs to the locals, no extra costs to the taxpayers."

Reis: "You know, you can stretch things an awful lot. And I would like to point out, to finish on that thought that the... the courts decided that we were right and that it was only applicable to fill that position with a Special Election and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

we had it. So, we were right on that one. Our current Constitution..."

Currie: "And that was in the next election. The next election was the General Election."

Reis: "We had two elections. One was for a Special Election for one month. And now going forward, that has been defined."

Currie: "Yeah, right. But it was... yeah. It was the same day."

Reis: "And we were right on that one too. You know, to the Bill. Representative, you called this a no-brainer. And I agree with you. I agree with you on the concept. If it was a no-brainer, it should have been done during the last 12 years. But where I don't agree with you is how you're doing it, when you're doing it, and the fact that we're changing state statute and not the Constitution. What happens in 10 or 20 or 30 years when you get the Democrat Governor back? Are you going to change it back with a simple Majority vote again? This is something that should go in the Constitution. I don't argue that, but let's go through the right angles and the right process, and make it to where the people actually get to choose about this. They're not getting any say in this. It's been referenced several times today. We want to let the people decide. Well, let the people decide on this Constitutional Amendment. There's no emergency that exists. I feel we're meeting in violation of the Special Session Act. And I hope it gets reported by the reporters that what if this had happened one week after Comptroller Topinka was sworn in? One day, one week, one month, one... you know, six months. The fact of the matter is, we wouldn't be here discussing

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

this Bill. But because it didn't happen that way, because you still have the supermajorities, because you still have the Governor's ink pen, you're going to do it. And that's the message that needs to get out."

Speaker Madigan: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Kay: "Thank you. Representative, have you met Governor Rauner?"

Currie: "I have, but what's relevant in that question to the matter at hand, the Concurrence Motion on Senate Amendments 1 and 2..."

Kay: "Well, I'm getting to that point."

Currie: "...to House Bill 4576?"

Kay: "I'm getting to that point."

Currie: "Have you met him?"

Kay: "Oh, yeah."

Currie: "Good."

Kay: "Yeah. You have to bear with me. You know, you've given a lot of time, that is the Speaker, to other people who have prepared statements and I haven't. You really don't like Governor Rauner, do you?"

Currie: "I don't... You know, that is the most irrelevant question I think I've heard all day, which is saying something."

Kay: "Well, let me ask you a different question. You can..."

Currie: "I thought he was a very..."

Kay: "...you can la... you can laugh all you want."

Currie: "I thought he was a... I thought he was a very pleasant chap."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Kay: "Ma'am, I... I'll be honest with you. You can laugh all you want. I've heard it all in my lifetime plus more."

Currie: "He seems a very... a very pleasant chap."

Kay: "I'm glad..."

Currie: "I enjoyed my meeting with him."

Kay: "He'll probably be glad to hear that from you. But you really don't like Governor Rauner because he's a Republican and we have a Republican Governor. Thank you, Jack. I appreciate your support. Isn't... isn't that really the basis of this, Leader?"

Currie: "I have had good working relationships with three Republican Governors in my time..."

Kay: "Okay. Well, okay."

Currie: "...in this General Assembly. Good working relationships and I hope that will... I hope I'll be saying that..."

Kay: "All right. Well, let me..."

Currie: "...about the next Republican Governor."

Kay: "...let me get beyond that then because I... I've heard several times this is about the people and not politics and this is all about politics not about the people. So, let's go back to the beginning. How many times have we suspended Rules in the last two years in this General Assembly? How many times?"

Currie: "You know, I don't have a number for you, but I can tell you that... that when I just suspended Rules, I had the support of your Minority Leader."

Kay: "Really?"

Currie: "Really."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Kay: "So, every time we've suspended Rules with the support of our Minority Leader it was for issues that pertained to things that your side of the aisle had a real interest in, right?"

Currie: "I don't believe that's right, but again..."

Kay: "Well, sure it is. Sure..."

Currie: "...I don't understand the relevance."

Kay: "...sure it is."

Currie: "Can we talk about the Motion to Concur, please, Sir?"

Kay: "Well, I'm going to... if you don't mind, I'm going to kind of go down the path that I think is relevant and we'll come to an end here because, contrary to what you think, legislative intent here is very important because there will be litigation. So, let's not tell the people of Illinois that you're trying to save them money today. So, let's just go down this path for just a moment. Tell me... tell me for legislative intent purposes, what is it in our Constitution, with respect to succession, that doesn't work?"

Currie: "The language is clear, absolutely clear. I can read it again to you. The language..."

Kay: "No. You're not answering..."

Currie: "I mean, I'm happy to."

Kay: "I just want you to answer my question."

Currie: "I like reading it."

Kay: "What Section of the Constitution, Article and Section, does not address succession and appointment sufficient for you?"

Currie: "It... the language in the Con... I don't need to change the Constitution, Representative. The language in the Constitution is clear. We have the authority to establish an

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

electoral means of creating a succession for offices of Attorney General, Secretary of State, Comptroller, and Treasurer."

Kay: "But we've already done that."

Currie: "We are availing ourselves of that specific and clear-cut unambiguous declaration in the Constitution of the State of Illinois."

Kay: "So, everything in the Constitution for purposes of intent suits you just fine?"

Currie: "Say again. What do you mean purposes of intent?"

Kay: "Everything in the Constitution with respect to appointment and succession suits you just fine."

Currie: "Section 1 and 2 give us a general rule about these Constitutional Officers. Section, I believe it is, 7 tells us that we have the authority to establish an electoral means of filling a va... a long-term vacancy..."

Kay: "Yeah. Well, then..."

Currie: "or even a short-term vacancy."

Kay: "All right. Then... then let me reverse the question. What's deficient about the Constitution with re..."

Currie: "Nothing. The Constitution is clear. It's unambiguous. I don't understand what you're hassling about. It's... it is a living..."

Kay: "So, then what we're doing today is you're passing special legislation that really goes above and beyond what is in our Constitution to solve a problem that you think we have."

Currie: "I'd have to say you're just plain dead wrong."

Kay: "Well, why is that? Don't... You can make that statement."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Currie: "Until a successor..."

Kay: "Why am I dead wrong?"

Currie: "...is elected and qualified as may be provided by law.
I'll read it to you yet again. As may be provided by law."

Kay: "Yeah."

Currie: "It is clear. It is unambiguous. We have the authority to
decide whether to establish a Special Election."

Kay: "Well, let..."

Currie: "We have the authority to establish the manner, the timing
of a Special Election. We chose not to add to the burden of
the taxpayers by creating a special, Special Election. All
this measure does is to say that today and tomorrow and years
down the road, if there is a vacancy of more than 28 months,
the next regularly scheduled General Election shall cause the
election, the opportunity for the voices of the people to be
heard."

Kay: "Okay."

Currie: "Nothing ambiguous..."

Kay: "Well, the people..."

Currie: "...in the Constitution at all."

Kay: "Let's just get one thing straight. The people were heard.
They elected... they elected passed Judy Baar Topinka, who is
not with us any longer, they spoke. And there's a provision
which you just said in the Constitution which addresses
succession and appointment. So, what's the issue?"

Currie: "The issue is that we are exercising the legitimate
authority, granted us by the Constitution, to say we believe
that a long-term vacancy should not be subject to executive

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

appointment. It should be open to the choice of the electorate."

Kay: "Well, that's all well and good..."

Currie: "Democracy should rule."

Kay: "That's all well and good, but we say in our Constitution that there is a way to handle the appointment and succession in a case just like this."

Currie: "That's what the Constitution says. The Constitution says we may do this and so we may. And I believe we shall."

Kay: "Let's get back to Representative Reis's. He gave you a good definition, I thought, of what an emergency was or a determinable emergency. What... what is it that brings us to a crisis here of government that we do this thing today which isn't necessary, in my view? What is it that brings us here today?"

Currie: "We were already here what with the Governor's call, but I'm not going to deal with the emergency question yet a third time. I think I've dealt with it at least three times already."

Kay: "Well, let me ask you this then. You essentially then are telling me, as I understand your conversation, that you have no problem with Article V, Section 2, 7, and 8. Is that correct?"

Currie: "I'm not sure what you mean. I talked about Article VII."

Kay: "Well, I'm talking about the Constitution. You have no problem with that."

Currie: "And I talked about Article II and I talked about Article VII."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Kay: "All right. And you respect the Constitution, don't you?"

Currie: "I do."

Kay: "Why wouldn't you change the Constitution as opposed to..."

Currie: "I don't need to change the Constitution..."

Kay: "Well, yes, you do."

Currie: "...in order to concur with Senate Amendments 1 and 2..."

Kay: "No, you do."

Currie: "...to House Bill 4576."

Kay: "No, you do."

Currie: "We clearly, unambiguously have the authority to set a
Special Election."

Kay: "Leader, let me just make one point."

Currie: "You can be for it or against it, my point is that the
Constitution..."

Kay: "The only difference... the only difference between heaven and
hell is the management. Don't tell me..."

Currie: "Is what?"

Kay: "don't tell me we don't have to change it. That's not true.
Now, we have a duly elected Republican who, unfortunately,
passed away. We have an elected Governor who will take office
on Monday, who has appointed someone to that office. We have
no emergency."

Currie: "He hasn't yet. He's not... he's not allowed to yet,
Representative."

Kay: "We have..."

Currie: "Surely, you believe in the Constitution."

Kay: "...we have..."

Currie: "He can't."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Kay: "We have no emergency. Who, in this room, thinks theres an emergency? Well, you guys do, obviously. But there is no emergency. We are not in a crisis. So, let me ask you this, if you think we need to deal with something, why don't we deal with the fact that we allow our indebtedness to extend beyond one year when our Constitution says you can't do it? That's an emergency, right? That's an emergency. Why don't we deal with the pension crisis? Two hundred million dollars, that's a crisis. What are you telling me? That something that's a nonstarter... We're here today spending taxpayer dollars, that's going to end up in litigation, is important? No, it's not. It's not. To the Bill. It's unfortunate, in my mind. And I'm not the... I am not the genius in this room that has been here since 1970. Mr. Speaker, could I have a moment, please?"

Speaker Madigan: "Mr. Kay, I'm attempting to do that. And so, would the Members please take their seats? Would the Members please take their seats and that they give their attention to Mr. Kay. Mr. Kay."

Kay: "Leader, I... I'm sorry I had to raise my voice. I really don't care to do that. But you didn't choose to hear me today and I don't think you have chose to hear many on our side of the aisle. And that's unfortunate. Because what we are attempting to do today is do what's right by our Constitution. And do what's right by the language of our Constitution, which I hope... I hope you respect as I do, because it's the embodiment of how this government should work. But what we're doing today is pure and simple politics. We don't like the fact that we

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

have a Republican Governor that's going to be sworn in, and so at the 11th hour, bingo, we're going to stick it to him. We're going to do something that's never been done in state history. To stick it to Governor Rauner and by golly, Mr. Speaker, we enjoy this. Well, I say this. This is a pretty dog gone bad start to a state that has an awful lot of bad problems. To reach out and do something like this to an incoming Governor who would like to... like to... like to work with you boys and girls to solve the problems of this state. This is a heck of a bad start. And I would say to you, if this is the kind of direction you're going to take, you can go down with this ship because I think we've got a guy who'd like to upright the ship. But this is a bad way, Mr. Speaker, a bad way to lead. Thank you."

Speaker Madigan: "Mr. David Harris."

Harris, D.: "Thank you, Mr. Speaker. A question of the Chair."

Speaker Madigan: "State your question."

Harris, D.: "And specifically, Sir, a question of you, if I may? Were you not a Member of the Constitutional Convention of 1970?"

Speaker Madigan: "I was in the room."

Harris, D.: "I'm not sure what to make of that... of that answer. But since you were in the room, whether or not you were a Member, I would like to have a discussion with you about what I think is an inherent tension between Section 2 and Section 7 of Article V of our Constitution regarding succession. And if I may, not now, with the Members of course, but if I may, question of the Sponsor?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Speaker Madigan: "Sponsor yields."

Harris, D.: "Representative, did I understand you to... that there was a ruling from the Chair that said if we had voted on this Bill back in December it would have required 71 votes, but now it only requires 60 votes. Is that correct?"

Currie: "If it were drafted, just as it is drafted today. Had a Bill been drafted with a June effective date and we voted on it in December, it would have taken 60 votes."

Harris, D.: "Well, yes, but it... the effective date of this Bill is January 1 of 2015, is it not?"

Currie: "It's an immediate effective date."

Harris, D.: "An immediate effective date."

Currie: "Right."

Harris, D.: "So, if it had... if we had done it back then and done a... done an effective date of June, of course there would have been somebody already in office, correct?"

Currie: "By the time the Bill would have become effective."

Harris, D.: "So, my friends, if I may, to the Bill. That alone tells you there is a political expediency to doing this now. A political expediency. Why are we here? Are we here in the interest of good government to address a demonstrable emergency? I don't think so. If Judy Baar Topinka, Comptroller Topinka, were to have passed away at 11... excuse me, at 12:30 next Monday, we wouldn't be debating this Bill. And I can contend, as one of the previous speakers said, if Governor Quinn had been elected Governor, we wouldn't be debating this Bill. We are here today, in my opinion, because my colleagues on the other side of the aisle, and I respect all of you, but

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

my colleagues on the other side of the aisle want to ram through a Bill that could benefit their Party politically and deny to the incoming Governor the authority that he rightly holds, which is to appoint a new Comptroller for four years. My friends, last November, the voters of Illinois did not just elect Judy Baar Topinka, that kind of crazy aunt that we all loved, who played the accordion, who loved her dogs, who never passed a flea market that she wouldn't stop at and buy something. The voters didn't just elect that lady. No, the voters also elected Judy Baar Topinka, the Republican candidate for Comptroller the former Republican Treasurer, the former Republican Chair of the Party, the former Republican candidate for Governor. They elected a Republican to this office of Comptroller and I contend that the voters of Illinois expect a Republican to hold that seat, because they spoke last November. So, now you can try to cover this Bill with the veneer of good government of... of elections and all that, but forgive me if I find that hard to believe. You know what? It's kind of like when my son, my young son, would come to me and he would try to explain something with some phony excuse that he knew he did something wrong... come up with some phony excuse and I would look at him and I would say what so many of us have said to our children; do you think I was born yesterday? What do I think of your arguments? Not much. This Bill is legally deficient for a number of reasons. Both from, in my perspective, a Constitutional basis and a parliamentary procedure basis. So, let's call the Bill what

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

it is. It is a brazen partisan politically po... politically motivated power play period. Vote 'no'."

Speaker Madigan: "Mr. Reboletti."

Reboletti: "I have a question of the Chair, Mr. Speaker. What is the status of House Joint Constitutional Amendment #1 filed by Leader Durkin under the Third Special Session?"

Speaker Madigan: "Mr. Clerk, can you answer that question?"

Clerk Hollman "The House Joint Resolution Constitutional Amendment #1 for the Third Special Session was filed today but has not been read any times."

Reboletti: "Thank you, Speaker. Will the Majority Leader from Hyde Park yield?"

Speaker Madigan: "Representative Currie yields."

Reboletti: "Leader, you can try to talk down to my side of the aisle and say that almost every question is irrelevant and you can judge the questions I'm about to ask you as irrelevant. I'm not worried about that. That doesn't hurt my feelings. Let me ask you, Leader, why didn't you file a Constitutional Amendment to change the Illinois Constitution to comport with... what our framers and our delegates intended since the state was formed in 1818?"

Currie: "You don't need to amend the Constitution in order to accomplish the provisions of House Bill 4576. I don't... I don't think it's... it's frivolous to offer Amendments that just restate what the Constitution already tells us. I would not do that."

Reboletti: "Well, that's where you and I have a difference, Leader. I believe this should be done in a Constitutional

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Amendment because the two Sections, Leader, and I know that you're nodding your head in the negative, that Section 2 and 7 state that this office is elected in non-Presidential years. You flipped the script on that and say too bad, we'll simply change the dynamic if the following things happen. Isn't that correct?"

Currie: "And that language has to do with elected positions. What we are talking about today is an appointed position. And the Constitution in Section 7, if you read it, with Section 2 in its totality, it does establish a general rule for electing these statewide officeholders. But it also provides for an exception if the elected official does not qualify or if there are more than 28 months... and there are more than 28 months remaining. Then the Constitution is clear that we have the authority, if we wish to exercise it, to establish a Special Election. This is not complicated algebra. This is the plain language and regular everyday bread and butter interpretation of Constitutional provisions. There is a Constitutional provisions and then there are some exceptions. But remember, all this does is to say that there may be one intervening election at a general statewide election and then you're right back to the schedule in which the elected official stands in the non-Presidential year."

Reboletti: "Mr. Speaker, before I go to the Bill, I'm going to ask for a verification vote on this if it is to get the constitutionally required vote. And to the Bill. Again, today, we see what I would consider as political thievery. We don't have a Constitutional conundrum here in the State of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Illinois. There's no emergency. There was no Special Session called around Christmas time as we had to when we had to impeach a former Governor. We waited and waited and waited. In my hand, Mr. Speaker, I hold a statement from the Illinois Attorney General, who doesn't necessarily agree with you, Madam Leader. She says that Governor Quinn should make the appointment 7til the end of Comptroller Topinka's term. And then she believes that incoming Governor-elect Rauner should make an appointment for the next four years. Now she changes off of that and says that it's undemocratic and that there should be special legislation filed. But as we stand here in 11th hour, after the Speaker adjourned this Body sine die, which means there's no further business to come here, we have found loophole after loophole after loophole of changing your Rules, changing Special Session, not following the Constitution of Illinois, damn that. And damn to the voters who elected Comptroller Topinka and damn to Governor-elect for being a Republican because he'll appoint a Republican for the remaining term. But what he has told the 12 and a half million people that live here is that it's his desire to pass what is now been commonly known as 'Judy's Amendment' to merge the two offices, save the people money. The Comptroller agreed with it, the current Treasurer agreed with it, I believe the Treasurer-elect agrees with it. I know the Speaker of the House doesn't agree with it. But again, that should be put to the people. There's no doubt in my mind if Sheila Simon were in... were the... had won the election that this wouldn't be the situation because it'll be a Democrat, we'd have a Democrat

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Governor, and we would appoint a Democrat, and there would be no need for a Special Session this late into the end of this 98th General Assembly. But folks on the other side, you can't help yourself. You have no problem overturning the will of the people of this great state. With that, Ladies and Gentlemen, I ask for a 'no' vote."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you, Speaker. We had a very vigorous debate on this issue. If you look at the Constitution it's clear, we have the authority to establish a Special Election in the event of a vacancy in an elected statewide officer, not including Governor and Lieutenant Governor. That's all this measure does. You can be for it or against it on the merits. But the only legitimate Constitutional claim is that you don't need to change the Constitution in order to understand that we have been given the authority to take this step. The only question for you is, are you for democracy, or aren't you? Are you for letting the people have a voice? Are you for letting the people make their selection? And the only way they'll make their selection is if we approve the Concurrence Motion on House Bill 4576. I urge you to stand up for the right of the people to choose. I urge you to vote 'yes'."

Speaker Madigan: "Let me remind the Members, and especially the Democrats, there is a request for a verification. We would ask all Democrats to please be in your seats and remain in your seats. And the question before the Body is a Motion by Representative Currie that the House do concur in Senate Amendments #1 and 2 to House Bill 4576. On that question,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 66 voting 'yes', 40 voting 'no'. There is a request for a verification. Mr. Clerk, read the names of those voting 'yes'."

Clerk Hollman: "A poll of those voting in the affirmative. Representative Acevedo..."

Speaker Madigan: "Mr. Clerk, there is an indication that there's a withdrawal, on the request for a verification. And so, on this question, there are 66 people voting 'yes', 40 people voting 'no'. This Motion, having received a Constitutional Majority, is hereby declared passed. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Brady."

Brady: "Thank you very much, Mr. Speaker. Point of personal privilege. Thank you. On a much lighter and happier note, Ladies and Gentlemen of the House, I'd like to call your attention that this Saturday, January 10, one of our fine state universities, Illinois State University in my district in Normal, Illinois, football team will be playing for the first time ever in the school's football program history, for the Division 1 FCSC National Championship in Frisco, Texas vs. North Dakota State. The game can be seen on Saturday on ESPNU 2 at noon. Congratulations, and best of luck to an outstanding football team under the direction of Head Coach Brock Spack. And from all of us in the Illinois House of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

Representatives, and especially our distinguished and faithful alumni here, go you Redbirds."

Speaker Madigan: "The Chair recognizes the Clerk."

Clerk Hollman: "All Members are asked to leave their computers at their desk. Please leave your laptops on your desk."

Speaker Madigan: "Anything further, Mr. Clerk? For what purpose does Representative Meier arise?"

Meier: "Point of personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

Meier: "It's on a very sad note. For this last week that we've all watched the national news about the brave little girl from Nashville, Illinois, named Sailor Gutzler. There's several of us who are leaving here today and going down to that visitation. And I ask everybody to please pray for those family members that were lost of Sierra Wilder, Marty and Kim and Piper Gutzler, and this brave little girl, Sailor. We only know... there must be some very special mission for her... for her to have gone through what she has. This family, a little over a year ago, was there helping with our tornado victims making sure that we had mattresses and bedding and furniture for them. This family has always been there helping the German Club go back to Germany, helping the after prom parties raise money. This has been a very integral part of our community in Washington County. And if you rode with Marty, before that plane took off he would tell you... he said if something happens to me, here's how you work the radio, this what you got to do to keep the plane under control until somebody can help you with it. Before you left the ground,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
THIRD SPECIAL SESSION

1st Legislative Day

1/8/2015

you were made aware of that. It's a family that's been in our county a long time and that has done a lot of good. So, I ask for a moment of silence as we pray for them all. Thank you."

Speaker Madigan: "Thank you, everyone. Was Representative Manley seeking recognition?"

Manley: "Point of personal privilege."

Speaker Madigan: "State your point."

Manley: "I just wanted to wish Representative Willis a happy birthday. Thank you for calling a Special Session so we could all wish Kathy a happy birthday. Thank you."

Speaker Madigan: "The House is prepared to adjourn the Third Special Session. Representative Currie moves that the Third Special Session adjourn sine die. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. And the Third Special Session is adjourned sine die. Thank you for being here and we will see most of you next Monday and/or Wednesday."