

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

119th Legislative Day

4/18/2016

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 18, 2016: recommends be adopted, referred to the floor is Floor Amendment #1 to House Bill 6041, Floor Amendment #2 to House Bill 6098."

Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Imam Mir Rizwan Ali, who is the Imam and religious director of the Islamic Center of Naperville. Imam Rizwan is the guest of Representative Kifowit. Members and guests are asked to refrain from starting their laptops, turn off cell phones, and rise for the invocation and Pledge of Allegiance."

Imam Mir Rizwan Ali: "Good afternoon. Oh God, we call upon You through all of Your beautiful names and glorious attributes. Allow us to see the truth as truth, and give us the ability to follow it. Allow us to see falsehood as falsehood, and give us the ability to stay away from it. God, guide us in everything that we do. Allow us all to be sources of positivity and benefit, not negativity nor harm. Teach us that which is beneficial, and allow us to benefit from that which You have taught us. Oh God, give us the ability, courage, strength, and support to work together to establish justice, peace, and respect. Allow us the courage, perseverance, and endurance to stand together against injustice, oppression, hatred, and bigotry. Oh God, bless our communities, our state, our country, and our world. Allow Your peace and mercy to prevail, Amen."

Speaker Lang: "Be led in the Pledge by Mr. Arroyo."

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Arroyo - 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 Lang: "Roll Call for Attendance. Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Drury, Dunkin, Jones, and Lilly are excused today."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please let the record reflect that Representative Charlie Meier is excused this afternoon."

Speaker Lang: "Mr. Clerk, please take the record. We have 113 Members answering the quorum call, and we do have a quorum. Mr. Clerk, House Resolution 1047, Mr. Leitch."

Clerk Bolin: "House Resolution 1047, offered by Representative Leitch.

WHEREAS, It has come to our attention that Lynn Gorden Caulk celebrated his 95th Birthday this past summer; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize and honor Lynn Gorden Caulk for his contributions to his community and our nation."

Speaker Lang: "Mr. Leitch is recognized."

Leitch: "Thank you very much, Mr. Speaker. It's a true honor today, have... Could we have some order, please? Could we have some order?"

Speaker Lang: "Mr. Leitch is correct. Can we please give Mr. Leitch your attention? Thank you, Ladies and Gentlemen."

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Leitch: "Thank you very much. It's an honor to have the House acknowledge the many achievements of Mr. Lynn Caulk. Joining us today are three of my constituents: Mike Frivala, Carol, his wife, Frivala, and daughter, Melissa. And Mr. Caulk's friends and relatives from as far away as Michigan: Claire Pepai, Penny Hall, Hardy... Haidee Morehead, Jody Martin, Hedio Morse, M.J. Hall, Len Everett, and David Wyatt. They're in the gallery, and please join me in walking them... welcoming them here to Springfield. Thank you."

Speaker Lang: "Welcome. Happy to have you here. This Resolution has already been adopted. The Chair recognizes Representative Bourne."

Bourne: "Thank you, Mr. Speaker. I just want to echo what Representative Leitch was saying, and welcome my constituents from Montgomery County up for Lynn's 95th birthday. So if you could all join us in wishing him, again, a happy 95th birthday."

Speaker Lang: "Happy birthday. Thanks for celebrating it with us. Mr. Sandack, for what reason do you rise, Sir?"

Sandack: "Thank you. On a point of personal privilege."

Speaker Lang: "Somebody here from Downers Grove, Sir?"

Sandack: "Yeah. We... and we have two from Lisle as well. So I have three pa... Pages today, so I ask for your indulgence, Mr. Speaker. So I have three: Vivian Lo, stand up, Vivian. Vivian's from Lisle. She's in the sixth grade at Jefferson Junior High in Naperville. She plays travel soccer, piano, cello. She'd like to be called V-Lo, and her mom, Anna, is here. Let's give Vivian a nice warm round of applause. Page number two is Ellie Corderre. Ellie is from Jefferson Junior

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High as well. She also lives in Lisle. Her mom, Nicole, is here. She plays travel softball, percussion, does tap and ballet. So, let's give Ellie a nice Springfield welcome. Last, but certainly not least, is the dapper Jack Derbis from Downers Grove. His dad, Jay, is here. Jack is a sixth grader from Lester. He likes building stuff, lacrosse, taikan... taekwondo, and he also follows Presidential politics, which I admire. So let's also give Jack a welcome."

Speaker Lang: "Welcome to all of you. Thanks for being here with us today. We'll try to give you some work to do. Is that... that it? No more, Sir? Mr. Brown is recognized."

Brown: "Thank you, Mr. Speaker. The Republicans request an immediate caucus in Room 118 for one hour."

Speaker Lang: "The Republicans will go to caucus in Room 118. The Democrats will eat Mr. Butter... Bucky's... eat Mr. Butler's Twizzlers. And the House will be in recess 'til the call of the Chair. The House will be in order. The House will be in order. The Chair recognizes Mr. Andrade. The Members will please rise."

Andrade: "Thank you, Mr. Speaker. I was just... this last Saturday, the Country of Ecuador had an earthquake of a recorded magnitude of 7.8. There has been over 230 aftershocks. There have been over 350 deaths, and thousands injured, including... and one of those deaths is a U.S. citizen. There are people still alive and trapped, and I just wanted to say we stand here in solidarity with them, with my fellow cousins, family members. And I just want... just a moment of silence, just to say for the... for those that... that passed away, that did not make it."

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Speaker Lang: "Body will take a moment of silence. Thank you, Mr. Andrade. Members, you may be seated. House Bill 694, on the Order of Third Reading. Mr. Clerk, please read the Bill. Representative Cloonen."

Clerk Bolin: "House Bill 694, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lang: "Representative Cloonen."

Cloonen: "House Bill 694 is at the request of Grundy County, to assist in its EDPA, to extend that for 12 years. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4872, on the Order of Third Reading, Mr. Cabello. Mr. Clerk, please read the Bill. Out of the record, Mr. Clerk. Chair recognizes Mr. Costello. For what reason do you rise, Sir?"

Costello: "Thank you, Mr. Speaker, Members of the Body. I'd like to introduce to you my Page for the day, which is Jillian. She's from Evansville, Illinois. And can we all give her a big Springfield welcome?"

Speaker Lang: "Glad you're with us. Welcome, hope you're enjoying your day here. House Bill 5830... excuse me... House Bill 5938, Mr. Frese. Please read the Bill."

Clerk Bolin: "House Bill 5938, a Bill for an Act concerning education. Third Reading of this House Bill."

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Speaker Lang: "Mr. Frese."

Frese: "Yes. Thank you, Mr. Speaker. This Bill would add doctors and also nurse practitioners to the people who are eligible to have loan reimbursements. I know in Quincy, at the Veterans' Home, we have found it difficult sometimes to recruit doctors and.. and nurses. And this is just one more advantage we might have to recruit them. So ask... answer any questions."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record, Mr. Clerk. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4528, Representative McAsey. Please read the Bill. Out of the record, Mr. Clerk. House Bill 5613, Mr. Sims. Please read the Bill."

Clerk Bolin: "House Bill 5613, a Bill for an Act concerning the Law Enforcement Information Task Force Act. Third Reading of this House Bill."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 5613 creates the Law Enforcement Information Technology Task Force to study and make recommendations to... on... regarding criminal discover... discovery and law enforcement information sharing. The Amendment we adopted last week was a request by the administration to include the.. the information technology chair of the state. So, we wanted to make sure we had all

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parts covered and all parties covered. It's a good piece of legislation. And I ask for its favorable passage."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record, Mr. Clerk. On this question, there are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4697, Representative Williams. Please read the Bill."

Clerk Bolin: "House Bill 4697, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker. This Bill is very simple. It basically just provides that the rights of a beneficiary of a land trust remain intact, even when that land trust is transferred between banking entities. It really just clarifies what is already in common law, but just because of the changes in the banking industry related to land transfers in recent years, we wanted to clarify it."

Speaker Lang: "Representative Nekritz."

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

Speaker Lang: "Sponsor yields."

Nekritz: "Representative, what... what makes this a statute that we should be considering at this time?"

Williams: "Well, the banking environment has been in consolidation mode for the past 10 to 15 years. Apart from outright mergers, many banks have peeled off certain lines of business, while others have taken them on. One of these is land trust departments. While the laws developed through the judicial

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process has always been the rights of land trust beneficiaries should be protected, even when the trustees themselves change due to wholesale transfers or sales of land trust departments of the bank. There has never been statute that codifies the protection or eliminate any doubts or question as to the protected status of these beneficiaries, which would allow them to receive due process as guaranteed by the Illinois Constitution. With the statute, the land trust beneficiary is explicitly protected. As an ancillary byproduct of this codification, all other parties involved are also protected; thus, the banks need not fear liability for failing to report a change in the identity in the land trustees due to a sale, transfer, or assignment. The title companies would be insulated from liability for failing to do anything upon the change of the identity of land trustees. And the recorders of deeds would likewise have protection in the statute, rather than recordation would embody the protection of land trust beneficiaries' interests. In other words, this statute amounts to a win-win situation for all involved parties, which have become an increasingly frequent practice. Thank you for your indulgence."

Nekritz: "And can you identify any other benefits that the statute would have?"

Williams: "I think, again, it just streamlines current law, and would make it easier for all parties involved in land trans... land trust transfers to understand their legal rights and obligations under the law."

Nekritz: "Very good, great Bill. I'd urge an 'aye' vote."

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Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record, Mr. Clerk. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4675, Mr. Unes. Please read the Bill."

Clerk Bolin: "House Bill 4675, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Unes."

Unes: "Thank you, Mr. Speaker. House Bill 4675, very simply, just amends the Public Community College Act. It changes from... instead of saying 'special funds' to 'federal funds', so that we do know... not... no longer have to give the authority, in lieu of not having a state budget, to the Comptroller and will ensure that those federal funds pass through to the community college... colleges. I know of no opposition. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. There are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1170, offered by Representative Thapedi. House Resolution 1171, offered by Representative Durkin. House Resolution 1172, offered by Representative Hoffman. And House Resolution 1173, offered by Representative Costello."

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Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet immediately upon adjournment. The Elementary & Secondary Education: School Curriculum & Policies Committee will meet in Room 114. Judiciary - Criminal Law Committee will meet in Room 122. Consumer Protection Committee will meet in Room 115. Appropriations - Elementary & Secondary Education Committee will meet in Room 118. And the Executive Committee will meet in Room C-1. One committee has been canceled for this evening. The Public Utilities Committee, scheduled for this evening, has been canceled."

Speaker Lang: "An announcement to Members. Members, any additional Amendments, at this point technical Amendments, must be filed by 1 p.m. on Wednesday. Deadline for filing additional technical Amendments to your Bills must be filed by 1 p.m. on Wednesday. And allowing for perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned until Tuesday, April 19 at the hour of 11 a.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House stands adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 18, 2016: recommends be adopted, referred to the floor is Floor Amendment #4 to House Bill 4671. Representative William Davis, Chairperson from the

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Committee on Appropriations-Elementary & Secondary Education reports the following committee action taken on April 18, 2016: do pass Short Debate is House Joint Resolution Constitutional Amendment #57. Representative Daniel Burke, Chairperson from the Committee on the Executive reports the following committee action taken on April 18, 2016: do pass Short Debate is House Joint Resolution Constitutional Amendment #58. Second Reading in full of House Joint Resolution Constitutional Amendment #57.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 1 of Article X of the Illinois Constitution as follows:

ARTICLE X

EDUCATION

SECTION 1. FUNDAMENTAL RIGHT - FREE SCHOOLS

A fundamental right of the People of the State is the educational development of all persons to the limits of their capacities. It is the paramount duty of the State to provide for a thorough and efficient system of high quality public educational institutions and services and to guarantee equality of educational opportunity as a fundamental right of each citizen. Education in public schools through the secondary level shall be free. The State has the preponderant financial responsibility for financing the system of public

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education. There may be such other free education as the General Assembly provides by law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This was the Second Reading in full of House Joint Resolution Constitutional Amendment #57. Second Reading in full of House Joint Resolution Constitutional Amendment #58.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IV of the Illinois Constitution by changing Sections 2 and 3 as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State.

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(b) In 1982 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly. No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been

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created or the compensation for which shall have been increased by the General Assembly during that term.

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Legislative Districts and Representative Districts shall each, in order of priority, be substantially equal in population; provide racial minorities and language minorities with the equal opportunity to participate in the political process and elect candidates of their choice; provide racial minorities and language minorities who constitute less than a voting-age majority of a District with an opportunity to substantially influence the outcome of an election; be contiguous; be compact; respect, to the extent practical, geographic integrity of units of local government; respect, to the extent practical, communities sharing common social or economic interests; and not discriminate against or in favor of any political party or individual.

(b) No later than June 30 of the year in which each Federal decennial census occurs, the Chief Justice and the most senior Justice of the Supreme Court who is not affiliated with the same political party as the Chief Justice shall select eight commissioners to an Independent Redistricting Commission. Commissioners must reflect the ethnic, gender, and racial demographics of Illinois, and there must be at least one commissioner from each Judicial District.

(c) A person is ineligible to serve on the Commission if within the previous four calendar years the person or his or her spouse was appointed or elected to a position with the State or local government, a State employee, a lobbyist as defined by law, a person with an ownership interest in an entity with

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a state contract, or appointed or elected to serve a political party. A commissioner is ineligible for a period of ten years to serve in the General Assembly or to be appointed to a position subject to Senate confirmation. Commissioners must file financial disclosure statements and abide by any ethics requirements established by law.

(d) The Commission shall act in public meetings by affirmative vote of five commissioners. The Commission shall elect its chairperson and vice chairperson, who shall not be affiliated with the same political party. All meetings of the Commission shall be open to the public and publicly noticed at least two days prior to the meeting. All records of the Commission, including all communications to or from the Commission regarding the work of the Commission, shall be available for public inspection. The Commission shall adopt rules governing its procedures.

(e) The Commission shall hold at least fifteen public hearings throughout the State before adopting any redistricting plan, with a majority occurring before the Commission releases any proposed redistricting plan. The Commission may not adopt a redistricting plan until the Commission adopts a report explaining its compliance with the United States and Illinois Constitutions.

(f) The Commission shall adopt and file with the Secretary of State a redistricting plan for the Legislative Districts and Representative Districts by June 30 of the year following the Federal decennial census. The Commission may adopt separate redistricting plans for the Legislative Districts and the Representative Districts.

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- (g) If the Commission fails to adopt and file a redistricting plan by July 1 of the year following a Federal decennial census, the Chief Justice of the Supreme Court and the most senior Justice of the Supreme Court who is not affiliated with the same political party as the Chief Justice shall appoint a ninth member to the Commission. The nine-member Commission shall adopt and file with the Secretary of State a redistricting plan for the Legislative Districts and Representative Districts by August 1 of the year following the Federal decennial census.
- (h) A redistricting plan filed with the Secretary of State shall be presumed valid and shall be published promptly by the Secretary of State.
- (i) The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to redistricting beginning in 2021 and to the election of General Assembly members beginning in 2022. This was Second Reading in full of House Joint Resolution Constitutional Amendment #58. Introduction and First Reading of Senate Bills. Senate Bill 211, offered by Representative Cabello, a Bill for an Act concerning criminal law. Senate Bill 399, offered by Representative Zalewski, a Bill for an Act concerning liquor. Senate Bill 460, offered by Representative Feigenholtz, a

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Bill for an Act concerning regulation. Senate Bill 2158, offered by Representative Burke, Kelly, a Bill for an Act concerning education. Senate Bill 2159, offered by Representative Burke, Kelly, an Act concerning education. Senate Bill 2174, offered by Representative Breen, a Bill for an Act concerning education. Senate Bill 2195, offered by Representative Franks, a Bill for an Act concerning government. Senate Bill 2218, offered by Representative Franks, a Bill for an Act concerning revenue. First Reading of these Senate Bills. Introduction of Resolutions. House Resolution 1169, offered by Representative Mayfield, is referred to the Rules Committee. Committee Reports. Representative Crespo, Chairperson from the Committee on Elementary & Secondary Education: School Curriculum & Policies reports the following committee action taken on April 18, 2016: recommends be adopted is Floor Amendment #2 to House Bill 3239, Floor Amendment #2 to House Bill 4996, House Resolution 1121. There being no further business, the House Perfunctory Session will stand adjourned."