

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

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Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Pastor Steve Maske who is with Good Shepard Lutheran Church in Elgin. Pastor Maske is the guest of Representative Moeller. Members and guests are asked to refrain from starting laptops, turn off cell phones and rise for the invocation and Pledge of Allegiance. Pastor."

Pastor Maske: "Thank you. I'd like the Representatives as citizens of the State of Illinois. It's with malice towards none and with charity towards all that I offer this prayer. As Leaders in the past turned to the wisdom of God's word, I offer this today as well. Words from Paul. I urge you then first of all that petitions, prayers and recessions in thanksgiving be made for all people, for kings and all those in authority, that we may live peaceful and quiet lives in all godliness and holiness that is good and pleases God, our Savior, who wants all people to be saved and come to the knowledge of the truth where there is one God, one mediator between God and mankind, the man Jesus Christ who gave himself as a ransom for all. Let us pray. Lord, Heavenly Father, High and Mighty King of kings and Lord of lords, look down in mercy. We ask You to provide guidance to the Leaders of this great state. We confess that we have not always sought Your counsel. We've not always turned to You as our source of wisdom and guidance. Forgive us when we have forgotten our calling to serve. Forgive us when we have placed our own desires ahead of Your holy will. We give You thanks for faithful generations that have gone before us; faithful teachers in their commitment to pass along Your light of wisdom. We thank You for those who

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have provided a legacy of labor and learning. Give wisdom and courage to the Members of this 100th General Assembly, these elected servants who are stewards of the trust of the citizens of this state. Bless those who teach the next generation. Bless those who serve and protect. The first responders who have locally blessed us and those who serve, men and women, deployed to far corners of the world, protecting and defending our right to live today. Give us wisdom, to our Governor, to our legislation. Enable them to faithfully serve and lead. Give them courage to speak for those who have no voice, to show mercy to the weak and vulnerable, to protect the weak, the disenfranchised, the immigrant, the elderly, the unborn. Now to the King Eternal, immortal, invisible, the only God be honor and glory forever and ever, in the name of Jesus Christ, Amen."

Speaker Lang: "Be led in the Pledge by Representative Halpin."

Halpin - 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 Manley and McAsey are excused today."

Speaker Lang: "Mr. Demmer."

Demmer: "Thank you, Mr. Speaker. Please excuse Representatives Unes and Winger today."

Speaker Lang: "Please take the record. There are 113 Members present and we do have a quorum. The Chair recognizes Mr. Riley. For what reason do you rise, Sir?"

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Riley: "Thank you, Mr. Speaker. A point of personal privilege to present..."

Speaker Lang: "Please proceed."

Riley: "...to present the Black Caucus... the Black History moment for today. Thank you, Mr. Speaker. In the early hours of February 24, 1949, the world stopped. On the Greek island of Rhodes, Dr. Ralph J. Bunche emerged from the Egyptian/Israeli talks to announce the signing of a general armistice agreement effectively ending the Arab-Israeli war. Bunche, the chief negotiator for the United Nations, compliments both sides on their restraint and dignity, promising that this is only the first of agreements with the Arab States which will ensure a return of peace to Palestine and the Near East. Ralph Bunche was born on 1903... in 1903 in Detroit, Michigan. After his mother's death in 1917, Bunche moved with his grandmother to Los Angeles, California. Although he was an excellent high school student, he initially was steered to enroll in vocational education courses. However, he excelled in the college preparatory track, nonetheless and wrote for the campus newspaper, was President of the debating team and became a star basketball player. In 1927, he graduated from the University of California, Los Angeles, UCLA, as a political science major, valedictorian of his class and was also a member of Alpha Phi Alpha fraternity. Earning a master's degree at Harvard University, Ralph Bunche took a teaching position at Howard University in Washington where he founded the school's political science department. He lived and studied for several months in different countries in Africa, and was appalled by the striking poverty he observed

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and the atrocious treatment of Africans by the Colonial administration. His studies extended to include the rights of all people without self-government and he developed a profound knowledge which proved to be the start of his brilliant academic career. After returning to Harvard, Bunche earned a Ph.D. in political science, specializing in French Colonial Policy. He was the first African American to earn a doctorate in political science at Harvard. In 1939, he began to work with Swedish sociologist Gunnar Myrdal on a project to survey the conditions of blacks in America sponsored by the Carnegie Corporation and that became the landmark book *An American Dilemma: The Negro Problem in Modern Democracy*, which most of us studied in Sociology in college. One of its most shocking findings was the extent of corruption in southern political practices. He also criticized the extent of disenfranchisement of both poor black and white voters and the lack of effective grass roots reform movements. Blanch... Bunche, began working for the United Nations at the organization's inception and soon rose to become one of its chief negotiators. The 1949 armistice agreement was the result of 81 days of often contentious bargaining. And for his work, Bunche was awarded the 1950 Nobel Peace Prize and that solidified him as the United Nations most prominent diplomat when it came to diffusing volatile situations. And in 1953, he was appointed the United Nations Undersecretary General for Special Political Affairs, which was a position that was created for him by UN Secretary General Dag Hammarskjöld. Bunche's principle contribution to history lies in his pacifying heated political tempers in the Middle East,

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the Congo, Greece, and other hot spots around the world. He also involved himself in the U.S. Civil Rights Movement, participating in the 1963 March on Washington and the 1965 Selma to Montgomery March as well as serving on the board of the NAACP. In 1971, suffering from a variety of ailments, Bunche eventually retired from the United Nations even though Secretary General U Thant begged him to stay. Bunche died that same year at the age of 67. One thing about Ralph Bunche's life, you've heard the things that I talked about that he did, many of those same issues are going on right now. But it is our hope and it is our trust that the groundwork that was laid by Dr. Ralph Bunche will solve a lot of these problems that still exist in the world. Thank you very much for your indulgence in this Black History moment because this is a part of American History. Thank you."

Speaker Lang: "Thank you, Mr. Riley. Mr. Reis, for what reason do you rise, Sir?"

Reis: "Thank you, Mr. Speaker. If I could have the attention of the Body, I have a special guest here today."

Speaker Lang: "Please proceed."

Reis: "Joining us in the balcony is Miss Olivia Bohleber and Miss... Olivia was just crowned Miss Teen... Illinois Teen USA this last fall in Bloomington-Normal. Olivia's a junior at White County High School. She's a cheerleader, track team, a whole bunch of clubs. She's maintained a 4.0 Grade Point Average since Kindergarten, 4-H all her years and she will be representing Illinois in the National Miss Teen Contest in Las Vegas this summer. So, please help me again welcome Olivia."

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Speaker Lang: "Welcome to the House chamber and congratulations.
Chair recognizes Representative Mah."

Mah: "A point of personal privilege, Mr. Speaker."

Speaker Lang: "Please proceed."

Mah: "Mr. Speaker, I rise to share with my esteemed colleagues a quick lesson in Asian-American History. Sunday, February 19 and each year on that date, the Japanese-American community marks the Day of Remembrance, commemorating Japanese internment during World War II. February 19, 1942, 75 years ago, was a date when Executive Order 9022 was signed, ordering the incarceration of 120 thousand Japanese Americans, over half of whom were American citizens. Citing national security as justification, Japanese American men, women and children were ordered evacuated or in fact, torn from their homes from the western United States to be sent to imprisoned in camps in some of the most remote areas of the country. This was a process which, based on an Executive Order, curtailed the civil liberties of immigrants as well as American citizens of Japanese ancestry, using the threat of national security as justification. I wanted to share this history so that we may learn from it and be reminded of the need to be vigilant in protecting our Constitution. And to stand up for what's right, especially in times like the present, when the language and rhetoric in policies against immigrants and Muslims sounds so much like it did in 1942. I urge you to reflect on this history, especially on Sunday, February 19, on the Day of Remembrance and draw strength from it as we stand in solidarity with those whose rights are being threatened today. Thank you very much."

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Speaker Lang: "Mr. Clerk, Adjournment Resolution."

Clerk Hollman: "House Joint Resolution #29, offered by Representative Currie.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, February 16, 2017, it stands adjourned until Wednesday, February 22, 2017 at 12:00 o'clock noon, and when it adjourns on that day, it stands adjourned until Thursday, February 23, 2017, and when it adjourns on that day, it stands adjourned until Friday, February 24, 2017, and when it adjourns on that day, it stands adjourned until March 7, 2017 at 12:00 o'clock noon, or until the call of the Speaker; and when the Senate adjourns on Thursday, February 16, 2017, it stands adjourned until Tuesday, February 28, 2017, and when it adjourns on that day, it stands adjourned until Wednesday, March 1, 2017, and when it adjourns on that day, it stands adjourned until Thursday, March 2, 2017, and when it adjourns on that day it stands adjourned until Tuesday, March 7, 2017, or until the call of the President."

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

Clerk Hollman: "Agreed Resolutions. House Resolution 146, offered by Representative Durkin. House Resolution 147, offered by Representative Ford. House Resolution 149, offered by Representative Welch."

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Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'yes'; opposed 'no'. The 'ayes' have it. Agreed Resolutions are adopted. Ladies and Gentlemen, page 2 of the Calendar, under the Order of House Bills-Second Reading, there appears House Bill 278. Mr. DeLuca. Please read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 278, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note has been requested but not filed at this time."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. House Bill 300, Mr. Arroyo. Mr. Arroyo. Out of the record. House Bill 303, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "House Bill 303, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions were filed."

Speaker Lang: "Third Reading. House Bill 305, Mr. Bennett. Please read the Bill."

Clerk Hollman: "House Bill 305, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions were filed."

Speaker Lang: "Third Reading. House Bill 395, Mr. D'Amico. Out of the record. House Bill 284, Representative Davis. Mr. Davis. Mr. Davis. Please read the Bill."

Clerk Hollman: "House Bill 284, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "This is a th... excuse me. This is here on Third Reading. Mr. Davis, please proceed."

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Davis, W.: "Thank you very much, Mr. Speaker. House Bill 284 is an effort to try to assist small businesses, particularly those that receive IDOT contracts as subcontractors. And what it does is create what is called a tiered mobilization schedule. If you are a subcontractor participating on a contract, the prime vendor had the opportunity to bid mobilization dollars as part of their overall bid to the department. And what mobilization dollars are, are dollars that are given on the very front end to help ramp up or help get a business started with... on a contract. So, it could be fencing, it could be equipment if necessary. So, the idea here though is again try to assist small businesses to the best of our ability. So, what we've suggesting here is that initially the subcontractors would have access to 3 percent of those mobilization dollars. So, what we are suggesting is that we raise the limit to 7 percent, but within that there is a tiered mobilization schedule. And that's laid out in statute for those of you who are looking at the actual language of the Bill on your... on your various computers. And essentially what it does is that if a contract is less than \$10, a business could receive up to 25 percent of that mobilization cost. So, a \$10 thousand contract means that they could get \$2500. For contracts between essentially 10 thousand and 1999, 20 percent; 20 thousand to 3999, meaning 39,999, 18 percent; 40 thousand to 5999, 16 percent. And it goes up to the possibility if a con... subcontractor is \$750 thousand that a subcontractor could get 7 percent of that cost for mobilization. So, if you look at it in context, even though 750... 7 percent of \$750 thousand may seem like a lot of

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money but again we're talking about the subcontractat... subcontract, so we can imagine that the overall contract is probably significantly.. significantly high. Again, this is an attempt to further help small businesses that are subcontractors on projects. Now, some of the discussion in committee talked about large contractors who also can be subcontractors. So, it's possible that some of these prime contractors that we are all familiar with may also be brought on as subcontractors on projects as well. So, they would have the opportunity to receive these mobilization costs as well. So, that being said, I'll be more than happy to answer any questions."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "Representative Davis, you ran a... ran this same Bill last Session as House Bill 4477. Is that correct?"

Davis, W.: "Correct."

Andersson: "And that Bill passed but was veto... amendatorily vetoed by the Governor?"

Davis, W.: "Amendatorily vetoed."

Andersson: "So, does the language in this Bill reflect the Amendatory Veto?"

Davis, W.: "That is my understanding, it does."

Andersson: "Okay. And in addition, can you just explain this concept a little bit more to me about mobilization and how do we deal with it now? What's the difference between now versus what your Bill will do?"

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Speaker Lang: "Mr. Davis, before you respond. Ladies and Gentlemen, it's excessively noisy in the chamber. Ladies and Gentlemen, its's excessively noisy in the chamber. So, I'll just wait. It's okay. Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Again, when a contract is let, as part of the initial bid of a prime vendor, they have the opportunity to bid, as part of their package, mobilization costs. And again, mobilization costs are dollars that are given up front on the contract that allow that particular company, that particular business, to ramp up. To help get... get started."

Andersson: "Is that what they do now?"

Davis, W.: "Yeah. Mobilization is already currently a part of it. What we are, again, attempting to do here, particularly on the subcontract, again, as a way to help small businesses. As you probably know, small businesses, they don't always have a lot of capacity, they don't always have lines of credit. So again, mobilization already exists. So, we're not creating that part of it. But what we are creating is a tiered system of mobilization for subcontractors that, based on the size of the subcontract, that they have the opportunity to get a percentage of those dollars. And again, there's a schedule laid out that we decided to put in statute."

Andersson: "So, would it be fair to say that there is no cost implication to this? We're not bringing up the expense to IDOT, the state or anyone else?"

Davis, W.: "No. Because again, mobilization is already bid as part of the bid. So, when the bid is accepted, mobilization costs are already bid as part of it. But within that, we are

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then creating this system. So, this doesn't add any additional cost."

Andersson: "Okay. It looks, according to my analysis, like you've got a few opponents. Is that correct?"

Davis, W.: "Absolutely."

Andersson: "Looks like... I apologize. The Association of General Contractors of Illinois, Illinois Asphalt Pavement... Pavement Association, Illinois Road and Transportation Association are opposed. Can you explain what their opposition would be to the Bill?"

Davis, W.: "Well, I think... I think their opposition is just the dollars. Again, it's not adding an additional cost. So, again, originally you... a... a prime vendor can get up to 6 percent mobilization and a sub can get 3 percent of mobilization. So, again, we're just raising that limit for the subs and creating a tiered system. So, I think it's just a matter of the overall dollars. But again, one of the things that we pointed out is that some of those companies that are members of the organizations that you just stated, sometimes become subcontractors as well on projects. So, this benefits them as well. So, we see it as a win-win for everybody involved but particularly to help build capacity of our small vendors and, again, among the challenges sometimes that small vendors have is that on these IDOT projects, they have to be union. They have to be union contracts. So, there are union fees and dues that are a part of this and one of the things that I'm experiencing now with a subcontractor is that if you're not paying those dues because you're not getting paid, those dues are still due and those unions are eager to access liquidated

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damages to that company. So, ultimately, they're adding more cost to it. So, again, if this helps a company on the front end so that they don't have challenges on the back end, that's ultimately what we seek to do. And, again, the opposition said that they would not... they essentially didn't want to see the... the tiered system. They wanted to see it go to 6 percent but did not like the tiered system."

Andersson: "Okay. Thank you very much for the answers. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Pritchard. Mr. Pritchard."

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

Speaker Lang: "Sponsor yields."

Pritchard: "Representative, I compliment you for trying to..."

Davis, W.: "Hold on, hold on, where's Mr. Pritchard at? I'm lost. Oh, there he is. Okay. Good seeing you."

Pritchard: "I compliment you for bringing a Bill forward to try to help small business and the challenges they have in getting payments to deal with the work of the state. Is the Department of Transportation supportive of this legislation?"

Davis, W.: "The department is neutral on this legislation."

Pritchard: "I'm sorry, I didn't hear your answer."

Davis, W.: "I'm sorry... I'm sorry, Representative. The Department of Transportation is neutral."

Pritchard: "Do they currently set a percentage that the general must pay the subcontractors for mobilization?"

Davis, W.: "Well, currently, that percentage is 3 percent for mobilization. Currently, for subcontractors."

Pritchard: "So, your percentages will be considerably above that."

Davis, W.: "Yeah."

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Pritchard: "In committee I think there was an opponent that talked about a general, perhaps, getting a million dollars in mobilization, having a number of subcontractors that he would have to pay that mobilization to and he could, perhaps, have to pay more out for mobilization than he's actually reimbursed for the project.

Davis, W.: "Well..."

Pritchard: "Do you consider this a reality?"

Davis, W.: "Well, yes and no. So, to your point, on a contract, one of the things, as I've learned about these contracts, is that when a project starts, all the subs don't start at the very beginning of the project. These subs work intermittently throughout the project based on how work proceeds. So, again, if you've got a concrete subcontractor, they can't do any work until some of the other subcontractors complete their work. And, again, as the dollars are flowing from the state to the prime vendors and then they're flowing to the subs, so there's no requirement that says that when they look at this contract that there are ultimately 10 subcontractors that they have to pay mobilization costs to all 10 subcontractors at the very beginning of the project. Again, they work intermittently throughout the project."

Pritchard: "What other opposition did the opponents raise?"

Davis, W.: "Other... other than... they... they wanted... they... how would I... how would I say this? So, again, initially it's 3 percent. They said, well, we're willing to go up to 6 percent mobilization and let that be it as a flat fee, whatever the case may be. So, again, other than just the amount of money

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that will be offered in terms of mobilization, that's essentially their opposition."

Pritchard: "Are you negotiating with the opponents to see if you can get an agreed Bill?"

Davis, W.: "Well, hold on a minute. Excuse me. Excuse me. No, no this Gentleman right here. Thank you. Sorry. Couldn't see you."

Pritchard: "Thank you."

Davis, W.: "Well, the interesting thing about what you said is that when we... when we had the Bill last year, they expressed some of the same opposition to it last year. And where we kind of fell apart was, is that they did not want me to move the Bill beyond the Senate. So, when the Governor filed an Amendatory Veto, I wanted to move the Veto. And the advice of staff said, well, don't work... don't move the Veto. And they were a little concerned that I was going to move it. So, ultimately, I didn't move it. And what they offered to do was said, well, we'll reach out to you and talk to you about this over the course of the summer up to... up to where we are now. Unfortunately, that never happened. So, as far as negotiating is concerned, I certainly have made myself available to them, even up to this point if they wanted to talk. So, even after, out of committee, their opposition had not changed. This was what, a couple of weeks ago? Have not heard from them relative to say, hey, let's sit down and talk about this. So, I have made myself very available to them and they offer at their leisure to come talk to me about the Bill. Unfortunately, that hasn't happened yet. I don't know if they will want to do the same if this Bill passes today and goes over to the

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Senate. Again, I have made myself very available to them to have this conversation."

Pritchard: "If... if this Bill does pass today and it goes to the Senate and they come to you with some other compromise, would you consider that and encourage the Senate Sponsor to consider that?"

Davis, W.: "Well, the only... the only compromise that they have offered is they said, well, we're willing to raise the mobilization percentage from 3 percent to 6 percent for subs. That's all they've said they're willing to do at this point. So, outside of working in the tiers, sure. If they bring something, be more than happy to work with them. But I think, if you convince the tiers, I think that creates some of what some of you are concerned about in terms of the amount of dollars. Because that means the ranges are a lot bigger if we convince the tiers. So, I think having multiple tiers kind of helps with maybe some of the cash flow issues, so you're not stuck with, you know, large sums of money being pushed out at any one time."

Pritchard: "Thank you and... and to the Bill. Ladies and Gentlemen, if you can even hear me. I encourage you to consider what the Sponsor is trying to do here for small business. And most importantly, his openness to try to work for an agreed Bill process. So, I would encourage your support."

Speaker Lang: "Mr. Wheeler."

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

Speaker Lang: "Sponsor will yield. The Members will try to recognize that people are trying to hear on the House Floor. So, we're going to hold down the noise in the chamber. I want

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to hear what Mr. Wheeler has to say. So, we're going to hold down the noise in the chamber. We're going to hold down the noise in the chamber. Mr. Davis."

Davis, W.: "No, Mr. Wheeler."

Speaker Lang: "Oh, Mr. Wheeler. See, I didn't hear what you had to say yet. Go ahead, Sir."

Wheeler, K.: "Thank you, Mr. Speaker. Representative, I want to mix a little clarity here. The mobilization percentages you've outlined in that tiered approach, are those minimums or maximums that the general contractor will be paying to the subs?"

Davis, W.: "Well, it's within the range, so it's a percentage of within that range. So, again, let's take... one of the ranges is 60 thousand to 79,999 dollars, so within that range it would be 12 percent."

Wheeler, K.: "Okay. So, but if I... let's say I'm that subcontractor, and this particular project has huge mobilization costs for you because I'm moving all the equipment in or a lot materials in and I want to get that upfront, this doesn't preclude that the prime contractor from paying me more than that 12 percent. Is that correct?"

Davis, W.: "Well, I guess if they want to they can, okay. If... if they desire to, but again, mobilization, as we understand it, is just to help them get started. And it's bid as part of the overall bid process. So, yes, they can pay more if they desire to do so. If the sub and the prime can negotiate and they can get more, they can get more. And again, this doesn't inflate the cost of the contract. This ultimately comes off the back of a contract."

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Wheeler, K.: "Well, I just want to make sure that we're not putting a mandate on businesses who are trying to help their subcontractors they've hired for the particular project from being able to maybe pay what they've agreed to in their own... 'cause there's a contract between the sub and the general as well, to a degree, as how they're going to make things work in a project in the real world. I lived in that world for a while though, so I'm just trying to point out that there may be different circumstances that go beyond what is outlined here in this table. And that's all I wanted to put... so your legislative intent is not to preclude a prime from paying more than that, if they so chose?"

Davis, W.: "No."

Wheeler, K.: "That's all I was asking. Thank you."

Davis, W.: "Thank you."

Speaker Lang: "Mr. Davis to close."

Davis, W.: "Thank you very much, Mr. Speaker. Appreciate the comments, the questions. This Bill did come out of committee on a unanimous vote. So, I hope that we will receive enough votes to pass this Bill over to the next chamber. Thank you very much."

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, please take the record. On this question, there are 78 voting 'yes', 32 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Under the

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Order of Agreed Resolutions. House Resolution 17. Mr. Clerk, please read part of the Resolution."

Clerk Bolin: "House Resolution 17, offered by Representatives Butler and Scherer. Be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Rochester High School varsity football team, the Rockets, on winning the 2016 Illinois High School Association (IHSA) Class 4A State Football Championship, and we wish them many more successful seasons."

Speaker Lang: "Mr. Butler on the Resolution."

Butler: "Thank you, Mr. Speaker. And it is my great honor and Representative Scherer, I know she would like to speak as well, to welcome the six-time champion Rochester Rocket football team to the Illinois State Capitol. Rochester, this past fall, won the class 4A championship by beating Johnsburg in a tremendous game in the championship game and their run put them in rare company. They have one of the greatest storied school histories in their short existence of having a football team in Illinois. They just started playing football in the mid '90s and now they've... they've acquired six state titles in their short time. I'd like to congratulate the Rockets. Rochester is a wonderful community. I've had the great honor, along with Representative Scherer, to welcome the girl's championship golf team, two girls championship soccer teams, and now the Rocket championship football team, here to... here to the State Capitol to celebrate a state championship. I'd just like to... to the... to the players, to the student athletes, thank you for what you do for your

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communities. To Coach Derek Leonard and his coaching staff, Derek Leonard's one of the greatest football minds in the state and why he's still coaching on the high school level, I have no idea because I think the University of Illinois could probably use Derek as their offensive coordinator. That's for sure. But I'd just like to thank the Rockets. Congratulations. Great job, guys. And on behalf of the Illinois General Assembly, keep up the good work, and congratulations. And I know Representative Scherer would like to talk."

Speaker Lang: "Congratulations. Wonderful accomplishment. The Chair recognizes Representative Scherer. Representative Scherer."

Scherer: "Thank you, Mr. Speaker. I, too, stand to acknowledge the accomplishments of the young men here in the galleries, because they're to our right and also up... up ahead, and I'm so proud of all of you. This is a moment that you will never forget. I know that you've been told that many times, but this is... this is what you sit back and you reap what you sow. So, right now, I want you to remember when you were out on that football field and it was early and you didn't want to get out of bed, and it was hot and I know some of you probably threw up and it's worth it, I guess, because you're here now. And now, didn't come from putting a suit and tie on. Now came from that hard work that only you remember pushing yourself through. So, if you want it bad enough, you work hard enough and it happens. And you are a great example to all the rest of us. And coach, kudos to you. I'm actually having lunch with your cousin tomorrow. So, good for the whole team.

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Rochester is just to the southeast of Springfield and we just could not be any prouder. Way to go."

Speaker Lang: "Thank you, Representative. Those in favor of Mr. Butler's Resolution will say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. The Chair recognizes Representative McCombie. For what reason do you rise?"

McCombie: "Speaker, I meant my switch didn't work and I meant to vote 'yes' for House Bill 284."

Speaker Lang: "The record will reflect your intention. The Chair recognizes Mr. Demmer for a caucus announcement."

Demmer: "Thank you, Mr. Speaker. The Republicans request an immediate caucus."

Speaker Lang: "The Republicans will caucus immediately in Room 118. The Democrats will caucus immediately in Room 114. Members are advised, we will be returning to the floor and there will be Third Reading Roll Calls. So, try to stay in the building. The House will be in recess 'til the call of the Chair. The House will be in order. House Bills-Third Reading. Page 3 of the Calendar, House Bill 373. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 373, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Representative Willis."

Willis: "Thank you, Mr. Speaker. This Bill is exactly the same Bill that we passed last year. What it does, very simplified, is it allows libraries to put in their state report, instead of 60 days prior to the end of their fiscal year, 60 days prior to their levy. It allows them to be much more accurate in their state reporting. I strongly request an 'aye' vote.

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Last time we had overwhelmingly support for this. So, please support it again. Thank you."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "Representative Willis, so my understanding is that we're not effecting the requirement of the publication, we're just moving the date back or forward?"

Willis: "Depending upon when the local municipalities have to do their levy is what it will be. So, it's all contingent on when they have to do their levies as opposed to the fiscal year. It is not changing any requirements of the reporting they have to do to the Secretary of State's Office. It's just making it much easier to be accurate in that reporting."

Andersson: "Okay. And this is just libraries, correct?"

Willis: "It is only for libraries. It does not include the Chicago Public Libraries because they are under a Chicago Public Library Act which does differently. So, it's all other libraries."

Andersson: "Okay. And then you said that... have we passed this last Session?"

Willis: "We passed it last Session, overwhelmingly..."

Andersson: "What happened?"

Willis: "...with I believe like over 100 'aye' votes on and it stalled in the Senate, unfortunately. Not because there was opposition, just because they ran out of time."

Andersson: "Okay. Thank you very much."

Willis: "Thank you."

Andersson: "Thank you, Mr. Speaker."

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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? Maybe some of you aren't interested in getting home. Have all voted who wish? Flowers. Rita. Flowers. Please take the record, Mr. Clerk. There are 112 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Mr. Cavaletto."

Cavaletto: "Thank you, Mr. Chairman. Personal privilege."

Speaker Lang: "Please proceed."

Cavaletto: "I'd like to present the St. Peter's grade school kids here from St. Peter's, Illinois, St. Peter's Lutheran Church. Let's give them a warm House welcome to the Capitol, please."

Speaker Lang: "Thank you, Representative. And welcome to the Capitol. We're happy to have you here in the House chamber. House Bill 386, Representative Mayfield. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 386, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Representative Mayfield."

Mayfield: "Thank you so much. This Bill would remove the commercial distributive fee. What this fee is, is actually a tax on top of a fee. What trucking companies have been doing is they will pay for their... the license plates for their trucks and then there is a fee that is tacked on, on top of that. It's an additional... \$450 per license plate on top of the license plate fee. It is a really good pro-business Bill. You know, they started reducing that fee and then for some reason they decided they were going to kee... they did not

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continue the reduction and they should have. This is a very good pro-business Bill. It will allow businesses in our state, in the State of Illinois, to expand and grow, to hire more bus... more employees. I think it is a really good Bill. It passed out of committee unanimously. And I'd ask for an 'aye' vote."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "So, you were saying that they were... they were in the process of reducing this and they stopped. Who is they?"

Mayfield: "Right. If you look... well, I should say the General Assembly. If you look at how the Bill went, it started out at 36 percent. It was really high. And then it went down to 21.5 and then it went to 14.35 and that was under Blagojevich's administration. It was supposed to continue, but for whatever reason, they figured they would just punt it down the road and allow someone else to pick it up. Well, we... I'm picking it up and saying enough is enough. We cannot continue to tax these businesses."

Andersson: "I see. Do we have any idea of the fiscal impact on this to the state? How much are we losing?"

Mayfield: "It's about \$50 million."

Andersson: "Fifty million dollars?"

Mayfield: "Yes."

Andersson: "Okay."

Mayfield: "But it is a fee on top of a... it's a tax on top of a fee, is what it is. Because they're already paying the license

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fees. So we are taxing our businesses and we're not allowing them to grow."

Andersson: "Okay. And what... do we know what the fee is used for presently?"

Mayfield: "It just goes into general revenue."

Andersson: "It's just GRF?"

Mayfield: "It's not used for anything spe... right. There... it was never sent to Road Funds or anything like that. Just dumped into the bucket."

Andersson: "Okay. And are there any opponents... are there any opponents to the Bill? Do we know?"

Mayfield: "Proponents? Yes. The Mid-West Truckers are pro... opponents or proponents?"

Andersson: "Opponents, I'm sorry."

Mayfield: "There are no opponents, no."

Andersson: "Okay."

Mayfield: "There are no opponents."

Andersson: "Thank you very much. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Long."

Long: "Thank you, Mr. Speaker. I appreciate it. I am on the committee, on the Transportation Committee, and I stand in favor of this piece of legislation. As a union truck driver of 30 years and being in the industry for 33 years, I believe that this is one more way that we can loosen up on the regulations and encourage economic growth. So, I support Ms. Mayfield on this. Thank you very much."

Speaker Lang: "Representative Ives."

Ives: "Thank you, Mr. Speaker. To the Bill. I want to compliment my Democrat colleagues and the Sponsors of this Bill for pass..."

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passing a very good tax reduction legislation. Thank you so much. I appreciate it."

Speaker Lang: "Representative Nekritz."

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

Speaker Lang: "Sponsor yields."

Nekritz: "So, Representative, you indicated that this currently goes into GRF?"

Mayfield: "Yes."

Nekritz: "Would this be the kind of thing that the Constitutional Amendment would require us to spend on transportation rather than other kinds of General Revenue Funds?"

Mayfield: "No."

Nekritz: "Okay. Thank you."

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? Welter. Please take the record. On this question, there are 109 voting 'yes', 3 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Leader Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representative Hoffman has been excused for the... the last two votes and the rest of the day."

Speaker Lang: "Thank you, Leader. House Bill 434, Mr. Butler. Please read the Bill."

Clerk Hollman: "House Bill 434, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lang: "Mr. Butler."

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Butler: "Thank you, Mr. Speaker. House Bill 434 is a fairly simple Bill. It amends... or it adds the... to the Commemorative Dates Act in Illinois, to add Illinois Constitution Day on August 26 annually as the day that we commemorate in Illinois. August 26 is the anniversary of when the first Constitution was passed in Illinois by the first Constitutional Convention. This Bill also goes along with a couple other Bills I have on Third Reading that we can discuss later, hopefully. But this would merely create Illinois Constitution Day to be celebrated every year. And I would be glad to take any questions."

Speaker Lang: "Those in favor of the Gentleman's 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? Ford. Please take the record. 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 479, Mr. Butler. Please read the Bill."

Clerk Hollman: "House Bill 479, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lang: "Mr. Butler."

Butler: "Thank you, Mr. Speaker. House Bill 479 is a simple change to the Illinois State Seal but a significant change to the Illinois state seal. The current State Seal has been in effect since a 1867 statute that this... this chamber passed. On the Illinois state seal, currently, on the outer ring, it reflects that August 26 date that I previously mentioned as the date that's on the state seal. What my legislation here today does is change the date to... from August 26, 1818 to December 3,

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1818, to reflect the day that Illinois actually became a state. As someone who has been appointed to the State Bicentennial Commission, I think it's certainly good timing for us to take a look at the symbols that we have in the State of Illinois and hopefully reflect accurately when Illinois became a state. Again, I'd be happy to answer any questions that you may have on this Bill."

Speaker Lang: "Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Lang: "Sponsor yields."

Harris, D.: "The date that is on the seal now indicates what?"

Butler: "The date that's on the seal now, which is August 26, 1818 is..."

Harris, D.: "And what does that indicate?"

Butler: "That is the date that the first Constitutional Convention passed the first Constitution in the State of Illinois."

Harris, D.: "Right. So, that's the date that the... that the people of the State of Illinois came together and formerly governed themselves under a Constitution. And one of the other statements on our state seal, I believe, says 'State Sovereignty'. Does it not?"

Butler: "'State Sovereignty', 'National Union' is our state motto."

Harris, D.: "Right. So, we are in essence here, in my opinion, deferring the date on our state seal, not from when the people of the State of Illinois passed a Constitution, but when those folks in Washington, D.C., said, okay, you're now a part of the union. Is that a way to describe it?"

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Butler: "The December 3 date is the date that we were admitted into the union, which is commonly referred to and thought of as Statehood Day in the State of Illinois. It's when the Congressional Resolution was signed by President Monroe was December 3, which was the day that we became a state."

Harris, D.: "All right. And Ladies and Gentlemen, this is not... is not a big Bill and I respect the Gentleman's intention for making the change in the state seal. I'm just questioning whether or not we really need to make this change in the state seal. The date that's on our state seal is indeed a valid date. It is the date that... that we passed a Constitution to govern ourselves. It's a perfectly valid date. Sure, I guess we could make the change to say, all right, this is when Congress said you're a state. But I have a lot of respect for when we did what we did and it's been this way for... however long the state seal has been in existence, which goes back, I think, to about 1850. I don't necessarily see the necessity of changing the seal. Again, it's not the end of the world one way or the other, but think about it before you vote as to whether or not we really need to make this change to something which we... which we had... has been part of our history for the past 150 or plus years. Thank you."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "Representative Butler, I had just a little bit of confusion hearing that... that debate. So, the date you believe is appropriate for the seal is December 3, 1818, correct?"

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Butler: "December 3, 1818, is the date that I believe is correct. It is... it is Statehood Day, the day that we became a state. In 1818, there are many significant dates that year, including the August 26 date, including the April 18 date when Congress passed the Enabling Act to allow us to move forward with the Constitution and to create a Constitution. So, there's many significant dates in that first year. In my mind, the December 3 date is the beginning of our state. It is when, as I said, President Monroe signed the Congressional Resolution authorizing us to join the other states as the 21st state in the union."

Andersson: "So, that date is quite literally the date we became the State of Illinois?"

Butler: "That's what I believe and that's what the U.S. Government believes as well."

Andersson: "Okay. Thank... thank you very much. Appreciate it."

Speaker Lang: "Mr. Davis."

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

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, you're proposing changing a date on the state seal, correct?"

Butler: "That's correct."

Davis, W.: "So, anything currently that has the state seal on it with the current date, if you change it, does that mean it's void, more or less?"

Butler: "I'm... I'm glad you asked that question. This legislation does not replace any current state seals. It is my intention that moving forward, that we would put a new state seal in place with this date. It would not mandate that we change

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current state seals. They are certainly a part of our history. But moving forward, we would be able to have a seal that reflects the... the date of statehood. But I am certainly not mandating changing current state seals. It would be something moving forward."

Davis, W.: "Okay. I just want... want to be clear about, I guess, the last part of your statement. So, again, if it already exists, it's okay?"

Butler: "There's no mandate to change the current State Seal. It's... we don't need to replace door handles or letterhead or anything like that. It would just be something that's... that's moving forward."

Davis, W.: "Okay. And there's no issue with something with the current date on it versus something that will be possibly done moving forward with a different date. There are no... there are no issues there?"

Butler: "Not that I'm aware of. Nope."

Davis, W.: "Thank you."

Speaker Lang: "Mr. But... Excuse me. Mr. Thapedi."

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

Speaker Lang: "Sponsor yields."

Thapedi: "Representative Butler, in light of Representative Davis's questions, what will be the cost to redo all the seals that are out there now."

Butler: "I do not know what the cost would be to redo all the seals, but that's not what this legislation calls for. This is moving forward. The only costs that I'm currently aware of is the actual state seal itself with... sec... under Secretary White's guidance. They have a few machines, I believe three

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machines, that actually have the state seal that's used to stamp official documents. We would need to recut the die of those, simply replace the plates. There's... I've asked for a cost from the Secretary of State's Office, but it's not a huge cost to replace those. As far as replacing any other seals, this... this legislation does not man that... mandate replacing anything currently."

Thapedi: "Thank you for the clarification."

Butler: "Yep."

Speaker Lang: "Mr. Butler to close."

Butler: "Thank you, Mr. Speaker. As I stated, but just to expand upon, this is something that I... that I met with Secretary White about. The Secretary of State is the keeper of the state seal. It's something that he is supportive of. And as I said, this... in looking forward to the bicentennial year, I think these are things that we need to take a look at. I understand this isn't the most earth-shaking piece of legislation that we're going to consider here and we have other things we need to take care of, but as we move forward to the bicentennial, I think it's an important thing that we do. And I would urge 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? Batinick, Bennett, Breen, Sims. Mr. Clerk, please take the record. On this question, there are 92 voting 'yes', 17 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Continuing on the Order of Butler, House Bill 489. Mr. Clerk, please read the Bill."

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Clerk Hollman: "House Bill 489, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lang: "Mr. Butler."

Butler: "Thank you, Mr. Speaker. Along these same lines, House Bill 489 would create Illinois Statehood Day on December 3, annually, to be celebrated. You know, I think there's a lot of discussion about the State of Illinois and the condition that we're in. I'm someone who is a proud Illinoisan. Someone who has roots in this state that goes back over 200 years. Not zombies, sorry. I have... I have roots in the state that go back over 200 years. December 3 is the day that we became a state in Illinois and I think it's... it's a date that annually that we should celebrate all that is good about the State of Illinois. We certainly have our challenges nowadays, but there's many things for us to be proud of as Illinoisans. And celebrating Statehood Day every year on December 3 I think would be a great way to talk about the good things that we have going on here in this state. I would certainly be happy to take any questions. And I urge an 'aye' vote."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. So, by making this designation, what does this... what does that really mean?"

Butler: "This is a... this is a commemorative date. It's not a holiday. This is amending the State Commemorative Dates Act. This would basically allow the state to celebrate, officially, every year that December 3 is Statehood Day."

Davis, W.: "So, what... what's celebrate mean? Does that mean your suggesting that there be a day out..."

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Butler: "That would... that would be up... that would be up to the citizens of the state. All this... all this Bill does, it asks for a proclamation from the Governor within 10 days of December 3 to talk about what activities might being organized in the state."

Davis, W.: "So, this isn't an overture toward a state holiday?"

Butler: "No, it is not."

Davis, W.: "Or some government holiday..."

Butler: "No."

Davis, W.: "...where government offices will be closed?"

Butler: "This is... this is a commemorative date. Under that part of the statute, we have, I believe, over 50 commemorative dates in the State of Illinois. This would add another one to it."

Davis, W.: "And that's it?"

Butler: "That's it."

Davis, W.: "Thank you."

Speaker Lang: "Mr. Hays."

Hays: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Hays: "Mr. Sponsor, you appear to be on a roll with this subject matter. And I've always thought personally that the Ray Charles version of *America, the Beautiful* is a more descriptive song for our nation. Can we roll that into this and just get it all done with one fell swoop? Thank you."

Speaker Lang: "Was that wave part of the record, Sir? Those in favor of the Gentleman's 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,

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Members. Please record yourselves. Andrade, Currie, Hurley, Ives. Please take the record, Mr. Clerk. There are 104 voting 'yes', 4 voting 'no'. This Bill having.. I think I read that wrong. 108 voting 'yes', 4 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 503, Representative Harper. Out of the record. House Bill 540, Representative Kelly Burke. Please read the Bill."

Clerk Hollman: "House Bill 540, a Bill for an Act concerning domestic violence. Third Reading of this House Bill."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. This Bill amends the law so that with emergency orders of protection in domestic violence and domestic relations situations, a search warrant for recovery of a firearm can only be issued upon having actual notice to the respondent and an opportunity to participate in the hearing. I know of no opposition. And I ask for your 'aye' vote."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "Representative, just to be clear. So, currently, we have orders of protection and emergency orders of protection. My understanding, when we discussed this in committee, is that what you might call regular orders of protection have a process. Emergency orders, which are what you are dealing with, have no additional hearing or process requirements for the removal of a firearm from a... from an individual. Is that correct?"

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Burke, K.: "Under the current law, that's correct."

Andersson: "And your... your Bill corrects that so that, in fact, you are making it more difficult to take someone's firearms away from them, not less, correct?"

Burke, K.: "Correct. So, the emergency order of protection itself would continue to be able to be issued without notice and on an ex parte basis, but if there's going to be a further step of issuing a search warrant for a firearm that the petitioner is alleging that the respondent has, it would require the extra step of providing notice to the respondent and an opportunity for that respondent to participate in the hearing."

Andersson: "Thank you. Mr. Speaker, to the Bill. I think this is an excellent Bill. It provides additional protections for people's Second Amendment right. I fully support it. I urge an 'aye' vote."

Speaker Lang: "Representative Wallace."

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

Speaker Lang: "Sponsor yields."

Wallace: "I'm concerned. I'm trying to understand how does this Bill, aside from protecting the Second Amendment rights, how does it protect the rights of the victim who may have been threatened by this firearm that they report is in possession of their abuser?"

Burke, K.: "So, under... in this... this Bill was brought to me by the presiding judges of the Cook County Domestic Relations Division, the Cook County... Domestic... the Domestic Violence, also, the Cook County Sheriff's and we entered into discussions with domestic violence advocates. So, it's a...

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it's a Bill where we all came together and had agreement on. The Bill has gone through the Legislature before, passed the House, but just didn't go through the Senate. So, this is something we've voted on before. The... the problem that the judges were seeing was that their understanding and their interpretation of the law is that you cannot issue a search warrant for the removal of a firearm without that person's opportunity to be heard because there's a lot of room for error. And so, the emergency protection itself would still continue to be... there's no change to that whatsoever. But in order to not have the situation where you have an unconstitutional search and seizure, which is anecdotally what some of the judges were seeing would happen where there were mistakes being made about where those firearms might have been and who might have been in possession with them, they ask that this change be made. There can... is still an opportunity for that firearm to be seized and a search warrant to be issued. It's just that the constitutional provisions for notice would have to be given."

Wallace: "And how much..."

Burke, K.: "And if the... if the respondent chose not to show up, after being given an opportunity to be heard, the... the search warrant could still issue. They're just concerned that proper constitutional channels weren't being followed."

Wallace: "And how much time is there between the emergency order, setting the date for a hearing, receiving the warrant, and then going to look for this firearm? What's like the shortest time frame that that could happen in?"

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Burke, K.: "I... I'm... it would depend on which court you're dealing with. It could be very quick in some courts. It could be a... a smaller... I can't speak for every Circuit Court in the state."

Wallace: "Do you think that this gives an extended window of time for further victimization, especially given the fact that once an individual leaves an abusive relationship, enters into an order of protection, whether it's emergency or long-term, that they are at greatest risk of being harmed to the maximum of any other type of abuse they've exc... experienced? And they're also at greater risk of being killed in that window of time in which they leave. So, then we leave several more days of access to firearms?"

Burke, K.: "So, I completely understand your concern and I... what I'm telling you is that the people who brought this also understand and are sympathetic and are on the side of those folks. So, we have domestic violence advocates, we have the Sheriff's office whose responsible for executing these search warrants, and we have judges who deal every day with people who are coming in seeking their protection. So, the protective order is still entered on an ex parte emergency basis but... they're trying to meld their practices to constitutional... to the correct constitutional... they're trying to make sure that all the practices are constitutionally sound and that there is not something that's overturned because it wasn't in compliance with the Constitution."

Wallace: "Were actual victims part of these discussions?"

Burke, K.: "Advocates for the domestic viol... violence victims, yes, were part of the meetings and signed off."

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Wallace: "And those advocates were maybe survivors themselves or...?"

Burke, K.: "I don't know."

Wallace: "Okay. To the Bill. I'm not even sure where to start with this. I understand the Constitution. In fact, we all are sworn to uphold the U.S. and the State Constitutions. However, I'm extremely concerned about this window of time that is left open. Especially a window in time in which it is the most dangerous for an individual who finally gets the courage, the window of opportunity and the wherewithal to leave an abusive situation, where there may have been firearms involved. And so, they leave this situation and then we open up another window of time in which their perpetrator still has access to the firearms that might have been part of the abuse in the first place. We do know that in homes that do have firearms that there are often... well, in domestic violence situations in which there is a home with a firearm, the victim is more likely or the perpetrator, someone's more likely to get shot in the whole process. And I think this is a very, very scary path to go down. I do think that we... we have to think about the Constitution, but we also have to think about the fact that everybody has as fundamental human right to safety and to their life. Just their own mortality. And I think that we are opening... we're opening a window of time that just puts people at further risk. I'm sorry. I'm... I'm really emotional about this 'cause I just... I can't imagine that any victims sitting around the table would actually say that this is okay. And I understand constitutionality, but there has got to be some other window, some other opportunity,

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to seize those firearms before we just say, well, wait a couple of days or a week, or two weeks or three weeks until we can get a hearing before we go in and seize those firearms. So, because of that, I will be voting 'no' and I do encourage a 'no' vote on this particular piece of legislation to protect the victims of domestic violence."

Speaker Lang: "Representative Willis."

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

Speaker Lang: "Sponsor yields."

Willis: "So, these are for cases where we already have an order of protection being filed. So, there is already some indication that there is a sense of violence towards a victim, correct?"

Burke, K.: "These occur in situations where someone is seeking an order of protection and concurrently they are alleging that there are firearms that the respondent has access to or possession of firearms. And they're also seeking to have those firearms confiscated."

Willis: "But the bottom line is an order of protection has been granted, correct? Or is in the process of being granted."

Burke, K.: "It's being... it's being sought. Correct."

Willis: "Okay. So, we already know that there is some red flag someplace. The person that is filing for the order of protection has stated clearly that there are issues that they're concerned about."

Burke, K.: "Correct."

Willis: "Whether it's domestic violence, whether it's just harassment or whatever it may be. So, these are things that we already have a heads up that there's something wrong with

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one party or the other it goes through. As my previous speaker stated, this is the most dangerous time in a woman's life. And I... and I will say woman 'cause it's usually against women that we have domestic violence, though there are men that also have issues with spousal abuse or significant other abuse. This is the most dangerous time in their life, in that in-between time when they're trying to get away and to knowingly delay getting firearms out of the home seems to be a problem. Is there not, if it was acc... if there was a case of perjury or if there was some reason why those firearms couldn't get out, should not be out, isn't there a... an appeal process for these firearm hold... owners?"

Burke, K.: "I think the people who have brought this, to which the leg... Body has already voted for this... the people who brought this to me are people who every day advocate for and sympathize with and try to protect victims of domestic violence. So, they are trying to balance their constitutional responsibilities as officers of the court and judges and... and sworn police officers, and trying to balance their need to protect people who are victims of domestic violence with their constitutional responsibility. And this is what they have proposed."

Willis: "But, with all due respect, that's not the question I asked. I asked, is there not already an appeal process if you... if the courts took the guns out of somebody's home when and they should not have been, is there not an appeal process to return those guns. And you said this was to delay the process so mistakes are not made. I'm saying if a mistake is

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made under this, is there not a process that they can get their guns... their firearms back?"

Burke, K.: "The constitutional question is whether someone has notice and an opportunity to be heard. And it seems like you're suggesting that they ignore the Constitution and tell them take it up on appeal. That... that's not something that I think judges willingly do. And I... I will say that they currently strive not... in... in my understanding from the meetings we had with all these folks, that the judges currently strive not to issue search warrants when the... when there's not been an opportunity to be heard because there is a... I guess in their experience, there's been a likelihood that the information they get is incorrect. Not by design but someone might say for instance, I know he keeps a gun at his cousin's. His cousin lives at 123 Main Street. Well, it turns out the cousin lives at 1234 Main Street, or the gun has been moved. And search warrants... anecdotally we've heard of search warrants that have been executed incorrectly based on scant information and I think that is the concern that the judges and the Cook County Sheriff's Office have and they are trying to balance that with giving the most protection they can to these victims of domestic violence."

Willis: "But on the same token, if we're giving the firearm owner, who has an order of protection placed against them, due time, don't you think they're going to move that gun or they're going to hide that gun so, that when a search warrant eventually gets issued, that gun is no longer in their own residence or their cousin's residence, that we're not taking away the problem? We're delaying the problem, pushing it down

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the road, that if... if it got to the extent where we needed to put an emergency order of protection or a regular order of protection out there, we're still giving that person tools to escalate it to the next level."

Burke, K.: "So, Rep. Willis, what I think I'm going to do is pull this out of the record because I would like you and Representative Wallace to have a chance to talk to the folks about what the real world experience of this is, and the... the balancing act that the courts are being required to do in these situations. And then maybe we'll have a better understanding and can come to some... some consensus and if... if you've got a better understanding of what the... the balancing of the issues is."

Willis: "I appreciate that. Thank you very much, Representative."

Speaker Lang: "The Sponsor removes the Bill from the record, Mr. Clerk. House Bill 616, Representative Moeller. Please read the Bill."

Clerk Hollman: "House Bill 616, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Representative Moeller."

Moeller: "Thank you, Speaker. House Bill 616 is a... a Bill that was brought to me by the Associated Firefighters of Illinois. Basically, it is standardizing the practice of issuing a certificate to a firefighter upon his or her hiring, whether that individual is hired via the Civil Service Commission or at a Fire Commissioners or Board of Fire and Police Commissioners. There are no opponents to this Bill. It, again, just basically standardizes the practice of the issuance of

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certificates. I'd be happy to answer any questions and ask for an 'aye' vote."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "Representative, I'm not very familiar with firefighter appointment process. So, what is the certificate of appointment and why is it significant in this process?"

Moeller: "Back in... it's my understanding that in 2011 the language and the practice of hiring amongst those three different entities was standardized in statute and this is one area that is... is being brought up to standard... re... standardized. That wasn't made part of the 2011 statute."

Andersson: "So you..."

Moeller: "It..."

Andersson: "...you believe it was the intent that this was just a section that needs to be clarified, to brought into that same standard that occurred previously?"

Moeller: "Correct."

Andersson: "And I do note that the... let me see the groups... a number of groups are neutral that I would have thought would have been supportive. Any idea about that?"

Moeller: "I think they're neutral because it's... it's not... this doesn't add an additional burden to, you know, a municipality or a Fire Protection District. It's basically giving them... giving the firefighter an actual sheet of paper that indicates that they are certif... a certificated firefighter with their jurisdiction."

Andersson: "Okay. Thank you very much. Thank you, Mr. Speaker."

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Speaker Lang: "Those in favor of the Lady's 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? Batinick, Jimenez. Please 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. On pages 5 and 6 on the Calendar, under Motions in Writing, there are several Motions to Table Bills. Without objection, we will take them on one vote. I'll read them into the record. House Bill 307, Mr. Bennett; House Bill 308, Mr. Bennett; House Bill 468, Mr. Riley; House Bill 1769, Mr. Ford; House Bill 2763, Representative Lilly; House Bill 3653, Mr. Halbrook; House Bill 3916, Representative Gordon-Booth. Each Member has asked to table their Bill. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And each of these Bills are tabled. Mr. Clerk, for an important series of committee announcements."

Clerk Hollman: "All committees for this afternoon have been canceled. All committees for this afternoon have been canceled."

Speaker Lang: "That was a very important committee announcement. And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned until Wednesday, February 22 at the hour of noon. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House stands adjourned 'til Wednesday, February 22 at noon."

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Costello, Chairperson from the Committee on Agriculture & Conservation reports the

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following committee action taken on February 15, 2017: do pass Short Debate is House Bill 470, House Bill 534, House Bill 638; recommends be adopted is House Resolution 43. Representative Fine, Chairperson from the Committee on Insurance: Health & Life reports the following committee action taken on February 15, 2017: do pass Short Debate for House Bill 817. Representative Yingling, Chairperson from the Committee on Government Consolidation & Modernization reports the following committee action taken on February 15, 2017: do pass Short Debate for House Bill 684, House Bill 6... correction, House Bill 776. Representative DeLuca, Chairperson from the Committee on Cities & Villages reports the following committee action taken on February 15, 2017: do pass Short Debate is House Bill 777, House Bill 786. Representative Sims, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on February 15, 2017: do pass Short Debate is House Bill 375. Representative Welch, Chairperson from the Committee on Higher Education reports the following committee action taken on February 15, 2017: do pass as amended Short is Debate House Bill 230. Representative Martwick, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on February 15, 2017: do pass Short Debate is House Bill 299, House Bill 350, House Bill 418; do pass as amended Short Debate is House Bill 368. Representative Willis, Chairperson from the Committee on Fire & Emergency Services reports the following committee action taken on February 15, 2017: do pass Short Debate is House Bill 743, House Bill 771. Representative Hurley,

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Chairperson from the Committee on Police & Fire... & First Responders reports the following committee action taken on February 16, 2017: do pass Short Debate is House Bill 769. Representative Mayfield, Chairperson from the Committee on Elementary & Secondary Education: Licensing, Administration & Oversight reports the following committee action taken on February 16, 2017: do pass Short Debate is House Bill 425, House Bill 655, House Bill 760. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on February 16, 2017: do pass Short Debate is House Bill 679, House Bill 680, House Bill 703, House Bill 741, House Bill 742; recommends be adopted is House Resolution 10, House Resolution 34, House Resolution 40; recommends be adopted as amended is House Resolution 50. Introduction of Resolutions. House Resolution 145, offered by Representative Jesiel. House Resolution 148, offered by Representative McSweeney. House Joint Resolution 28, offered by Representative Flowers. House Joint Resolution 30, offered by Representative Walsh. There are referred to the Rules Committee. House Bill 108... Second Reading of House Bills. House Bill 108, a Bill for an Act making appropriations. House Bill 109, a Bill for an Act making appropriations. House Bill 110, a Bill for an Act making appropriations. House Bill 111, a Bill for an Act making appropriations. House Bill 112, a Bill for an Act making appropriations. House Bill 113, a Bill for an Act making appropriations. House Bill 114, a Bill for an Act making appropriations. House Bill 115, a Bill for an Act making appropriations. House Bill 116, a Bill for an Act making

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appropriations. House Bill 117, a Bill for an Act making appropriations. House Bill 118, a Bill for an Act making appropriations. House Bill 119, a Bill for an Act making appropriations. House Bill 120, a Bill for an Act making appropriations. House Bill 121, a Bill for an Act making appropriations. House Bill 122, a Bill for an Act making appropriations. House Bill 123, a Bill for an Act concerning government. House Bill 124, a Bill for an Act concerning government. House Bill 125, a Bill for an Act concerning government. House Bill 126, a Bill for an Act concerning government. House Bill 127, a Bill for an Act concerning government. House Bill 128, a Bill for an Act concerning government. House Bill 129, a Bill for an Act concerning government. House Bill 130, a Bill for an Act concerning government. House Bill 131, a Bill for an Act concerning government. House Bill 132, a Bill for an Act concerning government. House Bill 133, a Bill for an Act concerning State government. House Bill 134, a Bill for an Act concerning State government. House Bill 135, a Bill for an Act concerning State government. House Bill 136, a Bill for an Act concerning State government. House Bill 137, a Bill for an Act concerning State government. House Bill 138, a Bill for an Act concerning State government. House Bill 139, a Bill for an Act concerning State government. House Bill 140, a Bill for an Act concerning State government. House Bill 141, a Bill for an Act concerning State government. House Bill 142, a Bill for an Act concerning State government. House Bill 143, a Bill for an Act concerning finance. House Bill 144, a Bill for an Act concerning finance. House Bill 145, a Bill for an Act concerning finance. House

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Bill 146, a Bill for an Act concerning finance. House Bill 147, a Bill for an Act concerning finance. House Bill 148, a Bill for an Act concerning finance. House Bill 149, a Bill for an Act concerning finance. House Bill 150, a Bill for an Act concerning finance. House Bill 151, a Bill for an Act concerning finance. House Bill 152, a Bill for an Act concerning finance. House Bill 153, a Bill for an Act concerning revenue. House Bill 154, a Bill for an Act concerning revenue. House Bill 155, a Bill for an Act concerning revenue. House Bill 156, a Bill for an Act concerning revenue. House Bill 157, a Bill for an Act concerning revenue. House Bill 158, a Bill for an Act concerning revenue. House Bill 159, a Bill for an Act concerning revenue. House Bill 160, a Bill for an Act concerning revenue. House Bill 161, a Bill for an Act concerning revenue. House Bill 162, a Bill for an Act concerning revenue. House Bill 163, a Bill for an Act concerning public employee benefits. House Bill 164, a Bill for an Act concerning public employee benefits. House Bill 165, a Bill for an Act concerning public employee benefits. House Bill 166, a Bill for an Act concerning public employee benefits. House Bill 167, a Bill for an Act concerning public employee benefits. House Bill 168, a Bill for an Act concerning local government. House Bill 169, a Bill for an Act concerning local government. House Bill 170, a Bill for an Act concerning local government. House Bill 171, a Bill for an Act concerning local government. House Bill 172, a Bill for an Act concerning local government. House Bill 173, a Bill for an Act concerning public aid. House Bill 174, a

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Bill for an Act concerning public aid. House Bill 175, a Bill for an Act concerning public aid. House Bill 176, a Bill for an Act concerning public aid. House Bill 177, a Bill for an Act concerning public aid. House Bill 178, a Bill for an Act concerning courts. House Bill 179, a Bill for an Act concerning courts. House Bill 180, a Bill for an Act concerning courts. House Bill 181, a Bill for an Act concerning courts. House Bill 182, a Bill for an Act concerning courts. House Bill 183, a Bill for an Act concerning criminal law. House Bill 184, a Bill for an Act concerning criminal law. House Bill 185, a Bill for an Act concerning criminal law. House Bill 186, a Bill for an Act concerning criminal law. House Bill 187, a Bill for an Act concerning criminal law. House Bill 188, a Bill for an Act concerning civil law. House Bill 189, a Bill for an Act concerning civil law. House Bill 190, a Bill for an Act concerning civil law. House Bill 191, a Bill for an Act concerning civil law. House Bill 192, a Bill for an Act concerning civil law. House Bill 193, a Bill for an Act concerning business. House Bill 194, a Bill for an Act concerning business. House Bill 195, a Bill for an Act concerning business. House Bill 196, a Bill for an Act concerning business. House Bill 197, a Bill for an Act concerning business. House Bill 198, a Bill for an Act concerning employment. House Bill 199, a Bill for an Act concerning employment. House Bill 200, a Bill for an Act concerning employment. House Bill 201, a Bill for an Act concerning employment. House Bill 202, a Bill for an Act concerning employment. Second Reading of these House Bills.

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These will be held on the Order of Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."