

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

7th Legislative Day

2/4/2009

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction of Resolutions referral to the House Committee on Rules is House Resolution 6, offered by Representative Dunkin. House Resolution 7, offered by Representative Brady. House Resolution 8, offered by Representative Sullivan. House Resolution 10, offered by Representative Hernandez. House Resolution 11, offered by Representative Fritchey. House Resolution 14, offered by Representative Watson. House Resolution 16, offered by Representative Boland. House Resolution 17, offered by Representative Pritchard. House Resolution 19, offered by Representative Cole. House Resolution 20, offered by Representative Soto. House Resolution 25, offered by Representative Sullivan. House Resolution 30, offered by Representative Nekritz. House Resolution 33, offered by Representative Rose. House Resolution 42, offered by Representative Burke. House Resolution 43, offered by Representative Franks. House Resolution 44, offered by Representative Soto. House Resolution 45, offered by Representative Madigan. House Joint Resolution 1, offered by Representative Pihos. House Joint Resolution 2, offered by Representative Reis. House Joint Resolution 4, offered by Representative Reis. House Joint Resolution 5, offered by Representative Will Davis."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers, and we ask the guests of the gallery to rise and join us for the invocation and the Pledge of

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Allegiance. We shall be led in prayer today by Wayne Padget, the assistant Doorkeeper."

Wayne Padget: "Let us pray. Dear Lord, we come before You today in sound body and mind, praying that on this day, You grant us wisdom and guidance. Lord, we also ask that You would pray for the Representatives and their families. We would also ask for You to pray for the men and women in our Armed Services, both here and abroad. Provide them with Your protection and give them the strength to make it through these tough times. Let us also pray for the men, women, and their families who have made the ultimate sacrifice to defend our country. These things we ask in Your Son's name, Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Nekritz."

Nekritz - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. The... let the record show that there are no excused House Democrats today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker Madigan: "The Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

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Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on February 04, 2009, reported the same back with the following recommendations: 'approved for floor consideration' is House Resolution 45. A second report from the House Committee on Rules refers Floor Amendment #1 on House Resolution 45, 'recommends be adopted'."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Mem..."

Speaker Madigan: "Supplemental Calendar. The Chair recognizes Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Madigan: "State your point."

Moffitt: "Mr. Speaker, I'd ask the Members of the House to join me in a joyous celebration. My seatmate had the privilege of welcoming of another grandbaby on February 2; fifth grandchild, second granddaughter, weighing 7 pounds and 1 ounce. Parents are Scott and Ilana and will be named later this week. So would you please help me congratulate Representative Sid Mathias on his fifth grandchild."

Speaker Madigan: "Representative Pihos, for what purpose do you seek recognition?"

Pihos: "I rise for a point of personal privilege."

Speaker Madigan: "State your point."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As cochair of the Conference of Women Legislators,

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I would like to thank all of you who joined us for a very important press conference today addressing women's heart health issues. The women you see here wearing red today are not only wearing red because they look fabulous in it, but it's a powerful way to raise awareness of the serious of heart disease amongst women; and we also thank those men who joined us today by wearing red ties. Heart disease, stroke, and other cardiovascular diseases are the number one killer of women in the State of Illinois. On the average, 50 women a day die from heart disease in Illinois. So, please remember that this Friday is National Go Red Day. Please wear red and continue to spread the word that education will help prevent the disease, and early detection are essential components to improving the lives of women and families in our state. Thank you."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. House Resolution 45 is the Resolution containing the permanent rules of this General Assembly, and before we move to that, I would like to offer House Amendment 1 to these rules. And that Amendment was actually a proposal from the Minority Members, that in the event that someone is requesting under the Freedom of Information Act, records of the Clerk, of the Speaker, of the Minority Leader, an individual who is the subject of that request should so be notified. So, I don't know of any opposition and I'd appreciate your support for Amendment 1."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say

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'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments have been approved for consideration."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. Now, to House Resolution 45. These are the permanent rules that will guide us during the next 2 years this biennium. And I'd first of all make the point that these are pretty much the rules we've operated under for at least the last 5 two-year terms. There are a couple of changes, none of them major. I'll run through them very quickly. First, there aren't Minority spokespeople until a Chair has been appointed. Second, if someone decides to switch Party affiliation, we established the procedures for notifying the Clerk and all the rest of it... of us. The Rules Committee can send Bills to a joint standing committee of the Legislature, a joint committee between the House and the Senate, and rules by a Majority vote can waive the six-day posting requirement, but only for subject matter hearings. A Member who participates in debate on an issue may not then move the previous question. In addition, if a committee establishes rules for its own procedure, those rules must be filed with the Clerk and made available to all the Members of the committee and a Minority spokesman, in a situation where a committee may have two cochairs, would still be entitled to a stipend if she or he is eligible for one. So, let me just finish with that. I just make the point that, over the last several terms, we have found that these rules, which offer a

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framework for our discussion, for our debate, for organizing our Legislative Sessions, have, in fact, served us well. They've been an opportunity to be fair, effective, responsive to our constituents, and we have been, in a bipartisan way, able to cooperate and able to move to and through the business of the people of the State of Illinois without chaos, without agony, but with a clear idea of where we are going and how we are to get there. So with that, I'd be grateful for your support and I'm certainly happy to answer your questions."

Speaker Madigan: "Let the record show that the Amendment has been adopted. Mr. Rose."

Rose: "Thank you, Mr. Speaker. A moment ago, our side of the aisle filed House Amendment #2 to House Resolution 45, which I would now move, pursuant to Rule 18(g), be discharged from the Rules Committee. I'd ask for a recorded vote on that mo... on the Motion to Discharge. Under Rule 49, for requesting that vote be a record vote, and I'm joined by five people on my side of the aisle in so moving, Mr. Speaker."

Speaker Madigan: "You've all heard the Gentleman's Motion. Representative Currie."

Currie: "Thank you, Speaker. I object to the Motion."

Speaker Madigan: "The Lady has objected. And pursuant to the rules, the Motion is out of order. Mr. Rose."

Rose: "Mr. Speaker, if I may, this House Amendment 2 goes right to the heart of democratic process to allow the Members of this Body to advance the interests of the people of the State of Illinois. We're asking for this change. It

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doesn't appear to be... it would simply empower the Members of this Body. Unfortunately, Mr. Speaker, I'm asking pursuant to House Rule 57(a), that we appeal the ruling of the Chair. I'm asking for a recorded vote on my Motion to appeal the ruling of the Chair. Thank you, Mr. Speaker."

Speaker Madigan: "Thank you. The Gentleman has moved to appeal the ruling of the Chair. And Mr. Black, is that the matter that you wish to address? Mr. Black."

Black: "Yes, how did you... did you surmise that, Mr. Speaker? I... amazing, the mental telepathy we have. I would like to speak on that if... if you will allow me to do so."

Speaker Madigan: "Proceed."

Black: "Thank you. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I would hope that you'd give this matter some thought and give it some attention. I don't expect it to be as quiet as it was in here during a recent vote regarding the serious matter of impeachment, but Ladies and Gentlemen of the House, what Representative Rose has requested is a simple change in the unanimous discharge rule that the House Rules currently allow. Now, there are several of you; I won't embarrass you. I could read your names, because I've written them down every time you come over and ask me to do this on a Bill that you support, and many of you have come over here and said if you will move that the Chair be overruled, we'll vote with you, because we think this Bill should be subject to debate. So here's your opportunity; and we're not changing this rule to say that one Member can move for the discharge of a Bill in the Rules Committee. It still requires an

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extraordinary Majority, and, or a petition signed by a specified number of Members of the House, and they can be Democrats or they can be Republicans. So, if you defeat this Amendment, what you are doing, you are denying the Minority Party any substantive right to have Bills advance for debate, but you are also denying your right to have one of your Bills moved out of Rules Committee and subject to floor debate. What could be more simple in the part of a democratic process than to be able to give your idea a chance to be heard and debated? It may not pass, but at least you will be able to say to whoever gave you that idea, that they had a hearing... they had a fair hearing. Now, Ladies and Gentlemen of the House, it's my understanding, and all I have is what I've read and heard in the news, that the Illinois Senate is considering a very similar proposal that would allow a Minority Caucus or the Minority Party the ability to discharge a Bill from the Rules Committee in the Senate and have it debated. Now, there's no question that your rights are still protected as the Majority, because of the fact that you have the Majority vote. So, if you don't like the idea, it won't pass. But I don't know how any of you in good conscience can say that an idea does not have the right to be heard and debated by either a committee or the Members of this Body. Have we learned nothing from what we've been through in the last two months? I heard your side of the aisle talk about change. We don't want to be where we've been. We don't want to go back to what we've just gone through, a very difficult process. And yet... and yet, you appear to be

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willing on the first day... on the first day of the 96th General Assembly, you appear to be willing to tell...

Speaker Madigan: "Ladies and Gentlemen, would you give your attention to Mr. Black."

Black: "I... thank you, Mr. Speaker. Ladies and Gentlemen, I would simply appeal to your conscience as an elected Member of the people's House. You should have a right to debate your Bills and in the Majority you generally have that. In the Minority, we often do not. That isn't right. It isn't fair, and some of you on your side of the aisle have come over here and told me that should be changed, because some of your Bills were not allowed to be removed from the Rules Committee and have a fair debate. We've just gone through two months where we should have learned that you cannot have that kind of capricious and arbitrary power. You just removed a Governor because he said, I don't care what the rules are. I don't care what JCAR says, I'm not going to do that. It's wrong. It was wrong for the former Governor to do it. It's wrong for you to do it today. That is not in the spirit of bipartisanship. I would ask that for once you vote your conscience and that of the people who send you here. Let this Amendment be adopted and then let's discuss how Rules Committee can be made more receptive to the will of the Members of this Body. Vote to overrule."

Speaker Madigan: "Mr. Bost, did you wish to speak on this issue? Mr. Bost."

Bost: "Thank you Mr. Speaker. An inquiry of the Chair, if I may?"

Speaker Madigan: "State your inquiry."

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Bost: "Under... we're in the process of going through this process of adopting the rules. What rules are we operating under at this time, then, the 95th?"

Speaker Madigan: "The answer is yes."

Bost: "Excuse me? I'm sorry. I couldn't..."

Speaker Madigan: "The answer is yes."

Bost: "Okay. That... that's what I needed to know because obviously, the Leader, the Majority Leader made the Motion that she objected and it only took her statement to object. She shut down, basically, this process and not allow for us to... I mean. I know we're going to be able to speak to the issue before we override the Chair, or attempt to override the Chair. But I think it's very important that every one of the new Members listen very closely to the debate that's going on here, because this debate is going... and please, if you would... Okay, it's our first day here, folks, and if you could just listen to the debate that's going on and understand, because what's going to happen is you're going to come up and you're going to... somebody's going to come up to you and say why didn't you bring a particular Bill up? And I can name a few. Let me see. The electric Bil... issue on the rate freeze. We couldn't quite get that out as soon as we'd like. We had finally got to it, but we couldn't get that one out as soon as we'd like. Issues dealing with the past Governor, and people would say, well, why don't you carry a Bill? Well, I am carrying a Bill, but it won't be... it's not being let out of Rules. Well, why don't you allow it to get... make a Motion to get it out of Rules? And you say, well, I can make that Motion, but... And somebody

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would say, well, don't you have enough votes and support to move that Bill forward and out of Rules? And a newspaper will come to you and they'll say, don't... why don't you make that Motion? And the answer will be, because I voted for these Rules today that allowed... only would allow unanimous consent for a Bill to be called, not two-thirds, unanimous consent. Now, Ladies and Gentlemen, you need to know the history of it, and that's fine. In 1995, those rules were changed. Yes, the Republicans were in charge, but the Republicans were wrong when they did it and it needed to be changed back. And I've argued every time we've voted on these rules. And so many Members, as Representative Black says, have said... have come from your side of the aisle and said, you know what, that rule really needs to be changed. Now, here's your chance to stand up and let's get this rule changed. Let's make it correct. Not unanimous consent, but let's say three-quarters. That makes sense. Any... any number besides unanimous consent makes more sense. You are giving away your rights as a Member. How many times do we have to go out and face the general public and the public has to come to you and say, why aren't you doing your job as State Representative? Why aren't you pushing forward a Bill? Well, I'm really trying, but it's locked up in Rules. Well, what do you got to do to get it out of Rules? You're giving total power to one person. Folks, it needs to change. You need to support us on this issue. This'll be the one vote that will come back to haunt you with your newspapers and with your constituents. Now, every time I've done this new freshman Legislators look at me and go,

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oh no, no, he's just being a partisan. You know, he's not wanting... that's not right. Tell me in a year how you feel about it."

Speaker Madigan: "Representative Bassi"

Bassi: "Thank you, Mr. Speaker. Is... Ladies and Gentlemen of the House, quiet, please. This is a substantive issue that we are debating. This is a matter of the Rules of the House, and yes, I am a former teacher, and yes, I expect folks to pay attention on occasion, and this is one of those occasions in which I'm going to say, to all the Legislators in the room, Karen, this really is a very serious issue that we're debating. This is the first time we have even seen these Rules. We have not had an opportunity, I at least, have not had an opportunity to read them. Have you guys on the other side of the aisle taken a look at these Rules or are you just going to vote for them because Speaker says vote for them? At some point we have to say this is supposed to be... maybe it's not a democracy, but a kingship it should not be and perhaps there ought to be room for the Minority folks to step up and... perhaps there ought to be room for the Minority Party to be able to have some expression somewhere along the line. I would hope that those of you in the Majority might feel the same way, because what goes around comes around, and somewhere along the line there are going to be some changes made in the Senate. I would hope that the same openness might occur in the House, particularly after what we've just recently been through and the need for good

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government and for the will of the people to be expressed.

Thank you, Mr. Speaker, for letting me speak this time."

Speaker Madigan: "The question is, 'Shall the Chair be sustained?' Those who support the Chair will vote yes'; those against the Chair will vote 'no'. The Clerk will take the record. Have all voted who wish? The Clerk shall take the record. On this question, there are 70 'aye' and 48 'no'. And the Motion fails. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I think all the Members do have a very clear idea what is in these Rules, if they haven't actually read them. Those of us who've been here operated with these Rules for the last 6, 8, 10, 16 years. And in fact, the... the Rule requiring unanimous consent, let me make two points. First, in the first year of a two-year term, the first year the Rules Committee must assign any Bill that is introduced to a substantive committee within three legislative days. So there is no reason in the first year to worry at all about the unanimous consent rule. Second, I went back to previous General Assemblies, even those before 1995, 1993 for example, and that unanimous consent rule was already there. That wasn't new with the Republican Majority in 1995. That was there in '93. I would venture to guess that it's also was there in '91 and '89 and on to the prior past. This is not a big deal. This is just the way we operate in a parliamentary democracy, and I would urge your support for these reasonable views... rules that will help us get our job done, help us respond to the needs of the

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people in a rational, straightforward and clear fashion. I urge your 'yes' vote."

Speaker Madigan: "The Lady moves for the adoption of HR45. On that question, the Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, excuse me, on the sheet that we have, it would be number five on your sheet, but it's Rule 10(d). Let me ask you a question about that, if I could. Notification if a Member changes political Parties. The change will state that a Member switching Party affiliation must provide notification of the Clerk and any committee assignments are automatically terminated upon notification. I don't have a problem with that."

Currie: "Good."

Black: "The question I would ask, is there a corresponding rule that then says where that Member will be reassigned to what committees, how that is done?"

Currie: "No, there need not be, because the... the person in our chamber who is the Leader of the Party to which the individual vaulted will have the responsibility for making appropriate assignments. We don't need to clarify that. That's already the way the rules operate."

Black: "All right. So in other words, let me make sure I'm clear on this. Since several of your Members have already defected and are now sitting on our side of the aisle, and we welcome them, warmly. Would it be... no, seriously, if a defection does occur, it would be then the Leader of the

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Party to which that person has now affiliated would then make the assignments, correct?"

Currie: "That's right. It would seem... it would seem wrong to say that the person who... when an individual belonged to a Party in this chamber and got certain assignments from his or her Leader, that it would seem wrong to say if that individual goes and joins the other side, the first Leader is stuck with having made that appointment. That's all we're trying to do."

Black: "When such a transfer occurs, and it doesn't occur very often, it has twice in my tenure here. One for us and one for you. Does the ratio on committees then have to be addressed in the rules? If there is a committee that's... say, eight and four or eight and five, and then that person's put on there. Do you change the ratio or do you just simply add another Member?"

Currie: "It could be adjusted if the Speaker so chose..."

Black: "Okay."

Currie: "...but would not be required to be adjusted."

Black: "Okay. Let me... I appreciate your answer on that one. On... on number 15, on your Amendment sheet, dealing with Rule 21(a), amend the posting requirement for subject matter hearings. Currently, that requires a six-day posting with respect to a subject matter or a legislative measure. And... and that can be waived, as you and I know, with leave of the Body. Now, this Amendment says the proposed language permits a majority of the Rules Committee to waive the six-day requirement."

Currie: "That's correct."

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Black: "Does that mean the Rules Committee would then usurp anything that the House or the Body might want to do? What if they don't agree with the waiver?"

Currie: "No, all this says is that the Rules Committee, by a majority vote, could suspend the posting for a subject matter hearing. And as you know, at a subject matter hearing no action is taken, no official action, no votes by Members of the committee. We thought that the six-day posting requirement, if the Legislature isn't in Session and people decide they want to do a hearing on topic A or B, if the Rules Committee could give them that opportunity, it could make for a more efficient approach to a problem."

Black: "Thank you very much. That... you know that, you're right. That does make sense to me. Number 10 your sheet, Rule 15(d), can you clarify just what you're trying to do there by allowing the Rules Committee to advance Bills to the House upon the recommendation for action by a joint committee? I'm not familiar that that's... have we encountered that?"

Currie: "There is an effort to create a joint committee, joint between the House and the Senate, that will engage in discussions and perhaps proposals in the area of governmental reform. What this rule does is to say that the Rules Committee may send a Bill in that area to the joint committee rather than to a substantive committee of our own... always with the option of keeping it here instead, but given that there is this new joint committee with a very important mission, we thought it was a good idea to

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enable that committee to hear Bills directly, if that is the will of the Sponsor in the committee."

Black: "All right. Would the joint committee... it's my understanding that no joint committee has yet been established. If and when that happens..."

Currie: "That is right."

Black: "...will you amend the Rules so that we'll know what joint committee, as established under the Rules?"

Currie: "You would... we would adopt a new committee by Resolution. It would not need to be an Amendment to the Rules."

Black: "All right."

Currie: "Let me also clarify that the joint committee would not take action on any Bill we sent it. That is to say, they would not be voting 'yes' or 'no'. They would be making recommendations, which would then have to come back to a standing committee of this House."

Black: "All right. So they would be, in effect, what a hearing committee, if you would?"

Currie: "Advi... and they would have advisory opportunities."

Black: "Okay. All right."

Currie: "They could make recommendations, but they would not be voting on legislation..."

Black: "All right."

Currie: "...that would then come to the full House..."

Black: "Okay."

Currie: "...for a vote as happens if a Bill is assigned to Judiciary I."

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Black: "So it would be advisory. They could not then make a Motion in the joint committee to 'do pass' or 'do not pass'."

Currie: "You're correct."

Black: "Okay. One last clarification, if I could. Number 19 on the Amendatory sheet dealing with Rule 40(c), require the Clerk to call Amendments in numerical order. I... can you clarify that? I thought that's what we were always supposed to do."

Currie: "All right. Yeah. My understanding is this was a recommendation from the Clerk's Office just be clear that the order of Amendments is numerical, as it should be."

Black: "So, we would take Amendment 1, and Amendment 2..."

Currie: "Yeah, yeah."

Black: "...but you could still... for example, it often happens, Amendment #1 needs to be tabled, moved to #2, all of that stays the same operationally as it has, correct?"

Currie: "Right. So it would only be the Amendments that, in fact, are before the Body."

Black: "All right."

Currie: "And that means an Amendment that failed, an Amendment tabled, an Amendment not approved..."

Black: "Right."

Currie: "...by the Rules Committee would not get called in numeric order."

Black: "And that deals only with Amendments, not Bills in numerical order, correct?"

Currie: "Yes, Yes."

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Black: "Yes, I'd love to see that Rule someday, but we haven't been successful."

Currie: "Correct."

Black: "What... Number 17, I'm sorry. Can you clarify now what the exact process would be for a Member who gets here late in the afternoon, say because of weather, what now is the process for that Member to claim a per diem?"

Currie: "Go to the Clerk's office, in person, sign the appropriate paperwork, and get the per diem. If you get here after the Clerk's Office is closed, say at 9:00 at night, you didn't put in the day's work and you don't get the per diem. But if you're there at the Clerk's Office before closing time, you can sign the paperwork and you'll be entitled to your per diem. And this has been the practice, Representative. This is just clarifying what we've all done..."

Black: "Well, Act..."

Currie: "...and been told to do..."

Black: "...actually..."

Currie: "...when somebody is late because the train isn't on time or there's been a snowstorm."

Black: "Actually, you have to physically sign the sheet in front of the Clerk."

Currie: "Yes."

Black: "Now, would that count even if the House had already adjourned for the day?"

Currie: "Yes, you may do that, and that's been practiced. That's the way we've operated. Yes, you may. The only thing you can't do, is if you get here at 11:00 at night

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and the Clerk's Office is closed, you're out of luck. But you weren't here anyway, so..."

Black: "Okay."

Currie: "...that you don't get per diem would seem only fair."

Black: "Well, I think that... that makes eminent good sense. And you would have to do it in person, staff couldn't take up a sheet?"

Currie: "So we make sure it is you yourself."

Black: "Okay."

Currie: "And again, you know, so we may be in Session early in the season, we're in Session briefly and then people go to committees. So, by the time you're late train arrives at 2, everybody's in committees and you as a committee Member are doing your work, and of course, you want to get your per diem."

Black: "Right. Okay."

Currie: "But this... this shows you how to do that."

Black: "Yeah, I think that certainly makes sense to tighten that language and I appreciate it. Mr. Speaker, if I could, to the Resolution. Ladies and Gentlemen of the House, the Majority Leader always does a good job with this, and I appreciate how hard she works. And I appreciate the fact that... some of you will become very conversant in House Rules. Some of you will care less until the House Rules prohibit you from moving a piece of legislation that you'd like. Then they suddenly become much more important. I would be remiss if I didn't point out one thing that the Majority Leader said was 6 years ago, 16 years ago, it's the way we've done it. No real

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changes. I would simply submit we've just come through a very difficult process in the State of Illinois that I would hope all of us now begin to take the attitude that what we've done in the past isn't good enough. It's time we change the way we operate. Haven't we learned anything in the last two months? I don't care if the unanimous discharge rule has been in effect for 8 years, 18 years, or 20 years, it's wrong. It's absolutely wrong. And while the rules say that all Bills must be reported in the nonbudgetary years, I can tell you I have seen those substantive Sessions where not all Bills were released from the Rules Committee. I think it's wrong. It's for that reason, and that reason alone, while I appreciate the fact that we've had a chance to debate the issue, it's for that reason that I will not vote for House Resolution 45. I will not vote for rules that I think deny the people who send me here the right to have their legislation heard. It has happened in the past and it will happen again, and that's wrong. You should at least have an opportunity, a reasonable opportunity, to advance a legislative measure that's important to the people you represent. For people who feel that I do, that the old rules are not the way we need to work. The old method of being Governor in this state isn't good enough anymore. These rules need to be changed. They need to be enlightened. They need to allow more input by anybody in the Minority Caucus or anybody in the Minority Party. I intend to vote 'no' on the House Rules. We can do better."

Speaker Madigan: "Representative Bassi."

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Bassi: "Thank you, Mr. Speaker. Should President Cullerton decide to change the rules in his House, could we change the rules in our House?"

Speaker Madigan: "Representative, I've had several discussions with Senator Cullerton regarding Senate rules."

Bassi: "Mmm mmm."

Speaker Madigan: "I've given him my best advice. I presume that he will proceed and make his own judgments working with the Members of the Senate."

Bassi: "But should he open up the process, for instance, for discharge from Rules, should he decide to do that, could we do that here?"

Speaker Madigan: "I'm supporting the promotion currently before the House."

Bassi: "Mmm mmm."

Speaker Madigan: "So, I'm very familiar with the rules, and all of the Democratic Members can tell you that I've talked to them about the rules for several weeks."

Bassi: "Yeah, these are the rules that I've always operated under since I've been here..."

Speaker Madigan: "Right. Correct."

Bassi: "...but the discharge from Rules Committee... I'm thinking... I understand that in years past it was a two-thirds vote rather than one person being able to deny that vote. Is that correct?"

Speaker Madigan: "No. I really don't recall what the requirements were. I support the Motion before the Body right now."

Bassi: "Would you consider..."

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Speaker Madigan: "No."

Bassi: "Okay. Thank you, Mr. Speaker. Takes care of that"

Speaker Madigan: "Thank you. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. To the Bill. I'd like to just make a little point here. You have the votes. You can do whatever you want with the rules. So the only people you're going to use it against is your own Members because, quite frankly, you can always use it against us now, because you have the majority. So the people that I would worry about voting this is your own Members because they're the ones you're going to use it against. Otherwise you could always dice us because we're in the Minority."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I urge adoption of these fair, even-handed rules. Your Bills will be heard. Each and every House Bill you introduce from today until the time of the committee deadline will be assigned, must be assigned, to a substantive committee within three legislative days. Don't let people fool you into thinking that these rules do not present us with a fair framework for doing the work of the people. I urge your 'yes' vote."

Speaker Madigan: "Mr. Reis."

Reis: "Would one question of the Leader be in order, or are we past that?"

Speaker Madigan: "Well, we're past it, but because you and all of your people want to be so cooperative, why, we'll let you put the question."

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Reis: "Representative Currie, I respect your decision on that. Well, will you guarantee that we'll have a hearing on every Bill that's assigned to a committee?"

Currie: "I can tell you that the rules have long provided that committee chairs have some control over the order in which they under... they hear Bills. My experience has been that Bills automatically get posted once they've been assigned to a committee."

Reis: "But will they be called?"

Currie: "The committee chairs have authority over organizing the schedule before their committee, so I cannot speak for each individual committee chair."

Reis: "Well, I... I'm going to hold you to your decision on that, and if I have any trouble I'll come over and... but I've had Bills before that have been posted to a committee and I never get to call them. I always get the visit from the Speaker, so... I'll hold you to your word."

Currie: "Okay."

Speaker Madigan: "Again, Representative Currie moves for the adoption of House Resolution 45. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 69 people voting 'yes', 49 people voting 'no'. And House Resolution 45 is adopted. Representative Currie on a Motion."

Currie: "Thank you, Speaker. I move to suspend posting requirements so that House Bill 398 can be heard in the Executive Committee."

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Speaker Madigan: "You've all heard the Lady's Motion. Is there leave? Leave is granted and the posting requirements are suspended. Representative Yarbrough. Yarbrough. Representative Yarbrough, for an announcement."

Yarbrough: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Madigan: "State your point."

Yarbrough: "To all of my colleagues in the House, we're a little late, but we're celebrating Black History Month. And every year the Black Caucus shares on each Session day some person, place, or thing during the course of the month that they want to highlight. And so I'm kicking off the month with the history of Black History Month. Now, Americans have recognized black history annually since 1926, first as Negro History Week and then later as Black History Month. We owe the celebration of Black History Month, and more importantly, the study of black history, to Carter G. Woodson. Carter Woodson was born to parents who were former slaves. He spent his childhood working in the Kentucky coal mines and enrolled in high school at age 20. The scholar was disturbed to find in his studies that history books largely ignored the black American population, and when blacks did figure into the picture, it was generally in ways that reflected the inferior social position that they were assigned to at the time. Woodson, always one to act on his ambitions, decided to take on the challenge of writing black Americans into the Nation's history. He established the Association for the Study of Negro Life and History in 1915 and later founded the widely

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respected Journal of Negro History. In 1926 he launched Negro History Week as an initiative to bring national attention to the contributions of black people throughout American history. He chose the second week of February for Negro History Week because it marks the birthdays of two men who greatly influenced the black American populations, namely, Frederick Douglass and Abraham Lincoln. February has more to do than just Douglass and Lincoln to show for a significance in black history. For example, on February 23, 1868, W.E.B. DeBois, an important civil rights leader and cofounder of the NAACP, was born. On February 3 of 1870, the Fifteenth Amendment was passed, granting blacks the right to vote. And on February 25 in 1870, the first black U.S. Senator, Hiram R. Revels, 1822-1901, took his oath of office. February 12, 1909, the National Association for the Advancement of Colored People was founded by a group of concerned black and white citizens in New York City. Thank you for allowing me to share just a little bit of black history with all of you. Thank you."

Speaker Madigan: "Mr. Washington. Mr. Washington."

Washington: "Thank you, Mr. Speaker. I rise for personal privilege. In addition to what my colleague just read, and I hope the chamber gives just a little bit silence for the appreciation of Black History Month. To add a little bit more to this particular month, I'm hoping that we can reflect that small things, like little people, they need to be respected, protected, and preserved. Black History Month, this month of February, 2009, is a small thing to some. But when we reflect on how long we can count the

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free labor done from can't see to can't see, making America once the richest economy in the world. This, and countless other sacrifices of a people yearning to be free, only wanting what is fair, what is just, and what is equal, to be included versus excluded. When you look at it this way, it adds up to a very big thing and giving God the most high the praises for permitting Barack Obama to be the first black man, the first black American, to sit in the seat of power as the President of these United States of America. To borrow from another black person in black history, Frederick Douglass, 'Power concedes nothing without a demand' and absolute power corrupts, absolutely. So together we prove that we are better than any one of us alone. Thank you."

Speaker Madigan: "Representative May."

May: "Yes, I rise for purposes of an announcement, please. The Green Caucus will meet from 4 to 6 p.m. tonight, Room 115, Green Caucus organizing meeting. And we'll have a briefing from the Illinois EPA on the environmental portion of the federal stimulus package. So there will be some good information for Members to pick up. And I think we still have in the gallery Adam Schafer, from the National Caucus. If he's there in the gallery today, Adam Schafer from the National Caucus of Environmental Legislators. Please come to our Green Caucus meeting as we organize for the year. Thank you."

Speaker Madigan: "Are there any further announcements? Mr. Clerk, Agreed Resolutions."

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Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 9, offered by Representative Reis. House Resolution 12, offered by Representative Sacia. House Resolution 13, offered by Representative Sullivan. House Resolution 15, offered by Representative D'Amico. House Resolution 18, offered by Representative Chapa LaVia. House Resolution 21, offered by Representative McAsey. House Resolution 22, offered by Representative Currie. House Resolution 23, offered by Representative Durkin. House Resolution 24, offered by Representative Durkin. House Resolution 26, offered by Representative Lyons. House Resolution 27, offered by Representative Chapa LaVia. House Resolution 28, offered by Representative Phelps. House Resolution 29, offered by Representative Rita. House Resolution 31, offered by Representative Howard. House Resolution 32, offered by Representative Connelly. House Resolution 34, offered by Representative Beaubien. House Resolution 35, offered by Representative Yarbrough. And House Resolution 36, offered by Representative Tracy. House Resolution 37, offered by Representative Tracy. House Resolution 38, offered by Representative Brosnahan. House Resolution 39, offered by Representative Madigan. House Resolution 40, offered by Representative Connelly. And House Resolution 41, offered by Representative Myers."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Representative Currie moves for the adoptions of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Ladies and Gentlemen, let me have your attention,

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please. Let me have your attention. Just in terms of planning for tomorrow. Our plan is to come in at 9:30 in the morning and we'll have two Bills to consider. One Bill is concerned with changing the date for the budget message from the Governor. The second Bill is concerned with the question of the Joint Committee on Administrative Rules and it would codify a practice which will bring an end to the dispute we've had concerning JCAR. So I would ask everybody to be here promptly at 9:30. And you'll note that I'm looking at that side of the chamber and not that side. So, could we all be here, 9:30 in the morning, please. And with that in mind, Mr. Black, you can be late if you wish. You can be late if you wish. Representative Currie moves that the House stand adjourned until February 5 at 9:30 a.m., providing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House stands adjourned until Thursday, February 5 at 9:30 a.m., providing perfunctory time for the Clerk."

Clerk Mahoney: "Could I have your attention on a couple of housekeeping issue. The new laptop software has been placed on your laptops. LIS staff is throughout the chamber and they'll stick around after Session if you guys want to talk to them. Raise your hand or staff will bring them to you. Also, there is a certificate and Resolutions. Polly O'Brien will be going around. Staff will talk to you about that, and if you have not received your new ID, please go to Room 402 in the House Clerk's Office, as well

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as turn in your cell phone request forms, please, before you leave. Thank you."

Clerk Mahoney: "The House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 435, offered by Representative Mitchell, Bill, a Bill for an Act concerning criminal law. House Bill 436, offered by Representative Ford, a Bill for an Act concerning finance. House Bill 437, offered by Representative Beiser, a Bill for an Act concerning education. House Bill 438, offered by Representative Crespo, a Bill for an Act concerning violence prevention. House Bill 439, offered by Representative Crespo, a Bill for an Act concerning insurance. House Bill 440, offered by Representative Crespo, a Bill for an Act concerning State Government. House Bill 441, offered by Representative Jefferson, a Bill for an Act concerning local government. House Bill 442, offered by Representative Jefferson, a Bill for an Act concerning transportation. House Bill 443, offered by Representative Golar, a Bill for an Act concerning appropriations. House Bill 444, offered by Representative Golar, a Bill for an Act concerning State Government. House Bill 445, offered by Representative Harris, a Bill for an Act concerning criminal law. House Bill 446, offered by Representative Froehlich, a Bill for an Act concerning State Government. House Bill 447, offered by Representative Froehlich, a Bill for an Act concerning civil law. House Bill 448, offered by Representative Ford, a Bill for an Act concerning transportation. House Bill 449, offered by Representative

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Ford, a Bill for an Act concerning education. House Bill 450, offered by Representative Ford, a Bill for an Act concerning transportation. House Bill 451, offered by Representative Ford, a Bill for an Act concerning revenue. House Bill 452, offered by Representative Ford, a Bill for an Act concerning revenue. House Bill 453, offered by Representative Ford, a Bill for an Act concerning utilities. House Bill 454, offered by Representative Ford, a Bill for an Act concerning revenue. House Bill 455, offered by Representative Hannig, a Bill for an Act concerning finance. House Bill 456, offered by Representative Ford, a Bill for an Act concerning civil law. House Bill 457, offered by Representative Verschoore, a Bill for an Act concerning transportation. House Bill 458, offered by Representative Sullivan, a Bill for an Act concerning revenue. House Bill 459, offered by Representative Sullivan, a Bill for an Act concerning revenue. House Bill 460, offered by Representative Sullivan, a Bill for an Act concerning finance. House Bill 461, offered by Representative Jakobsson, a Bill for an Act concerning education. House Bill 462, offered by Representative Phelps, a Bill for an Act concerning firearms. House Bill 463, offered by Representative Phelps, a Bill for an Act concerning criminal law. House Bill 464, offered by Representative Phelps, a Bill for an Act concerning finance. House Bill 465, offered by Representative Phelps, a Bill for an Act concerning public employee benefits. House Bill 466, offered by Representative Jakobsson, a Bill for an Act concerning

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local government. House Bill 467, offered by Representative Jakobsson, a Bill for an Act concerning gaming. House Bill 468, offered by Representative Hoffman, a Bill for an Act concerning insurance. House Bill 469, offered by Representative Hoffman, a Bill for an Act concerning revenue. House Bill 470, offered by Representative Berrios, a Bill for an Act concerning liquor. House Bill 471, offered by Representative Pritchard, a Bill for an Act concerning local government. House Bill 472, offered by Representative Lyons, a Bill for an Act concerning local government. House Bill 473, offered by Representative Mitchell, Jerry, a Bill for an Act concerning local government. House Bill 474, offered by Representative Winters, a Bill for an Act concerning State Government. House Bill 475, offered by Representative Winters, a Bill for an Act concerning education. House Bill 476, offered by Representative Winters, a Bill for an Act concerning revenue. House Bill 477, offered by Representative Winters, a Bill for an Act concerning local government. House Bill 478, offered by Representative Eddy, a Bill for an Act concerning public employee benefits. House Bill 479, offered by Representative Eddy, a Bill for an Act concerning public employee benefits. House Bill 480, offered by Representative Boland, a Bill for an Act concerning State Government. House Bill 481, offered by Representative Burns, a Bill for an Act concerning education. House Bill 482, offered by Representative Poe, a Bill for an Act in relation to public employee benefits. House Bill 483,

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offered by Representative Burke, a Bill for an Act concerning local government. House Bill 484, offered by Representative Burke, a Bill for an Act concerning regulation. House Bill 485, offered by Representative Flowers, a Bill for an Act concerning health care. House Bill 486, offered by Representative Miller, a Bill for an Act concerning regulation. House Bill 487, offered by Representative McCarthy, a Bill for an Act concerning transportation. House Bill 488, offered by Representative Lang, a Bill for an Act concerning criminal law. House Bill 489, offered by Representative Hernandez, a Bill for an Act concerning deferred compensation. House Bill 490, offered by Representative Fortner, a Bill for an Act concerning insurance. House Bill 491, offered by Representative Sacia, a Bill for an Act concerning public employee benefits. House Bill 492, offered by Representative Fortner, a Bill for an Act concerning government. House Bill 493, offered by Representative Pritchard, a Bill for an Act concerning revenue. House Bill 494, offered by Representative Fritchey, a Bill for an Act concerning civil law. House Bill 495, offered by Representative Mathias, a Bill for an Act concerning education. House Bill 496, offered by Representative Miller, a Bill for an Act concerning regulation. House Bill 497, offered by Representative Miller, a Bill for an Act concerning health. House Bill 498, offered by Representative Ramey, a Bill for an Act concerning education. House Bill 499, offered by Representative Farnham, a Bill for an Act concerning elections. House

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Bill 500, offered by Representative Farnham, a Bill for an Act concerning gaming. House Bill 501, offered by Representative Farnham, a Bill for an Act concerning civil law. House Bill 502, offered by Representative Farnham, a Bill for an Act concerning elections. House Bill 503, offered by Representative Colvin, a Bill for an Act concerning public aid. House Bill 504, offered by Representative Colvin, a Bill for an Act concerning appropriations. House Bill 505, offered by Representative Miller, a Bill for an Act concerning public employee benefits. House Bill 506, offered by Representative Gordon, Careen, a Bill for an Act concerning revenue. House Bill 507, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 508, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 509, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 510, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 511, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 512, offered by Representative Eddy, a Bill for an Act concerning insurance. House Bill 513, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 514, offered by Representative Eddy, a Bill for an Act concerning finance. House Bill 515, offered by Representative Tracy, a Bill for an Act concerning finance. House Bill 516, offered by Representative Dugan, a Bill for an Act concerning regulation. House Bill 517, offered by Representative

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Mendoza, a Bill for an Act concerning criminal law. House Bill 518, offered by Representative Reboletti, a Bill for an Act concerning State Government. House Bill 519, offered by Representative Beiser, a Bill for an Act concerning public employee benefits. House Bill 520, offered by Representative Golar, a Bill for an Act concerning courts. House Bill 521, offered by Representative Golar, a Bill for an Act concerning foreclosure. House Bill 522, offered by Representative Acevedo, a Bill for an Act concerning regulation. House Bill 523, offered by Representative Acevedo, a Bill for an Act concerning regulation. House Bill 524, offered by Representative Lang, a Bill for an Act concerning criminal law. House Bill 525, offered by Representative Currie, a Bill for an Act concerning revenue. House Bill 526, offered by Representative Joyce, a Bill for an Act in relation to public employee benefits. House Bill 527, offered by Representative Black, a Bill for an Act concerning regulation. House Bill 528, offered by Representative Flowers, a Bill for an Act concerning business. House Bill 529, offered by Representative Flowers, a Bill for an Act concerning children. House Bill 530, offered by Representative Flowers, a Bill for an Act concerning civil law. House Bill 531, offered by Representative Jefferson, a Bill for an Act concerning revenue. House Bill 532, offered by Representative Jefferson, a Bill for an Act concerning education. House Bill 533, offered by Representative Jefferson, a Bill for an Act concerning financial regulation. House Bill 534,

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offered by Representative Jefferson, a Bill for an Act concerning transportation. House Bill 535, offered by Representative Jefferson, a Bill for an Act concerning regulation. House Bill 536, offered by Representative Jefferson, a Bill for an Act concerning insurance. House Bill 537, offered by Representative Jefferson, a Bill for an Act concerning financial regulation. House Bill 538, offered by Representative Jefferson, a Bill for an Act concerning education. House Bill 539, offered by Representative Davis, Monique, a Bill for an Act concerning criminal law. House Bill 540, offered by Representative Davis, Monique, a Bill for an Act concerning criminal law. House Bill 541, offered by Representative Davis, Monique, a Bill for an Act concerning criminal law. House Resolution (sic House Bill) 542, offered by Representative Reitz, a Bill for an Act concerning public aid. House Bill 543, offered by Representative Reitz, a Bill for an Act concerning finance. House Bill 544, offered by Representative Osmond, a Bill for an Act concerning taxes. House Bill 545, offered by Representative Osmond, a Bill for an Act concerning civil law. House Bill 546, offered by Representative Schmitz, a Bill for an Act concerning regulation. House Bill 547, offered by Representative Pihos, a Bill for an Act concerning State Government. House Bill 548, offered by Representative Pihos, a Bill for an Act concerning education. House Bill 549, offered by Representative Pihos, a Bill for an Act concerning employment. House Bill 550, offered by Representative Pihos, a Bill for an Act concerning criminal law. House

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Bill 551, offered by Representative Burke, a Bill for an Act in relation to public employee benefits. House Bill 552, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 553, offered by Representative Franks, a Bill for an Act concerning ethics. House Bill 554, offered by Representative Chapa LaVia, a Bill for an Act concerning juvenile justice. House Bill 555, offered by Representative Chapa LaVia, a Bill for an Act concerning criminal law. House Bill 556, offered by Representative Chapa LaVia, a Bill for an Act concerning education. House Bill 557, offered by Representative Chapa LaVia, a Bill for an Act concerning criminal law. House Bill 558, offered by Representative Chapa LaVia, a Bill for an Act concerning courts. House Bill 559, offered by Representative Joyce, a Bill for an Act concerning public employee benefits. And House Bill 550 (sic 560), offered by Representative Joyce, a Bill for an Act in relation to public employee benefits. And House Bill 561, offered by Representative Joyce, a Bill for an Act concerning public employee benefits. House Joint Resolution Constitutional Amendments-First Reading. Offered by Representative Black is House Joint Resolution Constitutional Amendment 10.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 7 to Article III of the Illinois Constitution as follows:

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ARTICLE III

SUFFRAGE AND ELECTIONS

SECTION 7. RECALL OF EXECUTIVE OFFICERS AND MEMBERS OF THE
GENERAL ASSEMBLY

(a) Electors may petition for the recall of an executive branch officer as identified in Section 1 of Article V or a member of the General Assembly. If the recall petition is valid, on a separate ballot the question "Shall (officer) be recalled from the office of (office)" must be submitted to the electors, along with the names of any candidates certified for the successor election, at a special election called by the State Board of Elections or at a regularly scheduled election to occur not more than 100 days after the date of certification of the recall petition. The officer or member subject to recall may be a candidate in the successor election.

(b) An executive branch officer or member of the General Assembly is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the officer or member. If an officer or member is recalled, the candidate who receives the highest number of votes in the successor election is elected successor for the balance of the term. Once a recall election petition is certified, the petition may not be withdrawn and another recall petition may not be initiated against that officer or member during the remainder of his or her current term of office.

(c) Any elector of the State, or the applicable Legislative or Representative District, may file an affidavit with the

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State Board of Elections providing notice of intent to circulate a petition to recall an officer or member no sooner than 6 months after the beginning of the officer's or member's current term of office. The affidavit must identify the name of the officer or member and the office to be recalled, the name and address of the proponents of the recall petition, and the date of filing with the State Board of Elections. A recall petition shall not be circulated prior to filing the affidavit, and a recall petition must be filed with the State Board of Elections no later than 160 days after filing the affidavit.

(d) A petition to recall an executive branch officer must include signatures of electors of the State equal to at least 12% of the total votes cast for the office in the election at which the officer was elected, with signatures equal to at least 1% of the vote for the office from at least 5 separate counties. A petition to recall a member of the General Assembly must be signed by electors of the respective Legislative District or Representative District equal to at least 20% of the total votes cast for the office in the election at which the member was elected. The form, circulation, and manner of filing a recall petition shall comply with the requirements provided by law for a statewide advisory public question, except the deadlines set forth in this Section.

(e) A recall petition is valid unless an objection is made within 45 days after the date the petition is filed, and an objection to the recall petition may be made in the same manner as to a candidate for the office subject to recall.

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The State Board of Elections shall certify the recall petition not more than 105 days after the date the recall petition is filed. Any recall petition or election pending on the date of the next general election at which a candidate for the office subject to recall is elected is moot.

(f) If a recall election is initiated, the name of no successor candidate may appear on the ballot unless a nominating petition has been filed with the State Board of Elections no more than 40 days after filing of the recall petition. The nominating petition of an established party candidate must contain the same number of signatures and be circulated in the same manner as an established party candidate for nomination to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. The nominating petition of an independent or new party candidate must contain the same number of signatures and be circulated in the same manner as an independent or new party candidate, respectively, for election to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. A nominating petition may be objected to in the same manner as a candidate for the office subject to recall, unless otherwise provided by law. The State Board of Elections shall certify a valid nominating petition not more than 105 days after the date the recall petition is filed.

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(g)An election to determine whether to recall an executive officer or member of the General Assembly and to elect a successor shall be proclaimed by the State Board of Elections and held not less than 60 days and no more than 100 days after the date of certification of the recall petition.

(h)The provisions of this Section are self-executing and judicially enforceable. Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on February 04, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 398; 'do pass as amended Short Debate' is House Bill 308. Order of House Bills-Second Reading. House Bill 398, a Bill for an Act concerning government. Second Reading of this House Bill. House Bill 308, a Bill for an Act concerning State Government. Second Reading of this House Bill. House Bill 398 and House Bill 308 will be held on the Order of House Bills-Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."