

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

96th Legislative Day

2/10/2010

Speaker Mautino: "The hour of 12:00 having arrived, the House shall be in order. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers. We shall be led in prayer today by Lee Crawford, the pastor of the Cathedral of Praise Christian Center in Springfield."

Pastor Crawford: "Let us pray. Most gracious and most kind God, Creator of us all, it is from You from which all of our blessings come, and it's from You from which all of our blessings flow. I ask You this day, God, that You would look upon us, this Assembly, this august Body, and it is with Your spirit I ask that You would direct us in all of our actions. I pray that You would grant us vigilant hearts, I ask that You would give us minds to know You, a diligence to seek You, and a wisdom to find You. Father, I pray that You will sanctify and cleanse us with Your presence, bless us with Your might and Your strength, assist us with Your wise counsel, that all of our endeavors, our actions, our decisions will be pleasing in Your sight. This we ask in Your Son's name, Amen."

Speaker Mautino: "We'll be led in Pledge of Allegiance today by Representative Brauer."

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

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

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Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Coulson is excused on the Republican side of the aisle today."

Speaker Mautino: "Representative Currie."

Currie: "Thank you, Speaker. Please let the... the record reflect the excused absences of Representatives Boland, Burke, Monique Davis, Fritchey, and Turner."

Speaker Mautino: "Mr. Clerk, take the record. 108 voting 'present', 0 reporting 'no', a quorum is present, and the House shall be in order. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on February 10, 2010: approved for floor consideration is a Motion to accept Amendatory Veto... Veto to Senate Bill 1936. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on February 10, 2010: do pass Short Debate is House Bill 4879. Representative Flowers, Chairperson from the Committee on Health Care Availability and Accessibility reports the following committee action taken on February 09, 2010: do pass Short Debate is House Bill 5018. Representative Lang, Chairperson from the Committee on Judiciary I-Civil Law reports the following committee action taken on February 10, 2010: do pass Short Debate is House Bill 4684. Representative Jakobsson, Chairperson from the Committee on Human Services reports the following committee action taken on February 10, 2010: do pass as amended Short Debate is House Bill 4587, House

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Bill 4756, do pass Short Debate is House Bill 4856. Representative D'Amico, Chairperson from the Committee on Vehicle Safety reports the following committee action taken on February 10, 2010: do pass as amended Short Debate is House Bill 4860; do pass Short Debate is House Bill 4717. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on February 10, 2010: do pass as amended Short Debate is House Bill 4681; do pass Short Debate is House Bill 4623, House Bill 4708, House Bill 4798, and House Bill 4966. Referred to the House Committee on Rules is House Resolution 899, offered by Representative Riley. House Resolution 901, offered by Representative Bellock. And House Joint Resolution 95, offered by Representative William Burns."

Speaker Mautino: "The Gentleman from Menard, Representative Brauer is seeking recognition."

Brauer: "Thank you, Mr. Speaker. I rise for personal privilege."

Speaker Mautino: "State your point."

Brauer: "Ladies and Gentlemen of the House, I'd like to welcome Mrs. Mayes's fifth grade class from Chatham Glenwood Intermediate School to the Capitol today. They're up in the Speaker's Gallery. The class is currently studying government. Please give them a nice Springfield welcome."

Speaker Mautino: "Welcome to Springfield. Page 3 of the Calendar appears House Bill 4698. It's the intent of the Chair to go to Bills on Third Reading. Representative Joe Lyons. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4698, a Bill for an Act concerning business. Third Reading of this House Bill."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm glad to present House Bill 4698 this morning. It amends the Consumer Fraud and Deceptive Practice Act to prohibit entities from automatically signing up consumers to a group or club membership when they buy something, usually on television or from a magazine article. Ladies and Gentlemen, this is a personal experience that I ran before the Consumer Protection Committee last week, and it's really an experience that I had twice in the same year. Last spring... just to reveal a little insight on Joe Lyons, what I do for fun, I love to garden; flowers, vegetables, it's my thing. So, old Jerry Baker, who calls himself America's gardener, has a book to sell. And I purchased the book. Glad to do it, Jerry Gardner... America's gardener. Lo and behold, about three months later, I get his grandmother's book on how to clean anything in your house. Now, Jerry, I really didn't want your grandmother's book, good as it may have been, on how to clean anything in your house. But wait, there's more. Last summer, I watch television very little, but on Sunday mornings, come home from mass, flip on TV, watch some of the newsy magazines, flip around, and lo and behold, there is Jack LaLanne. Baseball, apple pie, Chevrolet, and Jack LaLanne, we all grew up... At 90 years old, he's probably in better shape than anybody on this floor. Well, there's a few exceptions. So, Jack LaLanne has a juicer for sale. So, me, being of no will power, figuring if it's good

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enough for Jack LaLanne, it's going to be good enough for Joe Lyons, I call. I talked to some lovely lady in Calcutta or Bombay, and for \$129, I bought Jack LaLanne's juicer. Good enough for Jack, good enough for me. Lo and behold, I get the juicer, never take it out of the box, well intended as I may have been, but the following month, I get another little package. Well, I figure, well maybe Jack forgot something, and he's sending me something as a follow up. The next month, I get another little box. All of a sudden, I look at my Visa bill, and here's an additional charge for Jack LaLanne's protein powder. Jack, I wanted your juicer but not your protein powder. So, the point of this whole thing is, Ladies and Gentlemen... It's fun to have a little bit of fun with Bills like this when we can, but the bottom line is this, our constituents, the people of Illinois, don't need follow-up things sent to them against their kn... against their will. If they had some type of a box, or if I was asked the question, would you like some follow-up material or mat... whatever it may be, make it clear that we want to protect our consumers in Illinois from this kind of follow-up stuff, which puts the onus on me to have to send the crap back and then to have the stuff taken off of my Visa Bill. This has got to stop in Illinois. And if we're going to be the first state in the Union to do this, sobeit. We just want to con... protect our constituents and the people of Illinois from this kind of marketing. And this isn't meant to be antibusiness. I mean, you buy something on television or in a magazine, buyer beware, that's fine. I just hate this kind of

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unintended consequences of following up with stuff that I had no intent into buying. So, this is a good Bill. I'd like to get... send this thing over to the Senate as soon as possible. I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 4698. And on that, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "He indicates that he will."

Black: "Representative, I heard you talking about juice. Does this have anything to do about consumer loans..."

Lyons: "I guess so... In... in a way..."

Black: "...that are made on street corners up in Chicago?"

Lyons: "...Representative Black, there's a niche where there... I guess that could part of this thing, but no, the... the juice we're talking about here is from..."

Black: "Oh, so it..."

Lyons: "...one of your contemporaries, Jack LaLanne."

Black: "...it... it's not the kind of loan that I've encountered on the streets of Chicago. I thought we addressed that some years ago with usurious interest. So, this is about something that... Well, let me get right to the point. How can the State of Illinois tell a company that isn't domiciled in Illinois what they can and can't do? I don't think there's any doubt that we can, perhaps, regulate an intrastate company from... if you order a book, then they send you a Crockpot, and if you don't send it back within a month, you get a Crockpot of the month. But what about a company that's domiciled in California or Texas or New York

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or Maine or, even more interesting, Toronto, Ontario? How can Illinois tell a company that isn't domiciled in Illinois that whatever you do to a consumer in Illinois, your contract or your... whatever the consumer signed is not enforceable? I... I think you're involved in interstate commerce at that point. I don't believe the Bill is enforceable."

Lyons: "Mr. Black, I don't know, you may be right. All I know is that I want Illinois to at least make that first step to stop this kind of marketing. If there has to be something done at the national level, so be it. But why can't Illinois say, if you want to do business in the State of Illinois with some type of a product, so be it, but you have to get some type of a consumer warranty to stop the follow-up stuff. Let Illinois be the first state to try to stop this."

Black: "Well, I... I certainly think Illinois ranks number one in so many things, we might as well rank number one in others. I... you know, I think we have the most debt per capita. I... I think we're the biggest deadbeat state in the country. We have... let's see, we're an A- bond rating; we're tied with number one there, California also has an A- bond rating. So, why not? I mean, Illinois is number one in so many things, we might as well be number one in trying to regulate interstate commerce, which is a power delegated and relegated only to the United States Government. If it makes you feel better, I'll vote for it, but this won't stand a court challenge. You know it, I know it, the Members of the Supreme Court know it. I mean, look how

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easily they did away with malpractice. This'll be a no-brainer."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Miller."

Miller: "Thank you, will... will the Sponsor yield?"

Speaker Mautino: "Indicates he will."

Miller: "First off, what type of flowers do you plant?"

Lyons: "I love geraniums, but I'll do almost anything. When I go to the... when I go to the garden shop, I just kind of... whatever... whatever attracts me at the moment, David, but I always have a traditional geraniums across the front of the house."

Miller: "All right. I see. Second thing, you know, the Jack LaLanne juicer is one of the finest juicers. I actually did not buy that one but did buy another brand, but I know it's rated up there."

Lyons: "The problem with me, David, is you took it out of the box and used it, I didn't."

Miller: "Right."

Lyons: "I probably could have nipped this in the bud if I would have."

Miller: "Right. On... in a more serious tone, we had signed up for something via mail once, and all of a sudden now, we're getting all of these requests at our house for various products or various entities that I... it's clearly is somebody had bought a list, but it's sort of the same general theme. Will any of this apply to that?"

Lyons: "It could. I would say if you're getting follow-up information... the intent of this, of course, was on product,

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but if you're saying that on magazines and things like that... All... all I'm trying to do, David... and I don't know if the previous speaker... Why can't Illinois say, if you want to do business in Illinois, you're entitled to do it, and that's fine... this is not meant to be antibusiness or anti... you know, trying to let a guy make a buck 'cause he's got something to sell, I just want to stop the... the fol... the automatic follow up that happens for people unintended. So, if you're talking magazines or books or something like that, why shouldn't it apply to anybody who's doing business in the State of Illinois? If you're going to sell something here via mass media, you have to give the consumer the option, yes, I want follow up, or no, I do not. That's my intention."

Miller: "So, in terms... I mean, you've got a long-standing record, of course, for consumer protection. So, sort of the intention is some type of maybe check off system of please do not follow up with..."

Lyons: "That's all..."

Miller: "...or some..."

Lyons: "...yes or no, would you like follow-up information or follow-up products, yes or no?"

Miller: "Okay. And the last question is, in your case that you cited was that they actually sent a product to your home. I think you mentioned like the nutrients of whatever and that you ha... it was up to the consumer to return it or..."

Lyons: "Correct. I had to go through the process of mailing the... Jerry Baker's grandmother's book back to him saying no, I don't want it. The onus was on me to mail it back.

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Same with canceling the powder... the protein powder from Jack LaLanne. I had to say, stop this stuff, I don't want it added to my monthly bill on my Visa bill. 'Cause once they get your Visa bill, I'm sure in the fine print of that contract, they had the authority to do it, I don't doubt that, I just want to stop that practice, David."

Miller: "Okay. All right. Thank you, Mr. Speaker. Thank you."

Speaker Mautino: "Further questions? The Gentleman from Jackson, Representative Bost."

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

Speaker Mautino: "He indicates he will."

Bost: "Representative, I... and I know you've got great intentions here, and I... I know that many of us feel these same frustrations, and... and I also know that there's many things that we pass out of this House that are subject to what... whatever the courts would decide. That being said, what about the groups like... how will this affect groups like the... the wine of the month club and things like that, when you know you're signing up for it, that it is a club, and that it will generate... is it going to change the way they need to do business?"

Lyons: "What kind... like a record club, Mike, or like a..."

Bost: "It'd be... well, either or..."

Lyons: "...well, that... yeah..."

Bost: "...I mean, I can..."

Lyons: "...we ...the old record clubs or tape club. With that, you know going in they're going to subscribe something in an ongoing basis. I don't have a problem with that."

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Bost: "Okay. Th... then I want to ask this, because in the case of the... we keep using the juicer, was that not something in the fine print of their advertisement that may have already said that, hey, with the purchase of this, you're going to get A, B, and C..."

Lyons: "No... no question about it. That's the problem..."

Bost: "Okay, so... so..."

Lyons: "...in the fine print."

Bost: "Right. So, what... what is the difference in that... For instance, I can remember years ago, I had... my child saw what a great deal it was with one of these record companies, they got 10 records for a ni... or for a penny..."

Lyons: "Right. I remember that stuff."

Bost: "...and... and they did that, and then we had to figure out... now, our major argument with them was that they entered into a contract with somebody who was under 18. But as an adult, where does the responsibility fall for you being able to read and understand what it is that you're signing up for?"

Lyons: "Well, it's always personal responsibility to do that, and I guess if I wanted to look through all the fine print of what I received, I should've been notified. I just don't think that's fair for the average consumer, and I don't think you do either."

Bost: "Okay. I... I don't but..."

Lyons: "I think there should be a checks box on the bottom..."

Bost: "...but I also know..."

Lyons: "...do you want follow up materials? Do you want..."

Bost: "Okay."

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Lyons: "Record club or something like that, I think you have an idea when you're signing up... or a tape club or disk club, whatever the hell they call it now, you would know what you're getting."

Bost: "But..."

Lyons: "But there's too many gotchas in too many products that people get... become the victims of companies that are trying to take advantage of people."

Bost: "So, that's what I'm trying to figure out. In the language that I'm reading here, okay... and it talks about that it doesn't automatically sign you up for a club. How do... is it... does it require the identification of a club? Do... do you say that in the advertisement you must say this is a club? Wha... how... how do we... because, like I said, I actually am a member of like the wine of the month club. Now, you sign that... sign up for that, and you know that every month you're going to receive in the mail... and you can make a decision at that time whether or not you're going to pay it or send it back, you know when you do it. What... what is the definition here that shows, okay, the... the juicer wasn't... even though they had it in the language, they had it in the fine print, and the... but the wine of the month, now all of a sudden, they're gong to have to change what they do in... in operations and sales even though they're very truthful about it."

Lyons: "The problem is in the fine print, Mike. If you're not... if you're going to be... I'm trying to make this thing a little more consumer friendly and user friendly. You know,

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I don't know if I understood completely what you said... what was your specific point?"

Bost: "Okay. My specific point is that many of these groups are clubs, and you know it going in, okay."

Lyons: "That's a different story, I would think."

Bost: "But... but the only reason you know it's a club is... is because in top of the advertisement, it says, this is the wine of the month club, and so then you join in with that, and you get your first box, and then they can continue. In this language, we don't know what truly makes a club and what doesn't. So, at what le... Okay. At the top of the advertisement they've got it, so now they're a club. If it's at the bottom of the advertisement, and it's in the fine print, they're not a club, and now they fall under this language? How... who falls under it and who doesn't is what I'm trying to figure out."

Lyons: "Well, I think in the actual language here, it says, unless the consumer expressly agrees in writing to be enrolled in the club or the follow-up services, whatever it may be, and receive... So, expressly agree. All we want to do is make it more consumer friendly to yes, I want follow up, or no, I don't."

Bost: "And I understand that, and I don't disagree with what you're doing and... and trying to do. But I believe, the way the language reads, what we... what we're actually doing is going after true legitimate clubs, because the way they have your sign up. Or we're not getting at the problem that you're talking about because the actual purchase was signing up for a club because in their advertisement, even

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though it was in the fine print, they told you that that's what it's going to be. And that... that's my only concern. So, where are we going with this?"

Lyons: "Whatever it takes to find the language to protect consumers, Representative, I'd be in favor of. So, if somebody along the way wants to give me better language than we have in the existing Bill, so be it. That's why God invented Amendments, so He could make a good Bill even better."

Bost: "I didn't know God invented Amendments, but that's all right."

Lyons: "Well, whoever invented them."

Bost: "All right. Thank you."

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

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

Speaker Mautino: "Indicates he will."

Franks: "Representative, I was listening to the debate, and I thought some of our colleagues brought up some good points, and I was concerned about the potential constitutionality simply because of the interstate commerce clause. But I... I do appreciate what you're trying to do, and I agree with you. And I'm wondering if maybe we can approach this from a different way, and I don't know if maybe you would be willing to amend it if this is something you thought would make sense. What would happen if, instead of amending the Consumer Fraud and Deceptive Practice Act, what would happen if we would say that, if a person did not order the item and hadn't signed up for a club or they got something

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monthly, would not have to return it, would not have to pay for it, because it would take away all incentive then for the company to actually send it to them. And then furthermore, we could say that they could not impose fees or send a bill if they had not specifically ordered it. I think that way we'd be able to get what we needed and also make it constitutional."

Lyons: "Jack, I respect you as an attorney. If you think this is a better way to address the underlying problem, I'm... I'm not opposed to it. I just see the problem... my approach to it was to fix it this way. If you think that stands a better chance of constitutionality, so be it. You really believe this could... this could clear that muster?"

Franks: "I'm not sure, and I just had seen this, it didn't come through the committee I was in. Perhaps, if we pulled it out of the record and talked to some lawyers, maybe bring it up tomorrow and take a 24-hour break on it."

Lyons: "Sometimes talking to lawyers, Jack, is the problem. That's probably why the fine print is in there, then I got all this crap coming to my house that I didn't want."

Franks: "I love the lawyers. If it wasn't for the lawyers, there'd just be chaos, Mr. Lyons. Could you imagine what could happen? Commerce would stop, there would be no... no rule of law, it'd be dictatorship by a rule of man. Thank God for lawyers, Mr. Lyons."

Speaker Mautino: "And on that note, Representative Molvin... Colvin..."

Lyons: "All right. I'll meet you halfway on that, Jack. Thank God for lawyers. I'll... most of them, most of the time."

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Franks: "Thanks."

Speaker Mautino: "Further questions..."

Lyons: "The issue here... the... Jack, the issue..."

Speaker Mautino: "...Representative Colvin. Seeing no further questions... Representative Colvin, the Gentleman from Cook."

Colvin: "Thank you, Mr. Speaker. I stand in support of the Gentleman's Bill. As chairman of the Consumer Protection Committee, when we heard this Bill last week, I thought it made perfect sense that we here in the Illinois General Assembly in the State of Illinois would take the leadership position in trying to correct a problem that many of us have faced in the past. While I heard previous arguments with respect to uniform commercial code and whether or not we are preempting interstate commerce, I think we'll leave that to the courts to decide. In the nine years I've been here, I've seen a number of Bills, couple three dozen Bills, that have been overturned by the courts. Whether or not this is constitutional, I think those who make that argument are correct, it's for a court to decide. But as Legislators, I think it is our job to present the issues that present real challenges to not only ourselves, but our constituents and try to come up with remedies. I think what Representative Lyons did here was a remedy to a very real and very serious problem for a lot of families, particularly those who may not always be sophisticated enough or paying attention to stave off these offers before they start piling up in your mailboxes. This is not foreign to my own family. So, I would respectfully ask the General Assembly to do what we've always done, is to try to

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search and find a solution to a real problem, and if the courts deem that this is... runs counter to what our Constitution and our interstate commerce laws would provide, that they would, indeed, strike it down. But I do believe this is a great starting point. This is a great solution to a real serious problem. And I urge an 'aye' vote. Thank you."

Speaker Mautino: "No further Members seeking recognition, Representative Lyons, to close."

Lyons: "Thank you, Speaker, Ladies and Gentlemen of the House. I appreciate all the well-intended points that were brought up, most of them, anyways. The point is here, folks, we've got people being victimized in the State of Illinois. I want to send this thing over to the Senate, if we can tweak this thing over there and bring it back, we're... we're at a limited scheduled. I wanted this thing to jump out of the box, get over there on the floor, let this discussion continue, but doggone it, we got too many people in this state being victimized by this kind of practices. Whether it's constitutional or not... thank you, Marlow, for your kind comments... let's find that out, or let's change it in the Senate, bring it back here a better Bill than it is now. Let's vote this thing out of here. I'd appreciate your 'ayes'... your 'aye' votes."

Speaker Mautino: "Question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 101 voting 'yes', 2 voting 'no', 2 voting 'present'. House

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Bill 4698, has received the Constitutional Majority, is declared passed. The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, when Representative Brauer introduced Mrs. Mayes's fifth grade class from Chatham Glenwood School earlier, I was not on the floor, and I was remiss, because I want to introduce to you my favorite kid in that class, Noah Myers. Where's Noah? He's the son of Bob Myers, who we all know. So, we wanted to make sure we all knew that Noah was up there. Thank you, Noah."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Point of personal privilege."

Speaker Mautino: "State your point."

Eddy: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if you would help me welcome a group from my legislative district in Crawford County, Illinois, that are visiting Springfield here today. Crawford County Leadership, a group that helps with ideas for changing... for the... for the better our... our life in Crawford County is here, if they'd stand. Please help me welcome them to Springfield."

Speaker Mautino: "Welcome to Springfield. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I have filed a written Motion to Discharge House Bill... excuse me... 3189 and Floor Amendment #1 to House Bill 3189 from the House Rules Committee. I am

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doing this under Rule 18(g). And under House Rule 54, subsection (a)(2) all Motions are assigned Standard Debate status and I wish to debate my Motion to Discharge. Upon the conclusion of the debate, I ask for a recorded vote on the Motion to Discharge under Rule 49, Article IV, Section 8, subsection (c) of the Illinois State Constitution. Any vote shall be by a record vote whenever five Representatives show... shall request. There are five Members on my side of the aisle requesting that record vote. Thank you, Mr. Speaker."

Speaker Mautino: "The Gentleman has moved to discharge the Rules Committee. On that Motion, Representative Currie."

Currie: "Thank you, Speaker. I object."

Speaker Mautino: "In light of Representative Currie's objection, the Motion fails. Representative Black."

Black: "Well, thank you very much... thank you, Mr. Speaker. I'm... I'm so happy to see that Majority Leader Currie wants to participate in the Democrat process... democratic process. Mr. Speaker, look around. I... I got a letter today from the Governor, I suppose you did, too. He's going to put on the Web site everybody in my district that owes money. Well, there's a real... that the state owes money to. There's a real bulletin. I wrote his Chief of Staff on December 8 asking him what we were supposed to do, plan for an orderly closure, lay people off? The Vermilion County Health Department will probably be voted out of existence within the next 60 days by the Vermilion County Board. I just asked Chief of Staff Stermer, what do you want us to do? How do you want us to plan? I also wrote the Office of

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Management and Budget, David Vaught. You know, I... I called the Chief of Staff, I wrote the Chief of Staff, I faxed the Chief of Staff, I e-mailed the Chief of Staff back in December. Guess what? No answer. To this day, no reply, no reply. I guess people in the Quinn Administration don't want to participate, either. Mr. Speaker, health care providers and social service providers and even universities are seeking ways to borrow money to pay the bills because we owe billions in unpaid bills. The seven wonderful years... the seven wonderful years that you gave us under Rod Blagojevich finally caught up to you. All House Bill 3981 does, or as we call it, PAYGO... it's a commonsense approach that says, you have to prioritize spending, and you have to make hard decisions on what programs you will continue and what programs you cannot. No more borrowing, no more onetime revenue fixes, no more stripping and stealing money from dedicated accounts. All it says is, if you propose a program, you simply have to say how you're going to pay for it. What... who could be opposed to that concept? When you're in a \$12 billion hole, my suggestion to both sides of the aisle... more emphasis on your side... when you're in a \$12 billion hole, stop digging. You can't dig your way out of this debt, but a PAYGO Bill could help us on the road to fiscal sanity. This is a good Bill. You vote against the Motion to Discharge, you're voting against the first effort of this Session, the first effort to try and address the budget hole which your side of the aisle will not address, have not addressed, won't file any Bill to address it, you just continue the charade."

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Speaker Mautino: "Further discussion on the... The Gentleman from McHenry, Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion to override the ruling of the Chair. And I think it's... we're in this thing together, and I urge all of you on both sides of the aisle to support a concept as simple as letting people know how we're going to pay for something when we pass a Bill that creates a new expenditure. Let me tell you, \$13 billion in debt... ask yourself, how did we get \$13 billion in debt if we have a balanced budget Amendment in our Constitution? I mean, we're supposed to have all the money we need this year to run State Government and we don't. And real people are suffering, real people in this state need solutions. Let me tell you how this budget's affected me as a Legislator. Three times I've shut off my phone this year, they came to repossess my copy machine, they don't pay their rent for seven months. Real people in my district are getting hurt because I have a legislative office in my district. My family didn't get its health care paid. My daughter broke her ankle in March, they hadn't paid the hospital in Missouri in... in... all the way into October 1. That is absolutely, absolutely wrong. So, I will tell you that the first thing we have to do here, as Representative Back... Black said, is stop digging the hole deeper. We should be able to agree on that, we should be able to agree on this fee simple type of piece of legislation that strictly says, if we put in a Bill, and we're going to create more expenditures for State Government, we're going to let

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people know how we're going to pay for it, and you're going to have to tell the General Assembly how we're going to pay for it. And I want to tell you, I hope that you will join with me as I make a Motion to override the ruling of the Chair on House Bill 3189. And... and certainly, we should be able to agree on this."

Speaker Mautino: "The Lady from Brown, Representative Tracy is seeking recognition."

Tracy: "Thank you, Mr. Speaker. I, too, rise in support of Representative Black's Motion to override. And I, too, ask that the Rules Committee allow House Bill 3189 to be discharged from committee. PAYGO is one of the most basic concepts. The consensus statewide is that the... how difficult it is in everyday residents' lives... the economy has impacted their lives and the... and the State Government. Families across Illinois and small businesses recognize that the most basic concept of budgeting is this concept of PAYGO. You don't spend until you figure out how you're going to pay for it. And how did our state get into a \$12 billion hole? We have overspent, and until we quit overspending, we will never be able to dig ourselves out of this hole. And I urge everyone to voice their opposition to not letting this simple business approach concept of good fiscal responsible government to be let out of Rules Committee so we can open the debate. As it's been said by the previous speakers, who can be against this concept of pay as you go, find the revenue source before we increase spending? So, I, too, ask that this Motion be overridden and that we be allowed to have this full debate on a very

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good commonsense approach to government as we begin our budget process."

Speaker Mautino: "Further discussion? The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Thank you, Mr. Speaker. Mr. Speaker, I'd ask that you get some order related to this request. Ladies and Gentlemen of the House, first of all, I want to remind you that the Motion that the Gentleman made is to discharge from Rules Committee a proposed solution to some of the problems that we face in this state regarding our budget crisis. Now, whether or not you think it's reasonable that the State of Illinois pay its bills as it goes and that when appropriations don't match legislation mandating spending, we should do something about it, that's fine. Vote for the Gentleman's Motion so that the Bill can be brought to the House Floor, debated, and you can vote up or down. Let's look at some of the facts. Since 2003, the state budget has grown in spending by \$8 billion. We spend more money than we take in. That is not sustainable. This simple concept says, if you're going to spend money, it has to be there or you have to cut something else. It's simple, it's budgeting, it's reasonable, it's a solution. It won't be long until the Governor stands before us... it may be longer than we think, but it won't be long until he stands before and talks about the budget for next year. This is... this is a... an offer of solution, something that will help as we face these fiscal crisis. PAYGO just requires Legislators to make tough choices that are needed to return our state to some economic success and make it

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look like we're not going to continue to be a place that's unfriendly to business, unfriendly to business to the point that we have an 11 percent unemployment rate. We lost 237 thousand jobs last year, 71 thousand manufacturing jobs. It's doesn't take a genius to figure out that we're on the wrong road, that the tactics we've used for the last seven years has resulted in the debacle and what Crain's calls, the brink of insolvency for the State of Illinois. Why not... why not allow a Bill on the House Floor to discuss a reasonable alternative to the tax and spend philosophy or spend without revenue philosophy that's put us in this hole, why not? Ladies and Gentlemen of the House, join us... join us in a reasonable commonsense approach to the budget. Let's send a message prior to the budget address that the House of Representatives wants to approach this year in a responsible PAYGO manner. More importantly, vote for the opportunity for your... your district to be represented by having a Bill brought to the House Floor. For Pete's sake, last time I looked, this is supposed to be a democracy, not one-person rule. Why don't we make a statement today and get that Bill out?"

Speaker Mautino: "Further discussion? The Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If we could just have order for... for a short time. I think Floor Amendment #1 to House Bill 3189... Floor Amendment #1 simply does what the President of the United States has asked Congress to do, and that is to institute pay as you go. We need to look at fundamentally reforming

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how we operate. I think we all know that on both sides. My hope is this does not need to be an R and D and a left and right issue. This is a commonsense issue, commonsense reform for a very difficult time. And what troubles me is as we discuss this, most of you don't even pay attention. Mr. Speaker, all I will just say is... is there is a \$12 billion hole. I'm well aware of it, and I would hope that we would look at this as part of a package, part of a fiscal charter, with the people of Illinois to tell them that we are doing their work, and we will reform how government is operated in the State of Illinois."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, just an inquiry of the Chair."

Speaker Mautino: "Yes, Sir."

Black: "I had specifically requested a Roll Call on my Motion pursuant to rights granted in the Illinois Constitution, which I've already mentioned in the House Rules Committee, to have a Roll Call vote on the Motion to Discharge. Do you intend to do that or deny that Motion that is covered under the Illinois Constitution?"

Speaker Mautino: "Mr. Black, the rule requires for a merit... for a unanimous consent, and since there was objection, then the Motion had failed... has failed."

Black: "Hmm. I was trying to think of the last person that had total control. I'm an old history teacher. His name will come to me, I'm... I'm sure. Well, Mr. Speaker, I'm not going to debate the issue with you. I... I've lived long enough to know what the outcome will be. It's what you're

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told that it will be. So, you leave me no recourse except under House Rule 57(a) I move to appeal the ruling and overturn the ruling of the Chair that there be no recorded vote to discharge House Bill 3189 and Floor Amendment #1 to House Bill 3189, a right guaranteed us by the Illinois Constitution, which supersedes the House Rules. I move to overrule the Chair."

Speaker Mautino: "The Gentleman has moved to appeal the ruling of the Chair. And the question is, 'Shall the Chair be sustained?' All those voting to sustain the Chair vote 'yes'; opposed 'no'. The voting is open. Mr. Clerk, take the record. On this question, 62 voting 'yes', 47 voting 'no', 0 voting 'present'. The Chair is sustained. Okay. Back... On page 3 of the Calendar appears House Bill 4667, Representative D'Amico. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4667, a Bill for an Act concerning transportation. Third Reading of this House Bill."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4667, what that basically does is it creates a special license plate for females that have served our country. It was a veterans group that came to my office and brought this to my attention that there's no special license plate out there right now for females that have served our country proudly. So, I'd like to do that, if we could. A... any questions?"

Speaker Mautino: "The Gentleman has moved passage of House Bill 4667. And on that question, the Gentleman from DuPage, Representative Reboletti."

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

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Speaker Mautino: "Indicates that he will."

Reboletti: "Representative, there's an extra addit... additional charge of \$15. Where does that \$15 go?"

D'Amico: "That... that \$15. Charge is the cost of the plate and it... and it goes to the Secretary of State's plate fund."

Reboletti: "And where does that plate fund then go to, what is that... is that a fund that can be swept by us... by this General Assembly sometime later this Session?"

D'Amico: "You know, I... I can't say it definitely cannot be swept, but I... I mean, I wouldn't be in support of it being swept. That's..."

Reboletti: "But your... your language as is doesn't say that it cannot be swept, though. Is that correct?"

D'Amico: "Well, anything is possible, but I... I'm not in favor of it being swept."

Reboletti: "Thank you."

Speaker Mautino: "Further questions? The Gentleman from Vermilion, Representative Black."

Black: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, just a question, and I... and I don't mean to make light of your Bill, why wouldn't the current veterans plate cover every veteran, male or female? How... how are you going to distinguish between the current veterans plate, which I think we've all seen and we're familiar with... how are you going to designate the veterans plate that it's a female veteran?"

D'Amico: "Well, what they're g... First of all, the design is not done yet. They're waiting to see if we get the Bill passed. And so they're going to have to come up with

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something that's going to designate the female license plates. And one of the... some of the veterans that were in my office that have veterans license plates right now that are females, they just said there were... there were a number of instances where there were times that people would walk up to them in a parking lot and actually ask them, they're like, well what... what form of... what branch was your husband in when he served our country? And she just... you know, they... they got a little insulted, because they were the ones that were the ones that served our country and not their husband, so they just want to be recognized."

Black: "Well, those people that ask that kind of question are obviously politically incorrect."

D'Amico: "Absolutely."

Black: "The... they're making a foolish assumption."

D'Amico: "I agree."

Black: "However, you are from that shining city up north, and it's not limited to your city, it's... it's all over the country... attacks on women have been on the increase. Are... are women veterans sure they want to be identified as... if they're the only person in the car, and the plate somehow identifies them as a female driving the automobile?"

D'Amico: "I... I understand your concern, but this is purely voluntary, too. I mean, if you want to get this..."

Black: "Okay. All right..."

D'Amico: "...you can."

Black: "And... and the Secretary will have a minimum order before he will manufacture..."

D'Amico: "Yes."

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Black: "...the plate. And... and I think Secretary White says, well, it's about 850 or..."

D'Amico: "It's approximately 850 plates."

Black: "Okay. I... I under... you've answered by questions. Thank you."

D'Amico: "Thank you."

Speaker Mautino: "Further questions? The Gentleman from Crawford, Representative Eddy."

Eddy: "Spon... will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Eddy: "Representative, I appreciate your... your statement regarding your intent related to the fund sweeps, but you and I both have seen over the last seven years funds swept that we would have never thought that anyone in their right mind... well, wait a minute, there was somebody that wasn't in their right mind, I guess, that was part of that... would... would sweep. So, my question is, would you be willing as this Bill moves through, to add language, perhaps in the Senate, to make sure that the concern that was brought up earlier related to the sweep would be addressed? I think... I think it's pretty popular language now being placed in Bills. It's not a lot of wordage, but it does protect your intent. Would you be willing to... to do that?"

D'Amico: I... yes, I'd be willing to... I'd be willing to do that, yes. 'Cause my intent is not to have this fund swept."

Eddy: "And I'm sure it wasn't. And... and with that, I just don't vote for these unless we know that's going to happen. Your word is good, though. If you're going to add that language, I support the Bill..."

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D'Amico: "Thank you."

Eddy: "...but I appreciate your putting that on the record.
Thank you."

Speaker Mautino: "Further discussion? The Gentleman from
DeKalb, Representative Pritchard."

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

Speaker Mautino: "Indicates he will."

Pritchard: "Representative, I understand that you've had some
veterans come in and request this. But have you also heard
from veterans association representatives on this issue of
separating men and women in license plates?"

D'Amico: "I have not, and they're... and when we were in
committee, there was not one person that was opposed or
filed opposition to this Bill. The groups that came into
my office were veterans groups."

Pritchard: "So, they were women veterans groups or veterans
groups in general?"

D'Amico: "Both."

Pritchard: "Because I wasn't at your committee hearing, but I
was outside that committee room when I saw some veteran
lobbyists come up and express some serious concern. I'm
surprised they didn't raise that issue in committee. But
isn't it true that normally the services do not make any
distinction between men and women or races or ethnicity?"

D'Amico: "Yes, that is true."

Pritchard: "So, why do we want to create a wedge on this
particular issue?"

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D'Amico: "I don't think you'd be creating a wedge. You would just... it would just be one way to honor our females that have served our country."

Pritchard: "Well, they certainly..."

D'Amico: "I mean, we already have license plates that honor all our soldiers. That's all. They just want to be noticed, that's all."

Pritchard: "Well, that... that's certainly commendable, and we certainly appreciate all our veterans' service to this state and to our nation, but it. Just seems strange that we're singling out one. Now, do you anticipate that there'll be other legislation for other kinds of veterans?"

D'Amico: "I don't... I don't anticipate it, unless these groups decide to come forward with it, that's their prerogative."

Pritchard: "And as far as you know. There's been the requisite number of petitions to say that this is a viable license plate, that there will be sufficient demand?"

D'Amico: "I... I do... I haven't seen any petitions that said there will be a demand, no. I mean, I have the letters to my office that there's over 55 thousand female veterans here in the State of Illinois right now."

Pritchard: "I... I thought the Secretary of State's Office required some assurance that there was a certain number of people to required before they would generate a plate?"

D'Amico: Yes, before they generate the plate. So, they're probably going to wait to see if this Bill passes the House and the Senate and becomes law. I mean, they don't start taking applications now before it's enacted. That's the way I understand it."

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Pritchard: "I know there has been lots of concerns, and I think a number of us are probably going to add to that this Session with specialty plates. Do you have any concerns, though, about the number of specialty plates that we have?"

D'Amico: "Right now, I do not."

Pritchard: "Okay. Do you know how many there are?"

D'Amico: "I think there's approximately 70."

Pritchard: "Seventy and growing. Well, Representative, thank you for bringing this up and for us to give tribute to all of our veterans and those that have served us. I... I just raise the... the issue that we do not try to drive a wedge between the type of people who serve and the length of time they serve, nor that we create too many plates. Thank you."

D'Amico: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Representative Stephens. For final questions, Representative Flider. No further Members seeking recognition. Representative D'Amico to close."

D'Amico: "I just ask for an 'aye' vote. Thank you."

Speaker Mautino: "The Gentleman moves passage of House Bill 4667. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 102 voting 'yes', 7 voting 'no', 0 voting 'present'. House Bill 4667 is declared passed. Mr. Clerk, on page 3 of the Calendar appears House Bill 4738, Representative Sente. Read the Bill."

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Clerk Mahoney: "House Bill 4738, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "On House Bill 4738, Representative Sente."

Sente: "Mr. Speaker, Ladies and Gentlemen of the House, I am here today for your support for House Bill 4738. This legislation amends the Unified Code of Correction to sentence those who commit murder, assault, battery, robbery against Illinois veterans while they are performing official duties as a representative of a veterans' organization. I know you'll agree with me that Illinois is home to more than 1 million veterans, and they deserve our highest respect."

Speaker Mautino: "Is this your first Bill?"

Sente: "It is."

Speaker Mautino: "It is? Well, good luck with that. On the... on the Lady's Bill, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Would the Sponsor of her first Bill ever on the House Floor yield?"

Speaker Mautino: "Indicates she will."

Eddy: "Okay. Thank you. First of all, we have a little business to keep... or to clear up regarding protocol. Where's your red jacket? Representative, have you... have you failed to secure the necessary red jacket?"

Sente: "Can you explain?"

Eddy: "Well, it's customary... it's a brief custom, but it's customary on the floor that, during the presentation of your first Bill, so that we are able to properly recognize you and get the Body to... and... and the audience to recognize

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you, that you wear a red jacket. Do you have a red jacket with you today?"

Sente: "This faded a little. It was red earlier this morning."

Eddy: "Well, it doesn't work. Let me ask you a question, though, while... while hopefully, someone on your staff is attempting to correct that grievous error. Let me ask you, so folks know here, what... what's your background? What... what do you bring to this Body that would support your attempting to pass a Bill of this... of this type? What background... what's your background? By the way, this goes directly to the credibility of your... of your Bill."

Sente: "I... I was appointed to fill Kathy Ryg's position. I own an architectural firm. I've been on a park board for the last four years. I was... just won my primary election."

Eddy: "Well, that's... what is it... what is it you own? A taxidermy?"

Sente: "Pardon?"

Eddy: "Did you say you own a taxidermy shop? I... I can't hear... I didn't hear the answer."

Sente: "Architectural firm."

Eddy: "Oh an... an architectural firm? Well, that... that's very impressive."

Sente: "Thank you."

Eddy: "You know, I... I'm kind of wondering what the c... you're not a leisure specialist, are you? 'Cause we've had leisure specialists on the floor attempt to pass themselves off as credible, but... but you're an ar... architectural firm. How does that background provide you with the... the expertise to... to present such a Bill? What... what makes you

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think just because you have an architectural firm, you can present a Bill on the House Floor?"

Sente: "My architectural background teaches me to reason and think, and this is a Bill that came before me."

Eddy: "Well... well wait, you're trying to reason here? Wait a minute... wait a minute, somebody needs to take you aside. You're trying to reason and think? That... that's going to really be difficult if... if you expect to have any of your Bills pass, and especially it'll be difficult if you have any budget Bills that... that you're wanting to... to bring forward. Reason and think, okay that's a start. The reason... what... what else? What... let's directly talk about the legislation that you're proposing here today. How... how does an architect feel expert in this type of legislation to bring before this Body such an important public policy statement? I'm just trying to get the connection between your expertise and..."

Sente: "Do you have any specific questions about the Bill?"

Eddy: "Yeah, absolutely, that is. And actually, thank you for bringing that up, because that is about the Bill. This particular Bill is con... is constructed by an architect. I... I'm wondering what specific expertise and experience you have in your line of work owning an architecture firm that lends to the credibility of this type of public policy? I mean, if this were about a building, I could understand. If this were about LEED's Silver Certification, I could understand. I could understand if this were about sprinkler systems, but it's hard to put a connection between your expertise and this Bill. Re... Representative,

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look, I... I'll wait... you'll get that answer. I... I'm going to let somebody else take a shot at trying to... to sustain your credibility related to this legislation. And I hope everyone else, in the meantime, will help this young lady find a red jacket, because you and I... you and I both know, everyone here knows, that we can't vote 'yes' if... and... and especially Representative DeLuca, we... we need you to make sure she understands how important the red jacket is. Ladies and Gentlemen, I would vote 'no', especially regarding the red jacket issue."

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

Lang: "Thank you. First, Mr. Speaker, I... I have to apologize to the Body for the efforts of Mr. Eddy, which were really not very good. Let's... let's see if we can improve upon that. Mr. Eddy, shame on you, Sir, really. New Member of the House, trying to give her a hard time. You did much better with Mr. DeLuca last year, as I recall, and he looked pretty good in that red jacket. Will the Sponsor yield?"

Speaker Mautino: "She said, why not."

Lang: "I don't think she said that. So, Representative, just to get the record straight, this is your very first Bill?"

Sente: "Yes."

Lang: "And do you expect you'll have more after this one?"

Sente: "Pardon?"

Lang: "You... you expect you'll have more after this one?"

Sente: "Yes."

Lang: "Okay. This Session?"

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Sente: "Yes."

Lang: "So, we'll have much time to harass you during the presentation of your Bills?"

Sente: "As much as you need."

Lang: "All right. So, I'm... I'm looking at the Bill. The last speaker could care less what was in the Bill, apparently. But I'm looking at the actual Bill. And I'm looking at the Amendment... the Amendment. And the Amendment says that this... this aggravating factor will kick in if the defendant knew or reasonably should have known that the person was a veteran. Now, how are they supposed to know that?"

Sente: "The veteran would, perhaps, be wearing a hat or other insignia on their clothing."

Lang: "And what if the veteran was not wearing a hat or medals or Army gear?"

Sente: "They could also notice that they're leaving a VFW hall, but part of the Amendment is that they need to be reasonably aware that they belong to a veterans' group."

Lang: "Well, Representative, I just recently left a VFW hall, and I assure you that I'm not a veteran. So, the question is, if someone attacked me leaving that VFW hall, which, by the way, I richly deserve, but if they had done that, would... would that... would this law kick in?"

Sente: "No, it would not."

Lang: "Why?"

Sente: "Because you are not a veteran, and you're not participating on behalf of a veterans' organization."

Lang: "But it says, reasonably should have known. So, let's assume I'm leaving a veteran hall... veterans' hall, and that

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day, I'm wearing camouflage, and I appear to be a veteran type person. I'm probably old enough to be a veteran. So, what would happen then? Would it be an aggravating factor?"

Sente: "If you are not a veteran, it would not."

Lang: "Representative Chapa LaVia thinks I'm an aggravating factor, do you have an opinion on that?"

Sente: "No comment."

Lang: "All right. So, has there been a particular incident in your district that brought this Bill about?"

Sente: "Yes, absolutely. That..."

Lang: "Can you tell us about that?"

Sente: "I would be happy to. A Gentleman named William Burtner, Army veteran from the Vietnam War. He was leaving the... about to enter, actually, a Midlothian Bank, and he was depositing money from his VFW Post 2580 that was raised during a benefit. He's 65 years of age, he was assaulted, robbed, and two days later died of those wounds."

Lang: "Wha... but how would someone have known he was a veteran?"

Sente: "Again, he was wear... would be wearing a hat or other insignia on his person."

Lang: "But if I were wearing a hat leaving the VFW hall, this Bill would not kick in, right?"

Sente: "Correct..."

Lang: "So, does it become a matter of proof..."

Sente: "...because you are not a veteran."

Lang: "...at trial, so not only should you reasonably have known the person was a veteran, but the person actually has to be a veteran?"

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Sente: "Correct."

Lang: "So, if it turns out the person wasn't a veteran but you thought he was, then there's no aggravating factor?"

Sente: "Correct."

Lang: "Shouldn't you include the other part of that as well? Let's assume you hate veterans, and you attack someone who's not a veteran but you thought he was? Shouldn't the aggravating factor kick in?"

Sente: "Well, we're talking about... it's very similar to existing law, where there... it includes persons who are 60 or older. How do we know for sure someone is sixty and not fifty-nine and a half? I mean, we are looking for classes of individuals that we feel that an aggravated crime would be something that we'd want to have an advanced penalty for."

Lang: "Did you just suggest that I look like I'm old... older than 60, is that what you just said, Representative?"

Sente: "No comment."

Lang: "Because we don't... we don't like to insult each other on the floor. It's... it's not something we do... well, maybe some do, but you should not, you're a freshman. You weren't insinuating I look old, were you?"

Sente: "Probably not."

Lang: "Okay. I'm just wondering."

Speaker Mautino: "The Gentleman's time has expired. Please bring your remarks to a close."

Lang: "Oh, that's enough. Just move on."

Speaker Mautino: "Delighted. The Gentleman from Jackson, Representative Bost is seeking recognition."

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

Speaker Mautino: "Indicates she will."

Bost: "I noticed that you've got... you... Representative Lang brought up the fact there's an Amendment on this, correct?"

Sente: "Yes."

Bost: "So you couldn't get it right the first time?"

Sente: "I talked to the veterans' organizations to make sure they were all in full support of it. They offered to helpful Amendment."

Bost: "Well, don't you think it's important that if you're having a... a Bill about veterans, you should probably talk to the veterans' organization before, and that way they would have told you before, and you wouldn't have had to come back with an Amendment?"

Sente: "Thank you for your comment."

Bost: "Okay. I... I guess that you don't feel it's important, I... I don't know. Here's... here's a legitimate question, though. I mean, as... as we go on and we... we're joking and... and you and I talked about this... this in committee, you know, some concerns that, you know, who else falls under this... these enhanced penalties, 'cause there are others out there? Do you know who... what other groups or anything like that might fall into these enhanced penalties, please?"

Sente: "Well, it's similar to current law that already states that for vic... crimes committed against victims who are physically handicapped or age 60 years or older or active member of the military."

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Bost: "Okay. There was a... there was a question, I think in committee, because I had made the statement, you know, pregnant women, are they also in there?"

Sente: "This is in current law."

Bost: "But... yeah, I think you'll find that, in current law, that is the case, or at least that's what one of the Members in committee explained to me, that that is one they remember that's an aggravating factor as well."

Sente: "Veterans?"

Bost: "Not veterans..."

Sente: "Are you saying veterans?"

Bost: "No, just an aggravating factor if a... if a woman who... who is with child..."

Sente: "Yes, that is."

Bost: "...is attacked. Okay, okay. So... so, if you... I'm a little concerned because I think one of the articles that came out about this particular piece of legislation was that, if we acted and... and asked questions that... that maybe we weren't for veterans. Do you believe that if we ask questions on this, that we're... we are in any way opposi... opposing veterans?"

Sente: "No, I do not make that correlation."

Bost: "Okay. All right. How about if we vote 'no'?"

Sente: "There are ways to support veterans, and this Bill would be one of them."

Bost: "Okay, well, the reason why I'm asking that is... is because there were certain Members in committee that did vote 'no', and, you know, I... I don't know if you want to say that, you know, they're antiveteran person or whatever.

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Now, just... just so we can ask this right quick before my time runs out, the... the incident that occurred, you said it was a Vietnam veteran?"

Sente: "Yes."

Bost: "You know I'm going to tell you, I respect them tremendously. We have a couple Vietnam veterans here on the floor, I think Mr. Walker is a... is a Vietnam veteran and Ron Stephens, he's a Vietnam veteran. So, basically what we're saying is if Ron wears his hat and he is car... does he have to be carrying the money or can he just be approaching the facility or does he have to be transporting money and being robbed, is that what he has to have?"

Sente: "No, he does not have to be transporting money or be robbed, it..."

Bost: "He just... he just has to have some identifying factor that he is actually the veteran with an organization, correct?"

Sente: "Correct."

Bost: "Okay. I... I'm a Marine, I don't know if you knew that or not, and you know, so... so is Jimmy Watson, and... and both... you know, a lot of our Marine friends, they have tattoos of the Marine Corp emblem on their arms. Is that enough of an identifying factor, the tattoo?"

Sente: "It could be."

Bost: "Does it... does it have to be like where you can see it?"

Sente: "Well, that would be necessary for the defendant to be reasonably sure."

Bost: "Okay. I... so... so, what we're saying then is... is while they're going about their duties, they should probably... if

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it's... say if it's up on their forearm, they should wear those special T-shirts that are cut back so that they can see the emblem?"

Sente: "That would help."

Bost: "Okay. All right, I just wanted to know. I... I'm a little concerned except for the fact that you couldn't get the Bill right in the first place, so I'm going to weigh out whether or not..."

Speaker Mautino: "Further discussion, the Gentleman from Vermilion, Representative Black. Representative Black."

Black: "I'm sorry, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "Indicates she will."

Black: "He?"

Speaker Mautino: "He."

Black: "He will? I thought it was a she."

Speaker Mautino: "Actually, I think it is."

Black: "Oh."

Speaker Mautino: "And I love the pink sweater."

Black: "All right, well, whoever it is. Representative, if you'll look at the Bill, on line 17 page 7, your Amendment fits in... well on line 20 and 21, is that right?"

Sente: "Yes."

Black: "I'm sorry. What did you say?"

Sente: "Yes."

Black: "Oh, okay. So, unless the prosecutor can prove that the accused knowingly assaulted a veteran, the Bill doesn't... I mean, the law really doesn't do much does it unless you can prove knowingly and willfully? I mean, don't you have an

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affirmative defense if you say, I had no idea this person was a veteran?"

Sente: "Has to be reasonably sure."

Black: "Have you talked to the State's Attorneys Association about this Bill?"

Sente: "No."

Black: "I.. I think your burden of proof is almost unreachable in a court of law if the person is in civilian clothes, because if you'll look at... on the... on the first page of your Bill, the explanation of the Bill, against a person who was a veteran when that person was performing duties as a representative of a veterans' organization. How do you define duties?"

Sente: "We would define duties as acting in any way representing the veterans' organization."

Black: "So, if a... if a veteran was mowing his or her yard in the summer, and someone performed a strong-armed robbery, taking the individual's billfold or the lawn mower or property, the person wasn't wearing any identification indicating they were a veteran, then I assume they could not be charged under this Bill, because I don't think mowing your yard would be a duty of an officer of a veterans' organization."

Sente: "Correct, definitely not an official duty of the veterans' organization. You are correct."

Black: "Okay. All right. Representative, I've been here a long time, and I wish you the very best. This is one of those Bills it's very difficult to vote against. But I think if you really take a look at it, I'm not sure it

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really does much. What... what's the genesis? Did something happen in your area where a veteran was beaten or murdered or something that called this to your attention?"

Sente: "Yes. As I told a prior speaker, this was specifically due to that. Would you like me to repeat..."

Black: "Was that... was that the veteran in Midlothian?"

Sente: "Yes, absolutely."

Black: "Okay. All right. And he was on his way to deposit money from his post?"

Sente: "Correct."

Black: "So, that would be a defined duty?"

Sente: "Yes, that would be."

Black: "Under this law?"

Sente: "Correct."

Black: "Okay. Now, I've gone through the entire Bill, and again, it's a difficult Bill to vote against, and everybody wants to protect not only veterans but our senior citizens and... and some of our most vulnerable people. But if you look around the floor here today, unless... if Mike Bost... Representative Bost hadn't told you, you would not know who was a veteran here and who isn't unless their wearing some kind of insignia that you would recognize as a veteran. For example, Representative Jerry Mitchell, would you think Representative Mitchell would be a decorated veteran of the United States Marine Corp?"

Sente: "Not until I was introduced to him."

Black: "Okay. Were you introduced to him?"

Sente: "No."

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Black: "Okay. I find nothing in the Bill that says a person convicted under your new statute would not be eligible for meritorious good time or gubernatorial release. Didn't you mean to put that in there so they couldn't get out in two weeks?"

Sente: "We addressed that issue."

Black: "How... how did you address that? I didn't find it in the Bill."

Sente: "It's covered somewhere else."

Black: "Where? I mean, the Chicago Tribune would like to know where it's covered."

Sente: "In the..."

Black: "People who were... people who were..."

Sente: "...Unified Code of Corrections."

Black: "...victimized by 1,700 veterans who were let out of prison early, they'd like to know where it's covered. Where is it covered? It isn't covered. Do you mean meritorious good time has been eliminated by statute?"

Sente: "My Bill defines aggravated crimes."

Black: "Oh, I understand that, but you didn't put in there that meritorious good time would not... they would not be eligible for that. I think you should protect yourself, and ask your Senate Sponsor to put that in there, otherwise you're going to have somebody sentenced to beat up the commander of the American Legion Post for 10 bucks, and he's going to be dismissed after 10 days. I don't think that's what you want. You might want to look at that Amendment in the Senate."

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Speaker Mautino: "Further... excuse me, further questions? The Lady from Grundy, Representative Gordon."

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

Speaker Mautino: "She indicates she will."

Gordon, C.: "Thank you. Representative Sente, I noticed that you... you covered a large number of offenses in this Bill, everything from an X and beyond an X down to a Class C misdemeanor. Could you please give me all the cites throughout the Criminal Code, exactly where they are, what they mean, and what levels of crime that they are?"

Sente: "We'll get back to you, Careen."

Gordon, C.: "Okay. And... and exactly... I'm sorry. Did you say Careen, or did you say Representative Gordon? Because I... I earned the... the elected office that I hold."

Sente: "Representative Gordon."

Gordon, C.: "Thank you, Representative. And are you... when you... when someone commits this offense from the Class C up to the X and beyond, are you just raising each offense up one level or two levels or three levels? Where are they going?"

Sente: "One felony level."

Gordon, C.: "One level each time. So, if aggravated assault is an A, are they now committing a Class IV if it's... if it's against the veteran?"

Sente: "Correct."

Gordon, C.: "Okay. Now... now I've heard you say just twice, but it may be more than two times, that this is similar to a law that we already have here in Illinois. So, are you saying that when, perhaps, this General Assembly or prior

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General Assemblies already passed these laws, that we didn't really mean it, and it took you to come down here and tell us what we really meant to do?"

Sente: "No. This is adding an additional class of persons."

Gordon, C.: "Well, we have the senior citizens under the aggravated battery, we have public property, we have public way, so exactly what couldn't they charge in this sit... situation that wouldn't apply for these aggravated offenses to be there? I mean, there's the aggravated and mitigating statute... aggravation and mitigation statute under the sentencing code that the judge could have taken into consideration, as well as other things that the state's attorney could have argued for a... a higher level of sentencing. So, what exactly are we doing here that would've made this situation any better for this person, you know, that was charged with this crime?"

Sente: "Inactive veterans that are not over 60 years of age are not currently covered."

Gordon, C.: "Okay. But what if they're... if they're acting on behalf of a veterans' organization, you know, and a public property or a public way is a pretty, you know, broad way to charge in an aggravated battery situation or... or armed robbery that specifically would have applied to the situation, you know, that we're... we're dealing with here that occurred in Midlothian, is that correct? I'm just saying, Representative Sente, maybe a little bit more prep work and not so much relying on some staff sometime would've been a little bit better, but you've got a good... a good..."

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Speaker Mautino: "Please... Will the Lady please bring her remarks to a close?"

Gordon, C.: "Thank you, Mr. Speaker. Ladies and Gentlemen, to the Bill. I... I think the Sponsor's heart is in the right place, but maybe telling us what we already did and... and trying to do it better wasn't always the best thing in this situation, and adding to the laws already written and making the sta... the statute book 10 times bigger than it already is when the CLEAR Commission has done such a good job of making it smaller. She... she did a good job, and... and the hazing that she took is all in good fun for us, but maybe we need to... to look a little closer at the st... at the laws that we pass sometime. But she did a very good job, her heart's in the right place, and our veterans do a fantastic job in the past and... and currently. But we do have laws already on the books that cover this, I think, in a lot of situations. Thank you."

Speaker Mautino: "Further questions? Representative McCarthy. Further question? The Gentleman has no further questions, so we will go to Representative Watson."

Watson: "Thank you, Mr. Speaker. I move the previous question."

Speaker Mautino: "All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the question is put. Representative Sente to close."

Sente: "Thank you, Mr. Speaker. This is a very important piece of legislation that has bipartisan support. And I urge an 'aye' vote. Thank you."

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Speaker Mautino: "The Lady moves passage of House Bill 4738. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Mr. Clerk... Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. House Bill 4738, having received 105 voting 'yes', 3 voting 'no', 2 voting 'present', is declared passed. Representative, congratulations on your first Bill. On page 3 of the Calendar appears House Bill 2516, Representative Franks. Out of the record. House Bill 3869, Representative Bradley. Read the Bill."

Clerk Mahoney: "House Bill 3869, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "Move this... Mr. Clerk, move this Bill back to Second Reading. The Gentleman from Fulton, Representative Smith is seeking recognition."

Smith: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Mautino: "State your point."

Smith: "Mr. Speaker, I'd like to ask the members of the gallery to join me in welcoming up in the Speaker's Gallery, if we could have the young men stand up. We have 18 Eagle Scouts who are here today as part of the Boy Scouts' report to the state. This is in recognition of the Boy Scouts of America's 100th anniversary. W.D. Boyce was from Chicago, Illinois, and he incorporated the Boy Scouts of American on February 8, 1910. The gentlemen in the gallery are all Eagle Scouts, which is the highest rank in scouting, with only one in seven scouts completing the requirements for Eagle Scout. Please join me in welcoming these young men

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to the State Capitol and recognizing the Boy Scouts of America on their 100th birthday."

Speaker Mautino: "Welcome to Springfield. The Gentleman from Marion, Representative Cavaletto is seeking recognition."

Cavaletto: "Point of personal privilege."

Speaker Mautino: "State your point, Sir."

Cavaletto: "Thank you, Mr. Speaker. I'd like to introduce Mrs. Lyons and Mr. Ashby and Mr. Kampwerth, who brought our Pages here today from St. Theresa's School in Salem, Illinois. Let's give them a warm welcome to the Capitol, will you please. Thank you."

Speaker Mautino: "Welcome to Springfield. On the Order of Second Reading appears House Bill 4721, Representative Franks. Representative Franks, House Bill 4721. It's the intent of the Chair to go to Second Readings at this time. Read the Bill."

Clerk Mahoney: "House Bill 4721, a Bill for an Act concerning wild life. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. House Bill 4722, Repre... Is she... Out of the record. House Bill 4765, Representative Franks. Read the Bill."

Clerk Mahoney: "House Bill 4765, a Bill for an Act concerning health. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. House Bill 4775, Representative Lang. Read the Bill."

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Clerk Mahoney: "House Bill 4775, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Representative Reis, House Bill 4835. Read the Bill."

Clerk Mahoney: "House Bill 4835, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. 4842 House Bill, Representative Currie. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4842, a Bill for an Act concerning elections. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Mr. Clerk, House Bill 4854, Representative Franks. Read the Bill."

Clerk Mahoney: "House Bill 4854, a Bill for an Act concerning financial regulations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. House Bill 4965, Representative Rose. Out of the record. Representative Howard. Members of the chamber, please give your attention to Representative Connie Howard. Representative Howard."

Howard: "Thank you very much, Mr. Speaker. As has been indicated for the past several days, February is Black History Month, and I've been given the honor of making the first presentation. I'm presenting a woman who has been a hero of mine for some time. Rosa Louise McCauley Parks, the mother of the civil rights movement, one of the most

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important citizens of the 20th century, was born on February 4, 1913. She was a seamstress in Montgomery, Alabama, when, in December of 1955, she refused to give up her seat on a city bus to a white passenger. The bus driver had her arrested, and she was tried and convicted of violating a local ordinance. Her act of defiance became an important symbol of the modern civil rights movement, and she became an international icon of resistance to racial segregation and sparked the citywide Montgomery boycott of the bus system by blacks that lasted more than one year. The boycott raised an unknown clergyman named Martin Luther King, Jr. to national prominence and resulted in the United States Supreme Court decision outlawing segregation on city buses. Over the next four decades, she helped make her fellow Americans aware of the history of the civil rights struggle. This pioneer and the struggle for racial equality was the recipient of enumerable honors, including the Martin Luther King, Jr. Nonviolent Peace Prize, the NAACP Spingarn Award, and the Presidential Medal of Freedom. Her example remains an inspiration to freedom loving people everywhere. Rosa Parks died in 2005, and she was granted the posthumous honor of lying in state at the Capitol Rotunda. Thank you."

Speaker Mautino: "Representative Gordon is seeking recognition."

Gordon, C.: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Mautino: "State your point."

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Gordon, C.: "Ladies and Gentlemen, if I could have your attention, please. One of our Members... and we all participate in charity events in our district, but one of our Members participated during the break in a charity event and truly packed the house at one of his local theaters by being an actor in the play Love Letters while he was at home. And that was taped, and this evening, at the Globe Theater... or the Globe, excuse me, which will be a theater this evening, that DVD will be played for those of you who would like to see our own Leader here on the Democratic side, Lou Lang, which I'm sure he should get a Academy Award for it. This evening at the Globe at 5:30, we can watch Lou Lang in Love Letters in the charity event that he participated in. I would welcome everyone to come and see that. It's being put on by his House secretary, Beth Hamilton, and she would welcome you all there. So, a round of applause for Representative Lang for participating in such a wonderful charity event, and come on out and watch him this evening. So, thank you very much, Mr. Speaker, for allowing me to make that announcement."

Speaker Mautino: "Will he be also showing the Deal of the Century tape and his Jeopardy champion days?"

Gordon, C.: "I believe the Jeopardy ch... the Jeopardy tape is also on file with the Clerk's Office. It... it was very long ago, so I think it's actually part of the historical s... of the Illinois Historical Society in the archives, Mr. Speaker. Thank you."

Speaker Mautino: "Thank you. The Gentleman from Crawford, Representative Eddy."

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Eddy: "On a related issue regarding ticket sales to that event, way too many tickets were printed than people really want, so what's happened is a ticket originally valued at \$8, we're now paying people to attend. So, you... you absolutely can get tickets to this, they are available, and we are expecting a thin crowd. Thank you."

Speaker Mautino: "Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 878, offered by Representative D'Amico. House Resolution 879, offered by Representative D'Amico. House Resolution 880, offered by Representative D'Amico. House Resolution 881, offered by Representative Watson. House Resolution 882, offered by Representative Chapa LaVia. House Resolution 885, offered by Representative Cross. House Resolution 886, offered by Representative Senger. House Resolution 887, offered by Representative William Davis. House Resolution 889, offered by Representative Riley. House Resolution 891, offered by Representative Washington. House Resolution 892, offered by Representative Gordon. House Resolution 894, offered by Representative Cole. House Resolution 895, offered by Representative Cole. House Resolution 896, offered by Representative Nekritz. House Resolution 897, offered by Representative Bradley. House Resolution 898, offered by Representative Bradley. House Resolution 900, offered by Representative Cross. House Resolution 902, offered by Representative Riley. House Resolution 903, offered by Representative William Davis. House Resolution 904,

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offered by Representative Franks. And House Joint Resolution 94, offered by Representative Yarbrough."

Speaker Mautino: "Representative Currie moves adoption of the Agreed Resolutions. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Resolutions are adopted. Representative Currie now moves that the House does stand adjourned until Thursday, February el... el... Excuse me. Representative Bra... Black is seeking recognition, the Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Mautino: "Yes, Sir."

Black: "I was out of town on Monday and... and caught up in the weather. I... I've taught government at the secondary school level and the collegiate level. I've held elected office since 1974, I was a precinct committeeman for 40 years, and there's one thing I... I don't understand. When I read about it in the Charlotte Observer newspaper, it seems as if the successful run that the Democrats have had the last few years, Governor Blagojevich, Senator Burris, Lieutenant Governor Cohen... just been unprecedented success, but then, on the way over today, I hear that Lieutenant Governor Cohen may withdraw and that there's a nationwide search for a new Lieutenant Governor candidate, nationwide search. I thought our friend and colleague, Representative Art Turner, ran for Lieutenant Governor and finished second. So, I thought, why... why isn't he just moved up to be the Lieutenant Governor? I... I don't understand that. How can you... how can in good conscience... I mean, I'm going to have

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to call every student and tell them that everything I ever thought or taught about how government works and the ethics therein, must be wrong. Art Turner ran statewide. He finished second in a close race to a phenomenal candidate, who has... who has now had second thoughts, and yet, there seems to be a nationwide search, extending to Washington, D.C., to get a Lieutenant Governor candidate. My advice, for whatever it's worth, I'm not a Member of your Party, my advice is you have a Lieutenant Governor candidate, he got more than 20 thousand votes, he finished second in the running, his name is Art Turner, and he ought to be your Lieutenant Governor."

Speaker Mautino: "Thank you. And Representative Currie now moves that the House do stand adjourned until Thursday, Feb... February 11 at the hour of 11 a.m. All in favor say 'yes'; opposed 'no'. The 'yeses' have it. The House does sta... stand adjourned.

Clerk Mahoney: "(Sic-House Perfunctory Session will come to order.) Committee Reports. Representative Yarbrough, Chairperson from the Committee on Appropriations-Public Safety reports the following committee action taken on February 10, 2010: do pass Short Debate is House Bill 4744. Representative Golar, Chairperson from the Committee on Disability Service... Services reports the following committee action taken on February 10, 2010: do pass amend... as amended Short Debate House Bill 5095. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce reports the following committee action taken on February 10, 2010: do pass Short Debate is House

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Bill 4959. Introduction and reading of House Bills—First Reading. House Bill 5787, offered by Representative Smith, a Bill for an Act concerning local government. House Bill 5788, offered by Representative Smith, a Bill for an Act concerning safety. House Bill 5789, offered by Representative Smith, a Bill for an Act concerning government. House Bill 5790, offered by Representative Yarbrough, a Bill for an Act concerning criminal law. House Bill 5791, offered by Representative Yarbrough, a Bill for an Act concerning criminal law. House Bill 5792, offered by Representative Yarbrough, a Bill for an Act concerning health. House Bill 5793, offered by Representative Tracy, a Bill for an Act concerning civil law. House Bill 5794, offered by Representative Tracy, a Bill for an Act concerning civil procedure. House Bill 5795, offered by Representative Stephens, a Bill for an Act concerning civil law. House Bill 5796, offered by Representative Stephens, a Bill for an Act concerning civil law. House Bill 5797, offered by Representative Reboletti, a Bill for an Act concerning business. House Bill 5798, offered by Representative Cross, a Bill for an Act concerning civil law. House Bill 5799, offered by Representative Sullivan, a Bill for an Act concerning wildlife. House Bill 5800, offered by Representative Sullivan, a Bill for an Act concerning business. House Bill 5801, offered by Representative Sullivan, a Bill for an Act concerning revenue. House Bill 5802, offered by Representative Senger, a Bill for an Act concerning job creation. House Bill 5803, offered by Representative

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Cavaletto, a Bill for an Act concerning State Government. House Bill 5804, offered by Representative Reis, a Bill for an Act concerning economic development. House Bill 5805, offered by Representative Mathias, a Bill for an Act concerning State Government. House Bill 5806, offered by Representative Senger, a Bill for an Act concerning economic development. House Bill 5807, offered by Representative Reis, a Bill for an Act concerning revenue. House Bill 5808, offered by Representative Hatcher, a Bill for an Act concerning revenue. House Bill 5809, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 5810, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 5811, offered by Representative Black, a Bill for an Act concerning economic development. House Bill 5812, offered by Representative Senger, a Bill for an Act concerning revenue. House Bill 5813, offered by Representative Currie, a Bill for an Act concerning aging. House Bill 5814, offered to Repr... by Representative Currie, a Bill for an Act concerning safety. House Bill 5815, offered by Representative Cavaletto, a Bill for an Act concerning employment. House Bill 5816, offered by Representative Zalewski, a Bill for an Act concerning criminal law. House Bill 5817, offered by Representative Miller, a Bill for an Act concerning local government. House Bill 5818, offered by Representative Farnham, a Bill for an Act concerning public employee benefits. House Bill 5819, offered by Representative Beiser, a Bill for an Act concerning transportation. House Bill 5820, offered by Representative

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Lang, a Bill for an Act concerning elections. House Bill 5821, offered by Representative Hoffman, a Bill for an Act concerning safety. House Bill 5822, offered by Representative Stephens, a Bill for an Act concerning State Government. House Bill 5823, offered by Representative Mulligan, a Bill for an Act concerning State Government. House Bill 5824, offered by Representative Bost, a Bill for an Act concerning education. House Bill 5825, offered by Representative Mitchell, Jerry, a Bill for an Act concerning finance. House Bill 5826, offered by Representative Myers, a Bill for an Act concerning veterans. House Bill 5827, offered by Representative Coladipietro, a Bill for an Act concerning revenue. House Bill 5828, offered by Representative Bost, a Bill for an Act concerning revenue. House Bill 5829, offered by Representative Watson, a Bill for an Act concerning revenue. House Bill 5830, offered by Representative Bost, a Bill for an Act concerning revenue. House Bill 5831, offered by Representative Mulligan, a Bill for an Act concerning revenue. House Bill 5832, offered by Representative Zalewski, a Bill for an Act concerning criminal law. House Bill 5833, offered by Representative Currie, a Bill for an Act concerning revenue. House Bill 5834, offered by Representative Golar, a Bill for an Act concerning health. House Bill 5835, offered by Representative Golar, a Bill for an Act concerning criminal law. House Bill 5836, offered by Representative Golar, a Bill for an Act concerning education. House Bill 5837, offered by Representative Burke, a Bill for an Act

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concerning utilities. House Bill 5838, offered by Representative Burke, a Bill for an Act concerning regulation. House Bill 5839, offered by Representative Burke, a Bill for an Act concerning public employee benefits. House Bill 5840, offered by Representative Tryon, a Bill for an Act concerning gaming. House Bill 5841, offered by Representative Fritchey, a Bill for an Act concerning insurance. House Bill 5842, offered by Representative Burke, a Bill for an Act concerning liquor. House Bill 5843, offered by Representative Burke and Black, a Bill for an Act concerning gaming. House Bill 5844, offered by Representative Chapa LaVia, a Bill for an Act concerning education. House Bill 5845, offered by Representative Jackson, a Bill for an Act concerning revenue. House Bill 5846, offered by Representative Jackson, a Bill for an Act concerning transportation. House Bill 5847, offered by Representative Jackson, a Bill for an Act concerning business. House Bill 5848, offered by Representative Jackson, a Bill for an Act concerning criminal law. House Bill 5849, offered by Representative Osterman, a Bill for an Act concerning criminal law. House Bill 5850, offered by Representative Colvin, a Bill for an Act concerning State Government. House Bill 5851, offered by Representative Colvin, a Bill for an Act concerning transportation. House Bill 5852, offered by Representative Colvin, a Bill for an Act concerning civil law. House Bill 5853, offered by Representative Colvin, a Bill for an Act concerning courts. House Bill 5854, offered by Representative Colvin, a Bill for an Act concerning State

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Government. House Bill 5855, offered by Representative Zalewski, a Bill for an Act concerning regulation. House Bill 5856, offered by Representative Poe, a Bill for an Act concerning government. House Bill 5857, offered by Representative Coladipietro, a Bill for an Act concerning revenue. House Bill 5858, offered by Representative Phelps, a Bill for an Act concerning wildlife. House Bill 5859, offered by Representative Jakobsson, a Bill for an Act concerning public aid. House Bill 5860, offered by Representative Jakobsson, a Bill for an Act concerning finance. House Bill 5861, offered by Representative Ramey, a Bill for an Act concerning civil law. House Bill 5862, offered by Representative Jakobsson, a Bill for an Act concerning appropriations. House Bill 5863, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 5864, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 5865, offered by Representative Eddy, a Bill for an Act regarding schools. House Bill 5866, offered by Representative Eddy, a Bill for an Act concerning public employee benefits. House Bill 5867, offered by Representative Jakobsson, a Bill for an Act concerning education. House Bill 5868, offered by Representative Saviano, a Bill for an Act concerning professional regulation. House Bill 5869, offered by Representative Dugan, a Bill for an Act concerning aging. House Bill 5870, offered by Representative Verschoore, a Bill for an Act concerning sport shooting ranges. House Bill 5871, offered by Representative Fortner, a Bill for an Act

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concerning public aid. House Bill 5872, offered by Representative Fortner, a Bill for an Act concerning public employee benefits. House Bill 5873, offered by Representative Flider, a Bill for an Act concerning public employee benefits. House Bill 5874, offered by Representative Flider, a Bill for an Act concerning transportation. House Bill 5875, offered by Representative Flider, a Bill for an Act concerning education. House Bill 5876, offered by Representative Flider, a Bill for an Act concerning local government. House Bill 5877, offered by Representative Flider, a Bill for an Act concerning revenue. House Bill 5878, offered by Representative Flider, a Bill for an Act concerning State Government. House Bill 5879, offered by Representative Flider, a Bill for an Act concerning utilities. House Bill 5880, offered by Representative Flider, a Bill for an Act concerning regulation. House Bill 5881, offered by Representative Flider, a Bill for an Act concerning regulation. House Bill 5882, offered by Representative Flider, a Bill for an Act concerning regulation. House Bill 5883, offered by Representative Flider, a Bill for an Act concerning regulation. House Bill 5884, offered by Representative Flider, a Bill for an Act concerning education. House Bill 5885, offered by Representative Winters, a Bill for an Act concerning government. House Bill 5886, offered by Representative Chapa LaVia, a Bill for an Act concerning education. House Bill 5887, offered by Representative Reboletti, a Bill for an Act concerning State Government. House Bill 5888, offered by Representative Nekritz, a Bill

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for an Act concerning civil law. House Bill 5889, offered by Representative Pihos, a Bill for an Act concerning education. House Bill 5890, offered by Representative Pihos, a Bill for an Act concerning regulation. House Bill 5891, offered by Representative Pihos, a Bill for an Act concerning public aid. House Bill 5892, offered by Representative Ramey, a Bill for an Act concerning insurance. House Bill 5893, offered by Representative Mitchell, Bill, a Bill for an Act concerning public aid. House Bill 5894, offered by Representative Gordon, Jehan, a Bill for an Act concerning civil law. House Bill 5895, offered by Representative Black, a Bill for an Act concerning civil law. House Bill 5896, offered by Representative Black, a Bill for an Act concerning education. House Bill 5897, offered by Representative Phelps, a Bill for an Act concerning State Government. House Bill 5898, offered by Representative Black, a Bill for an Act concerning professional regulation. House Bill 5899, offered by Representative Phelps, a Bill for an Act concerning State Government. House Bill 5900, offered by Representative Gordon, Jehan, a Bill for an Act concerning criminal law. House Bill 5901, offered by Representative Dugan, a Bill for an Act concerning wildlife. House Bill 5902, offered by Representative Bellock, a Bill for an Act concerning education. House Bill 5993... Correction. House Bill 5903, offered by Representative Coulson, a Bill for an Act concerning State Government. House Bill 5904, offered by Representative Phelps, a Bill for an Act concerning wildlife. House Bill 5905, offered by Representative

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Gordon, Jehan, a Bill for an Act concerning State Government. House Bill 5906, offered by Representative Hernandez, a Bill for an Act concerning regulation. House Bill 5907, offered by Representative Walker, a Bill for an Act concerning safety. House Bill 5908, offered by Representative Hernandez, a Bill for an Act concerning regulation. House Bill 5909, offered by Representative Hernandez, a Bill for an Act concerning public aid. House Bill 5910, offered by Representative Flowers, a Bill for an Act concerning education. House Bill 5911, offered by Representative Phelps, a Bill for an Act concerning State Government. House Bill 5912, offered by Representative Phelps, a Bill for an Act concerning business. House Bill 5913, offered by Representative Collins, a Bill for an Act concerning corrections. House Bill 5914, offered by Representative Collins, a Bill for an Act concerning criminal law. House Bill 5915, offered by Representative Collins, a Bill for an Act concerning courts. House Bill 5916, offered by Representative Collins, a Bill for an Act concerning courts. House Bill 5917, offered by Representative Phelps, a Bill for an Act concerning public health. House Bill 5918, offered by Representative Golar, a Bill for an Act concerning civil law. House Bill 5919, offered by Representative Dugan, a Bill for an Act concerning local government. House Bill 5920, offered by Representative Dugan, a Bill for an Act concerning courts. House Bill 5921, offered by Representative Davis, William, a Bill for an Act concerning elections. House Bill 5922, offered by Representative Davis, William, a Bill for an Act

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concerning government. House Bill 5923, offered by Representative Sullivan, a Bill for an Act concerning local government. House Bill 5924, offered by Representative Davis, William, a Bill for an Act concerning public aid. House Bill 5925, offered by Representative Davis, William, a Bill for an Act concerning appropriations. House Bill 5926, offered by Representative Mell, a Bill for an Act concerning revenue. House Bill 5927, offered by Representative Hernandez, a Bill for an Act concerning insurance. House Bill 5928, offered by Representative McAsey, a Bill for an Act concerning child abduction. House Bill 5929, offered by Representative McAsey, a Bill for an Act concerning employment. House Bill 5930, offered by Representative McAsey, a Bill for an Act concerning regulation. House Bill 5931, offered by Representative McAsey, a Bill for an Act concerning criminal law. House Bill 5932, offered by Representative McAsey, a Bill for an Act concerning children. House Bill 5933, offered by Representative Rita, a Bill for an Act concerning professional regulation. House Bill 5934, offered by Representative Rita, a Bill for an Act concerning local government. House Bill 5935, offered by Representative Rita, a Bill for an Act concerning professional regulation. House Bill 5936, offered by Representative Rita, a Bill for an Act concerning revenue. House Bill 5937, offered by Representative Rita, a Bill for an Act concerning local government. House Bill 5938, offered by Representative Rita, a Bill for an Act concerning local government. House Bill 5939, offered by Representative Rita, a Bill for an

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Act concerning local government. House Bill 5940, offered by Representative Rita, a Bill for an Act concerning local government. House Bill 5941, offered by Representative Mathias, a Bill for an Act concerning elections. House Bill 5942, offered by Representative Pritchard, a Bill for an Act concerning child custody. House Bill 5943, offered by Representative Verschoore, a Bill for an Act concerning gaming. House Bill 5944, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 5945, offered by Representative DeLuca, a Bill for an Act concerning gaming. House Bill 5946, offered by Representative Lang, a Bill for an Act concerning regulation. House Bill 5947, offered by Representative Flider, a Bill for an Act concerning criminal law. House Bill 5948, offered by Representative Mendoza, a Bill for an Act concerning health. House Bill 5949, offered by Representative Mendoza, a Bill for an Act concerning State identification cards. House Bill 5950, offered by Representative Burns, a Bill for an Act concerning public aid. House Bill 5951, offered by Representative Burns, a Bill for an Act concerning civil law. House Bill 5952, offered by Representative Flowers, a Bill for an Act concerning insurance. House Bill 5953, offered by Representative Flowers, a Bill for an Act concerning regulation. House Bill 5954, offered by Representative Flowers, a Bill for an Act concerning insurance. House Bill 5955, offered by Representative Flowers, a Bill for an Act concerning insurance. House Bill 5956, offered by Representative Dugan, a Bill for an Act concerning

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employment. House Bill 5957, offered by Representative Fritchey, a Bill for an Act concerning public employee benefits. And House Bill 5958, offered by Representative Froehlich, a Bill for an Act concerning local government."

Clerk Bolin: "House Bill 5959, offered by Representative Eddy, a Bill for an Act concerning public employee benefits. House Bill 5960, offered by Representative McCarthy, a Bill for an Act concerning finance. House Bill 5961, offered by Representative McCarthy, a Bill for an Act concerning public employee benefits. House Bill 5962, offered by Representative Verschoore, a Bill for an Act concerning gaming. House Bill 5963, offered by Representative Sacia, a Bill for an Act concerning criminal law. House Bill 5964, offered by Representative Sacia, a Bill for an Act concerning criminal law. House Bill 5965, offered by Representative Rose, a Bill for an Act concerning courts. House Bill 5966, offered by Representative Rose, a Bill for an Act concerning criminal law. House Bill 5967, offered by Representative Rose, a Bill for an Act concerning regulation. House Bill 5968, offered by Representative Rose, a Bill for an Act concerning education. House Bill 5969, offered by Representative Rose, a Bill for an Act concerning forfeiture. House Bill 5970, offered by Representative Hatcher, a Bill for an Act concerning local government. House Bill 5971, offered by Representative Tracy, a Bill for an Act concerning local government. House Bill 5972, offered by Representative Winters, a Bill for an Act concerning local government. House Bill 5973, offered by Representative Gordon, Careen, a Bill for an Act

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concerning public health. House Bill 5974, offered by Representative Chapa LaVia, a Bill for an Act concerning education. House Bill 5975, offered by Representative Burns, a Bill for an Act concerning gaming. House Bill 5976, offered by Representative Hamos, a Bill for an Act concerning civil law. House Bill 5977, offered by Representative Hamos, a Bill for an Act concerning elections. House Bill 5978, offered by Representative Hamos, a Bill for an Act concerning health. House Bill 5979, offered by Representative Mulligan, a Bill for an Act concerning appropriations. House Bill 5980, offered by Representative Beiser, a Bill for an Act concerning health. House Bill 5981, offered by Representative Fortner, a Bill for an Act concerning education. House Bill 5982, offered by Representative Tracy, a Bill for an Act concerning civil law. House Bill 5983, offered by Representative Rita, a Bill for an Act concerning public aid. House Bill 5984, offered by Representative Tracy, a Bill for an Act concerning education. House Bill 5985, offered by Representative Zalewski, a Bill for an Act concerning property. House Bill 5986, offered by Representative Phelps, a Bill for an Act concerning State Government. House Bill 5987, offered by Representative Phelps, a Bill for an Act concerning State Government. House Bill 5988, offered by Representative Reitz, a Bill for an Act concerning revenue. House Bill 5989, offered by Representative Reitz, a Bill for an Act concerning State Government. House Bill 5990, offered by Representative Reitz, a Bill for an Act concerning regulation. House Bill

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5991, offered by Representative Reitz, a Bill for an Act concerning regulation. House Bill 5992, offered by Representative Reitz, a Bill for an Act concerning regulation. House Bill 5993, offered by Representative Reitz, a Bill for an Act concerning regulation. House Bill 5994, offered by Representative McAuliffe, a Bill for an Act concerning public employee benefits. House Bill 5995, offered by Representative Reitz, a Bill for an Act concerning professional regulation. House Bill 5996, offered by Representative McAuliffe, a Bill for an Act concerning regulation. House Bill 5997, offered by Representative Yarbrough, a Bill for an Act concerning public health. House Bill 5998, offered by Representative Holbrook, a Bill for an Act concerning regulation. House Bill 5999, offered by Representative Osterman, a Bill for an Act concerning education. House Bill 6000, offered by Representative Lyons, a Bill for an Act concerning elections. House Bill 6001, offered by Representative Jakobsson, a Bill for an Act concerning regulation. House Bill 6002, offered by Representative Bradley, a Bill for an Act concerning regulation. House Bill 6003, offered by Representative Sente, a Bill for an Act concerning transportation. House Bill 6004, offered by Representative Jackson, a Bill for an Act concerning civil law. House Bill 6005, offered by Representative Saviano, a Bill for an Act concerning business. House Bill 6006, offered by Representative Zalewski, a Bill for an Act concerning regulation. House Bill 6007, offered by Representative Rose, a Bill for an Act concerning death sentences. House

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Bill 6008, offered by Representative Mautino, a Bill for an Act concerning gaming. House Bill 6009, offered by Representative Mautino, a Bill for an Act concerning regulation. House Bill 6010, offered by Representative Mautino, a Bill for an Act concerning State Government. House Bill 6011, offered by Representative Mautino, a Bill for an Act concerning debt. House Bill 6012, offered by Representative Mautino, a Bill for an Act concerning appropriations. House Bill 6013, offered by Representative Graham, a Bill for an Act concerning State Government. House Bill 6014, offered by Representative Graham, a Bill for an Act concerning employment. House Bill 6015, offered by Representative Mautino, a Bill for an Act concerning finance. House Bill 6016, offered by Representative Mautino, a Bill for an Act concerning civil procedure. House Bill 6017, offered by Representative Colvin, a Bill for an Act concerning education. House Bill 6018, offered by Representative Colvin, a Bill for an Act concerning public employee benefits. House Bill 6019, offered by Representative Mautino, a Bill for an Act concerning insurance. House Bill 6020, offered by Representative Mautino, a Bill for an Act concerning appropriations. House Bill 6021, offered by Representative Watson, a Bill for an Act concerning revenue. House Bill 6022, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 6023, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 6024, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 6025, offered by

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Representative Mautino, a Bill for an Act concerning revenue. House Bill 6026, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 6027, offered by Representative Mautino, a Bill for an Act concerning regulation. House Bill 6028, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 6029, offered by Representative Franks, a Bill for an Act concerning State Government. House Bill 6030, offered by Representative May, a Bill for an Act concerning finance. House Bill 6031, offered by Representative May, a Bill for an Act making appropriations. House Bill 6032, offered by Representative Boland, a Bill for an Act concerning elections. House Bill 6033, offered by Representative Smith, a Bill for an Act concerning education. House Bill 6034, offered by Representative Pihos, a Bill for an Act concerning public health. House Bill 6035, offered by Representative Bradley, a Bill for an Act concerning local government. House Bill 6036, offered by Representative Brady, a Bill for an Act concerning public health. House Bill 6037, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 6038, offered by Representative Turner, a Bill for an Act concerning revenue. House Bill 6039, offered by Representative Turner, a Bill for an Act concerning civil law. House Bill 6040, offered by Representative Turner, a Bill for an Act concerning State Government. House Bill 6041, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 6042, offered by Representative

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Eddy, a Bill for an Act concerning education. House Bill 6043, offered by Representative Dugan, a Bill for an Act concerning regulation. House Bill 6044, offered by Representative Poe, a Bill for an Act concerning revenue. House Bill 6045, offered by Representative Winters, a Bill for an Act concerning finance. House Bill 6046, offered by Representative Sacia, a Bill for an Act concerning State Government. House Bill 6047, offered by Representative Mathias, a Bill for an Act concerning safety. House Bill 6048, offered by Representative Tracy, a Bill for an Act concerning revenue. House Bill 6049, offered by Representative Poe, a Bill for an Act concerning wildlife. House Bill 6050, offered by Representative Brauer, a Bill for an Act concerning education. House Bill 6051, offered by Representative Brauer, a Bill for an Act concerning State Government. House Bill 6052, offered by Representative Currie, a Bill for an Act concerning local government. House Bill 6053, offered by Representative Currie, a Bill for an Act concerning government records. House Bill 6054, offered by Representative Turner, a Bill for an Act concerning revenue. House Bill 6055, offered by Representative Holbrook, a Bill for an Act concerning criminal law. House Bill 6056, offered by Representative Holbrook, a Bill for an Act concerning transportation. House Bill 6057, offered by Representative Rose, a Bill for an Act concerning State Government. First Reading of these House Bills. First Reading of House Joint Resolution Constitutional Amendment #47, offered by Representative Black.

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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 amend Article IV of the Illinois Constitution by changing Section 8 as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 8. PASSAGE OF BILLS

- (a)The enacting clause of the laws of this State shall be:
"Be it enacted by the People of the State of Illinois, represented in the General Assembly."
- (b)The General Assembly shall enact laws only by bill. Bills may originate in either house, but may be amended or rejected by the other.
- (c)No bill shall become a law without the concurrence of a majority of the members elected to each house. Final passage of a bill shall be by record vote. In the Senate at the request of two members, and in the House at the request of five members, a record vote may be taken on any other occasion. Every bill, amendment, and resolution sponsored by at least 16 Representatives shall receive a record vote of the members of a substantive committee of the House of Representatives. Every bill, amendment, and resolution sponsored by at least 8 Senators shall receive a record vote of the members of a substantive committee of the

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Senate. A record vote is a vote by yeas and nays entered on the journal.

(d) A bill shall be read by title on three different days in each house. A bill and each amendment thereto shall be reproduced and placed on the desk of each member before final passage. Bills, except bills for appropriations and for the codification, revision or rearrangement of laws, shall be confined to one subject. Appropriation bills shall be limited to the subject of appropriations. A bill expressly amending a law shall set forth completely the sections amended. The Speaker of the House of Representatives and the President of the Senate shall sign each bill that passes both houses to certify that the procedural requirements for passage have been met.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the First Reading of House Joint Resolution Constitutional Amendment #47. First Reading of House Joint Resolution Constitutional Amendment #48, offered by Representative Mathias.

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 amend Article

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V of the Illinois Constitution by changing Sections 1, 3, 7, and 18 and by repealing Section 17 as follows:

ARTICLE V

THE EXECUTIVE

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Lieutenant Governor, Attorney General, Secretary of State and Treasurer elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.

SECTION 3. ELIGIBILITY

To be eligible to hold the office of Governor, Lieutenant Governor, Attorney General, Secretary of State or Treasurer, a person must be a United States citizen, at least 25 years old, and a resident of this State for the three years preceding his or her election.

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

If the Attorney General, Secretary of State or Treasurer fails to qualify or if the office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor. If the Lieutenant Governor fails to qualify or if the office becomes vacant, it shall remain vacant until the end of the term.

SECTION 17. COMPTROLLER - DUTIES (REPEALED)

SECTION 18. TREASURER - DUTIES

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The Treasurer, in accordance with law, shall (i) maintain the State's central fiscal accounts, and order payments into and out of the funds held by him or her, (ii) be responsible for the safekeeping and investment of monies and securities deposited with him or her, and for their disbursement upon his or her order, and (iii) have the duties and powers that may be prescribed by law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This Constitutional Amendment applies upon the conclusion of the terms of the Comptroller and the Treasurer elected in 2006, regardless of the election of a Comptroller in 2010. This has been the First Reading of House Joint Resolution Constitutional Amendment #48. First Reading of House Joint Resolution Constitutional Amendment #49, offered by Representative Mathias.

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 amend Section 3 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 3. LEGISLATIVE REDISTRICTING

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(a) Legislative Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.

(b) By April 15 of the year following each Federal decennial census year, the State Board of Elections, by a record vote of a majority of the total number of members authorized by law as provided in Section 5 of Article III, shall designate a computer program for redistricting the Legislative Districts and Representative Districts that meets the requirements of this Section. The designation shall include detailed specifications of the computer program. Any computer program designated by the State Board of Elections under this Section shall embody the following standards and criteria, as defined by Common Law, in this order of priority:

- (1) contiguity;
- (2) substantial equality of population;
- (3) compactness;
- (4) minimization of the number of districts that cross county or municipal boundaries; and

(5) a fair reflection of minority voting strength. Any computer program designated by the State Board of Elections under this Section shall not consider the following data:

- (1) residency of incumbent legislators;
- (2) political affiliations of registered voters;
- (3) previous election results; and
- (4) demographic information not required to be used by this Section or by the United States Constitution or

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federal law. Except as specified in this Section, the computer program shall produce districts in a random manner.

(c) In the year following each Federal decennial census year, the State Board of Elections shall redistrict the Legislative Districts and the Representative Districts using the computer program designated under subsection (b). The Board shall file such computer generated plan with the Secretary of State no later than June 1 of the year following the Federal decennial census year.

(d) The State Board of Elections shall designate a computer program under subsection (b) and shall approve a plan under subsection (c) at public meetings. The Board shall give reasonable and adequate advance notice of those meetings.

(e) An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

(f) The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

SCHEDULE

This Constitutional Amendment takes effect beginning with redistricting in 2011 and applies to the election of members of the General Assembly in 2012 and thereafter. This has been the First Reading of House Joint Resolution Constitutional Amendment #49."

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Clerk Mahoney: "House Joint Resolution Constitutional Amendment #50, offered by Representative Madigan.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article V of the Illinois Constitution by changing Sections 1, 2, 3, 6, and 7 and by repealing Sections 4 and 14 as follows:

ARTICLE V

THE EXECUTIVE

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Attorney General, Secretary of State, Comptroller and Treasurer elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.

SECTION 2. TERMS

These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter.

SECTION 3. ELIGIBILITY

To be eligible to hold the office of Governor, Attorney General, Secretary of State, Comptroller or Treasurer, a person must be a United States citizen, at least 25 years

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old, and a resident of this State for the three years preceding his election.

SECTION 4. JOINT ELECTION (REPEALED)

(sic - This section is deleted.)

SECTION 6. GUBERNATORIAL SUCCESSION

(a) In the event of a vacancy, the order of succession to the office of Governor or to the position of Acting Governor shall be the elected Attorney General, the elected Secretary of State, and then as provided by law.

(b) If the Governor is unable to serve because of death, conviction on impeachment, failure to qualify, resignation or other disability, the office of Governor shall be filled by the officer next in line of succession for the remainder of the term or until the disability is removed.

(c) Whenever the Governor determines that he may be seriously impeded in the exercise of his powers, he shall so notify the Secretary of State and the officer next in line of succession. The latter shall thereafter become Acting Governor with the duties and powers of Governor. When the Governor is prepared to resume office, he shall do so by notifying the Secretary of State and the Acting Governor.

(d) The General Assembly by law shall specify by whom and by what procedures the ability of the Governor to serve or to resume office may be questioned and determined. The Supreme Court shall have original and exclusive jurisdiction to review such a law and any such determination and, in the absence of such a law, shall make the determination under such rules as it may be... may adopt.

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

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If the Attorney General, Secretary of State, Comptroller or Treasurer fail to qualify or if his office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor.

SECTION 14. LIEUTENANT GOVERNOR - DUTIES (REPEALED)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies beginning with the term of office otherwise commencing in 2015. There being no further business, the House Perfunctory Session will stand adjourned."