

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

75th Legislative Day

10/24/2011

Clerk Bolin: "The House Perfunctory Session will come to order. Messages from the Governor. To the honorable Members of the Illinois House of Representatives 97th General Assembly. Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto and return the following Bills... the following House Bills: 1552, 1966, 3178. Sincerely, Pat Quinn, Governor. To the honorable Members of the Illinois House of Representatives 97th General Assembly. Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return the following House Bills with specific recommendations for change: 190, 1079, 1353, 1659, 1712, 1948, 2270, 2860, 3440, and 3489. Sincerely, Pat Quinn, Governor. To the honorable Members of the Illinois House of Representatives 97th General Assembly. Pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby veto and return the following appropriation items included in the following House Bills: 117, 123, 132, 327, and 3717. In addition to these specific item Vetoes, I hereby approve all other appropriation items in these Bills. Sincerely, Pat Quinn, Governor. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on October 06, 2011: direct floor consideration, approved for consideration, referred to Second Reading. House Bill 355, House Bill 602, House Bill 603, House Bill 604, House Bill 605, House Bill 909, House Bill 1693, Senate Bill 92, Senate Bill 769, Senate Bill 1531, Senate Bill 1830, Senate Bill 2073, and Senate Bill 2138. On the Order of

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Concurrence, approved for consideration and referred to the Order of Concurrence is House Bill 3027; and recommends be adopted Motions to Concur with Senate Amendments 1 and 2 to House Bill 3027. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on October 19, 2011: approved for consideration and referred to Second Reading is House Bill 358, House Bill 396, House Bill 506, House Bill 690, House Bill 691. Representative Currie, Chairperson from the Committee on Rules reports the following Committee action taken on October 24, 2011: approved for consideration and referred to Consideration Postponed is Senate Bill 1682, and Senate Bill 1701; approved for consideration and referred to Second Reading are House Bill 361, House Bill 380, House Bill 384, House Bill 442, House Bill 507, House Bill 508, House Bill 583, House Bill 584, House Bill 588, House Bill 735 and Senate Bill 1609; approved for consideration and referred to the Order of Concurrence is House Bill 3384. Representative Currie, Chairperson from the Committee on Rules reports the following Committee action taken on October 24, 2011: approved for consideration and referred to Second Reading is House Bill 606; approved for consideration and referred to the Order of Concurrence is House Bill 1293; and recommends be adopted is Senate Amendment #2, Motion to Concur with House Bill 1293. Introduction and First reading of House Bills. House Bill 3854, offered by Representative Brauer, a Bill for an Act concerning transportation. House Bill 3855, offered by Representative Brauer, a Bill for an Act

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97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
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10/24/2011

concerning transportation. House Bill 3856, offered by Representative Schmitz, a Bill for an Act concerning public employee benefits. House Bill 3857, offered by Representative Morthland, a Bill for an Act concerning public employee benefits. House Bill 3858, offered by Representative Feigenholtz, a Bill for an Act concerning appropriations. First Reading of these House Bills. First Reading of House Joint Resolution Constitutional Amendment #5, as amended, offered by Speaker Madigan.

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT 5

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH 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 XIII of the Illinois Constitution by adding Section 5.1 as follows:

ARTICLE XIII

GENERAL PROVISIONS

SECTION 5.1. PENSION BENEFIT INCREASES

(a) A Bill shall not become a law without the concurrence of three-fifths of the members elected to each house of the General Assembly if that Bill increases a benefit under any pension or retirement system of the State, any unit of local government or school district, or any agency or instrumentality thereof. However, if the Governor vetoes a Bill so passed by returning it with his objections to the

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house in which it originated, then that Bill shall not become law unless, upon its return, it is passed by a record vote of two-thirds of the members elected to each house of the General Assembly. Likewise, if the Governor returns a Bill so passed with specific recommendations for change to the house in which it originated, then those recommendations may be accepted only by a record vote of two-thirds of the members elected to each house of the General Assembly. The provisions of this subsection (a) apply notwithstanding Article IV.

(b) An ordinance, resolution, or other action of the governing body of any unit of local government or school district shall not be valid without the concurrence of three-fifths of the members of that governing body if that ordinance, resolution, or other action increases a benefit under any pension or retirement system for officials or employees of that unit of local government or school district, or any agency or instrumentality thereof.

(c) For the purposes of this Section, a Bill, ordinance, resolution, or other action increases a benefit if it increases the amount of an existing benefit, adds a new benefit, or expands the class of persons eligible for a benefit, regardless of whether it includes an increase in contributions or a reduction in any other benefit.

(d) For the purposes of this Section, an increase in salary does not by itself constitute an increase in benefits. However, the provisions in this section do apply to (i) an increase in salary resulting from the inclusion of a new category of benefits, bonuses, incentives, prerequisites,

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97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

75th Legislative Day

10/24/2011

or other compensation that previously was not considered a part of salary or (ii) an otherwise unusually high increase in salary.

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, as amended, of House Joint Resolution Constitutional Amendment #5."

Clerk Bolin: "House Perfunctory Session will reconvene. Committee Reports. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on October 24, 2011, reported the same back with the following recommendations: 'do pass as amended' Short Debate House Bill 3813."

Clerk Bolin: "The House Perfunctory Session will reconvene. Second Reading of House Bills. House Bill 355, offered by Speaker Madigan, a Bill for an Act concerning government. House Bill 358, offered by Speaker Madigan, a Bill for an Act concerning government. House Bill 361, offered by Speaker Madigan, a Bill for an Act concerning government. House Bill 380, offered by Speaker Madigan, a Bill for an Act concerning State government. House Bill 384, offered by Representative Mautino, a Bill for an Act concerning State government. House Bill 396, offered by Speaker Madigan, a Bill for an Act concerning State government. House Bill 442, offered by Speaker Madigan, a Bill for an Act concerning State government. House Bill 506, offered by

STATE OF ILLINOIS
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TRANSCRIPTION DEBATE

75th Legislative Day

10/24/2011

Representative Currie, a Bill for an Act concerning revenue. House Bill 507, offered by Speaker Madigan, a Bill for an Act concerning revenue. House Bill 508, offered by Representative Mayfield, a Bill for an Act concerning revenue. House Bill 583, offered by Speaker Madigan, a Bill for an Act concerning local government. House Bill 584, offered by Speaker Madigan, a Bill for an Act concerning local government. House Bill 588, offered by Speaker Madigan, a Bill for an Act concerning local government. House Bill 602, offered by Speaker Madigan, a Bill for an Act concerning education. House Bill 603, offered by Representative Will Davis, a Bill for an Act concerning education. House Bill 604, offered by Speaker Madigan, a Bill for an Act concerning education. House Bill 605, offered by Representative Chapa LaVia, a Bill for an Act concerning education. House Bill 606, offered by Representative Mautino, a Bill for an Act concerning education. House Bill 690, offered by Representative McCarthy, a Bill for an Act concerning regulation. House Bill 691, offered by representative Colvin, a Bill for an Act concerning regulation. House Bill 735, offered by Representative Lang, a Bill for an Act concerning liquor. House Bill 909, offered by Speaker Madigan, a Bill for an Act concerning criminal law. House Bill 3813, offered by Representative Cross, a Bill for an Act concerning public employee benefits. Second Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."