

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

76th Legislative Day

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Clerk Bolin: "The House Perfunctory Session will come to order. Committee Reports. Representative Currie, Chairperson from the Committee on Rules, reports the following committee action taken on October 25, 2011: approved for consideration, referred to Second Reading is House Bill 509. For Amendatory Veto Motions: House Bill 190, accept Motion recommends be adopted. On the Order of Concurrence: a Motion to Concur recommends be adopted for Senate Amendment #2 to House Bill 3384. Introduction and First Reading of House Bills. House Bill 3859, offered by Representative Sente, a Bill for an Act concerning local government. House Bill 3860, offered by Representative Bradley, a Bill for an Act concerning regulation. First Reading of these House Bills."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Samuel W. Hale, Jr., who is with the Zion Missionary Baptist Church here in Springfield, Illinois. Pastor Hale is the guest of Representative Ford and Poe. We ask the Members and guests to refrain from starting their laptops, turn off cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Pastor Hale."

Pastor Hale: "Let us pray. Eternal Father, Creator, sustainer of all that is, that was, and shall be, we come to Thee in this moment, thanking you first for this day and for the privilege of sharing this day with You and with each other. We thank You, Lord, for the life that You have given us, the health and strength and soundness of mind that is ours. We thank You for this moment to come in representation of

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those whom You have created to make decisions and to take actions that will be pleasing in Your sight. We ask now Thy guidance, Thy direction, Thy encouragement, Yea, even Thy wisdom that all that is said and done in this place, not only today but throughout this Session, will be pleasing in Thy sight. Grant unto these servants of Thy people the wisdom, the insight, the compassion, the understanding, and the commitment to make decisions and take actions that will be to the well-being of Thy people. Have Thy way. In our hearts and our minds, bless each home and each family represented here and grant, Eternal Father, when this day is over, when this Session shall have ended, that those decisions made, those actions taken, will be done to Your glory to the well-being for the purposes of justice and nurture and the fortitude of minds, hearts and spirits from this day forth, even forever more. In the name of Him who is able to keep us from falling and failing, we pray and ask it all, Amen."

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

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

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. There are no excused House Democrats to report for the record today."

Speaker Madigan: "Representative Poe. Representative Bost."

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Bost: "Oh. Thank you, Mr. Speaker. On the Republican side of the aisle will be Representative Coladipietro... Yeah. How do I say that again? I mean, we've been gone for a few months. Franco's missing."

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

Poe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. A point of personal privilege. Yeah. Today I'd like to direct everybody's attention for just a moment up in the gallery, to my left over the top of the Democratic Caucus, we want to welcome our guests there in the gallery. They're visiting students from the German American Partnership Program. These students are from Inglestadi, Bavaria, in Germany and are attending Springfield High School for three weeks. They've already visited the Chicago area, Lincoln sites, and they're going to tour the rest of the State of Illinois, so maybe some of you can run into them. And at this time, I'd like to give them a big applause and a Springfield welcome. Thank you."

Speaker Madigan: "Mr. Clerk. Mr. Clerk."

Clerk Bolin: "Introduction of Resolutions. House Resolution 542, offered by Representative Bill Mitchell. House Resolution 547, offered by Representative Holbrook. House Resolution 548, offered by Representative Holbrook. And House Resolution 564, offered by Representative Poe."

Speaker Madigan: "Ladies and Gentlemen, if we could have your attention, please. We've been joined by a new Member today, and for that purpose the Chair recognizes Representative

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Beiser to introduce a new Member of the House of Representatives. Mr. Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the General Assembly. It's my pleasure to welcome our newest downstate Member today. It's somebody that's been good to southern Illinois, he and his family. He's a veteran of the United States Army 82nd Airborne, a veteran of the Iraqi war conflict, and a good, good friend of mine, good friend of downstate. Welcome to the back row, welcome to the General Assembly, Representative Jerry Costello."

Speaker Madigan: "The Chair recognizes Representative Costello."

Costello: "Mr. Speaker, thank you very much. First of all, I'd like to tell you it's a great privilege and an honor to serve in the General Assembly. My grandfather Costello was a State Representative. And so as you're all... well, some of you, I'm sure, are aware of my father's a U.S. Congressman, but it's important to note that my grandfather was a State Representative and he's the one who really started the political aspirations in our family. I look forward to working with all you in a bipartisan fashion to move the State of Illinois forward. So, I'm young, energetic and looking forward to this endeavor. Mr. Speaker, thank you and Members of the General Assembly thank you. Look forward to working with you."

Speaker Madigan: "Representative Costello, did you want to introduce some people? Mr. Costello."

Costello: "Okay, Mr. Speaker. I would like to acknowledge and recognize my mother, Georgia Costello is in the gallery. My

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wife Lori Costello, my brother John Costello, and my best friend since we were four years old, Jeremy Rosenstengel. And thank you for getting me out of the dog house, Mr. Speaker."

Speaker Madigan: "The Chair recognizes Representative Osmond."

Osmond: "Thank you Mr. Speaker. On our side of the aisle we also have two new Members that I'd like to have the privilege of introducing."

Speaker Madigan: "Proceed."

Osmond: "Thank you. With the untimely death of Representative Mark Beaubien, we had to seek out a new Member and it was only fitting that we found someone who had the expertise from down here. And I'd like everyone to give a welcome, and a warm welcome to Kent Gaffney. Kent."

Speaker Madigan: "The Chair recognizes Representative Gaffney."

Gaffney: "Thank you very much, Representative Osmond and everybody. And I would just like to say that it is a great honor to be a part of this Body. I've worked in a different capacity here closely with both sides of the aisle. I look forward to doing that going forward to help work on many of the problems that the State of Illinois sees right now. And thank you very much."

Speaker Madigan: "Representative Osmond."

Osmond: "And Mr. Speaker, we have another Member who has joined us. Some of you might have recalled the Gentleman that was here for several years by the name of Ron Stephens. And he is no longer with us, and we seeked out another replacement and we have a wonderful Gentleman that we want you all to welcome, and his name is Paul Evans."

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Speaker Madigan: "The Chair recognizes Representative Evans."

Evans: "Thank you very much. It is a great privilege and honor to be here and I've been only a day or two. To be serving with all of you, your knowledge, your dedication, your talent. It's a goal to be part of this Body. Please be patient with me. And I look forward to representing the people of Illinois. I thank you."

Speaker Madigan: "The Chair recognizes Representative Chapa LaVia."

Chapa LaVia: "Thank you Speaker. Welcome back everyone. I'd like to do a point of personal privilege and welcome one of my schools in my district, Aurora Christian and Mrs. Madsen, teacher Madsen, and Mr. Stone, and all my kids up there. So if we could welcome them to the General Assembly. Thank you."

Speaker Madigan: "The Chair recognizes Mr. Morthland."

Morthland: "Thank you, Mr. Speaker. I rise on a point of personal privilege..."

Speaker Madigan: "State your point."

Morthland: "...and to introduce to the Body my guest for the week, my daughter Bethany and that we're very happy that she takes after her mother instead of her dear old dad."

Speaker Madigan: "Mr. Clerk, House Resolution 561. Mr. Clerk."

Clerk Bolin: "House Resolution 561, offered by Representative Brauer."

RESOLVED by the House of Representatives of the 97th General Assembly of the State of Illinois that we congratulate Georgia Winston on her many accomplishments and wish her the best in all her future endeavors."

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Speaker Madigan: "The Chair recognizes Representative Brauer."

Brauer: "Thank you, Mr. Speaker. I rise to present House Resolution 561. A Resolution honoring someone who's become well-known to many of us. Georgia Winston, of the Hope Institute for Children and Family Service, an Autism Program of Illinois. Georgia came to Hope Institute in 2003 after serving Catholic Charities... Catholic Charities and the SIU School of Medicine. For the past eight years with Hope as the lead agency, she created the Autism Program of Illinois, built a partnership of more than 30 universities. A non-profit organization, held the partnership together through thick and thin, built what has become the largest statewide autism resource and service network in the nation. TAP has 12 locations across our state. Because of this unique and cost-effective collaboration, families in Illinois now have access to the best evidence-based program to assist children with autism. Now Georgia is leaving Hope to start yet another phase of her distinguished career. A woman of great faith, she accepted a position of executive director of Hospital Sisters Mission Outreach, an organizations that takes surplus medical equipment, refurbishes it for the use in undeveloped areas abroad. Please join me in saluting Georgia Winston, who is joined in the gallery with her husband Terry. Georgia, we thank you for your hard work on behalf of our most vulnerable citizens and wish you the best in your new endeavors. Please give Georgia a warm welcome."

Speaker Madigan: "The Gentleman has presented House Resolution 561. Those in favor say 'aye'; those opposed say 'no'. The

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'ayes' have it. The Resolution is adopted. Mr. Clerk, you have Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 464, offered by Representative Beiser. House Resolution 465, offered by Representative Pihos. House Resolution 467, offered by Representative Rita. Correction. House Resolution 467, offered by Representative Mayfield. House Resolution 468, offered by Representative Phelps. House Resolution 469, offered by Representative Cavaletto. House Resolution 471, offered by Representative Will Davis. House Resolution 472, offered by Representative Phelps. House Resolution 473, offered by Representative Bost. House Resolution 474, offered by Representative Mayfield. House Resolution 475, offered by Representative Mautino. House Resolution 476, offered by Representative Cross. House Resolution 477, offered by Representative Watson. House Resolution 478, offered by Representative Sullivan. House Resolution 479, offered by Representative Brady. House Resolution 481, offered by Representative Cross. House Resolution 482, offered by Representative Cross. House Resolution 483, offered by Representative Phelps. House Resolution 484, offered by Representative Brauer. House Resolution 485, offered by Representative Hammond. House Resolution 486, offered by Representative Madigan. House Resolution 488, offered by Representative Lilly. House Resolution 489, offered by Representative Lang. House Resolution 490, offered by Representative Osmond. House Resolution 491, offered by Representative Osmond. House Resolution 492, offered by Representative Barickman. House Resolution 493,



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offered by Representative Monique Davis. House Resolution  
494, offered by Representative Moffitt. House Resolution  
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498, offered by Representative May. House Resolution 499,  
offered by Representative Jackson. House Resolution 500,  
offered by Representative Flowers. House Resolution 501,  
offered by Representative Chapa LaVia. House Resolution  
502, offered by Representative Osmond. House Resolution  
503, offered by Representative Mautino. House Resolution  
504, offered by Representative Lilly. House Resolution  
505, offered by Representative Costello. House Resolution  
506, offered by Representative Howard. House Resolution  
507, offered by Representative Connelly. House Resolution  
508, offered by Representative D'Amico. House Resolution  
509, offered by Representative Crespo. House Resolution  
510, offered by Representative Watson. House Resolution  
511, offered by Representative Madigan. House Resolution  
512, offered by Representative Cavaletto. House Resolution  
513, offered by Representative Cavaletto. House Resolution  
514, offered by Representative Dunkin. House Resolution  
515, offered by Representative Jakobsson. House Resolution  
516, offered by Representative Feigenholtz. House  
Resolution 517, offered by Representative Beiser. House  
Resolution 518, offered by Representative Sosnowski. House  
Resolution 519, offered by Representative Bellock. House  
Resolution 521, offered by Representative Phelps. House  
Resolution 522, offered by Representative Brady. House

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Resolution 523, offered by Representative Colvin. House  
Resolution 524, offered by Representative Beiser. House  
Resolution 525, offered by Representative Will Davis.  
House Resolution 526, offered by Representative Brady.  
House Resolution 527, offered by Representative Cunningham.  
House Resolution 528, offered by Representative Franks.  
House Resolution 529, offered by Representative Cassidy.  
House Resolution 530, offered by Representative Madigan.  
House Resolution 531, offered by Representative Will Davis.  
House Resolution 532, offered by Representative Brady.  
House Resolution 533, offered by Representative Cross.  
House Resolution 534, offered by Representative Crespo.  
House Resolution 535, offered by Representative Will Davis.  
House Resolution 536, offered by Representative Biss.  
House Resolution 537, offered by Representative Smith.  
House Resolution 538, offered by Representative Reis.  
House Resolution 539, offered by Representative Crespo.  
House Resolution 540, offered by Representative Jackson.  
House Resolution 541, offered by Representative Dunkin.  
House Resolution 543, offered by Representative Osmond.  
House Resolution 544, offered by Representative Osmond.  
House Resolution 545, offered by Representative Crespo.  
House Resolution 546, offered by Representative Howard.  
House Resolution 549, offered by Representative Unes.  
House Resolution 551, offered by Representative Zalewski.  
House Resolution 552, offered by Representative Chapa  
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Durkin. House Resolution 556, offered by Representative Phelps. House Resolution 559, offered by Representative Cole. House Resolution 560, offered by Representative Reboletti. House Resolution 561, offered by Representative Brauer. House Resolution 562, offered by Representative Leitch. House Resolution 563, offered by Representative Kosel. House Resolution 565, offered by Representative Dunkin. And House Joint Resolution 43, offered by Representative Nybo."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. The Chair recognizes Representative Currie for the purpose of a Motion. Representative Currie for the purpose of a Motion."

Currie: "Thank you, Speaker. I move to suspend the committee hearing posting requirements so that House Bills 3851 and 3840 may be heard this week."

Speaker Madigan: "You've all heard the Lady's Motion. Is there leave? Leave is granted and the posting requirements are suspended for those two Bills. The Chair recognizes Representative Dugan."

Dugan: "Thank you, Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

Dugan: "Yes. If my colleagues could please welcome, I have some constituents Eric and Robin Dockus up here in the gallery. They've brought their two wonderful sons Jeremy and

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Dominick who have been Paging for us today. So, if we could welcome them, I would certainly appreciate it. Thank you."

Speaker Lyons: "Representative Joe Lyons in the Chair. Mr. Clerk."

Clerk Bolin: "Introduction of Resolutions. House Joint Resolution 45 offered by Speaker Madigan."

Speaker Lyons: "The Speaker of the House, Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, if we could have your attention, please. I direct your attention to a House Joint Senate Resolution which I had just introduced and I'd like the Clerk to read the Resolution. Mr. Clerk."

Speaker Lyons: "Mr. Clerk."

Clerk Bolin: "House Joint Resolution 45, offered by Speaker Madigan."

WHEREAS, The Illinois House of Representatives has established prudent fiscal parameters for the State budget with House Resolution 110, which required the House Revenue & Finance Committee to set the total amount of general fund expenses for Fiscal Year 2012, and House Resolution 158, which required that any amount of additional State revenue be used to pay the backlog of unpaid State obligations rather than being spent on more State services; and

WHEREAS, The Illinois House and the Illinois Senate passed several State budget bills that held spending under the House Revenue & Finance Committee's State revenue estimate; and

WHEREAS, The Illinois House of Representatives passed the two fiscally responsible resolutions by a vote of 112-0-0 for

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House Resolution 110 and 114-0-2 for House Resolution 158, respectively; and

WHEREAS, The State of Illinois would have paid employees represented by the American Federation of State, County, and Municipal Employees (AFSCME) an estimated \$2,762,956,700 in all funds for payroll costs before the House of Representatives and the Senate reduced the budget for Fiscal Year 2012; and

WHEREAS, The Cost of Living Allowance (COLA) for employees represented by the American Federation of State, County, and Municipal Employees (AFSCME) has averaged an increase of 4.25% over the past 5 fiscal years; and

WHEREAS, The Consumer Price Index has averaged an increase of 1.95% from the years 2007 to 2010; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the State shall appropriate for no more than an X% increase for wage increases associated with any and all collectively bargained contracts throughout State government; and be it further

RESOLVED, That it shall be the policy of the State of Illinois that the size of, or a reduction in, the State employee workforce shall not be a topic of collective bargaining."

Speaker Lyons: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, let me begin by reporting that as of October 22, the State Comptroller tells us that the State of Illinois has approximately \$2.71

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billion in unpaid obligations outstanding 45 days or more. So as of a few days ago the State of Illinois had unpaid bills in the amount of \$2.71 billion. That's the background against which I have introduced this Resolution. The state is currently in the middle of a collective bargaining contract set to expire in June of 2012. The Quinn administration has advised us that they plan to open negotiations with AFSCME and all of the other unions that represent unionized state workers sometime during the fall of this year. So, their plan is to open the negotiations in the fall, conduct those negotiations through the end of this calendar year, into the next calendar year up to that deadline of June of 2012, when the current contract would expire. Traditionally, prior Governors have negotiated with AFSCME and the other unions without regard to the Legislature. Traditionally, the Governor would negotiate, the Governor would come to an agreement with the unions, and then subsequently the Legislature would be told this is the cost of the contract that we just negotiated. They negotiate a contract, they'd send the bill to us, we'd be told, pay the bill. This Resolution is designed to interject the Legislature into a collective bargaining that will occur between the Governor's Office and the unions representing unionized state workers. The Resolution simply recites that the Legislature, beginning in the House last spring, did a very good job of adopting a budget that did not authorize spending beyond our means on a yearly basis. We adopted a Resolution here; we live under the restrictions of that Resolution. We adopted another

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Resolution which said that if our estimates were too low and there was additional money received during the budget year that that money would be used to pay unpaid bills. So far, we've done very, very well. We're going to be called upon to draft another budget starting next spring and what the Resolution says is that we will adopt a number that we will send along to the Governor and to the unions, advising them as to how much we are prepared to spend on collective bargaining agreements. My plan is that this Resolution, which has just been filed, will be referred to the House Revenue Committee. We'll call upon Chairman John Bradley to scheduled hearings, maybe this week, certainly next week, leading up to the second week of the Veto Session, when I would call upon the Members of the Revenue Committee to adopt the Resolution, insert a number in the Resolution, report it to the floor and then all of us can consider the work product of the Revenue Committee. The bottom line of all of this is that budget making for Illinois is going to continue to be extremely difficult. It's not going to get better, sooner. The tough work will continue and an essential element of what we do in budget making is the cost of personal services. That cost will be set somewhat by the bargaining between the Governor and the unions. Now we have a choice. We can stand on the sidelines, let those people go off and do what they do, send us a bill or we can interject ourselves now and be present through the negotiations so that our position is known and understood as those people are bargaining and preparing to send us a statement as to what it's going to cost the State of

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Illinois and the taxpayers of this state and what it's going to cost us as we do our budget making. So our plan, again, refer this to the Revenue Committee. I would invite every Member of the House to join as a cosponsor of the Resolution. It's designed as a House Joint Resolution at the request of Senate President John Cullerton who suggested that we engage with the Senate in this project. So they also will be invited to participate, everyone's invited to participate in the hearings that Chairman Bradley will schedule. And we're going to notify all interested organizations to come forward and help us as we work to develop a good sound reliable estimate as to how much money we wish to spend on personnel cost in this proposed contract, which will last for approximately two and a half years. So, let's remember that, again, in the past, Governors and the unions would sign contracts that would go beyond the term of a Governor so the new Governor would come in office and be told, oh, by the way, your predecessor obligated you to 'x' amount of dollars in a collective bargaining agreement. The Legislature, not so long ago, provided that these contracts cannot go beyond the term of the Governor. So, what we're talking about is about a two and a half year obligation on spending. Well, I think the Legislature has a rightful place in this bargaining that will occur. Thank you for your time and your attention. And again, everyone's welcome to join as a cosponsor and participate in the hearings. Thank you very much, Mr. Speaker."



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Speaker Lyons: "Mr. Speaker, would you be willing to take questions from a couple of Members?"

Madigan: "Sure."

Speaker Lyons: "Representative Roger Eddy."

Eddy: "Thank you. Mr. Speaker, just a couple of quick questions. In the Resolution itself there are references made to certain percentages. Those percentages reference cost of living as compared to actual increases and that kind of sets the stage for a percentage referred to as no more than 'x' percentage increase for wage increases. Is that a developing... obviously, a developing number that these... these hearings will help establish?"

Madigan: "Representative Eddy, that's... that's the purpose and I think a model to use would be what we did on the... the Resolution that's recited here which was House Resolution 110, I believe. But that was referred to the Revenue Committee and in the end there was an agreement in the Revenue Committee as to the number that would have been put into House Resolution 110. Let me add that after this was filed and in reading it this morning, in the first resolved clause we talk about wage increases. I think that when it's reported by the Revenue Committee we'll probably want to amend that and talk in terms of wage and benefit increases because it's wage and benefits that are considered in the bargaining."

Eddy: "The... the total cost of the package."

Madigan: "Correct. Yeah."

Eddy: "That... that... it would be. And... and so that 'x' percentage will kind of be the subject of some of the discussions and..."

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and as the hearings are held using as a guide the idea of the cost of living as it is calculated compared to what the increases were and then establishing, at least in the last paragraph, the policy of the state that the size of or reduction in the state employee workforce shall not be a topic of collective bargaining."

Madigan: "That's a... thank you, again, Mr. Eddy. And so, I think we all know that last fall why the Governor entered into a side agreement with AFSCME where he pledged that there would be no layoffs. My view which I think is supported by many people here in the House, is that the state should never agree to not reduce the workforce because the way we do business in State Government is that the Legislature gives authority to the Governor to spend money. Once there's a contract in place that sets the rate of pay, why, the only avenue for adjustment in a budget year is the size of the workforce. Governor Quinn gave that away. I don't think he should do that and that's why we recite in this Resolution that should not be done."

Eddy: "Thank you, Mr. Speaker. And I know the frustration because it was discussed several times in those budget hearings that based on the personnel line item and those restrictions that were part of a bargaining agreement the actual number then was something that was difficult to implement based on those side agreements. So, going forward the idea would be to make known that frustration and that... that as we move to some very difficult budget years that the intent of the General Assembly would be that those types of arrangements don't take place. Thank you."

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Speaker Lyons: "Representative Dave Winters."

Winters: "Thank you Mr. Speaker. I would rise in support of this Resolution as the Speaker has eloquently stated this is an issue that we need to move forward. I would encourage all of you to sign on as cosponsors; you can see what happens if you don't. There is arm twisting in this state and I may be an example of somebody that has not always signed on to the Speaker's Bills, but I'm more than happy to this time. That's all I have."

Speaker Lyons: "Representative Al Riley."

Riley: "Sponsor yield?"

Speaker Lyons: "Sponsor awaits your questions."

Riley: "Mr. Speaker. I was going to... one of the previous speakers talked about what you had talked about the issue of adding benefits along with wages. Along those lines then, that's more or less a limiting factor? This Resolution just limits our involvement to wages and benefits and not any other conditions that might be part of the collective bargaining... collective bargaining agreement?"

Madigan: "Representative, there may be other elements in the agreement that I'm not recalling, so the idea is that we're concerned with the total package, the bottom line cost of the total package. And so, again, there may be some things I'm forgetting; my memory is, it's wages and benefits. Based ...the biggest benefit, of course, is the health insurance benefit."

Riley: "Okay. Thank you."

Speaker Lyons: "Speaker, any final thoughts? Speaker Madigan?"

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Madigan: "Just thank you very, very much."

Speaker Lyons: "Ladies and Gentlemen, we'll be starting on page 9 of the Calendar under Amendatory Vetoes, Representative Roger Eddy, I believe you have House Bill 190. Representative Eddy..."

Eddy: "Thank you..."

Speaker Lyons: "...Amendatory Veto, House Bill 190."

Eddy: "Thank you, Mr. Speaker. I wish to concur with the Governor's Veto of House Bill 190."

Speaker Lyons: "The Gentleman moves to accept the specific recommendations of the Governor to... to House Bill 190. This will require 71 votes. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish. Have all voted who wish? Davis, Dunkin. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 'no'... 0 voting 'no', 0 voting 'present'. This Motion, having received the Constitutional Supermajority, the specific recommendations of the Governor to House Bill 190 are accepted and is hereby declared passed. Representative Sandy Pihos on the Order of Amendatory Vetoes on page 9 of the Calendar, you have House Bill 1079. Representative Sandy Pihos."

Pihos: "Thank you, Mr. Speaker. I move to override the Governor's Veto on 1079. This is a Bill that has to do with reporting equipment items at universities valued in excess of a thousand dollars. This was a long negotiated Bill. It came out of a Blue Ribbon Committee on higher education. The original threshold was brought into line with the

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Federal Government. That would be \$5 thousand and as a compromise in discussion with the committee, we brought it down to \$1 thousand and it passed unanimously out of all committees in the House of Senate and off the House Floor and the Senate Floor. So, I move to override the Governor's Veto and would be happy to answer any questions."

Speaker Lyons: "You heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. It's nice to see you up there and we're going to miss having you up there, Mr. Lyons."

Speaker Lyons: "Pardon me, Representative?"

Franks: "We're going to miss having you up there, Mr. Lyons."

Speaker Lyons: "Well, you got a year of me left, Jack."

Franks: "Good."

Speaker Lyons: "So, don't put the nails in the coffin too quick."

Franks: "All right. Good, good, good. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Franks: "Representative, the Governor's Veto, it just lowered the threshold from a thousand to five hundred dollars, correct?"

Pihos: "Which actually brought it back to the original way that it is was. Five hundred dollars is what it was."

Franks: "Oh, I see. So, he... he could just easily... just as easily done a full Veto then on this because..."

Pihos: "Correct."

Franks: "...it put it back exactly where it was."

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Pihos: "He put it back exactly where it was, five hundred dollars, right."

Franks: "What other... did he change anything else in the Bill?"

Pihos: "No."

Franks: "So... and what did the Bill do? Did the Bill just double it from 500 to 1000?"

Pihos: "Correct. It started out at 5 thousand and we negotiated it down to \$1 thousand in the committee process. And the others part of the Bill, which he did not touch, is about annual reporting about programs of instruction."

Franks: "Okay. So, that's still in there."

Pihos: "That's still... Correct."

Franks: "Okay. Thank you. I just wanted to clarify it."

Speaker Lyons: "No one further seeking recognition, the question is... and it's, Representative Pihos moves that House Bill 1079 do pass notwithstanding the specific recommendations of the Governor. This will require 71 votes. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunkin, Representative Skip Saviano. Mr. Clerk, take the record. On this issue, there's 111 Members voting 'yes', 4 Members voting 'no', 0 voting 'present'. The Motion here, received a Supermajority, House Bill 1079 is hereby declared passed, notwithstanding the specific recommendations of the Governor. Mr. Clerk."

Clerk Bolin: "Attention, Members. The Rules Committee will meet immediately in the Speaker's Conference Room."

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Speaker Lyons: "Continuing on the page 1... on page 9 on the Amendatory Vetoes, Representative Pritchard has House Bill 1353. Out of the record. Representative Jakobsson, continuing on Amendatory Vetoes on page... on the top of page 10 of the Calendar, Representative, you have House Bill 1948. Out of the record. Representative Dan Beiser, on the Order of Amendatory Vetoes in the middle of page 10, you have House Bill 2860."

Beiser: "Thank you, Mr. Speaker. I move that House Bill 2860 do pass, the Governor's specific recommendations for change notwithstanding."

Speaker Lyons: "You've heard the Gentleman's proposal. Is there any discussion? Seeing none, all those in favor of overriding the Governor Amendatory Veto signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted a wish? Have all voted a wish? Have all voted a wish? Representative Lilly, Osmond, Riley, Williams, would you like to be recorded? Mr. Clerk, take the record. On this issue, there's 94 Members voting 'yes', 21 Members voting 'no', 0 voting 'present'. The Motion, having received a Supermajority, House Bill 2860 is hereby declared passed, notwithstanding the specific recommendations of the Governor. Has anybody seen the one armed man, Representative Dave Winters? We have a Bill we'd like to call on the floor David, if you're within the sound of my voice. We have a Bill waiting for you to call. You wish to call a Bill, Dave? Out of the record. Representative Morrison, on the Order of Concurrences, you

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have House Bill 3384 on the bottom of page 8. Out of the record. Representative Bob Pritchard for an announcement."

Pritchard: "Yes. Thank you, Mr. Speaker. Ladies and Gentlemen, you should have received a notice about the Legislative Education Caucus meeting tonight. I want to underscore one item. When we passed House Bill 1503 out of this chamber, it set up a process for paying for performance in higher education. The Board of Higher Education has been meeting over the last six or seven months is coming close to a recommendation on the metrics and the formula for doing that. We will be talking about that issue this evening. The Lieutenant Governor will also be there to talk about school district realignment and consolidation that she's been holding and will be holding more hearings around the state. We also have on the agenda the school district report card template and legislation will be required yet to implement that. So, this and other topics are on the agenda this evening. I hope you'll join us at 6:00 in the Illinois Education Association Auditorium. "

Speaker Lyons: "Mr. Clerk, committee announcements. Hold on momentarily, Representative... Mr. Clerk. Mr. Clerk, committee announcements. Ladies and Gentlemen, the hard copy is going to be passed out momentarily to you, but Mr. Clerk, read them into the record."

Clerk Bolin: "The following committees will meet immediately following Session: Elementary & Secondary Education in Room 114, Human Services in Room C-1, Judiciary I-Civil Law in Room 413, Judiciary II-Criminal Law in Room 115, the Agriculture & Conservation Committee previously scheduled



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has been canceled. Agriculture & Conservation has been canceled. The following committees will meet at 2:30 or one-half hour following Session: Appropriations-Elementary & Secondary Education in Room C-1, Appropriations-General Services in Room D-1, Revenue & Finance in Room 115, State Government Administration in 413. Those are 2:30 committees. The following committees will meet at 3 p.m.: the Insurance Committee in Room C-1, Personnel & Pensions in Room D-1, and Executive in Room 114. One committee will meet at 4:30 p.m., the Elementary & Secondary Education Committee will meet in Room 114."

Speaker Lyons: "And now, seeing no further business to come before the Illinois House of Representatives, Speaker Madigan moves that the House stand adjourned 'til the hour of 10 a.m. on October 26, Wednesday. Allowing perfunctory time for the Clerk, all those in favor of adjournment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned 'til the hour of 10 p.m. (sic-a.m.) tomorrow, Wednesday, October 26. Have a great evening, everyone."

Clerk Bolin: "The House Perfunctory Session will reconvene. Committee Reports. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'do pass as amended Short Debate' for Senate Bill 1795; 'recommends be adopted' House Joint Resolution 41 and House Joint Resolution 42. Representative

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Harris, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'do pass Short Debate' for House Bill 3788; 'recommends be adopted' House Resolution 557. Representative Nekritz, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measures were referred, action taken on October 25, 2011: 'do pass Short Debate' for Senate Bill 1694. Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment # 1 to House Bill 909. Representative Davis, Chairperson from the Committee on Appropriations-Elementary & Secondary Education, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'do pass as amended Short Debate' for House Bill 3847. Representative Crespo, Chairperson from the Committee on Appropriations-General Services, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'do pass Short Debate' for House Bill 3848. Representative Bradley, Chairperson from the Committee on Revenue & Finance, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'do pass Short Debate' for House Bill 3793 and House Bill 3840; 'do pass as amended Short Debate' for

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House Bill 3828; and 'recommends be adopted' Floor Amendment # 1 to House Bill 506. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 384, Floor Amendment #1 to House Bill 442 and House Resolution 520. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'do pass as amended Short Debate' for House Bill 3815. Constitutional Amendments. House Joint Resolution Constitutional Amendment #5, offered by Speaker Madigan. Second Reading in full as amended.

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

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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 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.

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(d)For the purposes of this Section, an increase in salary does not, by itself, constitute an increase in benefits. However, the provisions of this Section do apply to (i) an increase in salary resulting from the inclusion of a new category of benefits, bonuses, incentives, perquisites, 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 Second Reading in full as amended of House Joint Resolution Constitutional Amendment #5.

Clerk Bolin: "Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'do pass Short Debate' for House Bill 3851 and Senate Bill 1259; 'do pass as amended Short Debate' for Senate Bill 50, Senate Bill 73, and Senate Bill 664; and 'recommends be adopted' Floor Amendment #1 to House Bill 358, Floor Amendment #2 to House Bill 588, and Floor Amendment #1 to House Bill 691. Committee Reports. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education, to which the following measures were referred, action taken on October 25, 2011, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill

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605; and House Joint Resolution 44. House Bills-Second Reading. House Bill 509, offered by Speaker Madigan, a Bill for an Act concerning revenue. House Bill 3788, offered by Representative Golar, a Bill for an Act concerning health facilities. House Bill 3793, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 3815, offered by Representative May, a Bill for an Act concerning public employee benefits. House Bill 3828, offered by Representative Mautino, a Bill for an Act concerning education. House Bill 3840, offered by Representative Tryon, a Bill for an Act concerning revenue. House Bill 3847, offered by Representative Mautino, a Bill for an Act concerning appropriations. House Bill 3848, offered by Representative Cole, a Bill for an Act making appropriations. House Bill 3851, offered by Speaker Madigan, a Bill for an Act concerning transportation. Second Reading of these House Bills. Second Reading of Senate Bills. Senate Bill 50, offered by Representative Harris, a Bill for an Act concerning liquor. Senate Bill 73, offered by Representative Costello, a Bill for an Act concerning criminal law. Senate Bill 1259, offered by Representative Currie, a Bill for an Act concerning civil law. Senate Bill 1694, offered by Representative Brady, a Bill for an Act concerning civil law. Senate Bill 1795, offered by Representative Chapa LaVia, a Bill for an Act concerning education. Second Reading of these Senate Bills. Second Reading of Senate Bills. Senate Bill 664, offered by Representative Zalewski, a Bill for an Act concerning regulation. Second Reading of this Senate Bill.

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Committee Reports. Representative Currie, Chairperson from the Committee on Rules, reports the following committee action taken on October 25, 2011: recommends be adopted Floor Amendment #2 to House Bill 3828, and Floor Amendment #3 to House Bill 3847; recommends be adopted a Motion to concur with Senate Amendments 1 and 2 to House Bill 3036. There being no further business, the House Perfunctory Session will stand adjourned."