

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

123rd Legislative Day

4/17/2012

Speaker Lyons: "Good afternoon Illinois. Your House of Representatives will come to order. Members are asked to please be at your desks. We shall be led in prayer today by Father Mathew Idicula who is with the St. Columba Episcopal Church in Hanover Park, Illinois. Father Idicula is the guest of Representative Fred Crespo. Members and guests are asked to please refrain from starting their laptops, turn off all cell phones and rise for the invocation and The Pledge of Allegiance. Father Mathew."

Father Idicula: "Let us pray. Almighty God, we thank You for all Your mercies. You have given us this good land for our heritage. God, we commend our nation into Thy merciful care. Thy will is good and gracious and Thy law is truth. God, bless our land with resources and opportunities, save us from discord, violence and every evil ways. God, deliver, defend our liberties and remind our responsibilities, give us understanding that we may dwell in peace. God, we pray for our government by and for the people so that justice will prevail with Your grace and guidance. God, bless our President, Governor and all in authority with wisdom, knowledge and strength to know Thy will. God, grant Your divine guidance to all our legislators so that they may enact such laws as shall please Thee. God, give unto them Your wisdom and understanding and make them ever mindful of their calling in Thy fear. God, we ask for Your blessings upon each one of us in the days of our troubles and at the time of our prosperity. God, in our ignorance, we call You by many

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

123rd Legislative Day

4/17/2012

names. Thine is the power and the glory, forever and ever,
Amen."

Speaker Lyons: "Representative Krezwick, would you and your
family please lead us in the Pledge of Allegiance."

Krezwick and family - 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 Lyons: "Roll Call for Attendance. Leader Barbara Flynn
Currie, Democrats."

Currie: "Thank you, Speaker. Please let the record show that
Representative Rita is excused today."

Speaker Lyons: "Leader Bost, Republicans."

Bost: "Thank you, Mr. Speaker. Didn't expect me here did you?
Let the record reflect that Representative Tryon, is
excused on the Republican side of the aisle."

Speaker Lyons: "Is this a permanent arrangement, Leader Bost?"

Bost: "I think it is. Yes. Yeah."

Speaker Lyons: "Musical chairs here... huh."

Bost: "Exactly. We just..."

Speaker Lyons: "Okay, Leader Bost."

Bost: "...we just wanted to keep things you know a little
confused."

Speaker Lyons: "Keep me on my toes."

Bost: "Yeah. On your toes."

Speaker Lyons: "Thank you, Leader. Mr. Clerk, take the record.
113 Members have responded to the Roll Call, we have a
quorum. We're prepared to do the work of the people of the
State of Illinois. Mr. Clerk."

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

123rd Legislative Day

4/17/2012

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie Chairperson from the Committee on Rules reports the following committee action taken on April 16, 2012: recommends be adopted, referred to floor is Floor Amendment #6 to House Bill 3859; approved for consideration, referred to the Consideration Postponed Calendar is House Bill 30. Representative Nekritz Chairperson from the Committee on Personnel & Pensions reports following committee action taken on April 17, 2012: do pass Short Debate House Joint.. is House Joint Resolution Constitutional Amendment #49; recommends be adopted is a Motion to Concur to Senate Amendment #1 to House Bill 3474. Introduction of Resolutions. House Resolution 918, offered by Representative Moffitt. House Resolution 926, offered by Representative Monique Davis and House Resolution 930. These are referred to the Rules Committee."

Speaker Lyons: "Mr. Clerk, Representative Cavaletto has a... a Resolution. Mr. Clerk. Mr. Clerk."

Clerk Bolin: "House Resolution 928, offered by Representative Cavaletto.

WHEREAS, The members of the Illinois House of Representatives are pleased to congratulate the Woodlawn High School Cardinals boys basketball team on winning the Class 1A State championship; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Cardinals on their Class 1A State championship and wish them the best for the future; and be it further

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

123rd Legislative Day

4/17/2012

RESOLVED, That a suitable copy of this resolution be presented to the Woodlawn High School Cardinals basketball team as a symbol of our respect and esteem."

Speaker Lyons: "Representative Cavaletto on the Resolution."

Cavaletto: "Thank you, Mr. Speaker."

Speaker Lyons: "John, wait one second. Ladies and Gentlemen, we have a group of students here that we're going to be honoring. Could we bring the noise level down, please. Shh. Representative Cavaletto."

Cavaletto: "If the Woodlawn Cardinals would please stand. Let's give them a warm welcome to the Capitol, the state championships in Class 1A. This... this is the first state trophy championship that this school has ever won. I think that's tremendous. Thank you and welcome to the Capitol fellows."

Speaker Lyons: "Congratulations, Woodlawn Cardinals. We're all very proud of you. All those in favor of the adoption of House Resolution 928 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 928 is unanimously adopted. Once again, congratulations, Woodlawn. Representative Yarbrough, for what purpose do you seek recognition?"

Yarbrough: "Point of personal privilege, Mr. Speaker."

Speaker Lyons: "Representative Yarbrough, wait one second, pl... Representative Yarbrough I believe you are... on a point of personal privilege, But I'll ask the Chamber once again, please, if you could give your attention. It's our first day back down here I know the noise level conversations are loud. Shh. Thank you, Represent... Leader Yarbrough."

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

123rd Legislative Day

4/17/2012

Yarbrough: "Thank you, Mr. Speaker. I'd like to take this opportunity to introduce all of you to the newest Member of the Democratic Caucus, but the newest Member of the General Assembly and that's Marcus Evans who's taking Marlow Colvin's place. He's a former Deputy Chief of Staff for the 8th Ward. He's a former health care activist and also a cancer survivor. Why don't you put your hands together and give Marcus Evans a round of applause."

Speaker Lyons: "Representative Evans, the microphone is yours if you'd like to say hello."

Evans: "Thank you so much. I look forward to working with all of you all, learning from all of you all, properly represent my community and just doing a good job here in Springfield. Thank you."

Speaker Lyons: "Welcome to the club, Representative, good luck and God bless. Glad to have you. Representative JoAnn Osmond, point of personal privilege, Leader."

Osmond: "Yes. Thank you, Mr. Speaker. I, too, would like to introduce our newest Member on the Republican side. With the retiring of Roger Eddy, we have a wonderful gentleman who is going to represent that district very, very well and it's Brad Halbrook. Brad."

Speaker Lyons: "Representative Halbrook, the microphone is yours, Sir."

Halbrook: "Thank you. I'm sure glad to be here. I'm looking forward to meeting with everybody and learning everybody's name and working for my district. Just to keep it short, again, thanks and looking forward to it."

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

123rd Legislative Day

4/17/2012

Speaker Lyons: "Welcome to the club, Representative, we're proud to have you as a Member. Representative David Harris, for a point of personal privilege."

Harris, D.: "Thank you, Mr. Speaker. Mr. Speaker, I have an inquiry of the Chair which perhaps the Chair might be... an inquiry of the Speaker's Chair that you might be able..."

Speaker Lyons: "State your inquiry, Sir, I'll do the best I can."

Harris, D.: "Well, Mr. Speaker, today is tax day. The day when all of us have opened up our wallets and sent our money in to pay our taxes as the majority, the overwhelming majority of Americans, have done across this state and across the nation. And I just have a question which the Chair is well plugged into Washington D.C. and perhaps you could... you could... find out something for me. Because the individual who oversees our tax system, the Secretary of the Treasury for not one, not three, but for five years failed to pay his taxes. And I was just wondering if the Chair might be able to make an inquiry to find out if the Secretary of the Treasury has indeed, like we all have, paid his taxes this year. Thank you."

Speaker Lyons: "It's a little out of our sphere of influence Leader, but we'll... we'll make an attempt to see if he responds to that request. Representative Jack Franks, on your House Resolution... House Resolution 825. Mr. Clerk."

Clerk Hollman: "Whereas on... House Resolution 825, offered by Representative Franks."

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

123rd Legislative Day

4/17/2012

WHEREAS, On August 6, 2011, Richard Dent was inducted into the Professional Football Hall of Fame; and therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the date of August 6, 2012 as "Richard Dent Day" in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Richard Dent as a symbol of our esteem and respect."

Speaker Lyons: "Representative Franks, would you like to do the introduction. Representative Jack Franks."

Franks: "Well thank you, Mr. Speaker and Members of the General Assembly. I... I have the distinct honor of offering a Resolution which recognizes a sports legend and a great ambassador of the game of football. It's my pleasure to stand in support of my friend from the world famous, best team ever, 1985 Chicago Bears Superbowl Twenty MVP Richard Dent."

Richard Dent: "Thank you, thank you, Jack. It's a pleasure, it's my first time down here and I want to tell you all thanks for what you do. Make this state such a great state and had a chance to see some old faces here, I haven't seen in quite some time there and I wish you well and again, thank you, Jack, for giving me the opportunity to reach so many people, to give me the opportunity to... You know, we all have dreams as a kid to become someone; and to come to Illinois become a great football player but yet to get a chance to meet so many great people to allow you to fulfill

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

123rd Legislative Day

4/17/2012

your dreams and pleasures. So, all you kids that's here tonight or here today dream big and you know God... you know is in your life when you are able to get here at this spot to meet so many great people that run such a great state. Thank you, thank you all."

Speaker Lyons: "All in favor... proud of... the pride of the Chicago Bears and a great individual. God love you. Thanks for coming down. Pictures are available, of course. I can't imagine anybody not wanting a picture, but he'll be off to the Democratic side in front of the press box. Thank you, Richard Dent. Representative Franks moves for the adoption of House Resolution 825. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 825 is unanimously adopted. Representative Mary Flowers, you have a special guest you'd like to introduce to everybody."

Flowers: "Well, yes, Mr. Speaker. Thank you very much. I would like to take this opportunity to introduce everyone once again to my granddaughter, Madison Jolie Perry. And also, I would like to take this opportunity to publicly thank Mr. Dent because 27 years ago when I first ran for public office he was there and he campaigned with me along with then Mayor Harold Washington. So I want to publicly thank him as well. Thank you very much."

Speaker Lyons: "Thank you, Mary Flowers. And thank you Madison for coming down and keeping an eye on grandma. Representative Ramey, for what purpose do you seek recognition, Sir?"

Ramey: "Point of personal privilege."

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

123rd Legislative Day

4/17/2012

Speaker Lyons: "Please proceed, Randy."

Ramey: "Thank you, Mr. Speaker. I noticed on next weeks schedule and I want to give people a heads up that on Wedn.. or Tuesday I will not be wearing my red jacket. Because on Wednesday the World Series trophy which was won by the St. Louis Cardinals in 2011, will be here next Wednesday so the red jacket will be worn on that day. So there's no confusion on which day is Tuesday and which day is Wednesday. Thank you, Mr. Speaker."

Speaker Lyons: "Thank you Representative, the Cardinals are very proud of the jacket you're wearing in that honor. I'm assuredly they'll be worn on next Wednesday. Representative Krezwick, for what purpose do you seek recognition, Representative?"

Krezwick: "Mr. Speaker, a point of personal privilege."

Speaker Lyons: "Please proceed."

Krezwick: "Mr. Speaker, Members of the House. I'd like to take this opportunity to introduce my wife Marilyn and my nephew Kevin, up in the gallery. Please stand up, and my son Matthew who is next to me here. Thank you."

Speaker Lyons: "Welcome to your Capitol, Krezwicks, proud to have you down here. Mr. Clerk, Supplemental Calendar #1. House Joint Resolution Constitutional Amendment 49. Mr. Clerk."

Clerk Hollman: "Second Reading of House Joint Resolution Constitutional Amendment #49.

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

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

123rd Legislative Day

4/17/2012

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 AND RETIREMENT BENEFIT INCREASES

(a) No bill, except a bill for appropriations, that provides a benefit increase under any pension or retirement system of the State, any unit of local government or school district, or any agency or instrumentality thereof, shall become law without the concurrence of three-fifths of the members elected to each house of the General Assembly. If the Governor vetoes such a bill by returning it with objections to the house in which it originated, the provisions of Article IV, Section 9 shall govern the passage of that bill except that such 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. If the Governor returns such a bill with specific recommendations for change to the house in which it originated, the provisions of Article IV, Section 9 shall govern the acceptance of those specific recommendations except that such recommendations may be accepted only by a record vote of two-thirds of the members elected to each house of the General Assembly, regardless of the bill's date of passage or effective date. For purposes of this subsection, the term "benefit increase"

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

123rd Legislative Day

4/17/2012

means a change to any pension or other law that results in a member of a pension or retirement system receiving a new benefit or an enhancement to a benefit, including, but not limited to, any changes that (i) increase the amount of the pension or annuity that a member could receive upon retirement, or (ii) reduce or eliminate the eligibility requirements or other terms or conditions a member must meet to receive a pension or annuity upon retirement. The term "benefit increase" also means a change to any pension or other law that expands the class of persons who may become a member of any pension or retirement system or who may receive a pension or annuity from a pension or retirement system. An increase in salary or wage level, by itself, shall not constitute a "benefit increase" unless that increase exceeds limitations provided by law.

(b) No ordinance, resolution, rule, or other action of the governing body, or an appointee or employee of the governing body, of any unit of local government or school district that provides an emolument increase to an official or employee that has the effect of increasing the amount of the pension or annuity that an official or employee could receive as a member of a pension or retirement system shall be valid without the concurrence of three-fifths of the members of that governing body. For purposes of this subsection, the term "emolument increase" means the creation of a new or enhancement of an existing advantage, profit or gain that an official or employee receives by virtue of holding office or employment, including, but not limited to, compensated time off, bonuses, incentives, or

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

123rd Legislative Day

4/17/2012

other forms of compensation. An increase in salary or wage level, by itself, shall not constitute an "emolument increase" unless that increase exceeds limitations provided by law.

(c) No action of the governing body, or an appointee or employee of the governing body, of any pension or retirement system created or maintained for the benefit of officers or employees of the State, any unit of local government or school district, or any agency or instrumentality thereof that results in a beneficial determination shall be valid without the concurrence of three-fifths of the members of that governing body. For the purposes of this subsection, the term "beneficial determination" means an interpretation or application of pension or other law by the governing body, or an appointee or employee of the governing body, that reverses or supersedes a previous interpretation or application and either (i) results in an increase in the amount of the pension or annuity received by a member of the pension or retirement system or (ii) results in a person becoming eligible to receive a pension or annuity from the pension or retirement system. The term "beneficial determination" shall not include a beneficial determination mandated by a final decision of a court of competent jurisdiction.

(d) Nothing in this Section shall prevent the passage or adoption of any law, ordinance, resolution, rule, policy, or practice that further restricts the ability to provide a "benefit increase", "emolument increase", or "beneficial determination" as those terms are used under this Section.

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

123rd Legislative Day

4/17/2012

SCHEDULE

This Constitutional Amendment takes effect on January 9, 2013. This was the Second Reading of House Joint Resolution Constitutional Amendment 49."

Speaker Lyons: "Mr. Clerk, move House Joint Resolution Constitutional Amendment 49 to Third Reading. Mr. Clerk Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 917, offered by Representative du Buclet. House Resolution 919, offered by Representative Brady. House Resolution 921, offered by Representative Chapa LaVia. House Resolution 922, offered by Representative Dunkin. House Resolution 923, offered by Representative Dunkin. House Resolution 924, offered by Speaker Madigan. House Resolution 925, offered by Representative Cunningham. House Resolution 927, offered by Representative Howard. House Resolution 929, offered by Representative Daniel Burke. House Resolution 932, offered by Representative Howard. House Resolution 933, offered by Representative Howard. House Resolution 934, offered by Representative Howard. And House Resolution 935, offered by Representative Kelly Burke."

Speaker Lyons: "Majority Leader Barbara Flynn Currie moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Ladies and Gentlemen, on the Calendar that was passed out was the date of the House-Senate softball game. And team manager by default, John

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

123rd Legislative Day

4/17/2012

D'Amico is going to call for a practice. Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker, for having me run the team by default. You should be running this team. But we're going to have practice tomorrow night at 5:30, at Amos and Washington at 5:30 for everybody that's interested. You know, we have the trophy here in the House, we want to keep it here. So, we will also have practice again next week. So make sure you bring down your spikes and your bats, whatever you need to play. And let's keep the trophy here in the House. So, tomorrow night, 5:30, Amos and Washington. Thank you."

Speaker Lyons: "For your information, that's the northwest corner, Representative. And I believe it's right by Sacred Heart Griffin High School, just a mile west on Washington at Amos. Thank you. And now, seeing no further business to come before the Illinois House of Representatives, Representative Barbara Flynn Currie moves that the House stand adjourned to the hour of 12 noon tomorrow, Wednesday, April the 18th. 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 12 noon Wednesday, April 18."

Clerk Bolin: "The House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 6153, offered by Representative Rose, a Bill for an Act concerning safety. House Bill 6154, offered by Speaker Madigan, a Bill for an Act concerning appropriations.

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

123rd Legislative Day

4/17/2012

First Reading of these House Bills. Introduction of Resolutions. Senate Joint Resolution 58, offered by Representative Krezwick. This Resolution is referred to the House Rules Committee. First Reading of Senate Bills. Senate Bill 967, offered by Representative Sente, a Bill for an Act concerning transportation. Senate Bill 2822, offered by Representative Beiser, a Bill for an Act concerning land. Senate Bill 2902, offered by Representative Bost, a Bill for an Act concerning government. Senate Bill 3338, offered by Representative Currie, a Bill for an Act concerning elections. Senate Bill 3517, offered by Representative Burke, Kelly, a Bill for an Act concerning regulation. Senate Bill 3593, offered by Representative Burke, Kelly, a Bill for an Act concerning civil law. Senate Bill 3614, offered by Representative Beiser, a Bill for an Act concerning State Government. Senate Bill 3687, offered by Representative Pritchard, a Bill for an Act concerning service dogs. Senate Bill 3689, offered by Representative Sente, a Bill for an Act concerning State Government. Senate Bill 3743, offered by Representative Gordon, a Bill for an Act concerning elections. Senate Bill 3800, offered by Representative Durkin, a Bill for an Act concerning education. Senate Bill 3824, offered by Representative Cassidy, a Bill for an Act concerning criminal law. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."