

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action on December 03, 2013 recommends be adopted, referred to the floor is Floor Amendment #3 to Senate Bill 1961."

Speaker Turner: "All Members are asked to be at their seats. Today we shall be led in prayer by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield. Members and guests are asked to refrain from starting their laptops, turn off all cellphones, and rise for the invocation and the Pledge of Allegiance."

Pastor Crawford: "Let us pray. Most gracious God, our Father, it is today because of Your most tender mercies that we are not consumed. Because Your compassions, they fail us not. Today we're thankful, for they're new unto us every morning. This day, gracious and sovereign God in heaven, I invoke Your blessings to be upon this august assembly, upon the Speaker of this House, upon all of its Members, as well as their Leaders, and their families. God, may they be empowered today with Your wisdom. May they be led today by Your precious spirit, may they find strength in Your tremendous might, may Your grace, Your mercy, Your peace be with them this day. We pray in Your most precious Son's name, Amen."

Speaker Turner: "We shall be in the Pledge of Allegiance today by Representative Andrade."

Andrade - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands,

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

one nation under God, indivisible, with liberty and justice for all."

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

Currie: "Thank you, Speaker. Let the record show that not a single House Democrat is excused today."

Speaker Turner: "Representative Bost."

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

Speaker Turner: "Mr. Clerk, please take the record. 117 Members present, a quorum is established. Mr. Clerk, Adjournment Resolution."

Clerk Hollman: "House Joint Resolution 66, offered by Representative Currie.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Tuesday, December 03, 2013, the House of Representatives stands adjourned until the call of the Speaker; and the Senate stands adjourned until the call of the President."

Speaker Turner: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Representative Bost."

Bost: "Thank you, Mr. Speaker. The Republicans request an immediate caucus in Room 118."

Speaker Turner: "Representative Sommer."

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Speaker Turner: "Please state your point, Sir."

Sommer: "Ladies and Gentlemen, I rise today to reflect upon the events of November 17. On that Sunday morning multiple tornadoes tore through the State of Illinois causing 1,500 or more families to lose their homes and most sadly, we had the loss of seven lives. A powerful F-4 tornado plowed through Tazewell County and the City of Washington near my home. It was on the ground for 20 minutes, completely destroying or damaging more than a thousand homes in that community alone. We mourn the loss of two Washingtonians today: 51-year-old Steve Newbauer. He was known as a master mechanic for the company for which he worked and he used those talents to help others on many occasions. And 82-year-old Munda Ellison, a former teacher and ironically, and it sent a shiver... a shiver down my spine when I learned her name, because she and her husband, Ray, had been in my district office just days before. Yet as tragic this day was, it's been brought forth an overwhelming outpouring of support from neighbors and total strangers alike. Hundreds and hundreds of ordinary people doing extraordinary things to help others. As a friend of mine who had lost his home told me, we are overwhelmed with our loss and also overwhelmed by the support given to us by others. We will be okay. The people of Washington, the people of the other communities affected are strong, proud, and resilient. We will prevail. We will rebuild. And in Washington already 100 building permits have been issued. The people of Washington want to thank many, beginning with their Mayor Gary Manier and the entire City of Washington team. The local first responders who came from near and far within minutes of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

the tornado's touching down. The Illinois Emergency Management Agency for their assistance from hour one. What an outstanding that job they have done and are doing. Governor Quinn and all our state's elected Leaders came to visit the site and offer their support. And the thousands of extraordinary, ordinary people, we thank them for their acts of kindness. Mr. Speaker, I know there are others who would like to speak. After they do so, I request a moment of silence in memory of those lost and those still needing our help. Thank you."

Speaker Turner: "Representative Unes."

Unes: "Thank you, Mr. Speaker. I, too, would like to make a few comments. On the day of November 17, when it seemed that that day, while we have concerns about so many things in our lives, everything in that instant puts everything in life in perspective. And Representative Sommer is absolutely right. It is absolutely tragic that we lost lives... lives that day, two in our area of Washington, East Peoria, and Pekin. But it is also miraculous when you look at the devastation and go through the wreckage that I've never seen before in my entire life and I hope I never do again, it is a miracle that we're not standing here talking about more lives lost. And what is also remarkable is the spirit of community, how the entire region came together, how the entire region came together wanting to help in ways they didn't even know how or where to go. But it's that sense of community that has been a wonderful blessing in a terrible time of devastation, and my prayers and thoughts continue to be with all of those affected in all the communities, and with Mayors Manier, Mayor Mingus, and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Mayor Barra, in Washington, East Peoria, and Pekin respectively. And I'd also like to take a moment to say thank you to this Body because of all the number of calls, personal phone calls, and texts, and e-mails that I have received from so many of you from both sides of the aisle, for your prayers, for your thoughts, for your comments, for your multiple donations to so many different disaster-relief recovery efforts that have been going on. It really has been overwhelming the show of support in Central Illinois. And so, on behalf of all of Central Illinois, I give a sincere 'thank you' and ask that you continue to keep all of those affected for not just the coming days and the coming weeks but the coming months because this devastation is going to take a great deal of time to overcome. And lastly, I also want to commend the efforts that IEMA has made and how quickly they were on the ground and their great efforts from the storm on November 17 and specifically, director of IEMA, Jonathon Monken who has done a superb job with his efforts throughout this devastation. Thank you, Mr. Speaker."

Speaker Turner: "Representative Meier."

Meier: "I, too, would like to chime in, because of my home county, Washington County, was hit by this tornado. But we were very fortunate that it hit only a very parse, rural area of the county, but we did have two deaths. We lost a brother and sister, Francis and Joe Hoy, 78 and 80. He sat there with his sister in her wheelchair because they could not get her to safety while the granddaughter and her sons hid in the ditch 300 feet away and watched everything blow away. When the tornado hit there, they say it was an F-5 and it weakened as

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

it got to the town of New Minden. When it hit New Minden, the church had been out for 45 minutes and a private baptism, everybody had just left 10 minutes before that. This big, beautiful stone church has been hit a third time by a tornado now. It is now sealed up, water-tight, snow-tight, and the congregation is getting ready to put those stones back on the walls where they blew out and rebuild the church. All the community has felt and come together and the county has. IEMA has been wonderful. Salvation Army, Red Cross have been great. There's many people we owe a thank you to. We have so much food and clothes showed up that we are helping a lot of other people not even affected by this tornado. The calls from fellow Representatives was huge, and we just want to take this time to be ever so thankful. I never was more grateful than when left New Minden and went back to my big, old stately home and was thankful. My home was safe. Our heritage wasn't, but it's good to know we have this Assembly here to work to help to make this better for everybody who lost everything. So I want to thank everybody for all their help. Thank you."

Speaker Turner: "Representative Hays."

Hays: "Thank you, Mr. Speaker. I would like to make a couple of comments about the community of Gifford in Champaign County who was also devastated on that fateful Sunday afternoon. Gifford is a small agricultural community of about a thousand people in rural Champaign County. They took a direct hit, 250 homes affected, up to 75 to 80 total losses. Miraculously, we did not have a loss of life. But I, too, would to commend the Champaign County Emergency Management Agency. They were set up with headquarters in... miraculous time frame: the Champaign

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

County Sheriff's Department, IEMA, the Red Cross. You know, after an event of this nature and if you've never had the experience of walking among the wreckage shortly after this happens, it really makes quite an impression on you. But the bigger impression is the triumph of the human spirit that has transpired since that fateful day. One week later, Gifford Grade School held class. This with literally hundreds of families displaced from the community, living in Rantoul and Champaign-Urbana, communities in Vermilion County. On the first day back, 98 percent of the children were in attendance, 98 percent. What a beautiful commentary of the hardy, proud, resourceful people of Gifford. Thank you so much for reaching out. Thank you so much for keeping those wonderful people in your thoughts and prayers as we move forward."

Speaker Turner: "Representative Cloonen."

Cloonen: "Thank you, Mr. Speaker. I would also like to echo the sentiments. On that Sunday afternoon, I happened to be traveling to Grundy County and one of the Grundy residents just let me come into their basement. And so, the people of South Bloomington were spared, but those, of course, in Coal City and Diamond were not. And we just want to give thanks to the EMS groups. Mayor Nelson and Mayor Kerne have done a fabulous job. We have new hope as a baby was born on Thursday in Diamond and then their house was taken away on Sunday. But that baby represents new hope and as the saying... the good, hardworking people of the heart of the Midwest will rebuild and we will come back and our prayers are with them."

Speaker Turner: "Representative Phelps."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Phelps: "Thank you, Mr. Speaker. I, too, want to follow my esteemed colleagues. As you know, the leap year tornado that hit my hometown of Harrisburg when I had eight people lost their lives. Tornado hit again in my district in a little town in Massac County called Brookport and three more lives were gone way too soon, 58-year-old Kathy George, 56-year-old Robert Harmon, 63-year-old Scalita Burris. But also I wanted, while we reflect and think of the families and remember them in our prayers, I want to thank Governor Quinn for coming down so quick and getting the ball rolling, if you will, and make sure we get the relief that we need through FEMA. As you know, President Obama has... going to give FEMA assistance, can't come too soon. I want to thank IEMA, IDOT, Department of Corrections, State Police. And I also I want to say this, not because I'm chairman of Public Utilities, but I don't think we thank our power companies enough, and let me explain, with Ameren. The day of the tornado, there was a 150 thousand people without power. In less than one day it was less than 8 thousand. So I think we ought to remember them and thank them for their work and their hard work. But also I want to think of Mayor Klaffer from Brookport. Not only was the tornado devastating, but three days later he was hit in a head-on collision and still now is in critical condition. So, I would like for you to keep the mayor in our prayers as well. Thank you."

Speaker Turner: "The Body will take a moment of silence for all of the victims affected by the tornado in Illinois. Thank you. And now the Democrats will caucus in Room 114 and the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Republicans will caucus in Room 118. The Body will immediately and the Body will be recessed until 12:30."

Speaker Turner: "The House shall be called to order. Mr. Clerk, Senate Bill 1955. Please read the Bill. Can you please move that Bill back to Second Reading?"

Clerk Hollman: "Senate Bill 1955, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. Amendments 2 and 3 were adopted in committee. Floor Amendment #4, offered by Representative Currie, has been approved for consideration."

Speaker Turner: "Representative Currie."

Currie: "Thank you very much, Speaker and Members of the House. In February, we had significant flooding in the State of Illinois, mostly along the Illinois River. We were able to capture federal funds from the Federal Emergency Management Agency, but a small portion of that fund, we have a copay, a 25 percent copay for money that was spent on individual homeowners and small businesses. That bill came to us in July of this year and we have six months to pay it. If we don't pay within that time period, we owe a penalty. The amount of money in this bill would be the \$5.9 million we owe as our 5 percent copay. If we don't pay it in a timely fashion, that number will grow by another 1.6 million immediately. So, I would urge adoption of this Amendment. This Amendment becomes the Bill. So if we do adopt the Amendment, I would say please vote 'yes' on Senate Bill 1955."

Speaker Turner: "On that, we have Representative Sente... Lady moves to the adoption of the Amendment. All in favor say 'aye'; all

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

opposed say 'nay'. And the Amendment is adopted. Third Reading. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1955, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Currie."

Currie: "Thank you. It's just as I've said. This the money the 1.9 mil... \$5.9 million we owe the Federal Government. I would urge an 'aye' vote."

Speaker Turner: "Representative Sandack."

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

Speaker Turner: "The Sponsor will yield."

Sandack: "Leader, I heard that there will be a penalty if we don't pay this now. I couldn't hear what the penalty would be. Is there an approximation of what would be the extra expense?"

Currie: "Twenty-five... 25 percent of the total, which is about \$1.6 million. So in order to avoid 20... 28 percent. So if we don't... if we don't pay now, we will owe more money later."

Sandack: "Leader, last question, please. Why... and this is kind of a special a way of allocating dollars. Is there a reason why we're not going through an appropriations Bill for this process?"

Currie: "Apparently, there is enough money that the department has available for this purpose, but without this Bill, they can't spend it in this line item. So in order for us to meet our responsibilities to the feds for our individual homeowners and small businesses, I urge an 'aye' vote."

Sandack: "Thank you, Leader. I have one more question. I apologize. Do we anticipate the same process due to the tornado damage with the state?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Currie: "Well, this... this was the flooding damage..."

Sandack: "Right."

Currie: "...And I anticipate that if we get money from the feds for the tornado damage, the same individuals and small businesses that were able to be helped through the flooding problem could be helped and then we would also owe the 25 percent match."

Sandack: "Thank you, Leader."

Speaker Turner: "Representative David Harris."

Harris D.: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Turner: "The Sponsor will yield."

Harris, D.: "Representative, just so we understand how the dollars are being moved, and I understand that the Federal Government provides most of the support in the event of a natural disaster, assuming that one has been agreed to by the Federal Government. That is, those counties are determined to be federal disaster areas. So we chip in a little bit, they chip in the majority 75 percent or thereabouts, correct?"

Currie: "Right. And actually, this only accounts for some portion of the FEMA money."

Harris, D.: "Right."

Currie: "So some portion we got."

Harris, D.: "Right."

Currie: "But when it comes to help for small homeowners and small businesses..."

Harris, D.: "Right."

Currie: "...there is a 25 percent match."

Harris, D.: "And there is a fund established to handle emergencies, a natural emergency fund."

Currie: "That's exactly right."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Harris, D.: "And we don't put any money in that fund.. If there's no emergency, there's no reason to have the money in there, correct?"

Currie: "That's right."

Harris, D.: "But we've given them appropriation authority so that they can spend the dollars once money is put into the fund, correct?"

Currie: "Exactly."

Harris, D.: "So all we're really doing is transferring, out of general revenue, a \$5 million or..."

Currie: "Five point nine."

Harris, D.: "...\$5.9 million into a fund that already has the appropriation authority to enable us to, one, to avoid the penalty, but to get these people the help that they need."

Currie: "Exactly right."

Harris, D.: "Okay. Thank you very much. And I would..."

Speaker Turner: "Representative Currie to close."

Currie: "Thank you. I urge a 'yes' vote."

Speaker Turner: "Lady moves for the passage of Senate Bill 1955. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1955, having received the Constitutional Majority, is hereby declared passed. On the Concurrence Calendar, we have House Bill 1002. Excuse me, Mr. Clerk, for one second. Representative Davis."

Davis, M.: "My switch is not working."

Speaker Turner: "We'll send someone out to assist you."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Davis, M.: "I cannot vote. I would like to have voted 'yes', but I cannot vote if it's is not working."

Speaker Turner: "The Journal will reflect your request on Senate Bill 1955 to vote 'yes'. Mr. Clerk, on the Order of Concurrence, House Bill 1002, Mr. Jackson."

Jackson: "Mr. Chairman, Ladies and Gentlemen. I move to concur with House Bill 1002. No, Amendment #1. It is Lebanon Unit School District #9 is asking for a debt ceiling increase so they can build a new elementary building to replace their costly 80-year-old building. A portion of the elementary school will be demolished, another portion will be replaced. Lebanon community overwhelmingly passed a referendum in February 2010 to support the building of a new elementary building. Currently, the district has a debt limit of \$10,324,785 and the total outstanding debt of \$3,475,000, leaving a borrowing capacity of \$6,000,849.48. The new elementary school facility will cost approximately 8.6 million. Therefore, I move to concur with the Amendment."

Speaker Turner: "On that, we have Representative Bost."

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

Speaker Turner: "Sponsor will yield."

Bost: "Will... Representative, this referendum was in February of 2010 you said?"

Jackson: "That is correct."

Bost: "It was a very close vote. It like 494-413. Do you remember what the controversy was with just not wanting to spend the money? Is that the argument or they're not..."

Jackson: "I can't remember what the controversy was, no."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Bost: "Okay. If you... Why is it that it has taken this long to go ahead and come before us?"

Jackson: "Well, they were interested in utilizing the capital dollars as opposed to coming forth to increasing the debt limit.'

Bost: "Okay. Thank you."

Speaker Turner: "Representative Jackson to close."

Jackson: "I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1002'? This is a final action. All those in favor signify by voting 'aye'; all opposed signify by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members, please record yourselves. Mr. Clerk, please take the record. On a count of 87 voting 'yes', 29 voting 'no', and 0 voting 'present', the House concurs in Senate Amendment #1 to House Bill 1002. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1961, Representative Currie. Please read the Bill.

Clerk Hollman: "Senate Bill 1961, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Speaker Madigan."

Speaker Turner: "Representative Currie."

Currie: "I think... I believe Amendment 2 was adopted in committee. This just makes sure that... the all... all of the state retirement systems are represented by the Attorney General

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

with always the option that the system can request of the Attorney General that there be a special person appointed, but this is already true for several of the state's systems, three of them, and this would just make sure that the State University system and the Teachers Retirement System have that same chain of command. I'd appreciate your 'aye' vote. It was unanimous in committee."

Speaker Turner: "Lady moves for the adoption of Floor Amendment #2 to Senate Bill 1961. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Representative Currie."

Currie: "I believe there's a third Amendment."

Speaker Turner: "Mr. Clerk."

Currie: "...that..."

Clerk Hollman: "Floor Amendment #3 is offered by Speaker Madigan."

Speaker Turner: "Representative Currie."

Currie: "Thank you, Speaker, Members of the House. This says that in the event that there is a challenge, should the pension Bill passed, if there was a challenge to the question whether or not the state is meeting its share, if there's a mandamus action, that a system would be able to appoint its own counsel, just in that particular circumstance. And I'd be happy for your support for this Amendment."

Speaker Turner: "Lady moves for the adoption on Floor Amendment #3 to Senate Bill 1961. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read the Bill."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Clerk Hollman: "Senate Bill 1961, a Bill for an Act concerning State Government, Third Reading of this Senate Bill."

Speaker Turner: "Representative Currie."

Currie: "Thank you, Speaker. This is Amendment 2 and Amendment 3. It just says that all state systems will be represented by the Attorney General in the event that a system is taking a mandamus action to the Supreme Court on the question whether the state has adequately funded a pension, then that system can choose its own attorney. I'd appreciate your 'yes' vote."

Speaker Turner: "Representative Sandack."

Sandack: "To the Bill, Mr. Speaker. I just want to thank the Leader and others involved in the Bill process here with respect to Amendment #3, particularly which is something our side of the aisle thought was appropriate to put into the Bill. So, I, too, urge a 'yes' vote. Thank you, Mr. Speaker."

Speaker Turner: "Representative Currie to close."

Currie: "'Aye' votes, please."

Speaker Turner: "The question is, 'Shall Senate Bill 1961 pass'? All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, please take the record. On a count of 104 voting 'yes', 12 voting 'no' and 0 voting 'present', Senate Bill 1961, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 114 by Representative Phelps."

Clerk Hollman: "Senate Bill 114, a Bill for an Act concerning government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

#2, offered by Representative Phelps, has been approved for consideration."

Speaker Turner: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to move for the adoption of Floor Amendment #2, put the Bill on Third and answer questions."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 114. All in... all in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 114, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is the follow-up to the Conceal Carry Bill, this is the trailer. There's no opposition. All four caucuses have agreed on the changes. I'll answer any questions."

Speaker Turner: "On that, we have Representative Sullivan."

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

Speaker Turner: "Sponsor will yield."

Sullivan: "Representative, when we passed the Conceal Carry law, there was a Section dealing with preemption, and in that Section the state was to be the exclusive Body to regulate the carrying of concealed firearms. Is that correct?"

Phelps: "That is correct. The state and only the state was to be the governing authority over how, where, and when a person can carry a concealed firearm."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Sullivan: "So, recently, the City of Chicago passed an ordinance mandating that any restaurant ban the... carrying of a concealed firearm or face the loss of their liquor license. Now, according to what we passed, is there anything in this Bill that changes that preemption, the intent of our General Assembly?"

Phelps: "Representative Sullivan, the city cannot, let me say that again, the city cannot add additional places that a person could not carry a concealed firearm, nor place any additional mandate or requirements on licenses. They could not ban carrying in a restaurant, they could not mandate that all private property post signs, and what the City of Chicago did was backdoor attempt of banning conceal carry. The law we passed does not allow them to do that or any other Home Rule ordinance."

Sullivan: "So to be clear, when the City of Chicago ordinance is challenged in court, and when the court looks to the legislative intent that we're talking about today, it is our intent that the carry law be prohibited the sort of regulation that the city is attempting to force upon businesses by threatening their licenses they get from the city as a means of forcing those to ban conceal carry."

Phelps: "Absolutely, Representative. Any unit or local government cannot regulate how you carry a concealed firearm, where you can carry it, what type of ammunition you can carry, how much you carry, the type of sights you use, the size of the magazine. The total and complete regulation of the carrying of a firearm is the sole exclusive jurisdiction of this Body. Regardless of what aldermen in the City of Chicago think or

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

want, we... we did not give decision makers on this issue, we are. The state only."

Sullivan: "Thank you, Representative."

Speaker Turner: "Representative Phelps to close."

Phelps: "I just ask for an 'aye' vote. Like I said, this is an agreed Bill. And there's... I'm glad there's no questions, but this is a good Bill. Vote 'aye'."

Speaker Turner: "Gentleman moves for the passage of Senate Bill 114. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schmitz. Mr. Clerk, please take the record. On a count of 105 voting 'yes', 11 voting 'no', 0 voting 'present', Senate Bill 114, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 690, offered by Representative Harms. House Resolution 691, offered by Representative Riley. House Resolution 692, offered by Representative Walsh. House Resolution 693, offered by Representative Cloonen. House Resolution 694, offered by Representative Verschoore. House Resolution 695, offered by Representative Hoffman. House Resolution 696, offered by Representative Cloonen. House Resolution 697, offered by Representative Bellock. House Resolution 698, offered by Representative Gordon-Booth. House Resolution 701, offered by Representative Bellock. House Resolution 703, offered by Representative Jakobsson. House Resolution 704, offered by Speaker Madigan. House Resolution 705, offered by Representative Feigenholtz. House Resolution 706, offered by

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Representative Bost. House Resolution 709, offered by Representative Williams. House Resolution 710, offered by Representative Brady. House Resolution 711, offered by Representative Hatcher. House Resolution 712, offered by Representative Brown. House Resolution 713, offered by Representative Bellock. House Resolution 714, offered by Representative Gordon-Booth. House Resolution 715, offered by Representative Senger. House Resolution 716, offered by Representative Cavaletto. House Resolution 717, offered by Representative Brauer. And House Resolution 719, offered by Representative Durkin."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Mr. Clerk. Representative Lang."

Lang: "On behalf of Leader Currie, I move adoption of the Resolution to set the State of the State Address."

Speaker Turner: "Gentleman moves for the adoption of House Joint Resolution 65. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Members, regular Session will now be in recess and we will move to convene the First Conference Committee... the First Special Session. And Representative Currie moves that we use the Attendance Roll Call from the First Special Session. I'm sorry. I'm sorry. Representative Currie moves that we use the Attendance Roll Call from the regular Session for the First Special Session. Any

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

objections? Seeing no objections, we'll use the... the Motion would carries."

Speaker Turner: "And the regular Session will now be recessed.. oh reconvened, reconvened, excuse me. Members, can we have your attention for one moment, please. We just have a couple of items of business to attend to before we get out of here. Representative Phelps."

Phelps: "Like to... a point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point, Sir."

Phelps: "We had a Member today that had to leave and I didn't want to do this, but if you could all stand with me in a moment of silence for a dear friend of ours. Representative Jay Hoffman's mother passed away this morning, Eileen Hoffman. So like I said, I didn't even want to be the one to do this, but Jay means a lot to us and I think he deserves a moment of silence on his mother's honor and behalf. So, if I could ask for a moment of silence, Mr. Speaker, I'd sure appreciate it."

Speaker Turner: "We'll do that in one moment. Representative Morrison."

Morrison: "Thank you, Mr. Speaker. It is with sadness today that I report the passing of a former Member of the Illinois General Assembly. Former State Representative Bob Bergman, who represented my district, passed away last Friday. He was proud to serve in Springfield. It was one of the proudest moments of his life. In fact, he has stated that it is his wish that the state seal be on his tombstone. That's how much he thought of our state and our district. He had a passion for politics, he always believed in doing what was right, and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

even in his final days he was texting his friends about his ideas for pension reform. He was an endless source of research. You always wanted Bob on your side because if he opposed you, you knew it, you heard about it. And that's because he had deep convictions for what he believed. He loved this country. He was a lover of history. In fact even as he was in his hospital room he was reading another book about Abraham Lincoln. And although he was a Republican, he was fascinated with President Lyndon Johnson, who mastered the rules of the U.S. Senate. Despite their Party, when Bob heard of someone struggling with any illness he always had compassion for them. He understood their troubles and he often sent cards. When Bob was here in the General Assembly he went through a very, very severe personal crisis, but out of that had an incredible spiritual awakening. And despite the troubles that he had went through, he actually found peace. He found discernment and wisdom. He became a very committed believer in Jesus Christ. And I just thought I'd conclude, and again, I just appreciate the Body for giving me this opportunity, but his favorite song is one that I wanted to read. It was a song by Jeremy Camp and it's titled, There Will Be a Day. It goes like this: 'I try to hold on to this world with everything I have but I feel the weight of what it brings and the hurt that tries to grab the many trials that never seem to end. But His word declares this truth, that we will enter into this rest with wonders anew. I hold on to this hope and the promise that He brings that there will be a place with no more suffering. I can't wait until that day, when the very one I've lived for always will wipe away the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

sorrow that I've faced. To touch the scars that rescued me from a life of shame and misery, this is why, this is why I sing. There will be a day with no more tears, no more pain, and no more fears. There will be a day when the burdens of this place will be no more. We'll see Jesus face to face. But until that day, we'll hold on to You always.' May Representative Bergman rest in peace."

Speaker Turner: "The Body will take a moment of silence for Representative Bergman and Representative Hoffman's mother. Thank you. And now, allowing perfunctory time for the Clerk, Representative Currie moves that we adjourn Session to the call of the Speaker. All in favor say 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House is adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 3755, offered by Representative Lang, a Bill for an Act concerning civil law. House Bill 3756, offered by Representative Ford, a Bill for an Act concerning criminal law. House Bill 3757, offered by Representative Christian Mitchell, a Bill for an Act concerning public aid. House Bill 3758, offered by Representative Cabello, a Bill for an Act concerning government. House Bill 3759, offered by Representative Cabello, a Bill for an Act concerning local government. House Bill 3760, offered by Representative Franks, a Bill for an Act concerning public employee benefits, which may be referred to as The Retirement Means Retirement Act. House Bill 3761, offered by Representative Ford, a Bill for an Act concerning children. House Bill 3762, offered by

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

80th Legislative Day

12/3/2013

Representative Franks, a Bill for an Act concerning safety. House Bill 3763, offered by Representative Walsh, a Bill for an Act concerning education. House Bill 3764, offered by Representative Scherer, a Bill for an Act concerning appropriations. House Bill 3765, offered by Representative McAuliffe, a Bill for an Act concerning health. These are referred to the Rules Committee. Introduction of Resolutions. House Resolution 699, offered by Representative Cross. House Resolution 700, offered by Representative Arroyo. House Resolution 702, offered by Representative McSweeney. House Resolution 707, offered by Representative Moylan. And House Resolution 708, offered by Representative Chapa LaVia are referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."