

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

104th Legislative Day

3/6/2014

Speaker Turner: "Ladies and Gentlemen, Members are asked to be at their seats. We shall be led in prayer today by Reverend Greg Breeden who is with Shelbyville Church of Nazarene in Shelbyville, Illinois. Reverend Breeden is the guest of Representative Halbbrook. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and Pledge of Allegiance."

Pastor Breeden: "Will you join me in prayer? Our Heavenly Father, we come before You seeking Your will. Your words tell us if anyone lacks wisdom, he should ask God, and so we're asking, Lord, for wisdom today. And Your word tell us that the way that seems right to man can lead to death. Help us to find Your way. Jesus, You taught us to pray that Your will would be done here on earth just like it is on Heaven. And so I ask that Your will would be done here. Would You bless this house? Would You bless every person that has the responsibility and privilege to be leaders? Would You cause our minds to be clear and quick? Help today, Lord Jesus, that we would show the love and compassion that You showed and stand for righteousness as you did. Thank you for this opportunity. We praise You. In Your name, I pray, Jesus, Amen."

Speaker Turner: "Shall be led in Pledge of Allegiance today by Representative Yingling."

Yingling - 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 Turner: "Roll Call for Attendance. Representative Currie."

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

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Rep... Representatives Ives, Morrison, Osmond, and Schmitz are excused on the Republican side of the aisle today."

Speaker Turner: "Mr. Clerk, please take the record. On a count of 108 present, a quorum is establish. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 06, 2014: recommends be adopted for the Floor is Floor Amendment #1 to House Bill 2946, Floor Amendment #2 to House Bill 3635, Floor Amendment #1 to House Bill 3707, Floor Amendment #1 to House Bill 3721, Floor Amendment #1 House Bill 4381, Floor Amendment #1 to House Bill 5512, Floor Amendment #2 to House Bill 5824. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on March 05, 2014: do pass Short Debate is House Bill 5485, House Bill 5563, House Bill 5935. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on March 05, 2014: do pass Short Debate is House Bill 4557, House Bill 5433, House Bill 5438, House Bill 5585; do pass as amended Short Debate is House Bill 5632; recommends be adopted is the Motion to Concur with Senate Amendment #1 to House Bill 1040. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on March 05, 2014: do pass

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Short Debate is House Bill 3724; do pass as amended Short Debate is House Bill 3754. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on March 05, 2014: do pass Short Debate is House Bill 5936. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken on March 05, 2014: do pass Short Debate is House Bill 4284, House Bill 5678, House Bill 5681. Representative Jackson, Chairperson from the Committee on Counties & Townships reports the following committee action taken on March 06, 2014: do pass Short Debate is House Bill 5503, House Bill 5812. Representative Chapa LaVia, Chairperson from the Committee on Veterans' Affairs reports the following committee action taken on March 06, 2014: recommends be adopted is House Resolution 804. Representative Riley, Chairperson from the Committee on Mass Transit reports the following committee action taken on March 06, 2014: do pass as amended Short Debate is House Bill 3659. Representative Mayfield, Chairperson from the Committee on Public Safety: Police & Fire reports the following committee action taken on March 06, 2014: do pass Short Debate is House Bill 5856, House Bill 5864. Representative Nekritz, Chairperson from the Committee on Personnel and Pensions reports the following committee action taken on March 06, 2014: do pass Short Debate is House Bill 5339. Representative Golar, Chairperson from the Committee on Housing reports the following committee action taken on March 06, 2014: do pass Short Debate is House Bill 5938. Representative Ford, Chairperson from the Committee on

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Restorative Justice reports the following committee action taken on March 06, 2014: do pass Short Debate is House Bill 4283. Introduction of Resolutions. House Resolution 894, offered by Representative Mayfield. House Resolution 895, offered by Representative Chapa LaVia. House Resolution 896, offered by Representative Lilly. House Resolution 897, offered by Representative Lilly. House Resolution 898, offered by Representative Franks. House Resolution 899, offered by Representative Evans. House Resolution 900, offered by Representative Ford. And House Joint Resolution 85, offered by Representative Gabel."

Speaker Turner: "Representative Rosenthal, for what reason do you seek recognition?"

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

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

Rosenthal: "Thank you. Chamber, I would like to introduce today we have Miss Illinois County Fair with us up in the gallery. The... the reigning Miss Illinois County Fair Queen is Summer Robbins of Coffeen. She represented the Montgomery County Fair at the annual page during the 104th Illinois Associa... Association of Agriculture Fairs convention in January. And as the 55th Miss Illinois County Fair Queen, Robbins will be the official hostess of the Illinois and Du Quoin State Fairs. She will also travel throughout the state this summer to promote county fairs and state fairs. Summer is the daughter of Rick and Julie Robins, she's a student at the University of Illinois and plans to attend law school and practice corporate law when she's completed. And Summer has raised thousands of dollar for our wounded war groups and organize

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the 5k run for the Wounded Warrior Amputee Softball Team and I'd like to welcome her to Springfield to the Capitol. Thank you."

Speaker Turner: "Congratulations and welcome to your Capitol. Representative Chapa LaVia, for what reason do you seek recognition?"

Chapa LaVia: "Tha... Thank you, Speaker. And boy, you look so handsome up there."

Speaker Turner: "Representative."

Chapa LaVia: "So handsome. So handsome and single. And single everybody in the United States. I just want remind people, being the vice-chair with Representative Moffitt on the Retrofit, you know, we're going to gone for ten days, so at least those that are... we have over 62 people now enlisted in our program and while you're gone, just think ten, ten, two. Ten days, ten thousand steps, under two thousand calories. Okay. Just think about those. Those are really easy steps. And we can wait to get back and start our programs on how we are going to get fit. So, I love you all and I want you to have a great, great life. How many steps? Twelve thousand steps, right here today. Today. Whew, Jack."

Speaker Turner: "Thank you, Representative. Representative Verschoore, for what reason do you seek recognition?"

Verschoore: "A point of personal privilege."

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

Verschoore: "I and my good friend, Don Moffitt, Representative Moffitt, want to... wanted to welcome all the Future Farmers of America here today and thank them for coming down and visiting

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us and for all the good work that they do. And Representative Moffitt would like to say a few words."

Moffitt: "We also want to take this opportunity on Ag Day to thank all the ag commodity groups, all the agriculture organizations. They had a... a nice breakfast over at the State House Inn. They've been to call on Legislators today. But agriculture's our number one industry in the State of Illinois, and will stay number one with... with the great people we have in agriculture, the great organizations. And I tell you, if you ever wondered about the... the future of this country, just sit and talk, meet these FFA members and you'll understand that the future looks real bright with them coming on. So, we thank everyone for involvement with Ag Day, and it's a pleasure to be on the Ag Committee and be spokesperson with my good friend Chairman Verschoore. Thank you."

Speaker Turner: "Thank you, Representative. Representative Franks, for what reason do you seek recognition?"

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

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

Franks: "Echoing my colleagues, welcoming the members of the FFA, we have some special guests from Marengo, my hometown. The Marengo High School FFA is here and we appreciate you being here and want to give them a nice warm Springfield welcome."

Speaker Turner: "Thank you and welcome to your Capitol. Representative Stewart, for what reason do you seek recognition?"

Stewart: "Point of personal privilege."

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

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Stewart: "Thank you, Mr. Speaker. Today, I'd like recognize and welcome to the General Assembly, Stevenson County State's Attorney John Vogt and Stevenson County Board Chairman Bill Hadley who's in the gallery today."

Speaker Turner: "Thank you and welcome to your Capitol. Representative Demmer, for reason do you seek recognition?"

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

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

Demmer: "I'd like to welcome to Springfield, a constituent and the member of my agriculture advisory committee, Roy Plote, who's down here visiting us today on behalf of the Illinois State Grange. Welcome to Springfield."

Speaker Turner: "Thank you and welcome to your Capitol. Members beginning on page 3 of the Calendar, under the Order of House Bills on Second Reading, we have House Bill 3... 3681, Representative Lang. Representative Lang. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 3681, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 3685, Representative Hoffman. Out of the record. House Bill 4235, Representative Kelly Burke. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4235, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions are filed."

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Speaker Turner: "Third Reading. House Bill 4237, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4237, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note, Home Rule note and state mandates note has been requested but not filed at this time."

Speaker Turner: "Mr. Clerk, please hold that Bill on the Order of Second Reading. House Bill 4303, Representative Wheeler. Out of the record. House Bill 4395, Representative Beiser. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4395, a Bill for an Act concerning land. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 4440, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4440, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 4581, Representative Fortner. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4581, a Bill for an Act concerning election. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 4716, Representative Nekritz. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4716, a Bill for an Act concerning local government. Second Reading of this House Bill."

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Amendment #1 was adopted in committee. No Floor Amendments.
No Motions are filed."

Speaker Turner: "Third Reading. House Bill 5468, Representative Meier. Out of the record. House Bill 5486, Representative McAuliffe. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 5486, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 5619, Representative Fortner. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 5619, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 5911, Representative Pritchard. Representative Pritchard. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 5911, a Bill for an Act concerning wildlife. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: Third Reading. Representative Harms, for what reason do you seek recognition?"

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

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

Harms: "Behind me, in the gallery today, is our current FFA President Sam Detwiler, back here, if we could take a moment and welcome him to his Capitol."

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Speaker Turner: "Thank you and welcome you to your Capitol. Representative Bill Mitchell, for what reason do you seek recognition?"

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

Speaker Turner: "Please state your point, Representative

Mitchell: "Up in the gallery I've noticed I have got some of... of FFA members from my home school district of Maroa-Forsyth. So, if they would stand up. So, welcome to the Illinois House appreciate your visit today. Thank you."

Speaker Turner: "Thank you and welcome to your Capitol. On page 7, under the Order of Resolutions, we have House Resolution 780, Representative Brauer."

Brauer: "Thank you, Mr. Speaker. This is just to create an awareness with the students. I'd appreciate an 'aye' vote."

Speaker Turner: "Gentleman moves for the adoption of House Resolution 780. All in favor say 'aye'; all opposed say 'nay.' In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 893, offered by Representative Flowers. And House Resolution 901, offered by Representative Ford."

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 and the Resolutions are adopted. Representative Currie."

Currie: "Thank you. Please let the record reflect that Representative Acevedo is excused for the remainder of the day."

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Speaker Turner: "The record will reflect your request. Mr. Clerk, on the Order of Concurrence, we have House Bill 1040, Representative Tryon. Please read the Bill. Representative Tryon."

Tryon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1040 was a Bill that was passed last year over to the Senate, and as you are aware, in 2010 Illinois was one of the first states to create an online transparency portal that put all expenditures and all state agencies contracts and any information that has to do with the finances of the State of Illinois online. That's been managed by CMS. The term in the original Bill was that the information would be put online when it's available. That hasn't been at a manner that's been fast enough for some of our agencies, and this would move that out of CMS and under the Office of the Governor... Governor. And each agency would have to put together a transparency access plan and implemented it. That would be approved by the Governor's Office. So, if there's... I would urge an 'aye' vote on the concurrence. If there's any questions, I'd be glad to answer them."

Speaker Turner: "Seeing no debate, the question is, 'Shall the House Concur in Senate Amendment #3 to House Bill 1040?' This is final action. All those in favor signify by voting 'aye'; all opposed signify by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On the count 107 voting 'yes', 0 voting 'no', and 0 voting 'present', the House Concurs with the Senate Amendment #3 to House Bill 1040. And this Bill, having received the Constitutional

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Majority, is hereby declared passed. And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House adjourn 'til Wednesday, March 19 at the hour of 12 noon. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And House is adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 6012, offered by Representative Fine, a Bill for an Act concerning transportation. First Reading of this House Bill. Instruction and First Reading of Senate Bills. Senate Bill 1941, offered by Representative McAuliffe, a Bill for an Act concerning business. Senate Bill 2608, offered by Representative Brady, a Bill for an Act concerning regulation. Senate Bill 2633, offered by Representative Mautino, a Bill for an Act concerning State Government. Senate Bill 2648, offered by Representative Franks, a Bill for an Act concerning employment. Senate Bill 2656, offered by Representative Sims, a Bill for an Act concerning civil law. Senate Bill 2728, offered by Representative Jakobsson, a Bill for an Act concerning education. Senate Bill 2729, offered by Representative Jakobsson, a Bill for an Act concerning education. Senate Bill 29... Correction. Senate Bill 2814, offered by Representative Sosnowski, a Bill for an Act concerning local government. Senate Bill 2912, offered by Representative Anthony, a Bill for an Act concerning criminal law. Senate Bill 2933, offered by Representative Gordon-Booth, a Bill for an Act concerning public employee benefits. Senate Bill 2937, offered by Representative Williams, a Bill

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for an Act concerning criminal law. Senate Bill 2968, offered by Representative Jackson, a Bill for an Act concerning regulation. Senate Bill 2980, offered by Representative Stewart, a Bill for an Act concerning local government. Senate Bill 3008, offered by Representative Hammond, a Bill for an Act concerning revenue. Senate Bill 3009, offered by Representative Feigenholtz, a Bill for an Act concerning regulation. Senate Bill 3027, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 3028, offered by Representative Lang, a Bill for an Act concerning regulation. Senate Bill 3036, offered by Representative Verschoore, a Bill for an Act concerning revenue. Senate Bill 3057, offered by Representative Kosel, a Bill for an Act concerning civil law. Senate Bill 3222, offered by Representative Rosenthal, a Bill for an Act concerning State government. Senate Bill 3290, offered by Representative Walsh, a Bill for an Act concerning civil law. Senate Bill 3387, offered by Representative Chapa LaVia, a Bill for an Act concerning local government. First Reading of these Senate Bills."

Clerk Bolin: "Introduction and First Reading in full of Joint Resolution Constitutional Amendment... House Joint Resolution Constitutional Amendment #50, offered by Representative Kosel.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH 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

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of this resolution a proposition to amend the Illinois Constitution by changing Section 6 of Article 4 as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 6. ORGANIZATION

(a) A majority of the members elected to each house constitutes a quorum.

(b) On the first day of the January session of the General Assembly in odd-numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer. A person shall not serve more than a total of 8 years in the office of the Speaker of the House of Representatives, President of the Senate, Minority Leader of the House of Representatives, Minority Leader of the Senate, Majority Leader in the House of Representatives, Assistant Majority Leader in the Senate, Assistant Minority Leader in the Senate, Assistant Majority Leader in the House of Representatives, Assistant Minority Leader in the House of Representatives, Deputy Majority Leader in the House of Representatives, Deputy Minority Leader in the House of Representatives, Majority Caucus Chairman in the Senate, Minority Caucus Chairman in the Senate, Majority Conference Chairman in the House of Representatives, and the Minority Conference Chairman in the House of Representatives; provided that service before the second Wednesday in January of 2015

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shall not be considered in the calculation of a person's service.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be.

(d) Each house shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by either house, except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. Each house may punish by imprisonment any person, not a member, guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the First Reading in full of House Joint Resolution Constitutional Amendment #50. There being no further business, the House Perfunctory Session will stand adjourned."