

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

3rd Legislative Day

1/23/2015

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 217, offered by Representative Cassidy, a Bill for an Act concerning regulation. House Bill 218, offered by Representative Cassidy, a Bill for an Act concerning criminal law. House Bill 219, offered by Representative Chapa LaVia, a Bill for an Act concerning local government. House Bill 220, offered by Representative Moffitt, a Bill for an Act concerning local government. House Bill 221, offered by Representative Christian Mitchell, a Bill for an Act concerning officer-involved deaths. House Bill 222, offered by Representative Mautino, a Bill for an Act concerning appropriations. House Bill 223, offered by Representative Pritchard, a Bill for an Act concerning education. House Bill 224, offered by Representative Cavaletto, a Bill for an Act concerning criminal law. House Bill 225, offered by Representative Cavaletto, a Bill for an Act concerning State government. House Bill 226, offered by Representative Cavaletto, a Bill for an Act concerning education. House Bill 227, offered by Representative Fine, a Bill for an Act concerning transportation. House Bill 228, offered by Representative Franks, a Bill for an Act concerning State government. House Bill 229, offered by Representative Franks, a Bill for an Act concerning local government. House Bill 230, offered by Representative Franks, a Bill for an Act concerning revenue. House Bill 231, offered by Representative Flowers, a Bill for an Act concerning appropriations. House Bill 232, offered by Representative Bradley, a Bill for an Act concerning transportation. House Bill 233, offered by

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Representative Brady, a Bill for an Act concerning local government. House Bill 234, offered by Representative Verschoore, a Bill for an Act concerning agriculture. House Bill 235, offered by Representative Fine, a Bill for an Act concerning insurance. House Bill 236, offered by Representative Yingling, a Bill for an Act concerning revenue. House Bill 237, offered by Representative Yingling, a Bill for an Act concerning revenue. House Bill 238, offered by Representative Yingling, a Bill for an Act concerning revenue. House Bill 239, offered by Representative Yingling, a Bill for an Act concerning public employee benefits. House Bill 240, offered by Representative Greg Harris, a Bill for an Act concerning revenue. House Bill 241, offered by Representative Mautino, a Bill for an Act concerning appropriations. House Bill 242, offered by Representative Willis, a Bill for an Act concerning criminal law. House Bill 243, offered Representative Franks, a Bill for an Act concerning revenue. House Bill 244, offered by Representative Bradley, a Bill for an Act concerning transportation. House Bill 245, offered by Representative Zalewski, a Bill for an Act concerning local government. House Bill 246, offered by Representative Stewart, a Bill for an Act concerning government. House Bill 247, offered by Representative Willis, a Bill for an Act concerning criminal law. House Bill 248, offered by Representative Kay, a Bill for an Act concerning government. House Bill 249, offered by Representative Kay, a Bill for an Act concerning health. House Bill 250, offered by Representative Wehrli, a Bill for an Act concerning safety. House Bill 251, offered by Representative Sosnowski, a Bill

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for an Act concerning education. House Bill 252, offered by Representative Sosnowski, a Bill for an Act concerning government. House Bill 253, offered by Representative Sosnowski, a Bill for an Act concerning public employee benefits. House Bill 254, offered by Representative Sosnowski, a Bill for an Act concerning public employee benefits. House Bill 255, offered by Representative Sosnowski, a Bill for an Act concerning education. House Bill 256, offered by Representative Sosnowski, a Bill for an Act concerning limited liability companies. House Bill 257, offered by Representative Franks, a Bill for an Act concerning elections. House Bill 258, offered by Representative Sosnowski, a Bill for an Act concerning State government. House Bill 259, offered by Representative Sosnowski, a Bill for an Act concerning gaming. House Bill 260, offered by Representative Sosnowski, a Bill for an Act concerning revenue. House Bill 261, offered by Representative Sosnowski, a Bill for an Act concerning notices. House Bill 262, offered by Representative Sosnowski, a Bill for an Act concerning elections. House Bill 263, offered by Representative Sosnowski, a Bill for an Act concerning local government. House Bill 264, offered by Representative Sosnowski, a Bill for an Act concerning local government. House Bill 265, offered by Representative Manley, a Bill for an Act concerning criminal law. House Bill 266, offered by Representative Manley, a Bill for an Act concerning criminal law, which may be referred to as Eric's Law. House Bill 267, offered by Representative Manley, a Bill for an Act concerning revenue. House Bill 268, offered by Representative Manley, a Bill for

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an Act concerning State government. House Bill 269, offered by Representative Manley, a Bill for an Act concerning criminal law. House Bill 270, offered by Representative Verschoore, a Bill for an Act concerning public aid. First Reading of these House Bills. First Reading of House Joint Resolution Constitutional Amendment #8, offered by Representative Christian Mitchell.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 Section 3 of Article IX of the Illinois Constitution as follows:

ARTICLE IX

REVENUE

SECTION 3. LIMITATIONS ON INCOME TAXATION

- (a) There may be one tax on the income of individuals and corporations. This may be a fair tax where lower rates apply to lower income levels and higher rates apply to higher income levels. No government other than the State may impose a tax on or measured by income.
- (b) Laws imposing taxes on or measured by income may adopt by reference provisions of the laws and regulations of the United States, as they then exist or thereafter may be changed, for the purpose of arriving at the amount of income upon which the tax is imposed.

SCHEDULE

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This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This was First Reading in full of House Joint Resolution Constitutional Amendment #8. First Reading of House Joint Resolution Constitutional Amendment #9, offered by Representative Sosnowski.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 Section 5 of Article XIII of the Illinois Constitution as follows:

ARTICLE XIII

GENERAL PROVISIONS

SECTION 5. PENSION AND RETIREMENT RIGHTS (REPEALED)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been First Reading in full of House Joint Resolution Constitutional Amendment #9. First Reading of House Joint Resolution Constitutional Amendment #10, offered by Representative Sosnowski.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 the Illinois

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Constitution by adding Section 2.5 to Article IV and by changing Section 2 of Article 5 as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 2.5. TERM LIMITS

A person may not hold the office of State Senator or State Representative or a combination of those offices for more than 20 years; provided that service before the second Wednesday in January of 2017 shall not be considered in the calculation of a person's service.

ARTICLE V

THE EXECUTIVE

SECTION 2. TERMS

(a) These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and, except in the case of the Lieutenant Governor, until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter.

(b) A person may not serve more than 2 consecutive terms of office within the same Executive Branch office. A person who has served 2 consecutive terms within the same Executive Branch office may not serve another term of office in that office until 8 years after the conclusion of the person's second consecutive term. A person is considered to serve a term of office for the purpose of this subsection if the person is elected or appointed to serve any portion of the term.

SCHEDULE

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This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to the election of officers of the executive branch in 2018 and thereafter. This has been First Reading in full of House Joint Resolution Constitutional Amendment #10. First Reading of House Joint Resolution Constitutional Amendment #11, offered by Representative Franks.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 V of the Illinois Constitution by changing Sections 1, 3, 7, and 18 and by repealing Section 17 as follows:

ARTICLE V

THE EXECUTIVE

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Lieutenant Governor, Attorney General, Secretary of State, and Comptroller of the Treasury elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.

SECTION 3. ELIGIBILITY

To be eligible to hold the office of Governor, Lieutenant Governor, Attorney General, Secretary of State, or Comptroller of the Treasury, a person must be a United States

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citizen, at least 25 years old, and a resident of this State for the three years preceding his or her election.

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

If the Attorney General, Secretary of State, or Comptroller of the Treasury fails to qualify or if the office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor. If the Lieutenant Governor fails to qualify or if the office becomes vacant, it shall remain vacant until the end of the term.

SECTION 17. COMPTROLLER - DUTIES (REP.)

SECTION 18. COMPTROLLER OF THE TREASURY - DUTIES

The Comptroller of the Treasury, in accordance with law, shall (i) maintain the State's central fiscal accounts, and order payments into and out of the funds held by him or her, (ii) be responsible for the safekeeping and investment of monies and securities deposited with him or her, and for their disbursement upon his or her order, and (iii) have the duties and powers that may be prescribed by law.

SCHEDULE

A Comptroller of the Treasury, but not a Comptroller or Treasurer, shall be elected in 2018 and thereafter. This Constitutional Amendment otherwise takes effect upon the conclusion of the terms of the Comptroller and the Treasurer elected in 2014. This has been the First Reading in full of House Joint Resolution Constitutional Amendment #11. First

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Reading of House Joint Resolution Constitutional Amendment #12, offered by Representative Franks.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH 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 V of the Illinois Constitution by changing Sections 1, 2, 3, 6, and 7 and by repealing Sections 4 and 14 as follows:

ARTICLE V

THE EXECUTIVE

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Attorney General, Secretary of State, Comptroller and Treasurer elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.

SECTION 2. TERMS

These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter.

SECTION 3. ELIGIBILITY

To be eligible to hold the office of Governor, Attorney General, Secretary of State, Comptroller or Treasurer, a person must be a United States citizen, at least 25 years

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old, and a resident of this State for the three years preceding his or her election.

SECTION 4. JOINT ELECTION (REP.)

SECTION 6. GUBERNATORIAL SUCCESSION

(a) In the event of a vacancy, the order of succession to the office of Governor or to the position of Acting Governor shall be the elected Attorney General, the elected Secretary of State, and then as provided by law.

(b) If the Governor is unable to serve because of death, conviction on impeachment, failure to qualify, resignation or other disability, the office of Governor shall be filled by the officer next in line of succession for the remainder of the term or until the disability is removed.

(c) Whenever the Governor determines that he may be seriously impeded in the exercise of his or her powers, he or she shall so notify the Secretary of State and the officer next in line of succession. The latter shall thereafter become Acting Governor with the duties and powers of Governor. When the Governor is prepared to resume office, he or she shall do so by notifying the Secretary of State and the Acting Governor.

(d) The General Assembly by law shall specify by whom and by what procedures the ability of the Governor to serve or to resume office may be questioned and determined. The Supreme Court shall have original and exclusive jurisdiction to review such a law and any such determination and, in the absence of such a law, shall make the determination under such rules as it may adopt.

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

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If the Attorney General, Secretary of State, Comptroller or Treasurer fails to qualify or if his or her office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor.

SECTION 14. LIEUTENANT GOVERNOR - DUTIES (REP.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies beginning with the term of office otherwise commencing in 2019. This has been First Reading in full of House Joint Resolution Constitutional Amendment #12. There being no further business, the House Perfunctory Session will stand adjourned."