

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

ONE HUNDREDTH GENERAL ASSEMBLY

77TH LEGISLATIVE DAY

PERFUNCTORY SESSION

THURSDAY, OCTOBER 12, 2017

2:33 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
77th Legislative Day**

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NOTE: Full text of Amendments will not be included in House Journals from the 97th GA forward; they can be viewed on the Illinois General Assembly website (www.ilga.gov). For inquiries regarding this, please contact the House Clerk’s office.

The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

RESIGNATIONS AND APPOINTMENTS

September 28, 2017

Hon. Timothy D. Mapes
Clerk of the Illinois House of
Representatives
Room 420 State Capitol
Springfield IL 62706

Hon David D. Orr
Cook County Clerk
69 W. Washington, 5th Floor
Chicago, IL 60602

Hon. Michael J. Madigan
Speaker of the House
Room 316 State Capitol
Springfield, IL 62706

Hon. Mark Walker
Wheeling Township Democrat
Committeeman
1310 W. Northwest Hwy
Arlington Heights, IL 60004

Hon Jim Durkin
House Republican Leader
Room 300 State Capitol
Springfield, IL 62706

Hon. Matt Flamm
Wheeling Township Democratic
Committeeman
1310 W. Northwest Hwy
Arlington Heights, IL 60004

Hon. Jesse White
Illinois Secretary of State
Room 213 State Capitol
Springfield, IL 62706

Hon. Michael Kreloff
Northfield Township Democratic
Committeeman
1926 Waukegan. Ste. 310
Glenview, IL 60025

Hon. William J. Cadigan, Chair
Illinois State Board of Elections
100 W. Randolph, Suite 14-100
Chicago, Illinois 60601

Hon. Terry Link
Lake County Democratic County Chairman
1001 North Ave.
Waukegan, IL 60085

Sirs:

As the duly elected Representative in the General Assembly from the 57th Representative District of Illinois for the 100th General Assembly, I hereby resign my elected office, effective October 2, 2017, at 5pm. Thank you.

s/Elaine Nekritz
Elaine Nekritz

CERTIFICATE OF ORGANIZATION

Democratic Representative Committee for the

57th Representative District, State of Illinois

This is to certify that, in accordance with Section 8-5 of the Illinois Election Code, the Democratic Representative Committee of the 57th Representative District of the State of Illinois met on the 3rd day of October, 2017, in the municipality of Northbrook, County of Cook and within the 57th Representative District of the State of Illinois, and organized by electing the following officers:

Mark L. Walker
CHAIRMAN

645 S. Boston Place, Arlington Heights, IL 60005
ADDRESS

Tracy Katz Muhl (Proxy)
SECRETARY

234 Powder Horn Dr., Northbrook, IL 60062
ADDRESS

Signed: s/Mark L. Walker
CHAIRMAN

Attest: s/Tracy Katz Muhl
SECRETARY

**CERTIFICATE OF APPOINTMENT TO FILL VACANCY IN THE
OFFICE OF REPRESENTATIVE IN THE GENERAL ASSEMBLY**

WHEREAS, a vacancy currently exists in the office of Representative in the General Assembly from the 57th Representative District of the State of Illinois, by reason of the resignation of Representative Elaine Nekritz on October 2, 2017; and

WHEREAS, the Democratic Representative Committee of the 57th Representative District has declared the existence of a vacancy in said office and has voted to fill the vacancy in accordance with Section 25-6 of the Election Code; and

WHEREAS, at a meeting of the Democratic Representative Committee of the 57th Representative District on October 3, 2017, Jonathan Carroll, who resides at 3236 Prestwick, Northbrook, Illinois 60062, in the 57th Representative District of the State of Illinois, received the required number of votes for appointment to fill the vacancy in office, pursuant to Section 25-6 of the Election Code; therefore

BE IT RESOLVED, on this 3rd day of October, 2017, that the Democratic Representative Committee of the 57th Representative District of the State of Illinois hereby appoints Jonathan Carroll, who resides at 3236 Prestwick, Northbrook, Illinois 60062, in the 57th Representative District of the State of Illinois, who is eligible to serve as a member of the General Assembly, and who is a member of the Democratic Party, as the Representative in the General Assembly from the 57th Representative District of the State of Illinois for the remainder of the term.

s/Mark L. Walker
Committeeman, Democratic Representative
Committee for the 57th Representative District

s/Tracy Katz Muhl
Committeeman, Democratic Representative
Committee for the 57th Representative District

State of Illinois)
)
County of Cook)

Subscribed and sworn to before me on this 3rd day of October, 2017.

s/Tiffany Moy

Notary Public

OATH OF OFFICE

State of Illinois)
)
County of Cook)

I, Jonathan Carroll, do solemnly swear and affirm that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and I will faithfully discharge the duties of the office of Representative in the General Assembly for the 57th Representative District of the State of Illinois to the best of my ability.

Signed: s/Jonathan Carroll

Date: 10/3/17

Subscribed and Sworn to before me on this 3rd day of October, 2017.

s/Tiffany Moy
Notary Public

September 1, 2017

Honorable Michael J. Madigan
Speaker, Illinois House of Representatives
300 Capitol Building
Springfield, Illinois 62706

Honorable Timothy D. Mapes
Clerk of the House
300 Capitol Building
Springfield, Illinois 62706

Dear Speaker Madigan and Clerk Mapes:

Effective end of day today, I am vacating my seat in the Illinois General Assembly. It has been my honor to serve the people of the 118th District as their state representative.

Sincerely yours,

s/Brandon W. Phelps
Brandon W. Phelps

CERTIFICATE OF ORGANIZATION

Democratic Representative Committee for the

118th Representative District, State of Illinois

This is to certify that, in accordance with Section 8-5 of the Illinois Election Code, the Democratic Representative Committee of the 118th Representative District of the State of Illinois met on September 6, 2017, and organized by electing the following officers:

Bob Oglesby
CHAIRMAN

2780 Hamburg Rd. Galatia, IL 62935
ADDRESS

Michael Barone
SECRETARY

24890 Highway 3 Rockwood, IL 62280
ADDRESS

Signed: s/Bob Oglesby
CHAIRMAN

Attest: s/Michael Barone
SECRETARY

**CERTIFICATE OF APPOINTMENT TO FILL VACANCY IN THE
OFFICE OF REPRESENTATIVE IN THE GENERAL ASSEMBLY**

WHEREAS, a vacancy currently exists in the office of Representative in the General Assembly from the 118th Representative District of the State of Illinois, by reason of the resignation of Representative Brandon Phelps; and

WHEREAS, the Democratic Representative Committee of the 118th Representative District has declared the existence of a vacancy in said office and has voted to fill the vacancy in accordance with Section 25-6 of the Election Code; and

WHEREAS, at a meeting of the Democratic Representative Committee of the 118th Representative District on September 6, 2017, Natalie Ann Finnie, who resides at RR 2, Box 127, Elizabethtown, Illinois 62931 in the 118th Representative District of the State of Illinois, received the required number of votes for appointment to fill the vacancy in office, pursuant to Section 25-6 of the Election Code; therefore

BE IT RESOLVED, that the Democratic Representative Committee of the 118th Representative District of the State of Illinois hereby appoints Natalie Ann Finnie, who resides at RR 2, Box 127, Elizabethtown, Illinois 62931 in the 118th Representative District of the State of Illinois, who is eligible to serve as a member of the General Assembly, and who is a member of the Democratic Party, as the Representative in the General Assembly from the 118th Representative District of the State of Illinois for the remainder of the term.

s/Hugh David Scates
Committeeman, Democratic Representative
Committee for the 118th Representative District

s/Jeff Mears
Committeeman, Democratic Representative
Committee for the 118th Representative District

s/Roger E. Kerley
Committeeman, Democratic Representative
Committee for the 118th Representative District

s/Teresa Vincent
Committeeman, Democratic Representative
Committee for the 118th Representative District

s/Jeff Stafford
Committeeman, Democratic Representative
Committee for the 118th Representative District

s/Michael Barone
Committeeman, Democratic Representative
Committee for the 118th Representative District

[October 12, 2017]

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I, Natalie Ann Finnie, do solemnly swear and affirm that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and I will faithfully discharge the duties of the office of Representative in the General Assembly for the 118th Representative District of the State of Illinois to the best of my ability.

Signed: s/Natalie Ann Finnie

Date: 9/6/17

Subscribed and Sworn to before me on this 6th day of September, 2017.

s/Paul W. Lamar, Circuit Judge
Judge

LETTERS OF TRANSMITTAL

October 3, 2017

Timothy D. Mapes
Clerk of the House
HOUSE OF REPRESENTATIVES
420 Capitol Building
Springfield, IL 62706

Dear Mr. Clerk:

Please be advised that I have appointed the following members to the House Majority Leadership for the 100th General Assembly.

Representative Greg Harris, Assistant Majority Leader
Representative Jay Hoffman, Conference Chairman

These appointments are effective immediately.

With kindest personal regards, I remain

Sincerely yours,

s/Michael J. Madigan
MICHAEL J. MADIGAN
Speaker of the House

October 12, 2017

Tim Mapes
Chief Clerk of the House
300 State House

Springfield, IL 62706

Dear Clerk Mapes:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session on Thursday, October 12, 2017.**

With kindest personal regards, I remain

Sincerely yours,

s/Michael J. Madigan
MICHAEL J. MADIGAN
 Speaker of the House

TEMPORARY COMMITTEE ASSIGNMENTS FOR COMMITTEES NOT REPORTING

Representative Welch replaced Representative Soto in the Committee on Human Services on August 31, 2017.

Representative Ford replaced Representative Cassidy in the Committee on Human Services on August 31, 2017.

Representative Turner replaced Representative Andrade in the Committee on Human Services on August 31, 2017.

Representative Greg Harris replaced Representative Gabel in the Committee on Human Services on August 31, 2017.

Representative Welch replaced Representative Scherer in the Committee on Elementary & Secondary Education: School Curriculum & Policies on October 2, 2017.

Representative Ford replaced Representative Manley in the Committee on Mental Health on October 2, 2017.

REPORT FROM STANDING COMMITTEES

Representative Gabel, Chairperson, from the Committee on Human Services to which the following were referred, action taken on August 31, 2017, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
 Amendment No. 1 to SENATE BILL 1707.

The committee roll call vote on Amendment No. 1 to Senate Bill 1707 is as follows:
 7, Yeas; 2, Nays; 0, Answering Present.

Y Harris, G.(D), (replacing Gabel)	Y Wallace(D), Vice-Chairperson
A Bellock(R), Republican Spokesperson	Y Turner(D), (replacing Andrade)
Y Ford(D), (replacing Cassidy)	N Demmer(R)
Y Fine(D)	Y Flowers(D)
A Hammond(R)	A Jesiel(R)
N Sauer(R)	Y Welch(D), (replacing Soto)

RE-REFERRED TO THE COMMITTEE ON RULES

On Thursday, September 28, 2017, the following bills were re-referred to the Committee on Rules pursuant to Rule 19(b) HOUSE BILLS 103, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 159, 160, 210, 211, 238, 267, 299, 369, 479, 488, 531, 552, 554, 754, 798, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 1774, 1798, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2401, 2415, 2416, 2421, 2433, 2464, 2545, 2564, 2586, 2594, 2629, 2639, 2648, 2650, 2651, 2668, 2771, 3014, 3051, 3077, 3163, 3222, 3299, 3439, 3440, 3441, 3442, 3523, 3544, 3549, 3553, 3691, 3737, 3864, 3886, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, 3967, 3968, 3969, 3970, 3971, 3972, 3973, 3974, 3975, 3976, 3977, 3978, 3979, 3980, 3981, 3982, 3983, 3984, 3985, 3986, 3987, 3988, 3989, 3990, 3991, 3992, 3993, 3994, 3995, 3996, 3997, 3998, 4008, 4012, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4082 and 4083; SENATE BILLS 7, 14, 32, 193, 402, 482, 484, 521, 770, 772, 868, 1298, 1322 and 1705; HOUSE RESOLUTIONS 4, 27, 28, 29, 31, 38, 54, 61, 75, 110, 112, 114, 116, 120, 123, 133, 135, 139, 145, 148, 191, 212, 222, 235, 326, 358, 473, 479, 481 and 574; HOUSE JOINT RESOLUTIONS 8, 12, 13, 15, 18, 20, 26, 27, 28, 32, 45, 48 and 60; SENATE JOINT RESOLUTION 26.

MOTIONS SUBMITTED

Representative Riley submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE RESOLUTION 574.

VETO MOTIONS SUBMITTED

Representative Crespo submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 3649 do pass, the Veto of the Governor notwithstanding.

Representative Scherer submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 2379 do pass, the Veto of the Governor notwithstanding.

Representative Scherer submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 3298 do pass, the Veto of the Governor notwithstanding.

Representative Davis submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 1797 do pass, the Veto of the Governor notwithstanding.

Representative Willis submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 2778 do pass, the Veto of the Governor notwithstanding.

Representative Wallace submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 3211 do pass, the Governor's Specific Recommendations for Change notwithstanding.

Representative Riley submitted the following written motion, which was placed in the Committee on Rules:

MOTION

I move to accept the specific recommendations of the Governor as to HOUSE BILL 3004 in manner and form as follows:

AMENDMENT TO HOUSE BILL 3004
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 3004 by replacing line 11 on page 9 through line 4 on page 10 with "due or about to become due in Interim Financing Notes."; and

by replacing line 9 on page 24 through line 2 on page 25 with "due or about to become due in Working Cash Notes."; and

by replacing lines 5 through 7 on page 25 with "issuance of notes or other obligations in an amount not to exceed".

Date: 10/10/17

s/Riley

MESSAGES FROM THE SENATE

A message from the Senate by

Mr. Anderson, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title to-wit:

HOUSE BILL NO. 40

A bill for AN ACT concerning abortion.

Passed by the Senate, May 10, 2017.

Tim Anderson, Secretary of the Senate

MESSAGES FROM THE GOVERNOR**OFFICE OF THE SECRETARY OF STATE**

JESSE WHITE – Secretary of State

October 12, 2017

To the Honorable Speaker of the House:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed House Bills from the 100th General Assembly as vetoed by the Governor together with his objections.

HOUSE BILLS

0688
0732
1797
2462
2525
2567
2622
2778
2977
3143
3167
3216
3298
3376
3419
3449
3649
3745
3897

Respectfully,

s/Jesse White
JESSE WHITE
Secretary of State

September 15, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto House Bill 688 from the 100th General Assembly, which creates a mechanism for members of police and firefighter pension funds to transfer service credits between funds.

Many of Illinois' downstate fire and police funds are dangerously underfunded, and some are approaching insolvency. A rising number of retirees, combined with low funding ratios, continues to put pressure on the financial health of local governments. In its current form, this bill will introduce further financial risks. This legislation allows service credits to migrate among the respective funds, which may introduce uncertainty with respect to cashflow management. This bill may also worsen existing unfunded liabilities without comprehensive and foolproof safeguards to assure an appropriate calculation of the true cost for transferring credits. In short, this bill introduces more financial uncertainty to the long-term financial health of these funds and is inappropriate to enact into law.

Illinois is in the midst of a pension crisis that impacts the state as a whole as well as individual local governments. Dramatically underfunded pensions risk the long-term solvency of local governments and put state finances under severe stress, and the underfunding of downstate police and fire pension funds warrants further investigation. In the meantime, the General Assembly should enact pension reforms that mitigate uncertainty and reduce unfunded liabilities. Unfortunately, House Bill 688 increases uncertainty and could contribute to larger unfunded liabilities in local pension funds.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 688, entitled “AN ACT concerning employee benefits”, with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto House Bill 732, which would limit the existing right of business owners to do roofing work on their own property.

No Illinois border state licenses commercial roofing contractors at the state level. This bill would add an unnecessary layer to the existing state regulatory framework.

Professional licenses are sometimes needed to protect public safety, but Illinois’ licensing scheme is outdated, often nonsensical, and out of step with practices in other states. We must broadly examine the circumstances in which a license should be required and the costs and requirements for obtaining a license in order to promote economic growth and reduce professional barriers.

I vetoed similar legislation in the 99th General Assembly, and the reasoning for that action remains as true today as it was then. The General Assembly should work with the Department of Financial and Professional Regulation on comprehensive licensing reform. Until then, changing the scope of work for which a license is needed in a piecemeal fashion – as this bill does – is premature.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 732, entitled “AN ACT concerning regulation,” with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto HB 1797, which would remit the \$15 million debt owed by the Illinois International Port Authority to the State of Illinois. HB 1797 is requesting the State of Illinois absolve the port authority of its debt with no clear plan for future profitability.

Furthermore, the International Port Authority was cited in 2013 by the Illinois Auditor General for numerous findings, indicating reasons for limited profitability through financial and ineffective governance. Additionally, Auditor General Holland cited the port authority for a nonexistent, long-term plan for economic development of water or rail to pay the debt owed to Illinois. This bill does not address the broken aspects driving the port district’s current financial instability, but instead masks the endemic problems with false hopes of increased economic opportunities.

The Illinois taxpayers deserve transformational changes at the International Port Authority before we should consider forgiving this debt. Internationally, new port management models have been created to deliver greater private sector participation and investment in ports. New management models could increase port utilization and create new jobs, while reducing operating costs and eliminating risks to the taxpayers. I look forward to working with the International Port Authority and the City of Chicago to find a solution to benefit the people of Illinois and our economy in the near future.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 1797, entitled “AN ACT concerning State government,” with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto House Bill 2462, which would prohibit employers from enquiring about previous salary and compensation of prospective employees.

The gender wage gap must be eliminated, and I strongly support wage equality. Massachusetts already has established a best-in-the-country approach to the issue of employers inquiring about salary history. Illinois should model its legal regime on Massachusetts' model.

I strongly encourage the sponsors and the General Assembly at large to take up the following legislative language that more closely resembles the Massachusetts approach:

"Section 5. The Equal Pay Act of 2003 is amended by changing Sections 10 and 30 and by adding Section 28 as follows:

(820 ILCS 112/10)

Sec. 10. Prohibited acts.

(a) No employer may discriminate between employees on the basis of sex by paying wages to an employee at a rate less than the rate at which the employer pays wages to another employee of the opposite sex for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where the payment is made under:

- (1) a seniority system;
- (2) a merit system;
- (3) a system that measures earnings by quantity or quality of production; or

(4) a differential based on any other factor other than: (i) sex or (ii) a factor that would constitute unlawful discrimination under the Illinois Human Rights Act.

An employer who is paying wages in violation of this Act may not, to comply with this Act, reduce the wages of any other employee.

Nothing in this Act may be construed to require an employer to pay, to any employee at a workplace in a particular county, wages that are equal to the wages paid by that employer at a workplace in another county to employees in jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

(b) It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided under this Act. It is unlawful for any employer to discharge or in any other manner discriminate against any individual for inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of any other employee, or aiding or encouraging any person to exercise his or her rights under this Act. It is unlawful for an employer to require an employee to sign a contract or waiver that would prohibit the employee from disclosing or discussing the employee's wage salary, or other compensation. However, an employer may prohibit a human resources employee, a supervisor, or any other employee whose job responsibilities require or allow access to other employees' wage or salary or other compensation information from disclosing such information without prior written consent from the employee whose information is sought or requested.

(b-5) It is unlawful for an employer to seek the wage, salary, or other compensation history of a prospective employee from the prospective employee or a current or former employer or to require that a prospective employee's wage, salary, or other compensation history meet certain criteria. This subsection does not apply if:

(1) the prospective employee's wage, salary or other compensation history is a matter of public record;

(2) the prospective employee is a current employee of the employer and is applying for a position with the same employer; or

(3) a prospective employee has voluntarily disclosed such information.

An employer may seek or confirm a prospective employee's wage, salary, or other compensation history after an offer of employment, with wage, salary, or other compensation, has been negotiated and made to the prospective employee.

(c) It is unlawful for any person to discharge or in any other manner discriminate against any individual because the individual:

(1) has filed any charge or has instituted or caused to be instituted any proceeding under or related to this Act;

(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Act; or

(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Act; or -

(4) fails to comply with any wage history inquiry.

(820 ILCS 112/28 new)

Sec. 28. Self-evaluation.

(a) An employer against whom an action is brought alleging a violation of subsection (a) of Section 10 and who, within the previous 3 years and prior to the commencement of the action, has completed a self-evaluation of the employer's pay practices and can demonstrate that progress has been made towards eliminating wage differentials based on gender for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, in accordance with that evaluation, shall have an affirmative defense to liability under subsection (a) of Section 10. For purposes of this subsection, an employer's self-evaluation may be of the employer's own design, so long as it is, in light of the size of the employer reasonable in detail and scope.

A self-evaluation plan may include but is not limited to the following components:

1) An evaluation of the employer's compensation system for internal equity;

2) An evaluation of the employer's compensation system for industry competitiveness;

3) Examination of the employers' compensation system and comparison of job grades or scores;

4) A review of data for personnel entering the employer;

5) An assessment of how raises are awarded; or

6) An evaluation of employee training, development and promotion opportunities.

(b) An employer who has completed a self-evaluation within the previous 3 years and prior to the commencement of the action and can demonstrate that progress has been made towards eliminating wage differentials based on gender for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, but cannot demonstrate that any steps were taken to address any identified deficiencies, shall not be entitled to an affirmative defense under this subsection, and shall be liable for any civil fine for a violation of this Act:

(1) up to \$500 per employee affected, if the employer has fewer than 4 employees; or

(2) up to \$2,500 per employee affected, if the employer has 4 or more employees.

(c) Evidence of a self-evaluation or remedial steps undertaken in accordance with this Section shall not be admissible in any proceeding as evidence of a violation of this Act.

(d) An employer who has not completed a self-evaluation shall not be subject to any negative or adverse inference as a result of not having completed a self-evaluation.

(e) An employer who uses the affirmative defense under this Section is not precluded from using any other affirmative defense under this Act.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2462, entitled “AN ACT concerning employment,” with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto House Bill 2525, which addresses Illinois’ Workers’ Compensation System.

Illinois remains in a fiscal and economic crisis that taxes and regulations cannot solve. The only way to truly improve our state’s financial status is to grow our economy through the creation of jobs and opportunity. Our workers’ compensation insurance is one of the most expensive in the nation, and the statutory scheme underlying these costs is riddled with problems and stakeholders that stand in the way of getting injured employees back to health and encouraging employers to invest in Illinois again. We need thoughtful reform of this system, and we must focus our efforts on solutions that encourage economic growth while also making sure we are providing efficient and effective care to injured workers.

Unfortunately, this bill does not make the changes necessary to achieve those goals. It fails to acknowledge the cost-drivers that are putting our state at a competitive disadvantage for jobs and growth. Instead, it imposes additional regulatory structures where they are not needed.

This legislation does not represent real reform. It does not address the competitive disadvantages that are resulting in the disappearance of jobs in our manufacturing sector, where middle-class workers once could find opportunities for growth and advancement. It will not stop the flood of hardworking individuals who are leaving our state when these opportunities are lacking.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2525, entitled “AN ACT concerning employment,” with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto House Bill 2567, which creates the Automobile Dealers’ License Task Force to study licensing and oversight of nontraditional vehicle dealers in Illinois.

Regulations for vehicle dealers in Illinois must be fair for traditional and nontraditional vehicle dealers. However, this bill excludes nontraditional vehicle dealers from participating on this new task force. Instead of creating a task force comprised of a diverse representation of the automobile dealers industry, this task force only welcomes traditional industry groups to have a seat at the table in this discussion. Unfortunately, this one-sided approach could facilitate damaging public policy that protects traditional automobile dealers at the expense of nontraditional dealers and, potentially, consumer and market preferences.

Illinois must encourage competition and innovation, which means embracing traditional and nontraditional business models that provide value to the people of Illinois. That requires including diverse perspectives and inviting traditional and nontraditional entities to have a say in market regulations, which this bill does not accomplish.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2567, entitled “AN ACT concerning transportation,” with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 2622 from the 100th General Assembly, which will create a state-sponsored workers' compensation insurance company. This bill will also require the Department of Insurance to provide a loan of \$10 million out of the operations fund of the Workers' Compensation Commission to capitalize the new organization.

Illinois currently has the most competitive market for workers' compensation insurance in the country with over 300 participants. Maintaining this state of affairs is in the best interest of every employer and job creator required to purchase this insurance.

This legislation would instead disrupt the functioning market by inserting new and unnecessary layers of government interference due to an unfounded belief that the current competitive system is broken. Furthermore, this bill would divert needed funds from the Workers' Compensation Commission, which could impact the backlog of cases and increase the cost of claims. The \$10 million loan it this legislation demands of the Commission is not likely to have any meaningful impact in providing better access to affordable insurance.

This bill does nothing to address the actual cost drivers and broken aspects of our workers' compensation system, which are significant contributors to the flight of businesses and jobs from Illinois and obstacles to the efficient and effective system that injured workers deserve. Instead it directs attention at a fabricated problem.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2622, entitled "AN ACT concerning regulation," with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner

GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto House Bill 2778, which amends the Fire Protection District Act to allow a fire protection district to annex into its jurisdiction any property for which that district provides coverage under the Emergency Telephone System Act.

Fire protection districts play a critical role in the State of Illinois, but we must weigh the authority of such districts against our residents' property rights. This bill affords fire protection districts too much discretion to not only annex properties, but also to subject annexed-property owners to fire protection district fees thereafter. Our state's residents already feel the overwhelming weight of one of the heaviest property tax burdens in the country. This bill, however, would add to the property tax burden for those properties annexed by fire protection districts. As a State, we should pass legislation to relieve such financial pressures of our residents, not to add to them.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2778, entitled "AN ACT concerning regulation," with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

September 22, 2017

[October 12, 2017]

18

To the Honorable Members of The Illinois House of Representatives 100th General Assembly:

Today I veto House Bill 2977 from the 100th General Assembly, which requires all Illinois elementary schools include a unit of cursive in their curriculum before students complete 5th grade.

This legislation constitutes yet another unfunded mandate for school districts that will not protect the health or safety of Illinois students. If the General Assembly believes that cursive writing instruction should be required in elementary schools because it will improve student outcomes, it should be included in the Illinois State Learning Standards and funded accordingly.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2977, entitled “AN ACT concerning education” with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 3143, which amends the State Prompt Payment Act to add certain human services providers to the list of those eligible for interest penalty payments from the state.

The challenges of doing business with the State of Illinois, including the years of frustration in dealing with devastating payment delays, are numerous and in need of attention. It is clear that we need dependable balanced budgets so that our partners are not forced to wait months or, in some cases, years to receive payment from the state. But the state’s ongoing problems with cash flow and the timeliness of payments will not be aided by adding to its mountain of liabilities through higher interest costs, which is precisely what this bill does.

The solution to our problem is through the continued improvement of fiscal practices and truly balanced budgets that allow the state to actually meet its financial commitments. Unfortunately, while well intentioned, this bill will force Illinois taxpayers to bear even greater costs as a result of years of unbalanced budgets and fiscal mismanagement, and will tax an already insufficient pool of resources for serving our most vulnerable residents.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3143, entitled “AN ACT concerning finance”, with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 3167, which requires the Department of Human Services to conduct costly and duplicative surveys regarding the early childhood education workforce without allowing other ongoing support initiatives to come to fruition.

Making sure that our children have high-quality childcare in the early years of their development is a core commitment of this administration. Transformative efforts are underway at agencies and the Children’s Cabinet to address the needs of the early childhood workforce, and I applaud the work they are doing

The Child Care and Development Block Grant (CCDBG) Act of 2014 requires States who receive federal Child Care and Development Funds (CCDF) to conduct a Market Rate Survey every two years. They require

states to take into consideration payment rates to providers that are based on the most recent market rate survey or an alternative methodology and are at a level to meet the health and safety standards implicit in a quality child care setting. In addition, the Department of Human Services is mandated by legislative rule 20 ILCS 505/5.15, to conduct the Illinois Salary and Staffing Survey of Licensed Child Care Facilities every two years. This survey reports the compensation of current child care workers. Many of the principles proposed in HB 3167 exist in these two mandated surveys.

Furthermore, specific strategies to improve the early childhood workforce are being addressed through the Children's Cabinet's Early Childhood Workforce Development project. The project is led by a working team consisting of representatives from eight major agencies including the Department of Human Services, the Illinois State Board of Education, and the Governor's Office of Early Childhood Development as well as several external partners and advocates.

The goal of this Children's Cabinet project is to ensure Illinois children with high needs have access to quality early care and education services provided by an educated, qualified, and diverse workforce. To achieve this, the project is focused on building a pipeline to attract and retain educators, providing pathways for career opportunity and movement, and enhancing cross-system data collection, usage, and analytic capability.

So while the motivation to provide reliable information is good, this legislation would create more bureaucracy than benefit. The Department of Human Services should be utilizing the resources that would be directed to this survey toward initiatives and services that will have a meaningful impact on children's lives as opposed to collecting similar information in multiple places.

We should allow the efforts already underway with the Children's Cabinet to come to fruition and inform what gaps in information need to be corrected for instead of creating duplicative and unnecessary mandates for the Department of Human Services.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3167, entitled "AN ACT concerning public aid", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 3216 from the 100th General Assembly, which will place additional requirements on third-party contracting by the State.

State government must be run in service to the taxpayers who fund it. Especially as State agencies struggle to enact an unbalanced budget that leaves critical human services and public safety agencies underfunded, the State simply cannot afford to engage in the worst kind of economic protectionism—protecting its own bureaucracy, waste, and inefficiency.

House Bill 3216 imposes vague new restrictions on the State's ability to enter contracts with third parties. It creates nine conditions all third-party contracts must meet. If a third-party contract cannot "clearly" meet every condition, this legislation bars any contracting. Clarity will be nearly impossible to achieve however, because House Bill 3216 fails to define its own metrics.

For example, the bill requires that "the potential economic advantage of a third-party contract is not outweighed by the public's interest in having a particular service performed directly by State employees." Unlike the current Procurement Code, which is precise and strict in its requirements, whether this factor is met—as well as the other eight factors created by the bill—depends entirely on the opinion of the bureaucrat charged with guessing at its meaning.

These conditions were imposed not to ensure better procurement processes, but only to create such an insurmountable bar to agencies ever considering the possibility that their work could be performed better and at lower expense to the taxpayers by contracting with the private sector. This is a bill that hurts businesses, including Illinois businesses.

House Bill 3216 would be incredibly costly to operationalize. Agencies can be expected to spend hundreds of thousands of scarce taxpayer dollars every year to comply with it. Further, this legislation will stifle the State's ability to manage its operations, slowing down the delivery of necessary services.

Procurement by the State of Illinois should be transparent, competitive, fair, and fast. This bill robs State agencies of competition and speed, while doing nothing to make procurement in Illinois more transparent or fair.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3216, entitled "AN ACT concerning State government", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives 100th General Assembly:

Today, I veto House Bill 3298, which would provide reimbursement of the substitute teacher licensure fee for licensees who prove they have provided substitute teacher services for at least 10 days within one year of receiving the license.

The bill attempts to address the substitute teacher shortage facing Illinois districts. While the shortage is a very real problem, this legislation will have unacceptable side effects. Specifically, it will cost approximately \$1 million and will force the Illinois State Board of Education to eliminate a teacher mentorship program. Teacher mentorship is one of the most effective methods of supporting new teachers. Furthermore, the shortage is being taken seriously and addressed outside this costly legislation. ISBE recently implemented several strategies aimed at addressing the substitute shortage. In 2016, the agency reduced the substitute teacher license fee by 50 percent and created a one-year grace period that allows retired teachers with lapsed licenses to return their licenses to good standing without paying fines or completing additional coursework. The state has not had enough time to see whether these strategies have significantly increased the substitute teacher pool.

It is premature to implement a solution to a problem that has been addressed through previous legislation and policy, especially when the enactment of this bill would have the unintended consequence of eliminating effective highly effective strategy of supporting new teachers. The General Assembly should wait to see the impact of ISBE's existing strategies to address the substitute teacher shortage and then determine whether further measures are necessary to solve this problem.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3298 entitled "AN ACT concerning education, with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 3376 from the 100th General Assembly, which restricts the state's ability to place a limit on the number of weekly hours a provider may work in the taxpayer-funded Home Service Program that serves many of the state's physically disabled residents.

The bill requires that the Illinois Department of Human Services allow in-home care providers to work at least 15 hours of overtime per week. Last year, similar legislation passed by the 99th General Assembly that would have required the Department to allow home care providers to work unlimited overtime was also vetoed. While this legislation is an improvement, it still places unreasonable restrictions on the state's ability to manage the Home Services Program, both to ensure the safety of our residents and to control the program's rising costs.

Since last year, the Department has proceeded through the legislatively-sanctioned process overseen by the Joint Committee on Administrative Rules, which is made up of both Democratic and Republican members of the General Assembly. Through that process, the Department has crafted a reasonable overtime policy that incorporates many of the recommendations provided by legislators and stakeholders across the home services community. Importantly, the policy allows for up to five hours of overtime without the need for approval and also provides a clear and practical process for obtaining authorization to work additional overtime in the appropriate circumstances.

This overtime policy safeguards individual providers from being unnecessarily overworked and ensures that residents requiring long hours of care will have more than one person who understands their needs and who is capable of caring for them. In addition, the policy allows the state to limit overtime, and its costly impact, to only those situations when it is truly necessary—just as nearly every other employer in the country does.

As stewards of the Home Services Program, the state must protect the safety of our residents, as well as the long-term sustainability of the program. Unfortunately, this bill leaves our residents less safe and impairs the Department's ability to control costs of the program.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3376, entitled "AN ACT concerning State Government", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 3419 from the 100th General Assembly, which prohibits companies that have restructured through corporate inversions from bidding on or entering into State contracts. It also precludes State retirement systems from investing in any such companies.

This legislation requires the State to penalize companies that utilize a completely legal form of federal tax planning. This is shortsighted and sets dangerous precedent for how the State interacts with vendors and businesses in Illinois, and represents an unnecessary interjection into federal tax policy. Our federal tax policies may be ripe for reform, but punishing the entities that have legally pursued new corporate structures due to non-competitive federal policies does not accomplish that reform.

Instead, by barring these businesses from contracting with the State on various projects, this bill minimizes the pool of eligible vendors to meet our state's needs, which could mean diminished competition and higher costs for taxpayers, and could lead to taxpayers not being eligible to receive the highest quality services because of the diminished pool. Moreover, this brand of exclusionary policy could make Illinois a less attractive place to do business at all for those companies that are penalized under this legislation.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3419, entitled "AN ACT concerning finance", with the foregoing objections, vetoed in its entirety.

[October 12, 2017]

22

Sincerely,

Bruce Rauner
GOVERNOR

September 22, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 3449 from the 100th General Assembly, which would add an unnecessary and byzantine layer of state regulation to the use of most electronic devices by mandating additional prohibitions and penalties.

Protection of consumer privacy is an important goal that I fully support, but this legislation only serves to make things unnecessarily complicated where federal privacy regulations are the proper format for uniform and consistent consumer protections across the country.

The Federal Trade Commission (FTC) already has the broad powers granted to it in Federal Statute 15 U.S.C. §§46 (a) to protect various aspects of consumer privacy in a uniform manner across the United States, and the commerce clause in the Constitution assigns the power to regulate interstate commerce to the U.S. Congress. If further privacy legislation is required, it should be enacted by the U.S. House and U.S. Senate. In addition to federal legal protections, consumers already have full control of geolocation data capture in their device settings through most operating systems, or by limiting access within specific applications they choose to utilize on their devices. Consumers also have the freedom to demand software products with more protective terms and End User License Agreements.

To the degree that there is company abuse of these laws and policies, such as tracking people without their consent or hiding collection and disclosure practices, the solution is not yet another layer of state government rules and bureaucracy, but instead the enforcement by the Federal Trade Commission of existing laws or enforcement of existing policies by creators and distributors of digital applications.

This bill would result in job loss across the state without materially improving privacy protections for Illinoisans or making devices and their apps safer for children. The addition of this policy to Illinois' existing burden of red tape will hurt Illinois' growing reputation as a destination for innovation-based job creation.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3449 entitled "AN ACT concerning business", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I veto House Bill 3649, which requires state agencies to report every month to the Comptroller on their current liabilities, interest, and the appropriations status of those liabilities.

The inclination to provide more transparency about the state of our finances is a good one. Unfortunately, this legislation more closely resembles an attempt by the Comptroller to micromanage executive agencies than an attempt to get the information most helpful to the monitoring of state government.

State agencies currently report annually on their liabilities and interest, and this dramatically increased reporting requirement will be both time-consuming and will yield decreasing marginal information. This legislation neglects to account for the realities of agency record-keeping and reporting, which makes compliance with this mandate especially difficult and expensive. Due to asymmetries in technology and variances in the input and calculation of the required information, this bill will be highly burdensome for agencies and will require an allocation of significant additional resources to reporting compliance.

Our state agencies should always be striving toward sound fiscal management and maximum transparency. However, due to factors unaccounted for by this legislation like lagging technology and variances in the input

and calculation of the required information, the primary effect of this mandate will be to divert limited funds and staff attention from their core functions in providing services to the citizens of Illinois.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3649, entitled "AN ACT concerning finance", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

September 22, 2017

To the Honorable Members of The Illinois House of Representatives 100th General Assembly:

Today I veto House Bill 3745 from the 100th General Assembly, which requires school boards to allow community groups to post free after-school program information in a designated space on each school campus.

Although I applaud community groups and organizations who provide high-quality, affordable programming for children, this bill is an unfunded mandate that will not protect the health or safety of students. School personnel should be allowed professional discretion related to information shared by the school. While individual requirements such as this may not create significant costs to schools and districts, the accumulation of layers of unfunded mandates imposed on our schools simultaneously consume scarce resources and constrain schools' flexibility in determining what is in the best interest of their students.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3745, entitled "AN ACT concerning education" with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I veto House Bill 3897 from the 100th General Assembly, which will impose a new regulatory burden on Illinois businesses.

House Bill 3897 would create a new mandate on businesses throughout Illinois. The State of Illinois already suffers from a bloated administrative code. Illinoisans will spend at least \$250 million in direct license fee costs and fill out more than 4 million pages of paperwork for state agencies over the next decade. Miring small and new businesses in red tape hinders their growth and makes Illinois less competitive than its peers.

In the face of a swollen administrative state, all new legislation mandating more rules and regulations should be held to the highest scrutiny. House Bill 3897 fails to pass this test.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3897, entitled "AN ACT concerning safety," with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE – Secretary of State

October 12, 2017

To the Honorable Speaker of the House:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed House Bills from the 100th General Assembly that are being returned by the Governor with specific recommendations for change.

HOUSE BILLS

0302
0348
3004
3211

Respectfully,

s/Jesse White
JESSE WHITE
Secretary of State

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I return House Bill 302 with specific recommendations for change to provide a clear, constitutional threshold to help Illinois families receive insurance benefits and to stop the inappropriate payment of contingency fees to private auditing firms.

Few things are more traumatic than the death of a loved one. Life insurance provides an important resource for financial assistance after such a loss. As public servants, we have a duty to protect beneficiaries and ensure they receive the benefits they are owed. That is why I signed legislation (Public Act 99-0893) creating the Unclaimed Life Insurance Benefits Act, which took effect January 1, 2017. The Unclaimed Life Insurance Benefits Act requires life insurance companies to continually cross check in-force policies with the Social Security Administration's Death Master File to determine potential beneficiary eligibility. If a potential match is identified and a beneficiary has not yet come forward, insurers are required to make a good faith effort to locate the beneficiary or beneficiaries and provide claim assistance.

While the current law is forward-looking for all policies in force as of January 1, 2017, HB 302 retroactively would require insurers to cross check policies that have lapsed or terminated. For those insurers with electronically searchable records, records must be searched back to 2000. However, if an insurer does not have electronically searchable records, the search must be conducted back to only 2012.

While I support the intent of this legislation, HB 302 is inequitable and potentially unconstitutional. Illinois' administrative rules only require insurance companies to keep lapsed or terminated policy records for the current year, plus the five prior years. *See* Title 50, Section 901.20. Creating a two-tiered enforcement timeline creates an arbitrary and discriminatory requirement that does not uniformly impact the life insurance industry. An insurer's obligation to comply with HB 302 should not depend on differences in its record retention policies. Such differential enforcement violates due process. *See Nat'l Endowment for the Arts v. Finley*, 524 U.S. 569, 588-89 (1998) (due process protects against "arbitrary and discriminatory enforcement" of legal standards). To avoid this inequitable and constitutional flaw, I support a clear and logical threshold that mirrors the current five-year administrative recordkeeping requirements so that all insurers — regardless of their record-retention policies and capabilities — are required to retroactively search for policies in force at any time on or after January 1, 2012.

Additionally, this legislation does nothing to stop the continuing overreach of private auditing firms that currently contract with the Illinois State Treasurer's Office, and they are reaping great rewards that would otherwise benefit taxpayers. Throughout the country, including Illinois, states have retained private auditors

with contingency fee arrangements for the identification of unclaimed property, including life insurance policies. The expansion of these private auditors, however, incentivizes behavior that rewards private companies at the expense of state taxpayers. One such company has made more than \$20 million in finder's fees in Illinois since 2011. That money could have (and would have under current state law) gone to pay down our state's desperately underfunded pension liability. We should stop this practice and pursue more responsible financial arrangements. This will ensure that we are conducting searches of unclaimed property in a fiscally appropriate manner and in a way that best serves our state's taxpayers.

Therefore, pursuant to Article IV, section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 302, entitled, "AN ACT concerning regulation," with the following specific recommendations for change:

On page 4, by replacing line 8, with "full Death Master File."; and

On page 4, by deleting lines 9 through 15; and

On page 4, by replacing line 16 with "Thereafter, an insurer shall perform a comparison on at"; and

On page 8, by replacing lines 9 through 12 with the following:

"Sec. 30 Administrative rules. ~~(a)~~ The Department shall adopt rules to administer and implement this Act."; and

On page 8, by replacing line 22 with "(a) Except as provided in subsections (b) and (c)."; and

On page 9, by deleting lines 9 through 14; and

On page 9, line 15 by replacing "(d)" with "(c)"; and

On page 10, by replacing lines 7 and 8 with the following:

"Section 15. The Uniform Disposition of Unclaimed Property Act is amended by changing Sections 20 and 24.5 as follows:"

On page 13, immediately below line 10, by inserting the following:

(765 ILCS 1025/24.5)

Sec. 24.5 Contingency fees prohibited. The State may not enter into a contract with a person to conduct an examination of a holder ~~located within the State of Illinois~~ under which the State agrees to pay such person a fee based upon a percentage of the property recovered for the State of Illinois. ~~Nothing in this Section prohibits the Office of the State Treasurer from entering into contracts with persons to examine holders located outside the State of Illinois under which the Office of the State Treasurer agrees to pay such persons based upon a percentage of the property recovered for the State of Illinois.~~

(Source: P.A. 91-16, eff. 7-1-99.)"

With these changes, House Bill 302 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner

GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I return House Bill 348 with specific recommendations for change.

This legislation modernizes the process by which constitutional amendments submitted by the General Assembly are communicated to taxpayers. This bill requires the Secretary of State to publish a proposed amendment and arguments for and against the measure online, giving voters better access to information about significant legal changes that will appear on an upcoming ballot.

I applaud the sponsor on his efforts to save taxpayer money through modernization. However, this legislation currently achieves significant cost-saving and modernization efforts for only one type of constitutional amendment. Where it is deemed feasible to save money while providing sufficient access to information online without printed materials, we should maximize the opportunity and do so across all types of amendments.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 348, entitled "AN ACT concerning government," with the following specific recommendations for change:

On page 4, by replacing line 8 with: "amendment, nor"

On page 4, by replacing lines 10 and 11 with: "for such a pamphlet explaining a proposed amendment that is proposed on or after the effective date of this amendatory Act of the General Assembly."

With these changes, House Bill 348 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR

August 25, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today, I return House Bill 3004 with specific recommendations for change.

This bill amends the Regional Transportation Authority Act to extend the short-term borrowing period for the Regional Transit Authority (RTA). Specifically, this bill renews a \$300 million short-term borrowing ability for two additional years, changing the sunset date from July 1, 2018, to July 1, 2020. The bill also allows the RTA to establish lines of credit in addition to issuing working cash notes.

This funding option is critical to helping the Authority maintain regular operations because the State of Illinois is behind on payments to the RTA. Without this financing authority, there likely will be fare hikes and service cuts to Chicago Transit Authority (CTA), Metra, and Pace transit systems. I support this piece of the legislation to help ensure our residents' uninterrupted access to key transit systems.

Unfortunately, this bill also includes provisions that address the event of debt default by the CTA or the RTA. Under this legislation, the Treasurer can purchase CTA and RTA debt instruments and intercept funds normally distributed by the State to these systems in the case of default. These provisions of the legislation create a moral hazard by granting the Treasurer the authority to purchase bonds in or at risk of default, and it prioritizes debt payments over other uses of financial resources if there is a default.

The State should not undermine the CTA's or RTA's ability to determine how to spend State funds in the event of debt default. In fact, withholding State funds from these transit Authorities in the event of default prioritizes bondholders over residents who rely on CTA and RTA services.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3004, entitled "AN ACT concerning local governments," with the following specific recommendations for change:

On page 9, by replacing line 11 with: “due or about to become due in Interim Financing Notes.”; and

By deleting page 9, line 12 through page 10, line 4; and

On page 24, by replacing page line 9 with: “due or about to become due in Working Cash Notes.”; and

By deleting page 24, line 10 through page 25, line 2.

On page 25 by replacing line 5 with: “issuance of notes or other obligations,”; and

On page 25, by deleting line 6; and

On page 25, by replacing line 7 with “in an amount not to exceed”

With these changes, House Bill 3004 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR

August 18, 2017

To the Honorable Members of The Illinois House of Representatives, 100th General Assembly:

Today I return House Bill 3211 with specific recommendations for change.

This legislation addresses eligibility for certain college students to participate in the federal Supplemental Nutrition Assistance Program (SNAP), which provides access to funds for food to eligible low-income individuals. Hunger is a very real challenge, and for students it can lead to an inability to participate in the very programs of study that will contribute to their future development and career opportunities. But this legislation goes further than is necessary to address this challenge.

One piece of this legislation utilizes the flexibility of this federal program to allow certain types of college students, who would normally be ineligible for this assistance, to access the SNAP program. Generally, full-time students are ineligible for this aid. However, this limited extension of eligibility to those in career and technical education programs that have strong records of placement into future employment is a reasonable way to help low-income students stay in the programs that historically lead to less reliance on government aid in their future. I support this part of the bill.

The second provision goes too far. With limited resources available, the SNAP identification and promotion process required by this legislation for adult college students who may already have a variety of resources available to identify their eligibility for government aid is not the highest and best use of these agencies' efforts.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3211 entitled “AN ACT concerning public aid”, with the following specific recommendations for change:

By replacing line 9 on page 1 through line 12 on page 2 with: “(a) (blank).”

With this change, House Bill 3211 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Chapa LaVia was removed as principal sponsor, and Representative Davis became the new principal sponsor of SENATE BILL 444.

With the consent of the affected members, Representative Currie was removed as principal sponsor, and Representative Davis became the new principal sponsor of SENATE BILL 1947.

With the consent of the affected members, Representative Nekritz was removed as principal sponsor, and Representative Feigenholtz became the new principal sponsor of HOUSE BILL 2401.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4086. Introduced by Representative Wheeler, Barbara, AN ACT concerning transportation.

HOUSE BILL 4087. Introduced by Representatives Ford - Jones, AN ACT concerning government.

HOUSE BILL 4088. Introduced by Representative Jesiel, AN ACT concerning State government.

HOUSE BILL 4089. Introduced by Representative Ford, AN ACT concerning education.

HOUSE BILL 4090. Introduced by Representative Kifowit, AN ACT concerning local government.

HOUSE BILL 4091. Introduced by Representatives Cabello - McSweeney - Davidsmeyer - Reis - Skillicorn, Bryant, Morrison and Mitchell, Bill, AN ACT concerning government.

HOUSE BILL 4092. Introduced by Representative Cabello, AN ACT concerning criminal law.

HOUSE BILL 4093. Introduced by Representatives Davidsmeyer - Reis - Bryant - Mitchell, Bill, AN ACT concerning local government.

HOUSE BILL 4094. Introduced by Representative Ives, AN ACT concerning education.

HOUSE BILL 4095. Introduced by Representatives Harris, Greg - Stratton - Manley - Wallace - Guzzardi, Hernandez, Mussman, Currie, Harper, Burke, Daniel, Scherer, Lilly, Feigenholtz, Stuart, Connor, Yingling, Conroy, Chapa LaVia, Andrade, Hoffman, Welch, Tabares, Burke, Kelly, Walsh, Kifowit, Conyears-Ervin, Willis, McDermed, Flowers, Moeller, Halpin, Crespo, D'Amico, Hurley, Beiser, Wheeler, Barbara and Williams, AN ACT concerning business.

HOUSE BILL 4096. Introduced by Representatives Harris, Greg - Stratton - Flowers - Feigenholtz, Gabel, Ford, Andrade, Cassidy, Soto, Mayfield, Fine, Willis, Hernandez, Mussman and Jones, AN ACT concerning public aid.

HOUSE BILL 4097. Introduced by Representatives McDermed and Batinick, AN ACT concerning government.

HOUSE BILL 4098. Introduced by Representative Morrison, AN ACT concerning transportation.

HOUSE BILL 4099. Introduced by Representatives Rita and Harris, Greg, AN ACT concerning public aid.

HOUSE BILL 4100. Introduced by Representatives Kifowit - Wheeler, Keith, Willis and Hurley, AN ACT concerning regulation.

- HOUSE BILL 4101. Introduced by Representative DeLuca, AN ACT concerning local government.
- HOUSE BILL 4102. Introduced by Representative Halbrook, AN ACT concerning regulation.
- HOUSE BILL 4103. Introduced by Representative Brady, AN ACT concerning education.
- HOUSE BILL 4104. Introduced by Representative DeLuca, AN ACT concerning local government.
- HOUSE BILL 4105. Introduced by Representative Flowers, AN ACT concerning government.
- HOUSE BILL 4106. Introduced by Representative Stuart, AN ACT concerning criminal law.
- HOUSE BILL 4107. Introduced by Representatives Moylan - Flowers - Willis - Thapedi, AN ACT concerning criminal law.
- HOUSE BILL 4108. Introduced by Representatives Reis - Bryant - Meier - Davidsmeyer - Hammond, AN ACT concerning abortion.
- HOUSE BILL 4109. Introduced by Representative Gabel, AN ACT concerning regulation.
- HOUSE BILL 4110. Introduced by Representative Cabello, AN ACT concerning criminal law.
- HOUSE BILL 4111. Introduced by Representatives Ford and Mah, AN ACT concerning revenue.
- HOUSE BILL 4112. Introduced by Representative Drury, AN ACT concerning criminal law.
- HOUSE BILL 4113. Introduced by Representative Ford, AN ACT concerning civil law.
- HOUSE BILL 4114. Introduced by Representatives Breen - Bellock - Hammond - Costello - Bryant, Reis, Unes, Bourne, Jimenez, McCombie, Wheeler, Barbara, Ives, McDermed, Winger, Jesiel, Batinick, Butler, Davidsmeyer, McSweeney, Morrison, Pritchard, Reick, Skillicorn, Sosnowski, Meier and Mitchell, Bill, AN ACT concerning abortion.

At the hour of 3:16 o'clock p.m., the House Perfunctory Session adjourned.