

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

68th Legislative Day

10/26/2005

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests to turn off the laptop computers, cell phones, and pagers. We shall be led in prayer today by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield. Would our guests in the gallery please rise and join us for the invocation and the Pledge of Allegiance."

Pastor Crawford: "Let us pray. Most gracious and most sovereign God, it is this day the we most humbly come before You. We come before You with a great adoration, an adoration Father for who You are. With a great appreciation, Father, for a great appreciation for what You have done. We're thankful that Your hand has been upon our lives. For it had not been for Your love and had not been for Your compassion, Father, we often wonder where would we be. So, it is this day, God, that we'd celebrate the great and wonderful life that we have in You. A life of peace, a life of joy, a life of grace and favor. The life that You have given and a life that You have given that and more abundantly. For this we say, thank You and amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hoffman."

Hoffman - 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 Madigan: "Roll Call for Attendance. Representative Currie."

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

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect all Republicans are present and we want to welcome back Representative Hassert."

Speaker Madigan: "The Clerk shall take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. All right. Ladies and Gentlemen, if we could have your attention. We have a special guest today. And if the Members would please take their chairs and if the staff would retire to the rear of the chamber. I'm very pleased to have with us the Consul General of Japan assigned to the City of Chicago and to the Midwest. The Consul General plans to offer remarks relating to the relationship between the State of Illinois Midwest Region of America and his country of Japan. So, I'm very pleased to present to you the Consul General of Japan, Yutaka Yoshizawa."

Yoshizawa: "Thank you very much, Speaker Madigan and distinguished Members of the Illinois House of Representatives. It is a great honor for me to stand before you today. And I wish to personally thank Speaker Madigan for this kind invitation. As a diplomat I have served around the world, but to me my assignment here in the Midwest is the best, thanks to the great State of Illinois. I say this because Japan and Illinois have a long shared official friendship. Just over 100 years ago Americans... America's foremost architect and Oak Park resident, Frank

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Lloyd Wright, journeyed to Japan for the first time. He was touched by the Japanese aesthetic and he influenced Japan. Blending his own Prairie style with the best of Japan, his architectural gem such as the Dana-Thomas House in Springfield are celebrated to this day. In the same way, Japan and Illinois stand together as friends. Today, our partnership sets the standard for cooperation. This state is a leading recipient of Japanese direct investment. Some 600 Japanese business facilities, which provide more than 34 thousand jobs, are proud to call Illinois home. If you look at a map, hundreds of Japanese companies can be seen from one corner of the state to the other in cities large and small. Japan's commitment is it to all Illinois. We also welcome Illinois. We are the second largest non-NAFTA export destination for Illinois's products, and we are the second largest importer of your agricultural commodities. More than that, Illinois companies now enjoy unprecedented access to Japan's key business centers due to frequent non-stop flights. Success in Japan has been achieved by many of your companies and we eagerly welcome... welcome more. As my country's economy now strengthens, our business partnership is destined to become much closer. Beyond this, Illinois shares so much with Japan. The Art Institute of Chicago is home to one of the premier collections of Japanese woodwork prints. The University of Illinois and many other universities in Illinois teach the Japanese language. With this impressive foundation we now have an opportunity to achieve even more. That is why I wish to applaud the Illinois House of Representatives for amending the Illinois

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Vehicle Code. Thanks to your initiative, foreign nationals, who reside legally in this state and who do not have Social Security numbers, can now obtain a temporary visitors drivers license as of January 1 of this year. Now, the Federal Real ID Act of 2005 requires all states to meet certain conditions when issuing drivers' licenses. I ask you, the elected Representatives of this great state, to continue to accommodate foreign nationals, who contribute so much to the Illinois economy when considering the new legislation for issuing drivers' licenses to meet federal requirements. Frank Lloyd Wright once said, '...that belief in a thing always makes it happen.' Japan believes in Illinois and Illinois believes in Japan. Together we can bring our friendship to an even higher plateau. And I for one will continue to be your most enthusiastic cheerleader. Thank you very much."

Speaker Madigan: "So, the... the COUNSUL General will be here at the... at the well for a short time for those of you who may wish to... to greet him and to enjoy a conversation. So, thank you very, very much. Mr. Clerk, do you have a Resolution?"

Clerk Mahoney: "House Resolution 644, offered by Representative McCarthy.

WHEREAS, Rick Guerin of Clarendon Hills is one of 12 principals throughout the United States to be named a 2005 National Distinguished Principal by the National Association of Elementary School Principals (NAESP) and the U.S. Department of Education; and

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WHEREAS, Mr. Guerin has been Principal of St. Bede the Venerable School of Chicago since 1975; he holds a bachelor's degree from St. Mary of the Lake Seminary and a master's degree in education administration and curriculum instruction from St. Xavier University; and

WHEREAS, He was chosen for the award from a pool of more than 7,100 principals; he has been previously honored with the Educator of the Year award from St. Xavier University in 1985 and the 2004 by Dr. Robert J. Kealey Distinguished Principal Award from the National Catholic Education Association; and

WHEREAS, He was presented with this award in Washington, D.C., during the National Distinguished Principals Program on October 6 and 7, 2005; and

WHEREAS, He has been married to Eileen for 34 years, and they have been blessed with three children, Ricky, Megan, and Katie; they have one grandson, Jack; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Rick Guerin on being named one of the 2005 National Distinguished Principals; and be it further

RESOLVED, That a suitable copy of this resolution be presented to him as an expression of our respect and esteem."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. Could we please have some order in the chamber? Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The title of the Resolution, I guess, was so long that they were not able to list the cosponsors so I do wanna thank Speaker Madigan and

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Representative Bellock, Representative Brosnahan, and Representative Joyce who also agreed to be a cosponsor of this Resolution. Mr. Guerin is up in the Speaker's gallery and if he could please stand up and be recognized, I appreciate that. Thank you. And as the Resolution stated Rick was selected from a group of over 71 hundred principals and over... only 12 principals in the entire country were picked as the National Distinguished Principal. So, it's a great honor for... for Rick, but I also think it's a great honor for our state as well. And one of the remarkable things is when the school got involved in nominating Rick for this high honor, they asked some parents to... to write some of their feelings about the effect Mr. Guerin had had on their children in... at St. Bede's... Order, please. I know it's tough, we haven't been here for awhile, but it would be nice to have a little order. But when you led the... when you read the reports that some parents volunteered to put in, it was ironic that parents who hadn't a child in the school for over 20 years and parents who were current parents of students in the school wrote about Rick's love for the students, how he made it his business to know every single person in the building. And with over 1 thousand students in the St. Bede school at one time, it's not quite that high today, that's really a remarkable achievement. And I know personally when I visited Rick over at St. Bede's how the children of that school feel so comfortable going and reading with Mr. Guerin or talking to him about any problem they may have in school or just in general life. So, Rick's a very credit to our state, a credit to St. Bede's. And

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Rick, we congratulate you on this great honor of being named the National Distinguished Principal by the National Education Association. Congratulations."

Speaker Hannig: "Representative Hannig's in the Chair. And on this question, Representative Bill Mitchell. No. Okay. Rep... is anyone seeking recognition on the Resolution? Then... Okay. Representative Bellock."

Bellock: "I just... I just wanted to honor my congratulations, too, cause Rick Guerin is a constituent in my district and renowned in our area as the best principal in Illinois. So, thank you."

Speaker Hannig: "Any further discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Mitchell, for what reason do you rise now?"

Mitchell, B.: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Mitchell, B.: "I would like to... and over on the Democratic side of the aisle if they'd rise, the fourth grade class of Rankin Elementary School in Pekin, Illinois. If the House would give them a big welcome. Thank you. Wel... welcome to Springfield."

Speaker Hannig: "Mr. Clerk, would you read the Rules Report?"

Clerk Mahoney: "Rules Report. Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on October 26, 2005, reported the same back with the following recommendation/s: 'approved for

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floor consideration' is Amendment #3 to House Bill 1920; 'approved for consideration' referred to the Order of Second Reading is House Bill 1943; Amendment #2 to Senate Bill 273 has been 'recommend be adopted' and referred to the floor; 'approved for consideration' referred to Second Reading is Senate Bill 1124."

Speaker Hannig: "The Gentleman from Peoria, Representative Schock, for what reason do you rise?"

Schock: "Thank you, Mr. Speaker. I rise for a moment of personal privilege. Ladies and Gentlemen of the House, we have with us up in the gallery 90 students, high school seniors from Peoria Christian School in my district. If you would all wave so that the House Members can see you. They're here with their civics... civics teacher, Mr. Schoon, learning about State Government. So, I ask for you to welcome them to the State House."

Speaker Hannig: "The Lady from Kankakee, Representative Dugan, for what reason so you rise?"

Dugan: "Point of personal privilege, Speaker."

Speaker Hannig: "State your point."

Dugan: "Yes, I would just like to have everyone here... my seatmate who sits next to me, of course had turned, I'm not sure how old he is, but last Saturday Representative Bob Flider's birthday. And there is cake down in front. So, we would like to invite everyone to wish Bob a happy birthday and certainly to enjoy the cake. Thank you."

Speaker Hannig: "Mr. Clerk, I'm advised that Representative Rose has a Resolution. Would you put that on the board? And the..."

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the Chair recognizes the Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. If we could have some decorum. Ladies and Gentlemen, we are very honored today and the Clerk will read the Resolution, but the U.S.S. Indianapolis sunk in 1945, July 30. We're very lucky and honored today to have three survivors of the U.S.S. Indianapolis here with us. And I think, Mr. Speaker, I'd like to have the Resolution read and.. and then myself and Representative Jakobsson and Representative Cultra would like to recognized to recognize our individual constituents who are here today."

Speaker Hannig: "Mr. Clerk, would you read the Resolution, please?"

Clerk Bolin: "House Resolution 673.

WHEREAS, Throughout most of World War II, the USS Indianapolis served as the Flagship of the Fifth Fleet in the Pacific under the command of Admiral Raymond A. Spruance, U.S. Navy; during her career in the Pacific, she earned a total of 10 Battle Stars; and

WHEREAS, After safely delivering the world's first operational atomic bomb to Tinian Island, she was sent to join the assembling invasion fleet at Leyte Gulf; halfway between Guam and Leyte, at 14 minutes past midnight on July 30, 1945, the Indianapolis was struck by two torpedoes of a spread of six, fired by the submarine I-58 of the Imperial Japanese Navy; and

WHEREAS, The Indianapolis was mortally wounded, and everywhere men were killed, seriously burned, and maimed; within 12

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minutes, while brave men struggled to hand out life vests, drag wounded shipmates, and scramble topside, the Indianapolis sank quietly beneath the surface of the Pacific Ocean; and

WHEREAS, Of the ship's company of 1,197 men and one passenger, the survivors estimate that about 800 made it into the water and relative safety, where the dangers were just beginning; fuel oil coated the sea and blood from the wounded attracted sharks; lack of water and food caused many to hallucinate, to fight among themselves, and to go mad; for five days, the men struggled until they were finally discovered, and only 318 remained to be rescued; and

WHEREAS, The sacrifice of the USS Indianapolis has been honored by our nation with a national memorial located in Indianapolis, Indiana, dedicated on August 2, 1995; and

WHEREAS, Thirty-two citizens of Illinois survived the ordeal, including Maurice Bell, Russell L. Brandt, John K. Bullard, Curtis H. Burton, Norman S. Galbraith, Edgar A. Harrell, Harlan C. Havener, Joseph F. Hubeli, Gust C. Katsikas, Walter Kazmierski (Kay), Oliver W. Kenly, Michael N. Kuryla Jr., Ralph Lane, George E. Laws, Arthur L. Leenerman, Robert A. Lucas, Donald C. McCall, Robert M. McGuiggan, Anthony F. Maday, Chester J. Makaroff, Farrell J. Maxwell, Herbert J. Miner II, Troy A. Nunley, John Olijar, Richard A. Paroubek, Herbert A. Rehner, Earl Riggins, John A. Schmueck, William E. Simpson, Andre Sospizio, Daniel F. Spencer, and Charles M. Turner; and

WHEREAS, Today, just 14 men from Illinois remain that miraculously survived the sinking of the Indianapolis; ten

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reside in Illinois and four in other states; they include Maurice Bell (Alabama), Edgar A. Harrell (Tennessee), Troy A. Nunley (Florida), Richard A. Paroubek (Virginia), Gust C. Katsikas, Michael N. Kuryla Jr., George E. Laws, Arthur L. Leenerman, Robert A. Lucas, Donald C. McCall, Robert M. McGuiggan, Herbert J. Miner II, Earl Riggins, and Andre Sospizio; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we honor the men that fought for our country during World War II and miraculously survived the sinking of the USS Indianapolis; and be it further

RESOLVED, That suitable copies of this resolution be presented to each of the remaining survivors as an expression of our esteem."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker and Ladies and Gentlemen. Twelve hundred people on the U.S.S. Indianapolis, slightly over 3 hundred survived. We are very honored to have three of those survivors with us today. Before I announce my constituent, I'd like to make a Motion to add all Members to this as cosponsors, Mr. Speaker. Ladies and Gentlemen, it is my honor and privilege to introduce Earl Riggins from Oakland, Illinois."

Speaker Hannig: "Representative Cultra."

Cultra: "Ladies and Gentlemen of the House, it is my honor to recognize Arthur Leenerman from Mahomet, Illinois."

Speaker Hannig: "The Lady from Champaign, Representative Jakobsson."

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Jakobsson: "Thank you, Mr. Speaker. It's my pleasure and honor to introduce to you and recognize Donald McCall from Champaign, Illinois."

Speaker Hannig: "And on the Resolution, the Gentleman from Bond, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. What a wonderful day to stand in the presence of such men. Ironically, we had the COUNSUL General, I believe it was, from Japan. I chose to sit with the three gentlemen from Indianapolis who I was so proud of, because whatever emotions were in their hearts as they stood in their state capital, they stood respectfully. I made a promise to them and I believe that every Member of this chamber is equal of the same promise that gentlemen we will... we will never forget you. Our children will never forget you. And their children will never forget you. God bless you for what you did. And I want to make one more comment about your commander, Charles Butler McVay, III, Captain of the U.S.S. Indianapolis who... the government chose to... to make him the... the scapegoat. He... he lived with that pressure and committed suicide some years later. And only after his death did our government find that he was not at fault at all, but simply following orders from Washington. People pay a terrible price to keep us free and God bless you gentlemen."

Speaker Hannig: "Representative Rose had asked that all Members be added. And there are no objections. So, Mr. Clerk, that will be done. Now, Mr. Rose adds... Mr. Rose moves that the House adopt House Resolution 673. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is

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adopted. On page 2 of the Calendar, under the... under the Order of House Bills-Second Reading, is House Bill 230. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 230 has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "House Bill 230, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 230 is an agreed piece of legislation in which the Chicago Teachers Union, Chicago Teachers Retirement System and Chicago Public School System have all come to an agreement. What this legislation does, it allows the Chicago teachers to become Medicaid eligible if they were continuously employed prior to March 31, 1986 and remain employed by CPS schools prior to 1986. Prior to 1986, the teachers in the City of Chicago were not eligible for Medicaid. After 1986, when teachers became Medicaid eligible, the teachers who were... are... were employed before the change, they were not affected. This Bill will make all Chicago teachers eligible for Medicaid... government for these benefits. This Bill will make all of the Chicago teachers eligible for Medicaid assuming that they meet the requirements... meet enough quarters which is the federal guidelines. Once again, this is agreed piece of legislation. I believe in 19... in the 93rd General Assembly

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we allowed... we passed legislation for the Teachers Retirement System to have this same benefit, Medicare... to be Medicare (sic-Medicaid) eligible. And so, we're simply asking for the same privileges for the Chicago teachers, Chicago Public Schools."

Speaker Hannig: "Representative Giles moves for the passage of House Bill 230. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I... I have just two questions. And I'm... certainly have no problem with the Bill. Number one, I assume that the offset between Social Security and their teacher's pension is still intact? This doesn't change that? I wish we could change it, but this doesn't change that, right?"

Giles: "That is... that is correct, Representative..."

Black: "Okay."

Giles: "...it does not change it."

Black: "I have a wife who's a retired teacher who would like to change that offset provision, believe me. The... the second question, this costs the Chicago Public Schools a 1.45 percent contribution for the... the employers' share of the Medicare premium for each teacher who elects to join the system. Is the Chicago Public School system, do they have a handle on that cost and are they able to absorb that cost?"

Giles: "Representative, that is correct. They do have a handle on that cost and they're able to absorb that cost. Of

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course, the... the payments that would be made on behalf of the employees, that will equal approximately \$7 million per year. Also, what this would provide a significant savings in... savings to the teachers... Chicago Teacher Retirement Fund because the significant reduction in the cost would provide for retired health insurance. So..."

Black: "All right."

Giles: "...there will be a savings from this legislation."

Black: "Did... did you say 7 million or 70 million?"

Giles: "Seven... seven million."

Black: "Seven million. And the Chicago Public Schools have no... they've not... have they... they've issued no objection or concern about that cost?"

Giles: "Not..."

Black: "All right, fine."

Giles: "...that's correct."

Black: "Thank you very much, Representative. I intend to vote 'aye'."

Speaker Hannig: "Is there any further discussion? Then Representative Giles is recognized to close."

Giles: "Thank you, Mr. Speaker. I simply ask for... this Bill is a long time due and I ask for the passage of this legislation."

Speaker Hannig: "This Bill requires 71 votes. So, the question is, 'Shall House Bill 230 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin and Cultra, would you like to be recorded? Mr... Mr. Clerk, take the record. On this

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question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 204. Representative Will Davis. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 204 has been read a second time, previously. Amendment #1 was approved in committee. No Motions filed."

Speaker Hannig: "Third Reading. Representative Davis, you want us to read the Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 204, a Bill for an Act concerning elections. Second Reading of this Senate Bill. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Will Davis. Representative Davis. Representative Davis. So, the... the Clerk has read the Bill on Second and Third. Are you prepared to present the Bill? No. Okay. Out of the record at the request of the Sponsor. Representative Bradley, John Bradley, on... on 273. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 273 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Bradley, has been approved for consideration."

Speaker Hannig: "Representative Bradley... on the Amendment."

Bradley, J.: "Yeah, this is simply a technical Amendment having the effective date of what it was intended in committee yesterday. It simply changes the effective date. It was

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agreed to by everyone and it's been supported by all the groups involved."

Speaker Hannig: "Is there any discussion? Then all in favor of the... excuse me, the Gentleman from Vermilion, Representative Black on the Amendment."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Ladies and Gentlemen of the House, I hope you will pay attention to this Bill. If you vote without having looked at this Bill, you're going to hear from some of your constituents who will be upset. As we enter the flu and cold season that they go in and are not able to obtain an over-the-counter medication as easily as they have in the past. I intend to support the Bill, but I think we all ought to be aware of what's in the Bill. Representative, I've seen the language of this Bill before. It's... I think Republican Sponsor had it last year, didn't they?"

Bradley, J.: "I didn't... I didn't ever. I don't know for sure..."

Black: "Okay."

Bradley, J.: "...if it's exact same language."

Black: "This language goes a little further than what Illinois has currently done. If I want to go into a pharmacy and buy a package of Sudafed for the head cold that I currently have, what will I now have to do should this Bill become law?"

Bradley, J.: "Well, it'll... it'll be a Schedule IV narcotic. And it'll be behind the pharmacy counter. You'll have to sign a log and you'll have to show an ID. Now, there also will be

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a limited exemption for convenience packs. So, if the pharmacy is closed you'd still be able to get your hands on convenience packs if you were having an attack. And... I mean, I don't... I'm like you, Representative, I don't take this lightly because we're restricting the ability of legitimate people to get their hands on cold medicine. This is such a ravaging problem in our communities we felt like we had to do something further. And the other states have done this. So, we're trying to keep up."

Black: "The current law says that such materials have to be behind the counter, correct?"

Bradley, J.: "Well, there's... there's different ways to meet the current law. It could be... it could be... the standard could be met in different ways. And one of those being behind the counter is my understanding."

Speaker Hannig: "Representative Black, are you finished on the Amendment?"

Black: "All right. Just one... one last question, Representative. If you go to a neighborhood store that sells over the counter cold medication that has pseudoephedrine, but they don't have a pharmacy, then what... what procedure do you have to go through at that time in able to purchase a package of Sudafed or any other package of medication that contains pseudoephedrine?"

Bradley, J.: "I'd... I'd have to get you the answer to that. I know they would have..."

Black: "Okay."

Bradley, J.: "...the convenience packs available, Representative. I'm not sure if there's an exception within the law..."

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Black: "All right."

Bradley, J.: "...to allow them to do that."

Black: "On... on Third Reading, I think if you could bring that up..."

Bradley, J.: "Yeah."

Black: "...it would helpful to many of us. As... as you are in rural areas. And again, on Third Reading I... I'd like you to address the fact... this will be an inconvenience to some people."

Bradley, J.: "Yeah."

Black: "But, unfortunately, I think the inconvenience is worth the hassle to try and stop what is a growing dangerous epidemic in the State of Illinois. And we can address that on Third. Thank you very much."

Bradley, J.: "Thank you."

Speaker Hannig: "The... the Chair would ask that we try to just debate the Amendment on Second and then we'll go to Third Reading. So, Representative Parke, do you have questions on the Amendment?"

Parke: "I do. Thank you, Representative."

Speaker Hannig: "Okay. Representative Parke."

Parke: "Will the Sponsor yield, Mr. Speaker?"

Speaker Hannig: "Indicates he'll yield."

Parke: "Thank you. Representative, this Amendment... doesn't this change initially that it was gonna be behind the counter and that you had to have a prescription for it?"

Bradley, J.: "No. The... the... all the Amendment does that we're asking to be adopted today is change the effective date from January 1 to January 15."

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Parke: "I can't... I'm sorry. Mr. Speaker, I cannot hear the Gentleman's response."

Speaker Hannig: "Okay. Could you re... could we give the Gentleman some attention, please."

Bradley, J.: "All... all the Amendment that we're asking to be adopted today does is change the effective date from January 1 to January 15. The Amendment that was adopted in committee yesterday was the actual meat of the Bill. It just had a typo in it, it had the wrong effective date."

Parke: "Well, let me ask you this then. If the Bill with this Amendment and the Amendment in committee, has everybody signed off on this now?"

Bradley, J.: "Yes. And to my knowledge, yes, Sir, including the retail merchants, Walgreens and all law enforcement."

Parke: "How about the small pharmacists?"

Bradley, J.: "I don't have that in front of me, but there was no opposition expressed in committee by anyone."

Parke: "Thank you."

Speaker Hannig: "Any further discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bradley, do you wish us to read this on Third? Do you want us to read it on Third Reading? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 273, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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Speaker Hannig: "The Gentleman from Williamson, Representative Bradley. So, Representative Bradley, the Bill had been read a second time, previously."

Bradley, J.: "Okay."

Speaker Hannig: "And so, we can read it on Third Reading today."

Bradley, J.: "Okay, we're ready."

Speaker Hannig: "So proceed."

Bradley, J.: "This is the Methamphetamine Precursor Control Act.

This is a further attempt by the State of Illinois in a bipartisan effort to deal with the problem of methamphetamine within the State of Illinois. It's an initiative of the Attorney General's Office. And basically, what it does is, as we explained before in limiting the amount of pseudoephedrine or ephedrine that can be purchased at one time to two blisters packs, we're basically taking the flour out of the cake. Well, now through this piece of legislation, we're locking the flour in the cabinet. We're making pseudoephedrine and ephedrine a Schedule IV narcotic and we're putting further restrictions on this. And as Representative Black and I discussed in the Amendment discussion earlier, we don't take this lightly. It's a restriction upon the rights of legitimate people who need pseudoephedrine or ephedrine to treat the common cold. But it's something which is absolutely necessary in order to rid our communities of methamphetamine abuse. We led the way a couple of years ago in terms of the Midwest in restricting the ability to buy pseudoephedrine. But the other states have caught up with us and now surpassed us. And I want to thank Representative Eddy and other Members of the Illinois

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Legislature and the Attorney General's Office for putting together this important piece of legislation to further limit the ability of people to make meth. I'd ask for an 'aye' vote."

Speaker Hannig: "The Gentleman moves for the passage of Senate Bill 273. And on that question, the Gentleman from Cook, Representative McKeon."

McKeon: "Thank you, Mr. Speaker. I wanna thank the Attorney General, Lisa Madigan, I've been working on a task force that she formed earlier this year dealing with crystal meth, which has become a serious problem on the north side of Chicago. We've only found two meth labs so far in the Chicago area. Most of them are in more rural areas and central downstate Illinois, which has created serious not only public health problems, but public safety problems as well as from the State of Iowa and State of Indiana. Representative Bradley talked about the issues of addiction to crystal meth, but let me talk very briefly to the Bill regarding some of the extreme hazards in the production of crystal meth in some of these garage, backyard or house meth labs that are sprouting up at an alarming, increasing rate. First of all, you cannot make crystal meth, Representative Black, without pseudoephedrine. It is not possible to manufacture crystal meth without pseudoephedrine. And this Bill proposes to place, I think, reasonable restrictions on the purchase of cold medications, which I take for chronic sinus problems occasionally. But from a public safety standpoint, what we're finding is that these amateurs that are operating these meth labs throughout the state,

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particularly as I said in rural areas, not only place their own lives at risk in the production process, but more often than not there are young children including infants present in... inhaling the fumes from these chemicals which are extremely toxic and in many cases highly explosive. It is not uncommon for these meth labs in the process of production to literally explode and incinerate not only the lab, but the people within the labs. The same time some chemicals that are used in the production of crystal meth are so toxic that the buildings or areas, if it's a high rise or a multi-story building, that floor and everything above it would be declared under Federal Law as a disaster area and a hazardous toxic site. Hazardous to the first responders. But in some cases with one particular ingredient that they must substitute 'cause it's cheaper, that building would become a hazardous waste site for anywhere from 10 to 15 years. That would render an apartment building, a house that was still standing or other structure unusable, uninhabitable, of no value to the property owner or the people that previously lived there for a period of 10 to 15 years until these toxics are no longer... substances are no longer hazardous. One of these chemicals if ingest... breathed for a prolonged period of time can cause deaths in a very short period of time. Some of these chemicals breathed by people and particularly small children and so forth look at a lifetime of respiratory problems and respiratory disease for the rest of their life. This is an important Bill. And I commend, again, commend the Sponsor Representative Bradley for his work with the Attorney

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General. And I commend the Attorney General for her hard work in what minor inconvenience might occur at a local drug store or store in terms of having to sign for the purchase of pseudoephedrine is a small... a small inconvenience relative to the magnitude of this problem and the potential threat to lives. Not just from addiction, but from people who might be anywhere in or around one of these illegal production facilities. Thank you again, Representative Bradley, and I urge an 'aye' vote. This Bill should pass unanimously by this chamber and the Senate. I urge your 'yes' vote."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. First of all, it's very good to have Representative McKeon back with us in the chamber. Larry, we missed you last spring. Good to have you back. Mr. Speaker, it takes awhile to get into the rhythm when we first come back. I should have addressed an inquiry of the Chair while we were still on the Amendment. With your permission, may I address an inquiry of the Chair?"

Speaker Hannig: "You can... you can always ask the Chair a question, yes, Representative."

Black: "Thank you. Amendment #2 becomes the Bill, correct?"

Speaker Hannig: "I think you... you could... we could ask the cl... you need to ask that of the Sponsor."

Black: "All right. Thank you."

Speaker Hannig: "The Sponsor will yield."

Black: "Representative, Amendment #2 becomes the Bill, correct?"

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Bradley, J.: "I... all it does is change the effective date. I can't remember if it has all the substantive language in addition to it, but it probably does."

Black: "There... there was some..."

Bradley, J.: "But the only difference..."

Black: "...omissions. It's my understanding that there was some omissions in the Bill that was heard in committee. Amendment #2 corrects the omissions..."

Bradley, J.: "Yeah."

Black: "...and adds immediate effective date, right?"

Bradley, J.: "The... the only thing that I know of that was... was not right in the Bill was the immediate effective date."

Black: "All right."

Bradley, J.: "That was the main thing."

Black: "All right."

Bradley, J.: "But that was all agreed to you and we were just cleaning it up. I apologize, Representative Black."

Black: "Oh, that's... no apology necessary. I just wanted to make sure..."

Bradley, J.: "Yeah."

Black: "...that we were all on the same page here. The question that I asked you earlier. In a relatively small general store, for lack of any more specific terminology, that are prevalent in rural areas where there is no pharmacy. And you sell milk and bread and eggs and convenience items and over the counter medication, aspirin, Sudafed, et cetera. Now, it's my understanding that a store like that since they have no pharmacy, would have to move any pseudo or ephedrine products behind the counter, correct?"

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Bradley, J.: "Yeah, that's right. And... and they can sell the convenience packs."

Black: "All right. And that's different?"

Bradley, J.: "Yeah."

Black: "A convenience pack has far fewer..."

Bradley, J.: "Yeah."

Black: "...pills, if you will, than a package you might buy in a national chain drugstore?"

Bradley, J.: "Yeah, you can... it takes a thousand pills to make an ounce of pseudoephedrine. So, by selling... or to make an ounce of meth. So, in order to make an ounce of meth you can't do that with two convenience packs."

Black: "Okay."

Bradley, J.: "So, there's not a threat by selling two convenience packs."

Black: "All right. Does... does the single proprietor store have to keep a record of who buys it?"

Bradley, J.: "I assume that they do."

Black: "All right. That... that... that may be a burden on a... a ma and pa operation."

Bradley, J.: "Yeah."

Black: "But unfortunately, it's a burden that I see we don't... we don't have any choice but to impose."

Bradley, J.: "And unfortunately, I... I think that oftentimes the mom and pop shops are the ones that are being preyed upon."

Black: "Right."

Bradley, J.: "And... and so, I... you know, we do this with a... with a heavy heart towards small businesses and people that legitimately use pseudoephedrine."

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Black: "Yeah."

Bradley, J.: "But the reality is I don't know what else to do."

Black: "I... I... I... and I'm... I'm in agreement with you. And then, my last question would deal with a large chain pharmacy. That would have to then... in that... in that drugstore you would have to go to the pharmacy counter to buy your product that would have..."

Bradley, J.: "Yeah."

Black: "...ephedrine or pseudoephedrine, photo ID and they keep a log and you can only buy a package in 30 days?"

Bradley, J.: "Yeah, that's right. There's a... there's... and there's a total limit on what can be given over a 30-day period."

Black: "Okay."

Bradley, J.: "Seventy five milligrams, I think is..."

Black: "Will there be..."

Bradley, J.: "...75 hundred milligrams."

Black: "...will there be a central database? So, that I can't go from one Walgreens or CVS..."

Bradley, J.: "We're..."

Black: "...you know, day after day after day?"

Bradley, J.: "...we're working towards that. It's not in the Bill."

Black: "Okay."

Bradley, J.: "That's our hope. Is that..."

Black: "All right."

Bradley, J.: "...you know with this deterrent we eventually get to the clearing house."

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Black: "Representative, thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. When... when it's as noisy as it is in the House on any given day sometimes people don't hear what you say. I... my earlier remarks were in no way intended to denigrate the... the Bill. I stand in strong support of the Bill. I commend Representative Eddy and Representative Rose for a lot of work on this issue last year. I also commend the Attorney General for recognizing that other states surrounding us are passing more restrictive legislation on the purchase... the ability to purchase pseudoephedrine products. And we have to keep pace or we will become the state of procurement for the drugs that make this methamphetamine, which is if it hasn't entered your area count yourselves very fortunate. But it's on its way. It is an epidemic that is the most frightening abuse of a drug that I have seen. The effects are dramatic. I think Representative McKeon pointed out the... the houses or the facilities in which this is mixed can often become a hazardous, almost a Superfund site to clean up. This will inconvenience some of our constituents. And some of them will probably bark at us. But the magnitude of the methamphetamine crisis demands that we take action. And this Bill, I think, while it certainly may inconvenience some of our senior citizens in doing what they're used to doing to treat their colds or symptoms of other illnesses they pick up during the winter, it simply has to be done. The scourge of methamphetamine is too serious to take no action. I urge an 'aye' vote."

Speaker Hannig: "Representative Reitz."

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Reitz: "Thank you, Mr. Speaker. To the Bill. I'd like to... one... as Representative Black had mentioned this... we don't want to become the hole in the donut. This is a plague on Southern Illinois and throughout Illinois. It started out years ago in Missouri and it spread across Southern Illinois and a lot of the rural states. But it's moving into the city and it's a... a problem that we need to keep on top of. And I commend Representative Bradley for his leadership on this Bill. And Attorney General Madigan has... has done very well in getting out in front and making sure that we take care of the problems as they exist. This won't be the last Bill we do on methamphetamine, but I think this is a step in the right direction. I'd appreciate an 'aye' vote. Thank you."

Speaker Hannig: "The Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentleman, this may be the closest thing to a silver bullet that we can get in the war against methamphetamines. It's not quite a silver bullet, but if you look at what happened in Oklahoma when they implemented a similar type, Sudafed control restriction, the number of their meth labs went down upwards of 88.0 percent. I hope that we can say next year at this time that we've had similar success with this Bill in Illinois. And I want to be perfectly clear on the point of convenience. I use Sudafed. In fact, I used it this morning for a cold. The convenience pack exception addresses those concerns. This is vitally, vitally important for those of us in downstate Illinois. And for those of you in Chicago who may not think that this is a

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problem, I can tell you as a task force chair of something we met 13 hearings statewide last year on this issue. What we saw was the tracks of the tiger in your communities, but perhaps not the tiger itself. Your superintendents, your teachers told us that they had kids coming to school smelling of anhydrous ammonia. Yet, your drug treatment providers told us that they'd seen an uptake in users, yet it's not sort of in the common parlance yet in the northern part of our state. Well, unfortunately, it is there in the northern part of your state. And hopefully, we can keep it from spreading even more. I would urge a strong, strong 'aye' vote on this measure. It's desperately needed in downstate Illinois. And quite frankly, it's now in the northern part of our state and it's desperately needed there as well. Thank you, Mr. Speaker."

Speaker Hannig: "The Gentleman from Rock Island, Representative Boland."

Boland: "Thank... thank you, Mr. Speaker. I stand in strong support of this Bill. For those of us who live in border areas, particularly in my district bordering Iowa, we have seen that as Iowa has strengthened its laws and as this legislation is very similar now to the Iowa law. And they have had great success in combating methamphetamine labs and... and the... the use of it has... has dropped in Iowa due to their strong law there. But unfortunately, what it's done is it's brought the dealers and others across the river into Illinois. We recently, in my hometown of East Moline, had a very large meth bust. And it... it showed that it is not just in the rural areas. It's in the cities. But in those

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border areas, particularly along Iowa where there is strong laws, it is in fact moving the meth problem even quicker across the border into Illinois. And so, this legislation while not the total answer because now we're seeing that... that dealers from Mexico and so forth that have been in other drug situations are now moving in to fill the gap there. And that education is the real answer. But in the meantime, we have to strengthen our laws to make them every bit as strong as in Iowa and other states to keep this problem from us becoming a mecca for the methamphetamine business and industry and dealers from moving across the river into our area. So, I hope that we all pass this. We know that the Attorney General is gonna enforce it very strongly. And it gives our law enforcement people a real good tool to help crack down on it. Cutting down on the supply is part of the whole problem. Although, we have to cut down on the market which is a much, much deeper problem. But this is a great first step and I commend the Sponsor for it. Thank you."

Speaker Hannig: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I just want to very briefly for the record state my sincere appreciation to Representative Bradley for his leadership on this issue. And to the General... General's Office for her support and leadership. I believe this is a... although a difficult issue for some, a real relief for law enforcement, especially in rural parts of the state, but certainly as mentioned before also in urban areas. I... I

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would urge us to remember that while we're taking an important step here there are other issues related to methamphetamine and the problems that it's brought to the rural parts of the state. There's treatment that necessary. There are a tremendous number of people who are under the influence and their families have been ruined by this. And in the future we're probably going to have to look at some type of... of help on the treatment side as well as some other good ideas dealing with this, drug courts, et cetera. But... but I certainly wanna... wanna to thank Representative Bradley and urge a strong 'aye' vote. And also wanna to mention the fact that the Retail Merchants Association has also supported this Bill at this point and appreciate their support. Thank you."

Speaker Hannig: "Representative Bradley, to close."

Bradley, J.: "Well, let me just follow up what the last speaker said. And I consider Roger Eddy a friend and colleague. And I really appreciate his leadership on this issue and many others. And I appreciate him sitting at the table with us yesterday and his assistance and leadership and vision on that. And Roger, I say that sincerely. I really mean it, appreciate that very much. This is a bipartisan effort. This is something which the Republicans and Democrats in the State of Illinois have come together on in order to make our communities better. And this is a real opportunity for us to do that. And we don't do this lightly, knowing that we're restricting the rights of... of innocent people to get pseudoephedrine or ephedrine. But we do this to get the scourge out of our communities. Methamphetamine is poison.

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And this is an opportunity for us here in the State of Illinois to rid our society of that poison. I'd ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' This requires 71 votes. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Kosel. Mr. Clerk, would you read Senate Bill 293."

Clerk Mahoney: "Senate Bill 293 has been read a second time, previously. Amendment #1 was approved in committee. No Motions have been filed."

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

Clerk Mahoney: "Senate Bill 293, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Kosel."

Kosel: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that we have heard before. And it deals with contracts when schools sell services such as pop machines, yearbooks, so forth. Sets up the procedure where the school board will now approved those contracts. And at their annual budget they will have an accounting of where their remuneration came from. It went out of here last time with no dissenting votes, I believe. And I would ask for your approval again. Thank you very much."

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Speaker Hannig: "The Lady moves for the passage of Senate Bill 293. Is there any discussion? Then the question is, 'Shall this Bill pass?' This requires 60 votes. And all in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, under the Order of House Bills-Second Reading, is House Bill 1920. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1920 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been approved consideration."

Speaker Hannig: "Representative, do you wish to withdraw Amendment #2? Is that what you're telling the Chair? Okay. Mr. Clerk, withdraw Amendment #2. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #3 has been approved for consideration."

Speaker Hannig: "Representative Bradley on the Amendment."

Bradley, J.: "This is the riverboat elimination Bill, House Bill 1920. Rather than going to merits of eliminating riverboat gambling at this time, all that this Amendment does is change the effective date from an immediate effective date to a 2007 effective date. I know that there's going to be lively and spirited debate on this issue. I would ask for the adoption of this Amendment and then to debate the merits of the Bill on Third Reading."

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Speaker Hannig: "So, I think the Gentleman's point is well-taken. If we could limit our debate on the Amendment to the Amendment, then we'll go to the Bill at the appropriate time. So, on the Amendment, Representative Parke."

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

Speaker Hannig: "Indicates he'll yield."

Parke: "Thank you. Now, again, let's... let's talk about the Amendment itself. It does... it... it simply puts off the effective date from immediate to sometime in '07, is that correct?"

Bradley, J.: "Yeah, I believe it's June... July 1 of 2007. Is that right?"

Parke: "I don't know."

Bradley, J.: "It's 2007."

Parke: "What... when in 2007?"

Bradley, J.: "July 1."

Parke: "I'm sorry?"

Bradley, J.: "July 1, 2007."

Parke: "Now, what... what happens between an immediate effective date and July 2007? Why... why are we gonna put approximately a year and a half end? So, that the riverboats can adjust to having to go out of business and give layoff notices or... or what?"

Bradley, J.: "Well, there was... there was some concern expressed by certain Members about doing it immediately. And this was an attempt to address those concerns. So, there would be a period of time from the time that this was adopted until such time that a riverboat was actually closed."

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Parke: "Are there... is there... did any special interest groups come to you and ask you for..."

Bradley, J.: "No, it was Members of the General Assembly."

Parke: "Did they tell you why?"

Bradley, J.: "They thought that by doing it in a... I guess what they would consider a phase out type of period, not just right away, that this would be something that would be easier for the State of Illinois to deal with. So, I did that as an accommodation. I... I... I originally intended to do it effective immediately and would still support that Bill. But this was in response to other Members."

Parke: "If there was an immediate effective date do you need more votes than if it was put off until..."

Bradley, J.: "That would be..."

Parke: "...July 1?"

Bradley, J.: "...that would be true, also."

Parke: "So, it goes from 71 votes to 60 votes..."

Bradley, J.: "That... that would be true, also."

Parke: "...by virtue of this Amendment?"

Bradley, J.: "Yeah. That would be true, also."

Parke: "Okay. Well, I thank you."

Speaker Hannig: "Any further discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. However, notes have been filed... requested and not yet filed."

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Speaker Hannig: "Okay. So, the Bill will remain on the Order of Second Reading pending the notes. Excuse me. Representative Bradley, for what reason do you rise?"

Bradley, J.: "Move that the notes that have been filed are inapplicable to this Bill."

Speaker Hannig: "Okay. Representative Bradley would move that the request for a fiscal note, a state mandates note, and a balanced budget note are inapplicable. And on that question, Representative Parke."

Parke: "I do not understand how this Gentleman can with a straight face ask this Body to vote to say that a fiscal note on a Bill that'll have anywhere between a half a billion and a billion dollar effect on the state budget should not have a fiscal note. Now, that is ludicrous and I can't believe you'd ask that. I think this Body needs to know what this will mean to the people of the State of Illinois. And to ask for that to be removed is... I'm... is disingenuous. And I rise in strong opposition to this. Of course, it applies. And again, it may be a way of trying to expedite this legislation. But Ladies and Gentlemen, we all know that this is gonna have a significant fiscal impact on the State of Illinois. And if you start talking about for convenience for political expediency to start doing away with the effectiveness of fiscal notes and other notes that are placed on our legislation, it has an adverse effect on the Body. And I would ask that the Body strongly rejects the Gentleman's Motion. We know that it applies and if this gets a favorable Roll Call, I would ask for a verification

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of the Roll Call. I'm... I'm shocked that this Gentleman would ask such a thing."

Speaker Hannig: "Okay."

Parke: "And it is also our understanding then on these... that there are a number of notes. Can the Clerk tell us how many notes there are?"

Speaker Hannig: "The... the... are you asking for the request, Representative?"

Parke: "Yes. How many..."

Speaker Hannig: "The... the..."

Parke: "...how many notes are filed? And has he requested that every note be ruled inapplicable?"

Speaker Hannig: "The Gentleman's Motion is that the requests for a fiscal note, a state mandates note and a balanced budget note are inapplicable."

Parke: "Well, then I would ask for a division of the question and have each... a Roll Call on each of the... of the Motions. And not be done in one Roll Call."

Speaker Hannig: "Okay. Representative, I'm advised that your Motion is in order... or your request for a division is in order. So..."

Parke: "I am. And I would ask the Body in the name of what is good for..."

Speaker Hannig: "Representative..."

Parke: "...this Body to vote 'no' on the Gentleman's Motion."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Well, while I... I don't appreciate the tenor of the remarks in terms of disingenuousness. If in fact there has been a fiscal note filed, and I'm new to this chamber, then

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I would move to withdraw my request. But there's no sense getting personal."

Speaker Hannig: "So, the Gentleman withdraws his request on the Motion. So, the Bill's now out of the record. On page 3 of the Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 319. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 319 has been read a second time, previously. Amendment #1 was adopted in committee. All Motions... notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 319, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Gordon."

Gordon: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is merely a technical change to the Bill. One word needed to be changed from 'convicted' to 'committed'. This Bill has never received a vote against it. And I would, again, ask for your support. Thank you."

Speaker Hannig: "The Lady has... moves for the passage of Senate Bill 319. Is there any discussion? Then the question is, 'Shall this Bill pass?' And this requires 71 votes. All in favor vote 'aye'; opposed 'nay'. Excuse me. Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. And I apologize for the late light. I... I was reading through the Bill. Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

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Black: "Representative, I... I've never thought to be the most intelligent person in this House, but I don't understand this. I... I see some language in here that could be construed as voting for this would be, 'huh, ha, ha, you're soft on crime.' I... What are... what are you attempting to do here? I'm... What's the parole provision? When... when would the parole... If I'm convicted of... of third or a second felony armed robbery, when am I eligible for parole under your Bill?"

Gordon: "Of armed... for armed robbery, a Class X felony, that has... this has nothing to do with armed robbery, Representative. This is the lifetime supervision for sex offenders Bill."

Black: "So, the title of the Bill is misleading that... what's on the board?"

Gordon: "I... I agree. I concur, absolutely."

Black: "Okay. So, we're talking about... What... what changes the makeup of the Bill? Was it Committee Amendment #1?"

Gordon: "It... We adopt... It was a... we adopted it yesterday in Judiciary II Committee, Representative."

Black: "All right. So, you adopted the Amendment yesterday in committee. It was a voice vote, correct, not even a Roll Call?"

Gordon: "I'm... I'm sorry, what?"

Black: "The... the Amendment..."

Gordon: "Oh. No, forget..."

Black: "...was added by a voice vote, not even a Roll Call?"

Gordon: "Yes, Sir."

Black: "And the Amendment becomes the Bill?"

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Gordon: "Yes, Sir."

Black: "And it has an immediate effective date?"

Gordon: "Yes, Sir."

Black: "And it has to do with mandatory supervised release for a sex offender?"

Gordon: "Yes."

Black: "How is that changing current law?"

Gordon: "Representative, the word 'convicted' was put in the Bill that was signed into law, previously, this summer by the Governor. However, that would make the Bill unconstitutional because the law would then... someone would be convicted now even if they committed their crime previous to the law going into effect. That would be unconstitutional. Therefore, we have to change it to 'committed' so that everything moves forward at this point and we're not creating an unconstitutional sentence on a defendant."

Black: "So, if... if I... if a person is convicted of a sex offense after the original Bill, what... what... what does the language say about their supervised release? Do they still... can they still qualify for it or...?"

Gordon: "Yes. Yes, they... I mean, they would still be subject to the rules for mandatory supervised release prior to what this legislation does. They would be subject to whatever the rules are previously to this legislation going into place, whatever they were last year."

Black: "So, if the supervised release provision only applies now, prospectively to the time you were convicted of the

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crime, not when you were indicted for the crime. Is that the difference?"

Gordon: "Yes. And Rep... and for example, Representative, say someone is arrested and indicted for murder in 2005 that they actually committed in 1985, those rules would apply."

Black: "Okay. So, there wouldn't be a way, and if I understand it in talking with staff, then what this language does is to make sure that a person who committed the crime 20 years ago would... would serve time and say, 'Look, I... hey, I've already... that... that goes back 20 years. I'm not subject to any kind of supervision.'"

Gordon: "Whatever the rules were 20 years ago for what was then known as parole is what would apply to him. Representative, I would love to make them subject to sup... mandatory super... lifetime supervision..."

Black: "Right."

Gordon: "...however, it's unconstitutional and we can't do it."

Black: "All right. So, this... this clears up and what you're attempting to do then is to clear up a potential constitutional issue?"

Gordon: "Absolutely. And I am saving the state money on having to litigate this in the future when some guy says, 'Hey, this doesn't apply to me. This is unconstitutional. Start all over again.'"

Black: "Well, Lord knows we need to save the state some money."

Gordon: "Thank you."

Black: "So, there... there's... there's no way this can be interpreted as letting a sex offender spend less time on supervised release... I... We're in the silly season now and

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sometimes things get twisted and they... they appear in mailing. Somebody who votes for this could not honestly be accused of reducing the supervision required when a sex offender is released?"

Gordon: "Well, Representative, there's lots of honest accusations that can be made, if someone makes that accusation it is absolutely dishonest. And anyone who does, is committing... is... is, as far as I'm concerned, not upholding the requirements of this office and this Constitution. Okay. I will not be one making that accusation. If someone does to you or any of your colleagues on your side of the aisle, I will be the first one to defend them, Representative."

Black: "I appreciate that and we may call on you. Thank you very much."

Gordon: "Not a problem. Thank you."

Speaker Hannig: "Representative Gordon to close."

Gordon: "Ladies and... Ladies and Gentlemen, this is merely a... a technical change, a clear up provision to a piece of legislation that is going to continuously protect our communities, our families, and our children. And I, again, ask for your 'yes' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' This requires 71 votes. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have... Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Three-fifths Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 331."

Clerk Mahoney: "Senate Bill 331 has been read a second time, previously. Amendment #1 was approved in committee. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 1213."

Clerk Mahoney: "Senate Bill 1213 has been read a second time, previously. Amendment #1 was approved in committee. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 1213, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Cook, Representative Lou Jones."

Jones: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1213 allows a Central Station to exchange the property of 23,621 square feet for the guard's... National Guard's property of 14,030 square feet. In addition, Central... Central Station will build the Guards a new parking lot, a large... of large size in a capacity to park more vehicles. All parties benefit from this trans... from this transition. The department gets more valuable, bigger and in proper parking for the armory. And as far as I know, there's no opposition to this Bill, but it's also supported by the Illinois National Guard, the City of Chicago. And I ask for a favorable vote."

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Speaker Hannig: "The Lady moves for the passage of Senate Bill 1213. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Hannig: "Yes. State your inquiry."

Black: "Yes. On a land transfer, does an appraisal have to be made and made a part of the record?"

Speaker Hannig: "And so I'm advised, Representative Black, that... that Rule 41(b) requires appraisals for a land transfer for anyone other than a government agency."

Black: "I'm sorry. Can you put that in... You and I are both downstaters, can you put it in downstate language? What does it say? Does... is a land trans... does a land transfer require an appraisal or not?"

Speaker Hannig: "If it's to a private person, yes. As opposed to..."

Black: "Well, it appears to me that a... an agency of the state is transferring the land to a private developer. I would think an appraisal would have to be made."

Speaker Hannig: "I think... You're correct and I'm advised that an appraisal is on file."

Black: "Would you be at liberty to give us the appraisal, what the amount is, could the Clerk to do that?"

Speaker Hannig: "Yeah. I think it's a matter of... it becomes a matter of public record and you can..."

Black: "Yeah. You know, before I'm... vote on it... The reason I bring this up and it's certainly not in opposition to the Lady's Bill. It's... with... with the eminent domain question

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that the Supreme Court recently put on all units of government, I just wanna make sure that before I vote I have some idea of what this land is worth because it's being transferred from a state entity to a private developer. Now, if the land's only worth \$15 hundred, that's one thing. If the land is worth six figures, then that's something altogether different."

Speaker Hannig: "Repre... Yeah, Representative Jones, why don't we take this out of the record for a few moments while we have Representative Black examine the appraisals. We'll come right back to it. Okay? So, we'll take this..."

Black: "Than... thank you, Mr. Speaker."

Speaker Hannig: "We'll take this out of the record. On the Order of Senate Bills-Second Reading is Senate Bill 1620. Representative Franks, your Bill's on the board. And Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 1620 has been read a second time, previously. Amendment #1 was filed in committee. No Motions have been filed."

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

Clerk Mahoney: "Senate Bill 1620, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. I stand here with Representative Ryg 'cause originally this was her Bill. And what we did is we used Senate Bill 1620 as a vehicle to accomplish our goal. And what we're trying to do is to put in a COLA that was inadvertently excluded from the Bill we passed last year. And the COLA would take effect starting

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in January of '06 and it would deal with the developmentally disabled and facilities serving developmentally disabled residents under the age of 22. We'd be happy to answer any questions."

Speaker Hannig: "The Gentleman moves for the passage of Senate Bill 1620. And on that question, the Gentleman from Jackson, Representative Bost."

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

Speaker Hannig: "He indicates he'll yield."

Bost: "All... My only concern and I'm in support of the Bill. My only concern is we're gonna give 'em a COLA when we're already how many months behind making payments right now and we're starting a new program and... or the Governor's asking for a new program and everything like that."

Franks: "What I'm told is this group is not behind in the payments. And I also..."

Bost: "They're not behind in the payments."

Franks: "And I'm... and I'm also told that this will also generate a federal match for much of the..."

Bost: "Well, it's wonderful to know that someone is being paid by the state."

Franks: "I agree."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black. Representative... Representative Black, are you seeking recognition on this Bill?"

Black: "Yes, I'm sorry, Mr. Speaker. Thank you very much. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

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Black: "Representative, it's only in state accounting where you can tell an agency they're going to get an increase that really isn't an increase because we won't pass the supplemental, but we'll extend payments. So, what's the net result? I mean, are they actually gonna see an extra dollar in the... in the rest of this fiscal year or are they just going to get kind of a promissory note and then maybe in the next fiscal year we'll catch up?"

Franks: "Well... Yes."

Black: "That's kinda what I thought."

Franks: "Yeah. And what I'm told it's gonna cost \$11.6 million, but we can get a federal match annualized to be 5.8. So, for the next 6-month period starting in January it would cost us \$2.9 million."

Black: "All right. Do you have reasonable assurance with what's going on in Washington that we will, in fact, get the federal match?"

Franks: "I have faith. Have a little faith."

Black: "Well..."

Franks: "I'm a White Sox fan, too."

Black: "A hypothetical then. If we don't get the federal match, is there an escape clause? If we don't get the federal match, I don't know how we can afford it. I don't know how we can pay this."

Franks: "There is not an escape clause, answering that question."

Black: "Yeah. There is?"

Franks: "No, there is not..."

Black: "There's not."

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Franks: "...an escape clause. There is not, but we're reasonable..."

Black: "Would we be obligated then for the... the amount of the federal payment that we may not receive?"

Franks: "Yes."

Black: "Are we not putting some extreme budget pressures on a budget that's already about to sink?"

Franks: "It's the same type of obligations that we... we took... we currently have. And yes, to answer your question, yes, we would take on more obligation. But the fact is, I think all of us here know how necessary it is and they were inadvertently left out of the last Bill. And I don't think anyone should get penalized because we didn't do our job well enough."

Black: "Well, I... You're very kind. I'm not sure I would agree that it was an inadvertent omission, but they were certainly omitted. Thank you, Mr... or thank you, Representative. I... I appreciate your candor. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I... I think the Sponsor is correct. These agencies treat some of our most vulnerable and nec... and needy citizens. But just one word of caution. In what I hope will be a very short Veto Session, we have one program alone that could cost upwards of \$50 million and so we add a few million here and a few million there and Ladies and Gentlemen, we'd better start being as cautious as we can with our votes. We have no money. The budget is in shambles. Our long-term debt has gone up three times what it was 4 years ago. At some point, while I don't intend to exercise my 'no' vote on this

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particular Bill. At some point, all of us are going to have to take a dose of intestinal fortitude and say if we can't afford something then, no matter how noble the cause, we may not be able to vote for it if, in fact, we can't pay for it. I think the Gentleman, in this Bill, is correct. I don't know why this omission was made. It shouldn't have been. And I'll vote to correct it, but I do so somewhat reluctantly because if the federal match doesn't come through, I have no earthly idea how we will pay what we are obligating ourselves to pay."

Speaker Hannig: "Representative Franks to close."

Franks: "Thank you, Mr. Speaker. And I appreciate the comments of my colleagues. We can't balance the budget on the backs of those with the faintest voices and those that need our help. This is something we should've done before. I encourage everyone to vote 'aye'. It's just the right thing to do. Thank you."

Speaker Hannig: "And the question is, 'Shall this Bill pass?' This requires 71 votes. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page 3 of the Calendar is, under the Order of Senate Bills-Second Reading, is Senate Bill 1843. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1843 has been read a second time, previously. No Committee Amendments. No... Floor Amendment

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#1, offered by Representative Madigan, has been approved for consideration."

Speaker Hannig: "Representative Turner is gonna handle the Amendment, I believe. Is that correct? Or Representative Currie? Okay, Representative Turner."

Turner: "Basically, Amendment #1 exempts for 5 years the Capitol building heating... heating and air conditioning upgrade project that is going to take place here in the Capitol. And what it does is it requires separate bids for specified components of the construction contract exceeding the value of \$250 thousand."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 1843, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Turner."

Turner: "Thank you, Mr. Speaker. The underlying Amendment which we just adopted becomes the Bill. And I should be corrected about the fact that this provision would require separate bids. What it does is it... it would exempt that and do just the opposite. This is... this legislation and this Amendment was necessary in terms of trying to deal with a heating and air conditioning project that's going to take place here in the Capitol building. And I move for the adoption of Senate Bill 1843."

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Speaker Hannig: "The Gentleman moves for the passage of Senate Bill 1843. And on that question, the Gentleman from Menard, Representative Brauer."

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

Speaker Hannig: "Indicates he'll yield."

Brauer: "I have one serious question here that I had several of the contractors in and around Springfield call me up. And because of this specification that's gonna keep them from being able to bid on this. If they're not big enough to do the whole bid and they told me that only one contractor in Central Illinois could bid on that. Is that true?"

Turner: "That's not true. It allows any and everyone the ability to bid for this particular contract."

Brauer: "No, it doesn't. I was informed that there's only one contractor that has a scope to bid on this project in Central Illinois. And that, in fact, it will keep every contractor besides one from bidding on it."

Turner: "That's not the intent of the legislation to preclude any other contractors from bidding. I think the... the... the intent here is to try because of the unique needs for this particular contract is to have it done in a certain timetable. Contractors can join together, I mean, it does not preclude anybody from doing it, but we just want to deal with a specific timeframe work in which we want this legislation or want this particular project take place. Now..."

Brauer: "Well, and I think... I think that can be done with several contractors, but this is worded in such a way that all the contractors in Springfield except for one will not

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be able to bid on this. And I would appreciate if you would pull this out, have some conversation and see if we could get some changes made."

Turner: "This... this does not... I'm giving you the facts of the in... that it allows any contractor to bid on. This is the same procedure, the same process, we used for the Illinois Emergency Management Association building that was built here locally. And... and because of the unique nature of the contract we're just trying to change the timeframe work with which it operates. It does not preclude any other bidders from being able to bid on it."

Brauer: "To the Bill."

Speaker Hannig: "To the Bill."

Brauer: "I had several phone calls from local contractors saying because the way this is worded that they will not be able to bid on this contract. That it needs to be broken up and that we need to have the ability to keep these bids locally here in Springfield instead of going to Chicago that to pull contractors down for this one particular bid. I urge a 'no' vote."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Black: "Yes. Has Floor Amendment #1 been added to the Bill?"

Speaker Hannig: "I believe we just adopted the Amendment, Representative."

Black: "And Floor Amendment 1 becomes the Bill, correct?"

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Speaker Hannig: "Representative, why don't you ask that of the Sponsor. He indicates he'll yield."

Black: "Representative... All right. Representative, my family, my grandfather and my father and my brother and now my nephew, have been in the heating and air conditioning business for a long, long time, more than 80 years. And my grandfather did a wonderful job when coal was king. My father did a wonderful job through heating oil, natural gas, heat pumps. My brother has been into alternative forms of energy and who knows what my nephew may get into in the heating and air conditioning business in the future. I bring this up because I think the previous speaker, my good friend, Representative Brauer, has raised a point that every Member on this floor should be very careful of. When you change the bidding requirements of... Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "At this point, in the history of Illinois, I cannot stand here in good conscience and vote to change the bidding requirement for a job that could be in the millions, millions of dollars. It appears to me that what my good friend, Representative Brauer was saying has some credence. I'm not saying it's an absolute fact, but it appears to me upon reading this and having grown up in the HVAC business that this language is designed to give this job to a particular company. Now, I'm not saying that's true and it might be one of two or three companies. How in the world can you vote for this when we may potentially face a scene where we're asking the University of Illinois to seek

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request for proposals to endow a chair in advanced African-American studies? Where a donor would give \$5 million to endow that professorial chair in advanced African-American studies? Who are we kidding? You don't go out and request proposals for those kinds of expenditures? The bidding and procurement law is to go out and find whatever company, wherever that company is domiciled, who can do the work necessary on this 125 year-plus old building. And that doesn't preclude a company from Indiana or Iowa or Rhode Island or wherever and it should not preclude subcontractors from bidding on the other forms of the work that will have to be done. I'm not making any accusations, but this Bill looks like something I don't want to be affiliated with. This state does not have a glorious history of changing the Procurement Code for the better and this, to me, seems to narrow the choices of bidders that we will get on what will be a multimillion dollar contract. If I've misinterpreted this, if I've misread it, if I misunderstand it, I apologize. I'm not doing so deliberately. But I don't like the way this Bill looks and I don't like the way it smells. And I urge a 'no' vote."

Speaker Hannig: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I do think there is a lot of misunderstanding, misinformation about this measure. We did, a year and a half ago, we did this... this more efficient, quicker design program for building the Illinois Emergency Management Department building. We needed to do that because of 9/11. We needed to be on a fast track. You should all understand that there

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were many subcontractors involved in that building, many, as many as you would find under the Procurement Code today. The difference is that those subcontractors are identified and their prices reported when the bid goes in. So, the person who gets the ultimate bid, we know who the subs are, we know what their prices are, but they are responsible to the chief, the prime contractor, which means you can keep to a schedule. Why, why make the exception for this particular building? Because of our schedule. We can't change the Veto Session to February or to April. We have to follow the Constitution and meet at various times during the year. This project will go forward in four separate stages, but there is not all the time in the world to complete each of those phases and what CDB is telling us is that if we're gonna continue to meet in this building, they have to be able to assure themselves of a strong time schedule for doing this work. This is not an effort totally to rewrite the Procurement Code. It is an effort, just as we did with the IEMA building, it is an effort to make sure we can get the work done quickly and in a timely fashion. The subs will be there, the same subs that today, apply and bid. So, I think that people's fears are not well-placed. I think we should support this measure so we can keep to our schedule and get the heating and air conditioning system repaired."

Speaker Hannig: "The Gentleman from Bond, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I would request that the Gentleman take the Bill out of the record. I... I have all... we all, on this side of the aisle, have all the respect for

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you as the Sponsor of this Bill, Representative, but I hope you'll understand why we're a little queasy about this. I mean, ya know, that the Governor came here yesterday and gave a great campaign speech, but yet the headlines in the paper are about more and more investigations about this admin... into this administration. We all wanna make sure that before we proceed and help this administration make a fool of itself that we would just like to, ya know, we're here to help. And Representative, I think if you take this Bill out of the record, we could work with you and maybe put this in a position that we don't want this Governor to take advantage of you. And we would... we would like you to take the Bill out of the record so that we can work on it, put it in a shape that gets the work done in a timely manner, saves the taxpayers' dollars, and yet doesn't allow for anymore scandal in this scandal-ridden, riddled administration. Thank you."

Speaker Hannig: "Representative Turner."

Turner: "All right. Thank you. I appreciate the prior speaker's comments and yet, in terms of the timetable that we're faced with in terms of addressing this heating and air conditioning situation here in the Capitol building, I think that it would further delay us moving forward. I think the previous speaker, prior to that, Representative... the Majority Leader, explained our intent here. I think that the precedent has been set that we have done this before in terms of dealing with the Illinois Management Emergency Association building (sic-Illinois Emergency Management Association) and trying to move forward with that. Because

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of all of the Homeland Security and the things that are very unique to the heating and air conditioning process and companies, we feel that this is the best way to move forward and I ask that we move for the adoption of Senate Bill 1843."

Speaker Hannig: "Representative Turner."

Turner: "Mr. Speaker, I know and I understand the urgency of trying to pass this legislation now. We're trying to be on a track where we would have all of this stuff completed within the next year, but because of the previous discussion if we would just take the Bill out of the record and let me continue to clarify the concerns of those who... who appear to have some concern. We'll work this out."

Speaker Hannig: "Okay."

Turner: "So, if you will move the Bill out of the record at this time..."

Speaker Hannig: "Okay. So..."

Turner: "...we will come back to it."

Speaker Hannig: "We'll take this out of the record at the request of the Sponsor. And Representative Lou Jones. Mr. Clerk, would you... we're going to return to Senate Bill 1213. You've read the Bill, previously. I think Representative Jones had spoke on the Bill and it was taken out of the record, as well. Representative Jones, maybe you would briefly remind us of the nature of this Bill."

Jones: "Yes, Mr. Speaker. I just ask for a favorable vote."

Speaker Hannig: "Why... why don't you just briefly remind us of just the... the broad parameters of what... what this was about and then... Representative Jones moves for the passage of

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Senate Bill 1213. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I appreciate the indulgence of the Sponsor and the Chair for taking this out of the record. Let me address the inquiry to the Chair. Has the appraisal now been filed and is part of the Bill? I... I've seen a copy of the appraisal, but under House Rules it needs to be filed and made a part of the..."

Speaker Hannig: "Mr. Clerk."

Black: "...material with the legislation."

Speaker Hannig: "Mr. Clerk, has the... have the appraisals been filed?"

Clerk Bolin: "The appraisal has been filed."

Black: "All right. Thank you. Ladies and Gentlemen of the House, again, appreciating the indulgence of the Sponsor, Representative Jones, and the Chair. I... I think you all need to know and I... Mr. Speaker, one suggestion I would have the next time we write the rules is that we... we make certain that the appraisal is part of any of this land transfer or swap business and that it should appear on the analysis, so that we all know what we're talking about. Ladies and Gentlemen, the land that the State of Illinois owns and is transferring to a private developer is appraised at \$1 million. The land that we are receiving... now, I'm trusting the appraisers, the land we are receiving in... in trade is worth about 1.25 million. Now, what makes this transfer attractive, more so than just the... the give and take, is that the developer has promised that he will pave, he or she, will pave, landscape, that lot that he is giving

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to the Department of Military Affairs to be used as a parking lot. So, in effect, the state will retain a parking lot for the Armory, the parking lot will move, that will enhance the value of the property that we are giving, the parking lot will be moved somewhat that will be but... excuse me, the parking lot will be improved by having it paved and lighted. So, it... it appears to me, from what I've been able to see, that this is a reasonable trade of land. It benefits a project in the City of Chicago, it does not harm the State of Illinois in that we are getting an equivalent piece of land that will be improved for use by the people who use the Armory. So, in that case and again, appreciating the indulgence of Representative Jones, I stand in support of the transfer now that I have seen the appraisal and the site plan."

Speaker Hannig: "Any further discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Hannig: "State your point."

Leitch: "It was my impression, after the dustup over Zeller Zone Center in Peoria and the subsequent changes, that these items had to go through a review before the Commission on Government Forecasting and Economic Opportunity. Has that not been done?"

Speaker Hannig: "Representative, I'm not certain that that's part of House Rules. Maybe you could cite to us where that's at."

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Leitch: "Oh, I recall very clearly that that process was set in... into place after the controversy over the Zeller Zone transaction in Peoria."

Speaker Hannig: "Yeah..."

Leitch: "I, too, am not trying to upset the Lady's or the..."

Speaker Hannig: "Representative, the... there..."

Leitch: "...the issue, but I don't think that it's..."

Speaker Hannig: "...there were some changes made regarding closure of state facilities."

Leitch: "No, not the closure, the transfer of property. There had to be appraisals, there had to be a report to the General Assembly from the former Ec and Fisc Commission. I mean, I was not in favor of that at the time and I'm not now..."

Speaker Hannig: "Representative, the..."

Leitch: "...but I believe that that is what was enacted and..."

Speaker Hannig: "We're..."

Leitch: "...is not a practice that apparently is being followed right now."

Speaker Hannig: "The Chair is not aware of any additional requirements needed under our House Rules, Representative. So... so, that's the ruling of the Chair. If you can bring us some appropriate citings, we'll be..."

Leitch: "No. I thought it was a very ill-advised thing at the time and I was opposed to it. I think it's cumbersome and I think it is not in the best interest of either the state or the communities to have this process, but the process was implemented and to be consistent I think it should continue

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to be implemented even though I would favor the Lady's Bill."

Speaker Hannig: "So... so, Representative, again, the Chair is not aware of any additional requirements that are needed. If you can bring us a citing, we'll be happy to comply with... with Rules."

Leitch: "Would the... would you ask the parliamentarian to look at Rule 41(b)?"

Speaker Hannig: "Did you say 41(b)? Is that correct? Okay. So, it's my... I've been advised that the... that the appropriate items were filed, documents were filed, before it was heard in committee and on Second Reading and that there were no objections and consequently all requirements have now been complied with."

Leitch: "Why is the information then not online pursuant to the Rule?"

Speaker Hannig: "I don't think the Rules require that it be online, Representative. It only requires that there be a... be the process and again, we believe that all the elements have been met."

Leitch: "Thank you."

Speaker Hannig: "Representative Jones to close."

Jones: "Again, I ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' This requires 71 votes. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr... Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Three-fifths Constitutional Majority, is hereby declared passed. Let's return to the top of page 3. We have Senate Bill 204. Mr. Clerk, would you read the Bill."

Clerk Bolin: "Senate Bill 204, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Davis."

Davis, W.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a simple Bill that will essentially allow an individual who is a community college board member to also be able to seek an elected office of county board member. Just removes the... the restriction and allows them to run for this seat if they so desire. Ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 204. And on that question, the Gentleman from Vermilion, Representative Black is recognized."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, just one question. Why? Why is this necessary?"

Davis, W.: "Well, actually, the change that we're trying to reverse, it was... you could do that before."

Black: "You... you could be a..."

Davis, W.: "I don't..."

Black: "...community college board member and a member of a county board?"

Davis, W.: "Yes, you could have. You were able to do that. I don't know the history, but it was changed and we're simply trying to reverse that change."

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Black: "The only thing that bothers me about the potential for conflict in this Bill, is that community colleges are such a unique create... creature of the General Assembly... Remember, they... they receive state aid, tuition and they levy a property tax and if you're a member of a county board, you then have direct influence, control, and a vote on the property taxes that are levied on behalf of the county which could then be used to benefit the community college. I... I see a potential conflict of interest that could be handled if they would abstain from that vote, but maybe that's the reason an Electoral Board decided that they couldn't do that."

Davis, W.: "Again, Representative, I appreciate your... your comment. I don't know the history of why that was changed. I don't... again, I don't even know what year it was changed to be quite honest with you, Representative. But there was that opportunity before and this Bill simply to..."

Black: "All right. I..."

Davis, W.: "...allows it to happen again."

Black: "And I... I appreciate your candor and that begs the question, is this allowed in statute or has it just been a practice? I mean, if it's allowed in statute, then how could the Board of Elections rule that they couldn't run?"

Davis, W.: "It was not outlawed in statute, to my knowledge."

Black: "All right. So, evidently there is no statutory authority, but now we're going to codify in fact what had been a practice in some election jurisdictions, now we're going to put it in State Law that you can be a community college trustee and a member of a county board. Now, has

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the Community College Trustees Association or the community college board issued any opinion as to whether they think this is a good idea or a neutral idea?"

Davis, W.: "Well, what I... what I've just been told, Representative, is that we are reversing it in the Attorney General's opinion. Even though it will be codified now, wasn't before, but we are reversing it in the Attorney General's opinion."

Black: "All right. So, there seems to be some confusion then whether or not this was ever allowed by a statutory provision and if the Attorney General upheld the Electoral Board then evidently it wasn't in statute."

Davis, W.: "I... I don't..."

Black: "So, this will correct that... Attorney General's opinion, I assume?"

Davis, W.: "Yes. Correct."

Black: "All right. But..."

Davis, W.: "It will reverse the Attorney General's opinion."

Black: "Okay. And you... you have not heard anything from the community college board or any particular community college as to whether they favor this or neutral or have some concerns with it?"

Davis, W.: "No opposition at this point."

Black: "All right. Fine. Excuse... excuse me. Mr. Speaker..."

Speaker Hannig: "Yes."

Black: "...can I just have a moment, please?"

Speaker Hannig: "Yes, proceed. Yes, Representative."

Black: "Than... thank you, Mr. Speaker. And I... I apologize and to the Sponsor. I needed to talk with staff for just a moment."

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Representative, and I wanna... I wanna do this as delicately as possible. Does this involve a particular battle between a very powerful politician in Cook County and a very powerful political figure who holds office also in Cook County?"

Davis, W.: "No battle that I'm aware of, Sir."

Black: "It... it... it might involve the chairperson of the Cook County Board is what we've been told."

Davis, W.: "I have not had any contact with the chairman of the Cook County Board of opposition, Sir."

Black: "So, it would not be your intent to involve the General Assembly in some kind of parochial dispute in Cook County?"

Davis, W.: "It's not my intent, Sir."

Black: "All right. I... I take you at your word. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey."

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

Speaker Hannig: "Indicates he'll yield."

Fritchey: "Representative, I can pick up where the Gentleman from Vermilion left off. And this isn't... this does... this doesn't appear to be just a random piece of legislation. So, I guess if I can ask, ya know, what... what specifically did prompt this?"

Davis, W.: "I'm sorry?"

Fritchey: "What... what prompted this Bill?"

Davis, W.: "The... the Bill was sponsored by a county board... a community college board member that expressed an interest in running for office."

Fritchey: "A specific individual?"

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Davis, W.: "A specific individual? Yes, Sir."

Fritchey: "Who was that?"

Davis, W.: "He's the... he's a chairman of the College Board of South Suburban College."

Fritchey: "Okay. Are these paid positions? Is the community... is the community college board a paid position?"

Davis, W.: "I don't believe it is."

Fritchey: "Do they get a pension, a public pension?"

Davis, W.: "I... I don't know."

Fritchey: "Well, what I... what I'm looking at, is that we're working on ethics reforms, we're working on pension reform, we're doing... My... my sole concern, objectively, whoever it may be and wherever it may be, is are we setting up in a situation for somebody to then hold two public jobs and two public paychecks, two public pensions, et cetera."

Davis, W.: "Well, again, like I... like I stated earlier. What we are doing is reversing an Attorney General's opinion that made it some type of an apparent conflict before. We are trying to reverse that. We are trying to reverse that. Someone who is a co... a community college board member is interested in running for County Board office."

Fritchey: "Okay. Wait a min... I meant... Okay. What the Attorney General has said, in her opinion, was... was it the current... a previous Attorney General opinion or this..."

Davis, W.: "I believe it was a previous attorney..."

Fritchey: "All right. So, a previous Attorney General has said, in his opinion, that this was not doable. Has the Attorney General's Office weighed in on this legislation?"

Davis, W.: "No. They gave this..."

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Fritchey: "They go for this..."

Davis, W.: "...they gave no position on it currently, no."

Fritchey: "Okay. Thank you."

Speaker Hannig: "Representative Dugan."

Dugan: "Yes, Speaker. Will the Sponsor yield?"

Davis, W.: "Sure."

Dugan: "Okay. Yes, I just wanted to check and just because this brings up an issue. In my district I had a County Board members that served on a local park district board and also a local school district board and they were told that they had to step off of one of 'em. And they actually went to the Supreme Court... the Illinois Supreme Court and they said that they could not hold both positions. Now, the County Board is a paid position but the school board and the park district is not and so I guess I'm just asking if this is kind of the same thing except we're talkin' community college boards. Is that what we're talkin' about, Repre... I'm just trying to understand it so that I know... Because I just had two very community advocates that have served for many, many years that were told they had get off one of their positions. They were both County Board members and they had to get off because... And so, is this the same exact thing?"

Davis, W.: "I understand that you're talking about a different set of offices, but I believe it is the same... essentially the same issue, ...compatibility."

Dugan: "So, I... I guess what I'm asking is, is because I had two people in my district that were told they couldn't, Sir. Is there someway in this legislation if we're sayin' it's okay

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for a community people to serve their communities in two offices, then... then is it something that we can do to include not only community colleges, but park district boards or school district boards that they're also elected to?"

Davis, W.: "Well, certainly... certainly, Representative, I appreciate what you're attempting to do and if you'd like to bring forth a Bill, I'd be more than happy to support..."

Dugan: "Okay."

Davis, W.: "...your Bill, but we're also trying to... just trying to move this piece of legislation."

Dugan: "Okay. And I just wanted to make sure, 'cause like I said it will be something then that I'll look at if it's... if it's able to be done this way because I... Like I said, I think anybody that wants to serve their community in two different ways, it's one thing if they're getting paid on both, but if it's a nonpaid position, then I think that that's something for us to say to volunteers, 'We don't want you to volunteer in your community', is not a good thing to say. So, I appreciate you bringing this up and it certainly will help me then address an issue that I think now we can address in my district. Thank you."

Davis, W.: "Thank you."

Speaker Hannig: "Any further discussion? Then Representative Davis is recognized to close."

Davis, W.: "Ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' This requires 71 votes. So, all in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Davis, would you like to put this on Postponed Consideration? Okay. So, this will go on the Order of Postponed..."

Davis, W.: "Yes."

Speaker Hannig: "...Consideration at the request of the Sponsor. Gentleman from Peoria, Representative Schock, for what reason do you rise?"

Schock: "Thank you, Mr. Speaker. For a moment of personal privilege. Ladies and Gentlemen of the House, with us up in the gallery today are a number of neighborhood leaders from my district here in Peoria, Illinois. And if they would all rise and Ladies and Gentlemen of the House, if you'd give 'em a warm, Springfield welcome. Thank you."

Speaker Hannig: "Okay. On page 8 of the Calendar, under the Order of Resolutions, is House Resolution 654. Representative Gordon, I'm advised you're going to present this Resolution."

Gordon: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Resolution urges Congress and President Bush to not make sweeping changes to the Social Security system that we currently have in our country. When the... when the Social Security system was initially put in place in August of 1935 Franklin Roosevelt said, 'We can never insure 100 percent of the population against 100 percent of the hazards and vicissitudes of life, but we have tried to frame a law which will give some measure of protection to the average citizen and his family.' The changes that are proposed may take

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away that level of protection. I would ask for your 'aye' vote to send this Resolution to Washington with full support of this Body."

Speaker Hannig: "The Lady moves for the adoption of House Resolution 654. And on that question, the Gentleman from Vermilion, Representative Black. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I move we act on this. It doesn't take any money. I move that the Chair ask for a voice vote."

Speaker Hannig: "Excellent idea, Representative. All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. The Gentleman from Peoria, Representative Leitch, for what reason do you rise?"

Leitch: "Thank you, Mr. Speaker. I'd like to be recorded as 'no' on that last Resolution vote."

Speaker Hannig: "The... the record will reflect your intentions, Representative."

Leitch: "...Mr. Speaker."

Speaker Hannig: "On page 5 of the Calendar, under the Order of Total Veto Motions, is House Bill 340. Representative Reis, you're recognized on a Motion to override. The Gentleman... Okay. Moving on the Order of Total Veto Motions, next would be House Bill 1334, Representative Kosel. A Motion to override. Representative Kosel. Okay. Representative Mautino, are you prepared on the Motion to override on House Bill 1486? Well, go ahead. You're up then, Representative Mautino."

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Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Today I'm asking for the override of the Total Veto of House Bill 1486. This legislation received 87 votes originally as it passed through and I think that's in... in large part because we voted on the actual Bill itself and on the language and what it would do. So, I commend those of you who voted on this. The cable restraint has been used in Illinois since 1990. It was actually legalized at the request of Illinois State University and the City of Normal when they had a problem with controlling the beaver population around the creeks there and the standard leghold traps, which they were looking at placing to eradicate the problem, would be in danger of running into companion animals or having a lot of human traffic. So, that was one of the things that brought this about and they've been utilized in water sets since 1990. The cable restraint, in this Bill, is designed with a release mechanism like on a dog chain. The animal supplies its own force. When they back off and let off, the strain is suspended. The animals can be released unharmed. The cable restraint is one of the most effective tools that's available actually for coyote management. And I think that's kind of an important thing that our Members should know. Currently, the Department of Natural Resources is or has commissioned then allows the use of these by the Max McGraw Wildlife Foundation and it's being used in the suburban areas and the City of Chicago in the studies of coyote population. And most of the... the areas are by Busse Woods, that's... it'd be the Ned Brown Forest Preserve, Poplar Creek Forest Preserve, the Max

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McGraw Wildlife Foundation and what they've used these for is to capture coyotes and then tag them and satellite track them. The reason that it's been allowed to use because it's a live capture and hold restraint. Unlike some of the articles that... that have been disseminated about it. It is... it's not indiscriminate and what this law hopes to do is put in protections to keep animals from entangling themselves, make sure the locks are releasing so that it would be a humane method of trapping. Additionally, the... all of our surrounding states: Wisconsin, Iowa, Indiana, Missouri and Michigan have utilized these and do allow them properly to be used because of their ability to restrain humanely the... the animals, both target and nontarget animals. In Chicago and the suburban collar counties, currently, we have using these devices trapped and restrained a hundred and eight-four coyotes which are currently being satellite-monitored for... for tracking of rabies and the movements of them throughout these regions. So, I would... I would ask that those of you, take a look at the Bill and what is lined out in the Bill is how to properly use a safe technology as opposed to the snare, that for those of you who were in Boy Scouts, we built to trap rabbits, which was a quick-kill device. These are important factors. And I thank those of you who voted for the Bill originally. You did so because you understood what the device was, how it was to be used, that is authorized by surrounding states and utilized by our own Department of Natural Resources authorization in studies in the Cook County Forest Preserves. It's utilized because it works. I'd be happy to answer any questions. And I

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would appreciate your consideration for a 'yes' vote on the Motion to override."

Speaker Hannig: "The Gentleman's Motion is to override the Governor's Veto. This requires 71 votes. And on that question, Representative Feigenholtz is recognized."

Feigenholtz: "Thank you, Mr. Speaker. Ladies and Gentlemen, to the Bill. The... the Governor's Veto Message was relatively clear. I'm not sure, I don't recall, what the floor debate was like on this Bill last spring, but I... I'm going to read the... what the Veto Message was. 'These traps have been banned in Illinois for over 50 years because the trap's wire hoops strangles the animal. Twenty-one states in the nation do not allow the use of snares. Snares are inhumane and indiscriminate. They cruelly kill wild animals for their fur and may also kill domestic pets and even endangered species. Even though this Bill requires a mechanism on the snare to reduce strangulation, the safety provisions in this Bill are still inadequate and animals would suffer unnecessarily.' Ladies and Gentlemen, I want you to know that this is a snare. I know that the... I know that the Sponsor is trying to make this contraption seem like a more humane device, but the fact of the matter is is that it's not. They were legalized in Michigan on a trial basis in 2001 for catching coyotes and foxes. And they ended up killing 107 domestic animals that were people's pets, people's property and 27 cats were also reported caught. Animals have a tendency to strangle themselves in these cable restraints. I was given one by the Humane Society for anyone who wants to take a look at this. I don't know... the

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Sponsor says that pets have a tendency to wanna step backwards out of it safely, but I'll tell you that it looks no different than a choker chain that you would put on your dog. And if the leash side of that was nailed into the ground, that animal would most definitely hang itself or strangle itself to death. So, I encourage you strongly to support the Governor's Veto so that we can all maintain a humane state for animals in Illinois. Thank you."

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

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

Speaker Hannig: "Indicates he'll yield."

Bost: "Representative, I just need to make sure that we... we... everybody in the Body is very clear. This is not the snares of old. Am I correct?"

Mautino: "Absolutely. This is... this is not the quick-kill device which has been banned and rightly banned in Wisconsin, other states. This is a live holding device utilized by our own agencies."

Bost: "And... and the device that was shown just a while ago by our colleague, it is a slide device so that it can, as the animal pulls, it will keep 'em in place but it will loosen up correctly, allowing them to breathe."

Mautino: "Yes. As a matter of fact, I don't know if there are any other Members in here who have trapped. I may be the only one. But... but that's a Rickard washer that is on there and it's designed like a dog choker collar. And what that does is the animal uses its own force, when it reaches that restraint, it backs up and the cable loosens. That's why it

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has been authorized in those studies and has had tremendous result in coyotes and foxes and other predator control."

Bost: "Thank you. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Bost: "Ladies and Gentlemen, I know that this is going to be a shock to everyone, but occasionally some wrong information is handed out on certain Bills and I think this is a case that there's been some confusion. No one wants to hurt domesticated animals. Now, would there be accidents happen? There may be, but the reality is with the other traps that are out there, that we have already have in the state, that can happen. But this is a humane way to try to trap the type of animals that people want moved... removed from their neighborhoods, from the areas around their home, and then be transported in a way that they can be then freed up or handled humanely. I think that there's been a lot of confusion over this. I don't understand why that each Member rather than just taking the information that's handed out to us that... that it's factual. I know... I know that that's a shock that I would say. That there's hand... information handed out around here that sometimes isn't factual. This is a humane way to trap. And a lot of other states here in the Midwest, that's what they do. I think this is a sensible vote. And I wanna support the Gentleman's Motion."

Speaker Hannig: "The Gentleman from Cook, Representative Burke."

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

Speaker Hannig: "He indicates he'll yield."

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Burke: "Representative Mautino, for some reason I don't recall the previous discussion on this matter when the Bill passed. Do you recall how many votes it received?"

Mautino: "Eighty... eighty-six or eighty-seven. I... Eighty-seven votes."

Burke: "Eighty-seven votes. A pretty substantial vote on a matter that all of a sudden has generated quite a bit of controversy. Would you not say?"

Mautino: "Well, I think all of these points we've discussed were discussed and it was actually fully debated at that time. I think one of the strongest points was that this could only be done on private property with the written permission of the landowner. And I think that made a... made a big help, but I think the people understood the Bill and what the device was."

Burke: "In the committee process, did you hear from any of the opponents of this legislation?"

Mautino: "Ah, let's see, there were... I would have to check. I can't recall. I know that there are some groups who were opposing the Bill."

Burke: "So, after it passed committee, now, when you brought it to the floor, was there significant debate on the issue?"

Mautino: "Actually, yes. Hence the 27 'no' votes that were involved in the Bill. I think we spent about 15 or 20 minutes on the Bill itself discussing why it is humane or the opposition side."

Burke: "Well, at this point in time, there are those that are suggesting that this matter, so to speak, fell under the

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radar screen and many people in this Body did not understand what they were voting for at the time."

Mautino: "Yeah, I saw that in a... in one of the articles on it that basically, actually, a pretty condescending article written in the Chicago Sun-Times which was both misleading and nondescriptive of the Bill. I think that it received a vote total of 87 because people understood what it was for, why they are necessary and why we currently use them as opposed to this statement that they haven't been used in 50 years."

Burke: "Well, I, for one, would admit my ignorance on the matter and suggest to you that I, for one, voted for this matter not understanding what it entailed and the extent to which these devices, these strangulation devices, cause injury to private pets. There is no discrimination in this strangulation device."

Mautino: "Ya know, it's interesting that you bring that up. In the... because the Department of Natural Resources of Wisconsin structured a 2-year study utilizing these different cable restraint devices in order to determine what the impact was. Now, in separate weather conditions and they vary dramatically, seven cable restraints were set, seven types, 715 separate devices used totaling 7,008 trap nights. This resulted in 344 distinct animal contacts, that's an animal comes through either steps in it, knocks it down, whatever, resulting in the collection of 41 coyotes, 16 red fox, 4 gray foxes, 5 raccoons, 2 deer and animals that were released were 9 raccoons, 7 domestic dogs, 2 deer, 1 fisher. All animals relea... that were released under this

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were released alive. They also received, from the ISO, a rating on the... they rated 'em for injuries. Of all of these captures... it showed it as a live restraint device, but none of the animals were injured. They had a score of 97 percent for mild to moderate injury, nonlife-threatening and because of that Wisconsin and some of the other states put in place the very design of these cables that we talk about today that we normally use for predators."

Burke: "Mr. Speaker."

Speaker Hannig: "Yes."

Burke: "Representative Mautino, what is this issue of the device being allowed to be placed under water? What... what is that all about?"

Mautino: "This doesn't... Well, this right here and that was language from the DNR who actually wrote the Bill. Since 1990 that's no change in the existing law in that we have allowed these to be used for beaver trapping and what you would do there is set about a... a 9-inch loop that has to be a third of the way above the... above the water, so there isn't a change. This would allow a cable restraint to be used on land."

Burke: "Is it current law that these devices can be placed under water without the property owner's permission?"

Mautino: "Yes."

Burke: "Well, not only, in that instance, would you not admit when you talk about this being a humane way to trap an animal, you're placing a strangulation device under water. What is humane about that? You don't strangle 'em, ya drown 'em."

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Mautino: "No, Representative, that isn't this Bill. That's existing law since 1990 and has been used for nuisance eradication of beavers and those... those items which have caused problems in other cities, but, again, like a lot of sheets dispersed out here, that's not this Bill."

Burke: "Thank you, Representative Mautino. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Burke: "Ladies and Gentlemen, as I suggested to the Sponsor, I believe there were many of us who voted in favor of this matter previously who did not, indeed, understand the nature and the extent to which these devices cause damage to innocent animals. This is a strangulation device. You can call it a snare, you call it what you will. The thing is inhumane. The Sponsors are suggesting that this is a humane manner of trapping an animal. Every animal rights group in the state has communicated with us. And I would suggest to you a picture speaks a thousand words. All you would have to do is see that one pet that is trapped by this strangulation device, suffered for God knows how long, and ended up being strangled to death. Ladies and Gentlemen, I believe that the Governor was correct in vetoing this matter. And I would encourage each and every one of you to consider this matter seriously and encourage the 'no' on this Motion and to uphold the Governor's Veto. Thank you."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Mr. Speaker, I move for the question."

Speaker Hannig: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All in favor

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say 'aye'; opposed 'nay'. The 'ayes' have it. The main question is put. Representative Mautino to close."

Mautino: "Thank you. I appreciate the spirit of the debate. I share the... the concerns. I'd like to answer a couple of things in closing here. Everyone received a picture which had a dog which was wrapped in a fence post. That is what this Bill will stop. If you look at the Bill and by negotiation with the dog owner groups and with the hunting groups, a cable restraint may not be set in any position where it can come to an entanglement. An entanglement is when you get the choking and that is what the picture... That picture is probably the best reason to pass this. We use them now, we use them for coyote and predator management. They've been very effective in the Cook County Forest Preserves. They've been effective in nuisance management. There is a place for them. These items, as I said, in the 2-year studies, we... they have been designed to do the release and we have had no injured animals. It's got an ISO national standard rating for humaneness of 8. Eight on a score where 55... 8 is good and the acceptable number is 55 at the high level. Most animals restrained in these are restrained alive. It will become more important as we go, but it offers a tool as we look into coyote and predator management. The property owner, the landowner, on private property must sign in order to allow this to happen. On my orchard, if there is a coyote that's back there and incidentally, a predator call for a coyote is a crying child. So, if you're... think about that, that oughta give ya chills. If I want to... if I want to eradicate that problem,

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here is a way I can do it with a trap that's going to hold its target animal or nontarget animal alive until it can be determined or released. Eighty-seven people here voted on this because you voted on the Bill. Ya didn't vote on a press story, ya did not vote on accusations or an explanation of a snare, which is a true strangling device and has been outlawed. This is no different than the chain that you would use with your dog. They supply their own force. When the constriction comes, they back up. That's why it's been used throughout the U.S. wildlife and is part of a management plan. So, aside from what you read in the papers, I think you knew what you voted for. And I hope that you will stay with that vote because it is a utilization of a tool to control predators with the owner of the land's consent, only during certain seasons. Thank you for your consideration."

Speaker Hannig: "The question is, 'Shall House Bill 1486 pass, the Veto of the Governor notwithstanding?' This Motion requires 71 votes and is final action. All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 37 voting 'yes' and 74 voting 'no'. And the Motion fails. On the Order of Total Motion Vetoes is House Bill 2528. Representative Bradley. Representative Bradley, you're recognized on the Motion to override the Governor's Veto on House Bill 2528."

Bradley, J.: "Thank you, Mr. Speaker. This is a very simple Bill. Currently under the law, a public hearing when a

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facility is gonna be closed in the State of Illinois is a permissive approach that can be taken. This Bill would simply make it mandatory. I think this is good policy. This is an opportunity for the people that are gonna be affected by the closing of facilities to have an opportunity to have a public hearing on it. I think the transparency and involving the public in something this important is always a good thing."

Speaker Hannig: "The Gentleman moves that the House override the Governor's Veto of House Bill 2528. Is there any discussion? Then the question is, 'Shall House Bill 2528 pass, the Veto of the Governor notwithstanding.' This is final action and requires 71 votes. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 15 voting 'no'. This Motion, having received the required Three-fifths Majority, the Motion to override prevails and House Bill 2528 is declared passed, notwithstanding the Governor's Veto. Next on the list is House Bill 2529. Representative Biggins. Proceed, Representative Biggins."

Biggins: "Yeah, Mr. Speaker, can we give me that number again on that Bill? Okay. Thank you."

Speaker Hannig: "20... It's House Bill 2595."

Biggins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2595 seeks to override the Governor's Veto. It's the result of the fatal Chicago office building fire of 2003, the few... and fatalities and require an

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ordinance that be passed by the city which it did, the City of Chicago, requiring the installation of automatic fire sprinkler systems and other life and safety devices in high-rise commercial office buildings that previously, mainly due to their age and the cost to cure that defect, previously they did not require them on those buildings in the City of Chicago. These are measures that will protect workers, tenants, and visitors. This Bill allows those buildings to be retrofitted with the proper safety measures as sprinklers and asbestos at a lower interest rate with payments spread over a long period of time. If this Bill does not pass, they still must make these improvements. They just won't get a better interest rate and a longer time to pay for these improvements. The Bill has passed the Senate unanimously on three occasions. We had it pass the House twice. I'd ask that it be passed enough today to withstand and override the Governor's Veto. Again, these improvements have to be made and will be made on these buildings and this spreads across at a more favorable interest rate over a longer period of time. I'll be happy to answer any questions the Members may have. And request an 'aye' vote."

Speaker Hannig: "The Gentleman moves to override the Governor's Veto on House Bill 2595. And on that question, the Gentleman from Lake, Representative Beaubien is recognized."

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

Speaker Hannig: "Indicates he'll yield."

Beaubien: "Yeah. I'd like to speak directly to the Bill. This is an opportunity to pass a business-friendly Bill, does not affect most of the state. It's basically high rises which

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you'll find in Chicago, maybe Schaumburg and some other towns. According to the Building Owner's Management Association, there are 129 of these buildings which have a remediation of over \$564 million. What, in effect, happens is under your leases for your business people, your commercial people, that are in these buildings there's a pass through in the leases so when a municipality or government agency gives a mandate that mandate cost is passed on to the tenant. Those are your people. Those are your men and women in business and your small businesses that are gonna pick this money up. This Bill allows 'em, these building owners, to take advantage of essentially municipal rates less. The example given to me by Blair, today, on a \$30 million 20-year financing, if you use the system in this Bill you're gonna pay 5.8 percent, if it's a second mortgage, you're gonna pay 7.5, if it's a third mortgage, 8.5. The difference between the highest and the lowest is about \$60 thousand a year, that's money that's passed on to the tenants. This is not paid by the landlord, this is not paid by the REITs, this is not paid by the wealthy owners of these buildings. It's paid for by the people that are in those buildings. This is an opportunity to cast the vote that helps business. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. To the Bill. The Sponsor was kind enough to talk to me about this at the end of last Session and again yesterday and I appreciate it. I understand where the Governor was coming from with potential

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tax implications, but let me tell you that a number of people that are impacted by this Bill are my constituents and they have contacted me overwhelmingly in support of overriding this Veto. They are understand the benefits of this program. They understand the intention of it. We are not hurting anybody, quite to the contrary. We are going to be doing a significant service for public safety, as well as for the building owners and the property owners that are affected. So, please vote 'aye'. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Joe Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanna reiterate what John Fritchey has just said and say this is one of these rare opportunities, Democrats and Republicans, where our Leadership on the Revenue Committee have really dotted 'i's' and crossed 't's' and made a win-win situation for a very serious subject. Representative Biggins, Representative Currie, this is a great Bill. Let's support Bob Biggins on this override."

Speaker Hannig: "Representative Biggins to close."

Biggins: "Thank you, Mr... Mr. Speaker. With all due respect to the Governor, I urge an 'aye' vote to override this Veto."

Speaker Hannig: "The question is, 'Shall House Bill 2595 pass, the Veto of the Governor notwithstanding?' This is final action and requires 71 votes. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 voting 'yes' and 28 voting 'no'. This Motion, having

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received the required Three-fifths Majority, the Motion to override prevails and House Bill 2595 is declared passed, notwithstanding the Governor's Veto. Representative Osmond, are you prepared on House Bill 3095? Okay. Proceed."

Osmond: "Thank you, Mr. Speaker. I would like to ask the Members to support a Motion to override the Governor's Veto on House Bill 3095. Many of you have heard about the Gavin School. Gavin has been with me for now almost 19 months. You've helped me through establishing legislation last year to allow them to get the money necessary to rebuild their school. This is a school that had several trusses cracked in the area after 8 years of its building. This particular piece of legislation seeks to clarify the constitutionality of the emergency legislation passed last year. And one of the things in this legislation was the provision to require the school district to repay the emergency loans and bonds from all the money collected through the legal setto... settlements that are going on right now with the architect and the builder. And I would ask for a favorable vote."

Speaker Hannig: "The Lady moves to override the Governor's Veto on House Bill 3095. And on that question, Representative Franks is recognized."

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

Speaker Hannig: "She indicates she'll yield."

Franks: "Representative, I admire ya on your work on this. Could... could you please let us know where the... where it sits with the litigation, because it seems to me that this... somebody screwed up here. It was either the builder or the architect or someone did and I'm sure there's insurance

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companies involved. And what I'm worried about is we're asking the taxpayers to become a de facto surety and having taxpayer... taxpayers become the indemnity and having our taxes raised to pay for something that obviously a third party owes. So, I'd like to know where are we in the litigation process?"

Osmond: "As of 10:07 this morning when I talked to the Lake County superintendent of schools, this has gone through two court battles. Previously, they wanted to tear down the school to the... just start all over again. A group of the school board members, the old school board members, got together, filed a lawsuit, said that they could not demolish the school. That's been going through the court process. As of today, the architect and the construction company are to meet with the school board tonight and to work out a remedy so that they can start on the reconstruction. It will not be demolished. They have voted to go and go with doing the repairs with this architect and with this builder. They have the money right now. It's not been touched. The money is sitting there. It will be returned to the taxpayers hopefully with the settlement from this lawsuit. They will recoup the relocation costs in that."

Franks: "That begs the question of why we need to do this. Would it be more prudent to wait another week... I've spoke out against it a number of times for the reasons we're talking now, hoping reasonable parties can come together and come to a solution that wouldn't require us to raise folks' taxes, whether it be temporary or not, once they're gonna get the money back, because oftentimes when taxes are raised

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the people don't get the money back. Would you be willing to wait a week on this to see what happens on the settlement negotiations tonight? 'Cause I'm sure that you're gonna get this passed in the House if you run this. I just think it's poor public policy to pass this kind of legislation when there... when there are opportunities for third parties to come together to take care of this."

Osmond: "Representative, what this particular piece of legislation does is it strengthens what we put into law last year. Last year the question was brought... I mean, I'm sorry. This year the question was brought that this was special legislation and therefore, in the special legislation maybe it would be unconstitutional. What I'm trying to do here is strengthen that legislation so no one on this House Floor ever, ever has to go through a Gavin School crisis where they have to keep coming back to the General Assembly, that the law would be strengthened and it... it would be a better point of... of law. If I delay this a week, it would not have the necessary time to get through the Senate."

Franks: "Would you wait 'til tomorrow to see what happens tonight at the meeting?"

Osmond: "I don't believe so."

Franks: "Okay. Well, then, to the Bill. I appreciate it. I just think that we were setting a poor precedent here if we vote to raise people's taxes when there are culpable entities that owe for their mistakes, whether it be a builder or an architect and they're in negotiations to pay for their mistakes to fix it... to fix this and to ask the

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citizens to raise their taxes to pay for something that they've already paid for is fundamentally wrong. And that's why I'll be voting 'no' and ask you to do the same."

Speaker Hannig: "The Gentleman from Lake, Representative Washington."

Washington: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Washington: "Mr. Speaker, I stand in support of my colleague's efforts with this Gavin School issue. I remember when this first took place and to no fault of her own the circumstances have changed quite to my dissatisfaction and others who supported her on that. But I think, as the Representative of her exclusive area and the longevity that my colleague has been into the political arena, she certainly is able to test the waters and measure what her community would bear to get Galvin (sic-Gavin) fixed and get it out of the way for the children there. So, in essence, I think that what she is doing not only helps her area but it leaves the door open for flexibility for other school districts who find themselves, rather than the exception rather than the rule, in a situation like this that's caught up in a spiral of legal quagmire at this point in time, but I think that when she offers to say that once the settlement is there that the taxpayers, of course, would see a return on what they put up front. And I urge support of her efforts. Thank you."

Speaker Hannig: "The Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. To the Bill."

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Speaker Hannig: "To the Bill."

Sacia: "I, along with the previous speaker, strongly endorse what the Representative is doing. I have a similar situation in a district in my district, Stockton High School and these kinds of situations, which was so well articulated by my colleague, Representative Washington, hits the nail right on the head. Many times school districts get caught in a Catch-22. There is no one in this Body that I reпре... that I respect more than Representative Franks and I think in 99 percent of the issues that he votes in favor of something, I'm in favor of it because I know where he's coming from. In this particular issue, I take strong issue with him. Representative Osmond has an obligation and a duty to her constituents to do what is right. This legislation is right for her district, it's right for the school involved and it's something that we, as a Body, have an obligation to help her because every one of us in this Body will have issues involving our school districts as the years go on and districts are held down by tax caps. This is good legislation. It's a time that we must override the Governor. And I stand in strong support of Representative Osmond's override request."

Speaker Hannig: "Is there any further discussion? Then Representative Osmond is recognized to close."

Osmond: "I just thank everyone here for the past support. And I hope you can continue to give me a 'yes' vote. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 3095 pass, the Veto of the Governor notwithstanding?' This requires 71 votes and is final action. All in favor vote 'aye'; opposed

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'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 79 voting 'yes' and 37 voting 'no'. This Motion, having received the required Three-fifths Majority, the Motion to override prevails and House Bill 3095 is declared passed, notwithstanding the Governor's Veto. Returning to page 3 of the Calendar, on the Order of Senate Bills-Senate Read.. Second Reading, is Senate Bill 331. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 331, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

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

Clerk Bolin: "Senate Bill 331, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 331 is a followup Bill to a licensure which we passed 3 years ago which licensed elevator maintenance and... and... and installers. In that original licensure, we did not address the fact that there are home medical equipment companies out there that install chairlifts for the disabled in residential settings. We did not address the fact that we needed somebody from the disabled community on the licensure board. And as a result, when they... JCAR was attempting to write the rules for this licensure they request that it come back to us for further review and further direction so that

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they could complete the rulemaking process. And this Bill as amended offers those general parameters for writing the rules and addressing concerns of outside associations and interest groups which brought up some concerns and... and rightfully so. And we feel we've addressed those concerns in this Bill. And I would ask for you to vote for Senate Bill 331 as amended."

Speaker Hannig: "And on that question, the Lady from Cook, Representative Nekritz."

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

Speaker Hannig: "This is..."

Nekritz: "Okay."

Speaker Hannig: "He indicates he'll yield."

Nekritz: "Okay. Thank you. How many members are on this... the elevator safety board right now? Do you know? Yeah. How many mem... how many members are on the..."

Saviano: "That's... that's what..."

Nekritz: "Okay. All right."

Saviano: "...I'm trying to figure out."

Nekritz: "Thank you. I... I believe it's about 12 or 13..."

Saviano: "Thirteen, yeah."

Nekritz: "...somewhere in there."

Saviano: "Yeah."

Nekritz: "Thirteen, in that range. And so, by adding... by adding the one from the disabled, it's now, would be, let's call it, 14. Because I believe there was also some interest by the... the... not only the disabled community but the senior community in having a member on this board, as well, to have their voice heard along with the... those companies that

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install these accessibility lifts. So, that would have added three that would... that would be... the request that they had had which would not have changed the balance of power on the board, as I understand it."

Saviano: "That's correct."

Nekritz: "Okay. But this Bill does not do that. It only includes just the disability member."

Saviano: "That's correct."

Nekritz: "Okay. So, I th... I believe that... that the coalition in sup... who was working with the disabled community and the senior community and the installers of these... of this equipment would still prefer to have those two additional members on the board."

Saviano: "That is correct."

Nekritz: "Okay. And then are... there are some additional training programs that are out there that... that are not addressed in the legislation for elevator installers. Do we plan on addressing that in the future?"

Saviano: "Yes. And it is obviously something that JCAR wouldn't have the authority to address, that would be something that we would address and we plan on sitting down with the... all the groups down the road and make sure it's more inclusive of the other nationally certified associations."

Nekritz: "So, we'll be back on this again?"

Saviano: "We would hope."

Nekritz: "Okay. Great. And then can you explain to me what the... what the limited elevator mechanic's license is? Do you... And I have to admit I... I'm not really clear on what that aspect of the Bill does."

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Saviano: "I believe what that is, is it when you say 'limited' we have actually... you have elevator installers who install the commercial-type elevators that we're all familiar with. A limited license would address the smaller projects like home lifts, chairlifts, things of that sort and... and it distinguishes it in... in the... in the Bill."

Nekritz: "So... so, you would... you would believe that this limited elevator mechanic's license would cover those that install platform lifts... lifts..., chairlifts and residential elevators?"

Saviano: "Correct."

Nekritz: "That's..."

Saviano: "That's its intention."

Nekritz: "Okay. All right. Well, I believe that there... that there is still some work to be done in this area and it would certainly be my hope that we would... would be able to work out these remaining issues through JCAR. I do have some concerns that the voices of the seniors who are more and more a larger piece of this accessibility market is not gonna be heard on this board as well as the installers of these pieces of equipment and that's important because it's so different. It's a totally different industry than the elevator in... than the traditional commercial elevator industry, that I think that their voice is important on... on this board and I would hope that at some point we could revisit that so that they... so that they could be heard as we go through the JCAR process and we go through sort of implementing this Bill. Thank you."

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Saviano: "Thank you, Representative. And I totally agree with you and I would hope once JCAR starts addressing this maybe we'll get some more direction from them on... on whatever assistance they need to do this, 'cause this is very complicated as we have found out over the last couple years. So, it's an evolution process and I'm... I'm willing to follow it."

Speaker Hannig: "Representative Bost."

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

Speaker Hannig: "Indicates he'll yield."

Bost: "Representative, we talked earlier today and for some... for purposes of legislative intent, I have a few questions. One of the requirements for the grandfather clause is a requirement for an elevator contractor's license is 5 years' experience in the elevator industry and it will con... it will... will a contractor, that's worked 5 years or more and on LULAs, which is LULA, but not commercial elevators, be able to be qualified under the Elevator Industry Act?"

Saviano: "Yes. They will qualify under the grandfather clause."

Bost: "And therefore, they will not be and this is not in the program here, but, they will... therefore will not be required to go to some secondary training source or anything like that if they're already in business and have been established in business, it's not our intent to make... take them out in any way?"

Saviano: "That is not our intention."

Bost: "Okay. Thank you."

Speaker Hannig: "Representative Coulson."

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

Speaker Hannig: "He indicates he'll yield."

Coulson: "I believe several of my questions have been asked, but just to make clear. One of the qualification requirements for an elevator mechanic's license is 3 years of experience in the elevator industry and satisfactory completion of a written exam. If an individual has been at... working exclusively on the L... the LULAs or the limited use limited application conveyances for 3 years or more, will that qualify them under the experience in the elevator industry criteria?"

Saviano: "Yes."

Coulson: "So, what we're trying... as I understand it and maybe you can clarify this, what we're trying to do here is make a law that we passed in the past better for the disabled, better for seniors, so that they can continue to have access to affordable devices that will help them move around their home or small commercial buildings."

Saviano: "Well, that is correct. And I think your intention is that we don't wanna put anybody out of business. We wanna make sure the businesses are out there and doing a good job, are capable of continuing that service to our senior community."

Coulson: "And I know that you wanna continue to make sure that the industry is safe, but also my concern is that it's still affordable for someone who is either temporarily disabled or permanently disabled, which could happen to any one of us on this floor at any minute, will have access to an affordable

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device that they may need and we're not trying to price them out of the market either, the person, the disabled person or the senior citizen or... or myself."

Saviano: "Well, that... that is not the intention of the law and I would think that this would be more geared in the sense that we're insuring that there are qualified people installing these at whatever the current rate is now."

Coulson: "And I guess... I know that a grandfather clause was already discussed and I guess... to the Bill. I would hope, as we discussed in committee, that as we deal with the rules in JCAR that the legislative intent is that we've talked about today is followed as far as making sure that seniors and the disabled are able to continue to have access to affordable devices to make their lives easier and buildings accessible so that they may con... be part of the community. And I encourage, in that sense, an 'aye' vote, but I also wanna make sure that we continue to monitor this and that we're... we're careful about how the rules are written. Thank you."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Mr. Speaker, will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Verschoore: "Representative, are you aware of any other labor organization that might be in opposition to this legislation?"

Saviano: "No, not at... not at this time."

Verschoore: "Well, I was... I was under the understanding that there possibly might be some that might."

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Saviano: "No. I had seen the electricians earlier and they were looking at it, but I... they haven't said one way or the other. I think they are still looking at it."

Verschoore: "Okay. Thank you."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank you, Speaker. As a Member of JCAR, we've been struggling with this for about the last 6 months. The law that was passed was completely inworkable... unworkable. And we've excluded the private homes. There's still a little controversy on the lift issue on one certain type, but for this to move ahead, we're willing to... to... to be a creature that, ya know, moves on. But for goodness sakes, this is a good Bill. This cleans up 99 percent of the problems. I understand that even though we've worked with the coalition through this, the senior citizen member on that board really was... has... first I heard about it was about a day ago when we were in committee and... and we're more than willing to... to... to let this thing change and add a member later, if that's what they wanted to, that's not a problem here. If we'd known it earlier, we would have, but I can tell you I've talked with staff in depth as late as 5 minutes ago and we weren't aware of this that they wanted to be included at the time. This Bill's gonna let us make a very unsafe area that's fairly unregulated right now, be brought into the twenty-first century and we're also gonna exclude the homes. And I would surely urge an 'aye' vote. If we need to tweak this later, everyone involved says we're willing to look at it and do that, but for right now, to get this thing off the

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ground and running, we need to move ahead and pass this Bill. Thank you. I ask for an 'aye' vote."

Speaker Hannig: "Representative Leitch."

Leitch: "Are meetings of the elevator safety board public meetings?"

Saviano: "As far as I know they are."

Leitch: "Well, yeah, I believe they are and I'm curious as to why the initial board meetings excluded, in fact, shut out members of the public who wanted to attend them."

Saviano: "I don't know if I can answer what their intention of that was, but obviously, they would probably be violating some section of the Open Meetings Act, wouldn't they?"

Leitch: "Well, I think they were in addition to being extremely rude to members of the public who wanted to participate. Why would it take a Freedom of Information request to get the proposed documents and proposed rules and the agenda to the elevator safety board meetings?"

Saviano: "I have no idea."

Leitch: "Well, the answer is because the person who is in charge of it, who happens to be head of the union, wouldn't let even though those documents be made public so others could review them. And even then, after the Freedom of Information request and after they were successful in reviewing the... the documents before the board, the chairman ran the meeting in such a way as to say like, 'Is there a Motion on 1(a), 1(g), 2(b)?' So, the purpose of the meeting was to totally obfuscate and completely keep in the dark members of the public who were trying to work through a thoroughly unworkable law. If ever there was a law that is

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completely unnecessary, this certainly would be at the top of that chart. There is no problem that this... that this law is attempting to solve for other than trying to keep small, successful contractors who've been doing this business for years to put them under union control and to stamp out the people who have been successfully implementing and installing the LULAs and the dumbwaiters and all the other types of equipment for years. This Bill has been a challenge to those of us at JCAR because the mission of the Bill itself is not sensical. And I guess with this, we will make a step forward, but this is a Bill that never should have been passed and had it been passed, it should have had far more extensive review, because it's truly is working a hardship on all of those whom it's supposed to protect and those who are supposed to be working under it and those who are making their livelihoods by attempting to continue to remain in business and provide effective LULAs, elevators, dumbwaiters and the other residential and developmentally disabled equipment. So, I think this is a... we should learn a lesson from this mess and not repeat it in the future. Thank you."

Speaker Hannig: "Representative Saviano to close."

Saviano: "Thank you, Mr. Speaker. And I would thank the previous speaker for working over the last couple of years keeping me apprised and I think, like Representative Holbrook said, I believe we've corrected it 99 percent and we'll continue to work it. We need this Bill for JCAR to move ahead with their rules and I think we've come a long

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way with it. And I would ask for your approval. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 10 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Now, we're going to return to the... Senate Bill 1843. Representative Turner's recognized. You had presented this Bill earlier and taken it out of the record, I think, at the request of someone on the other side of the aisle. Would you like to briefly explain to the Members what this is about."

Turner: "Well, to say that an agreement has been reached or there has been some clarification in terms of the actual intent of this legislation. That is that there will not be just one bid but in this particular case there will be four bids regarding this particular contract. As I mentioned earlier, because of the nature of what we're doing and the time constraints here in trying to make this happen in the Capitol, we're just trying to... to address these changes. These are the same changes that we made for the Illinois Emergency Management Association building when it was constructed. And as I said, we spoke earlier with some of the opponents to the opposition... to this Bill and I believe that all questions have been answered."

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Speaker Hannig: "And the Gentleman from Menard, Representative Brauer is recognized."

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

Speaker Hannig: "He indicates he'll yield."

Brauer: "I appreciate your graciousness in taking it out of the record. I got my questions answered. The main question was, the fact that this is a \$63 million contract. It isn't gonna be bid in one bid. It's gonna be four separate bids and the fact that they're gonna be takin' 'em from a prequalified bidders list on... on the subcontractors should make the work go extremely smooth. And so, that answers all my questions. And it is a good bid. It's gonna make the work be done in a timely fashion and I appreciate working with Representative Turner on this. Thank you."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I, too, would like to thank Representative Turner for taking the Bill out of the record. Will the Sponsor yield for one question?"

Speaker Hannig: "Yes, he indicates he'll yield."

Black: "Representative, it is your understanding that any responsible business entity who's involved in HVAC who wants to bid on this contract will be... will have the opportunity to do so?"

Turner: "It is my understanding, but they should be prequalified. As long as they are prequalified..."

Black: "Right."

Turner: "...they will have the opportunity. Correct."

Black: "And that's not a... an unusual process."

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Turner: "That's correct."

Black: "But it is... it is a process that will be open to those who are prequalified and have the resources to do the job."

Turner: "That's correct."

Black: "Thank you very much."

Speaker Hannig: "The Gentleman from Bond, Representative Stephens is recognized."

Stephens: "Thank you, Mr. Speaker. Representative, you're a gentleman and a scholar. Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes and it is final House action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wait, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 4 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Leitch, for what reason do you rise?"

Leitch: "Thank you, Mr. Speaker. I'd like to be recorded as a 'yes' on the last vote."

Speaker Hannig: "The record will reflect your intentions, Representative. Okay. On page 6 of the Calendar, on the Order of Amendatory Veto Motions, is House Bill 29. Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am urging an 'aye' vote to override the Governor's Veto of House Bill 29. This is the one that

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deals with tattoo parlors across the state. And what the Governor has done was to leave all of the punitive measures in the Bill, but leave the age at 21. I've talked to the major parlors across the State of Illinois. I've talked to the local police departments. They both feel that this is going to make it very confusing and will not bring order to that industry. What the Bill does, in its original form, it puts the age of tattoos at 18 that corresponds with the age for body piercing in the same establishments. It keeps children out of tattoo parlors completely. Anybody under the age can no longer be in a tattoo parlor unless they're with their parents. It also changes the penalty for tattooing someone underage from a Class C to a Class A misdemeanor which puts some teeth in the law. It also makes it a Class A misdemeanor for those establishments that allow children under the legal age to be in a tattoo parlor. The industry understands this. The industry is willing to accept the more punitive measures that puts us in line with every other state around us. Thirty-nine states restrict this industry by age. Of the 39 states, 37 are 18. Every single state around us is 18. So, the Governor's message said that he didn't want his 18-year-old daughter running out and getting a tattoo. He'd better take her car keys because she can drive right to Gary, Indiana, and have it done legally. Ladies and Gentlemen, this doesn't change anything except it brings order to that industry and gives local police the authority to then keep children out of those particular parlors. I urge an 'R' vote... an 'aye'

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vote. Be happy to answer any questions. What's an 'R' vote?"

Speaker Hannig: "Is there any discussion? Representative Rose."

Rose: "I wanna thank the Governor for giving me another chance at this Bill. In honor of Senator Kerry, I voted 'no' before. I'm about to vote 'yes'."

Speaker Hannig: "Is there any further discussion? Then Representative Mitchell to close."

Mitchell, J.: "I'd just appreciate an 'aye' vote, not an 'R' vote. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 29 pass, the Veto of the Governor notwithstanding?' This Motion requires 71 votes and is final action in the House. So, all in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 91 voting 'yes' and 24 voting 'no'. And House Bill 29, having received the Three-fifths Majority, the Motion to override prevails and this Bill is declared passed, notwithstanding the Governor's Veto. House Bill 911, Representative Churchill. The..."

Churchill: "Thank..."

Speaker Hannig: "...Gentleman is recognized on a Motion to override."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill, as was introduced and originally, provided that joint insurance pools are intergovernmental cooperation pools could not interfere with the collective bargaining process. Basically, that is, if a governmental unit was in

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the process of bargaining and part of the arrangement in the collective bargaining was that the... the bargaining unit could provide a cheaper insurance or a more comprehensive insurance that the joint insurance pool would not be able to prohibit that. There was an Amendment that was put on that allowed the pools to then reprice their insurance if part of the group was removed since obviously they had priced their product in terms of having the whole pool and not just a part of the pool. The Governor came along and said, 'No, that's fine, we like this whole Bill. We're gonna take out the State of Illinois.' And I must say that I'm in somewhat of a quandary here because I watched the Governor yesterday and I listened to everything that the Governor had to say about the AllKids Program and yet this is, in effect, it's a very practical way to bring cheaper insurance, more comprehensive insurance, to families who are members of collective bargaining units and it seems to me that this is a practice... this is the bottom line practical effect of what he says he's trying to do and yet he, in his Veto, he took out the State of Illinois. So, I guess maybe he didn't read the... my Bill correctly or maybe he changed his ideas after he put the Amendatory Veto on here. But at this point, I would move that we override his Amendatory Veto and include the Gov... the State of Illinois as one of the governmental units in this Bill."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall House Bill 911 pass, the Veto of the Governor notwithstanding?' Those in favor vote 'aye'; those opposed vote 'no'. This is final action and requires 71 votes. And

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the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. This Motion having received the required Three-fifths Majority, the Motion to override prevails and House Bill 911 is declared passed, notwithstanding the Governor's Veto. Representative Saviano, are you prepared on the Motion on House Bill 2525? Representative Saviano. Proceed, Representative. Mr. Clerk, could you update the board, 2525."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate (sic-House) Bill 2525, if you remember, was a Bill that we did for the... the fitness centers to cap the amount that they could charge on a contract for services whether it's at Bally's or whatever the health club is. And what we did was we agreed to cap it at \$25 hundred and then allow for an individual to individually contract for other services above and beyond that which was prohibited before. And we know now that health centers are more full service now where they have personal trainers, nutritionists, physical therapists, all kinds of other services that previously were prohibited because of the cap. The Governor tried to AV this Bill and as you know, the Speaker keeps very near and dear to his heart the constitutionality when Governors AV a Bill and... and exceed their authority. So, I'm asking to override this. This is a great piece of legislation. We had to do this to bring... bring things into modern times as this sort of service has evolved with peoples consciously trying to be

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more physically fit. And I would ask that we override the Governor's Veto on House Bill 2525."

Speaker Hannig: "The Gentleman has moved for the override of the Governor's Veto on House Bill 2525. Is there any discussion? Then the question is, 'Shall House Bill 2525 pass, the Veto of the Governor notwithstanding?' This Motion requires 71 votes and is final action. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes' and 43 voting 'no'. This Motion, having received the required Three-fifths Majority, the Motion to override prevails and House Bill 2525 is declared passed, notwithstanding the Governor's Veto. Representative Leitch, are you prepared on House Bill 3272? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. Many of us have a great concern for the retired teachers in our districts and the fact that so many of them, when they did retire, had incomes that were very small. And so it's a special burden when the increases to their health insurance premiums and to that fund are increased to the tune of 4.5 million and then swept into general revenues. There's great, great consternation on behalf of the retired teachers in our communities and so it is with that that I would ask you again to join me in overriding the Governor's Veto of House Bill 3272. I might add that this Bill passed in both... unanimously in both the House and the Senate. I believe

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it's a very good Bill. It's a Bill that protects our retired teachers. And I would ask for your support."

Speaker Hannig: "The Gentleman moves to override the Governor's Veto of House Bill 3272. And on that question, the Gentleman from Vermilion, Representative Black is recognized."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Motion to override the Governor's Amendatory Veto. If you'll look at this very carefully, this is one of the things that keeps me awake at night trying to understand where this Governor is coming from. Yesterday he addresses a Joint Session of the General Assembly in which he says he can insure every child in Illinois for a first-year cost of \$45 million and pay for it by savings that he will enjoy by putting everybody else into a Medicaid program. Six years ago, when we advanced the Medicaid program for Public Aid patients, we were called inhumane and cruel and how dare we tell a Medicaid patient what doctor or what hospital they could go to. Oh my goodness, how things change around here. But suddenly, yesterday, we can afford to insure every child in the State of Illinois but we can't afford to let retired teachers keep four and a half million dollars in their account. Now, does that make any sense to you? If it does, you're far, far more advanced than I. We can afford a \$45 million program, even though we're broke, but we can't afford to let four and a half million dollars, that may not be expended in the retired teachers insurance program, sit there and be applied to the premiums in the next fiscal year. Premiums, if you

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had followed this over the years, teachers who taught and retired 25 years ago may be receiving a pension of \$700 and until this Body and our colleagues in the Senate acted a few years ago, the retired teachers insurance premium could be as much as \$900 a month even though their pension was \$700 a month. So on the one hand, he amendatorally vetoes this Bill, a slap in the face to every retired teacher in the State of Illinois. And yet, yesterday, sits here and tells me we can afford to insure every child in the State of Illinois. Ya can't have it both ways. Ya can't have it six ways to Sunday. If there's ever a Bill that requires your 'yes' vote to override an ill-advised Amendatory Veto, it's this one. Vote 'aye'."

Speaker Hannig: "Is there any further discussion? Then Representative Leitch to close."

Leitch: "Thank you. This is a very important Bill. And I, too, would ask that we vote 'aye'."

Speaker Hannig: "The question is, 'Shall House Bill 3272 pass, the Veto of the Governor notwithstanding?' This Motion requires 71 votes and is final action. So, all in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Repre... Representative Mitchell. Okay. Mr. Clerk, take the record. On this question, there 116 voting 'yes' and 1 voting 'no'. This Motion, having received the required Three-fifths Majority, the Motion to override prevails and House Bill 3272 is declared passed, notwithstanding the Governor's Veto. Mr. Clerk, read the Agreed Resolutions."

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Clerk Mahoney: "On the Order of Agreed Resolutions. House Resolution 671, offered by Representative Dugan. House Resolution 672, offered by Representative Dugan. House Resolution 674, offered by Representative Rose. House Resolution 675, offered by Representative Rose. House Resolution 676, offered by Representative Rose. House Resolution 677, offered by Representative Rose. House Resolution 678, offered by Representative Monique Davis. House Resolution 679, offered by Representative Monique Davis. House Resolution 680, offered by Representative Granberg. And House Resolution 682, offered by Representative Feigenholtz."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. So, Mr. Clerk, would you read the committee schedule for the rest of the evening and tomorrow."

Clerk Mahoney: "The following committees are meeting immediately following Session: the Executive Committee in Room 118, Higher Education in Room 122-B, Fee-for-Service Initiatives in Room 114, Judiciary-Criminal Law in Room D-1, Labor in Room C-1. Thirty minutes following Session Mass Transit will meet in Room 118."

Speaker Hannig: "I'd also advise the Members of the Rules Committee that there's likely to be a Rules Committee meeting yet this day, as well. And for the Members of the Appropriation-Human Services Committee, you need to be advised that we could have a meeting of that committee yet this evening. The Appropriation-Human Service Committee

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Members need to be aware that there could yet be a meeting posted for that committee, as well. Representative Brady is recognized for an announcement."

Brady: "Thank you, Mr. Speaker. The Republicans will caucus tomorrow at 10 a.m. ...so, 1 a.m."

Speaker Hannig: "Could... could... I don't think... I think your mike went out, Representative Brady. Could you..."

Brady: "I was just gonna yell it, if that's all right."

Speaker Hannig: "Why don't you make your announcement..."

Brady: "The Republicans will caucus tomorrow at 10 a.m. in Room 118. Thank you."

Speaker Hannig: "Representative Stephens, for what reason do you rise? So, now, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until tomorrow, Thursday, October 27, at the hour of 11 a.m., 11 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee on Rules is House Resolution 681, offered by Representative Leitch. Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on October 26, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 1208; 'recommends be adopted' Floor Amendment #2 to House Bill 2928. Representative John Bradley, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following

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measure/s was/were referred, action taken on October 26, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to Senate Bill 1943. Representative Feigenholtz, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on October 26, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #3 to House Bill 806. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on October 26, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 2108. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on October 26, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 609. Representative Hamos, Chairperson from the Committee on Mass Transit, to which the following measure/s was/were referred, action taken on October 26, 2005, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 650. Introduction and reading of Senate Bills-First Reading. Senate Bill 852, offered by Representative Hoffman, a Bill for an Act concerning education. Senate Bill 11... Senate Bill 1268, offered by Representative Lang, a Bill for an Act concerning employment. Introduction and reading of House Bills-First

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Reading. House Bill 4148, offered by Representative Holbrook, a Bill for an Act concerning public employee benefits. House Bill 4149, offered by Representative Black, a Bill for an Act concerning revenue. House Bill 4150, offered by Representative Joyce, a Bill for an Act concerning utilities. House Bill 4151, offered by Representative Gordon, a Bill for an Act concerning revenue. House Bill 4152, offered by Representative Chapa LaVia, a Bill for an Act concerning sex offenders. House Bill 4153, offered by Representative Burke, a Bill for an Act concerning education. House Bill 4154, offered by Representative Molaro, a Bill for an Act concerning safety. House Bill 4155, offered by Representative Osmond, a Bill for an Act concerning criminal law. House Bill 4156, offered by Representative Reis, a Bill for an Act concerning finance. House Bill 4157, offered by Representative Reis, a Bill for an Act concerning finance. House Bill 4158, offered by Representative Scully, a Bill for an Act concerning child custody. House Bill 4159, offered by Representative Osmond, a Bill for an Act concerning transportation. House Bill 4160, offered by Representative Jakobsson, a Bill for an Act concerning public employee benefits. And House Bill 4161, offered by Representative Lyons, Joseph, a Bill for an Act concerning land. Second Reading of these Senate Bills. Senate Bill 1208, offered by Representative Biggins, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. Senate Bill 1124, offered by Representative Hassert, a Bill for an Act concerning transportation. (sic-These Senate Bills held on

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the Order of Second Reading). (sic-Second Reading of these House Bills to be held on the Order of Second Reading). House Bill 2108, offered by Representative Lang, a Bill for an Act concerning employment. House Bill 2928, offered by Representative Lindner, a Bill for an Act concerning civil law. There being no further business, the House Perfunctory Session will stand adjourned."