

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

115th Legislative Day

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Speaker Lyons, J.: "The House will come to order. Members should be at their desks. We'll be led in prayer today by His Excellency Bishop Larry Trotter with the Sweet Holy Church in Chicago, Illinois. Bishop Trotter is the guest of Representative Bob Rita. Members and guests are asked to please refrain from starting their laptops and to turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Bishop Trotter."

Bishop Trotter: "Let us pray. As a heart panting for the water brook, so does our souls after You, Oh God. From the end of the earth we cry out to You, and when our hearts are overwhelmed lead us to the rock that is higher than high. You have been a shelter for us in the strong tower from our enemies. And so, from the rising of the sun to the going down of the same, Your name is worthy to be praised. We begin this day with prayer, asking Your blessing upon this Session, upon this House, upon every speaker, every participant, every Representative. We pray that when the day is done, we will have done the work that will benefit Your people. Now, bless us and keep us is our prayer. In Jesus' name, amen."

Speaker Lyons, J.: "We'll be led in the Pledge today by Representative Pat Verschoore."

Verschoore - 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 Lyons, J.: "Roll Call for Attendance. Representative Bost."

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Bost: "Thank you, Mr. Speaker. Please let the record reflect all Republicans are present today."

Speaker Lyons, J.: "Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Feigenholtz, Jones, and Patterson are excused."

Speaker Lyons, J.: "Mr. Clerk, take the record. There are 115 Members answering the Roll Call. We have a quorum and we're ready to the business of the State of Illinois. Committee Reports, Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on April 06, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur with Senate Amendment #1 to House Bill 4788. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 06, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 2946. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on April 06, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration and recommends be adopted' is Amendment #2 to Senate Bill 2070 (sic-2170) and Amendment #3 to Senate Bill 2570. Referred to the House Committee on

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Rules is House Resolution 1158, offered by Representative Chapa LaVia, and House Resolution 1160, offered by Representative Howard."

Speaker Lyons, J.: "The Chair recognizes the Lady from DuPage, Representative Patty Bellock. For what reason do you rise?"

Bellock: "Thank you very much, Mr. Speaker. I'd like to ask the Assembly to welcome six young women medical students from the University of Illinois in Chicago, in Chicago medical school, one of which was a Page here for me 5 years ago and now they're in their first year of medical school. They're up in the balcony. I'd like all of us to welcome them. Thank you."

Speaker Lyons, J.: "Welcome ladies. Welcome to Springfield. Congratulations on your work. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1152, offered by Representative Osmond. House Resolution 1153, offered by Representative Munson. House Resolution 1154, offered by Representative Osmond. House Resolution 1155, offered by Representative Brauer. House Resolution 1156, offered by Representative Granberg. House Resolution 1157, offered by Representative Cultra. House Resolution 1159, offered by Representative Joyce. House Resolution 1161, offered by Representative Howard. House Resolution 1162, offered by Representative Madigan. House Resolution 1163, offered by Representative Lyons. And House Resolution 1164, offered by Representative Lyons."

Speaker Lyons, J.: "You've heard the Agreed Resolutions. All those in favor of their adoption signify by saying 'yes';

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those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And the Resolutions are adopted. The Chair recognizes the Lady from Grundy, Representative Careen Gordon. For what reason do you rise, Representative?"

Gordon: "Thank you, Mr. Speaker. I believe the Clerk has a Resolution congratulating a very special group of people that I have here with me today."

Speaker Lyons, J.: "Mr. Clerk."

Clerk Mahoney: "House Resolution 1123, offered by Representative Gordon.

WHEREAS, The Seneca Fighting Irish boys basketball team recently won the IHSA Class A State Championship; and

WHEREAS, The Fighting Irish finished their stellar season with a perfect record of 35 wins and no losses; they beat Chillicothe in the championship game by a score of 47 to 44; and

WHEREAS, The team is led by head coach Doug Evans and assistant coaches Jeff Stenzel, Shane Trager, and Nate Nollen; and

WHEREAS, The managers of the team are Aaron McKnight, Josh Howardson, and Derek Kemp; and

WHEREAS, The Fighting Irish are comprised of seniors Tyler Smith, Marty Hetelle, Tim Schmanske, Garrett Callahan, Robert Rexroade, and Nathan Hogue; juniors Seth Hobbs, Travis Misener, Griffan Callahan, Luke Underhill, Steven Pearson, Alex Spicer, and Nick Andreatta; sophomore Ben Paulsen; and freshman Seth Evans; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Seneca Fighting Irish boys basketball team

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on their incredible season and on winning the IHSA Class A State Championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to each member and coach of the Fighting Irish as an expression of our esteem."

Speaker Lyons, J.: "Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, today we have with us here the undefeated State Champions Fighting Irish from Seneca, Illinois. Now, there's... there's one thing... one thing that you will... you will never hear me say and mean except when I'm talking about Seneca. And I hope Speaker Madigan is listening because, Ladies and Gentlemen, I say, 'Go Irish.' And there's also... if I may have your indulgence, please. There was one tradition that this undefeated team kept up during the season, is that when they broke to go on the battlefield of play they always said, 'Irish pride.' And I will count to three, Ladies and Gentlemen of the House, and I beg you to join me in showing them the deference to show them what we have here in the House of Representatives by saying 'Irish pride'. Please join me. One, two, three. 'Irish pride.' Whew. Congratulations."

Speaker Lyons, J.: "Congratulations, Seneca. We're all very proud of you. Great season. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I, too, am very proud to recognize a school in my hometown of Danville who won a state championship in the seventh grade AA basketball tournament.

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And Mr. Clerk, if you would read House Resolution 930. And I'd appreciate a warm Springfield welcome for these state champions."

Clerk Bolin: "House Resolution 930, offered by Representative Black.

WHEREAS, The Danville North Ridge Middle School seventh grade boys basketball team won the Illinois Elementary School Association Class AA seventh grade championship on Thursday, February 9, 2006; and

WHEREAS, The Ridgerunners finished the season undefeated with an outstanding record of 27 wins and no losses; the team beat Bellwood Roosevelt in the first round with a score of 62 to 53; the second round brought a 56 to 54 win over Harvey Brooks, a team that was previously undefeated; the team won the third round game against Mokena with a score of 45 to 35; the final against Springfield Grant was a close match, ending with a score of 35 to 33; and

WHEREAS, The final game was tied with two seconds remaining on the clock, when Joey Robinson scored two clutch free-throw shots; he finished the night with 11 points and 12 rebounds; Titus Bibb helped out with seven offensive rebounds and six points and Dennis Forest scored 12 points; Javon Shaw ended the game with four points and Jared Patterson had two; and

WHEREAS, This is the first time since 2001 that North Ridge has advanced to the State tournament, and it is the first time they have taken home the championship; Coach Bill Blair led the team throughout this outstanding season; and

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WHEREAS, The team was successful in part because they listened well and didn't miss practice, two admirable qualities; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that congratulate the Danville North Ridge Middle School seventh grade boys basketball team on winning the Illinois Elementary School Association Class AA seventh grade championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Ridgerunners as an expression of our esteem."

Speaker Lyons, J.: "Representative Black."

Black: "Thank you very much. Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I have a special affinity for North Ridge Middle School in Danville, that's where I started my teaching career back in 1964. It was a junior high school then. But let me... let me just ask if... for your attention for a brief moment. This seventh grade basketball team finished the season undefeated. They were 27-0. They defeated Springfield Grant by two points on two free throws made by Joey Robinson with two seconds to go in the game. And I just want you to welcome with me, and let me read them off to you, and congratulate the 2005-2006 state champions, North Ridge Middle School Ridgerunners seventh grade basketball team. My congratulations to Javon Shaw, Joey Robinson, Jared Patterson, Titus Bibb, Dennis Forest, Cory Lappin, Cody Burton, Kenny Young, Trae Rose, Jimmy Atcher, Jordan Denhart, Blake Wagner, Ethan Smith, their head coach Bill Blair, their assistant coach, a friend

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of mine... a good friend of mine for many, many years, Denny Lewis, who had an outstanding coaching career in high school in this state for several years. The Aqua Engineers for the team were Renee Jackson and Elizabeth Sothen. Ladies and Gentlemen, welcome with me the North Ridge Middle School Ridgerunners seventh grade basketball team state champions."

Speaker Lyons, J.: "Congratulations Ridgerunners. The entire State of Illinois's very proud of you on a great season. The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell. For what reason do you seek recognition?"

Mitchell, J.: "Thank you, Mr. Speaker. I... I, too, wanna congratulate the North Ridge Ridgerunners. In a former life, I was principal at South View Middle School in Danville, a competitor with North Ridge. Ray Grierson was principal at that time at... at North Ridge and Representative Black was just a pup. At that time, I can remember when we joined the IESA the first time when we went from junior highs to middle schools, and it was pretty tough to do. Most of the smaller schools around there didn't want to see Danville join the IESA because they were afraid we'd dominate. Well, we didn't dominate, but it looks like the gentlemen up there have dominated this year. Congratulations, guys. Very proud of ya."

Speaker Lyons, J.: "Thank you, Representative Mitchell. The Chair recognizes the Lady from Cook, Representative Ruth Munson. For what reason do you rise?"

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

Speaker Lyons, J.: "Please proceed."

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Munson: "Ladies and Gentlemen, today we have a new Party in our chamber. It's the Lake County birthday party. Join me in wishing a happy birthday to Representatives Ed Sullivan and JoAnn Osmond. And they wanted me to let you know that they've provided lunch from the restaurant of the other Mike Madigan over in the Speaker's corridor, and of course, cake at the front of the chamber. Thank you."

Speaker Lyons, J.: "Thank you, Representative. Happy birthday. Mr. Clerk, on the bottom of page 2, under Senate Bills-Third Reading, is Senate Bill 2349. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2349, a Bill for an Act concerning mortgages. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Marlow Colvin."

Colvin: "Thank you, Mr. Speaker. I have for consideration of the full House today Senate Bill 2349. Senate Bill 2349 I'm sure has been a topic of much discussion for many of you here in the General Assembly. 2349 is the Mortgage Rescue Fraud Act. And what it does is it attempts to curtail a business that has literally gotten out of control here in the State of Illinois dealing with individuals who are facing foreclosure of their homes as a result of falling behind on their mortgage payments. Mortgage rescue firms are individuals who come in as white knights in the attempt to help people save their homes when they're facing foreclosure. But what is happening in reality for many of the firms is individuals are being thrown life jackets made of cement, as opposed to ones made of concrete, in the eleventh hour before they may or may not lose their homes."

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Oftentimes, mortgage rescue firms come in under false pretenses, making claims of being able to save people's homes by buying their homes on short sale lease-back agreements, and at the end of the day they're in no way, shape, or form are better off or more able to pay off those loans as they were when they originally were facing foreclosure. This Bill attempts to curtail the business in a couple of ways. One, the first revision of the piece of legislation deals with mortgage rescuer consultants, in that mortgage rescuer consultants will work under the provisions of which they will have to... Excuse me, one second. Let me get one of my notes. Mortgage rescuers will have to fully disclose what they intend to do as mortgage rescuers. They will not be able to charge a fee until they perform that work. But the more important provision of the Bill deals with how they can actually purchase someone home. We originally proposed that a mortgage rescue firm couldn't charge anymore... they would have to... they could only purchase the home at 82 percent of its fair market value, and the purpose of that was to pec... protect individuals who have built up significant amounts of equity in their homes. What we've seen in the industry is that many of these firms cherry pick individuals of which they attempt to rescue, and that's people who've been in their homes for a number of years, have built up significant amounts of equity, and at the end of the day if they get in trouble after 15, 20 years of owning their home have... facing foreclosure, a mortgage rescuer comes in, wants to sell the house... wants to buy the house at a very low price, and in the interim for a 12-month

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period charge rent, make... and in the... in the course of constructing many of these contracts figure out how the taxes are going to be paid, all the utilities that still need to be paid, in the 12 months when that loan comes due and they can't buy it back, as... then they'll... they've already sold the home and quitclaimed the deed over to the mortgage rescuer. Now the mortgage rescuer has... he's actually in ownership of the home at that point. They start eviction notices and put that family out of that house and it's theirs to strip the equity out of it and sell it for whatever it's worth at that point. What we're trying to do in this instance, and what we've done in the Amendment that we adopted last week, was simply say that they can still purchase these homes at any price they want to. But what we're basically sayin' is that it'll be a 12-month loan at 25 percent interest. And while we realize... and while we realize that there are a number of companies that are practicing in this business that are trying to do the right thing, in fact, I would say the vast majority of these companies are trying to do the right thing and won't necessarily disagree with the provisions that we made here. But those individuals who cherry pick those cases where there is people who have built up significant equity in their homes and are attempting to defraud people out of their homes under pretenses of trying to save their homes has got... is a problem that's gotten out of control. We have a tremendous list of... of Sponsors. And in my close, I'd like to address some of those things and some of the

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discussion that we've had here. But, I'll be happy to answer any questions on this."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Terry Parke."

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

Speaker Lyons, J.: "He indicates he will."

Parke: "Representative, this is probably one of the more controversial Bills of the Session. I have talked to... as you have, to numerous people who are involved in this industry and they have shared with me that the great majority of the people involved in this industry are legitimate and that they serve a purpose, that they help people are... who are in financial problems, and that all they want to do is help the people that they're working with to be able to get a return on their investments. And they have said that this Bill, ultimately, will be counterproductive to what they're trying to achieve. Can you share with the Body what safeguards we put in that will protect the legitimate industry? And those small percentage of every industry who are bad apples, how do we weed them out at the same time protecting an industry that obviously has some benefit to people or they would be put out of business? How do you answer that question, Representative?"

Colvin: "Well, Representative Parke, I think you asked two excellent questions. The first question you asked is protecting those investors. But I would also argue that who is that we ultimately are trying to protect? I think what we've seen as a result of this industry are families, real families who live in Illinois who are being defrauded out of

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their homes, particularly at a time when they are most desperate. And what we have here are fraudsters who show up in the eleventh hour, under false pretenses, whose only goal when a family has a home that's built up significant amounts of equity, whose only goal is to defraud that family out of the house and strip it of that equity. Now, Terry, I agree with you. And we didn't draft this legislation in a vacuum. I have met and talked with numerous people, indeed. More than 50 of them showed up in committee when we heard this Bill where both you and I serve in Consumer Protection. We've heard all the different arguments, we sat and negotiated most of the provisions of this Bill. And I would also point out to you that many of those who practice in this business feel that this is a piece of legislation they can live with and still make a profit. In other words, they can... they'll be protected themselves by offering a business that provides a profit for their company and their organization. But this Bill also protects homeowners, Terry. It protects homeowners in the way that I think that they would expect a piece of legislation like this would curtail. Now, I agree that in any industry there's always those individuals who are gonna push the line, particularly indivi... industries and individuals where there are business practices where there's virtually no regulation. This is a very new form of business. And as a result, what we've seen here is a lack of regulation. I think what we've drafted here, and particularly the Amendment that we put on the Bill last week which would allow anyone who is working as a mortgage rescuer to sell the house at whatever price they

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agreed upon with the homeowner with the understanding that the home would be brought back at 125 percent of the amount loaned. And then, if they could not pay it back at that time... if they can not pay it back at that time, they would simply sell the house over at 82 percent of its fair market value. Eighty-two percent is not 100 percent, which means that there is still a window of profit even on the back end of the deal. There's a 25 percent profit on the front of the deal if the family meets the obligation, pays back the loan in the 12-month period, and that 12-month period is the industry standard right now. We didn't make that number up. Eighty-two percent represents a 18 percent profit window for most cases, for 95 percent of these cases. I mean, where... and I've talked to other individuals in this business who talked about mortgages that sometimes that are made at 125 percent of its value and..."

Parke: "Representative."

Colvin: "Yes?"

Parke: "Can you tell me what safeguards are in here to protect the legitimate... the great majority of the legitimate investors? And Mr. Speaker... Mr. Speaker, Representative Lindner would like to yield her time to me because I have some more questions that I think that are important because..."

Speaker Lyons, J.: "Fine, Mr. Parke. We'll give you another 5 minutes..."

Parke: "...there's so much confusion."

Speaker Lyons, J.: "...on this. Go ahead."

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Parke: "There's so much confusion in this legislation that many of us appreciate what you're trying to do with this Bill. My concern is that we're rushing something through that is very complex, that may have an adverse effect on this industry and may harm the very people that you want to help by speeding this through. And... so again, can you tell the Body what safeguards are in this Bill to protect the consumer and the investor on this Bill?"

Colvin: "It protects the consumer, the homeowner, by making sure that if they have been in their home a significant number of years, they go to a mortgage rescue firm, that their equity that they built up over hard... over a number of years of hard work and labor will be protected in this piece of legislation. The investor is protected because he still has a tremendous window of opportunity both on the front end of these deals and on the back end to profit. So, I think it's a win-win for both. Terry, I don't think we're rushing into anything here. I think we have taken painstakingly opportunity to speak to many Members of the General Assembly. I realize that many of my colleagues have been, ya know, lobbied on this issue, and most of those who've lobbied you are individuals who are practicing in the business and I would guess would love to continue to work in an industry that's unregulated, completely unregulated."

Parke: "Well, let me..."

Colvin: "And I could also..."

Parke: "...Representative, let me ask you another follow-up question."

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Colvin: "...let me just point this out to you, also, Terry. And when you talk about the industry, I mean, I think you can't leave out the realtors and the mortgage brokers and the mortgage lenders. And if I could just share with you just some of the proponents of this legislation, and I'm not gonna even talk about the advocacy groups. But what's really important here is the Department of Financial and Professional Regulation are in support of this Bill. The Attorney's Title companies are... the Attorney's Title Company, it's the association for title companies across the State of Illinois, are in support of this Bill. The Illinois State Bar Association. The Illinois Bankers Association, the Legal Assistance Foundation of Metropolitan Chicago, the Illinois Mortgage Brokers, Citigroup, they are... And the Illinois Financial Services Association along with AARP and Voices for Illinois Children have all slipped in support of this legislation. I think all these groups... many of these groups are in the financial pra... in the financial business every day who have understood this legislation, have studied it, and have concluded that we're doing something here that protects the... not just the consumer and the industry, but protects the... the integrity of the financial markets in the State of Illinois."

Parke: "Representative, let me ask you a question. Is the 125 percent net or gross?"

Colvin: "Excuse me?"

Parke: "The 125 percent buyback. Is that net or gross?"

Colvin: "Net or gross of what?"

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Parke: "Does it include all the costs associated with the transaction, such as title fees, attorney fees, realtor fees, taxes, water, zoning, city stamps? And why is there cap on how much money an investor can make? But if the distressed owner cannot buy his house back the investment is surely gonna lose out. Does that include them in the Bill or..."

Colvin: "Yes, it does."

Parke: "So, it's..."

Colvin: "It includes..."

Parke: "So, it's gross. A hundred and twenty-five percent is gross."

Colvin: "In other words... Yes. And when they sign that contract, in other words, they know exactly what they were responsible for come 12 months due."

Parke: "Okay. And the... you have a Class II felony in this. What is a Class II felony, Representative? That if somebody isn't doing this properly could be prosecuted under a Class II felony. What is that?"

Colvin: "Those individuals who are... are not adhering to the provisions of the Bill could be subject to Class II felony convictions. That's correct."

Parke: "So they... could they go to jail?"

Colvin: "I think a Class II felony re... does require jail time. Three to seven years."

Parke: "So they could go to jail if they don't do this right."

Colvin: "And I'm also told that they could receive probation."

Parke: "So if you buy property at less than 82 percent and make more than 25 percent..."

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Colvin: "No."

Parke: "...somebody could go to jail?"

Colvin: "That's not true. No. What you just said is not true. That's not what the Bill does. The Bill allows a real... mortgage rescuer to purchase the house at far less than 82 percent of its value. They can purchase it... what it... what it provides is that they... when they buy the house... when the original owner buys the house back, he must pay them back at 125 percent of whatever he sold it for. So that number can be far less than 82 percent. It can be 20 percent, as long as he pays back exactly what it is that he borrowed."

Parke: "To the Bill. Ladies and Gentlemen, this is certainly... the Sponsor and I have talked about some of the complexities of this Bill. This is a very complex Bill. It is a industry that has developed in the last 4 or 5 years. It does provide a service. There are people who are distressed because of loss of jobs, illness in the family, and are faced with foreclosure. This industry can step in and help those people through a difficult time..."

Speaker Lyons, J.: "All right, Representative Parke, conclude your remarks."

Parke: "I will close. ...difficult time. What I am concerned about that the way this Bill is structured today may be counterproductive to what the Sponsor and the Attorney General wanna solve with this. I would hope that... that maybe we could pull the Bill from the record and try and work through the summer to try and solve this, and I would cosponsor the Bill with the... the Sponsor now in the Fall Veto Session to get this passed. But I think it still needs

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work. I'm very concerned about cutting off this industry to providing this legitimate service to the citizens of this state and those... and I wanna join with the Sponsor to get rid of those bad apples that are fleecing people in distress at a time when they need somebody to work with 'em, not to help take their houses away. So, each of you are gonna have to make a very tough vote here, and I think you better pay attention, 'cause this is a vote that I think will have some consequences. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "Thank you, Mr. Speaker. First of all, an inquiry of the... of the Speaker."

Speaker Lyons, J.: "Yes, Sir."

Stephens: "Did you say a bad word?"

Speaker Lyons, J.: "Not that I know of, Sir."

Stephens: "Okay. Well, I read something this morning that the Speaker said a bad word and I thought maybe that was you."

Speaker Lyons, J.: "I'm just the acting Speaker."

Stephens: "Oh, okay. Well, will the Sponsor yield?"

Speaker Lyons, J.: "The Sponsor indicates that he will."

Stephens: "First of all, Representative, thank you for meeting with one of my constituents yesterday when she had concerns about this. I was talking with her again this morning on the way up and she asked me why we had time... why could we... or how is it that we could create a task force to study dogs and the vicious... vicious dogs but we couldn't create a task force to study this very important issue. I represent... I understand that our representative districts are different

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and I suggested to you this morning that maybe we should just make this effective for Cook County. I still think that's a good idea. What I'm told is that in... in my region of the state this is going to have a huge negative effect. People are going to wind up losing their homes when they could otherwise be saved. And I understand the fact that we don't wanna... we're trying to put an end to abusive practices, but this goes a little bit too far. First of all, the... the alleged equity stripping, I'm not so sure that that's a practice by a majority of the people who do business like this. Can you give me some numbers about that? Or the percentage of those who are practicing and being abusive in that practice?"

Colvin: "Well, I can tell you that there are more than 25 pending suits right now in the State of Illinois, not all of them being sued by the Attorney General. I think she's currently conducting three lawsuits against companies that have defrauded people."

Stephens: "Well..."

Colvin: "Keeping in mind that in those suits there's more than just one family."

Stephens: "But, Representative, there are 47 thousand people involved in this industry."

Colvin: "You know, that number, 47 thousand... I heard of 47 thousand, I heard of 25 thousand, I've heard of 15 thousand people doing this. I don't know how many people are actually doing this business. Forty-seven thousand..."

Stephens: "Well, let..."

Colvin: "...is a new number to me."

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Stephens: "Well, let's just say it's a dozen. Let's say it's a dozen and the Attorney General's investigating three of them. On behalf of the other nine that aren't practicing abusive..."

Colvin: "And I don't think that... I don't know if those who've actually been sued is the benchmark by which we judge whether or not a piece of legislation has validity. Those are the cases that have come to fruition at this point. This is still a very new and very much unregulated area of financial lending markets, and I think what we're trying to do here is a very reasonable first step. I disagree that this is a tough vote to take."

Stephens: "Well, Representative... Mr. Speaker, to the Bill. The... and I appreciate the Representative. I think his intentions are very well-meaning. And like many times on other pieces of legislation, there's always the unintended consequences. And the unintended consequences of this legislation is going to put otherwise hardworking people who could save their homes out of their homes, and I just think that's just a shame. I appreciate the fact that we can improve the industry, but this Bill is going to ruin the industry. And in fact, Representative, what's gonna happen is that you're going to wind up having people in your district and mine who are going to lose their homes that otherwise could've been saved. And I... I urge a strong 'no' vote on this legislation."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. With all due respect to the Sponsor, I would daresay is there anybody in this chamber that hasn't received e-mail, faxes, or correspondence on this Bill? It has literally worn out my fax machine. It has literally clogged my e-mail, at home and at my Springfield office. Some of these people are not from my district, some of them are. I learned a long time ago when a Bill generates this much smoke, there must be some fire somewhere. So I tried to read up on this as best I could. I am not, by any means, an expert on mortgages and refinancing and restructuring. But I think you need to remember that in committee..."

Speaker Lyons, J.: "Representative Black, the clock was ticking from the previous Speaker. I want to give you your full 5 minutes."

Black: "I... I think you need to remember that in committee there were many 'no' votes expressed, and even some of those who voted 'yes' had serious reservations about this Bill. Let me concentrate on two issues that I've heard from. The Bill alleges equity stripping. The Bill says that the majority of foreclosure rescuers engage in equity stripping. Ladies and Gentlemen of the House, if you have a great deal of equity in your home you're not gonna be subject to foreclosure, or you shouldn't be. You use that equity to get a home equity loan or refinance your house. How can you engage in equity stripping if you have a substantial equity in your home? Then we get into alleged and rampant fraud. In a conversation that some of my constituents had with the

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Attorney General's Office they were informed that there are 25 investigations going on in this industry right now and there were 47 thousand foreclosures in the State of Illinois last year. Twenty-five investigations out of 47 thousand foreclosures. In all due respect to the Sponsor, and I think he's as much as said so, there are a few bad apples in this industry, but don't take the whole industry and throw it on the trash heap going after a few bad actors. This Bill needs a substantial amount of work, some additional hearings so that all of us can hear from people in our areas and throughout the state who are engaged in this, who do an honest work product and often are able to save a homeowner from absolute foreclosure and eviction. Yes, there are bad actors in everything we do. I mean, look how many of our colleagues in politics around the country get into trouble with the law. But I don't see anybody proposing that we put all of the Legislators under some kind of cloud of investigation or strip us of our ability to be Legislators. This Bill goes way over the top in what's necessary at this point. This is a legitimate business being run by mostly legitimate people performing a service that I could get many people to testify, if I'd had time today, to say they were helped by this industry and I know the... the Sponsor would say he could find people who could say they were not helped by the industry. But let's not trash an entire industry because there are a few bad actors out there. Let us bring the Bill back, try again next year, have some additional hearings, let us hear from people who know a lot more about this issue than we do. Do not rush to judgment and put

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people in our districts at risk of losing their home when there is a rescue possible, even in some of the most dire consequences. I think given the information and calls that I've had from my district and around the state, the only sensible vote at this time in this process is to vote 'no'."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Lake, Representative Ed Washington."

Washington: "Thank you, Mr. Speaker. I wanna ask a few questions of the Sponsor. Will the Sponsor yield?"

Speaker Lyons, J.: "The Sponsor yields."

Washington: "I stand as a proponent for the AARP and the Voices for Illinois Children and Citizen Action and others who are proponents of this legislation. For the purpose of legislative intent, does the definition of 'distressed property consultant' apply to real estate investors who buy the homes of the stripped homeowners by working out a short sale with the homeowner and lender? Can you give me some clarity on that."

Colvin: "Certainly, Representative. No, it does not. Could you re... repeat your question for me, Sir. I didn't understand..."

Washington: "Okay. I was sayin' for the purpose of legislative intent, does the definition of 'distressed property consultant' apply to real estate investors who buy the home of distressed homeow... homeowners by working out a short sale with the homeowner and the lender?"

Colvin: "No, Representative. It does not apply to real estate investors whose performance of the consultation of services is incidental in buying a distressed property. No, it doesn't."

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Washington: "Well now, I know that these investors, they sometimes perform consultant services, such as negotiating the postponement or foreclosure sale in the course of buying home. But my other question to you, Representative, and I'm gonna pose it in a theory. If a real estate investor buys a distressed property in a short sale and then realizes a profit from reselling the property, will that profit... profit constitute compensation from the owner under the definition of 'distressed property consultant'?"

Colvin: "No. No. No. Not at... absolutely not. A real estate investor's profit from reselling a distressed property brought in the short sale does not constitute compensation from the owner as used in the definition in this Bill as a 'distressed property consultant'. No, it doesn't."

Washington: "Well, is it true then that this legislation is not intended to prohibit real estate investors from negotiating with owners, lenders, and other lienholders in an attempt to secure a short sale from lenders and/or lienholders?"

Colvin: "This legislation does not and is not intended to prohibit real estate investors from engaging in activities that you described in your question."

Washington: "Well, Representative, to borrow from my colleague on the other side of the aisle who used the cliché that generally when there's smoke, there's fire..."

Colvin: "Yeah."

Washington: "...but yet at the same time we see that this legislation is supported by some of the most powerful names that are advocate for the consumers of Illinois. Do you

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think that many of the proponents would be incorrect in following through with trying to seek a favorable vote..."

Colvin: "Not..."

Washington: "...for this legislation?"

Colvin: "Not in my knowledge. Not since I've been here. I think the people who have slipped in support of this legislation understands, yes, where there's smoke there's fire, and there's a fire raging and it's hurting a lot of families. And not only have those advocacy groups voiced supported this legislation, but most of legitimate financial, banking and mortgage industry in the State of Illinois has voiced support for this legislation from the list I read earlier."

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

Speaker Lyons, J.: "To the Bill."

Washington: "Mr. Speaker, I rise to suggest that we definitely give favorable support. There's no doubt in my mind that the AG's Office, Citizens Action, AARP, Voices for Illinois Children are anything but correct in moving this legislation forward. It's unfortunate sometimes in legislation that I've seen us do that we catch up the innocent with the guilty, but evidently that's a price we pay when others continue to misuse and abuse their business rights. I urge support for this legislation. Thank you."

Speaker Lyons, J.: "Ladies and Gentlemen, we took this Bill off of Short Debate and put it on Standard Debate. Two people have spoken in response to it, two have spoken in favor of it. There are four people left to speak, I'll take 'em in

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order. We'll take one more in favor of the Bill, one more in response. Representative Fritchey, you're next. Are you in response or in support?"

Fritchey: "Thank you, Speaker. I... I rise in support. Ladies and Gentlemen, I actually agree with a number of the statements made by the Gentleman that rose in opposition. There are a number of good actors in this industry. Those good actors will not be impacted here. There are a number of bad actors in this industry and they are the ones that are being targeted and they are the ones that should be targeted. This is analogous somewhat in my mind to the debates that we had over the payday legislation over several years and the issue isn't to foreclose, no pun intended, upon an entire industry, but the issue is to protect homeowners, protect people that are in this business engaged in the right way. This is not a... a hypothetical exercise, this is not theoretical. This is something that is happening around the Sponsor's district, around a number of other people's districts. I will take exception to the comment that was made that we should take our time and look at this some more. This Bill's been around for months. And as Representative Washington alluded to, it has support from a diverse group of organizations ranging from the Attorney General's Office, the department supports this Bill, Citizen Action, the Illinois Bankers, the Illinois Association of Realtors, the Mortgage Brokers, Citigroup, AARP, Voices for Illinois Children and others. All have looked at this issue, all have recognized that there is a problem and all have acknowledged that this piece of legislation fixes that

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problem. The issue deserves our attention. The Bill deserves our support. Thank you."

Speaker Lyons, J.: "Ladies and Gentlemen, three people have now spoken in support of the issue. There's room for one more in response. Representative Sid Mathias. In support? Representative Molaro in support or in response?"

Molaro: "Where is there room, Mr. Speaker? I'll be in response."

Speaker Lyons, J.: "One in response and then to close."

Molaro: "That's it. Is there any other speakers?"

Speaker Lyons, J.: "We've had three people speak in favor of the Bill..."

Molaro: "All right. Well, I... I'm gonna..."

Speaker Lyons, J.: "...two speak against the Bill."

Molaro: "Well, I'm gonna be in response if he... if he yields."

Speaker Lyons, J.: "Indicates he will."

Molaro: "All right. Ya know, some of the people here have talked about the fact that there needs to be time, but I see there probably were 18 different Amendments that were put on in the Senate and the House. Have you sat with all those groups... or not you, but the Senate Sponsors on all those groups that were against this Bill originally, such as the mortgage brokers and the realtors? So, we had that predatory lending Bill that some of those people are still against. But on this Bill it was worked very hard with the realtors and very hard with the mortgage brokers to make sure that they came onboard. Is that correct?"

Colvin: "That's correct. Since November."

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Molaro: "So now that you've done all this work, just... we've already sat down with almost everybody involved and I just gotta commend everybody for all the work they did. Mr. Speaker, I stood up, I was in response to this Bill. But since you answered those questions the way you did, I am now for this Bill. I don't know why we would need anymore time to do this. All the major players from the Realtor Association that we look to, mortgage brokers that we look to, all the banking industry that we look to, to help us make sure that we're not hurting their industry and we're not hurting the people getting the loans, they are all in favor of this Bill. This should really be a slam dunk after the explanation you gave. You have turned me around. I am in favor of this Bill. Thank you."

Speaker Lyons, J.: "Representative Colvin to close."

Colvin: "Thank you, Mr. Speaker. I appreciate all of the debate and discussion. The first speaker on the Bill who serves on the committee, I appreciate his candor. Many of those who spoke in opposition of the Bill, I understand their concerns. And speaking as a Member of this Body, hearing the legislation for the first time, listening to those who are... have been in opposition of the Bill, I understand that questions get raised and issues become clouded, but this is very, very clear for me. We've been involved with everyone in this industry. In fact, I probably spoke to more opponents to this legislation since November than any other group on any other piece of legislation that I've ever worked on. We have heard every concern, answered every question, sat down with every group. Many of you have asked

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me to sit down with people in your district, and some of us have agreed to disagree. But at the end of the day I think we're taking a reasonable first step. I don't consider this a tough vote. I think we're taking a reasonable first step with a lot of work... a lot of hard work to develop a piece of legislation. The number of Amendments that we've detached (sic-attached) onto this Bill has suggested that we haven't developed this piece of legislation in a vacuum. In committee, which almost got out of hand with the number of people who showed up in opposition, but they received their day in court, they've spoken to many of you. I've been a little disappointed by the way some of them have conducted themselves in the arguments that they've made and the fashion they have made them. But what we have done just to dispel a couple of the major reasons here when they say that there is no equity stripping, that's exactly what the business is for those who choose to defraud people. That is where the major profit lies. I can honestly tell you that in many of these cases, a lot of these companies who are doing some of the unscrupulous things cherry pick the cases in which they wanna get involved because they... 'cause they meet a particular formula for them to make an awful lot of money. We don't make legislation in a vacuum down here, certainly not myself and many of you that I've worked with. We have put in an enormous amount of work on this piece of legislation. I'm asking you for support today. Like any piece of legislation that we pass here, we do it, particularly in the area of consumer protection, in the interest of the people who pay taxes, in the interest of

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people who buy homes, in the interest of people who may get in trouble, hit a rough spot. We're trying to create an environment in Illinois... and let me tell ya, we're not the industry leader in the country. Two other states have already passed this legislation using the 82 percent threshold as the absolute rule. We have moved that as an option to the back end of these deals, which allows them to go into any homeowner and make the deal that they want to and sell the house for whatever they want to at 25 percent interest, which is usurious enough. I ask for your support on this Bill today with the complete understanding that, if necessary, we'll look at it in 2 or 5 years or whatever period of time we need to, but right now there are far too many families in Illinois that are being hurt. The 25 lawsuits, which is enormous for any industry, let's just be honest about that, the 25 lawsuits barely reflects the number of people who have complained and filed complaints with the Attorney General with the number of inve... and ongoing investigations in that office now, or the number of people who are probably too ashamed or embarrassed or just don't know where to go and get help. So, I would strongly encourage you to take a step forward and not take a tough vote, but to take a reasonable vote to protect the consumers in the State of Illinois. Thank you, Ladies and Gentlemen, for your indulgence. I urge an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 2349 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Does Representative Hoffman wanna be recorded? Mr. Clerk, take the record. On this Bill, there are 81 Members voting 'yes', 27 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative John D'Amico."

D'Amico: "A point of per... a point of personal privilege, Mr. Speaker."

Speaker Lyons, J.: "Please proceed, Representative."

D'Amico: "Up in the gallery up to my right, I wanna welcome Edgebrook Elementary School from the heart of my district. Let's give 'em a big Springfield welcome."

Speaker Lyons, J.: "Welcome to Springfield, Edgebrook School. Glad to have ya. The Chair recognizes the Gentleman from Cook, Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker and Members of the House. If I can have the House Members recognize, right above Representative Lyons's head, the students from eighth grade of Ross Elementary School in Chicago. Welcome to your State Capitol."

Speaker Lyons, J.: "Welcome to Springfield, Ross School, glad to have ya down here. The Chair recognizes the Gentleman from McLean, Representative Brady."

Brady: "For what?"

Speaker Lyons, J.: "Your light was on, Representative. No? Okay. The Chair recognizes the Gentleman from Boone, Representative Ron Wait. For what purpose do you rise, Representative?"

Wait: "A point of personal privilege."

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Speaker Lyons, J.: "Please proceed."

Wait: "Mr. Speaker, I'd like to introduce the seventh grade class from Immanuel School in Belvidere. Welcome their teacher Steve Johnson here to our illustrious House here. Can we have a welcome for 'em?"

Speaker Lyons, J.: "Welcome to Springfield, kids. Enjoy your day. Glad ya could be here. The Chair recognizes the Gentleman from Macon, Representative Bob Flider. For what purpose do you rise?"

Flider: "A point of personal privilege, Mr. Speaker."

Speaker Lyons, J.: "Please proceed, Representative."

Flider: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'd like you to join me in welcoming a group of students from Calvary Baptist Church in Gays, Illinois. And they're with the Heritage Baptist Academy, they're visiting here today. They have with me here behind me in the gallery Reverend Mark Wilker... Wilkerson, Phillip Shouse, Brian Spencer, and Heston Evland. And now, Gays, Illinois, is in my district, and if... if you've heard of Gays you may recall that's also the home of the only two-story outhouse in the United States. But any rate, please welcome these gentlemen from Heritage Baptist Academy."

Speaker Lyons, J.: "Welcome to Springfield. Glad you could be here. Mr. Clerk, on page 2 of the Calendar, under Senate Bills-Third Reading, is Senate Bill 2348. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2348, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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Speaker Lyons, J.: "The Chair recognizes Representative Tim Schmitz."

Schmitz: "Thank you, Speaker. Ladies and Gentlemen of the House, Senate Bill 2348 is a... it's resolving a small problem we have out in our district where a TIF district is created but there's a little kind of a provision in the law that's somewhat little known that a member of a governing Body cannot live in that TIF district. And what this law is trying to do and correct is it's saying you can live in that and we've outlined provisions in this statute that will help take care of some of the issues we think that could arise from this. Be happy to answer any questions, Speaker."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Harry Osterman."

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

Speaker Lyons, J.: "He indicates he will."

Osterman: "Repre..."

Speaker Lyons, J.: "Harry, before you start... Ladies and Gentlemen, could we please get the noise level down for just a few moments here, please. Thank you."

Osterman: "Representative, this Bill came to the Local Government Committee and you answered a number of these questions, but for legislative intent I'm gonna ask a few more. The proposed legislation states that a member of a corporate authority, such as a trustee, alderman, or council member, who purchases a primary residence within a TIF area must refrain from voting on any matter that benefits... when the benefits to the... to the redevelopment project or area would be significantly greater than the benefits to a

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municipality as a whole. Can you provide an example of a redevelopment project in which the trustee, alderman, council member would be required to refrain from voting?"

Schmitz: "Thank you, Representative. As you stated, this is for purposes of legislative intent. In the scenario you described, said he or she would certainly not be able to vote on any matter affecting the redevelopment project in which she or he... he or she owns a home. A 200-unit mixed-use project with... within a redevelopment area serves as a good example. Such project could have several retailers and restaurants, such as Starbucks or Noodles & Co., as part of the overall project. A corporate member who maintains his or her primary residence in such a project would not be able to vote on any agreement between the municipality and a retailer located within that said project. Another example would be if the aforementioned project would need new sidewalks that are solely associated and only beneficial to the project, the member would be prohibited from voting on said public improvement. This prohibition would also include other public improvements solely related and only beneficial to the project such as lighting enhancement, intended to serve only the project, parking lots constructed to serve only the project, and electric lines that run directly from the main power supply to the building where the member resides."

Osterman: "Could you also provide an example of when a redevelopment project would benefit a municipality as a whole to a greater degree than the benefit received by the project of the area itself?"

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Schmitz: "A redevelopment project creating a mu... a municipal facility. Another example could involve the redevelopment of contaminated sites that have not obtained a no forth... no further remediation letter from the Illinois Environmental Protection Agency, such as brownfield or public work sites. Other redevelopments benefiting the city as a whole would include projects that create amenities or improvements that will be available and beneficial to the public, such as parks, bikes and pedestrian paths, river walks, public parking areas, and streets. Furthermore, the corporate member would be allowed to vote on other projects or efforts in the redevelopment area that benefit the city as a whole, such as the purchase of computers for a police department, awarding contracts for repaving of a city hall parking lot, playground equipment and enhancements to city-owned downtown park, financial support for not-for-profit agencies, such as senior services, public street projects that serve a redevelopment area as a whole and are associated with the city's larger network of streets, public sidewalk projects that serve the redevelopment area as a whole and are associated with the city's larger network of sidewalks, redevelopment of publicly owned sites and the adjoining parcels with environmental hazards that are vacant and obsolete structures, such as former library site, Department of Public Works site, and improvements to publicly-owned performing arts center, improvements to public water, sewer, and storm water utilities, and finally, the establishment of fees for a public recreation facility."

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Osterman: "Representative, I wanna thank you for those responses."

Schmitz: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

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

Speaker Lyons, J.: "He indicates he will."

Fritchey: "Ordinarily, it's probably not even something that I would comment on, but there's a sentence in our analysis and I'm trying to understand if this is actually right. It says, 'This legislation arises from a situation in Elgin where an alderman would like to buy a home located in a TIF district.' Is that right?"

Schmitz: "That's correct. There's... there's an issue going on right now in our district... in my district where a TIF district was created and an alderman would like to buy one of the condominium units in that TIS... TIF district. What this Bill would outline is how such a sale could occur. It has to be market price, you have to tell the city clerk that you're gonna buy it."

Fritchey: "Big picture for a second. We're... we're down here..."

Speaker Lyons, J.: "Representative Fritchey, for a moment, I wanna try to get a little order in the House here for you so we can hear the discussion. Ladies and Gentlemen, please, can I ask for some silence on the House Floor. I've had numerous Members ask me to please get a little... lower the conversations so we can hear the debate on this issue. Shh. Thank you. Representative Fritchey."

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Fritchey: "Thank you, Speaker. So, we're... we're down here in the last week of Session, we're trying to deal with the budget, we're trying to deal with a lot of pressing needs, and the General Assembly is being asked to pass legislation to allow one specific individual to buy the house that he... or the condo that he or she wants to buy, and we are actually going to rewrite State Law in order to let somebody buy a condo that they've got their heart set on, and that's what we're doing down here."

Schmitz: "I would answer that 'sort of'. This affects statewide. This is an issue that came up in my district. We looked through the statutes, realized this is happening all over the state. As redevelopment areas are occurring with TIF districts, we've got some areas in the state where a TIF district actually encompasses almost an entire ward. Under current statute, that elected official would not be able to represent their own ward because they couldn't live in one of the properties in that TIF district. So, that's what we're trying to correct here. I just brought..."

Fritchey: "Well, if they... if they already lived there they would be grandfathered in. They're not going to be forced out of their property. And if they are going... ya know, I don't envision a situation they... listen, that alderman's gonna have to vote on that TIF district and they are not going to TIF themselves out of a job. Representative, I'm... I'm not jumping on you here. I'm astounded that we are actually taking up the issue of legislating where somebody is allowed... where somebody wants to go buy a house, but you tell me that's what we're doing. I don't... you say it

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happens all over the state... or applies all over the state, I don't know that anybody else has been approached by one of their elected officials saying change the law so I can buy the condo I've got my heart set on. And I don't know who the alderman is. I don't know this issue. I'm not picking on them, I'm not pi... but, my gosh. I mean, are... candidly, aren't you a little put off by what we're doing here? Aren't you a little troubled by what we're doing here?"

Schmitz: "No, not at all. This is an issue that a constituent came to us with this problem. Once we started researching and got into it, we realized that this is a problem happening all over the state. Maybe you have one in your district at this time where you have an issue, maybe you don't. But I met with the TIF District Association and there's some... there's some problems within current statutes, as... as we keep using that as a development tool, that it's creating some unintended circumstances."

Fritchey: "Your... your staff is dying to tell you something here."

Schmitz: "What I was being reminded of is that over a quarter, right now, in the City of Chicago is under some form of TIF district, so they're almost legislating themselves out of the ability to... to buy property. And what we've tried to establish, we've worked with the Speaker's staff... and I do apologize for the timing of this coming up today. This... this was introduced back in January and as we worked through the... the statute, worked through the legislative intent, get all the language to make sure that we had the checks and balances in there, that we... we think we've got it to the

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point where it's... it's a good Bill. The Amendment... the language that was drafted... the Amendment was drafted by the Speaker's staff with... with the full understanding that we wanted to have this... make sure this is sunshine. That the aldermen, whether... whatever town they're in, has to follow some very specific provisions."

Fritchey: "Representative, the... the clock's ticking on me here. You say it's a problem... have you been approached or apprised of any other elected official that has said, 'I wanna see the law changed so I can go buy a place somewhere'?"

Schmitz: "Yes."

Fritchey: "Other than this case?"

Schmitz: "Absolutely. Yes."

Fritchey: "All right."

Schmitz: "After this Bill was introduced some... some people started coming in and talking to me, and it went as far as... when city attorneys evaluate stuff like this, it went as far as public officials and police and firemen not being allowed to buy a single unit owner-occupied in the... in a TIF district."

Fritchey: "I... I'm very sensitive and always try to be helpful when we are... when we have a colleague that's trying to deal..."

Speaker Lyons, J.: "Representative, I'll give you one more minute to conclude your remarks. Thank you, John."

Fritchey: "That's plenty, Speaker. Thank you. As I said, ya know, we always try to be accommodating when we have Members here that are trying to deal with issues that are unique to their district, but I think we've got to be very wary of a

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situation, even though in theory it applies generally. But when we are asked to change State Law to help a specific individual in a specific district who has their intent to buy a specific house somewhere and we're gonna change the law to do that. You've been very forthcoming in your answers. It wasn't directed at you, I just... conceptually, I think that this is something we need to tread real carefully with. Thank you. Thank you for the time, Speaker."

Speaker Lyons, J.: "No one else seeking recognition, Representative Schmitz to close."

Schmitz: "Thank you, Speaker. Ladies and Gentlemen of the House, we... we had a very good discussion on this Bill and I believe what we have here in front of us has got some very serious and quality checks and balances in to help remedy just one piece of what we're doing with the TIF district. As I said earlier, over 25 percent of the City of Chicago is covered in some form of TIF district right now, the new Trump Towers that are being built. An elected official... an elected official, not just alderperson, an elected official of the City of Chicago, under current statute, if this doesn't get changed, would not be allowed to buy a condo unit, owner-occupied, in the Trump Tower. We're trying to correct this. I did talk to with the chairman of the Local Government Committee. We're hopeful next year we're gonna convene a task force or subcommittee and deal with some of the TIF issues that are coming up before us. This is just one small piece of the pie and I would ask for a favorable vote."

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Speaker Lyons, J.: "The question is, 'Should Senate Bill 2348 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Younge, would you like to be recorded? Representative Karen May, would you like to be recorded? Wyvetter. Mr. Clerk, take the record. On this Bill, there are 92 Members voting 'yes', 22 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, we have some rather important announcements now regarding the timetable for the next several days, and I think everybody was gonna wanna hear. Here's the schedule for the next several days. We will be in Session tomorrow, Friday, April 7 at 11:00. We'll be meeting tomorrow at 11:00. We will not be here on Saturday or Sunday, but we will... we will be back on Monday, April 10 at 4 p.m. Also, be prepared to stay here on Tuesday, April the 11th, and Wednesday, April the 12th. And if needed, pencil in your schedules for Monday, April 17. So that is the schedule. Monday, Tuesday, and Wednesday of next week. Four o'clock on Monday. And Monday, April 17, be prepared as needed. An announcement from the Chair. The House Democrats will caucus in Room 114 immediately after adjournment. Representative Mulligan, for what purpose do you seek recognition?"

Mulligan: "Thank you, Mr. Speaker. There are committee hearings scheduled for Sunday evening. I presume those are gonna be

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rescheduled since we're not going into 'til 4 on Monday, or will they still be on Sunday evening?"

Speaker Lyons, J.: "Representative, thanks for bringing it to our attention. They've already been rescheduled. They have been rescheduled. Representative Brady."

Brady: "Thank you, Mr. Speaker. The Republicans will caucus immediately after adjournment in Room 118. Republican Caucus immediately after adjournment in Room 118. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Mr. Speaker, I rise to a point of personal privilege, if I might."

Speaker Lyons, J.: "Please proceed, Representative."

Black: "Thank you very much. Ladies and Gentlemen of the House, I wanna thank Calvin Giles, an outstanding Gentleman who convened the Elementary & Secondary Education Committee yesterday afternoon, as he said he would. He's a man of his word, but I've known that from the day he walked in this chamber. We had a very interesting discussion and questions asked of... of the State Superintendent Randy Dunn and a representative from Harcourt about this total embarrassment with the Illinois Standard Achievement Test. I... I don't wanna let this moment pass also without saying we asked for this meeting five weeks ago by Resolution offered by Representative Jerry Mitchell. That Resolution was held in Rules. We filed a Motion to Discharge. All of the Democrats voted to uphold the Chair's Motion that it not be discharged, and yet I noticed and I wanna congratulate many

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Democrats who came to the meeting yesterday to ask Superintendent Dunn and Harcourt some serious questions. The only thing that I think should've happened is you shouldn't have voted against the Motion to Discharge... or to overrule the Chair. This hearing should've been held three weeks ago, it should've been a Committee of the Whole, and we should've invited parents, teachers, school superintendents so we could have a full hearing on what you have not heard the last of, and that is the absolute debacle, incompetence, and embarrassment that this mess with the Illinois Standardized Achievement Test has caused and will continue to cause the great State of Illinois. But we thank you for letting the Resolution out of Rules yesterday, and we do thank Representative... Representative Giles who is a Gentleman in every respect and somebody that I'm going to miss in this chamber because he at least convened the committee and let everybody have a fair opportunity to ask questions. Representative Giles, you're a man of your word, you're a great Gentleman."

Speaker Lyons, J.: "Thank you, Representative Black. Mr. Clerk, on page 9 of the Calendar, under Agreed Resolutions, Representative Tim Schmitz has a Death Resolution, House Resolution 1138. Members. The Gentleman from Kane, Representative Schmitz. House Resolution 1138, Mr. Clerk. Read the Resolution, Mr. Clerk."

Clerk Bolin: "House Resolution 1138.

WHEREAS, The Members of the House of Representatives of the State of Illinois learned with sadness of the death of John S. Warrington of Springfield on March 30, 2006; and

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WHEREAS, Mr. Warrington was born on August 17, 1929, in Arkansas to Daniel Oliver and Ethel Ann Huckaby Warrington; he married Dorothy Greenan on December 29, 1969, in Springfield; and

WHEREAS, He was a veteran of the U.S. Army and was employed with the State of Illinois from 1972 until his retirement in 1996 as a Stationary Engineer from the Office of the Secretary of State; and

WHEREAS, He was a doorman for the Illinois House of Representatives for the current General Assembly; he was a member of St. Aloysius Catholic Church and liked attending his grandkids' sporting events; he enjoyed the St. Louis Cardinals and traveling; and

WHEREAS, John was a very outgoing, caring, gentleman who loved to tell stories and spend time with his family, especially his grandchildren; and

WHEREAS, The passing of Mr. Warrington has been deeply felt by many, especially his wife, Dorothy Warrington; his sons, Dr. John D. (wife, Christine) Warrington and Anthony Warrington; his daughters, Patricia (husband, John) Dickinson and Deborah (husband, Dave) Steinkuehler; his sister, Beady Eubanks; his eight grandchildren; and his many nieces and nephews; he was preceded in death by his parents, one brother, and two sisters; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of John S. Warrington, and we extend our deepest sympathy to his family, friends, and all who knew and loved him; and be it further

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RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of the sorrow we share with his death; his smiling face will be missed by this Body."

Speaker Lyons, J.: "Representative Schmitz."

Schmitz: "Thank you, Speaker, Ladies and Gentlemen of the House. There's a lot of unsung heroes that work every day here behind the scenes. There's some great people that do a lot of good things for us to help this chamber work. John Warrington was one of those guys. He was here every day with a smile on his face. As we know, he was feeling quite ill at times. You'd never know it by looking at him. John had this unique outlook on life. No matter what was going on in his own life, he would tell ya that life's a gift, enjoy every moment of it. When we would adjourn for the week I'd say, 'Goodbye. See ya next week.' He'd always reply, 'The good Lord willing. And if not, I'll see ya again sometime.' When we'd return the following week he'd always ask about your family, what you did for fun, did you have the chance to hug your kids. John was quite the fitness expert. He spent many days walking laps in his swimming pool. If you've ever tried that you know how difficult that actually is. He also loved working out with his punching bag. I would always ask him what he was thinkin' about when he was hitting that bag, he would just smile and wink. One could only imagine. John's outlook on life meant a lot to me. All too often we forget why we're here. Not why we're here in this chamber, but what we're here to do in this life. John knew this answer and he lived it every single day. Mr. Speaker, I just wanna thank you

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for giving me the chance to express my thoughts to a friend that I'm gonna miss dearly. He was a great man, great father, hard worker to this... to this Body, and at the appropriate time I would ask that you add all Members of this Body to the Resolution. Thank you, Ladies and Gentlemen."

Speaker Lyons, J.: "Representative Shane Cultra."

Cultra: "This Body can be rather intimidating and when I first got down here John befriended me, and I certainly enjoyed conversing with him over the course of the four years that I've been here. About a week ago, when he came back from the hospital for a couple days before he went back in, that he talked with me and he said that he was right with God and that he was ready to go. I think Charles Dickens probably said it best in the Tale of Two Cities, 'It's a far, far better place that I go than I have ever been.' John, we're gonna miss ya."

Speaker Lyons, J.: "Representative Ron Stephens."

Stephens: "Thank you, Mr. Speaker. Another old soldier has died. He shall be missed and remembered."

Speaker Lyons, J.: "Representative Bill Black."

Black: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Representative Schmitz has so eloquently said, we tend to forget sometimes the people who work so hard to make our lives a little easier while we're here sometimes working long days, sometimes having our disagreements on philosophy and other matters, and it's people like... like John who tend to keep most... hopefully all of us grounded. If you haven't taken time to talk to the people who work in this chamber

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as... as doormen or security personnel... I often come in early in the morning and sometimes leave late at night. It's even refreshing to talk to some of the stationary engineers who are here picking up after us after a long day on the floor, and indeed they need a strong back and an industrial strength vacuum cleaner to clean this place up sometimes. To get to know them, to get to talk with them, to sit down on occasion and listen helps you stay grounded because these are the kind of people that we're supposed to be here representing. They have a wide variety of life experiences that they're more than willing to share. They're not just faces that you pass in the crowd. Very enjoyable to know John and to have talked with John, not only to talk about baseball... he certainly had fun ribbing me about my long-suffering love affair with the Chicago Cubs. Told me once he was even willing to share one of his world championship pennants with me to hang in my office since he didn't think I would live long enough to have a Chicago Cubs world champion pennant to hang in my office. I thanked him very much for the offer and told him that I was sure that we would have one one of these days. But John... John may be right, as he often was. A delightful man. A good family man. A man who could converse on many different subjects and a man that if sometimes... ya know, I'm not a morning person. And when we come in... we haven't done it lately, but when we used to have early morning Sessions it takes me a while before all the medication kicks in. So, I don't really like to be hassled or bothered or asked really difficult questions early in the morning. John somehow

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found that out rather early on and would often ask me to sit back in the back of the chamber and we'd talk about baseball or we'd talk about the Illini, we'd talk about what it is we do here and some of the things that... every once in a while he'd ask why we didn't do certain things here. But was never political, never confrontational. Just an outstanding gentleman. And for those of us who have lost a parent, some of these men around here and some of these women around here are almost like substitute parents. Get to know them, get to enjoy them, they can add immensely to your life. John was a good and decent man and will certainly be missed. But there are good and decent men and women who work in this chamber every day. I pray that we never, never take them for granted."

Speaker Lyons, J.: "Representative Susana Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I certainly unite my words with those of the previous speakers on behalf of John Warrington. And I'm honored today and privileged to have been asked by the family to say a few words on their behalf to this... to this Body. Dr. Warrington, who happens to be my chiropractor through no fault of anyone other than John Warrington when... some of you may remember a year ago or so I threw my back out and I was walking around this place in gym shoes feeling miserable. And it was John who came up to me and said, 'Ya know, I'm praying for you but you really need to go see this doctor.' And I... I was like, oh my God, I'm getting recommendations now from everybody about who I need to go to see. And it was Dr. John... he goes, this is the best doctor

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in all of Springfield, and I'd say the best chiropractor I've ever met. So I read the card and it says 'Dr. John Warrington Jr.' So, that was my experience with meeting his son and becoming friends with the family. And... because Dr. John cared about... I mean, Dr. John, his son, cares about all of us because of everything that he had heard of us from his father, the big John. And so, John would come to me afterwards and say, 'How ya feelin'? Because I'm praying for you.' And from that moment on it was prayers for me and prayers for anyone else in this chamber who either had a cold, had a sniffle, or had a broken leg, a broken foot, or a bad back. I... I can guarantee you that there's not a single Member in this chamber, whether he told you so or not, that did not receive loving prayers from John. He was a man very true to his faith. He was an inspiration certainly for me and somebody that I came to feel like, you know, a grandpa to me. And he's just such a sweet, loving man that I think all of us are going to truly miss. His son, when John died, was... that very next morning called me in the morning. I'd already heard about it and I was very touched that he would've even taken the time during that difficult moment... for all us who've lost a parent, the last thing I would've thought was to call somebody like me to tell me that I just lost my father. But, he was wonderful and called and he said, 'I wanted you to know and I would appreciate if you could let the Members know that the night before my father died he told me... we had a long conversation...', this is John speaking... Dr. John speaking, said he had very long conversation with his father and that

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he spoke for a long time about how important it was for him to have served with us, to have served in this chamber, and that he wanted all of us to know that one of the last things that his father spoke about prior to passing was having spent valuable years of life and valuable quality time with all of you. And I don't know about how you feel right now, but when he was telling me that it was so emotional. And for Dr. John to feel very, very comfortable having this conversation with me and he was in very good spirits saying, 'I just want everyone to know that we are so thankful as a family for all the acts of kindness, all the words of kindness', and just the... the way in which we treated John because he felt like he really was a part of this family, which certainly I know of all us feel the same way. So, on behalf of his family, they wanted you to know that today they're with us in spirit. They couldn't be here today because they're going through, of course, their mourning process. And John's wife, as his kids, right now, know that we're with them and just wanted you to know that as much as they would've loved to have been here and certainly appreciate this tribute to John, they are just physically and emotionally spent but very, very strong in their faith and their love for each and every Member of this General Assembly. So, thank you, all of you who went to the services, who took the time to be there, and for those of you who have offered prayers of consolation since John's passing. But, just... I really am honored to be a part of this Body. And like Dr... I mean, like John said, the one thing... and this is a funny thing I wanna say before I end.

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He did tell Dr. John, 'The only thing that I'm really, really, really upset about is that I'm not feeling so well and I think I might have to quit the chamber.' So, he never got to quit and I think that's something that Dr... that Dr. John, his brothers and sisters, and his mom is very proud that... that John didn't have to tell us that he was putting his letter of resignation in, 'cause now he's in a better place and we're always gonna be with him. So thank you and God bless everybody in this chamber too."

Speaker Lyons, J.: "We now ask for a moment of silence for a member... a member of this family of the House of Representatives, Mr. John Warrington. Mr. Clerk, Representative Schmitz and Mendoza ask that all Members of the House be added to this Resolution. All those in favor of the Motion say 'aye'; those opposed say 'no'. And they are adopted. All those in favor of adoption of House Resolution 1138 should say 'aye'; those opposed say 'no'. The 'ayes' have it. And House Resolution 1138 is adopted. Allowing perfunctory time for the Clerk, Representative Barbara Flynn Currie makes a Motion that we stand adjourned 'til the hour of 11:00... Let me conclude this, Susana, and then we'll come back to you. ...that we stand adjourned 'til the hour of 11:00 tomorrow, April 7... on Friday, the 7th of April at 11:00. For a last announcement, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, on a good note. Tonight there will be a party. And... it's not at my house, it's at Representative Jack Franks's house. Don't let that keep you away from the party because

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our dear friend Michelle Chavez will be in concert, making meat and singing. And so, we invite everybody, both sides of the aisle. Let's come, hang out, have a good time, and let's celebrate something. We just had a bad moment, let's have a good moment. Tequila, Mexican meat, good times, and the address is 329 South Walnut, 329 South Walnut at Jack Franks's house. Okay? See ya tonight. And we're gonna start it around 6:30 p.m. 'til God knows when."

Speaker Lyons, J.: "Democrats, Room 114 for caucus. Republicans, Room 118 for caucus. The House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 711, offered by Representative Mautino, a Bill for an Act concerning revenue. Senate Bill 929, offered by Representative Reitz, a Bill for an Act concerning regulation. Senate Bill 1144, offered by Representative Phelps, a Bill for an Act concerning criminal law. Senate Bill 1145, offered by Representative Collins, a Bill for an Act concerning criminal law. House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 861, offered by Representative Parke, a Bill for an Act concerning education. Committee Reports. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on April 06, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate

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Bill 2368. There being no further business, the House
Perfunctory Session will stand adjourned."