

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

126th Legislative Day

5/2/2006

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones and pagers. And we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Fred Robinson a member of the St. Katherine Drexel Parish in Springfield, Illinois."

Robinson: "Gracious God, our help in ages past and our hope for years to come, may Your inspiration be upon all of us this day as we pray. May Your spirit guide our elected officials as they council together in mutual trust and care. Endow them with courage to confront the perplexities in meeting the needs of people. Grant them wisdom and understanding and help them to respond quickly and effectively to each situation. May divinely directed decisions be on their lips and may they do that which is right in Your sight. Grant, Oh Lord, that the time and efforts of this day bring about a unity of purpose for the cause of Your people in Illinois. Amen."

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

Parke - 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 reflect the excused absences of Representatives Giles, Jones and Patterson."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Please let the record reflect that Representative Churchill, Coulson, Jenisch and Mathias are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 111 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 626 and Senate Bill 895; 'recommends be adopted' House Resolution 1194; 'recommends be adopted as amended' is House Resolution 1188. Representative Soto, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 2399. Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #3 to Senate Bill 2350. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were

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referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 830 and Senate Bill 1268; 'recommends be adopted' is House Joint Resolution 127."

Speaker Madigan: "Mr. Holbrook."

Holbrook: "Thank you, Speaker. I'd like to have all the Members' attention, if you would, please. On your desk today, you have a manila envelope with a few gifts in it. It's promoting the Midwest Council of State Legislators meeting in Chicago, August 20 through the 23. There's a ball cap in there. We tried to get a Cardinals or a Cubs cap, but we thought it... just to make sure we keep all of the discussion down on the type of cap we do a CSG cap instead. We hope everyone would come up to Chicago in August and visit. We have some fabulous speakers there that day. Doris Kearns Goodwin who just finished her Abraham Lincoln Book is gonna be one of our presenters and it'll be a good time. It's the first time in a couple decades that Illinois has hosted this and I would hope that everyone could come by and see it. There has been one question about what... and one of the items in your envelope, it's this sort of opaque-looking, gray, curvy piece of plastic. That's not a shoehorn and that's not a spoon to eat the gooey butter cake and it's not to hold your program card when you go to a Cubs' or Cardinals' game. It's actually a photo holder that says 'Chicago'. So, just so all of you know what that's for. I didn't know either when I first saw it, but you're all welcome to it and we would hope that you would come and

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support us and be there and be a host for the 13 other states that are gonna be there. Thank you."

Speaker Madigan: "Representative Kelly."

Kelly: "Thank you, Mr. Speaker. A point of personal privilege. Last week we celebrated my 50th birthday and today I'd like the Members of the General Assembly to celebrate Deborah Graham's 40th birthday. Also, the... there is cake... there is cake made by Representative Poe's wife. So, just take small pieces because Deborah loves that cake and I know she wants to take some leftovers home. So, enjoy."

Speaker Madigan: "Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker. A point of personal privilege, please. In our gallery, directly behind my left... the back of my head, we have the deputy chief commissioner of the Cook County Recorder of Deeds, Darlena Williams-Burnett. Will you rise. And give her a round of applause. Her assistant, Miss Jeri Johnson. And we also have from the Chicago Park District, the field house director, Mr. Gerald Rembrandt Washington, from Chicago. Welcome to Springfield. Will you please stand. Thank you."

Speaker Madigan: "On page 8 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 2277. Representative Jakobsson. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 2277 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Jakobsson, has been approved for consideration."

Speaker Madigan: "Representative Jakobsson on the Amendment."

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Jakobsson: "Thank you, Mr. Speaker. What the Amendment to Senate Bill 2277 does is it addresses... it requires that monies that are appropriated to the Urbana Park District shall be made from GRF at the funding level determined by the amounts that the Champaign Park District had received. This is due to the way the Bill is written. The off-track betting parlor moved from Champaign to Urbana and so we need to have legislation to have the money go from the Champaign Park District museum to the Urbana Park District museum. And further, the Amendment addresses monies that are transferred from the GRF to Museums in the Park. It authorizes the Museums in the Park to determine the amounts that'll be paid to each museum, aquarium and zoo rather than the Department of Natural Resources."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Mr. Speaker, as of right now this Amendment is not coming up on our screens where we can look it over and kind of figure out exactly where we're at. Can we find out what the technical difficulty might be? None of us here in the back row can..."

Speaker Madigan: "The Chair recognizes Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. I'm pleased to introduce to you two people sitting in the gallery: Senator Dan Weinberg and his wife, Gail Weinberg. Please stand. Thank you. Senator Dan Weinberg is here from Montana visiting Springfield, Illinois. He is in his second year of his first term as State Senator and they have a 2-year... two-term limit in Montana so he's already the vice chair of his Appropriations Committee because they have to

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move fast in Montana. And he... this is the first time that the Democrats have taken over in Montana with 27 people out of 50 in the State Senate. So, I wanted to just extend that hearty welcome and they're going to spend the day visiting the Museum as well. Thank you."

Speaker Madigan: "Mr. Clerk, on Senate Bill 2277, take that Bill out of the record. And on page 6 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 929. Mr. Reitz. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 929 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2 was referred to the Rules Committee."

Speaker Madigan: "Mr. Reitz, we'll take this Bill out of the record. Representative Currie, page 3 of the Calendar on the Order of Senate Bills-Third Reading there appears Senate Bill 304. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 304, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a follow-up trailer Bill to the pilot program under which there will be a predatory lending base project organized through the Department of Financial and Professional Regulation. Essentially, this measure does three or four things: first, it clarifies that the certificate that says that an individual wanting a mortgage has achieved credit counseling, that can be filed with the Recorder of Deeds at the same time that the mortgage is required, saving about

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\$40 per transaction. Second, it specifies the start date for the program, that will be September 1, 2006. Third, it says that the 4-year period during which this project operates will be 4 real years, calendar years, even if there is some obstacle that slows the project down during... during its early time. And finally, it provides immunity for those people who provide the credit counseling so they can't be sued by a potential mortgager. I'd be happy to answer your questions and would appreciate your support for this follow-up Bill."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Thank you. Representative, this is a pilot program?"

Currie: "Yes, which we adopted, I believe, a year ago."

Parke: "And how long does it last?"

Currie: "It will last for 4 years. And if they are... the only clarification in this Bill is to say that if there is some... if the court were to stop the program, for example, the 4-year clock would stop then. So, that we're talking about a real 4-year life for the pilot project. This is cleanup language."

Parke: "Now, there's a million, five... is that the 1-year cost and then the next year it'll be a million, five, et cetera?"

Currie: "I think that's the total cost."

Parke: "I'm sorry?"

Currie: "Total cost."

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Parke: "Do you know what it cost to administer it? Is there appropriation for it?"

Currie: "Yes, we did. The money has already been appropriated."

Parke: "How much is that, annually?"

Currie: "Yeah. I don't have that information right... right at hand, but as I say, we did the appropriation a year ago."

Parke: "Did anybody put a slip in against this Amendment when you presented it in committee?"

Currie: "I don't believe so. I think in committee the... all the people who signed in were supporters."

Parke: "Okay. Thank you very much."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 8 of the Calendar, appears Senate Bills-Second Reading, there appears Senate Bill 2277. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 2277 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Jakobsson, has been approved for consideration."

Speaker Madigan: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. The Amendment to Senate Bill 2277 is simply a technical Amendment that says that the Champaign Park District monies will be transferred to the Urbana Park District."



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Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of Amendment #2. I don't know why the Amendment's even necessary. There... there's no way you can construe this as an expansion of gambling. The Lady's Amendment is clear, concise. The OTB in Champaign County used to be in Champaign. It moved to a location in Urbana. Obviously, you can't send the money then to the Champaign Park District, you send it to the Urbana Park District. It's reasonable; it's fair. I rise in strong support of the Amendment."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2277, a Bill for an Act concerning gaming. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2277 requires that the monies that had been appropriated to the Champaign Park District for their museums and their park be transferred to the Cham... to the Urbana Park District. And this is because the off-track

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betting move from Champaign to Urbana and the way the original legislation was written, we just need to do this legislation so that the money can go where the museums and the off-track betting facility is. It also addresses monies that are transferred from GRF to Museums in the Park. Currently, the Department of Natural Resources makes the distribution to each museum, aquarium and zoo in the association based on the 1998 distribution level and the Bill authorizes the Museums in the Park to determine the amounts that'll be paid to each museum, aquarium and zoo."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I... I'm in strong support of your Amendment. However, the Amendment did not become the Bill and you were just talking about something I'd like to get some more information on. In the underlying Bill, it provides that on July 1, 2006, funding for the museums, aquariums and zoos located within the Chicago Park District, and I believe they get about \$1.2 million divided up among those each year. Well, now instead of being handled by a public entity, the Chicago Park District, the funds are now going to be distributed through the Museums in the Park Association. Now, it's my understanding that that is a nonprofit, nonpublic entity. What... what is the purpose of moving the \$1.2 million from the Chicago Park District to then distribute to the museums. Instead, now the... the

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administering body will be a nonprofit group. I don't understand why that change is being made."

Jakobsson: "That association involves all of those parks. There are... It's all the same entities, but the Museums in the Park will determine the distribution rather than the Department of Natural Resources."

Black: "Ah, Mr. Speaker, I... I can't hear a word."

Jakobsson: "And it's... it's distributed among its members, among their members as needed."

Black: "Well, no, I... Representative, maybe... maybe you told to me in the first couple of sentences. Like, I couldn't hear a thing. I understand the distribution. What I don't understand is the Chicago Park District has always handled the distribution and that's a public body. Now, it appears to me that the \$1.2 million is going to go to a nonprofit corporation, the Museums in the Park, and they will then distribute the money. I... I don't understand why that change is needed or necessary."

Jakobsson: "It's the sa... it's the members and the current distribution is the same as it was a few years ago, but it will also include now the Lincoln Park Zoo and the museum... and Museum of Contemporary Art. And when and if eligible, the Children's... the Chicago Children's Museum."

Black: "You know, Representative, I'm sure you're answering my question, but in all honesty, I... I can't hear and all I wanna know, why are we letting a nonpublic body distribute money to public institutions? It just doesn't seem to make any sense to me."

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Jakobsson: "Well, I do know that the Chicago Park District is in favor of this."

Black: "Well..."

Jakobsson: "As well as the museum."

Black: "Representative, there are... there are things that are going on in Chicago that I will never understand. And I don't need to; it's not where I live. But I... I really... This had to come about, this has a genesis. You don't take public money and now, excuse me, you don't take tax money, give it to a public body to distribute, which has been the case since this Bill passed. Now, you're giving it to a nonprofit corporation, the Museums in the Park Association, and they are now going to distribute the money. My fear is, since they are not accountable to the public, I don't know who's on the board or who... who constitutes the membership of the Museums in the Park, but maybe on any given year, the membership of the Museums in the Park Association will want to give more money to the Shedd Aquarium and less money to the Field Museum or any... any way you want to run it. At least when the Chicago Park District allocated the money it was a public body that would be held responsible. Now, who do we... who do we complain to if the Museums in the Park Association... they're not elected, they're not answerable to the public... decide that of the \$1.2 million, \$1 million of it will go to the Shedd Aquarium and all the other Museums in the Park will split \$200 thousand. What recourse... if I lived in Chicago, what recourse would I have under the underlying Bill?"

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Jakobsson: "The entities that are going to receive this money are the same ones that have received it. It's the same amount of money..."

Black: "I know that. I understand that."

Jakobsson: "...they have received the last years."

Black: "I... I've been to every one of those museums a dozen times. I... I know what you're telling me. Focus on who is distributing the money."

Jakobsson: "They're all part of the body of the Museums in the Park and they'll be at the table to have these discussions."

Black: "But you're not answering the question. A nonprofit corporation is now distributing tax money. I can't think of another instance where we've done that. I'm not even sure this is legal. It would be like me... In our district, Representative, it would... it would be like you give the OTB money to the United Way and the United Way will distribute the money. You aren't gonna do that in Champaign County. I'm not gonna do it in Vermilion County. But you're giving \$1.2 million to a nonprofit corporation to distribute to public museums. Why the change? I don't understand why... a public body distributed that money. Now, it's a nonprofit private corporation distributing the money. Where are the checks and balances? Who do I hold responsible?"

Jakobsson: "The association is going to determine which of its members... they're altogether will be determining which of its members receive how much money."

Black: "All right, fine. And what if the association determines that all of the money goes to the Field Museum and all of the others get nothing? Who do we then hold responsible?"

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Jakobsson: "They're equal members of this association. They have the same say at the table and they'll be there making those decisions."

Black: "But they aren't elected. The Chicago Park District people are elected. If they make a decision to give all the money to one museum, somebody's gonna get in trouble, somebody's gonna be held responsible. If I am able to get my... my docents, or the people who support my museum, appointed to this board and I can get a majority and then I go and say, 'look, I've gotta have all the money. The Shedd Aquarium needs all the money. The Field Museum, the Museum of Science of Industry, all the other Museums in the Park, sorry, you don't get any money this year.' I wanna know how, as if I were a resident of Chicago, who do I go to and demand accountability and say, 'how dare you, how dare you do this.'"

Jakobsson: "They'll all be at the table, Representative. They'll all be making those decisions."

Black: "Who... who's at the table? The mu..."

Jakobsson: "The members..."

Black: "I don't even know who's on the Museums in the Park board."

Jakobsson: "The members of the Museums in the Park..."

Black: "I know that. But..."

Jakobsson: "...are the same ones who will be at the table making the decisions."

Black: "...even if I live in Chicago, I'd probably don't know who those people are. Who appoints them? How do you get to be a member of the Museums in the Park?"

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Jakobsson: "These museums are on the park district land, the Chicago Park District land."

Black: "My point exactly, Representative, they're on park district land and the park district should appropriate and divide the money. Now, you're giving this appropriation authority to a nonelected, nonpublic board and you haven't been willing or able to tell me who puts these people on this board? How do they get on the Museums in the Park Association and who's on there?"

Jakobsson: "They have to be a museum, a park or aquarium located in the Chicago Park District land."

Black: "Representative, I've taken my children and grandchildren up there dozens of times, I know all that. What I'm trying to get you to answer is 'yes' they are on park district land, they are public institutions. Why are you giving the money to a nonprofit, private entity to distribute money to public entities that are on park district land? Why this change? There's gotta be a reason. These things don't just happen. Who came to you and said, 'We're gonna change the way we distribute money to the museums.'"

Jakobsson: "The current statute doesn't allow the money to go to the new museums that are part of the... the Museums in the Park and that's why this change."

Black: "Why... why don't you just change the statute to include the new museums? You're still not answering my question. Why are you giving tax money to a private, nonprofit corporation to distribute to public museums?"

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Jakobsson: "They determine the distribution. The money is still going to the museums just as it has gone to the museums. The Museums in the Park members determine the distribution."

Black: "Representative, I'll try one more time. I'm gonna take a deep breath. Can you give me one example, in the State of Illinois, where we give tax money to a private, nonprofit corporation who then determines where that tax money will go?"

Jakobsson: "We're not giving the money to the Museums in the Park as a body. They are the ones who are determining the amount of the distribution."

Black: "They're... they're determining where the money goes, but they don't have custody of the money? If I determine where my household budget goes, I have control over it. If the Museums of the Park Association are determining who gets the money, then they have control over the money and they can change it in any given year. Right?"

Jakobsson: "I don't know any other words to say it to you, Representative. They will just be determining which park... which museum or which park gets how much money."

Black: "All right, Mr. Speaker, I give. I give. Ladies and Gentlemen of the House, to the Bill. I intend to vote for this Bill because of the Lady's Amendment which is an item of inherent fairness to the county of Champaign. That makes sense. And what she's doing in Champaign County, she isn't giving the money to a nonprofit corporation, she's simply saying the off-track betting parlor in Champaign moved to Urbana. Obviously, then you can't use the off-track betting tax money to keep... to support the Champaign Park District



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because the OTB is no longer located in Champaign, it's located in Urbana. So, the tax money goes to Urbana. For the life of me and for the record, I can find... she has not given me or any of you one single rationale for why a private, nonprofit corporation suddenly has the authority to distribute \$1.2 million in OTB money in Chicago to the public museums in Chicago. The Chicago Park District which is a public body has been doing this since this Bill was passed. Now, there has to be a reason for this change. Either somebody's mad at the Chicago Park District or they don't think the park district was fair in its distribution, so they're gonna turn it over to a private, nonprofit corporation. For the record, if anything happens a year from now and the Shedd Aquarium or the Field Museum or the Museum of Science and Industry come down here and say, 'Hey, we were cheated. Why did this nonprofit corporation take money that we've been getting all along and suddenly cut our share and give it to one of the other Museums in the Park.' Don't ask me to explain it when this happens. I... I probably will never know why this change was made and you know what, after going through this exercise, I don't know that I even wanna know why this change was made in Chicago. But we have another classic example, in order to do something for the Sponsor's district, that is simple and straightforward, we have to put something in the Bill that changes a policy or procedure in Chicago that not even someone who lives in the City of Chicago can probably explain to anybody in... in this Body today, why are you doing this. These things don't happen by accident. This was planned. There's obviously an

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agenda somewhere, but I'm tired of trying to figure out where it is."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 72 people voting 'yes', 39 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1625. Mr. Hannig. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1625 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #4 was adopted by the Body. All notes have been filed."

Speaker Madigan: "Mr. Clerk, one more time. Is the Bill on the Order of Second Reading?"

Clerk Mahoney: "Senate Bill 1625 is on the Order of Second Reading."

Speaker Madigan: "And put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 1625, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Madigan: "Before we go on to the Bill, the Chair recognizes Mr. Rose."

Rose: "Thank you, Mr. Speaker. A point of personal privilege. Ladies and Gentlemen, it's with great honor today that the Mahomet Lincoln Trail School is here with us in the chamber. And Representative Cultra and myself would like all of us to

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give a big welcome... a Springfield welcome to Mahomet Lincoln Trail."

Speaker Madigan: "On the Bill, the Chair recognizes Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This deals with the Illinois Finance Authority Act. And as amended by House Amendment #4, would simply increase the bonded authority that this agency would have from 24 billion to 25.2 billion. We went through a calculation where we know what they've spent to date, we know what's in the pipeline that's been approved and we know that based on historic data what we anticipate that they would need to get them through about the middle of April of next calendar year. So, that's what the Bill does. It's necessary for this agency to continue its business. I'd be happy to answer any questions and I'd ask for your 'yes' vote."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you. I have a question of the Sponsor. When I talked to staff a little earlier, I asked specifically about the status of the moral obligation bonds for the Southeastern Illinois Economic Development Authority, Tri-County River Valley Development Authority, Western Illinois Economic Development Authority, Illinois Housing Development Authority, Upper Illinois River Development Authority and my understanding that we were not eli... was that we were not eliminating the moral obligation bonds from our local economic development regions."

Hannig: "That's correct, Representative. The Amendment #4 which was adopted deletes everything after the enacting clause and

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only deals with the authorization for the Illinois Finance Authority."

Mautino: "Okay. So, in this, all of our current economic development units, which are established within our counties, will retain that authority for moral obligation bonds?"

Hannig: "That's correct."

Mautino: "Okay. Thank you very much."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Chair... Sponsor yields."

Black: "Gary... or excuse me... Representative, the Illinois Finance Authority was kind enough to talk to me after we discussed this Bill some time ago and I got a list of some of the things they would... they would want to do with the increased bonding authority. But I found it interesting that they have enough money to do all of the projects that are currently approved with their existing bond authority which takes them almost through the, I think, about maybe 60 days short of the next fiscal year. So, if they have enough money to do everything, in fact, that is currently approved through the next fiscal year, why do we need to increase their bonding authority at this time?"

Hannig: "Representative, they represented to us and we think it's correct that the authority that they have for those projects that they have in-house will basically exhaust the authority that they currently have. So, they're suggesting that, ya know, they've had some projects that are approved that are simply working their way through the process."

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They've also got projects that are in... in... in-house, but they haven't evaluated them, but they know that some of those will need to be approved and then they know that they'll still have projects that will continue to come in. So, we estimate that this would get 'em to about the middle of April of next year is what I recall, and we simply believe that they need the money now."

Black: "Well, I think this is and I don't... bear with me... I don't think it's a point of contention. I... I just... I'm having trouble anal... and by the way, the Illinois Finance Authority has been very responsive to certain projects that I'm familiar with, I have no axe to grind with them at all, but they have, currently, almost \$3 billion in bonds that they have not issued yet. So, that gets them through, if I understood what they told me about a... about a... three weeks ago, that gets 'em through the next fiscal year. Now, if this Bill passes, then in the next... in fiscal '07, which starts July 1 as we all know, they're going to have over \$4 billion in unissued bonds. Now, I agree, that with some of the projects on the board that's gonna take that bonding level down by about 1.8 billion, but it would still leave, if we did nothing, it's my understanding, it would still leave a balance at the end of fiscal '07. So, I don't ... I don't know why we're doing this at this time."

Hannig: "Representative, I... I guess all I can tell you is that if we believe you are correct, we would not pursue this Bill at this time, but..."

Black: "All right. Yeah. And I... and I appreciate that."

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Hannig: "...but our staff... our staff believes that based on the discussions with the Authority, that they need this money in order not to run out of spending authority."

Black: "I... I... They were kind enough to send me a list, a very short list, and I apologize, Gary, it's back in my office. I should have brought it out. And there were a sub... there was a substantial loan in there for some renovations to a Springfield hospital on the... on the... what they intend to do with the new bonding authority. And they also listed something for Provena which... it has a hospital in my district and in the St. Joe and Kankakee and Champaign. I called the administrator of Provena and he said he had no idea of what this money was for. They had no application pending. They weren't aware that they were in line... and this is a sub... I think it was a hundred million dollars. And I couldn't find anybody at Provena that knew anything about it. So, that, ya know, that... I'm getting to that age where I get confused rather easily, but not... then I... that really confused me. Not that they wouldn't be interested in it, but he was more or less telling me, I have no idea what this is for. If the administrator tells me he doesn't know what a hundred million dollar project is for, I get a little confused. So, I... Well, I... I..."

Hannig: "I don't really... I don't have an answer, Representative, on that specific project."

Black: "...I won't beat the horse. Gary, as al... Representative, as always, you... I... I think you do an excellent and very fair job in trying to explain the situation. I... Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, the Illinois

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Finance Authority has done, I think, a fairly decent job in helping with needed and necessary projects throughout the State of Illinois. What I don't understand is... and I know Representative Hannig would respectfully disagree with me... but I think this is a little premature. A lot of the bonds that the Illinois Finance Authority issues are on a revolving loan basis and some of these bonds are then paid back over the course of the year so maybe they issue a billion dollars in bonds in fiscal '06 and they get money back which would... maybe is 500 million... so as they begin '07 they really have more money than the balance sheet would show. I mean, these aren't just appropriations and the bond money is spent and it's all gone and then we have to come back and appropriate more money for bonds. I... I have tried as diligently as I can and in talking with the Illinois Finance Authority about why this is necessary when they have such a large amount... almost \$3 billion in unissued bonds... that would carry all of the projects they have on their list to FY '07 and if some of the money comes back from the revolving loan aspect, they would, in fact, have even more money than they are projecting. I... I guess with the fiscal situation that we're in, as complimentary as I am toward the Illinois Finance Authority, at some point... I know it won't probably be this year... but a majority of us are going to have to start saying, we cannot continue to allocate and issue money that we don't have a plan to pay off. You're asking me to vote for something and I'm not real sure where the money goes and I won't get into the percentages... I don't think the percentages of the money break out in a reasonable

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or fair manner depending on what district you live in... but again, in closing, I have no problems with the Illinois Finance Authority. I think they do a great job. They're a good tool to have working with you, particularly now that many of us are involved in ethanol plants or biodiesel plants and we need capital. We need money to get started, money to build a plant. But I don't find any of that in here. Too many unanswered questions for me. And with all due respect to the Sponsor and in all due respect to the Illinois Finance Authority, I can't vote, in good conscience, to increase their bonding authority at this time. I intend to vote 'no'."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, I noticed in our analyzation of this Bill that in increasing the amount of bonds that IFA can get by 5 million you're also removing the ability of the following bonding authorities to issue state moral obligation bonds."

Hannig: "Representative, the... the only Amendment we put on was Amendment #4."

Mulligan: "All right. So, that took that out of there?"

Hannig: "Right. So, all this does is it would increase the bonding authority from 24 billion to 25.2 billion for... for..."

Mulligan: "From 24 to 29 or 25?"

Hannig: "Twenty-five point two."

Mulligan: "So, you're adding 1. ..."

Hannig: "Two billion."



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Mulligan: "I'm sorry, say again."

Hannig: "One point two billion."

Mulligan: "One point two billion. Okay. And if we're obligated for 70 percent of that amount, does increasing that amount have anything to do with what the state's potential debt could be when you start looking at what a bond rating would be that we would get..."

Hannig: "No, Representative, this is not the moral obligation of the state. This is an agency that we've set up. They've got... They make loans and they collect the money back..."

Mulligan: "Right."

Hannig: "...from these institutions."

Mulligan: "But aren't we responsible for 70 percent of that?"

Hannig: "I don't believe that we're responsible for it, Representative."

Mulligan: "Well..."

Hannig: "It's... it's just an agency..."

Mulligan: "...if it's a state moral obligation bond, my understanding from our analysis is that 70 percent 'could' be the state's responsibility."

Hannig: "I... I think that there are some bonding authorities that exist in this agency that are moral authority of the state, but we're not increasing those items."

Mulligan: "All right. So, if we increase that amount, does that take the bonding authority from anybody else that..."

Hannig: "It does not, Representative. It just allows them to... to issue these bonds and to make the loans and then to re... when their loans are repaid, then they pay back the lender."

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Mulligan: "All right. And how soon would this allow them to start giving out that money to projects?"

Hannig: "Well, Representative, they're... they're doing that now and they have projects that they've already approved, they've got projects that they're in the process of approving. As time goes by, more pro... more projects come in the door. What they're suggesting to us is that if we don't do something before we adjourn that by the time we come back here in the Veto Session, they will have run out of money and potential projects in your district or mine may very well be told 'no' simply because they don't have the authority to issue this debt."

Mulligan: "Well, Representative Black questioned that and I'm curious as to why you think they will... they will run out of money, if they still have enough bonding authority. I mean, how many projects does this... are you gonna, under this administration, bond out before a new administration would start?"

Hannig: "Well, Representative, I... I... this would only get them 'til next April, so this isn't like we don't believe that we're giving them a huge amount of money. We anticipate that either we'll deal with this again in the Veto Session or we'll deal with it again early in... after the next inauguration. So, this doesn't get us very far, but we don't wanna see a situation where they simply quit processing applications around the state because they... they'll... they know they have no bonding authority."

Mulligan: "All right. Thank you."

Speaker Madigan: "Mr. Hannig to close."

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Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. The Illinois Finance Authority is an agency that... that helps all around the state. It actually can use its... its good credit rating to borrow money, then in turn loan that money to projects around the State of Illinois, to hospitals, to ethanol plants, to economic development plants. And so this is a good economic tool for each and every one of us. We've studied their proposal. It only allows them to continue their operations 'til next April. We think that gives us time to continue to look at our options as the General Assembly and not to give them more than they... than they need and what reasonable people would expect them to use in that period of time. So, I think this is a very fiscally responsible response to what the Illinois Finance Authority needs and so I'd ask for your 'yes' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 61 people voting 'yes', 49 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 630. Mr. Hannig. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 630's on the Order of Second Reading."

Speaker Madigan: "Are there any Amendments?"

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Clerk Mahoney: "Senate Bill 630 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments. All notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 630, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is a very straightforward and simple Bill. It deletes everything after the enacting clause... the underlying Amendment. And it increases the civil penalties that are... that can be imposed from right now the range is from 5 thousand to 10 thousand and changes that to 55 hundred to 11 thousand dollars. So, it allows the state to increase some of the penalties and for that, I'd be happy... and at that, I'd be happy to answer any questions."

Speaker Madigan: "Representative Lindner. Lindner."

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

Speaker Madigan: "Sponsor yields."

Lindner: "Can you tell me how these amounts were chosen? It seems unusual just to have a \$500 increase, a \$500 and a thousand dollar increase."

Hannig: "Representative, these were just suggestions that came to me from the Governor's Office. They asked if we would... if we would make these increases in the penalties for... for people who are bad players around the State of Illinois. I think it's probably just an effort to increase some of the fines."

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Lindner: "Right, but can you tell us the Governor's reasoning just from changing it \$500 on the one hand and then a thousand dollars on the other."

Hannig: "Well, I suppose they probably reviewed the books and felt that it was appropriate to make some adjustments. Clearly, these are not gonna be big fiscal increases for the state, but I... I do think at least it sends a message to those people who are violating the acts that we intend to keep those... those amounts that we can fine them current."

Lindner: "And where does this money come from in the first place?"

Hannig: "Well, these are fines... these would be fines that could've imposed upon people who have broken State Law. So, it has to do with the Whistleblower Reward and Protection Act..."

Lindner: "Is this..."

Hannig: "...and it's the civil penalties."

Lindner: "...is this a fund that the Governor could raid?"

Hannig: "I don't know the answer, Representative."

Lindner: "So, maybe he wants a little more money in the fund so he could raid that fund too?"

Hannig: "I don't think it really has to do with the fiscal... This is not gonna have a fiscal impact on the state's budget in any significant way. I think it's more of a symbolic way for the administration to... to demonstrate that they're trying to stay current on these fines and they're gonna try to keep them meaningful by raising them from year to year along the lines of the cost of living increases."

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Lindner: "Okay. Thank you for not being able to answer any of my questions."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, on the Order of Senate Bills-Third Reading, there appears Senate Bill 2445. Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2445, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Feigenholtz: "Thank you, Mr. Speaker. Ladies and Gentlemen, I've been around this chamber talking to some of you about a piece of legislation that I have for a restaurant in my district that has been in the community for over a decade. This particular location has moved a block north and after they moved and did a build-out, came to the realization that the rear property line of the back of their business was less than a hundred feet from the back of a property line of the school. This is a piece of legislation that deals exclusively with this scenario and I'm hoping that all of you will consider supporting me. This is a business that employs 20 people, serves liquor in the evening on an incidental license. And I'd be glad to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill

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pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Fritchey voted? The Clerk shall take the record. On this question, there are 59 people voting 'yes', 52 people voting 'no'. The Bill shall be put on the Order of Postponed Consideration. Is Representative Currie in the chamber? On page 2 of the Calendar there appears House Bills-Second Reading, House Bill 1814. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 1814 has been read a second time, previously. Amendment #1 was adopted by the Body. All notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "House Bill 1814, a Bill for an Act concerning pensions. Third Reading of this House Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This measure deals with 54 employees all together, some in the Department of Transportation, some in the Illinois Toll Highway Authority. It would treat automotive mechanics at the Toll Highway Authority and sign hangers at IDOT as eligible for the alternative formula. The point is to create parity because comparable employees at the two agencies are already in the alternative formula but these individuals are not. This measure complies with the provisions of Senate Bill 27, which means that this is all going forward, and, of course, the employees would make their fair share contributions. I don't know of any... I

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would appreciate your support for the measure. I'm happy to answer your questions."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, is this part of the pension reform package?"

Currie: "Representative, this meets all the requirements of our pension reform legislation, Senate Bill 27, of last year."

Black: "Yeah, how does it do that?"

Currie: "It does that by saying you can't buy back old time and it makes sure that the people who would, in fact, opt-in to the alternative formula would pay a larger share of their contributions that would be true of people in the traditional retirement formula. In addition, this program would sunset in 5 year's time. The point is parity, and it seems to me any pension reform oughta be concerned about issues of fair play, equity, and parity."

Black: "Well, if... if we're interested in fairness and equity and fair play, then why don't we put everybody in the alternative rate formula? It started out just to be people who were in danger, like police... State Police, then it expanded and expanded and expanded again. Now why... in the interest of fairness, then why don't we put every state employee on the alternate formula plan?"

Currie: "Representative, these people are in positions in which their lives are in danger on a daily basis. There are 54 of them. We're trying to treat automotive mechanics in both



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agencies in the same fashion, similarly the sign hangers, no matter which of these two agencies that they... for which they happen to work."

Black: "All right. I'm not that familiar with the toll road. Can you tell me how an automobile mechanic puts his or her life on the line every day?"

Currie: "They're the people who are fixing the cars on the road. You know when you break down..."

Black: "Oh, so..."

Currie: "When you break down on the Toll Highway Authority and you're there on the roadway, it's the automotive mechanics from the Toll Highway Authority who come to give you a helping hand."

Black: "So these aren't people who work in a CMS garage. These are the like the minute men who go out on the toll road?"

Currie: "Right."

Black: "How many of the... how many... I'm sure you told me. How many total people are we talking about here?"

Currie: "We're talking a total population of 54 between the two groups."

Black: "Okay."

Currie: "Fifty-four all together. I'm looking for the breakdown between the two separate agencies."

Black: "All right."

Currie: "Thirteen sign... sign hangers, so there'd be 41 of the automotive mechanics."

Black: "If... if your car breaks down on the toll road, do they actually work on the car there or do they just tow it to the

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first available safe harbor and work on it there, either one of the oases or a turnout or something?"

Currie: "It's my under... my understanding is they work on it right there to get it to the point where they can move it to a safe harbor."

Black: "Okay. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. The State Employees' Retirement System opposes this Bill. They've done the actuarial costs and because of the way the Bill is drafted it would allow all service by these positions to be included in the alternative formula and would require additional contributions over the funding plan of nine and a half million dollars by the employer. The employer in this case, I assume, is a government agency, an entity. Ya know, the Fitch Report clearly said that we could expect a downgrade in our financial ratings because of the exorbitant amount of money that we owe to the pension systems. We did take action yesterday on the 6 percent cap that was poorly drafted last year and was changed considerably last night. Now, ya know, here we go again. A year ago, pension reforms were introduced by the Governor that may or may not have been dramatic or drastic, but they didn't survive. They were greatly reduced by the Legislative Body. Our pension systems, according to an independent agency, rank dead last of the 50 states in the amount of funding vis-à-vis liability. And here we come, a year after a long period of debate on whether or not we had real pension reform, whether or not we could afford to steal... or excuse me, borrow three and a half billion dollars

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from the pension system, which we have done, and now we're gonna put more people into a pension formula that is certainly more advantageous to them upon their retirement. I... things move with such speed around here sometimes I... I get dizzy. Ya know. It's... I don't know. At some point we're all gonna have to take a realistic pill, get eight hours of sleep, and come back here and start looking at debt: pension debt, Medicaid debt, and all of the other unpaid bills that are out there. And we are gonna have to take a long look at our pension systems. What we can afford, how we finance it, why... why do we borrow money against the pension system. I... I don't know what the Bill... what this Bill's chances of passing are. This is a House Bill. It will go to the Senate. I don't think we're gonna be in long enough for the Senate to put this through the three readings and actually pass this Bill to the Governor, and maybe that's not even the intent. Maybe it's something going up... on up north that I'm not familiar with. People were saying they weren't being treated fairly. I don't... I don't know if you can ever reach fairness and equity in a pension system. Having said that, I certainly can understand how anybody that works on a highway... I had a friend of mine and a constituent who was killed in a workplace accident by a motorist talking on a cell phone that ran through all the warning devices and crushed him up against the back of the truck he was shoveling asphalt out of. So, I know a little bit about what they go through. But in light of what was done last year and in light of some of the letters I have seen written by Democrat Members to

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various people explaining how the pension reforms we made last year were gonna save hundreds of millions of dollars, now here we go with another emolument in the pension system. I think at this time I'll vote 'no'."

Speaker Madigan: "All right, Ladies and Gentlemen, this Bill is on the Order of Standard Debate. Representative Currie has spoken for the Bill, Mr. Black has spoken in response. There are four more people seeking recognition. The next person would be Mr. Miller. Mr. Miller."

Miller: "Will the Sponsor yield for..."

Speaker Madigan: "The Sponsor yields."

Miller: "...a proponent. Just a quick question. It's listed in our analysis the 94th General Assembly's... this particular legislation was passed. Now, between the sign workers and the teamsters, this Bill just brings parity between the groups?"

Currie: "The sign hangers and the automotive mechanics at the Toll Highway and at the Department of Transportation. Comparable people at the other agency are in the alternate formula. These 54 people... 54 people deserve that opportunity too."

Miller: "And mo... and are the majority of those the sign hangers that you're re..."

Currie: "No. More of them... more of them are the automotive mechanics."

Miller: "Are they... any of 'em..."

Currie: "Thirteen sign hangers and..."

Miller: "Okay."

Currie: "...41 automotive mechanics."

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Miller: "Yeah, to the Bill. I support this legislation. I have a constituent that has lobbied me for years since this legislation has passed and has been overlooked. I urge 'aye' votes."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, just as a point of interest here. If the Governor sells the toll road, what happens to the pension and the negotiations and the legislation we've passed that helps these people, that it does become null and void? And what happens to the money that's paid into the pension system and then who would pay into their pension system? Would they no longer be employees of the state?"

Currie: "The relationship we have with the employees is a contractual, constitutional one. No... no owner who succeeded us could undercut a current contract. And were the Governor to engage in selling the Toll Highway Authority, my guess is we would probably impose some conditions as part of that sale."

Mulligan: "All right. So the money that they've put into the pension system and up until something like that were to happen, would we continue to hold that pension money for those employees even if they then changed to be employed by a different employer? Then their new employer would collect the money from there on or would they get to cont... and we would continue to hold..."

Currie: "Just... just as happens today. If you've got a teacher who leaves at age 50 and then becomes eligible for a pension

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10 years later, they establish that eligibility and begin to collect."

Mulligan: "All right. So all the money that the state would be putting into this plan, which is considerable, would stay with the state pension system for those people, no matter who they were employed by, until they reach a point of retirement."

Currie: "Yeah, it would remain in the state fund until such time as the individual..."

Mulligan: "All right. I was just wondering how that would work."

Currie: "...became eligible for retirement. Yeah."

Mulligan: "Thank you."

Currie: "And there would be collecting interest."

Speaker Madigan: "All right, Ladies and Gentlemen, I believe that one has spoken for and three in response and there are two more seeking recognition. So under the rules, we've exhausted our possibilities. Mr. Bost. Mr. Bost."

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

Speaker Madigan: "Sponsor yields."

Bost: "Representative, so what you're saying is... is that if a person... and first off, let me ask this question. What year did we pass the alternative formula to those highway maintainers? What year was that done?"

Currie: "I think 3 years ago. Let me double check. Three, maybe four."

Bost: "Three? I think... I think it was 4 years ago..."

Currie: "Okay."

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Bost: "...that we... we actually did that. And we did it because we realized that the da... the danger that exists, exists because they're working along the crowded highways."

Currie: "Exactly."

Bost: "Is that correct?"

Currie: "Exactly."

Bost: "And you're saying that the problem that exists... these weren't included originally because you didn't realize that these workers actually work along the highway as well but they're working on... and they only do that on the toll way in the Chicago area, correct?"

Currie: "That's exactly right."

Bost: "All right. I need to bring you back to about 3 years ago whenever I came to you and the Members of your side of the aisle and asked for a Bill to get out of Rules because in the sou... in the southern part of the state we have a group that was not included because they're the silkscreen operators. They actually put the signs together. Now, in the northern part of the state all they do is stay in the shop and paint those signs. And in the southern part of the state they paint those signs and then they go out along the busy highways and face the exact same situation that you're asking us to change the formula for. Representative, I was told at that time that it is too much pressure on the pension systems and they weren't accu... weren't originally put in that formula because their job description didn't exactly match that. Well, these mechanics are the same... are the same job description that we have in Southern Illinois where the mechanics are in the shop. So, my argument here

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today is, why is a life in Chicago worth more than the guys and gals who are working in Southern Illinois hanging these signs along their highway?"

Currie: "Representative, I don't think that that's an accurate statement and I would be happy..."

Bost: "It's accurate because I can tell you what the Bill number was."

Currie: "I think these lives are all very valuable. I'd be happy to work with you on other individuals similarly situated."

Bost: "Well, I have a little problem with the fact, Representative, that now we wanna work with this because now it starts affecting people in the Chicago area. When I brought a plead to the Rules Committee to let this out because we have people that are in danger that are not included in the formula and now all of a sudden, because it's someone that happen to come to your side of the aisle, someone that happen to... something that you noticed because it's in your district, their life is worth more than the people in my district. It just goes to the hypocrisy of this place. I... I am just adamantly appalled that all of a sudden now we should change the formula, now we should include mechanics, but the people that are hanging the sign and facing Southern Illinois traffic, dealing with the same problems down there, that they're not included. And... and once again, that... as we work on this pension system and we continue to rob the pension system, where many of them don't even realize whether or not they're gonna have it, that we bring this up in the last few days. I'm adamantly opposed."



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Speaker Madigan: "The last speaker will be Mr. Molaro. Last speaker, Mr. Molaro."

Molaro: "Thank you... thank you, Mr. Speaker. Will the Sponsor yield? Well, just quickly. I don't know if you were prepared for legislative intent. One of the previous speakers talked about going backwards. I mean, what is..."

Currie: "This does not allow people to go backwards. It means only going forward could their time be part of the alternate system."

Molaro: "Okay. And therefore, it falls under the basic rules of Senate Bill 27 where there's no cost, it's fully funded, and it sunsets."

Currie: "That's exactly right. Sunsets in 5 years and does meet the requirements of Senate Bill 27. And it includes all the sign hangers in the State Department of Transportation, whether they are hanging signs upstate or down."

Molaro: "Well, that's... that's what I thought. As a matter of fact, in the Bill, the language itself, it says that you must be doing this work on the highway."

Currie: "Exactly."

Molaro: "Right. So we're not talking about someone... And if I recall the deal... I mean, obviously, one of... one of the favorite pastimes in this building is we all reinvent history. If we recall 4 years ago, it was like Republicans and Democrats alike, we were falling over each other trying to take credit for putting these people in the alternative formula. It was actually ridiculous how many people wanted to get in the picture with all these teamsters. And if you also recall, the reason some of these guys were left out or

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some of these... I shouldn't say 'guys'. If there were... some of these men were left out is they didn't belong to the right... the right bargaining unit. It had nothing to do with their job, it's just that the teamsters were upset because these other guys were in a different bargaining unit. Not only is this fair, this is like double fair. In other words, they were left out 'cause they weren't in the right bargaining unit."

Currie: "Exactly."

Molaro: "This was an inter-union fight. This had nothing to do with that. This isn't only fair, it wreaks of... smells that they haven't been in it for the last 4 years..."

Currie: "Exactly."

Molaro: "...because they weren't in the right bargaining unit. That's ridiculous. This is fully funded and everything is paid for by these members that are gettin' in it. It can't go backwards. You just heard the Legislator say that's the intent, it's not going backwards. It sunsets in 5 years. It includes everybody throughout the state. This is a fair issue and it cries out for a 'yes' vote. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Moffitt voted? The Clerk shall take the record. On this question, there are 62 people voting 'yes', 48 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Madigan: "Mr. Stephens."

Stephens: "An inquiry of the Chair. I..."

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Speaker Madigan: "State your inquiry."

Stephens: "In light of the... the last Bill and maybe I'm out of order, but are we sure that there is a pension system left?"

Speaker Madigan: "We've been told on a reliable source that if you were attempt to take your pension that they would make the payments to you."

Stephens: "I... I would..."

Speaker Madigan: "For you it's... for you it's there."

Stephens: "I would love if you would share that reliable source with our side of the aisle."

Speaker Madigan: "Yeah."

Stephens: "We could use some inside information."

Speaker Madigan: "On page 2 of the Calendar, on the Order of House Bills-Second Reading, there appears House Bill 1815. Mr. Clerk, what is the status of the Bill? 1815, page 2 of the Calendar."

Clerk Mahoney: "Senate Bill 1815 has been read a second time, previously. Amendment #1 was adopted on the floor. Floor Amendment #2 is referred to the Rules Committee. All notes have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time. Mr. Clerk, put the Bill on the Order of Second Reading and Mr. Clerk, is there a Motion filed by Mr. Meyer?"

Clerk Mahoney: "A Motion to... a Motion to Discharge Floor Amendment #2 has been offered by Representative Meyer."

Speaker Madigan: "Mr. Meyer on a Motion."

Meyer: "Thank you, Mr. Speaker. Mr. Speaker, under House Rule 18(g), I move for the discharge of House Amendment #1 to

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House Bill that... House... excuse me... House Bill, Amendment #1 to House Bill 1815 from the House Rules Committee. Under House Rule 54(b), all Motions are assigned Standard Debate status and I wish to debate my Motion. Upon the conclusion of the debate, I ask for a recorded vote on the Motion to Discharge. Under Rule 49, any vote shall be record... shall be by record vote wherever five Representatives show... so request and there are five Members on my side of the aisle that wish for a recorded vote on the Motions to Discharge the Amendment from the House Rules Committee."

Speaker Madigan: "All right. The Gentleman has moved to discharge the Rules Committee. And on that question, the Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I believe this Motion requires unanimous consent, I object."

Speaker Madigan: "Representative Currie has objected to your Motion, Mr. Meyer."

Meyer: "Mr. Speaker, under House Rule 57(a), I move to appeal the ruling of the Chair that there be no... that there be no recorded vote to discharge House Amendment #1 to House Bill 1815 from the House Rules Committee."

Speaker Madigan: "All right. The Gentleman moves to appeal the ruling of the Chair and he requests a record vote. So, for those that support the Gentleman... Mr. Black."

Black: "Speaker, under House Rule 52, regarding limitations on debate and quoting from Robert's Rules of Order, page 374-375. 'It should be noted that under legitimate parliamentary procedure there's no such thing as gaveling through a measure. The right of Members in debate or to

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introduce secondary Motions cannot be cut off by the Chair's attempting to put a question to a vote so quickly that no Member can get the floor...' and goes on and on and on. I believe we have a right to debate the Gentleman's Motion. Would ask the Chair to so rule."

Speaker Madigan: "Mr. Black, you'll appreciate that on a matter as complex as this that I want to wait for the parliamentarian to arrive."

Black: "That... that would be fine. It's very clear in Robert's Rules of Order that we have a right to debate the Motion, but..."

Speaker Madigan: "You have more."

Black: "...I know Mr. Uhe has..."

Speaker Madigan: "Yes."

Black: "...unique insight..."

Speaker Madigan: "Right."

Black: "...that I sometimes don't have."

Speaker Madigan: "And you have more confidence in him than you do in me, right?"

Black: "Mr. Speaker, I didn't say that. I would never say that. Now, Mr. Speaker, if that gets reported in the Tribune that I was doubting the integrity and the ability of the Speaker, that's gonna be very difficult for me to explain. Let's set the record straight. You were the one who suggested we wait for the parliamentarian. I would have been willing to... well, maybe not accept your opinion, but I certainly would have respected your opinion. So, let there be no... let there be no mistake. I'm certainly not calling you names and I

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don't think you called me any names. But, I'm from downstate and I often don't understand the Chicago lingo."

Speaker Madigan: "Mr. Black, you were... your thinking was well-founded. The parliamentarian has some good news for you. So, he would say that on the... on the Motion to overrule the Chair that Mr. Meyer gets 2 minutes, there would be 2 minutes in opposition, then 1 minute to close."

Black: "It sounds eminently fair."

Speaker Madigan: "Right. So, Mr. Meyer, you have..."

Black: "I... I tha... thank the parliamentarian."

Speaker Madigan: "Mr. Meyer, you have 2 minutes to speak on behalf of your Motion."

Meyer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we deal in this state with a massive problem in the funding of our pension system. And according to a national rating service, the rating of this state's debt service is probably going to be reduced within the next 2 years. I believe that it's imperant that we... that we address this situation now, that we find a solution to paying back the money that was taken away from the pension system contributions that will cost the people of this state over the next payback period of time for 30, 40, 50 years, whatever it is, about thirty-eight and a half billion dollars. Yeah, those... That's what it'll cost our children and our grandchildren because many of us won't be around at the end of that thirty-eight and a half bil... that 40-, 50-year period of time. It is important that we address this situation now. My Senate Amendment #1 calls for a bipartisan effort, one Member from each side of the aisle,

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from both Bodies of the Hou... both Bodies of the House and the Senate, to sit down and in a bipartisan manner fashion a plan to get us back on schedule to pay back the money that was not... that was not put into the pensions last year over a 10-year period. This is a very bipartisan Amendment. I don't understand how any Member in this House, any Member in this House, could not support it. It's made in good faith. I've talked to the Sponsor of the Bill and asked her to consider it. It is beyond belief that any Member in this House should... should stand up and say that this Bill, this Amendment, should not be discharged from... from Rules Committee for immediate consideration by this Body. And I would ask that you support discharging this Amendment."

Speaker Madigan: "All right. Representative Currie."

Currie: "Thank you. It seems to me that the Chair should be sustained. The Chair made exactly the right ruling. This discussion shouldn't be about the substance of the Amendment that is in Rules, it ought to be about process and procedure. Anybody in this chamber who cares about the integrity of the institution, the integrity of the rules under which we operate, should be voting to sustain the Chair. That ruling was the correct ruling, the only legitimate ruling under the rules of this House and anybody who votes against sustaining the Chair, in my view, is undercutting the integrity of the procedures under which we have all agreed to work. I urge a 'yes' vote."

Speaker Madigan: "Mr. Black. Mr. Black."

Black: "Thank you, Mr. Speaker. With the indulgence of the Chair, Ladies and Gentlemen of the House, I'll take 25

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seconds. You vote to uphold the Chair, as far as I'm concerned, you're voting against a reasonable Motion to come up with a procedure and orderly process of paying back the pension debt. Now, if you don't wanna pay back the pension debt, fine. Do you wanna go home and tell state workers, teachers and university professors that, you're gonna get around to it, someday you're gonna get around to it. Fine. The issue isn't gonna go away and it's just simply going to fester and boil and get worse and more painful and I don't know that some of you that are here by 2010 whether you're gonna want to have... want to do what your process will meet... making you do by 2010. If you think you can come up with a \$4 billion pension payment in 2010, would you at least give us some idea how you attempt to do that? It'd be much easier to let Mr. Meyer's Amendment go on the Bill so we can do a process and an orderly process and keep the integrity of this chamber on pace. We borrowed money; we're expected to pay it back. You vote against the Motion to overrule the Chair, you're saying in effect, ah, we'll pay it back when we get to it. If that's the message you wanna deliver to pensioners across the State of Illinois, be my guest."

Speaker Madigan: "The question is, 'Shall the Chair be sustained?' If you wish to support the Chair, you vote 'yes'; if you're against the Chair, you vote 'no'. Please record yourself. Has Representative Mulligan voted? The Clerk shall take the record. On this question, there are 62 people voting 'yes', 49 people voting 'no'. And the Chair has been sustained. Back on the Bill, are there any further Amendments?"



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Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Madigan: "Now, put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "House Bill 1815, a Bill for an Act concerning pensions. Third Reading of this House Bill."

Speaker Madigan: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1815 with Amendment #1 creates the Pension Stabilization Fund to assist with funding the unfunded liabilities of the state's retirement system. This fund would be known as the Pension Rainy Day Fund, would be similar to the state's Rainy Day Fund, requires the state to save twice as much whenever the state experiences revenue growth. The fund is created to meet the funding requirement and is... additional to the funds that the state is required to put into the pension. It is a supplement to the state's requirement to pay into the pension in order to meet the requirements that the pensions reach that 90 percent funding level by the year 2045. In fiscal years when the state's estimated revenue growth exceeds 4 percent of the prior fiscal year's estimated growth, the state would transfer funds to both the Budget Stabilization Fund and the Pension Stabilization Fund equal to either a half a percent or 1 percent of the estimated General Revenue Funds for the fiscal year. And in years when the revenue estimates of the state General Funds exceed the prior year's estimated 4 percent, the General Asso... the General Assembly would put in

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a half of percent of the estimated GRF revenues be transferred to the Pension Stabilization Fund."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Now, Ladies and Gentlemen, this Bill is on the Order of Standard Debate. There are eight people seeking recognition. So, we will proceed to recognize everyone, but I would request that we try to restrict the length of our remarks. Mr. Meyer."

Meyer: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Meyer: "Representative, in 2005, did you vote for Senate Bill 27?"

Jakobsson: "In fiscal year... Yes, I did vote for that."

Meyer: "You voted for Senate Bill 27 which failed to put money into the pension funds..."

Jakobsson: "I..."

Meyer: "...at that time. Do you believe that that was a good vote?"

Jakobsson: "In fiscal year 2005... 2006, we contributed more than \$938 million."

Meyer: "Representative, I asked you a question very specifically. Did you believe that your vote in 2005 Senate Bill 27 was a good vote?"

Jakobsson: "We're talking about House Bill 1815 today, I believe."

Meyer: "Well, I'm trying to... I'm trying to put this in a perspective, Representative. I'm trying to understand why 1 year ago you voted not to fund the pension system and now, today, you're coming back in and you're saying that must

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have been a mistake because now you wanna go back in and revisit the situation."

Jakobsson: "One... 1 year ago I voted to put \$938 million into the state's fension... pension fund."

Meyer: "Not... 1 year ago, Representative, you voted to shorten the pension system. The scheduled payment was supposed to be done based on the 1995 scheduled payment system that we in this Body adopted at the time. You were not here, I was. It passed... it passed on a bipartisan vote, I might add and now you've decided that you didn't want to last year, fund into it, at that scheduled payment. Now, you're back here this year trying to make that up some way. I'm asking you, why are you now doing that? Was it a bad decision last year?"

Jakobsson: "This is, again, House Bill 1815. You know, there's been a lot of talk, mistruths, scary rhetoric, to pension participants that they're not gonna get their pension benefits..."

Meyer: "This is a 'yes' and 'no' question, Representative."

Jakobsson: "...because of the kind of message that you are giving..."

Meyer: "All you're doing is delaying the discussion on this floor. Well, I have a right to ask you a question. I have a right to expect to have a decent answer from that question."

Jakobsson: "I believe I've been trying to give you an answer."

Speaker Madigan: "Mr. Meyer. Mr. Meyer..."

Meyer: "Sir."

Speaker Madigan: "...and Representative Jakobsson..."

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Meyer: "I'm sorry, Sir."

Speaker Madigan: "...if we could hold down the rhetoric."

Meyer: "Thank you."

Speaker Madigan: "And Mr. Hannig is in the Chair."

Speaker Hannig: "So, we're gonna... this is on unlimited debate. I'm gonna start the clock and why don't you proceed, Representative Meyer."

Meyer: "All right. Thank you, Mr. Speaker. Representative, we were talking about your... your effort now to clean up the problem that occurred based on Senate Bill 27 being passed last... last year. I spoke to you after... I spoke to you after the Session about an Amendment that I had on... to this Bill. It's been refused to be released from Rules, it's a bipartisan effort. I tried to explain to you that it was a good Amendment, done in good faith, a bipartisan effort, included Members of your side of the aisle, our side of the aisle. Did you... did you consider that Amendment as a part of your solution?"

Jakobsson: "House Amendment #1 to House Bill 1815 accomplishes the intent of this Bill..."

Meyer: "You're gonna have to speak louder. I can't hear ya."

Jakobsson: "...which is to create a mechanism... It's to create a mechanism whereby in strong fiscal years the state will contribute more funding to the pension systems than it's required to do under the law."

Meyer: "Representative, what did you find wrong with that Amendment?"

Jakobsson: "I'm sorry. I didn't hear you."

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Meyer: "I... I asked you, what did you find wrong with the Amendment? You're not answering the question."

Jakobsson: "I believe I'm answering your question. Beginning in fiscal year 2010, just 3 years from now, the state will increase its contributions to the pension system keeping us on track to reach the 90 percent funding level by 2045. House Bill 1815 calls for us to take a position now, take action now, not delaying action with another study."

Meyer: "Representative, I didn't ask for a study. I asked for a bipartisan commission to put... be put together so that we could address the problem today because I don't think... I believe that your Bill falls short of what needs to be done. I don't think that it's complete in its effort to come up with a solution. You're proposing to do things on a possible basis in the future. You don't know if you're gonna have the money there or not. What was wrong... why did you vote for the... Senate Bill 27 last year? Now that you're into it a year, you're asking for it to be redone."

Jakobsson: "I had the idea of a Rainy Day Fund many years ago. Before I came to the General Assembly, I talked about establishing a Ja... a Rainy Day Fund. It's a good move for the state to take and I believe this... this Bill addresses that. And with that Rainy Day Fund, we can address those unfunded liabilities that were handed down, to those of us who are in the General Assembly today, handed down over the last three decades..."

Meyer: "Representative, I would suggest to you that we're not in a Rainy Day, we're in a thunderstorm. Well, we need to take

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action today. We don't be... need to be setting aside funds for rainy days..."

Jakobsson: "Thank you. I hope you vote for this Bill."

Meyer: "...we need to be working on it. Representative, let me ask you this. The 1995 law that was in place, when you voted on Senate Bill 27 voted to do away with the 1995 law, when it was passed and that law was passed by support of both parties, it put more money into the state pension systems than what you did. Why did you short the pension system last year?"

Jakobsson: "In 1995, we put in \$10 billion into the pension system and that was a large effort by mostly Democrats, very few Republicans supported that."

Meyer: "Representative, excuse me."

Jakobsson: "I have supported putting money into this..."

Meyer: "Mr. Speaker, we can't hear what the Representative's saying. I'm sure she has something to contribute. Mr. Speaker, can't hear. You... you were in the middle of a sentence and I couldn't hear a word you were saying."

Jakobsson: "For decades previous General Assemblies and administrations didn't properly address the problems in the state's pension systems."

Meyer: "Representative, we did address the problem. In 1995, we passed a schedule, we were on schedule for it. Your legislation put \$1.236 billion less into the... into the system than what our legislation would have put in that was passed in 1995. That was just last year. That's 1 year ago. Please don't tell us we weren't on schedule."

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Jakobsson: "The Democratic-backed \$10 billion pension obligation bond plan in 2003, coupled with the reforms that we put in Senate Bill 27, are..."

Speaker Hannig: "Representative, your time has expired. So, I'm just gonna go down the list. Representative Rose, you're next on the list. Representative Rose, you're up."

Rose: "Thank you, Mr. Speaker. Will the Lady yield for some questions?"

Speaker Hannig: "The Lady will yield."

Rose: "Representative, have you seen what the Fitch Ratings have allocated the State of Illinois pension funds as? Negative rating outlook. Does that shock you? That's a question."

Jakobsson: "That wasn't a rating of the pension funds."

Rose: "Representative, it still really mentioned it. Do you know what the good... the Commission on Government Forecasting and Accountability will... says about what your Bill will do this year? Nothing. Do you know what the Governor's Office of Management and Budget says your Bill will do this year? Nothing. Will have... will not have a fiscal impact to the state. Representative, I believe last week, before we ended our dialogue, you and I were talking about the Rainy Day Fund component of your Bill and as I understand it, if and when the day ever comes that we have a 4 percent increase in General Revenue growth, a half a percent of that will be set aside for the pensions and another half a percent will be set aside for a Rainy Day Fund. Is that accurate?"

Jakobsson: "That's right."

Rose: "So, about a hundred and forty million dollars or so will be set aside. Do you know what the Governor's Office of

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Revenue has estimated our Medicaid backlog at this year? One point eight billion dollars, from the Governor's Office, that's their estimate. Do you know how much this year's pension raid is? One point one billion dollars, Representative. You can say 'yes' or 'no'. I mean, if you disagree with me, feel free to disagree with me. Right there's a \$2.9 billion deficit, so much for a balanced budget. Oh, wait a minute. I forgot about the \$250 million in fund raids. Now, we're over \$3 billion in deficit. Representative, it's rainin'. Why do you have a Rainy Day component to this at all?"

Jakobsson: "Representative, this is a long-term plan. When we do experience growth, we will put money aside into the Rainy Day Fund for the pensions. This is a..."

Rose: "So, you admit that there's nothing doing this year on your Bill?"

Jakobsson: "I believe I've explained to you what the Rainy Day Fund is and how it would work."

Rose: "Representative, did you get the IRTA newsletter for spring 2006? IRTA Action. These are the Illinois Retired Teachers' Association. Did you get this newsletter?"

Jakobsson: "I believe I've seen that and they put some information in and they leave out a lot of other important information."

Rose: "Yeah, they... they put somethin' in here about last year's pension raid going to offset the Chicago Teachers' Pension System."

Jakobsson: "They fail to say how much we put in the rest of the Teachers' Pension Systems for the State of Illinois."



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Rose: "Well, last year you took 1.2 billion out of the pension systems, Representative, what'd you do? I mean, I... I don't... I mean, and of that some of it went to, according to the IRTA... this isn't me talkin', this is the Illinois Retired Teachers' Association... 54 million Chicago Transit Authority, 37 million in fare subsidies RTA, 5 million in subsidy McCormick Place, 5 million for Cook County State's Attorneys Office, 10 million in increased subsidy for the Chicago Teachers' Pension System. All funded from the hard work of our state employees. The bottom line, Representative, and... and to the Bill, Mr. Speaker and I'll conclude my remarks quickly. If you wanted to do something about pensions, you could have supported our Amendment. House Amendment #2 would have stopped this year's raid and started paying back last year's raid. You voted 'no' on the vote to overrule the Chair and have our Amendment considered. Just considered, Representative, you voted 'no'. You voted, excuse me, you voted 'yes' to sustain the ruling of the Chair and overrule our Amendment that would have actually done something. You make mention of past General Assemblies and what they did to the pension systems. Well, let's talk about the General Assembly and Governor Edgar, Representative. Governor Edgar, this House under Republican control, the Senate under Republican control stopped the insanity and started paying the money back. And just a few years into Democratic control, Representative, we went back to the borrow and spend ways that got us into trouble in the first place. Well, Representative, I... frankly, I'm at a

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loss for words at this point. I think the News Gazette editorial last Friday..."

Speaker Hannig: "Representative, your... your time has expired. Representative Stephens. Representative Stephens is recognized."

Stephens: "An inquiry of the Chair, Mr. Speaker."

Speaker Hannig: "Yes, state your inquiry."

Stephens: "Under our rules, am I allowed to yield my time?"

Speaker Hannig: "Yes, Representative, you can."

Stephens: "Then I would like to yield my 5 minutes to the opinion page editor of the Champaign News Gazette."

Speaker Hannig: "And... and is that person a Member of this Body, Representative?"

Stephens: "Mr. Clerk, the gentleman from Champaign, a Mr. Foreman is recognized. 'If Jakobsson genuinely was interested in proving... in improving the financial health of the pension systems, she would simply move to undo last year's vote on the pension raids and fully fund all five state pension funds this year.' A simple observation from a gentleman from her district. 'The Chief Sponsor Jakobsson along with cosponsors, a host of downstate Democrats: Robert Flider of Mount Zion, Mike Boland of East Moline, Kurt Granberg of Carlyle, John Bradley of Marion, for whom the pension raid vote is now considered a liability, one that their Republican opponents will use against them in the fall.' That's... it's all this is about. The public policy of the State of Illinois has failed, set by the Democrats from Chicago, this public policy has decided to raid the pension funds placed there by hardworking Illinoisans for

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their future to take that money away, never to be returned, that proved to be a failed policy and the voters recognize that, Representative. They are not easily fooled. I figure if the editor of your Ga... of your local paper can figure it out so can the voters in your district. They are not fooled, Representative, and you know that. You know that the vote that you cast last year along with your cosponsors is a reflection of failed policy; it's a reflection of failed policy led by the Democrat leaders of this state. The three gentlemen from Chicago have decided... well, let's just think about it... the three gentlemen from Chicago, they knew that this was bad public policy to the point where they said, well, we don't wanna do this in Chicago. Representative, do you know the funding level of the Chicago Teachers' Retirement Fund?"

Jakobsson: "I couldn't hear you."

Stephens: "Do you know the funding, the current funding level as it compares to the downstate teachers' fund of the Chicago Teachers' Retirement Fund?"

Jakobsson: "That's a totally different system, Sir."

Stephens: "No kidding, Representative. You know, the people of your district must be proud to know that it's a different issue. Chicago is different than downstate. Maybe you can explain to them why you would punish downstate teachers and not even consider, not only not consider cutting and not making the payment to the Chicago Teachers' Retirement Fund, but to increase that payment. Why would you vote to do that, Representative? Why did you vote to do that? Explain

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it in terms of what you're doing here today. Help the gentleman from Champaign understand it, Representative."

Jakobsson: "I believe the gentleman from Champaign has been listening to a lot of the talk and a lot of mistruths and the scary rhetoric to pension participants and to people around there."

Stephens: "Do you think that the gentleman from Champaign understands that the Chicago Teachers' Retirement Fund is funded at 90 percent and that the downstate teachers' fund is... because of your failed policies is less than 60? Do you think that maybe in grade school he learned what mathematics is all about and he learned that 60 is less than 90 and that maybe if he was the... your... the State Representative from there that he would say, you know what, I care about the people from Champaign County. I'd like them to be treated with the same special benefits that Representative Jakobsson wants to give the teachers of Chicago. Why would you treat the..."

Speaker Hannig: "Representative Bost, you have 5 minutes."

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

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

Bost: "Representative, I... I know that... now, I know that many of the questions... I'm over here. Hello, hello. Hey, there you are. I know that many of the questions that have been asked have been more about just statements and not necessarily about this Bill. I need to know some information specifically. It's my understanding that this... this Bill has a trigger mechanism. Is that correct?"

Jakobsson: "Yes, yes."

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Bost: "Okay. And that trigger mechanism is based on what calculation? What is the actual trigger that is used to when this starts payin' in?"

Jakobsson: "When the state experiences a growth of 4 percent over the previous year."

Bost: "Mr... Mr. Speaker. Mr. Speaker, I can't... can we get some order, please. I'd like to hear the response. When it does what, please?"

Jakobsson: "When the state experiences a 4 percent growth over the previous year in revenue."

Bost: "Four percent of the previous year. Now... now, how do you calculate that? Is that just in the General Revenue Funds or... and let me have... let me give you three specifics. And I need to know where exactly this is falling. Does it take into account the last year's fund sweeps? Is it... is it... does... is it based above that or below that? What is the trigger?"

Jakobsson: "We're talking about General Revenue Funds."

Bost: "General Revenue Funds. But General Revenue Funds have been changing based on the fact that we've taken money out of certain funds and shoved over into General Revenue Funds. So do you... so do you take that off, do you put it on? What exactly do you do with that?"

Jakobsson: "This is not a Bill about other funds. This is a Bill about the pension fund."

Bost: "Okay. Okay. I understand that. But this is a Bill that you're using a trigger and that trigger has to have a point and you say the point is General Revenue Funds and I'm arguing over the last couple years, we don't know where the

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real balance of the General Revenue Funds comes from. Is that... If we raid the pensions again and pile it into the General Revenue Funds, is that what we use as a trigger? Where does that trigger stand?"

Jakobsson: "Projected growth means new money."

Bost: "Projected growth means new funding, but here... as we start to balance out this budget, we're using more than projected growth for our General Revenue Funds. We are using funds that have been raked and pillaged from other areas that were supposed to have been protected. I'm just trying to figure out how this process works. You... you say it's just General Revenue Funds, so you really don't know."

Jakobsson: "I do know. It's General Revenue Funds."

Bost: "But you don't know what comes into that General Revenue Funds and the stre... and the question that I asked is, if all of a sudden those General Revenue Funds level changes, based on the fact that it's taken from somewhere else, do we still have to go over that amount or are we gonna base it on the amount that was before... before we raided those other funds and put 'em in?"

Jakobsson: "When the state experiences 4 percent growth in General Revenue Funds, funds from tax revenue..."

Bost: "All right. Let... let me go another way and ask something from more of a... of how we personally handle things. Representative, do you think you or I could get away with running up a credit card bill and... and let me... I want you to think about this. You and I run up a credit card bill on a personal level. We only pay half or we pay a portion of it. And then we just tell somebody, hey, I'll tell you what, in

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5 years we'll pay it back to ya whenever we can get around to it. What would happen to you or I?"

Jakobsson: "Why don't you check with your company."

Bost: "I don't have to check with my company and you don't have to check with yours. One of two things would happen. Your assets would be seized and you'd have to pay your bill. Yeah, go ahead and laugh, Representative, laugh because it was real funny what you just said. You know why you're carrying this Bill, Representative? I know why, because I represent a higher education community too. Because all the people that sent you here are finally ticked off over the fact that you raided their funds, you raided their pension, they sent you in trust here to this General Assembly and you voted to take away their money, not fully fund their pensions and now you're catchin' heat and you've gotta try to cover your tail and this is what you're doing. And this is the type of garbage that keeps going on in this town."

Speaker Hannig: "Representative Cross."

Cross: "Yeah, Mr. Speaker, just... and maybe this'll set the tone for the next couple days. We need a little order in the House. This is perhaps the biggest issue facing State Government, the fiscal integrity of our pension system, the fiscal integrity of the state, the structural problems with the state, the pension system, et cetera, and nobody's paying attention. Now, we'd like a little order in the House with respect to this Bill and any other Bill that deals with the pension, any other Bill that deals with Medicaid, any other Bill that deals with the budget, any other Bill that deals with the... the 'bimp' Bills or we're

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gonna go to caucus. And we're gonna take that approach as we go through the whole budget debate, we're gonna take that approach as we go through the 'bimp' Bills. This is such an important issue that we've all gotta pay attention. And if they don't wanna... if people don't wanna pay attention, then we'll go downstairs and we'll come right back upstairs when people are ready to pay attention. This is critical debate, it's important if we are gonna get this fiscal house in order as a state, we've gotta find ways to restore our pension system. This Bill doesn't do it, but other Bills do and we have to have a healthy debate about it. So, I think I've made my point. There are a number of people on our side of the aisle that wanna continue to talk and if we don't get order, just so ya know, fair warning. It's not a threat. We'll go right downstairs. So, thank you, Mr. Speaker."

Speaker Hannig: "Representative Pritchard."

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

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

Pritchard: "Let's... let's lower the discussion here and try to better understand this Bill, if we may. Representative, could you explain for us how you came up with this idea?"

Jakobsson: "The Rainy Day Fund is something that I talked about a long time ago for several years, even before I came into office, to give our state budget greater stability in years in which we experience a decline in revenues. And I see this as a continuation of our efforts to reform and to strengthen the state's pension systems so that they're healthy and that they are able to meet their obligations to



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the current and future retirees. Ya know, it's also worth noting that one of the recommendations included in the report issued last November by the Advisory Commission on Pension Benefits was that the state find a way in which to dedicate excess revenues towards the additional funding of the pension system. That is..."

Pritchard: "So... so, do you share our concern that we don't have enough state revenue to meet the payment obligations that we have established in both the '95 as well as in the 2005 legislative agreement?"

Jakobsson: "House Bill 815 (sic-1815) is talking about when we have excess revenue and taking that money and dedicating a half a percent of that growth to the pension systems. It will not..."

Pritchard: "With the expressed purpose of what, trying to reach 90 percent?"

Jakobsson: "Of making our pension systems more stable."

Pritchard: "So, is there a concern that we're not going to do that based on the scheduled payments that this Body has adopted?"

Jakobsson: "No. I wanna help ensure that we continue in the right direction to stabilize our pension systems."

Pritchard: "Representative, we share a university community. I've certainly been contacted by my university employees and I'm wondering have the university employees in your community expressed doubt that the State Legislature really is intent upon funding their retirement system?"

Jakobsson: "My university employees have contacted me and yes, they had been given some of the mistruths and the scary

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rhetoric. And so, I was able to explain to them that no one lost their pension benefits no one has not received a pension payment, whether they're in the system now or ready to retire."

Pritchard: "So... so, your university employees don't understand, they can't read the balance sheet? Is that what you're saying? They don't understand the issue; they're easily persuaded that the facts are different than what they perceive them?"

Jakobsson: "I think they would object to saying they didn't understand something."

Pritchard: "Excuse me. I didn't hear you. Excuse me."

Jakobsson: "I believe my university employees would object to saying they can't understand something."

Pritchard: "Well, Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Pritchard: "My university employees do understand the pension system and are very troubled by the fact that in our underfunding of the pension system for the last 2 years we're setting up a scenario where the state will not be able to meet its annual obligations to fulfill the pension schedule that we have adopted, by 2045. Mr. Chairman, I think that... Mr. Speaker, I should say... I think that this Body has right to be concerned with our ability to meet payments. I think that we ought to consider strongly the kinds of annual contributions we make and not just set up a Rainy Day Fund but to repay as House Amendment #2 on this Bill would suggest that we repay what we have borrowed the

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last 2 years or underfunded the last 2 years and get this system whole. Thank you."

Speaker Hannig: "Representative Reis."

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

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

Reis: "Representative, you've done a good job of not answering why you brought this Bill forward. Just real briefly, you said that you voted last year to fund the pension at \$970 million. You said you put 10 billion into it before. So, why do we need this Bill?"

Jakobsson: "For the last several decades, our pension system has been underfunded, it's been... it has unfunded liabilities that previous administrations, previous General Assemblies allowed to go on. We need to address those liabilities, those unfunded liabilities and move in the direction of seeing that any additional growth, any new growth, a portion of that can go to the Rainy Day Fund for the pensions."

Reis: "Did you add to these unfunded obligations last year with your vote on Senate Bill 27? Have you heard otherwise from any of the folks in your district?"

Jakobsson: "No."

Reis: "You haven't heard a single thing from any of the teachers or university workers in your district about your vote on Senate Bill 27 last year, then why do we need this Bill?"

Jakobsson: "I heard from constituents, but I... we also need to understand that we are addressing the liabilities that have been handed down to us for years and years and years."

Reis: "We addressed that, the General Assembly addressed that in 1995 and we never missed a pension schedule payment on that

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50-year plan until last year and you were a part of that. Have you heard from any newspaper editorials about your vote on that last year?"

Jakobsson: "Are you holding one in your hand?"

Reis: "Pardon? This isn't... Ya know, a newspaper columnist last year said that this issue was gonna go away before the potato salad went bad after Memorial Day. It hasn't gone away. The teachers are upset. The university employees are upset. Government employees are upset. And this is nothing more than smoke and mirrors to try to say we're putting money back into it. As Representative Rose said, not one dime's gonna go into this this year because we haven't crossed the threshold. Most of the people, I got an e-mail today from a teacher says, what are you gonna do about replacing the money that we skipped last year... that you skipped last year and are you willing to support a budget this year that takes another billion dollars out when you're givin' 'em crumbs with this Bill? Are you committed to not supporting a budget that takes another billion dollars out of the pension? That's the easiest way to bring everything up."

Jakobsson: "You said you were... received that from your teacher. We're not talking about Senate Bill 27. We're talking about House Bill 1815."

Reis: "Okay. But 1815's not gonna do anything this year because we haven't crossed the threshold. Are you willing to support a budget that does not take another billion dollars out of the pension fund this year? That's the easiest way to start getting this back on schedule."

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Jakobsson: "We're talking about House Bill 1815."

Reis: "Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Reis: "We've all heard from these... these employees. I've had teacher meetings. I've gotten hundreds and hundreds of e-mails and calls and letters and quite honestly, ya know, not only they are irate that this General Assembly voted to end the 1995 Pension Reform Act, but they're insulted that we or the General Assembly doesn't think that they know what's going on. They know what's going on with their pensions. They know what's going on in the General Assembly with increased spending. One of the things I like to say at home sometimes is common sense isn't very common. The easiest way to bring this... to end this mess this year is to sit back down with a budget that's not gonna raid the billion dollars out this year. We'll figure out how to replace the billion dollars that was skipped last year. This smoke and mirrors is not gonna do it. It's pennies on the dollar, if it ever crosses the threshold. And we oughta be ashamed of ourselves. Our state workers need... deserve much better than this."

Speaker Hannig: "Representative Black."

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

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

Black: "Representative, should your Bill become law, when would the last fiscal year have been where there would have been sufficient growth to put anything in your Rainy Day Fund?"

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Jakobsson: "That was before I came into the General Assembly, but I know it was not long before that."

Black: "The last time that any revenue growth would have put anything into the fund was 2000 in a Republican administration. You would not have met the threshold since this Governor's been elected. Now, does your Bill allow for any sudden increase of money into the state accounts like a bond sale?"

Jakobsson: "This addresses General Revenue growth."

Black: "Okay. So, I was gonna try to give you an easy out. In 2004, because you borrowed \$10 billion, revenue growth was up 11.6. So, your Bill would not have had any impact from 2001 through 2006. Representative, how much money is in the Rainy Day Fund, as we speak, do you know? So, we have a Rainy Day Fund."

Jakobsson: "I'll look into that and get right back to you, Representative."

Black: "Oh, you don't have to, I know."

Jakobsson: "Oh, okay."

Black: "There's nothing. Nothing in the Rainy Day Fund. Do you know how much money was in the Rainy Day Fund until the first day of this fiscal year? Two hundred and fifty million dollars. How long did it take this cur... this administration to transfer the \$250 million from the Rainy Day Fund into the General Revenue Fund? Forty-eight hours. Was there any money left in the Rainy Day Fund in 2... in fiscal 2004? No, it was transferred in 72 hours. It would appear that there seems to be a budgetary problem in this administration. Would you agree or disagree? Oh, maybe you

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don't have any opinion. Okay, that's fine. Representative, a while ago you told one of my colleagues that nobody had contacted you about Senate Bill 27. Do you stand on that statement?"

Jakobsson: "I was saying that people are not talking about Senate Bill 27 to me when they're talking about House Bill 1815."

Black: "Well, Representative, let me... let me show you a letter that one of your constituents sent me a week ago. A letter that you sent her explaining your vote on Senate Bill 27. A very nice letter, seven pages long. Did... did you work night and day to come up with this letter? And by the way, I have 24 of them. How long did it take you to come up with this seven page letter?"

Jakobsson: "I worked on it."

Black: "Yeah, I bet you did. How long did staff work on it? See, Representative, I've been here long enough to know when I'm reading a staff letter and when I'm reading a letter that somebody worked on at home, so do editorial boards across the state. In your letter you put a myth/fact sheet of paper about all the scare tactics and all the things that have been done. Here's what you said in that. Myth, the forms in Senate Bill 27 reduce pension benefits for current employees and retirees; fact, benefits were not reduced. It is unconstitutional to reduce benefits. That's right. My view, as I told your constituents who have written me, my view is that Senate Bill 27 endangered benefits for every teacher, pensioner and state worker by increasing state debt. Your response to your constituents. Myth, money was

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raided or stolen from the state pension systems. Your fact says, no funding was stolen. In FY06/07 the state will pay more than \$2 billion to pension. My response to that, the Democrats are paying less than half the money they should be paying into the pensions... pension system and they say that that's all right. Representative, I've been... We see each other socially and personally. I have nothing whatsoever against you. I think you're a woman who tries very hard, but I think you've gotten yourself into a real mess on this Bill and I tried to tell you that before the vote on Senate Bill 27. Knowing a university community and a community that values education, I didn't think..."

Speaker Hannig: "Representative, you're time has expired. Representative Flider."

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

Speaker Hannig: "Indicates she'll yield."

Flider: "Representative..."

Speaker Hannig: "Excuse me. Let's... let's the Gentleman make a parliamentary inquiry. Yes, Representative Black."

Black: "...Parliamentarian Uhe, I'm making the same point that I made with the Speaker on page 377 of Robert's Rules of Order. I have a right to conclude my remarks. You cannot gavel a speaker down. That is in Robert's Rule of Order. I have a right to conclude my remarks."

Speaker Hannig: "Rep... Representative, I was granting everyone 5 minutes on the clock and there were no exceptions."

Black: "You cannot cut off, under Robert's Rules, same point I brought up earlier."

Speaker Hannig: "Okay. So..."



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Black: "I have a right to conclude my remarks."

Speaker Hannig: "So, Representative, we'll grant an exception to Representative Black. Please conclude your remarks."

Black: "Mr. Speaker, I wanna make this very clear. This is not an exception. This is covered very clearly in Robert's Rules of Order. You cannot use the gavel to cut off a person's remarks. A person has the right to conclude his or her remarks."

Speaker Hannig: "We'll conclude your remarks..."

Black: "Thank you."

Speaker Hannig: "...Representative."

Black: "Representative, I've had editorials written in favor of what I've done, in opposition to what I've done, some make ya feel good and some hurt your feelings. Let me just quote from that editorial in the Friday, April 28 edition of the News Gazette published in Champaign. 'Officially, the newly amended House Bill 1815 creates a pension stabilization fund. Unofficially, it creates the Naomi Jakobsson political preservation Act.' Ladies and Gentlemen of the House, this is a House Bill. It isn't going anywhere in the Senate. There isn't time. This is what the conf... this is what the News Gazette said it was. It's a 'try to save a Representative's political career' Bill. Remember the O. J. Simpson trial, 'if the glove doesn't fit, you must acquit.' Well, I'm gonna tell ya somethin', with the exception of my broken finger, this glove fits. This is a sham, a phony Bill. And any university professor and any teacher who can read and understand what happened last year knows that this Bill doesn't correct a thing. Shame on you. And shame on

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anybody who stands up and tries to make light that this is an important Bill and will salvage the pension debt that yes, has been bad in the history of the State of Illinois and what you did last year made us dead last, number 50. You all oughta wear buttons. 'We're number 50 and I couldn't be prouder.'"

Speaker Hannig: "Represen... Representative Flider, 5 minutes."

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

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

Flider: "Yes. Representative, I have some questions for you and one of the observations that I would make is that I was appointed to the General Assembly 2003. And when I was appointed, we had a caucus meeting and I was just astounded, I could not believe how horribly funded our pensions were at that time. Representative, what year were you appointed or what year were you elected to the General Assembly?"

Jakobsson: "I was elected in 2002, so I took office right about the same time you were appointed."

Flider: "And do you recall what the funded level of the pensions were at that time?"

Jakobsson: "Well, you saw it in that caucus."

Flider: "I believe it was below 50 percent funded."

Jakobsson: "That's right."

Flider: "I... I could not believe that. And I... as I scratched below the surface and learned and tried to find out what had happened, what I had found out was that over the past 25 or so of the 30 previous years, the Legislature didn't do its job and fund the pensions like it should have funded them. So, all of a sudden somebody wants to blame you for that."

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And it's like, okay. So, here we are, ya know, we talk about mortgaging the future on the children and the grandchildren of the future. I think, from my standpoint, I was about 13 or 14, based on my calculations, when the Legislature stopped funding the pensions. I think we have a lot of people who are forgetting though that... that there may have been a slight roll in getting us to where we are. A little bit like, if you have a mortgage that you have to pay, you decide you can't pay for one month, two months, three months, suddenly that interest raises and suddenly you find yourself the worst funded pension system in the State of Illinois. So, my question to you Representative is, are the pensions funded today above 50 percent?"

Jakobsson: "Yes, they are."

Flider: "And why is that?"

Jakobsson: "That's because with the efforts of the Democrats, very little Republican support, we took out the bonds for \$10 billion in 1996... '03."

Flider: "So, that was action that you voted on in 2003. We put a record amount of dollars into the pension system for the State of Illinois."

Jakobsson: "That's right."

Flider: "As newly elected Representatives of the State of Illinois, we took action to do what we could for the pensions and the people who are dependent on the pensions for the State of Illinois."

Jakobsson: "Yes. And with this Bill, I wanna continue to move in that direction."

Flider: "So, you voted for that?"

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Jakobsson: "Yes."

Flider: "So, the record is clear that where we are today that the pensions of the State of Illinois are funded at a higher level than they were when you took office in 2003?"

Jakobsson: "That's right."

Flider: "Were you a Member of the Legislature when this Body looked at early retirement incentives that allowed people to retire adding debt to the pension without providing additional revenues to make up for that debt?"

Jakobsson: "No, I wasn't."

Flider: "So, you didn't vote for any of those early-out options?"

Jakobsson: "No."

Flider: "You didn't vote for any perks or special benefits for pensions, people that retire at a benefit that..."

Jakobsson: "You mean..."

Flider: "...that was higher than they otherwise would have been able to retire?"

Jakobsson: "You mean how we added to the unfunded liability?"

Flider: "That's correct."

Jakobsson: "No."

Flider: "Okay. Let me ask you this. It's my understanding that... Ya know, I was very pleased to learn that at least even though in 2003, at the time you and I came to the Legislature, that in 1995 the General Assembly had, in fact, passed legislation to try and get us to a point where we would get at least to 90 percent funding and so, I was very pleased to hear that. Were you pleased to hear that?"

Jakobsson: "Oh, absolutely."

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Flider: "Well, ya know, it's my understanding that we are on target for meeting that same goal, 2... 2045."

Jakobsson: "That's right."

Flider: "Ninety percent funding in 2045. The question I have for you is, will it cost us as much, more, or less to get to that goal as a result of legislation that's passed this General Assembly?"

Jakobsson: "It's going to cost us less."

Flider: "In fact, it's been estimated that it could save us \$45 billion to get to that same target in the same amount of time as a result of legislation that had passed. Some would estimate that it could cost us or that it could save us \$70 billion over that period of time."

Jakobsson: "That's right."

Flider: "Who would save money?"

Jakobsson: "The taxpayers are gonna save money."

Flider: "So, we've achieved those goals. If we stay on target, we're on target to meet that legislation, that same goal, but at a cost of between 45 and 70 billion dollars savings to taxpayers."

Jakobsson: "That's right."

Flider: "Well, I know that we have difficult decisions to make and challenges that we have to face. Every one of us is conscientious in how we achieve them. I know over the years this Body has made difficult decisions. I see no useful purpose in trying to point the fing..."

Speaker Hannig: "Representative Flider, your 5 minutes have expired. The House Rules provide that each Member has 5 minutes."

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Flider: "He got to conclude."

Speaker Hannig: "Okay. Conclude..."

Flider: "Thank you."

Speaker Hannig: "...your remarks."

Flider: "Yeah. I... I would just like to say, I don't see any useful purpose in trying to point the finger where people had to take actions that they thought were appropriate. They got us into a situation where we are. But the fact of the matter is, we're trying to do our darnedest as a Body to get ourselves out of a very bad situation. And this Bill may not be the best answer or the only answer, but it is a step and it's a step in the right direction, Representative. And I know that you're taking some heat, I think unjustifiably so because of the short-term memory of many people in this Body, but I have to tell you, it's a step in the right direction and I wanna thank you for being the lead Sponsor."

Speaker Hannig: "Representative Molaro."

Molaro: "Well, thank you. First of all, I wanna... I definitely wanna agree with the Minority Leader, Mr. Cross. It's good to know that we can actually get some order in this chamber 'cause one of the things I've always thought when I came over that was tough is when you're speakin' and everybody else is talkin'. It's almost like you're talkin' to yourself. So, he absolutely is right about that. Ya know, as I said I served 10 years in a Minority over in the Senate, so I know what it's like... and I had 'Pate' Philip who, if you think Hannig's tough, you should've seen when 'Pate' was in the Chair. Cutting off debate, you not only

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got it cut off, I thought he wanted to come and almost beat me up for continuing to talk and so, we understand that. Now, you have every right and it's nice to hear, to talk about Senate Bill 27. I'll listen to it all day long and I think you should get up every time you can, if that's what you guys wanna do. It certainly... certainly am... have the authority to do that. Naturally, I'll stand up and say that we... you guys did the same thing in 1994 or '95 when we passed the ramp and underfunded the pension system each and every year 'til 2010, but back then the Leadership in the Republican Party thought it was important. I guess he also thought it was important when we did the ERI that was supposed to cost 700 million and it cost 2.4 billion and we didn't fund it and everybody including the Republicans voted for it. We also were gonna dis... do it over 10 years and we decided to do it over 50 years and every... all the Republicans voted for it. And obviously, we did Senate Bill 27, so we can argue back and forth whether Senate Bill 27 was a good idea, '95 when we underfunded whether that was a good idea, 2 or 3 years ago when we decided to fund it over 50 years, the ERI, over 10 years that was a good idea. But where I think we're missing it and this is the most important part of my statement. You had a Bill up there that we couldn't get out of Rules that Representative, I think it was Myers, I don't know who was the Sponsor, Meyer was the Sponsor, it probably has some merit to it. Probably not a bad idea. So, let's talk about this Bill. I don't like the idea of callin' it a Rainy Day, I don't know where that came from, it's part of the dynamic scoring. We didn't

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have a problem in the pension fund. It made sense to me that when back in the days in the '80s and '70s when we all underfunded the pension system, Republicans and Democrats underfunded it, we would sit in the back room and when it was time to pay the pension systems, and we didn't have any money, we didn't pay it. We said, no, let's just put 50 billion when we coulda put 300. Now, we didn't have any money that made sense to me. What the problem was, when we said next year when there's a surplus that's when will we pay the underfunding. Well, next year we had the surplus, in the '70s and '80s, and we thought of other ideas to spend the money and again, we underfunded. All this Bill says, we have the mechanism, next year it's gonna be about 2.8 billion, in 2010, the Representative of right, it's gonna be almost 4 billion. Here's all this Bill says, we pay what we're supposed to pay, but if there ever is a surplus, instead of running out and spending it elsewhere, not only should we pay what we're supposed to pay but there's a trigger that says, hey, let's get smart. Not only should we pay what we're supposed to pay, let's pay above and beyond when there's a surplus. That's a wonderful idea. That's a great idea. I understand we can get up and talk about Senate Bill 27 'til the cows come home and you can do that all day long and I can rant and rave about '95, but that's immaterial. This is a freestanding great Bill. Does it take back what we did in Senate Bill 27? Of course it doesn't. Do the Republicans have good ideas? Of course you do. Are there any more ideas out there? Yes, there are. But that doesn't make this Bill a bad Bill. This is a



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wonderful Bill. It says, in times of economic growth, instead of going out and spending it elsewhere, let's look at where we are in pensions and let's force ourselves to actually put it and spend it in a proper place. This is a wonderful Bill. It doesn't solve all the problems that we created or we seemed to create in '95, 2001, 2003 and in 2004. All this says is that when there is excess money, instead of spending it on other priorities, let's spend it on the pension system. That's a wonderful idea. And I commend this Sponsor for bringing this. Thank you."

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. My name was used in debate by my friend from Fayette, so I just wanna make a couple clarifications. First of all, as Representative Molaro alluded to, in 1995 there was a reform Bill to fund the pensions. Why was that the case? Because under the Thompson administration, the pensions were underfunded. I was chairman of the House Pensions Committee. We held hearings throughout the state to discuss the serious underfunding of the pension systems. We had such a hearing at the U of I in Champaign. Out of that came that Bill to automatically fund the pension systems on a 50-year ramp. Now, we put... myself, personally, I wanted to put more front-loading so we could reduce the debt and make it less than 50 years. The Edgar administration did not want to do that. They did not want to front-load the payments because they were in office during that time. They wanted to defer the obligation 'til they were out of office and I understand that. So, in Senate Bill... at that point, that legislation

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was a compromise. Is it enough? No, I think we should do more. And in fact, I am hopeful that after November we sit down, disengage in the political rhetoric and work on a bipartisan basis to find even more revenue to fund the pension systems. It's the right thing to do. And in terms of what the Chicago system receives and what the Downstate Teachers Retirement receives, since that reform Bill in '95 the downstate's, the TRS system, has received 11.3 billion, billion dollars for their pension. The Chicago system, which is primarily funded by their local property tax, received 715 million. Downstaters received 11.3 billion, Chicago received 700 million. Thank you."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. I yield my time to Representative Black."

Speaker Hannig: "Representative Black."

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

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

Black: "Representative, I... I feel terrible. I had no idea that when we came up with the pension funding Bill in 1995, under a Republican administration, that we were so devious. I... I thought we were really doing something to reform how we were funding pensions. I assume you've done some research. What was devious under that plan? What... what was... what wasn't truthful under that plan?"

Jakobsson: "I can't speak to the '95 plan as far as what you're referring to."

Black: "I'm sorry, what?"

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Jakobsson: "I'm not sure what you're referring to. I can't speak to that."

Black: "Well, you've been saying that the Re... this all happened under previous Republican administrations. I thought we made a good faith effort to correct this in 1995, but if I read between the lines, you're saying we didn't do anything. What... what is it that we didn't do? Hey, Mr. Speaker, you know the problem is we lose a minute and a half while she confers with staff. Ya know, it's her Bill. After you've been here more than six weeks, you oughta be able to present a Bill without two staffers whispering in each ear. And I don't... I don't appreciate the fact that I lose a minute and half of my time so that your staffer, who was clear down there, can run up and whisper in one ear and the other staffer, who is beside her, can whisper in the other ear. Now, why should I have to give up a minute and a half while they play Jeopardy over there?"

Speaker Hannig: "Representative, it's your time."

Black: "Well, I'm not gonna get an answer. I'm not even gonna try. Representative, would you at least tell me one thing. Under the '95 Edgar plan, what would have been the difference in what we put in the pension system last year under the Edgar plan as opposed to what you put in the pension last year? What was the money... monetary difference?"

Jakobsson: "What we addressed with the plan last year and again, I wanna say, we're talking about House Bill 1815, but to answer your question, what we addressed last year was taking

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care of some of those unfunded liabilities that have been going on for a long time."

Black: "Can you just please answer the question. How much money did you put in the pension last year opposed to what the Edgar plan called for? Were you more than or less than?"

Jakobsson: "We put in over \$938 million last year."

Black: "More than or less than the Edgar plan last year?"

Jakobsson: "You know that we put in less because in 2003 we put in 10 billion."

Black: "Thank you. Thank you. You put in \$1.2 billion less. So, you're blaming it on us. Tell me something, Representative, how did Governor Blagojevich vote on the '95 pension reform Bill under Jim Edgar?"

Jakobsson: "I wasn't here."

Black: "He voted 'yes'. How many 'no' votes weren't there on the '95 plan? None. Bipartisan Bill that passed out of the chamber unanimously and you and your good friend from the Decatur area have the gall to stand up here and tell me that it was mismanagement under the Republican administration. How dare you. You weren't even here and neither was he. We came up with a bipartisan plan that then Representative Blagojevich voted for and you just admitted, you underfunded the pension system last year by \$1.2 billion than the Edgar plan called for. So, don't you tell me, don't you stand there and have the unmitigated gall to tell me that it was the Republicans that's created this mess. We were on our way to getting where we needed to be and you short funded the pension last year not us. Now, let me ask you one other question. You owe the Rainy Day Fund this year \$250 million

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because the administration took it out the second day of the fiscal year. Do you have any plans, on your side of the aisle, how are you gonna replace the Rainy Day Fund this year? You owe it 250 million, as we stand here today. You don't have a plan. That's what I thought. Mr. Speaker, to the Bill. Most of us who have been here longer than a week know that when you better... when you get up to present a Bill, you better go home the night before and you'd better read it and you'd better read that analysis a dozen times and you'd better talk to staff early in the morning for as long as it takes. I resent the fact that..."

Speaker Hannig: "Representative, the 5 minutes have expired. Would you like to bring your remarks to a close."

Black: "Well, under... Let me go... I'll... I'll... I resent the fact..."

Speaker Hannig: "Would you like..."

Black: "...that we don't even get our 5 minutes because she doesn't answer any questions. We have silence for two and a half minutes while she confers with staff and I'm willing to lower the rhetoric, but I'm not gonna sit here and put up with this baloney that the '95 plan wasn't working. It was working. You chose not to follow it. That's fine. That is your prerogative to do, you're the Majority Party. But don't try to dress a pig up in a tuxedo and ask me to take it to the prom. I may be a downstater but I didn't fall off the turnip truck last night. I know when I get to the prom I gotta pig. He looks better in a tuxedo, but he's still a pig. Don't try to sell me on this baloney. If you believe this baloney, what you need to do is go to work for Oscar

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Mayer because if you can sell this baloney, you can sell anything. But you're not gonna sell this baloney to me."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank... I was about to yield my 5 minutes to Representative Black, but I think he's wound down. So, aside from the fact that I think there are some people on the other side of the aisle that we may wanna hand a shovel to and let them dig themselves in a little deeper, I think I will just forget about talking to this anymore except to mention to the fact that the \$250 million that you borrowed from the Rainy Day Fund must be repaid before the end of the year, that's an obligation under law to pay that back, if I'm not mistaken. And as a former Sponsor, three times, of Rainy Day Bills under two different administrations both a Democrat and a Republican Comptroller, this is by no way even close to a Rainy Day Fund, nor has any other Governor put enough money in. If you think that we have \$25 million a day worth of Medicaid bills, the pittance in a Rainy Day Fund doesn't begin to cover it. And so what happens here is we have a Bill that provides nothing, gives nothing, does not pay back the \$250 million that were borrowed and so this Bill does nothing. Ya know, as much as we liked to hope that it would, it doesn't. So, why give the false impression that it does and so why vote for something to give a false impression on something that is not a true Bill."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Speaker. I know that it's pretty important hour of the day and it's getting late. Somebody

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that I'm certain is working on a budget or something real important has left their glasses on my desk and I don't want them to be delayed with their work. So, if you're missing a pair of glasses, please stop by."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Sponsor. Will the Lady yield?"

Speaker Hannig: "She will."

Winters: "Speaker, sorry. Representative, in some of the earlier discussion... and I'm having a hard time looking through George's skull. There's a little bit of light reflecting off so when I try to look at you. Sorry about that, George. You made a... I believe actually it was the Representative from Decatur was talking about the pension funding and how a couple of years ago we put \$10 billion into the pension funds and I thought that was being put forward as a positive point, that we actually reduced the underfunded nature of our pensions. Is that your... is that your opinion and is this another attempt to do the same type of thing of putting some additional money into the pension funds, when we have a positive budget picture, 4 percent growth that you'll then devote some of that additional growth to pensions? Is that... my understanding of the Bill. Is that correct?"

Jakobsson: "That's right, a half a percent."

Winters: "Now, do you think that the earlier move a couple of years ago was a good way to fund our pensions? I... I believe you voted for that."

Jakobsson: "Yes, that 10 billion. That was a good step in the right direction."

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Winters: "Now, if I was a homeowner and let's just say that I owed \$50 thousand to a bank, bank A and that wasn't quite as much as I should have paid off against my house. So, I went to bank B and I said, ya know, I really need an extra loan. Why don't you loan me \$25 thousand on another asset and I'll pay bank A off, so I only owe them 25 now. Wow, I only owe half of what I did yesterday. Is that a correct statement? Is that... is that the way your mathematics works? Because when you borrowed \$10 billion in General Obligation Bonds that the state has to pay off, put three-quarters of it into the pension and spent the other quarter, that wasn't a very good... that wasn't a very good financial decision in anybody's mind that has to balance their checkbook. The whole point I'm trying to make here is that the Democrat administration with the Democrat Majority in this chamber and in the Senate 2 years ago made an absolutely horrible decision of expanding our state general obligation bonding. We actually more than doubled it in one fell swoop. And yet, you are holding that up as an example of responsible funding of pensions. One of the most outrageous attempts of subterfuge, of pulling the wool over the taxpayers' eyes and yet, you have the gall to stand up on this floor and say that was a good move. If that was a good move, this Bill that we're debating today is a great move. Neither one is any good, whatsoever. Again, I urge a 'no' vote. This is the absolute worst way to try to fool the voters, try to fool the people that are counting for their retirement on this state, on this General Assembly and on this House. This House is totally misleading the benefits of our



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pensions and misleading our taxpayers with what you have done and it was your Party that did it."

Speaker Hannig: "Representative Molaro, you've spoken in debate, previously. For what reason do you rise?"

Molaro: "Well, my name was mentioned in debate, but I'll be real quick... Well, it was."

Speaker Hannig: "I didn't hear it mentioned."

Molaro: "Well, it was Representative Granberg who mentioned it. And I was just saying some nice things about you, Mr. Speaker."

Speaker Hannig: "I understand, but we'd like to maybe close this debate."

Molaro: "Yeah, I will. This'll only take 30 seconds. And it has to do with what someone said about the Representative. You know I've been doing pensions 15, 16 years since I've been down here and even I have to have staff tell me what's going on. Ah, maybe she wasn't offended, but I certainly was a little bit offended when it made it sound like if you have to ask staff, ask 'em a question, you don't know what you're doing. Every one of you including myself has have to turn to staff when they're asked a question, every so often, especially when it comes to pensions. I mean, the questions are all over the place. As a matter of fact, some questions were asked of her about where are the Governor's at. To... to say that if you turn to your staff, you don't know what you're doing or if you're here more than six weeks, you should know what's going on. Very courageous to take a pension Bill and do this. So, I just think she's doing the

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best she can and so does everybody else. So, I hope we are all done. Thank you."

Speaker Hannig: "So, Representative Stephens, my recollection is you also spoke during debate. For what reason do you rise?"

Stephens: "My county was used in debate. A point of order, Mr. Speaker. Representative Molaro, I don't mean to publicly admonish you, but you stood on the House Floor and you... and preliminary to your remarks, you commented about the nature of the debate and you said that sometimes it was so noisy in here you thought you were only talking to yourself. My... And then Representative, then you started talking to yourself in your own debate. Do we underfund the pensions? Yes, we do. Do we do this? Yes, we do. You started talking to yourself. I think I found the very source of the problem. When you talk to yourself, the rest of us are confused. To what part of that don't you understand."

Speaker Hannig: "Representative Jakobsson to close."

Jakobsson: "Thank you, Mr. Speaker. House Bill 1815, which is the Bill that's before us, would create the Pension Stabilization Fund to assist with funding the unfunded liabilities of the state's retirement systems. I urge an 'aye' vote."

Speaker Hannig: "The question finally is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Nekritz, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 63 voting 'yes' and 48 voting 'no'. And this Bill, having received a Constitutional Majority, is

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hereby declared passed. On page 10 of the Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 2872. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2872 has been read a second time, previously. A Motion to Table Committee Amendment #1 has been 'recommend be adopted', offered by Representative Currie."

Speaker Hannig: "Representative Currie on the Motion."

Currie: "Yes. I'd like to table Amendment 1 and then move to adoption of Commit... Amendment 2."

Speaker Hannig: "Is there any discussion? Representative Durkin on the Motion to Table."

Durkin: "I would just like to ask the Sponsor a question."

Speaker Hannig: "The Lady will yield."

Durkin: "Representative Currie, could you explain to me what Committee Amendment 1 does, which you are seeking to table?"

Currie: "Committee Amendment 1 and 2 are... Committee Amendment 1 and Amendment 2, House Amendment 2, are very similar. Just a technical change between 1 and 2."

Durkin: "Okay. Thank you very much. I'll have plenty of questions when we move it to Third Reading."

Speaker Hannig: "Okay. So, any further discussion? Then all in favor of the Motion to Table say 'aye'; opposed 'nay'. The 'ayes' have it and the Motion is adopted. And the Amendment is tabled. Any further Amendments?"

Clerk Mahoney: "Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Hannig: "Representative Currie."

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Currie: "Thank you, Speaker, Members of the House. This Amendment is very similar to what we adopted in committee as Amendment #1. This is the proposal that would allow a property tax exemption for four parking garages, three waste transfer stations and one rather large airport in the City of Chicago so as to arrange for a potential lease operation by some other entity. And what we could do, if it pleases the Body, is to go ahead and put this Amendment on, one that was approved in committee, and then debate the Bill on Third Reading. Representative Durkin, do you wanna do that?"

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. All notes have been filed."

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

Clerk Mahoney: "Senate Bill 2872, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the measure that would enable the City of Chicago to do a lease arrangement for four parking garages, three transfer stations and Midway Airport, modeled on legislation already adopted that applied to the Chicago Skyway, the Elgin Mental Health Center, the... apparently applies also to the Metro East Transit District and as you know has recently happened with the Indiana Toll Road. The Bill, as it comes before us, provides labor protections for those who are current union workers at Midway. It provides for minority and

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female participation, any contracts that might ensue. It maintains current runway borders for Midway Airport and it says that of the amou... dollars that would come from such an arrangement, first monies need to be used to pay off debt and then 90 percent of the remaining proceeds could be used to fund capital project and to make pension payments. This proposal, when applied to the City of Chicago, resulted in a 99-year lease a \$1.83 billion net for the City of Chicago. The Indiana Toll Road apparently has given the State of Illinois almost \$4 billion on, I believe, a 75-year lease. This to me is a win-win opportunity for the citizens of Chicago. It may be there are no takers out there, but there were takers when it came to the Chicago Skyway and apparently there were takers when it came to the Indiana Toll Road. This is authorizing legislation only. And I would appreciate any questions you may have and I certainly would appreciate your 'aye' votes."

Speaker Hannig: "The Lady moves for the passage of Senate Bill 2872. This is on the Order of Standard Debate. Representative Durkin is recognized for 5 minutes."

Durkin: "Thank you, Mr. Speaker. I first would like to take this off Standard Debate and move this to unlimited debate. I have the requisite amount of hands on this side of the aisle."

Speaker Hannig: "Representative, I think the rules provide that the Chair would make that determination, but if that's your request..."

Durkin: "Thank you."

Speaker Hannig: "...we will certainly grant it. Okay."

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Durkin: "Certainly."

Speaker Hannig: "So, proceed."

Durkin: "I just have a... I have a point of order, Mr. Speaker. I have read this legislation and I believe that it does preempt Home Rule. And I would argue that for passage of this Bill it requires the Affirmative Vote of 71 Members of the House. And I would argue that it requires 71 Members for the following reasons and I would like to make my record. I think... I kinda feel I know where the parliamentarian's going to be going on this, but Article 7 Section 6(g) of the Illinois Constitution requires the vote of three-fifths of the Members elected to each House to deny or limit the power to tax by a Home Rule unit."

Speaker Hannig: "Representative, if I could just interrupt. The parliamentarian is on his way down."

Durkin: "Okay."

Speaker Hannig: "And why don't... If you'd like to ask questions, then we'll let you ask... make your parliamentary inquiry at the end of your remarks. I'll reset the clock. Okay. So, proceed on your questions and when you conclude, we'll go to the parliamentary inquiry. Representative Durkin."

Durkin: "Now, Representative Currie, it's my understanding that the City of Chicago is going to enter... they would like to have the opportunity to enter into a lease agreement with some lessee who will run the airport, Midway Airport, for a number of years. Does this legislation dictate or require the length or the term of the lease agreement?"

Currie: "No."

Durkin: "Who will make that decision?"

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Currie: "That determination will be made by the... by the lessee and the lessor. So, the city is under no obligation to find someone to whom a lease agreement will happen, but this legislation would give them the opportunity to enter into a negotiation for a lease proposal."

Durkin: "Okay. Now, who will be preparing the RFP for this... for this lease? Would it..."

Currie: "The city would do so."

Durkin: "And under what guidelines would the city be following?"

Currie: "There..."

Durkin: "Are there state procurement guidelines, federal procurement guidelines or the City of Chicago guidelines?"

Currie: "To some degree, I think they would be bound by Federal Aviation Authority restrictions so there may be some... some things that would have to go into an arrangement there and when it comes to security, for example, that too would already be covered by federal language. In this legislation, we would require certain protections for workers, certain requirements with respect to minority and female business enterprise participation. So, there would be boundaries that would guide the city before it could even put out an RFP."

Durkin: "Now... now, I have looked through this and I'm not quite sure if I've read that, things which you've just discussed. Now, yesterday we had a long discussion about transparency in government and I see right here what we're doing is that we are giving this plenary authority to the City of Chicago to do what they want with a, which is, yes, it is a piece of property in the City of Chicago. But it is also a major

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transportation needs for many of us in the suburbs and the collar counties. So, my question, do you believe that we are still at a high level of transparency as we were attempting yesterday?"

Currie: "I... I do think we are, Representative. I think we were when it came to the Chicago Skyway. I believe that the Republican Governor of Indiana was when he made a lease arrangement for the Toll Highway Authority in that state. And finally, I'd remind you, that the way the whole business between the airport and the carriers works, there would be opportunities for the carriers, both by percentage of landed weight and percentage of number of carriers to participate in any kind of new arrangement with respect to management of the facility."

Durkin: "Was the... Ya know, I've been out for a few years. Did the Legislature approve the lease of the Chicago Skyway?"

Currie: "Yes."

Durkin: "And what is there... in this legislation, does it mirror the same types of requirements as a..."

Currie: "In fact, it's more restrictive both because the airport is under federal requirements and because the area of relationship between the carriers at the airport and the... and the City of Chicago. In the Skyway proposal, I don't think there was specific reference to labor protections nor to how the city might use the proceeds. So, this is a much more restrictive approach, actually."

Durkin: "Thank you, Mr. Speaker. Can I address the question to the parliamentarian?"

Speaker Hannig: "Yes."



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Durkin: "Thank you."

Speaker Hannig: "I didn't mean to cut you off. Mr. Clerk, we need to turn on Representative Durkin and please make your... your remarks."

Durkin: "Thank you. As I said earlier, I'd like to speak for a few minutes and make a record on this. I'll start again. That... it's our belief that this will preempt Home Rule and that it will require 71 votes for passage. And I'd like to cite the following authority. Article 7 Section 6(g) of the Illinois Constitution requires a vote of three-fifths of the Members elected in each House to deny or limit the power to tax by a Home Rule unit. And this legislation, by allowing the City of Chicago to lease Midway Airport, its parking garages and its waste disposal to a private entity and continue to allow them to be exempt from property taxes even though they're... these functions are no longer controlled by a municipality, we are deny... no longer controlled by a municipality, we are denying Cook County and the Cook County taxpayers the ability to recover property taxes from that private company and those properties. This exemption will deny Cook County the ability to add the airport, parking garages and waste sites to their property tax rolls since the property is no longer controlled and operated by the municipalities. Another reason that I would... I would cite that for ruling that the legislation requires 71 votes is even though the language in this legislation specifically states that the preemption falls under Section I there have been multiple incidents... insince... instances in recent years where... where the Chair has ruled that legislation

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specifically stating that a preemption falls under subsections (h) and (i) really requires 71 votes because it actually falls under subsection (g). For instance, Senate Bill 2104, from last Session, which was the local government prohibition on transportation of firearms, the Chair ruled that it required 71 votes for passage even though the language stated it fell under subsection (h) which requires only 60 votes. In addition, this last Legislative Session again, relating to transportation of weapons, gun show loopholes, that was on House Bill 341. The Chair ruled that it required 71 votes while the language in the legislation stated that it fell under subsection (h). And in the 90th General Assembly, a similar type of weapons Bill, the Chair and the parliamentarian ruled that House Bill 1557 required 71 votes for passage even though the language stated that the preemption fell under subsection (h)... subsection (h). So, we're stating that there is some precedent in this chamber ruling that legislation preempting Home Rule requires 71 votes even though the language in the Bills specifically states it falls under Section H or I under the Home Rule Section of our Constitution. And also, this is another example where the parliamentarian and the Chair should rule that legislation requires the Supermajority votes. The legislation may state that the preemption falls under subsection (h), but the legislation clearly denies Cook County's ability to tax the property operated and controlled by private companies that will lease the airport. With that, I would ask for a ruling from the Chair. As I said, I just needed a few moments to make my record and I

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anticipate that I'll have a... Mr. Uhe will give me a proper response."

Parliamentarian Uhe: "Representative Durkin, on behalf of the Speaker and in response to your inquiry, Senate Bill 2872 preempts Home Rule powers under subsections 6(i) of the Constitution, Article 7 of the Constitution, and that requires 60 votes for passage."

Durkin: "Well, I just wanted to be perfectly clear what we're doing is that we're... we are now preempting Cook County's ability to collect property taxes for all these functions at the airport and this does not require... that is not a preemption of the Home Rule authority of Cook County government. Correct?"

Speaker Hannig: "Representative Durkin, the parliamentarian has made his ruling."

Durkin: "With that, I would ask that... that since he, our parliamentarian's ruled that the 60 votes are required, under House Rule 57(a) I would move to appeal the ruling of the Chair."

Speaker Hannig: "So, the Gentleman moves to appeal the ruling of the Chair. The question is, 'Shall the Chair be sustained?' Those in favor of sustaining the Chair shall vote 'aye'; those opposed shall vote 'no'. And the voting is open. This will take 71 'no' votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62 voting 'yes' and 49 voting 'no'. And the Chair is sustained. So, next on the list for... Representative Durkin, did you have... Representative Durkin. Could you..."

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Durkin: "Mr. Speaker, I was asking questions and we... we allowed me to ask questions until the parliamentarian was able to return back to the chamber. I do have more questions for the Sponsor though."

Speaker Hannig: "Oh, you have additional questions?"

Durkin: "Yes, I do."

Speaker Hannig: "I was under the impression that you had finished."

Durkin: "No, I hadn't."

Speaker Hannig: "So, we'll give you 5 additional minutes, okay."

Durkin: "Thank you. Representative, in this Bill it states that the City of Chicago will retain certain portions of this money for operations. Can you tell me what portion of the lease or what part of the lease or what percentage of the lease proceeds will go back into the City of Chicago?"

Currie: "Well, the city, of course, will get the advantage of all of the lease, all of the proceeds. The que... if your question you're asking is, what may they do with those proceeds, then we would say that first, debt should be paid off and after that 90 percent of the remainder should go either into infrastructure, capital projects, if you will, or into a shoring up the pension system."

Durkin: "Is there anything in this legislation which specifically states what percentage of these proceeds will be used towards infrastructure and what percentage will be reduced... will be used to be placed in the pension systems?"

Currie: "No, except that the 90 percent cap of that 90 percent if... 90 percent of the total proceeds after debt would go into pensions and capital."

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Durkin: "Well, the way I read it, it states that the pension payments cannot exceed the infrastructure payments. Is that correct?"

Currie: "Right. So, that you'd have... you couldn't go more than 50 percent between the two."

Durkin: "Well... well, presently there is a \$3.30 head tax, so to speak, per pass... what they call a passenger tax under the domestic... or otherwise called the Domestic Flight Segment Tax. Do you know how much that is returned back to the City of Chicago on an annual basis for the individuals who use the airport?"

Currie: "Sorry... Say again?"

Durkin: "All right. There is presently what they re... there's a domestic... there's a..."

Currie: "Yeah. There's a passenger facility tax, yes."

Durkin: "...yeah, a Domestic Flight Segment Tax which is... goes there, which is a \$3.30 tax per person who uses the airport."

Currie: "Right."

Durkin: "Do you know how much of that goes back to the City of Chicago on a regular basis?"

Currie: "I don't know the answer."

Durkin: "On an annual basis?"

Currie: "I think some... a proportion, I think some of it is used to... to enhance airport facilities."

Durkin: "Okay. Well, we've researched that issue and it is approximately \$66 million that it goes back to the... which is routed to the Federal Government, which is sent back to the City of Chicago for the passenger... the head tax or the foot

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tax that is used at the airport. Now, is that going to change or is that still gonna go back to the City of Chicago or will it go back to... or will it go to the lessee?"

Currie: "I would think that it would go back to the city, but I would imagine that the city could... could base its lease agreement on some notion about where that dollar should end up..."

Durkin: "Okay. What percentage..."

Currie: "...though it's entirely... it's a city asset, it's entirely within the city's opportunity to make that determination."

Durkin: "All right. Now, I've looked under the Midway Airport website and it states that for the month of February 2006 there were approximately 1.2 million passengers who went through Midway Airport. Do you know what percentage of that possibly constituted people who live outside of the City of Chicago in the suburbs and the collar counties?"

Currie: "I don't know, but I'm sure those people who live in the suburbs and the collar counties are thrilled to have a facility as fine as Midway Airport to meet their transportation needs. And they're probably particularly thrilled that the city put so much money into renovating the facility over the last several years."

Durkin: "Does this Bill..."

Currie: "In fact, without it they may well have moved to Denver by now."

Durkin: "Does this Bill put any... give any money to the suburbs or the collar counties or any of the municipalities, the park districts, the libraries for their, as I said earlier,

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for the significant use that is used by the citizens in that area?"

Currie: "No. This is... we're talking here about a city asset and not surprisingly the city would consider using the proceeds of the lease of its assets for city purposes for the 3 million people who live in the City of Chicago."

Durkin: "Well, we're... we're asking a number of people here from the suburbs to vote on the Bill. I'm sure you'll get the votes over there, but I think people in the suburbs, when they see that there's a lease agreement, that's gonna go... that's gonna run the airport, I think that it's gonna raise questions about the... as I talked about earlier, about transparency, but also about public safety issues. What is the effect that this... will this have on the Chicago police and Chicago fire operations?"

Currie: "They will cont..."

Durkin: "Will it enable the less... lessee be paying the city for the use of the fire and the police?"

Currie: "That will be... that would be determined by a lease agreement, but the City of Chicago Fire and Police Department would continue to provide security and safety at Midway Airport. I... I guess I'd also remind you, Representative, that I don't think... I don't think that when the city leased the Chicago Skyway it decided to share the proceeds with the good residents of Indiana, many of whom may well use the Skyway on a daily or weekly basis."

Durkin: "All right. Are you... are you aware of what position the Chicago Police union has on this legislation?"

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Speaker Hannig: "Representative, your time has expired. What I'd like to do is there's about eight or nine people that'd like to speak. Why don't we just go down the list, after you've concluded your remarks, and if someone else wishes to give you time, that will be fine. But Representative Durkin. Rep... Well, I'd like to... Representative, I'd like to have other people speak once before we go to this question of people speaking twice. We got into a little trouble yesterday when some people didn't get recognized. So, Representative Durkin, why don't you conclude this portion of your remarks and we'll just go on down the list."

Durkin: "I'd like to try to wrap up. I'd like to know if your... what is the position of the Chicago police union on this Bill?"

Currie: "I've heard of no opposition from any labor union... labor organization. We did have committee hearings and the Chicago Federation of Labor, the State Federation of Labor, signed in as proponents of the legislation and we did not hear from specific unions who were in opposition."

Durkin: "All right. My staffers told me that the Chicago police union is adamantly opposed to this. So, I... I would, as they are the first line of defense at the airport. So, this is what I..."

Currie: "But they were not in committee and they hadn't written, they haven't called."

Durkin: "This is our... the dialogue which we've had to them. Again..."

Speaker Hannig: "Rep... Represen... why don't we have..."



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Durkin: "I have one more question. Representative, I just wanna..."

Speaker Hannig: "...Representative Froehlich wishes to go next."

Durkin: "I'm gonna finish up, Representative Hannig. Now, Representative, I wanna make sure that this money, which is going to be used in this lease, does not go anywhere in the suburbs, it doesn't used to go towards a Road Funds which we depleted over the years. This is strictly for the City of Chicago to make a determination of what they wanna do with this money. We don't dictate what percentage is gonna go towards infrastructure nor do we dictate or gonna tell them what percentage is gonna go towards pensions. We're just giving 'em a blank check, correct?"

Currie: "But we are telling them that much of the money that they take in should go into infrastructure or into pensions and that is a limitation."

Durkin: "Thank you. Well, to the Bill."

Speaker Hannig: "Representative, you've had your 5 minutes and there's a number of people who wish to speak. I don't have a problem coming back to you, but if someone moves the previous question and others do not get to speak once, I'm afraid they'll be some problems. So, Representative Froehlich, you're next."

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

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

Froehlich: "Representative, the.. the money from the lease that's supposed to be used could be used for capital improvements. Will that money be used to fund O'Hare modernization? Is that the capital improvement that we're talking about here?"

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Currie: "I'd be very surprised if the money were used that way. My sense, from talking to the city people, is should there be lease arrangement, I would think that the money that is left over after debt service would be more likely to go into traditional capital infrastructure within the city limits and that would include road works, school construction, any number of infrastructure projects."

Froehlich: "But there's nothing in this Bill that would prevent the lease funds from being used for O'Hare modernization if the city..."

Currie: "To the extent that there are infrastructure needs there, but yeah."

Froehlich: "Okay."

Currie: "Right. If it..."

Froehlich: "As far as legislative intent, your... would you give me some sense of whether you think it's likely, did I understand you to say, you don't... you'd be surprised..."

Currie: "Yes, I would be..."

Froehlich: "...you don't think it would be used for that purpose?"

Currie: "I would be surprised in part because I think there is financing already available for the O'Hare modernization plan. I think the city would consider these resources as helps when it comes to maintaining road programs, transit projects, other... other kinds of infrastructure needs."

Froehlich: "Of course, if... if some of the expected funding for O'Hare were to fall through, then this would be a potential source of additional funding."

Currie: "Yeah. But again, it would have to be... it would have to be infrastructure so you'd have to be... it'd have to be some

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kind of capital project at O'Hare. But I don't think that is at all what the city is contemplating at this time."

Froehlich: "Thank you."

Speaker Hannig: "Representative Stephens."

Stephens: "Mr. Speaker, inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Stephens: "Well, there's something going on. I don't know... Remember that Jakobsson Bill... that's 1815."

Speaker Hannig: "And that... and that one person you yielded to."

Stephens: "He voted my switch, I guess, because when I yielded some... something went wrong over here and I am recorded, I believe, as having voted 'yes' on the very Bill that I spoke against."

Speaker Hannig: "No."

Stephens: "Now, normally... normally people would request that the record reflect that..."

Speaker Hannig: "Absolutely."

Stephens: "...I had voted incorrectly. I'm not goin' down that easy. I move... having voted on the prevailing side, I move that we reconsider and under that Motion, we could debate that whole Bill again. I ask for a ruling of the Chair, Mr. Uhe or a ruling for the parliamentarian, Mr. Uhe. He's been favorable to us twice today and I..."

Speaker Hannig: "We think that... that you probably voted right, Representative."

Stephens: "Well... You're sure that if the record reflects your opinion about my vote in that manner, history will long remember."

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Speaker Hannig: "Thank you, Representative. Representative Black. Okay. We'll get back to Representative Black. Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask the... a question of the Sponsor. Will she yield?"

Speaker Hannig: "The Lady will yield."

Tryon: "Representative Currie, when we had this in committee and you presented it, it applied to not just Midway Airport but parking garages and waste disposal sites. Is that correct?"

Currie: "That is correct, four parking garages, three waste disposal sites."

Tryon: "And your Bill still applies to that even with this Amendment?"

Currie: "Correct."

Tryon: "Okay. So, if I understand this right, if the city so chooses to lease out the parking garages, they would not pay taxes, correct?"

Currie: "That's correct."

Tryon: "And the lease could expa... go as far as 99 years?"

Currie: "Just property taxes. It all would depend..."

Tryon: "That's what I mean, just property taxes."

Currie: "Yeah. It would depend on the nature of the lease agreement."

Tryon: "Okay. But in Chicago, a lot of the parking garages are owned by private companies, correct?"

Currie: "That is correct."

Tryon: "And are any of the private companies located in close proximity to any of the city-owned garages?"

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Currie: "Some may be somewhat close, but the city garages are all right around the lakefront: Millennium Park, Grant Park. Right there at the... at public spaces and I think that means they really do attract a different usage... usage by people who want to go to Grant Park, are going to the museums and so forth."

Tryon: "That in the future because of... there was a lease for 99 years, that'd be a long time, there could be some private companies that would like to build a parking garage there and... and it would almost be a tax... a situation of tax favored competition, would it not, if one parking garage didn't have to pay property taxes and the other one did?"

Currie: "Well, to the ex... First of all, let me make... make two points. First of all, to the extent that... that they would be competing and as I say, there aren't very many parking garages near the city garages that are at stake here. But second, presumably that would... that would play into the city's deal. That is to say, if they were gonna make the lease work, the fact that they wouldn't be getting property taxes; whereas if they just sold the property, they would. I would assume means that they would make a... an arrangement only if they got a lot more value from a lease without a property tax than from a sale with the property tax."

Tryon: "Well, I..."

Currie: "I mean nothing... nothing would preclude them from selling these properties, right?"

Tryon: "Right. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

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Tryon: "In the last 2 years, I... I have worked with both the Senate Sponsor and the House Sponsor and have a great respect for them both, but the part of this Bill that I really object to is the... is the part that deals with... with the parking garages and waste disposal sites, both of which are... are parts of market-driven economies in the City of Chicago. And certainly there are hundreds of parking lots in Chicago that are owned by private entities that pay taxes and... and I don't think the city would have a hard time finding a leasehold agreement that would be willing to operate any of the parking garages and pay taxes. But to deny taxpayers the inflationary cost of property taxes for a period as long as 99 years, I think hurts taxpayers. I think the city should be able to do with what they want with the property, but public property that's used for private persons or private purposes should pay taxes. I think that this Bill is not right yet for approval. I certainly think that there's some discussion to be had around Midway Airport that as long as we're gonna include parking garages and other businesses that are parts of normal day-to-day business operations in the City of Chicago, I can't support it. I think this hurts business and it hurts the taxpayers in the long run and I'll be voting 'no'. Thank you."

Speaker Hannig: "Representative Black."

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

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

Black: "Representative, in talking with staff this morning I understand that the city feels they can lease this property and exempt it from the property taxes, but they're not quite

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sure of that so they want this Bill passed. It would seem to me, are you asking the Body by a simple Majority vote to make certain that whoever leases Midway and the parking garages and the waste transfer stations will obviously never be subject to taxation by the City of Chicago?"

Currie: "During the time of the lease, yes."

Black: "Okay."

Currie: "And the other examples I gave earlier, the Chicago Skyway, the Elgin Mental Health Center, the Bi-State Metro East Transit System, those all have the same tax exempt status under legislation adopted by this Assembly."

Black: "Yeah, well, there's one good thing, whoever leases it wouldn't have to worry about the 7 percent assessment cap. So, ya know, that's one positive out of it."

Currie: "Good."

Black: "What... Are there any American companies, under Federal Law, that are qualified by the FAA to take over an airport, like General Electric or whatever?"

Currie: "I'm not aware of any to date, but I think what would happen is that an entity that were interested in entering a lease agreement would go to the FAA and ask for approval. As you know, as well, when it comes to foreign companies there's a great deal of angst currently in the nation's capital, many efforts to make sure that any foreign entity that might seek to manage or to buy property in the United States does not in any way undercut our security interests. But most of the companies that I know about, in fact, are foreign. I believe the Skyway leaseholders are a... is a consortium of French and Spanish investors."

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Black: "Yeah. Good point. Thank you, Representative. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "The only two countries that are currently qualified under Federal Law to lease Midway Airport would be the country of Spain and the country of Australia. I mean, yeah, companies in those countries. I'll get it right. There's a company in Spain that could operate it; there's a company in Australia that could operate it. I couldn't help but notice the... the histrionics that went on in Washington when Dubai was gonna get a contract to operate ports and that histrionics was largely led by the Democrat Party. Now, we may be, I don't know, and I think the Majority Leader has a good point. We may be leasing an airport, which is certainly a key part of our transportation hub, to a foreign company. I don't see anything in the Bill that would prevent that, due diligence might, but I think that would create some concern. But let me... let me address one thing that nobody has really talked about. Speaker Madigan brought this up in a hearing some time ago that I attended. The airlines have to agree to any change in their fee structure at Midway. Sixty-five percent of the airlines using Midway would have to agree. There's one tremendous flaw and having been in government and public service for a while... Look, folks, this is a no-brainer. If I'm United Airlines and I don't like my discount carrier, Ted, paying more money at Midway, you know what the City of Chicago's gonna do, there gonna go to United and say, hey, you don't wanna cooperate on Midway and that's where your discount



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carrier, Ted, runs, well let me tell you something, you don't cooperate with us at Midway you have no idea of what we're gonna do to you at O'Hare. You don't think that's gonna happen, you know darn good and well it's gonna happen. That's how things get done in Chicago. When... when all is said and done and the Speaker brought up something else in this meeting. He said that he thought the leasing of Midway and the potential of an airport in Peotone, might be in conflict and he didn't see how anybody would be very interested in leasing Midway if Peotone was still on the table because of airspace and other concerns. The meeting I attended, the Chicago Federation of Labor was in absolute opposition of this Bill. I assume that the Floor Amendment eliminated their opposition. I think that would be a fair assumption. Transparency, where is it? Why do all of these things from Chicago come at us at the last minute? We did this on Soldier Field; we've done it for other things. Can the City of Chicago..."

Speaker Hannig: "Representative, could you bring your remarks to a close, please."

Black: "Can the City of Chicago ever bring something down at the start of a Legislative Session like January or February, go through a number of committee hearings, ample debate. They always bring things down in the last three or four weeks of Session and then run around telling us, if you don't do this, the sky is falling, the sky is falling. Well, I've read Chicken Little and I don't think the sky is falling in Chicago. On the contrary, I think some of these one-time deals for the immediate cash infusion is gonna cause some

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serious problems 10, 20 years from now. And I intend to vote 'no'."

Speaker Hannig: "Representative Mulligan."

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

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

Mulligan: "Representative, I notice in here that originally employees if they were going with a new entity would have forfeited their pensions, but I presume that was taken out at one... some point?"

Currie: "No, they would... they would not forfeit their pensions. I don't believe that was ever part of the Bill."

Mulligan: "All right. So, they have a choice of... from what staff tells me... of resigning or staying with the new entity."

Currie: "They could stay with the new entity or they could go to a job that had similar benefits and pension. They could move to another job within the city. I think there's something like a hundred and fifty-three union employees at Midway Airport and under this legislation, should there be a change in the management status..."

Mulligan: "So, the city would then have to find a place for them in another job..."

Currie: "That's right."

Mulligan: "...if they moved?"

Currie: "That's right."

Mulligan: "All right."

Currie: "Right."

Mulligan: "And then I also... is this... Are we operating under Floor Amendment 2, now?"

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Currie: "We are."

Mulligan: "All right. So, that means that Midway would be allowed to expand."

Currie: "Right. Midway would not be allowed to expand in terms of runways and so forth. That is, if they wanted to build another parking lot or add storage space, that would not... they'd not be precluded from doing that. But in terms of actual airport operations, that would be limited to their current boundaries."

Mulligan: "Under the Female and Minority Business Act, that you claim would be put into effect or it remain in effect if it was leased or sold to another entity, have they ever used that? The one that we put in the Bill on O'Hare I don't think the committee ever met once and one of the Representatives on your side of the aisle claimed that was one of the reasons he lost election was that he fought to put that into the O'Hare Bill. So, is that even worth the paper it's written on since they never do anything with it?"

Currie: "I'm not familiar with that particular controversy, Representative, but I think it's a good thing to... for us to say that we would like to make sure that the city met appropriate minority and female business enterprise goals in any construction that would follow from a new lease arrangement."

Mulligan: "All right. To the Bill. I don't understand why any Representative, particularly those that hope to get Peotone up and running, would support this. Quite frankly, there should have been some negotiation on the part of Legislators that had a little leverage on Peotone to either get the

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property back for a private entity. My community put money into a private entity looking into building Peotone, which they will probably lose now at this point, and Peotone was a good solution. Why we should allow the city to move forward on leasing this, perhaps to a foreign entity, and not worrying about perhaps homeland security and other issues, is beyond me. I can't understand that. But I certainly can understand why anyone that was interested in moving Peotone would do that. Also, the Representative answered one of the Members on our side that there was nothing that would prohibit this money being used to expand O'Hare. That certainly precludes my vote on this because that wasn't an issue that I would have supported ever that was jammed through under this Governor. So, I think there are a number of reasons why this is not a good Bill. Maybe it's good business for the City of Chicago, but it certainly isn't good for the people of Illinois nor the people that I represent nor the people that would like to see an expansion in the economy that would be brought to the southwest suburbs through Peotone. So, of course, I would think that none of those people would vote for this Bill. It certainly is interesting to me that we do get this at the end of Session when we have no time to discuss it. And as far as female and minority go, under the provisions that we passed that... well, I didn't vote for it but then a number of people voted for... on O'Hare. That committee has not met or ever been in effect that gave anything to female or minority or any concessions to them so why would the minority Members or the female Members in this Body think that that would be of

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any use. I definitely would urge a 'no' vote on this. I think there is much more to be discussed. If the Bill had come to us earlier, there could have been some reasonable negotiations that would have made some concessions for certain parts of the state that need both Peotone, other parts of the state that were against expansion at O'Hare and just generally a lot of things that should have been discussed that were never allowed to be discussed because this Bill was brought to us in such a short length of time."

Speaker Hannig: "Representative Molaro. Representative Molaro, you're up, 5 minutes."

Molaro: "Yes. Thank you. Will the Speaker yield?"

Speaker Hannig: "The Lady will yield."

Molaro: "Okay. I just wanna... a narrow issue. As you all know, I represent more of the homes around Midway Airport than any other Legislator and of course, they're nervous like any homeowner as to when they see a Bill what exactly what we're doing. They read it, they got it. And I know there's some language through an Amendment about expansion."

Currie: "What the... but the language clearly says is that any lessee could not expand the current runway config... boundaries at Midway Airport. So, I... what I was trying to say is that the operations cannot expand beyond their current borders, 55th, Cicero, Central and 63rd Street. That is I tried to clarify that. That doesn't mean that if they were to buy adjacent property for storage spaces they'd be precluded from doing that or additional parking, but in terms of the actual planes running up and down runways, they can't go beyond where they are today."

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Molaro: "Okay."

Currie: "Would that please your constituents?"

Molaro: "Yeah. They like the parking lot stuff too, but like you said, that could happen even today whether or not we did this or not. So, this in no way would hide any of that, it's pretty transparent, we're not gonna do the runways. I guess I can't say it... So, they wouldn't be able to do it, I was gonna say, what if they do, but obviously, this Bill would stop them from doing it."

Currie: "That's exactly right."

Molaro: "So... The only thing I would do is put it in a press release. And I'm gonna say that Majority Leader Currie said, don't worry about it and that..."

Currie: "Absolutely."

Molaro: "Thank you."

Currie: "You got her straight from me."

Molaro: "Thank you."

Speaker Hannig: "Representative Miller."

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

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

Miller: "Thank you. In our analysis, that this legislation only affects Midway expansion or just Midway just in a refinancing... putting Midway in a refinancing situation?"

Currie: "It permits the lease of Midway. It would not permit the city to lease O'Hare."

Miller: "I'm sorry. Say that again."

Currie: "This is only about the city's opportunity to do a lease arrangement and the only real point of the Bill is to say that the property would go on being property tax exempt."

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What this legislation says, is that the city could do that lease arrangement with the property tax-exempt, Midway Airport. It specifically prohibits the same arrangement with respect to O'Hare."

Miller: "So, any of the proceeds whenever Midway enters into a lease agreement, it lists here: city capital improvements and pension obligations as where the money can go, 90 percent of it can go. Is any of that going to O'Hare Airport expansion or the underfunding of that airport?"

Currie: "I don't imagine that the city would do that, but there's nothing that precludes that in this Bill."

Miller: "And..."

Currie: "My understanding is that their mi... their capital improvement plan at O'Hare is already funded and I mi... my understanding is the city would plan to use proceeds from any lease under this Bill to do traditional capital infrastructure within the city borders."

Miller: "So, the capital dollars do... will not go to O'Hare expansion. Is that correct?"

Currie: "I said I did not think that the city envisioned doing that."

Miller: "Okay. To your best in the knowledge, it won't. Those questions in regards to the minority requirement, who's... under which jurisdiction? I wasn't clear on an earlier question."

Currie: "The city... the city itself does have its own set of minority and female business enterprise requirements, but we felt more comfortable if we imposed... we made sure that they would apply in one of these projects. The city said they

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didn't need to... we didn't need to because that would already be automatic, but I think many people in this chamber felt a greater deal of comfort... a better comfort level if we put that language directly in the statute."

Miller: "So... I was trying to look it up in the Bill. So, as far as any particular requirements that are set out, it refers to the City of Chicago's minority and women-owned businesses requirements. And also, if they... if any particular... if any lessee is not in... in compliance with that, they would have to face, I guess, penalties in regards to whatever the City of Chicago's..."

Currie: "Yes."

Miller: "...penalties are, if any?"

Currie: "That's correct."

Miller: "Okay. And as far as the labor agreement, once again, those are via the City of Chicago labor agreement requests?"

Currie: "Well, what they... what they are actually is just the project labor agreements which we have at the state level as well and that the... the labor protections are those that were just plain sayin' they're gonna be there. There'd be the right to organize, right to, as I... we said earlier, that the current employees would have the right to stay on the job or to find another job within the city at the same level of pay, benefit and pension."

Miller: "And today, you don't know of anybody or you've been not informed of anybody who is interested in leasing Midway Airport. Has there been any developer, any entity, any state or, as an earlier comment, international group that's interested in coming in and leasing Midway Airport?"



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Currie: "I have not, but I think that was true when we did the Chicago Skyway and the Chicago Transit Authority opportunity as well. So, I don't think there was anybody out there that was ready to pounce, but in the meantime, somebody did come along and decide to lease the Chicago Skyway for near \$1.83 billion to the City of Chicago. It's still possible to..."

Miller: "And in... and in those arrangements, were the City of Chicago the ones who negotiated the contract?"

Currie: "That's right."

Miller: "Okay."

Currie: "It's their property. Ya know, that's just so... and the same with... with Indiana and the toll road. It was the State of Indiana that negotiated that lease..."

Miller: "Okay."

Currie: "...that brought in almost \$4 billion and we're still waiting for somebody to come and say, they'd like to lease the Chicago Transit Authority."

Miller: "Okay. To the... to the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Miller: "There have been comments, and those who know me know that I'm a strong proponent of the south suburban airport in Peotone, there've been comments earlier today in regard to that. The Chicago Tribune had an editorial last month in regards to A Tale of Two Airports. I suggest everybody reading it. It's very difficult to support other initiatives that add additional dollars to it, but this is essentially a financing of a mechanism within its entity. I would still argue that this... this is at a very initiative

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way to try to infuse capital dollars into much needed projects in the City of Chicago. In the south sub..."

Speaker Hannig: "Representative, could you bring your remarks to a close."

Miller: "In the southland, it's no secret that we need the same kind of economic engine and economic stimulus that I've been fighting for for so long here. I'm just asking for simple parity and I wish... and I will support this piece of legislation, however when it's time for us to move on this third suburban airport on Peotone, I would ask all Members of the General Assembly to consider our legislation, our region, in their votes. Thank you."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. First of all, if this receives the required number of votes, I request a verification of the Roll Call. Second of all, Representative Currie, will you yield for a question?"

Speaker Hannig: "The Lady will yield."

Parke: "Thank you. Representative, just a quick question about the parking garages. If... how are they going to be... are they gonna be sold or leased?"

Currie: "They could currently be sold. This Bill has to do with the possibility of leasing them and retaining for them the property tax exemption that applies today."

Parke: "So, they're going to be leased?"

Currie: "Well, we don't know if anything's gonna be leased under this Bill, Representative. All this does is provide authorization for a lease that includes the current property tax exemption."

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Parke: "Well, with this could we condemn all the parking garages in the City of Chicago and then lease them?"

Currie: "These... this Bill deals with four parking garages that are owned by the City of Chicago and/or the Chicago Park District. All of them ring Grant Park, Millennium Park Garage and Grant Park Garage North and Grant Park Garage South and Monroe Street Garage."

Parke: "Can you tell us what words in the Bill where it's named? The specific parking garage are named."

Currie: "They're not named because they're the only four that the city and the park district own. So, it's limited to those..."

Parke: "I thought you said they were named?"

Currie: "I told you what their names were 'cause I happen to know which of the garages are owned by the city. I know there are four of them and I know they are Millennium..."

Parke: "So, if they're not named, what stops them from condemning any parking garage in the City of Chicago?"

Currie: "Because they don't have the au... they don't own those parking garages. That those have nothing to do with this Bill."

Parke: "Well, if they... the municipal government owns a parking garage, it has a non-for-profits... I mean it has a... it's tax-exempt, right?"

Currie: "That's correct."

Parke: "So, if we lease these to a private entity, will they have to pay taxes?"

Currie: "The point of this Bill was to provide a property tax exemption to a leaseholder of Midway Airport, of the four

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parking garages and the three waste hauling... waste transfer stations currently owned by the City of Chicago."

Parke: "I... I asked a question. Will they get the same tax exemption if they lease the parking garage? Will they have to pay taxes?"

Currie: "No, that's the whole point of the Bill."

Parke: "So, they won't have to pay taxes? So, they get a sweetheart deal? They get the lease and they don't have to pay taxes on top of it."

Currie: "I answered Representative... another Representative on the same point and I would just make this argument that the city could get a better deal selling the properties to someone who would pay property taxes than leasing to somebody who wouldn't, I think they'd do the former."

Parke: "To the Bill. Ladies and Gentlemen, the Sponsor's indicated that there is some unanswered questions. This is a huge concept that we as a Body are looking at giving the City of Chicago authority to do. I would... I would ask that we do not vote for this legislation in its current form. We do not know of a lot of answers to a lot of questions. And I think that this is way too broad. We don't know how much money is actually involved in this. And so, I'd ask the Body to say 'no' and again, I would remind the Speaker that if this gets the required number of votes, I request a verification."

Speaker Hannig: "Yes, Representative Parke. If it gets the required number, you'll have the opportunity to verify."

Parke: "Thank you."

Speaker Hannig: "Representative Lang."

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Lang: "Well, thank you very much, Mr. Speaker. Will the Sponsor yield?"

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

Lang: "Thank you. Representative, I was, I believe, out of the room when you're explaining the difference between this Bill as amended and the Bill with the previous Amendment on it or the other propo... Was there another proposed Amendment on this Bill?"

Currie: "There had been an Amendment adopted in committee and Amendment 2, which is now the Bill, was that Amendment with some technical changes."

Lang: "All right. Is it worth noting those technical changes for us?"

Currie: "Well, the... the most important thing that this Bill does, as compared to what the Bill that left the Senate did, is that we provide these protections for labor, we clarify how the proceeds must be used, we apply to the whole program minority and female business participation, we include project labor agreements and limit the runway activity at Midway Airport."

Lang: "And so whoever would take the airport over would ha... would have to provide that they follow these written documents..."

Currie: "Exactly."

Lang: "...that are already in place."

Currie: "And... and whether there's any consortium out there that will be interested in, we do not at this point know. We do know there's only one airport in the entire United States that is under a lease arrangement and that is Stewart

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Newburgh Field in New York. We know that people are looking at Heathrow, so we think maybe there will be some interest in Midway. But until... until there is some... there is some nibbles coming along, nothing, we know nothing so far has happened."

Lang: "So, are any of these contracts, the project labor agreements or the... the collective bargaining agreements, are any of them up for renewal anytime soon?"

Currie: "I'm not sure, Representative, but under this measure those hundred and I think it's fifty-three union employees at Midway Airport would be guaranteed the opportunity to move to a different position at the same level of wages, benefits and pension or they could stay on the job with the protections that they already had."

Lang: "Well, how do they guarantee that to them? You mean, somewhere else within city government?"

Currie: "Yes. The city's prepared to do that and did that with employees at the Chicago Skyway."

Lang: "And it..."

Currie: "All of those were offered the opportunity to move to some other department or agency."

Lang: "And do you know what percentage of those Skyway employees stayed and what percentage went to work for other divisions of the city?"

Currie: "Most of them... most of them went to other city positions. And there had been some concern on the part of the newer Skyway employees that the operators were not as responsive to organized labor as the city had been and I think that's partly why the measure we're voting on today

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includes those protections for the work force at a leased Midway that would be comparable to the kind of labor opportunities the city employees who are there today enjoy."

Lang: "So, how did the city find jobs for these people? Was anyone displaced?"

Currie: "I... You know, there were not terribly many people at the Skyway and I don't know. I'm sure no... I would be very surprised if anybody were displaced 'cause they would have had their own contract that would have protected them. My guess is that in the city work force as large as Chicago's there may be vacancies and I don't... no one would have been bumped, but these people who were at the Skyway would have had some time in which to move over and I suspect that there were vacancies that they then were able to fill."

Lang: "You may have answered this already and if you have forgive me, but does the city already have a prospective buyer?"

Currie: "They have not suggested they do and I do remember that they did not, when we did the same kind of proposal for the Chicago Skyway, they already had the opportunity to go out and market the Chicago Transit Authority under the same kind of arrangement and apparently either they haven't been marketing or there are no nibblers. But I have not heard from the city that they anticipate that there's somebody waiting today in the wings. It is just that there are... for example, in Australia my understanding is that in private as well as public pensions have to be very... very well funded... and there is capital looking for opportunities of investment

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and I think that is why we're seeing more of these arrangements going forward."

Lang: "Thank you."

Speaker Hannig: "Representative Bellock."

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

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

Bellock: "With all the discussion that's gone on, Representative, I still feel uncomfortable with being that this is not a bridge, it's not a road, it's a major airport of the City of Chicago. And I just don't see what the assurance is in this Bill that somebody that would take over the lease of the airport somewhere down the road, maybe not the first time but the second time, what is the assurance that that would not be an entity that would maybe endanger our homeland security?"

Currie: "Well, first of all, if you're concerned about foreign entities, the Wall Street Journal tells me today that federal House Speaker Denny Hastert and his many colleagues in the House and the Senate are prepared to give very stern oversight to efforts of a foreign consortia to invest in the United States. Second, the FAA..."

Bellock: "Well, wait, hold on. How does that..."

Currie: "...has basic responsibility for the safety of the airport, that would continue. That oversight is real and it is earnest."

Bellock: "But is it in this Bill?"



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Currie: "And finally, the Chicago Police Department and the Chicago Fire Department would continue to have their current responsibilities with respect to safety at Midway."

Bellock: "But how does that, with the first two details that you just mentioned, how are those in this Bill? I don't see an assurance of that in this Bill. You just mentioned the Federal Government, but we don't know that now so..."

Currie: "The Federal Aviation Authority."

Bellock: "But when this Bill..."

Currie: "They have control. Nothing that we do would undercut their control over the operations at Midway Airport. So, it doesn't have to be in the Bill, it is."

Bellock: "So, if this takes place before they would put in a law, then you've already got somebody else leasing the airport."

Currie: "There is a law already. There is an organization that it's one of those acronymed organizations in Washington that looks at issues of foreign investment and management of things in the United States. And my understanding is that the Federal Government is looking at ways to beef up that oversight."

Bellock: "So, there would be oversight of that type in this?"

Currie: "Yeah. There is now and my impression is that there is likely to be more."

Bellock: "And if in this lease, can this lease be turned over to somebody else?"

Currie: "No. This would be a lease between the city and the leaseholder and they would be required to do what they say

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they're gonna do when they sign the lease. So, I don't think there's a possibility..."

Bellock: "They can't..."

Currie: "...of a sublet."

Bellock: "Is there... So, I can't imagine that there wouldn't be."

Currie: "No. I mean, I would think that would be part of the agreement that there would be no sublet."

Bellock: "But is that in the Bill?"

Currie: "Pardon me?"

Bellock: "Is that in this current Bill we're going to vote on?"

Currie: "It would be... it would be the leaseholder that would get the property tax exemption. So, if the leaseholder were to turn it over to somebody else, that exemption would disappear."

Bellock: "So, according to this Bill, this... the airport could be subleased?"

Currie: "No. The whole point here..."

Bellock: "I thought you just said..."

Currie: "...Representative, is to... is to ta... let the property tax exemption go with the lease..."

Bellock: "Right."

Currie: "...so if you don't have that, then no one's interested."

Bellock: "I understand that part. They can sublease it and they wouldn't get the tax exemption, but they could sublease it?"

Currie: "I don't see how they could sublease it."

Bellock: "I don't know. Once when I was on the..."

Currie: "There's no one would be interested. No one would want to. And I can't imagine the city would actually sign a

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lease in which they were... it was... it was contemplated that the person with whom they signed that agreement would turn it over to somebody else. That would be crazy."

Bellock: "I just... that's my concern. Thank you."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker. To the Bill. I would like to clarify a couple issues 'cause there seems to be a little confusion. This legislation simply will let the City of Chicago begin to negotiate with companies that may want to take over the leasing of the operation. It doesn't require that they do, it simply begins the dialogue for the City of Chicago. They will, at some point, make a decision if it's feasible and fiscally in their best interest to move forward and I think it's something that we should, at the state, give them the ability to do. If there's resources that is brought forth in a future deal, the majority of that money is gonna go to much needed capital improvement within the city. And I think that that would go to schools, go to fire stations, go to police stations, go to other capital improvements. The other issue that was brought up is that currently these properties right now are not paying property taxes so we're not necessarily losing anything, there's only a financial gain that would be beneficial to the taxpayers within the City of Chicago. The issue of security was also something that was brought up and I wanna point out that any lease arrangement would have to be signed off on and approved by not only the airlines but the FAA. And the FAA is gonna make sure that any entity that comes in is gonna have the safety and well-being of all Illinois residents and

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people that fly in and out of Midway at their... at their interest as would the City of Chicago. And they're not going to move forward with any lease arrangement that would jeopardize that safety first and foremost. So, I think that this legislation is one that is supported by labor, it gives flexibility. The long-term effects of this, we will all judge and see and those that were on the committee had asked the City of Chicago to keep us informed because oftentimes we vote on legislation and we wanna see the long-term effect. I would say that as those negotiations would begin with the airlines and possible entities to lease Midway, we, as a General Assembly, would know how those would proceed in future months. So, I would simply rise and ask for support of this measure. It is something that is beneficial and could bring in resources but also help improve the management of Midway Airport."

Speaker Hannig: "Representative Currie to close."

Currie: "Thank you, Speaker. It's a good measure. It's not late in the day. Introduced in the Senate in February. It's been in this House for the last two months. Nothing quiet, nothing hidden, nothing secret about it. This is a good proposal for the people of the City of Chicago. I urge your 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill 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? Mr. Clerk, take the record. Okay. There's been a request for a verification by Representative Parke. Do you persist, Representative?"

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Parke: "Thank you, Mr. Speaker. I checked with your staff on your side, they say they have all the votes here so I don't think I need to do it. Thank you anyway."

Speaker Hannig: "Okay. So, the Gentleman withdraws his request for a verification. And on this question, there are 65 voting 'yes' and 46 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jerry Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. An inquiry of the Chair."

Speaker Hannig: "Yes. State your inquiry."

Mitchell, J.: "I was just curious. The atmosphere in here, I feel like... Is there snow forecasted for the chamber? It's... it's pretty chilly."

Speaker Hannig: "On page 6 of the Calendar, under the Orders of Sec... under the Order of Senate Bills-Second Reading, is Senate Bill 929. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 929 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Reitz, has been approved for consideration."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Amendment #2 to... or Amendment #2 to Senate Bill 929 deals with the Mine Safety Act. It just says the Mining Board must adopt and impose a plan for daily inspection of SCSR which are breathing devices that are used by each person and on the man trips that are required under Section(c) and on... and the other on

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Section(d) they'll be inspected every 90 days in the caches and I'd appreciate an 'aye' or consideration."

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

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to Senate Bill 929 and Amendment #2 to Senate Bill 2030."

Speaker Hannig: "So, Representative Reitz moves for the adoption of Floor Amendment #2 to Senate Bill 929. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. 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 929, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Reitz. Well, we..."

Reitz: "Thank you, Mr. Speaker. Senate Bill 929 is the Coal Mine Safety Bill. We've had a... a comprehensive rewrite after the disasters that happened during the past year in West Virginia. It was a wake-up call for all of us to address our mine safety legislation. And in Illinois we've been very fortunate, we have not had a fatality within the last 3 years. We have very safe mines in Illinois because of the... the mine safety provisions that we have in the State

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Law and we want to make sure that they are even better. Some of the requirements in there deal with the self-contained breathing apparatuses, to say that each one... everyone has to have one on their person or within 25 feet underground and has to have second one in the same fashion unless they have a plan adopted by the Mining Board. And we will have caches of SCSRs to make sure that people have adequate supply to get out of the mine in case there is a disaster. We also have rescue chambers that they will submit a plan for in the event of a disaster and if they have to stay in the mine, they will secure themselves in these chambers. There are triggers in here to make sure that we come back, hopefully in November. Both of the technologies for the SCSRs and the rescue chambers are changing and we hope is... as over the summer we'll be able to get together a plan and codify exactly how we're going to deal with the rescue chambers and the SCSRs. We have a Mine Technology Task Force that's going to review and recommend to the Mining Board the best available technologies for wireless emergency communication devices to make sure if someone is trapped, that we can find them and try to communicate with them. A number of other items within here. We currently have four mine rescue stations in the State of Illinois, only two are certified. This will say that all four will be certified and will provide that each company will provide people to mine these mine rescue stations, if so needed in the event of a disaster. A number of other safety devices that are in here were... we have a tagline to make sure that people are hooked together so they don't lose

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someone, as happened in West Virginia, in the event of smoke and things of that nature as they tried to exit. We have a lifeline cord that will be in one of the entries, the escape entry, to make sure people know which way they are going. We're going to use IEMA as the telecommunications center to make sure that we can have adequate response time, to make sure that people know and have to respond to a disaster. We also have language in that deals with methane extraction. That was one of the problems that we had... that they had in West Virginia. This sets up a way to safely extract the methane in adjacent mines or in mined out areas within... within the mine. And one of the new things we put in here too are criteria for general surface supervisors and independent contractors that work in the mine to make sure that they are adequately certified to make sure they know how to respond and go through the proper protocol in case of a disaster to make sure that we can get the response teams there as quickly as possible. I'd like to thank our staff for working on this and for everyone it's a... it was a tremendous undertaking to try and do this. I think we have a good piece of legislation supported by the United Mine Workers, the Coal Association and the department helped quite a bit in trying to put this together. So, I'd be happy to answer any questions, if there are any at all."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 929. And on that question, the Gentleman from Vermilion, Representative Black."

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



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

Black: "Representative, I still have two working coal mines in my district although one has announced it is closing, I think, at the end of June. It's why I hope we get the FutureGen project for Illinois. And let me tell ya right upfront, I'm gonna vote for the Bill and I... I appreciated the fact that you and I have had an opportunity to talk. I find it very interesting that in today's news because of technology that other countries use in coal mining they were able to rescue two miners, was it from Australia..."

Reitz: "I believe, yes."

Black: "...who had been trapped underground for seven days. And I... I think it's... I think it's an outrage when we are letting other countries utilize technology that we could be using to save miners' lives and we don't. And I... I fully intend to vote for your Bill."

Reitz: "Yeah."

Black: "But let me ask you a question. There are some inconsistencies that go on here that just really drive me to distraction. At the time, and your Bill is a good Bill and I congratulate you on it, but at a time when we need to increase safety in coal mining, at a time when we need more clean coal technology, more research on how to use, we have more energy stored underground in the State of Illinois than any state in the country. And if we could just learn how to use it effectively and efficiently and without the pollutants, we could really reduce our reliance on imported oil. But the point I'm trying to make, at the time we do this we will later vote on a fund transfer Bill that takes

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money out of various coal accounts. The Coal Technology Fund, for example, is being swept of dollars. And I believe there are two or three other coal-related funds that are being swept. Now, I'm not expecting a definitive answer from you, but that just doesn't make sense to me. This is an industry that needs every research dollar we can find, enhanced safety measures, whatever it takes. So, I'm gonna vote for your Bill, but ya know, if you wanna comment on the sweeps, fine, if you don't I'll understand. But I just don't understand why we sometimes do things that just seem to be in direct polar opposite of what we're trying to do."

Reitz: "And I would think that we have a tremendous availability of technology and I think that's changing. And we have been able to increase the use of state dollars for the technology to make sure that a lot of things happen. And infrastructure dollars to make sure that we help our coal mines come through the down time that we've had the last few years and hopefully, we're starting to grow our way out of this as people realize that coal is... can be burned cleanly and move forward. But both of the departments, I think, feel that they have an adequate... an adequate fund mechanism to do the technology and to provide all of the safety requirements that we need. So, that's... But I think I agree with you and I appreciate your comments on trying to make sense of this."

Black: "And I think before today or tomorrow is over, we'll have a opportunity to debate the transfer Bill or to fund the sweep Bill and you're gonna find that the Coal Technology... I'm looking at it right now... the Coal Technology Development

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Assistance Fund is having money taken out of it and that would just seem to be in direct contradiction to what those of us, that still have a coal industry left, have a hard time telling our miners, telling our mine operators. On the one hand we want you to increase safety, on the other hand we want our research land grant universities to tell us how to better utilize coal and yet on the other we take money out of the Coal Technology Assistance Fund and put it in the General Checkbook Fund. Doesn't make any sense to me. I know it's a budget issue, I know it's a cash flow issue, but man, I just... I don't understand it. But that's a whole... that's an issue we'll save for the budget. I intend to vote for your Bill. I appreciate the work you've done. Maybe we can save some coal mining jobs in the State of Illinois. I know that two mines that were operating are operating in my district, even though one is closing, happened to hit a vein of relatively low sulfur coal and as a result of that, we've... we have a couple of cogeneration plants where local business and industry have disconnected from the net or the, ya know, the power grid and generate their own electricity. And so, it... it is working, it can work, we need to do a lot more than we're doing on it and I know you and your seatmate and those few..."

Speaker Hannig: "Representative, could you bring your remarks to a close."

Black: "Yeah. I know that the Representative and the few of us that are left in coal country will do all we can to enhance the Illinois coal industry, but during the budget discussion, I intend to bring this subject up again. It

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doesn't make any sense on the one hand to try and help and on the other to take money away."

Speaker Hannig: "Representative Parke."

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

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

Parke: "Representative, when you presented this Bill in committee, afterwards I got a chance to talk to one of the representatives of the coal industry and he mentioned to me that there was some definite flaws in your Bill. Have you had a chance to talk to the owners as to whether or not your Bill, as it came out of committee, meets their... their idea of whether or not this is a good piece of legislation?"

Reitz: "Yes, I have. I actually went through all the changes with them with the Coal Association and actually, ya know, one of the owners of or the... one of the operators for a mine. They... The concerns they have and I don't know that they're flaws, I wouldn't term it as flaws, but the concerns... the only concerns they have mentioned in the whole Bill are the two triggers that we have in. It basically says that if... if we don't take action to codify exactly how we're going to place the SCSRs and what their requirement is, that we will... that it is 3 thousand feet, is that right? And they will be placed in caches in no less than 4 thousand feet apart. And the other one is on rescue chambers to say that rescue chambers on... effective January 31 of 2007, will be no less than 3 thousand feet from the working face. And both of those are triggers in here to force us to come back, to say the technology is evolving, we're not able at the present time to come to agreement on exactly how we should

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do the... the SCSRs or the rescue chambers. A number of people in the coal industry do not like rescue chambers at all and I have my reservations because it kinda sends the wrong message. Once you go into that, you're not going to get out until someone is able to come and rescue you. So, I think the first and primary... the primary responsibility is for everyone is to grab the SCSRs and try to get to... to the surface. But those are the only two concerns that they've expressed or the triggers... well, one concern basically, are the two triggers that are in there that will force us back to codify these two items in November."

Parke: "Well, if there are problems with it, then why are you passing the Bill?"

Reitz: "That... Excuse me. They are not prob... right now, what... what it's going to say is that each mine will pass... will have a plan approved by the Mining Board for SCSRs and for rescue chambers within the next three months and... but our problem right now is because of the evolving technology, we're not... we're not exactly sure and because of the evolving federal regulations following these disasters, we wanna wait and make sure that what we put into law is going to be the best thing that we can to safely protect miners. We don't feel at this... at this present time we're able to come to an agreement and codify that. We think that will happen sometime over the summer or hopefully by a later part of the year we'll be able to do that and put those two sections into law the way we want it in November. And this... these two triggers will bring us back at that time or else we'll, ya know, we're fairly safe that, ya know, it probably

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is overkill in the two triggers, but that's one thing that will bring us back here to resolve those issues."

Parke: "To the Bill."

Speaker Hannig: "To the Bill."

Parke: "Ladies and Gentlemen of the House, this is a very important piece of legislation in protecting the citizens of Illinois who work in our mines. And I... I just would hope that we pass... we're gonna pass this Bill, but it's been pointed out that there's some... there's some problems with federal guidelines that are being established in our Capital and that even the Sponsor says that the... some of the stuff that we have in this Bill the technology is not there. So, I would just encourage the Sponsor to work closely with both labor and management to make sure that the men and women who go down in these mines are protected. And if this does not do the job, then hopefully in the fall he'll come back with a cleanup Bill that can make it more pertinent and... in protecting the men and women that work in our mines. So, I guess this is the best we can say is it's a start in the right direction, but I hope that we can formulate it with a follow-up Bill in the Veto Session that can make it even more effective. Thank you."

Speaker Hannig: "Representative Reitz to close."

Reitz: "Yeah. Thank you, Mr. Speaker. I appreciate the comments. As I said, this is a very important piece of safety legislation. I think it's a comprehensive change. It drastically changes Illinois law to put in the safeguards that we need to make sure that, in the event of a disaster, the people are going to have a fighting chance to get out

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and be with their families. So, I'd appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill 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? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, under the Order of Senate Bills-Third Reading, is Senate Bill 185. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 185, a Bill for an Act concerning the Metropolitan Water Reclamation District. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 185 amends the Water Reclamation District Act to authorize a compensation for the officers and members of the board that will be elected at this November 2006. Under current state statute, compensation for the district officers and commissioners is set by the Illinois General Assembly for what would be... This will open up a window basically between now and January 1 for the board to set the compensation for those commissioners elected this fall and beyond. So, district commissioners are elected at large in Cook County. They serve 5.1 million people. It's the largest water waste treatment agency in the rule... in the world. There are no state funds involved with this. It's absolutely permissive. It's a local

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control issue and they've been given the additional responsibilities a couple years ago by this Body to do the stormwater management in Cook County. So, I would certainly appreciate your support. Ask for any questions that would be asked, I'd be happy to answer them."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 185. And on that question, the Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. I rise in support of Senate Bill 185. This is an issue that I've been working on probably for the last 5, 6 years. We've passed different versions of this over the years. I think this is a great compromise that's been made where we still have a say-so on... on their pay over at the Water Reclamation District. I can personally attest to the fact that they do a great job for our communities. The deep tunnel project has alleviated the flooding problems along the Des Plaines River. They've been very responsive to us. We really do appreciate what they do and this is something that... that I feel they deserve. It's not extravagant. It's a slight bump. And I would ask for your support. Thank you."

Speaker Hannig: "Any further discussion? Representative Lyons to close."

Lyons, J.: "I'd certainly ask for your support on this issue."

Speaker Hannig: "The question is, 'Shall this Bill 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? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 64



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voting 'yes' and 46 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #1 to Senate Bill 858."

Speaker Hannig: "Okay. So, Mr. Clerk, would you read the Committee Reports, I'm sorry, the committee schedule."

Clerk Mahoney: "Committee schedule. Immediately following Session: Elementary & Secondary Education in Room 114; Executive Committee in Room 118; Higher Education in Room D-1; Human Services in Room C-1. At 5:30 Agriculture & Conservation in Room C-1 and Environment & Energy in Room 114."

Speaker Hannig: "So, at this time, the House is going to recess. We're going to recess and go to committee. And we're going to reconvene at 6 p.m. So, at this time, the House stands in recess until the hour of 6 p.m."

Speaker Madigan: "On the Order of Supplemental Calendar #1, on the Order of Senate Bills-Second Reading, there appears Senate Bill 626. Mr. Clerk."

Clerk Bolin: "Senate Bill 626, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Madigan: "Leave the Bill on Second Reading. Senate Bill 830."

Clerk Bolin: "Senate Bill 830, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Leave the Bill on Second Reading. Senate Bill 895."

Clerk Bolin: "Senate Bill 895, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Leave the Bill on Second Reading. Senate Bill 1268."

Clerk Bolin: "Senate Bill 1268, a Bill for an Act concerning employment. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Leave the Bill on Second Reading. Senate Bill 2399."

Clerk Bolin: "Senate Bill 2399, a Bill for an Act concerning employment. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Leave the Bill on Second Reading. On page 11 of the Calendar, on the Order of Nonconcurrence, there appears Senate Bill 2554. Mr. Schock."

Schock: "Thank you, Mr. Speaker. There have been some concerns raised by some business groups and credit reporting agencies

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that House Amendment 1 might make illegal some current business practices. And I wanna make clear that Senate Bill 2554, as it passed the Senate, does not make illegal or change the way that the major credit reporting agencies collect information. Section 16G-401 page 9 provides that the Bill does not 'prohibit the capture or transmission of personal identifying information in the ordinary and lawful course of business.' It is the intent of the Senate Sponsor, Ira Silverstein and myself to come back in the fall and add language that will make this clearer while still outlawing fraudulent practices. And Senator Silverstein and I agreed that that needed to be read into the record for clarification. And with that I move to recede from House Amendment #1."

Speaker Madigan: "The Gentleman moves to recede from House Amendment #1. The Members should understand that this will be final action. Those in favor of the Gentleman's Motion will vote 'yes'; those opposed will vote 'no'. Have all voted who wish? Mr. Clerk, Mr. Hannig's key is locked. The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. And this Bill, having received... and the House does recede from House Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 8 of the Calendar, on the Order of Second... Senate Bills-Second Reading, there appears Senate Bill 2339. Mr. Delgado. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 2339, a Bill for an Act concerning employment. The Bill's been read a second time, previously.

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Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Delgado, has been approved for consideration."

Speaker Madigan: "Mr. Delgado on the Amendment."

Delgado: "Thank you, Mr. Speaker and Members of the House. This here has a technical change of one word from and I took the recommendation of my colleague on the other side, Representative Durkin, from 'shall' to 'may'. And I would ask for its approval."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Clerk, Senate Bill 2339, read the Bill for a third time."

Clerk Bolin: "Senate Bill 2339, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Delgado."

Delgado: "Thank you, Mr. Speaker. Senate Bill 2339 as amended makes several changes to the minimum wage law. The Bill adds limited liability companies to the definition of 'employer' to be required to pay minimum wage. Additionally, the Bill will add subpoena powers to the director of the Department of Labor which is consistent with the powers of the director under other labor laws. And we discussed this Bill at length yesterday. And I would ask for your 'aye' vote now with the Amendment that I feel has

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brought this all together for a complete piece of legislation. And I would ask for your 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Durkin."

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

Speaker Madigan: "The Sponsor yields."

Durkin: "Representative Delgado, I just wanna thank you for taking the Bill out of the record yesterday. It was a pleasure working with you on this and then also agreeing with this, the minor concern I had with the... the Bill in its present form. So, I guess what we're trying to do is we're changing the language from 'shall' to 'may' to ensure that if there is a situation where a person who is under investigation from the Department of Labor and they are forced to compel testimony or records, that the court 'may' proceed with contempt proceedings unless the idea is that there... we're not infringing upon someone's reasonable Fifth Amendment Right to... against self-incrimination. That's basically the gist of what we're trying to get at. So, and you..."

Delgado: "And I... Yes. And I appreciate your interjection yesterday with that bringing it to my attention and staffs were able to sit down together, Mr. Durkin. And I have a high level of respect for your legal knowledge and I appreciate it because you made it a better Bill. And for that I wanna thank you."

Durkin: "Thank you very much and I appreciate your consideration on this."

Delgado: "Thank you, Sir."

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Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 2654. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 2654, a Bill for an Act concerning special districts. The Bill's been read a second time, previously. Amendment... Committee Amendment #1 has been tabled. Floor Amendment #2, offered by Representative Nekritz, has been approved for consideration."

Speaker Madigan: "Representative Nekritz on the Amendment."

Nekritz: "Thank you, Mr. Speaker. Amendment... House Amendment 2, I believe it is, to Senate Bill 2654 deletes some language that we don't really think is necessary in this legislation, so it actually makes the Bill a little bit cleaner. Ask for your support."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on Third Reading and read the Bill for a third time."

Clerk Bolin: "Senate Bill 2654, a Bill for an Act concerning special districts. Third Reading of this Senate Bill."

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Speaker Madigan: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. On Senate Bill 2654... It's... it's not often in this Body that we get the opportunity to vote to eliminate a taxing district and that's especially true in Cook County, but that is the opportunity presented to us by Senate Bill 2654. The Bill does eli... eliminate the Cook County Suburban Tuberculosis Sanitarium District. This district was formed in the 1940s at a time when we quarantined tuberculosis patients. As you all are all aware, that... that type of treatment has changed dramatically. We now use a regimen of antibiotics instead. And many other units of government that also had formed TB Districts have also abolished theirs. The implementation of this would be that within 1 year after the Bill has... becomes effective the operations of the TB District will be integrated into the Cook County Department of Public Health and all the employees will be moved into the Department of Public Health and in addition, all the existing facilities that the TB District has will be ma... it is anticipated that they will be maintained. The levy is eliminated, but as we all know, Cook County is a Home Rule unit and at such point if they need to raise their levy in order to perform these important services they can do so. Cook County supports this. There is... was a Resolution adopted by... unanimously by all the Cook County Commissioners in support of this legislation and the Cook County Department of Public Health supports it as well. I ask for your support."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Representative Krause."

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

Speaker Madigan: "Sponsor yields."

Krause: "Representative, very briefly on the concerns that I do have and that relates to the continuation of the services in suburban Cook County such as we have now, particularly in the area of tuberculosis where we have the immigrant population. I am just interested in having somewhat of a commitment that as Cook County Health Department, which is a fine health department, takes it over, that in fact the services that we have in be it Des Plaines, Skokie, Hoffman Estates and in other areas, that in some way those services would still be in those locations. Did you have any opportunity to talk to the Health Department to see if those type of services would re... continue in some degree? We used to have like one day, one and a half days."

Nekritz: "Representative, I have spoken to the Cook County Department of Public Health about that as well as Cook... as Representatives from Cook County and they have indicated to me that it is their intention not only to take on all the employees but to maintain all the facilities and the services that the TB District now provides. I did ask them if they could put, as you and I have spoken, I did ask them if they would put that in the form of a letter and they did make that... that inquiry is making its way up the food chain at the county today. And I did not hear back from them, but I know that they are certainly willing to... ya know, that is the intention right now is to maintain all those services as... because I think they believe as we do that these are



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critically important services and I don't think they wanna see an outbreak of TB anymore than we do."

Krause: "Okay. And so if you could, Representative, just follow up on that. I know you are interested in doing so. But I would like to, if it's a possibility, to see something along that line that those services would continue in the suburbs rather than be centrally located, if that could be done."

Nekritz: "I... I certainly will follow up..."

Krause: "Okay."

Nekritz: "...on that, Representative, and if there's, ya know, and if I could put you in touch with the people that I've been speaking with to give you... so you could hear for yourself the assurances that they have given to me, I'd be happy to do that."

Krause: "All right. I appreciate that. One other thing on the tax levy, is that now taken over and rolled over into the Cook County Board? Who now would levy a tax for these services?"

Nekritz: "Representative, the... the... as I understand it, the county tried several... did a lot of research in trying to un... to see whether they could roll that levy over into the county and they cannot legally do that. The district itself, currently, has a fairly substantial surplus. It is my understanding that they anticipate that they will use... try to draw that surplus down so that they don't put that... ya know, they can relieve the taxpayers of that burden. But Cook County is a Home Rule unit and at such point, if they need to raise taxes in order to be able to continue to provide these services, I believe they will do that."

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Krause: "All right. Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, this has a very unique effective date, two months after this Bill is signed into law. I... I've never seen that. Why... why is the effective date gonna be... well not exactly in the middle of a fiscal year, but certainly not at the beginning or the end. Why is that in there?"

Nekritz: "Well, Representative, I don't... I have not had that discussion specifically with the Senate Sponsor, but I believe that the anticipation was that it was gonna take a little bit of time to transfer... to figure out the logistics of transferring the facilities and the employees and all that and so they needed a little bit of extra time to do that. So, it wasn't gonna become effective immediately. They needed two months from the time they knew that it was going to happen in order to be able to accomplish the logistics of it."

Black: "I would simply think that would create a real bookkeeping nightmare for the treasurer's office in Cook County, but I... I assume they have the staff to take care of that. It's just a strange, strange way to do it."

Nekritz: "I'm sure... I'm sure they do."

Black: "I'm glad that Cook County discovered what many downstate counties discovered years ago and my home county of Vermilion abolished the TB sanitarium levy probably 25, 30

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years ago. But there's one difference, we abolished the levy and the rate completely. If I understand the way Cook County works, they're the only Home Rule county in the state, I believe, all they have to do is simply create a new property tax, take over the levy and the rate and transfer the \$3.8 million levy from the TB District to the County Health Department. Is... is... as far as you know, is that what they intend to do?"

Nekritz: "No, Representative, I don't... I don't believe legally they can transfer the rate and the levy over from the TB District. They... they would... that levy and that rate are abolished."

Black: "All right. I..."

Nekritz: "If they were gonna... if they were gonna do that, yes, they can exercise their Home Rule pow..."

Black: "Right. Yeah."

Nekritz: "...Home Rule powers to do so."

Black: "And that... that's my point. I didn't say they could just simply transfer it. Under their Home Rule powers, they can create a new property tax and... and levy, then put that money into the Health Department to do respiratory diseases, avian flu or something of that sort."

Nekritz: "That is their prerogative."

Black: "So, the taxpayers may or may not see any relief on their property tax bill, depending on what the Cook County Board decides to do, right?"

Nekritz: "That is correct."

Black: "All right. Well... To the Bill, Mr. Speaker. All right. Ya know, I'm torn on this Bill. As I said before, my home

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county abolished this levy 30 years ago and we abolished it, period. I'm glad that Cook County is finally... and I know you have a much... a more dense population and probably more difficulties than we did in a rural area even though tuberculosis, unfortunately, is now making a comeback in many counties throughout the state. I guess the only concern I have is if the Cook County Board, under Home Rule authority, simply establishes a new property tax, puts the... puts the levy in a new line item and the taxpayers get no break. Well, then I would assume the voters would... would keep that in mind although the election now is 4 years away. Well, I sometimes wonder if we wait until the elections are over on these things, 4 years from now they'll be a lot of people that won't remember this. I don't intend to vote 'no'. I think the concept is sound. It remains to be seen how the Cook County Board will handle this. They have an opportunity to give some modest property tax relief and they have an opportunity to simply reinstate the tax in another form. I guess that's why they elect the Cook County Board of Commissioners. Thank you."

Speaker Madigan: "Representative Kosel. Kosel."

Kosel: "Thank you very much. I apologize for not being in my seat. A question for the Sponsor, please. Can you tell me... did I hear you say that you are not only going to eliminate this agency but also that the tax will be eliminated?"

Nekritz: "Yes."

Kosel: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by

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voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Committee Reports."

Clerk Bolin: "Committee... Committee Reports. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' Senate Joint Resolution #88 and Floor Amendment #3 to Senate Bill 931 and Floor Amendment #2 to House Bill 1945. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' Senate Joint Resolution 87 and Floor Amendment #1 to House Bill 2013. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' for Senate Bill 1028. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to Senate Bill 176, Floor Amendment #2 to Senate Bill 1977, Floor Amendment #2 to Senate Bill 230 and Floor Amendment #2 to Senate Bill

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1863. Representative Granberg, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 1230, House Resolution 1235; and 'recommends be adopted as amended' House Resolution 1184. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 02, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 1222 and House Resolution 1181; 'do pass as amended Short Debate' for Senate Bill 2436."

Speaker Madigan: "On page 6 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 931. Mr. Lang. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 931, a Bill for an Act concerning regulation. The Bill's been read a second time, previously. Amendment #1 has been adopted to the Bill. Floor Amendment #3, offered by Representative Lang, has been approved for consideration."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. House... Floor Amendment #3 provides that a Forensic Science Grant Program be added to the Bill and that both the Nurse Educator Scholarship Program and the Forensic Science Grant Program sunset in the year 2010. It also puts merit back into the Nurse Educator Scholarship Program."

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Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on Third Reading and read the Bill for a third time."

Clerk Bolin: "Senate Bill 931, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I think we're all aware of a dramatic nursing shortage in the State of Illinois. We've talked last spring a lot about doctors leaving the state, but we all know that oftentimes nurses are the frontline people that take care of our folks when they're in the hospital and nursing homes, et cetera. After working with the Illinois Nurses Association, the Governor's Office and other advocates, we've come up with a plan embodied in Senate Bill 931 to try to begin to deal with the nursing shortage. First, this Bill creates Nurse Educator Loan Repayment Program. We found that there are many that would like to go to nursing school and many schools that would like to expand their nurse programs but there aren't enough teachers. I don't know if... teachers that want to teach nurses and therefore, we wanted to give... put some benefits in this Bill to create that. So, we have a Loan Forgiven Program. We also have a Fellowship Program for those that wanna become nurse trainers. We've created a competitive grant programs for nursing schools so that all

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the different schools that teach nursing can come up with their own innovative ways to seek additional grants. Create... it expands nurse scholarships by adding merit. This Bill creates an Illinois Center for Nursing to address issues of supply and demand to figure out how to deploy nurses where they're needed, how they're needed, how to get them there. And this Bill also has a couple of things that don't necessarily have to do with nursing. We have something today in the law called the Illinois National Guard Grant Program. This would change that to the Illinois National Guard and Naval Militia Grant Program. It also creates a Forensic Science Grant Program to encourage graduate students to enter the field of forensic science. That's what the Bill does. The most important portions of the Bill, of course, deal with our nursing shortage and this Bill will take a great step forward in dealing with that and providing better health care in our state, a goal we all share. I move passage of the Bill, Mr. Speaker."

Speaker Madigan: "Mr. Watson."

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

Speaker Madigan: "Sponsor yields."

Watson: "Representative, can you tell me what the Illinois Naval Militia is and what exactly is their mission?"

Lang: "That's a very excellent question, Representative. The Illinois Naval Militia was created... it was created originally in June of 19... 1893 and was repealed on... in August of 1988. It was originally created to have the naval force patrol the lakes and rivers of Illinois under the Governor's direction. The Naval Militia was reinstated by



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Governor Blagojevich in January of this year indicating that... indicating that this was supposed to be trained members of the United States Navy Reserve and/or United States Marine Corps Reserve who by voluntary membership create a pool of trained military maritime specialists to assist and respond to natural or manmade disasters. Don't ask me to repeat that."

Watson: "Well, so how many members of the Illinois Naval Militia are we gonna have?"

Lang: "Today we have zero members, Sir. So, apparently not too many of these grants will be given."

Watson: "How many naval reservists are there in the State of Illinois?"

Lang: "I do not know, Sir."

Watson: "Well, shouldn't we know that because what if they all decided to join the Illinois Naval Militia and wanted this grant?"

Lang: "Well, the... the authorizing executive order, which I have in my hand, refers to voluntary membership but certainly this would be under the Governor's control. I'm certain he would not put more people in this pool than we could afford to take care of through these grants."

Watson: "Do you think so?"

Lang: "Today there are none, Sir."

Watson: "I'm sorry?"

Lang: "Today there are none."

Watson: "Today there are none, but there are 9 thousand members in the Naval Reserve in the State of Illinois. Which means 9 thousand people could potentially say, you know what, I am

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full of patriotism and I wanna join the Illinois Naval Militia. I wanna fight terrorism on the Kankakee River."

Lang: "I am told that to be eligible for the grant you have to be part of this militia for at least 1 year. So, nobody's gonna join it just to get these grants which may or may not be funded in the first place."

Watson: "Representative, the only thing I will say is we're woefully behind right now in reimbursing institutions of higher ed for the IDG and the National Guard grant and to put into play something that could potentially double or triple that usage is... is problematic and... and I hope somebody is thinking long-term of what this could mean. Thank you."

Speaker Madigan: "Mr. Black."

Black: "Thank you ver... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I'll use naval language. Battle stations, battle stations. This is no drill. This is no drill. Battle stations. Ladies and Gentlemen of the House, have we no shame. Are you telling me that you're really gonna vote to allow 9 thousand members of the United States Navy Reserve to become voluntarily enrolled in the Illinois Naval Militia, which will only be a paper transfer. We have no money to have them patrol the rivers and waterways of Lake Michigan unless the Governor is plotting a coup against the mayor of Chicago. I don't know what this is gonna do. But you're gonna make 9 thousand United States military personnel, who currently do not qualify for a tuition waiver at any college, community college or university in the State of Illinois, you're going

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to make them eligible for a tuition waiver. Now, let me ask you a question. What does that do to the United States Marine Corps Reserve? What does that do to the United States Air Force Reserve? What does it do to the United States Army Reserve? They're gonna want the same treatment; these are young men and women. They just simply joined a federal branch of the service. You're going to tell these people that they're going to get a tuition waiver if they go to school, higher... seek higher education, in the State of Illinois. Do you know how much we are now paying the University of Illinois and all of the community colleges in Illinois who accept, and are glad to do so, a veteran, a returning veteran from the Illinois National Guard or somebody who joined the Guard years ago, we are paying ten cents on the tuition dollar. We have put some of our community colleges at financial risk. They cannot turn them away and they should not turn them away. But they look to us to send them the money. They are educating our veterans as they should, as we told them to do years ago, but we're not sending the money. You are putting the City Colleges of Chicago at risk, every community college in the state. My community college in my district is owed about \$200 thousand on the ING grant. And do you know what I was told, before the fiscal year will close they won't get one dollar of what they're owed. Take your loss, we don't have the money, I'm sorry. And now we're going to add the United States Navy Reserve to the tuition waiver program. What... what are we going to reimburse next year, two cents, nothing. You can't turn them away. I notice in the underlying Bill with nurse

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scholarships, God knows I have a... I have utmost respect for nurses because I've spent weeks and weeks in hospitals in intensive care and without good nursing care I wouldn't be alive. But it says it's subject to appropriation. I'm going to assume that we'll see it somewhere in the budget. I'm going to assume that this is part of the 90 thousand... \$90 million tuition tax credit that the Governor asked for and that he's not going to get in that form. But I... I would... I would urge you and I know it's tough to vote against nurses, but it says subject to appropriation. You know and I know what the Illinois Naval Militia is all about. The Governor gets to go out for the next several months and say, look what I did for you. Look what I did for you, Ensign. Look what I did for you, Lieutenant Junior Grade. Look what I did for you, Admiral of the fleet. This is political pandering at its worst. Have we no shame? You can't pay for this. You know it and I know it, we're not paying for it. We're putting colleges at risk by turning our back on a program that we created. And for crying out loud... Let me collect my thoughts so I don't say something that I'll later regret. I believe that when you start a program and the Illinois National Guard Program is an outstanding program, I think the best in the country, we have a moral, ethical and I would say, legal obligation to fund the program. Whenever we get in trouble whether it's a flood or a tornado or an emergency, we ask young men and women in the National Guard to walk away from their jobs, walk away from their homes and give us the service that we need in the time of an emergency. Thousands of our Illinois

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National Guardsmen and women have been called to active duty in Iraq and Afghanistan and some have given the ultimate sacrifice for their service to our country. And then when they come back, they go to college, and I hope all of them do, and I couldn't be prouder that we say, you will get a tuition waiver at the university or any community college in the State of Illinois. And then we have the unmitigated gall to tell the colleges, yeah, we know we owe you money, but we are not going to pay you because we don't have the money. So, the universities and the community colleges are left with two recourses. They either eat the loss which many of them in this tight budget scenario cannot do or they raise tuition. It's a classic cost shift. And now you're going to add members of the United States Navy Reserve to this list. What do you do next year when the Marine Corps Reserve, the Army Reserve and the Air Force Reserve want the same kind of treatment. We have scholarships, we have grants, we have programs that we don't fund. How many of you, like me, have merit scholars in your district? The best and the brightest of our young men and women who are supposed to get a \$1 thousand stipend as they go off to college because they are in the upper 10 percent of all of the high school graduates in the State of Illinois, the best and the brightest we have. We don't fund that. You know what they get, a letter of congratulations and sometimes the letter says, you qualify for a \$1 thousand stipend because of your academic success and we thank you for your hard work, but we don't have the money, so you're not going to get the thousand dollars. It really thrills their mother

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and father. In all due respect to the Governor, who I served with in this chamber and who I personally like, this Bill is more about political pandering in the next few months than it is about really trying to address the necessary and vital need to entice people to go into the nursing curricula and I would suggest to you, there are lots of reasons they don't go into the nursing curricula other than scholarships, other than grants, it's a tough job. So, for all... all of you that think you have to do this for nurses and I wish we could do something that wasn't subject to appropriation and something that we would actually do, but I'm gonna draw the line. When I shave every morning, I have to look at myself in the mirror. That's scary enough. Ya know, when you've got... when you've got as many chins as I do, you're not sure where to start with the razor, but at least I don't have to avert my eyes because I vote for sham Bills that cost money we don't have. I'm not going back to my neighbor who is currently overseas serving in the United States Navy Seabees and I'm not gonna look his mom and dad in the eye and tell him, 'if... I hope Jeff comes home in eight months and if he does, we're gonna give him a tuition waiver', 'cause I know the money isn't there. That's the worst kind of political pandering we can engage in. Shame on the Governor for even wanting to bring this up so he can make some points with Navy Reservists throughout the State of Illinois. That's beneath him, it's beneath us. I urge you, for once in your legislative life, you know what shape this state is in, you know what shape this budget is in, have the courage to once look yourself in the eye and say,

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I'm not gonna be part of a sham. I'm not gonna be part of lying to people. I'm not going to say we're gonna give ya the money when we don't. It's time to vote 'no'. Show some Profiles in Courage, a book that I advise some of you to read written by a darn good Democrat who I don't think would ever stoop to this kind of pandering."

Speaker Madigan: "Mr. Lang."

Lang: "Thank... thank you, Mr. Speaker. I know the previous speaker was talking about someone other than myself. I have nothing to do with any kind of pandering. I just wanna help nurses. But let's take this out of the record for the time being."

Speaker Madigan: "Mr. Clerk, take this Bill out of the record. On the Order of Supplemental Calendar #2, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1028. Mr. Clerk."

Clerk Bolin: "Senate Bill 1028, a Bill for an Act concerning safety. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "No. Leave the Bill on the Order of Second Reading. Senate Bill 2436."

Clerk Bolin: "Senate Bill 2436, a Bill for an Act concerning health facilities. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Leave the Bill on the Order of Second Reading. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1257, offered by Representative Cross. House Resolution 1258,

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offered by Representative Kosel. House Resolution 1260, offered by Representative Currie. House Resolution 1261, offered by Representative Dunkin. House Resolution 1262, offered by Representative Acevedo. House Resolution 1263, offered by Speaker Madigan. House Resolution 1264, offered by Representative Poe. House Resolution 1267, offered by Representative Cultra. House Resolution 1268, offered by Representative Brosnahan. House Resolution 1269, offered by Representative Joyce. And House Resolution 1270, offered by Representative Chapa LaVia."

Speaker Madigan: "You've all heard the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk, on page 7 of the Calendar, on the Order of Second Reading, there appears Senate Bill 1520. Read the Bill."

Clerk Bolin: "Senate Bill 1520, a Bill for an Act concerning appropriations. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Speaker Madigan, has been approved for consideration."

Speaker Madigan: "Mr. Brady."

Brady: "Thank you, Mr. Speaker. Ask that the Republicans caucus in Room 118 to discuss the budget at this time. If all the Republicans would adjourn to Room 118 for a caucus at this time regarding the budget. Thank you."

Speaker Madigan: "Ladies and Gentlemen, the plan is that the Republicans will caucus on the budget. We will adjourn. We



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will convene at 9:30 in the morning and shortly there after, we will go to a consideration of the budget for the next fiscal year. So, with all of that in mind, Representative Currie moves that the House stand adjourned until tomorrow at 9:30 a.m., providing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Wednesday, May 3 at 9:30 a.m., providing perfunctory time for the Clerk."

Clerk Bolin: "The House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 5788, offered by Representative Fritchey, a Bill for an Act concerning orders of protection. House Bill 5789, offered by Representative Holbrook, a Bill for an Act concerning revenue. First Reading of these House Bills. Introduction of Resolutions. House Resolution 1259, offered by Representative Scully. House Resolution 1265, offered by Representative Bost. House Resolution 1266, offered by Representative Froehlich. House Joint Resolution 128, offered by Representative Brauer. House Joint Resolution 129, offered by Representative Verschoore. And House Joint Resolution 130, offered by Representative Howard. These Resolutions are referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."