

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

141st Legislative Day

1/7/2007

Speaker Lang: "The House will be in order. Members will be in their chairs. Members will be in their chairs. We shall be led in prayer today by... we shall be led in the prayer today by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield. Members and guests are asked to refrain from starting their laptops. We're asked to turn off all cell phones and pagers and rise for the invocation and for the Pledge of Allegiance. Pastor Crawford."

Pastor Crawford: "Let us pray. Most gracious and kind God, how awesome You are. We humbly come before You, honoring You as the Lord of Lord and as the king of kings. Father, our prayer today is simple, that You'll bless this House and all that dwell therein. Bless the Leader and all of its Members. Grant them wisdom to be wise, creating them a heart of passion to be the greatest of Your servants. This we ask. Amen."

Speaker Lang: "We shall be led in the Pledge today by Representative Washington."

Washington - 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 Lang: "Mr. Clerk, Roll Call for Attendance."

Clerk Mahoney: "Acevedo. Acevedo. Representative Arroyo."

Arroyo: "Here."

Clerk Mahoney: "Arroyo is present. Bassi."

Bassi: "Here."

Clerk Mahoney: "Bassi is present. Beaubien."

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Beaubien: "Here."

Clerk Mahoney: "Beaubien is present. Beiser."

Beiser: "Here."

Clerk Mahoney: "Beiser is present. Bellock."

Bellock: "Here."

Clerk Mahoney: "Bellock is present. Berrios."

Berrios: "Here."

Clerk Mahoney: "Berrios is present. Biggins."

Biggins: "(Inaudible)."

Clerk Mahoney: "Biggins is present. Boland."

Boland: "Here."

Clerk Mahoney: "Boland is present. Bost."

Bost: "Present."

Clerk Mahoney: "Bost is present. John Bradley."

Bradley, J.: "(Inaudible)."

Clerk Mahoney: "John Bradley is present. Rich Bradley."

Bradley, R.: "Here."

Clerk Mahoney: "Rich Bradley is present. Brady."

Brady: "Here."

Clerk Mahoney: "Brady is present. Brauer."

Brauer: "Here."

Clerk Mahoney: "Brauer is present. Brosnahan."

Brosnahan: "Here."

Clerk Mahoney: "Brosnahan is present. Burke."

Burke: "Here."

Clerk Mahoney: "Burke is present. Chapa LaVia."

Chapa LaVia: "Present."

Clerk Mahoney: "Chapa LaVia is present. Chavez."

Chavez: "Present."

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Clerk Mahoney: "Chavez is present. Churchill."

Churchill: "Here."

Clerk Mahoney: "Churchill is present. Collins. Representative  
Collins. Colvin."

Colvin: "Here."

Clerk Mahoney: "Colvin is present. Coulson."

Coulson: "Present."

Clerk Mahoney: "Coulson is present. Cross."

Cross: "Here."

Clerk Mahoney: "Cross is present. Cultra."

Cultra: "(Inaudible)."

Clerk Mahoney: "Cultra's present. Currie."

Currie: "Present."

Clerk Mahoney: "Currie is present. D'Amico."

D'Amico: "Here."

Clerk Mahoney: "D'Amico is present. Monique Davis."

Davis, M.: "(Inaudible)."

Clerk Mahoney: "Monique Davis is present. Will Davis."

Davis, W.: "Present."

Clerk Mahoney: "Will Davis is present. Dugan."

Dugan: "Here."

Clerk Mahoney: "Dugan is present. Dunkin. Representative  
Dunkin. Dunn. Representative Dunn. Durkin."

Durkin: "(Inaudible)."

Clerk Mahoney: "Representative Durkin is present. Eddy."

Eddy: "Here."

Clerk Mahoney: "Eddy is present. Feigenholtz. Feigenholtz.  
Flider. Flider."

Flider: "(Inaudible)."

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Clerk Mahoney: "Flider is present. Flowers. Representative  
Flowers. Fortner."

Fortner: "Here."

Clerk Mahoney: "Representative Fortner is present. Franks."

Franks: "(Inaudible)."

Clerk Mahoney: "Franks is present. Fritchey. Fritchey.  
Froehlich."

Froehlich: "Here."

Clerk Mahoney: "Froehlich is present. Giles. Representative  
Giles. Golar."

Golar: "Present."

Clerk Mahoney: "Golar is present. Gordon."

Gordon: "Yes. Present."

Clerk Mahoney: "Gordon is present. Graham. Granberg."

Granberg: "(Inaudible)."

Clerk Mahoney: "Granberg is present. Hamos. Representative  
Hamos. Hannig. Representative Hannig."

Hannig: "Here."

Clerk Mahoney: "Hannig is present. Harris."

Harris: "(Inaudible)."

Clerk Mahoney: "Representative Harris is present. Hassert."

Hassert: "(Inaudible)."

Clerk Mahoney: "Hassert is present. Hoffman."

Hoffman: "Here."

Clerk Mahoney: "Hoffman is present. Holbrook."

Holbrook: "(Inaudible)."

Clerk Mahoney: "Holbrook is present. Howard."

Howard: "(Inaudible)."

Clerk Mahoney: "Representative Howard is present. Jakobsson."

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Jakobsson: "(Inaudible)."

Clerk Mahoney: "Jakobsson is present. Jefferies."

Jefferies: "Here."

Clerk Mahoney: "Jefferies is present. Jefferson."

Jefferson: "Present."

Clerk Mahoney: "Jefferson is present. Jenisch."

Jenisch: "Here."

Clerk Mahoney: "Jenisch is present. Joyce. Joyce.  
Representative Kelly."

Kelly: "Here."

Clerk Mahoney: "Kelly is present. Kosel."

Kosel: "Present."

Clerk Mahoney: "Representative Kosel is present. Krause."

Krause: "Here."

Clerk Mahoney: "Representative Krause is present. Lang."

Lang: "Here."

Clerk Mahoney: "Lang... Lang is present. Leitch."

Leitch: "Here."

Clerk Mahoney: "Leitch is present. Lindner."

Lindner: "Here."

Clerk Mahoney: "Lindner is present. Representative Joe Lyons."

Lyons, J.: "Here."

Clerk Mahoney: "Lyons is present. Mathias. Mathias."

Mathias: "Present."

Clerk Mahoney: "Mathias is present. Mautino."

Mautino: "(Inaudible)."

Clerk Mahoney: "Mautino is present. May."

May: "Here."

Clerk Mahoney: "May is present. McAuliffe."

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McAuliffe: "(Inaudible)."

Clerk Mahoney: "McAuliffe is present. McCarthy."

McCarthy: "Here."

Clerk Mahoney: "McCarthy is present. McGuire."

McGuire: "Here."

Clerk Mahoney: "McGuire is present. Mendoza. Mendoza."

Mendoza: "Here."

Clerk Mahoney: "Mendoza is present. Meyer."

Meyer: "Here."

Clerk Mahoney: "Meyer is present. Miller."

Miller: "Here."

Clerk Mahoney: "Miller is present. Representative Bill  
Mitchell."

Mitchell, B.: "(Inaudible)."

Clerk Mahoney: "Bill Mitchell is present. Representative Jerry  
Mitchell."

Mitchell, J.: "Present."

Clerk Mahoney: "Jerry Mitchell is present. Moffitt."

Moffitt: "Present."

Clerk Mahoney: "Moffitt is present. Molaro. Molaro. Mulligan.  
Representative Mulligan. Munson."

Munson: "Here."

Clerk Mahoney: "Representative Munson is present. Myers."

Myers: "Present."

Clerk Mahoney: "Myers is present. Nekritz."

Nekritz: "Present."

Clerk Mahoney: "Nekritz is present. Osmond."

Osmond: "(Inaudible)."

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Clerk Mahoney: "Osmond is present. Osterman. Osterman.  
Representative Parke."

Parke: "(Inaudible)."

Clerk Mahoney: "Parke is present. Phelps. Representative  
Phelps. Pihos."

Pihos: "Present."

Clerk Mahoney: "Representative Pihos is present. Representative  
Poe."

Poe: "(Inaudible)."

Clerk Mahoney: "Poe is present. Pritchard."

Pritchard: "Here."

Clerk Mahoney: "Pritchard is present. Ramey."

Ramey: "(Inaudible)."

Clerk Mahoney: "Ramey is present. Reboletti."

Reboletti: "Here."

Clerk Mahoney: "Representative Reboletti is present. Reis."

Reis: "(Inaudible)."

Clerk Mahoney: "Reis is present. Reitz."

Reitz: "(Inaudible)."

Clerk Mahoney: "Representative Reitz is present. Representative  
Rita. Representative Rita. Representative Rose."

Rose: "Present."

Clerk Mahoney: "Rose is present. Ryg."

Ryg: "(Inaudible)."

Clerk Mahoney: "Ryg is present. Sacia."

Sacia: "Here."

Clerk Mahoney: "Sacia is present. Saviano."

Saviano: "Here."

Clerk Mahoney: "Saviano is present. Schmitz."

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Schmitz: "Here."

Clerk Mahoney: "Schmitz is present. Scully."

Scully: "Here."

Clerk Mahoney: "Scully is present. Smith."

Smith: "(Inaudible)."

Clerk Mahoney: "Smith is present. Sommer."

Sommer: "Here."

Clerk Mahoney: "Sommer is present. Soto."

Soto: "Here."

Clerk Mahoney: "Representative Soto is present. Stephens."

Stephens: "Here."

Clerk Mahoney: "Representative Stephens is present. Sullivan.

Representative Sullivan."

Sullivan: "Here."

Clerk Mahoney: "Sullivan is present. Tracy."

Tracy: "Here."

Clerk Mahoney: "Representative Tracy is present. Representative

Tryon."

Tryon: "Here."

Clerk Mahoney: "Tryon is present. Turner."

Turner: "Here."

Clerk Mahoney: "Turner is present. Verschoore. Verschoore.

Representative Wait. Wait. Washington."

Washington: "Here."

Clerk Mahoney: "Representative Washington is present. Watson.

Watson."

Watson: "Here."

Clerk Mahoney: "Watson is present. Winters. Winters."

Winters: "Present."



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Clerk Mahoney: "Winters is present. Yarbrough. Yarbrough."

Yarbrough: "(Inaudible)."

Clerk Mahoney: "Yarbrough is present. Younge."

Younge: "(Inaudible)."

Clerk Mahoney: "Younge is present. Mr. Speaker."

Mr. Speaker: "Present."

Clerk Mahoney: "Mr. Speaker is present. Acevedo."

Acevedo: "(Inaudible)."

Clerk Mahoney: "Representative Acevedo is present. Collins.  
Representative Collins. Dunkin. Representative Dunkin.  
Dunn. Representative Dunn. Feigenholtz. Representative  
Feigenholtz. Flowers. Representative Flowers. Fritchey.  
Representative John Fritchey. Giles. Representative Giles.  
Graham. Representative Graham. Hamos. Representative  
Hamos. Joyce. Representative Joyce. Molaro."

Molaro: "(Inaudible)."

Clerk Mahoney: "Representative Molaro is present. Mulligan.  
Representative Mulligan. Osterman. Representative  
Osterman. Phelps."

Phelps: "Here."

Clerk Mahoney: "Representative Phelps is present. Rita.  
Representative Rita. Verschoore. Representative  
Verschoore. Wait. Representative Wait. Giles."

Giles: "(Inaudible)."

Clerk Mahoney: "Representative Giles is present. Joyce."

Joyce: "(Inaudible)."

Clerk Mahoney: "Representative Joyce is present. Representative  
Flowers. Fritchey."

Fritchey: "Here."

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Clerk Mahoney: "Representative Fritchey is present. Collins.  
Representative Collins. Dunkin. Representative Dunkin.  
Dunn. Representative Dunn. Feigenholtz. Representative  
Feigenholtz. Flowers. Representative Flowers.  
Representative Graham. Hamos. Representative Hamos.  
Mulligan. Representative Mulligan. Osterman.  
Representative Osterman. Rita."

Rita: "Here."

Clerk Mahoney: "Rep... Representative Rita is present.  
Verschoore."

Verschoore: "Here."

Clerk Mahoney: "Representative Verschoore is present. Wait.  
Representative Ron Wait."

Speaker Lang: "Excused absences on the Republican side of the  
aisle. Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that  
Representative Black and Representative Schock are excused  
today."

Speaker Lang: "Representative Currie."

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

Speaker Lang: "Thank you. We do have a quorum. 106 Members..."

Clerk Mahoney: "Representative Feigenholtz is present."

Speaker Lang: "107 Members answering the roll, a quorum is  
present. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Molaro,  
Chairperson from the Committee on Judiciary II-Criminal Law,  
to which the following measure/s was/were referred, action  
taken on January 07, 2007, reported the same back with the

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following recommendation/s: 'recommends be adopted' is Floor Amendment #3 to Senate Bill 2737. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on January 07, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 862. Representative Hannig, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on January 07, 2007, reported the same back with the following recommendation/s: 'do pass as amended' Senate Bill 1537. Representative Scully, Chairperson from the Committee on Electric Utility Oversight, to which the following measure/s was/were referred, action taken on January 07, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur with Senate Floor Amendments 1 and 2 to House Bill 2197."

Speaker Lang: "Mr. Clerk, what is the status of Senate Bill 1714? The Chair recognizes Representative Currie for a Motion. Apparently, not yet. Mr. Clerk, what is the status of Senate Bill 1714?"

Clerk Mahoney: "House Bill (sic-Senate Bill) 1714's on the Order of Consideration Postponed."

Speaker Lang: "The Chair recognizes Representative Scully."

Scully: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to move this to Second Reading."

Speaker Lang: "The Bill shall be placed on the Order of Second Reading, Mr. Clerk. The House Rules Committee will meet

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immediately. And the Chair recognizes Representative Brady."

Brady: "Thank you, Mr. Speaker. The Republicans will caucus immediately in the museum room downstairs in this building."

Speaker Lang: "Can you..."

Brady: "The Republicans will go to a caucus."

Speaker Lang: "Can you give us an estimate as to the length of your caucus, Mr. Brady?"

Brady: "I can as soon as we're done. I don't know right now."

Speaker Lang: "Okay. That's a typical Republican Caucus. Have a..."

Brady: "I don't know about that, but..."

Speaker Lang: "Have an excellent time. The Democrats are going for ice cream."

Brady: "Thank you very much."

Speaker Lang: "Thank you, Sir."

Speaker Hannig: "The... the House will be in order. The Members please be in their seats. Mr. Clerk, would you read the Committee Reports."

Clerk Mahoney: "Committee Reports. 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 January 07, 2007, reported the same back with the following recommendation/s: 'approved for floor consideration and recommends be adopted' is Amendment #1 to Senate Bill 1740... 14; 'recommends be adopted' Amendment #3 to Senate Bill 1714; and 'recommends be adopted' Senate Joint Resolution 95."

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Speaker Hannig: "Representative Currie, for what reason do you rise? Okay. The Lady is recognized on a Motion. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move to suspend the posting requirements so that Senate Bills 1959 and 2674 may be heard in the Executive Committee."

Speaker Hannig: "You heard the Lady's Motion. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. On the Order of Second Reading is Senate Bill 1714. Mr. Clerk, do you wish... would you read... read the Bill."

Clerk Mahoney: "Senate Bill 1714 has been read a second time, previously. Senate Bill 1714, Amendment #1, a Motion to Concur, has been approved... or a Motion to Table, has been approved for consideration."

Speaker Hannig: "Representative Scully on the Motion to Table."

Scully: "Thank you, Mr. Speaker. I move that the House table Amendment #1."

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

Clerk Mahoney: "Floor Amendment #3, offered by Representative Scully, has been approved for consideration."

Speaker Hannig: "Representative Scully."

Scully: "Thank you, Mr. Speaker. I move for the adoption of House Amendment #3. The purpose of this Amendment is to address the issue that the original language of House Amendment #1 was language to maintain the status quo. The

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status quo has now changed; therefore, House Amendment #3 addresses the issue of freezing the interest... the rates at the price that existed prior to January 1, 2007."

Speaker Hannig: "The Gentleman has moved for adoption of Floor Amendment #3. Is there any discussion? Then all in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments have been approved for consideration."

Speaker Hannig: "Third Reading, Mr. Clerk. And this'll go back to the Order of Postponed Consideration. And now, on the Order of Postponed Consideration is Senate Bill 1714. Representative Scully."

Scully: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I present to you Senate Bill 1714 as amended by House Amendment #3. This is exactly the same Bill that we debated during the Veto Session on extension of the rate freeze. Over the past 24 months the Electric Utility Oversight Committee has spent a great deal of time analyzing the issue of the market for electricity in the State of Illinois. Several years ago the ICC issued an order finding that the market for competition in the State of Illinois was competitive. This is a fallacy. The market for electricity in the State of Illinois is competitive for business customers but it is not at all competitive for residential customers. There is no competition; that has not yet developed. The purpose of this legislation is to reinstate the rate freeze for 3 more years while we continue to develop a competitive market for residential rates. As I

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said, I was very pleased with the very intelligent debate that we had on this issue in November during the Veto Session. I'd be happy to answer any questions you have regarding this Bill."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 1714. Is there any discussion? Representative Krause."

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

Speaker Hannig: "Indicates he'll yield."

Krause: "Representative, you are right. During the past several years on the House Electric Oversight Committee I served as the Minority Spokesperson and you, of course, as chairman and we did hear 2 years of discussion and a lot of testimony on this issue. The concern I have about your Bill and the question I ask is you are aware and I am aware that in September of this year the auction was held and a number of contracts have been signed for electricity and that those contracts, of course, are at a rate considerably higher than what this Bill now provides. Do you expect, under this Bill, that those contracts... the utilities are still going to be obligated and that they are gonna go back out on the market for additional contracts?"

Scully: "It is my understanding that there are several different versions of those contracts some of which might be open to renegotiation of the price, others of which are not."

Krause: "The testimony that we heard, am I not correct, in committee is that those contracts were binding and I do not recall any testimony which provided that a supplier would be willing at this point to renegotiate? Did you hear... or did

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I miss that there were some contracts that you could renegotiate? Where was that testimony?"

Scully: "I don't recall."

Krause: "It seems to me and I'm just gonna ask it one more time, that we heard that there were close to 16 contracts supplied by suppliers, that those contracts were binding in order to go ahead on January 1, and that those rates were at about \$63... a megawatt hour and your Bill provides for 36. I guess my question again is, is where does any utility come up with the money because we are not, under your Bill, going to cover their costs?"

Scully: "One place they might be able to recover that difference is from the parent company, in the case of Commonwealth Edison that parent company is Exelon. Exelon being the company that now owns the nuclear power plants, those same nuclear power plants that were transferred from Commonwealth Edison to Exelon in a transaction that resulted in \$5 billion of goodwill as compensation to Commonwealth Edison for the nuclear power plants."

Krause: "But wasn't the testimony, and it's again a question I ask, brought out very clearly that in fact the... both under FERC, under Federal Law, that there is no way that a parent company could in any way take its money and give it to a subsidiary. The Federal Law prohibits it and specifically the testimony was, wasn't it, that they had to deal at arm's length."

Scully: "I do recall testimony to that effect."

Krause: "So, therefore, I do not believe, do you, that in any way a parent company could bail out and use its funds for



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these distribution companies, which I think is very clear cannot make the payments?"

Scully: "I disagree with that statement and merely because someone testified that they cannot subsidize a subsidiary that person's testimony is not law."

Krause: "But wasn't it clear in the discussion that in fact the Federal Law specifically prohibits these parent companies from using their funds for a subsidiary. I think that was established in a number of cases because if one... if a parent company could bail out a subsidiary then why couldn't they bail out all of 'em and soon they will be out of money in a few months also."

Scully: "You started with a que... your question with the statement, isn't it clear? And my response is, it is not clear."

Krause: "Sir, I... I think then we're gonna debate that on whether or not Federal Law here provides, in my judgment, Sir, it was. The testimony and we heard it for the past 2 years is that both of these companies, one said that they could proceed under six months, didn't they, and one said after one month that they would have to file into bankruptcy and have made that case. Is there any place else where they could get the funds to meet the market price of today?"

Scully: "Yes, from their parent company."

Krause: "All right. And if in fact it's established by the court and you and I can debate this all day that there is nothing in the law that provides for that and to the contrary the Federal Law specifically prohibits it. If the Federal Law prohibits it, Representative, is there any place

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else that any funds are available for these companies to try to provide any type of power to their customers?"

Scully: "Again, you and I disagree on the interpretation of the law. Your question is there are some other places they can recover the... those funds to which my response is, not that I'm aware of. I, again, restate my position that they can recover those costs from their parent company. In the case of Commonwealth Edison, specifically the parent company that purchased... that received the transfer of those nuclear power plants and did not pay fair value for those nuclear power plants."

Krause: "So, your only contention is, is that putting aside the Federal Law, that these distribution companies would have to look to their parent company and that there is no place else? Is that ri... is that how it would come out?"

Scully: "Again, you and I disagree on the..."

Krause: "No."

Scully: "...interpretation of Federal Law."

Krause: "I understand on the Federal Law which I thought was brought out a number of times at the committee hearings, but sobeit. Can Ameren bail out, as a parent company, how long can they continue to do that? Where or what if these companies have to bail out other states and don't have funding for this state because they are in a number of states?"

Scully: "I have not done a thorough analysis of the financial statements of Ameren, the holding company or the subsidiary. I have done extensive financial analysis of Commonwealth Edison and Exelon and Commonwealth Edison... excuse me... Exelon

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would be able to subsidize Commonwealth Edison indefinitely."

Krause: "Do you think you should that... in fact, Federal Law should be changed to provide for this? You think the U. S. Congress should provide for this?"

Scully: "Again, Representative, you and I disagree on the interpretation of Federal Law."

Krause: "Okay. To the Bill. As I stated, during the past 2 years I've served as Minority spokesperson of the Electric Oversight Committee and I do rise in strong opposition to this Bill, because if for any reason this Bill ever became a law it would provide for within a period of months the absolute catastrophe for these utilities. As stated by the Sponsor, the market price is around \$63; he's now done an Amendment to put the rate fees at \$36. There is... And we do not provide any way for these utilities here in Illinois to recoup their costs for getting the electricity supplied to our customers. There is nothing in this Bill that provides that Commonwealth Edison, Ameren Illinois or any of them are going to be able to pay their costs. Remember in this Bill, this is a pass-through. Under the auction, what was the auction price that came in they passed that through to their consumer; they make no profit at all under the cost of this electricity. It is passed all the way through. The profit as such that's made by these companies are on their distribution charge where Commonwealth Edison got about a one and a half percent; they get nothing out of this Bill or out of the costs that came. Through these past several years while we have heard and we've had the discussion in

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our committee, we had many people testify through these 2 years. At the same time that this was happening, the Commerce Commission itself was holding numerous meetings that set up five working groups in order to address this issue and they proceeded with the recommendation that there should be an auction. And we all know that finally that auction occurred in September of this year. No action was ever taken by this General Assembly in any way to address this issue before the auction was held, before all of these contracts were signed, we knew these contracts were going to be signed and the price came in higher than the freeze. So, we are faced today with the situation of putting through a Bill that we know the utilities here in Illinois cannot pay for. We are not giving them the moneys to cover the costs of the purchase contracts that they have signed. And we don't seem to have any solution or any remedy except to try to violate the very clear Federal Law which requires subsidiaries and their parent companies to deal at arm's length. We did have today, in committee, the same Electric Oversight Committee, a very fair and reasonable Bill which provided for a very good compromise in this issue of a phase-in over 3 years with no interest to be charged on that Bill. That Bill did pass out and this Bill, however, is not the answer to what has to be done. Somewhere there has to be a firewall that is going to be presented to stop the disaster that would occur if this became law. Whether or not utilities are forced into bankruptcy is an issue, but with that goes the consumers of Illinois that will be left without the reliability under this Bill and are being... going

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to be challenged with rolling bock... blackouts and a great deal of problems. And just one answer to say, maybe we can find someone else to pay for this, does not in any way serve the people of Illinois. We had all of this time to do something, we had all of the time before those contracts were entered into and we took no action of any type. The contracts were signed; they are binding and our view is is that those companies are gonna have to pay the billions there and somehow go out on the spot market and try to get other electricity which is going to cost our consumers even more. That compromise Bill was the answer to the problem we had at this time. In addition, the Commerce Commission as we know last month also issued orders on mitigation but those orders provided for a three and a quarter percent interest that was part of it. Both Bills require the utilities to give additional money in the area of helping as far as LIHEAP, other senior citizens going into efficiencies and into renewables. Those are good Bills and they are sound Bills. Further, the Commerce Commission, in another order that it issued on December 20, provides that it will do an annual review of the auction. That the next auction is around January or February of next year and that they will study it and look at a number of the issues that occurred this time. To me that is the way to proceed; to me we need to address all of those issues but not to let our people hang out there and let someone else stop.. step in and stop what is occurring this evening. This is not a sound Bill; it is not based on substance; it is not based on all the work that has been done. It is nothing but a Bill that

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is put out there for political reasons; it should not have been and there is no basis to support it. I urge a 'no' vote."

Speaker Hannig: "Representative Durkin."

Durkin: "Representative Scully, I have a few questions. One, will this legislation apply to any electrical co-ops in the State of Illinois, if it is signed into law?"

Scully: "Mr. Durkin, let me get back to you with an answer to that question. I do not know, but I commit to you, I'll get you an answer."

Durkin: "All right. Well, this is another one you may want to take this under advisement as well. There are municipalities, one in particular, Naperville and I believe Batavia, St. Charles, all have their own electrical distribution services. Will this legislation apply to those municipalities?"

Scully: "No, it will not, Mr. Durkin and in response to your first question, this legislation will only apply to those electric utilities which serve at least a hundred thousand customers. I don't believe any of the co-ops serve that large of a customer base."

Durkin: "Could you explain to me the rationale for exempting co-ops and municipalities from this legislation?"

Scully: "Because I think the legislation should be specifically targeted for those public utilities which are pro... for-profit corporations and in the case of Ameren and Commonwealth Edison, especially Commonwealth Edison, it is the subsidiary of a holding company that is immensely

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profitable and is, in fact, the seller of the electricity to Commonwealth Edison."

Durkin: "Are you concerned that all of the lack in uniformity or the perhaps equal protection issues which some people may say you're treating different... different entities under this basis, that is, ComEd, Ameren and also the municipalities and the co-ops?"

Scully: "No."

Durkin: "And I'll follow up and why aren't you concerned with that, Representative?"

Scully: "If we're referring to the Equal Protection Clause of the Constitution, there's a very substantive difference between an electric utility that is a for-profit corporation and a co-op or a municipality. And that is a substantive difference that would take this issue outside of the scope of the Equal Protection Clause."

Durkin: "Okay. Now that we're talkin' about the Constitution, I have a couple questions regarding that. The previous speaker had asked you about the contracts which were previously entered in back in September and you said that they were signed, entered, and some of them would be able to renegotiate, other ones may not be able to renegotiate. Is that correct?"

Scully: "I have not read the actual contracts. I have seen text from the contracts, which indicated that some of the contracts might be renegotiable based upon our change in the law."

Durkin: "But I believe you also said that some you may not be able to renegotiate. Is that a fair statement?"

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Scully: "I'm... I'm saying that that is a possibility. I have not read all the contracts. But I am... I am stating to you that I've seen two different versions of the contracts."

Durkin: "Okay. Now, under our United States Constitution Article 1 Section 10, it says, 'no state shall enter into any law impairing the obligation of passed regs or Illinois Constitution Article 1 Section 16, no... it prohibits the... the state or any law impairing the obligation of contracts from being passed. I mean, I... to me this legislation is clearly going to end those situations where the... there is no ability to renegotiate. We have clearly impaired with those contractual rights. Would you agree or disagree?"

Scully: "I disagree. We're not impairing their contractual rights. We are addressing the issue of what is the cost that is being passed on to the consumer."

Durkin: "Well, we, in a big way, are indirectly impairing that contract and I think a court would also agree as well. Correct?"

Scully: "Mr. Durkin, if you're asking me if I agree that that's your opinion, I certainly do agree that that's your opinion. I do not agree with your opinion."

Durkin: "Well, you're right. I understand. You're a good lawyer, George, and when it's a... that's a good response. But I think that this is problematic and we have to assume that any legislation that comes out of this chamber there is a very good possibility that it would get signed into law. And this is something which I'm concerned about that at some point we will be dealing with... in contracts which you cannot renegotiate, that there will be multiple challenges, both of



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us will agree, to this legislation, but in this particular area about the impairment of contracts that were unable to be renegotiated, we're gonna start going downward. We're going down a road as we did a few years ago on that video game legislation where the state actually had to pay the legal fees because of legislation which on its face was just not constitutional. Now, let me ask you... I have another question. Back in the committee hearings, back in October, there was comments made that... that if perchance Commonwealth Edison or Ameren went into bankruptcy that a bankruptcy trustee would do a better job at administering power in the state than... than the power companies. Do you recall comments made to that effect?"

Scully: "I specifically recall that I made no such comment."

Durkin: "Okay. Now, do you think that the trustee... what... Let me just ask you this. This is my last question. What do you believe the role of that trustee is in the bankruptcy? Do you believe it's a fiduciary responsibility that that trustee has?"

Scully: "A trustee in bankruptcy does have fiduciary responsibilities."

Durkin: "And who's that responsibility to?"

Scully: "The trustee's primary responsibility is to the creditors of the estate."

Durkin: "That's correct. Now, I just... I did my research; both of us are able lawyers. Now, the U. S. Supreme Court has clearly defined what the role the trustee is. Now... and they... this is Justice Marshall, Thurgood Marshall, in Commodity Futures Trading v. Weintraub. It's a 1985 case,

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and he specifically said, 'upon the commencement of a case in bankruptcy, all corporate property passes to an estate represented by the trustee. The trustee is accountable for all property received and has the duty to maximize the value of the estate.' In light of the bankruptcy codes allocation of responsibility, it is clear that the trustee plays the role most closely analogous to that of a solvent corporate... corporation's management. That trustee's responsibility is strictly to the business which is struggling. It is not to the consumers; it's not to the public. So, I believe that when we... we're saying that a trustee's gonna do a better job of running power in this state, they don't care about what the people... the people who are being provided the power, the people who are paying the bills, it's about how do we get ComEd and Ameren back up on the ground. If I'm not mistaken, they have the ability to preempt State Law because that is what happened in California and that's how they got out of that crisis, is that trustee through the bankruptcy... the Bankruptcy Act was able to do that. So, if this legislation goes into place, it really is gonna have little effect because that trustee or trustee is placed in, it takes over the management of ComEd or Ameren, it's gonna be about... their responsibility is strictly to the creditors, the shareholders and the people... and you keep that business going. It's not in the people of the State of Illinois. So, with that, I have no further comments. I hope the people in the Legis... in this Body realize exactly the road we're going down and really think hard about your vote. There's a lot of politics that have been used, but... and a

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lot of rhetoric, but think exactly about what the future might be. And I hope that you all realize it before you take your vote. Thank you."

Speaker Hannig: "Representative Flider."

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

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

Flider: "Okay. I rise in support of this legislation for a number of different reasons and I believe that this legislation, while there are certainly many criticisms of it, this legislation represents our first and best opportunity to begin the process of passing legislation that reforms our utility regulatory laws. Now, just like in the telecommunications industry and other industries that the state regulates, from time to time laws need to be revisited and re-regulated or revised and there's no better example, no more prime example, than the laws that govern electric utilities. It's a flawed system. Right now we have a system in which the electric prices that consumers, customers of electric utilities will pay, are going to be higher than they should be, higher than they need to be. And the reason is that there is no incentive whatsoever for electric utilities to buy the lowest cost power that they can. Let me give you an analogy. With regard to natural gas utilities, whether it's a company like Ameren or whether it's Peoples or whether it's NICOR, they go out on the open market and they buy natural gas. And they're buying it from suppliers who... are they are not affiliated with. But they go out on the market and they buy natural gas and then they

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have to come back and go before the Illinois Commerce Commission and prove that they purchased the lowest price gas that they could. And if they do not prove... if they cannot prove that they've purchased the lowest priced gas that they could, then they could face a disallowance. So, what that is is that's a guarantee for consumers that the gas utilities are buying gas at the lowest cost that they possibly can. What we have in the electric side is we have no such assurance. What we have is the situation where the electric utilities are going out and buying the power and the situation is there is no review at the Illinois Commerce Commission that they have purchased power at the least cost possible for consumers. Now, how did we get into this situation? Well, the law, right now, the way that the utilities are buying power they are members... they are owned by utility energy holding companies, energy companies that own not only the utility but they also own some of the power plants which are selling power into the open market. Now, imagine if you will the management of the utility companies they have an incentive, they have a directive that they're giving to the utilities, which are responsible for providing power, their directive is, whatever you do get enough power and whatever you do make sure you recover your costs. I mean, that same management is directing the subsidiary that sells the power into the open market, whatever you do maximize the value of those power plants, whatever you do make sure that you can get the most out of those power plants that you can because after all now what we're after is stockholder value and higher profits. And who can blame

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them; that's their job. That's the job of the power generating companies to try and get as much as they can out of the sale of power. While there's some information I thought you might be interested in and I did a little research and... and this is information that's readily available to you and everybody else because it comes from the Securities and Exchange Commission. It's filings that have been made at the Securities and Exchange Commission this year in September. Just by way of reference, keep in mind that the price of power through the reverse auction is from \$65 a megawatt hour to \$85 a megawatt hour in downstate Illinois. In 2005, the contracted price for power when utilities exchanged powers... power between power plants and their own affiliates was \$18 a megawatt hour. When they're selling to their customers, wholesale and retail alone had an average price of \$35 a megawatt hour and power in the interchange market sold for an average of \$47 a megawatt hour. So, here we are with a situation where there's no incentive to keep prices down, a reverse auction process that the utilities themselves went to the Illinois Commerce Commission and sold and said this is what we need to insure power for our customers results in a price that in some cases is 240 percent higher than what they sell it to themselves for. So, that is why I believe we have an artificially high price... artificially high market price for electricity. So, I think we all wanna try and be fair in this Body and wanna try and do the right thing. We wanna try and come to this problem as best we can with the unique set of... of the way that we look at things, but in my opinion

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the best approach that we can take right now to insuring low cost power in the future is to pass this Bill because I believe utilities will come to the table with plan 'B'. Ya know, they pay an awful lot of attorneys an awful lot of money to figure out these kinds of issue and these kind of things and I truly believe that we're gonna see them with some additional plan, some idea that they can come forward with that will actually reduce the price of power in the future. So, I would ask you to support this legislation. Thank you."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. George, I don't have any questions. I think a lot of people do and I have a lot of respect for you and your handling of any issue, as a Legislator you do a good job, but... so these comments aren't directed at you, Representative Scully. I'm not sure who's directing all of the policy on your side or the direction, but ya know, the politics that we're playing today is creating one of the cruelest hoaxes we've done as a state in a long time. We are giving citizens of this state a false sense of hope that their electricity rates are gonna be frozen for the next year. Everybody... The next 3 years. Everybody in this room knows that's not true. Everybody in this room knows that we can't freeze rates for the next 3 years and that it won't happen, that the courts will step in, the ICC will have to step in or somebody'll step in but because of the need, the desire to play politics in the worst way, we're fooling the people of the State of Illinois. Does it bother anybody in this institution and

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ever... does it ever cause you to wonder why people don't have any respect for politicians anymore, why people don't think we tell the truth, that they don't trust us, that they don't believe us? I watched last weekend the funeral of Gerald Ford and the fascination... the fascination by the American public of Gerald Ford more so than I really thought ever existed. But given what's gone on in this country over the last couple years and in this state of always playing politics, people looked at Gerald Ford as a man who, while he always didn't do the easiest thing and maybe in some people's minds things that weren't politically popular, at least in Gerald Ford's mind, he always did what he thought was right. And today is an example once again in the State of Illinois where we're playing politics above all else, people have no more faith in us 'cause we don't tell the truth. Ten years ago we tried to establish... 10 years ago we tried to establish a long-term energy policy for the State of Illinois. It was gonna have some pitfalls; we were gonna have some bumpy roads, but for once, perhaps, we would actually think long-term and not be shortsighted and not grandstand. It wasn't gonna be easy. Three years ago we decided to extend a rate freeze for three more years. It wasn't well received but we did it. We tell the electric companies 10 years ago, we want you to make capital improvements; we want you to improve reliability; we want you to do a number of things to make sure that you go along with our plans for a long-term energy policy in the State of Illinois. And what are we doin' today? We're saying energy companies, electric companies, transmission companies,

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generating companies, sorry, lied; we take it back; we don't mean it. We're gonna change the rules on ya one more time. Is that how we treat people in the State of Illinois? We lie to 'em. We tell 'em one thing; we tell 'em to make a commitment and we change the rules on 'em. Why would you do business in the State of Illinois when we treat people like that? And I know someone's gonna stand up and say, well, we need the rate freeze rates to take care of everybody. No one wants rates to go up; I don't want rates to go up. I don't like getting my electric bill anymore than anybody has in this room. I don't like payin' that electric bill; I don't want my rates to go up. But to change the rules to the companies in the State of Illinois, it's not right. And you wonder why people don't trust us anymore and you wonder why people don't believe us anymore, because we lie. We change the rules. You wonder why people question what goes in... on in Illinois politics when all we do is act shortsighted. We've gotten a good dose of that over the last 4 years at a higher office where we play politics above substance. And many of you on the other side of the aisle have been frustrated by that where you say, when are we gonna start thinking long-term about pensions, when are we gonna start thinking long-term about budget, when are we gonna start thinking long-term about spending, when are we gonna start long... thinking long-term about Medicaid. We complain about it with everybody else or at least with certain Constitutional Officers and we play the same game today. We play the same game today. I understand politics; we all do; it's the business we're in. I can understand



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last Session when we had an opportunity to do something that people filed Bills and said, we gotta do something about electric rates and nothin' happened. I understand that game. I can even understand the game that was played right before the election. We gotta have a special Session and stop those rates. We all know that game. But we're now here after the ICC has ruled, we're all here after the contracts have gone into place, we're all here when we know that the federal regulatory agency and the federal courts aren't gonna let this happen, but yet we continue to play politics during the Veto Session when it means absolutely nothin'. It's a hoax. Let's not kid ourselves. Let's not kid the people of the State of Illinois. We have an opportunity to continue with the long-term energy policy and soften the blow of these rates by sitting down and compromising on a Bill. You wonder why people are frustrated with government. They're frustrated with government when people in power say, it's my way or the highway. They're frustrated when people, men and women, can't sit down in a room and work out something for the better of the people of the State of Illinois. Republicans at the federal level, I think, got a dose of that on Election Day by having an attitude of saying it's my way or the highway. It's not healthy. It's not what government's about. We have an opportunity to do the right thing, an opportunity to have some long-term thinking in this state and we're gonna try to blow that all up tonight by passing a Bill that's irresponsible. And we all know that. When are we gonna start as a state to finally say, let's be real;

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let's been genuine. Understand at times we're gonna play politics, but this isn't the issue to do it. We need to be stronger and we need to be thinking as a state on a variety of issues: education, as I said, Medicaid, pension, the list goes on and on. But this is a shame and for us to be able to go back to the people in our districts and say to Mrs. Smith, oh, I voted to freeze your rates, is unfair to Mrs. Smith. 'Cause we all know when we're talking to her and looking at her in the eye that that's not gonna happen. That's the cruel hoax. That's the cruel hoax to Mrs. Smith; it's the cruel hoax to the people that own companies in this state; it's a cruel hoax to the voters of this state and it's a cruel hoax perpetuated by this Body. I know how people are gonna vote today. I think it's a mistake. And you have to do, I guess, what you wanna do. But keep in mind, if we are ever gonna restore faith in this process and we're all worried about ethics, we're all worried about the image of our Parties and the image of politicians, tonight is not rehabilitating the image of political Parties in the State of Illinois. Mr. Speaker, Mr. Scully... Representative Scully, I appreciate your work on this. But I would encourage people to think a little longer, a little harder tonight before they take their vote. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Giles. And Representative Winters, you'll follow him."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question or two?"

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

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Giles: "Thank you. Representative Scully, I know you've worked long and hard on this piece of legislation, but ya know, I truly have to ask you a couple questions, maybe from a layman's perspective. Ya know, I've heard a lot of rhetoric about this particular issue and of course, probably half of our constituencies are scared to death that their rates... that their rates may go up and that their... that they will have to pay more for their electricity and of course, I don't wanna pay more myself. But let's just say for instance suppose the utilities are not crying wolf, that at the end of the day if we put a rate freeze on this particular... if we extend the rate freeze, that ComEd would actually... actually go bankrupt. Do we have a plan in place or do we have something that will make us or our constituency feel comfortable that the slack will be taken up? Do we have any type of plan in place if ComEd do go into bankrupt?"

Scully: "First of all, Mr. Giles, I disagree with the assumption upon your... which your question is based. Second, if Commonwealth Edison did go into bankruptcy, there was testimony in committee that it would continue to operate. It would merely be a question of whether or not there is a bankruptcy trustee with supervision over the board of directors. But there is no testimony anywhere on the record that they would stop operating."

Giles: "Well, ya know, there has been a lot of talk that, ya know, if we extend this rate freeze then... then they will and... and that scares a lot of individuals, especially our constituency, to death knowing that if they go into bankrupt

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they run out of money then they cannot provide the services, they cannot buy electricity, they cannot provide the services and of course now we have blacked outs... rolling blackouts, such as they had in California. Now, we're lookin' at a small catastrophe, maybe a Katrina. So, there is a lot of fear there and I think that fear has some... some legitimacy, something that we should address. We need to have a plan in place."

Scully: "Do you want me to respond to that question?"

Giles: "Yes."

Scully: "Frank Clark, the president of Commonwealth Edison, stated that Commonwealth Edison would continue to operate in his testimony on October 9 of 2006."

Giles: "Okay. Ya know, for... Representative Scully, for... and let me just say this for maybe legislative intent and this is something that I truly believe in is something that I think I've done over my years and many have done so and I'm sure you and of course, the Speaker, have done so and that is, ya know, trying to negotiate and trying to bring about a peaceful solution or a compromise to anything that we do in this Body. Have you or the Speaker at some point met with the ComEd officials prior... trying to work out some type of compromise prior to bringing forth this legislation, this rate freeze legislation? Have you actually had the Speaker have actually sat down and met with ComEd to try to work out some type of peaceful solution?"

Scully: "I don't recall the specific day, but it was in the first two weeks of November of this... two months ago I met with the chief executive... chief financial officer of

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Commonwealth Edison, Mr. Robert McDonald, at his offices to review these financial issues."

Giles: "You say you met with them, but was there any further talk or negotiation or any language or compromise to... to begin to work towards to try to bring forth a peaceful solution, because this legislation affects all of us and everyone is sitting on pins as to what's gonna happen. None of us wants our rates to go up, but nevertheless, we do not want to jeopardize service in the State of Illinois. I know you don't want your constituency to be in the dark just like I don't want mine. So, I, ya know, I'm just askin' the question, was there a true... was there a genuine sit-down between maybe your office, the Speaker Office with the president of ComEd or the officials of ComEd to see if we can work this out, could this be worked out. This is too major and big of an issue not to have some type of compromise language."

Scully: "Following the October 9, 2006 hearings on this... on the rate freeze issue, I did have a telephone conversation with Mr. Frank Clark and we did discuss the issue of whether or not a... there is middle ground. We both agreed that we thought middle ground did exist but it has... it has... they have made no proposals to me for middle ground."

Giles: "Okay."

Scully: "Second... and I initiated that telephone call to Mr. Clark. I also sat down the following month with the chief financial officer of Commonwealth Edison and one of his chief financial officers, one of his senior people, to discuss these financial issues. I instigated that. I went

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to their offices; we had a very healthy discussion, but they've made no proposal to me."

Giles: "Representative, the ICC have been working on this issue many years. I'm not sure... I'm sure you could probably give the number of years that they've been workin' on this particular issue and of course, the ruling that they've made concerning this particular issue. Have... have you have had any conversations with the ICC about their ruling whether you agree or disagree, have you had any conversation with the ICC?"

Scully: "I've not had any conversations with the ICC in the past three months."

Giles: "Past three months. To the Bill. Ya know, I just think that this is a such of a dire issue. I think all of the State of Illinois is in a uproar when it comes to what's going to happen with their utility bill, with their electric bill. I just truly feel... my soul feel unrest because I believe we are dressing down one particular company in the State of Illinois. I would feel better if we... if we could bring in all these companies that serve our constituencies in the State of Illinois and maybe put a freeze on all those companies that charges us high rates, whether it be from the cable company all the way to the telephone company, any company that provides service in this state that their rates are too high and we're gonna put a freeze on them and then we're gonna take a look at them after 3 or 4 years and see if we're gonna extend that or not. If we did that with all the companies in the State of Illinois, I think we would... I think this particular argument, this particular situation,

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would be more forgivable, this particular situation would be looked at with a little bit more of validity. I just feel that we need to look at what we're doing here. I believe that this is one situation I think needs some true compromising with... because this affects all of us in a very serious way. And so at this time, I'd just simply once again I just cannot support legislation in which no real negotiation or compromise, because that's what we do here. That's what we do on all the legislation that we deal with here. We compromise; we negotiate; we come to a peaceful solution if we can and especially if we're looking at trying to help our constituencies and the people of the State of Illinois. Thank you."

Speaker Hannig: "Representative Winters. And Representative Sacia, you'll be next."

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

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

Winters: "Representative Scully, I'm not an attorney but one legal question. Did you get any better grade in Constitutional Law than Governor Blagojevich? And you don't need to answer that if you don't want to."

Scully: "I don't know the answer to your question, Mr. Winters."

Winters: "Moving maybe to a question of logic then, since I'm not an attorney. You said repeatedly under questions from Representative Krause, that if Commonwealth Edison, in fact, was not able to recover its costs because of this rate freeze that they could go to the parent company, Exelon, and ask them to bail out and you later stated that they could do that indefinitely. I believe that was a fair

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characterization of your comments to her questions? That the major role that they... or the major avenue they could take would be to have the parent company subsidize their losses."

Scully: "Yes."

Winters: "Well, let me... let me take this then with logic. Exelon also has a major subsidiary in Pennsylvania. Now, it would seem logical to me that if we expect Exelon to bail out ComEd, that if we pass a rate freeze here what is illogical with the Pennsylvania General Assembly saying, well, let's just make our rate one penny per kilowatt hour and we'll have Exelon bail out our utility. Because the same logic if they're going to bail out Commonwealth Edison, they would have to bail out the Pennsylvania utility. What would stop Pennsylvania from just saying, well, we're gonna give away free electricity as long as Exelon will pay for it?"

Scully: "I'm sorry, Mr. Winters. What was your question?"

Winters: "The question is, what's illogical with Pennsylvania taking a public policy to have their utility bailed out by this magnificent super Exelon? How can you expect another state to see that parent company subsidize Illinois if we don't ask 'em to subsidize themselves?"

Scully: "One major difference between the relationship of Exelon to Commonwealth Edison in the State of Illinois as opposed to any other state is that Exelon acquired nuclear power plants on October 20 of 2000. Those nuclear power plants are in the State of Illinois; they're bought and paid for by the people of the State of Illinois a long time ago. And



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Commonwealth Edison, in exchange for those \$7 billion of nuclear power plants, Commonwealth Edison got \$2 billion of hard assets, I still haven't found and \$4.89 billion of goodwill, which in my personal opinion is absolutely worthless. Second, during the past 10 years, Commonwealth Edison... during this rate freeze... Commonwealth Edison has continued to be very profitable. They continued this profitability all the way through and up to year 2005. There... they had profits of approximately 6 to 7 hundred million dollars per year. In 2005, they did sustain a loss, though. They sustained a loss of about \$634 million. The major reason for that loss was because Commonwealth Edison wrote off \$1.2 billion of goodwill. An acknowledgement by Commonwealth Edison on their financial records that the goodwill is worthless. That's why Commonwealth Edison is losing money is 'cause they gave the nuclear power plants away for \$5 billion of goodwill. That's the difference between Illinois and Pennsylvania."

Winters: "If they were making so much money in Illinois, their cash position would be better than they are today. Their cash position is such that in round figures, layman's terms, if we pass a rate freeze, they will lose so much money each month that their cash will last them approximately six months. I'd like to move on to Ameren, which in testimony before the committee this October stated again in round numbers, that I'm drudging up from my memory, but in round numbers they spend just under \$200 million a month in gas. Ameren supplies both gas and electricity from the distribution outfit. Now, their cash position is they have

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somewhat less than 400 million in cash and ready credit. They stated that at that time that if we put a rate freeze on, they'd already been told by the gas distribution companies they buy gas from it would be cash on the barrelhead before delivery and that by mid-February they could not guarantee gas deliveries across Central Illinois. To the Bill, Mr. Speaker. This Bill is about reliability, reliability for Illinois companies, for Illinois families who want to see their homes heated and the lights kept on in their homes. If there is no cost recovery allowed, which the federal courts say, in many cases, that... that that is one of the underpinnings of utility law is that legitimate costs are recovered. California tried to get around that and what did we see? Know that the utilities did not stop operating. Representative Scully was correct. They didn't just stop generating power and stop distributing it, but what they did is the reliability failed. There were rolling blackouts; there were brownouts that damaged thousands of computers; companies were not able to get people off of elevators in high rises; they couldn't run their production facilities; people went home because there were no jobs and when they got home there was no air conditioning. Is that what we want Illinois to do? When we already have the example from California of what not allowing cost recovery will happen. This, as Representative Cross said, is a false sense of hope that we can continue to give you power at the same rate we have the last 10 years. It is a different world. We cannot go back to the time of cheap gas and cheap coal. What we need is we need to be able to light our house

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when we turn on that switch. To do that, we need reliability; to get reliability, we have to allow them to recover legitimate costs. They're not making a penny of profit on these sales of electricity to the consumer. Their profit is only in the distribution, not on the sale. If we pass this freeze Bill, it will disable our utilities, it will ruin our reliability and we will be back here very soon to try to rectify the horrible mistake that we will make if we, in fact, freeze rates. Thank you."

Speaker Hannig: "Representative Sacia."

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

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

Sacia: "Ladies and Gentlemen of the House, I have the privilege of representing a predominantly rural area, predominantly farmers. And in northwest Illinois, farmers in order to deal with their lifestyle often make light of some of their own mistakes or their own way of dealing with life. One that comes to mind is they tell the story about a farmer who was buying hay for a dollar a bale and selling it for a dollar a bale and he wasn't making enough so he bought a bigger truck, and it always gets a chuckle. And the other one is about a farmer that wins the lottery and his neighbor said, 'What are you gonna do with the money?' He said, 'I'll just keep farmin' 'til it's all gone.' And it always gets a chuckle, but it's got a real sad tragedy. Farmers choose a lifestyle. They choose a lifestyle where they know they might win a year; they know they might lose a year. Maybe some of you from the urban districts don't know it but several years ago when it cost \$40 a hundredweight to

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produce a hog farmers were selling them for \$9 a hundredweight and a lot of them went out of business. It was tragic. What's even more tragic tonight is there isn't anything anybody can say on this floor that is gonna change anybody's vote, and that is absolutely sad. The amount of misinformation that is out there is absolutely astounding. I think what saddens me more than anything is more and more we are taking the posture of not being a capitalistic society. We are not allowed to make a profit. Commonwealth Edison makes too much money. Exelon makes too much money. We hear it over and over and over. Ladies and Gentlemen, do you know what it costs Commonwealth Edison to maintain their lines in Illinois for 1 year? One billion American dollars for 1 year. But we don't want 'em to make a profit. And, Representative Scully, you know I have profound respect for you and I know you've been a lawyer your entire life. I've spent my entire adult life in a courtroom and you and I both know, Sir, it isn't a matter of interpreting Federal Law. Federal Law says a parent company cannot loan or give money to a subsidiary. General Motors cannot bail out Chevrolet. Exelon cannot bail out Commonwealth Edison. If I may ask you a question, Representative Scully. How much... what percentage can Commonwealth Edison purchase from Exelon? What percentage of electricity? There is a figure. You're looking for it, Sir. It's 35 percent. Roughly."

Scully: "Thank you, Mr. Sacia."

Sacia: "Round numbers. So, that's all they can buy. So the argument that's out there that they're just gonna give their company a real sweet deal is not reality even a little bit."

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The real tragedy, Ladies and Gentlemen, is you cannot, you absolutely cannot purchase electricity for \$63 a megawatt hour and sell it for \$36 a megawatt hour. As I said earlier, there isn't anything I can say or anything anyone else can say tonight that's gonna change the minds that are already made up, but we have a tragedy in the making here. Representative Cross articulated it better than I ever could hope to. But we have an obligation as Legislators to not let a company like Commonwealth Edison or Ameron (sic-Ameren) hang out to dry. Thank you, Mr. Speaker and Representative Scully."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Bill. I would like to speak not on behalf of Ameren, Exelon or either Commonwealth Edison, I wanna talk about the people. We just gave the people of the State of Illinois who makes minimum wage a dollar increase an hour. And here Commonwealth Edison wants to raise the rate 25 percent. How are the people going to make it? How are they going to be able to keep their lights on? What should they do? I heard one of the previous speakers talk about the rate of a cable company and the rate of Commonwealth Edison. I could live without my cable; I cannot live without my electricity. But more importantly, let me just give you a little bit of history. Back in the '90s... early '90s... I was vice chair of the public utilities and I'm reminded of those days because Commonwealth Edison had what you call excess capacity; they were... they were venturing off into other businesses other

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than providing electricity. They was off into refrigeration and other things. And there was a loss to their shareholders and if my memory serves me correctly, and it's been a long time, so please forgive me if I misspeak. If my memory serves me correctly Commonwealth Edison did not do very good and so they decided that they would pass on their losses on to the ratepayers. They charged us more and as a result of charging us more... it was wrong because it was their mistake and we shouldn't have to pay for their mistakes... they built excess capacity in regards to their nuclear plants. They didn't care because the rate was in out... the base was in... was in our payment and so there was guaranteed funds for them. We called them in and we found out about what it is that they were doing. They didn't give a freeze just because they wanted to do good by the people of the State of Illinois. They gave a freeze because they overcharged us. Back in those days, we were the highest paying in the Midwest, when the rates for purchasing electricity was very low back in those days, but it wasn't low for us. So, we were... we were paying a very high rate. In regards to the freeze, if you ask any of my constituents about a freeze they are asking what are you talkin' about? Their rates may have been frozen but our utility bills have been going up, up and up. There's more people with more electricity or different things that they use electricity in their homes for, so it's impossible for this company to be going down or losing any moneys. So, when you talk about a rate freeze, as far as I'm concerned, they're just playing catch up. When you talk about... even Representative Flider

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spoke about how much it costs today and how much we're being charged for it. But the most important part about this legislation in my opinion is back in 1997 we passed what was called... the General Assembly enacted the Electrical Service Customer's Choice and Rate Relief. As a result of this, there should have been some competition. There is no competition. Exelon, ComEd and Ameren, they're all one company, so there's competition amongst themselves. There is no other place for me to go. If I was a business, I could go to some other company, but because I'm a ratepayer and just have a small business or my home, I'm stuck with Commonwealth Edison. I have no choice. When these people cannot afford their utilities, who do they turn to? Maybe there's enough moneys for some type of subsidy, maybe there's not. But then, what should we do; what should they do if they need their respirator to stay on and they can't afford it because they don't have the moneys? We have to think about the people. Commonwealth Edison and Exelon is not in compliance with the law. If they... if there's a contract that needs to be renegotiated as far as I'm concerned it wasn't negotiated properly in the first place because they were not in compliance with the law dealing with the competition. I would urge each and every last one of us to take in consideration of our constituents who have not had a 22 percent pay increase. We only gave them a dollar an hour increase. I would appreciate it if you'll remember the senior citizen who has an increase in their medication but have not had an increase in their Social Security. I would appreciate it if you'll remember the

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people that's trying to pay their gas bills and their light bills. We're not trying to take away the competition from businesses here in Illinois, but you have to be fair to the people. Thank you."

Speaker Hannig: "We have two more seeking recognition. Representative Tryon will be next and then Representative McCarthy and then we're gonna close. So, Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask the Gentleman some questions about his Bill."

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

Tryon: "Thank you. Representative Scully, I know that you've worked on this issue for probably most of your career in the Legislatures here... the Legislature here, so I know you're well-informed about it and I know that reliable energy is important to you. It's important to all Illinoisans. And although you have indicated a lot about the financial condition of Commonwealth Edison you have not yet hit too much on what Ameren and how they interact in our state and their solvency as a utility, if we were to pass this rate and freeze. And this is my question, Ameren, in their audited financial statements, have published that in the Illinois operations they have made a hundred and twenty-five million dollar profit last year; they made, in their electrical operations in Missouri, somewhere around 350 million. Ameren has publicly stated that if we freeze the rates for the next 3 years they will lose, this year alone, a billion dollars. If they only profited last year a hundred and twenty-five million dollars, where would they



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make up the subsidy for the loss of a billion dollars, if their total company profit was only 600 million?"

Scully: "Representative, are you referring to the Ameren the public utility or Ameren the holding company?"

Tryon: "I'm talking all Ameren operations last year profited \$600 million. Their anticipating a loss in Illinois operations, if this Bill were to go into effect, of a billion dollars. How would they make up that subsidy?"

Scully: "I am suggesting that the public utility subsidiary should receive financial support from the holding company which is substantially more profitable than the subsidiary public utility."

Tryon: "Well, all Illinois subsidiaries only profited a hundred and twenty-five million dollars last year. So if they lose a billion dollars in Illinois and there's only 400 million more that they have from all their operations, where would they get the money to stay in operation?"

Scully: "I'm not familiar with the numbers that you're referring to so I am incapable of responding to your question."

Tryon: "Thank you. And that's the problem I'm having, Representative. Ya see, when I make my vote today I have to make it on the facts that I have because back home it's about reliable power. Ameren and Commonwealth Edison have already told us what they're gonna do if in fact this rate freeze goes through. They will begin to cut services that we now have become accustomed to. Things like being able to trim trees and customer service things that are very important, I think, to all of us. Therefore, we're gonna see our level of service drop, but more importantly, when I

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make this decision today, it's gonna be about keeping our investor-owned utilities financially healthy. And even though you tell me you don't think that's gonna happen or you don't have the financial figures for Ameren and what their profits were last year for all of their operations, I then am gonna have to rely on Moody's and Standard & Poor's, the same people we rely on as a state to rate our bonds when we go seeking to borrow money. We know that those are two of the world's leading financial and analyst institutions. Each of them have said, independent of one another, that if Illinois extends this rate increase (sic-freeze) both of these utility companies will become insolvent. I have to put some kind of credence to what those reports are telling me and I have to vote today for reliable energy. I think Representative Cross said it well, today we have to do the right thing. This is not the right thing. The right thing is to not put at risk our investor-owned utilities into bankruptcy in which the State of Illinois would have to bail 'em out, because I see no way that Ameren would be able to recover from this type of a financial loss. Because of that, I urge each and every one of my colleagues to reach down inside and do the right thing and vote 'no' against this Bill so we can consider some legislative action that is fair to the utilities, fair to the consumer and that will keep Illinois's economy healthy. Thank you."

Speaker Hannig: "Okay. And Representative McCarthy does not wish to speak so Representative Scully you're recognized to close."

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Scully: "Thank you, Mr. Speaker. I want to thank my colleagues for a very intelligent debate of a very serious issue. One of the speakers mentioned that there's been a lot of disinformation about this issue. I think we as a Body have done an excellent job of doing the best job we could to get this information out onto the table, to not make these arguments and make these debates based upon emotional issues but by the hard public policy issues that we must address. I ask for your support for this Bill and I look forward to working with you on maintaining long-term competitive, reliable electricity in the State of Illinois."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 1714. And so the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. Mr. Clerk, call the roll. Mr. Clerk, call the roll."

Clerk Mahoney: "Acevedo. Acevedo."

Acevedo: "Present."

Clerk Mahoney: "Acevedo votes 'present'. Arroyo."

Arroyo: "(Inaudible)."

Clerk Mahoney: "Arroyo votes 'aye'. Bassi."

Bassi: "Pass."

Clerk Mahoney: "Bassi passes. Beaubien."

Beaubien: "No."

Clerk Mahoney: "Beaubien votes 'no'. Beiser."

Beiser: "Aye."

Clerk Mahoney: "Beiser votes 'aye'. Bellock."

Bellock: "No."

Clerk Mahoney: "Bellock votes 'no'. Berrios."

Berrios: "Yes."

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Clerk Mahoney: "Berrios votes 'aye'. Biggins."

Biggins: "(Inaudible)."

Clerk Mahoney: "Biggins votes 'no'. Boland."

Boland: "Yes."

Clerk Mahoney: "Boland votes 'aye'. Bost."

Bost: "Pass."

Clerk Mahoney: "Bost passes. John Bradley."

Bradley, J.: "Aye."

Clerk Mahoney: "John Bradley votes 'aye'. Rich Bradley."

Bradley, R.: "Aye."

Clerk Mahoney: "Rich Bradley votes 'aye'. Brady."

Brady: "Yes."

Clerk Mahoney: "Brady votes 'aye'. Brauer."

Brauer: "(Inaudible)."

Clerk Mahoney: "Brauer votes 'present'. Brosnahan. Brosnahan."

Brosnahan: "Pass."

Clerk Mahoney: "Brosnahan passes. Burke."

Burke: "Present."

Clerk Mahoney: "Burke votes 'present'. Chapa LaVia."

Chapa LaVia: "Aye."

Clerk Mahoney: "Chapa LaVia votes 'aye'. Chavez."

Chavez: "(Inaudible)."

Clerk Mahoney: "Chavez votes 'aye'. Churchill."

Churchill: "No."

Clerk Mahoney: "Churchill votes 'no'. Collins."

Collins: "No."

Clerk Mahoney: "Collins votes 'no'. Colvin."

Colvin: "Pass."

Clerk Mahoney: "Colvin passes. Coulson. Coulson. Cross."

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Cross: "No."

Clerk Mahoney: "Cross votes 'no'. Cultra."

Cultra: "(Inaudible)."

Clerk Mahoney: "Cultra votes 'present'. Currie."

Currie: "Aye."

Clerk Mahoney: "Currie votes 'aye'. D'Amico."

D'Amico: "Aye."

Clerk Mahoney: "D'Amico votes 'aye'. Monique Davis."

Davis, M.: "Aye."

Clerk Mahoney: "Monique Davis votes 'aye'. Will Davis."

Davis, W.: "No."

Clerk Mahoney: "Will Davis votes 'no'. Dugan."

Dugan: "Aye."

Clerk Mahoney: "Dugan votes 'aye'. Dunkin."

Dunkin: "Present."

Clerk Mahoney: "Dunkin votes 'present'. Dunn."

Dunn: "No."

Clerk Mahoney: "Dunn votes 'no'. Durkin."

Durkin: "No."

Clerk Mahoney: "Durkin votes 'no'. Eddy."

Eddy: "No."

Clerk Mahoney: "Eddy votes 'no'. Feigenholtz. Feigenholtz.  
Flider."

Flider: "Aye."

Clerk Mahoney: "Flider votes 'aye'. Flowers."

Flowers: "(Inaudible)."

Clerk Mahoney: "Flowers votes 'aye'. Fortner."

Fortner: "Pass."

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Clerk Mahoney: "Fortner passes. Franks. Franks. Fritchey.  
Fritchey. Froehlich. Froehlich. Giles."

Giles: "No."

Clerk Mahoney: "Giles votes 'no'. Golar. Golar."

Golar: "Yes."

Clerk Mahoney: "Golar votes 'aye'. Gordon."

Gordon: "Aye."

Clerk Mahoney: "Gordon votes 'aye'. Graham."

Graham: "Aye."

Clerk Mahoney: "Graham votes 'aye'. Granberg."

Granberg: "Aye."

Clerk Mahoney: "Granberg votes 'aye'. Hamos."

Hamos: "(Inaudible)."

Clerk Mahoney: "Hamos passes. Hannig."

Hannig: "Aye."

Clerk Mahoney: "Hannig votes 'aye'. Harris."

Harris: "Aye."

Clerk Mahoney: "Harris votes 'aye'. Hassert."

Hassert: "No."

Clerk Mahoney: "Hassert votes 'no'. Hoffman."

Hoffman: "Aye."

Clerk Mahoney: "Hoffman votes 'aye'. Holbrook."

Holbrook: "Aye."

Clerk Mahoney: "Holbrook votes 'aye'. Howard."

Howard: "(Inaudible)."

Clerk Mahoney: "Howard votes 'aye'. Jakobsson."

Jakobsson: "Aye."

Clerk Mahoney: "Jakobsson votes 'aye'. Jefferies."

Jefferies: "(Inaudible)."

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Clerk Mahoney: "Jefferies votes 'aye'. Jefferson."

Jefferson: "Present."

Clerk Mahoney: "Jefferson votes 'present'. Jenisch."

Jenisch: "No."

Clerk Mahoney: "Jenisch votes 'no'. Joyce."

Joyce: "Aye."

Clerk Mahoney: "Joyce votes 'aye'. Kelly."

Kelly: "No."

Clerk Mahoney: "Kelly votes 'no'. Kosel."

Kosel: "(Inaudible)."

Clerk Mahoney: "Kosel votes 'no'. Krause."

Krause: "No."

Clerk Mahoney: "Krause votes 'no'. Lang."

Lang: "Aye."

Clerk Mahoney: "Lang votes 'aye'. Leitch."

Leitch: "Pass."

Clerk Mahoney: "Leitch passes. Lindner."

Lindner: "(Inaudible)."

Clerk Mahoney: "Lindner votes 'no'. Joe Lyons."

Lyons, J.: "Yes."

Clerk Mahoney: "Joe Lyons votes 'aye'. Mathias."

Mathias: "Pass."

Clerk Mahoney: "Mathias passes. Mautino."

Mautino: "Aye."

Clerk Mahoney: "Mautino votes 'aye'. May."

May: "Aye."

Clerk Mahoney: "May votes 'aye'. McAuliffe."

McAuliffe: "(Inaudible)."

Clerk Mahoney: "McAuliffe votes 'aye'. McCarthy."

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McCarthy: "No."  
Clerk Mahoney: "McCarthy votes 'no'. McGuire."  
McGuire: "Aye."  
Clerk Mahoney: "McGuire votes 'aye'. Mendoza."  
Mendoza: "Yes."  
Clerk Mahoney: "Mendoza votes 'aye'. Meyer."  
Meyer: "No."  
Clerk Mahoney: "Meyer votes 'no'. Miller."  
Miller: "(Inaudible)."  
Clerk Mahoney: "Miller votes 'present'. Bill Mitchell."  
Mitchell, B.: "(Inaudible)."  
Clerk Mahoney: "Bill Mitchell votes 'aye'. Jerry Mitchell."  
Mitchell, J.: "(Inaudible)."  
Clerk Mahoney: "Jerry Mitchell votes 'present'. Moffitt."  
Moffitt: "Aye."  
Clerk Mahoney: "Moffitt votes 'aye'. Molaro."  
Molaro: "Aye."  
Clerk Mahoney: "Molaro votes 'aye'. Mulligan."  
Mulligan: "(Inaudible)."  
Clerk Mahoney: "Mulligan passes. Munson."  
Munson: "Aye."  
Clerk Mahoney: "Munson votes 'aye'. Myers."  
Myers: "No."  
Clerk Mahoney: "Myers votes 'no'. Nekritz."  
Nekritz: "(Inaudible)."  
Clerk Mahoney: "Nekritz votes 'aye'. Osmond."  
Osmond: "(Inaudible)."  
Clerk Mahoney: "Osmond votes 'no'. Osterman."  
Osterman: "Aye."



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Clerk Mahoney: "Osterman votes 'aye'. Parke."

Parke: "(Inaudible)."

Clerk Mahoney: "Parke votes 'no'. Phelps."

Phelps: "(Inaudible)."

Clerk Mahoney: "Phelps votes 'aye'. Pihos."

Pihos: "(Inaudible)."

Clerk Mahoney: "Pihos votes 'no'. Poe."

Poe: "Aye."

Clerk Mahoney: "Poe votes 'aye'. Pritchard."

Pritchard: "(Inaudible)."

Clerk Mahoney: "Pritchard passes. Ramey."

Ramey: "Present."

Clerk Mahoney: "Ramey votes 'present'. Reboletti."

Reboletti: "Aye."

Clerk Mahoney: "Reboletti votes 'aye'. Reis."

Reis: "Aye."

Clerk Mahoney: "Reis votes 'aye'. Reitz."

Reitz: "Aye."

Clerk Mahoney: "Reitz votes 'aye'. Rita."

Rita: "(Inaudible)."

Clerk Mahoney: "Rita votes 'no'. Rose. Rose."

Rose: "(Inaudible)."

Clerk Mahoney: "Rose passes. Ryg."

Ryg: "(Inaudible)."

Clerk Mahoney: "Ryg votes 'aye'. Sacia. Sacia."

Sacia: "No."

Clerk Mahoney: "Sacia votes 'no'. Saviano. Saviano. Schmitz."

Schmitz: "Aye."

Clerk Mahoney: "Schmitz votes 'aye'. Scully."

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Scully: "Aye."

Clerk Mahoney: "Scully votes 'aye'. Smith."

Smith: "(Inaudible)."

Clerk Mahoney: "Smith votes 'aye'. Sommer."

Sommer: "Aye."

Clerk Mahoney: "Sommer votes 'aye'. Soto."

Soto: "(Inaudible)."

Clerk Mahoney: "Soto votes 'aye'. Stephens. Representative  
Stephens."

Stephens: "Present."

Clerk Mahoney: "Stephens votes 'present'. Sullivan."

Sullivan: "Aye."

Clerk Mahoney: "Sullivan votes 'aye'. Tracy."

Tracy: "Pass."

Clerk Mahoney: "Tracy passes. Tryon."

Tryon: "No."

Clerk Mahoney: "Tryon votes 'no'. Turner."

Turner: "Present."

Clerk Mahoney: "Turner votes 'present'. Verschoore."

Verschoore: "Aye."

Clerk Mahoney: "Verschoore votes 'aye'. Wait."

Wait: "Aye."

Clerk Mahoney: "Wait votes 'aye'. Washington. Washington.  
Watson."

Watson: "(Inaudible)."

Clerk Mahoney: "Watson passes. Winters."

Winters: "(Inaudible)."

Clerk Mahoney: "Winters votes 'no'. Yarbrough."

Yarbrough: "Aye."

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Clerk Mahoney: "Yarbrough votes 'aye'. Younge."

Younge: "Aye."

Clerk Mahoney: "Younge votes 'aye'. Mr. Speaker."

Mr. Speaker: "(Inaudible)."

Clerk Mahoney: "Mr. Speaker votes 'aye'. Bassi."

Bassi: "Aye."

Clerk Mahoney: "Representative Bassi votes 'aye'. Bost."

Bost: "Aye."

Clerk Mahoney: "Representative Bost votes 'aye'. Brosnahan."

Brosnahan: "(Inaudible)."

Clerk Mahoney: "Representative Brosnahan votes 'aye'. Colvin."

Colvin: "Present."

Clerk Mahoney: "Representative Colvin votes 'present'.  
Coulson."

Coulson: "Aye."

Clerk Mahoney: "Coulson votes 'aye'. Feigenholtz."

Feigenholtz: "Aye."

Clerk Mahoney: "Representative Feigenholtz votes 'aye'.  
Fortner."

Fortner: "No."

Clerk Mahoney: "Fortner votes 'no'. Franks. Representative  
Franks. Fritchey."

Fritchey: "Yes."

Clerk Mahoney: "Fritchey votes 'aye'. Froehlich."

Froehlich: "Aye."

Clerk Mahoney: "Froehlich votes 'aye'. Representative Hamos..."

Hamos: "(Inaudible)."

Clerk Mahoney: "...votes 'aye'. Representative Leitch."

Leitch: "No."

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Clerk Mahoney: "Leitch votes 'no'. Mathias."

Mathias: "Aye."

Clerk Mahoney: "Mathias votes 'aye'. Representative Mulligan."

Mulligan: "Aye."

Clerk Mahoney: "Mulligan votes 'aye'. Pritchard."

Pritchard: "Yes."

Clerk Mahoney: "Pritchard votes 'aye'. Representative Rose."

Rose: "(Inaudible)."

Clerk Mahoney: "Rose votes 'aye'. Saviano."

Saviano: "Present."

Clerk Mahoney: "Saviano votes 'present'. Representative Tracy."

Tracy: "(Inaudible)."

Clerk Mahoney: "Tracy votes 'aye'. Representative Washington.  
Representative Watson."

Watson: "(Inaudible)."

Clerk Mahoney: "Watson votes 'aye'. Representative Franks."

Franks: "Present."

Clerk Mahoney: "Franks votes 'present'."

Speaker Hannig: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 71 voting 'yes' and 29 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 2300?"

Clerk Mahoney: "Senate Bill 2300 is on the Order of Postponed Consideration."

Speaker Hannig: "Return that to the Order of Second Reading for the purposes of an Amendment. Mr. Clerk, what is the status of Senate Bill 2737?"

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Clerk Mahoney: "Senate Bill 2737 has been read a second time, previously. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard on the Amendment. Now, there's Amendments 2 and 3, Representative Howard. And this is Amendment #2."

Howard: "House Amendment #3."

Speaker Hannig: "Representative Howard, do you wish to withdraw Amendment #2?"

Howard: "Oh, yes. I'm sorry about that. Please..."

Speaker Hannig: "Okay. So, the Lady wishes to withdraw Amendment #2. Mr. Clerk, are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #3, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard."

Howard: "House Amendment #3 changes wording within the Amendment. Changes the wording from... Hold on, please. ...threaten physical harm to knowingly threaten imminent bodily harm. You should know that that was an Amendment that was made as a result of meetings of those persons who had concerns about the Bill. In fact, we believe now that all of those who had been opposed are now neutral and that includes all of the police organizations."

Speaker Hannig: "The Lady has moved for the adoption of Floor Amendment #2 (sic-#3). And on that question, Representative Cross."

Cross: "Thank you, Mr. Speaker. Inquiry of the Chair. House Bill 2197 passed out of committee tonight or this afternoon."

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What's the status of that Bill? It's our understanding it was gonna get called."

Speaker Hannig: "Mr. Clerk, what is the status of, excuse me, what was the Bill?"

Cross: "House Bill 2197..."

Speaker Hannig: "Mr. Clerk..."

Cross: "...the compromise Bill on the electric issue. It passed out of Electric Oversight today."

Speaker Hannig: "What... Representative Cross, while they're looking for the answer to your question on this Bill, could we adopt the Amendment on..."

Cross: "Sure, I'm sorry."

Speaker Hannig: "Okay."

Cross: "Yeah, by all means."

Speaker Hannig: "Thank you. Did the Lady... So, let's return to Senate Bill 2737."

Cross: "Sure."

Speaker Hannig: "The Lady has moved for the adoption of Floor Amendment #3. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments? Any further Amendments, Mr. Clerk?"

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

Speaker Hannig: "Third Reading. Now, before we read the Bill on Third, Mr. Clerk, could you answer Representative Cross's question?"

Clerk Mahoney: "Senate Bill... or House Bill 2197 is on the House Calendar. A Motion to Concur with Senate Amendments 1 and 2 has been approved for consideration."

Cross: "Okay. What... I'm sorry. I..."

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Speaker Hannig: "Mr. Clerk, would you re..."

Cross: "Yeah. I'm sorry, Mr. Clerk, if you could repeat that."

Clerk Mahoney: "House Bill 2197 is on the House Calendar and a Motion to Concur with Senate Amendments 1 and 2 was approved for consideration."

Cross: "All right. I'm sorry. Then Mr. Speaker, what is the intention of the Chair with respect to calling of that Bill?"

Speaker Hannig: "Well, Representative, we would first want an indication from the Sponsor as to the intention and then the Chair works off of that list."

Cross: "Well, it was our understanding, in committee today, that it was gonna be called, maybe we were wrong in thinking it would be happening tonight, but we'd like to have some under... some understanding or commitment that it's gonna be called either tonight or tomorrow."

Speaker Hannig: "Yeah. Well, Representative, I'd only suggest that maybe you take up that question with the Sponsor of the Bill."

Cross: "Let me ask you this. Assuming the Sponsor wants it called, we can we expect it called?"

Speaker Hannig: "Ya know, in some respects we're trying to work through the Calendar and I guess it depends on how late you wanna stay so..."

Cross: "Well... well now, wait, wait, wait. Mr. Speaker, let's... I wanna... With all due respect to the Chair, this is the Bill that was in committee dealing with a... what many of us are calling a compromise on the issue of electricity where there is, you know, would be a phase-in on the rate increases

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without interest, passed out of the Senate. We just spent a good number of minutes, hours on another Bill. It's our understanding this Bill was gonna get called. That was a commitment, I was told, was made in committee today, so I... if you're saying tomorrow I can live with that if there's gonna be a commitment that we'll hear it tomorrow."

Speaker Hannig: "Well, Representative, in all honesty, as the temporary Speaker, I work off a list... a list of Bills that come through the Speaker's Office."

Cross: "I understand that, but this..."

Speaker Hannig: "So, we'll work... we'll work with those Bills. And if the Sponsor of the Bill indicates that he wants to call the Bill, I'm certain..."

Cross: "All right, look."

Speaker Hannig: "But..."

Cross: "Let me... let me..."

Speaker Hannig: "...I don't have an..."

Cross: "Okay."

Speaker Hannig: "...I don't have an answer, Representative Cross."

Cross: "Okay. Let me ask it this way. Who's the Sponsor of the Bill? Can we ask the Clerk for the Sponsor of the Bill."

Speaker Hannig: "Mr. Clerk, who's the Sponsor of the Bill."

Cross: "Look. I'm just going on what happened in committee today. The Speaker said he was gonna call it and now, it sounds like, we're getting the old proverbial runaround. So, just give me... give me an answer. If you're not gonna call it, let us know. I'm not necessarily gonna accept that, but I'd like to know your position. I... This is what I was talking about an hour ago, Mr. Speaker."



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Clerk Mahoney: "Representative Madigan is the Sponsor of House Bill 2197."

Cross: "Well, okay. So... so, we need to ask Mr... the Speaker if he's gonna call that Bill."

Speaker Hannig: "Well, Representative Cross, I... I suggest that you would ask the Speaker."

Cross: "Okay. All right. So, it's all kinda comin' to light. Thank you, Mr. Speaker."

Speaker Hannig: "Yeah. And now, Mr. Clerk, on Senate Bill 2737, would you read the Bill."

Clerk Mahoney: "Senate Bill 2737, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Cook, Representative Howard."

Howard: "Yes, thank you, Mr. Speaker. Senate Bill 2737 has been proposed to address a situation that was created by John Burge, a former Chicago police commander, who tortured victims... who tortured persons who were being interrogated and as a result of his torture, these individuals were made to confess falsely to crimes for which they were being charged. Burge did this for nearly 20 years and eventually he was fired from the Chicago Police Department. This Bill would give victims of torture for confession the right to sue under State Law in criminal and civil actions. The issue is that after victims had been released from prison for serving time, being exonerated and being pardoned, the 2 years of statute of limitations for filing a lawsuit has expired. This Bill would toll or expend... or suspend, that is, the statute of limitations while the victim was in prison. This Amendment also creates a new Act cited as the

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Illinois Civil Rights Act of 2006. The Act specifies that an individual has the right to bring a civil action for damages, injunctive relief or other appropriate relief if they have suffered injury to their person or damaged to their property as a result of having been compelled to confess or provide information by force or threat or imminent physical harm. I'll stop at this point and ask for questions. Thank you."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 2737. And on that question, Representative Lindner."

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

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

Lindner: "Representative, in the beginning the Illinois Association of Chiefs of Police and the Illinois Fraternal Order of Police were against this Bill. Is that correct?"

Howard: "That's correct."

Lindner: "And you have worked with them and the items that you specified in... Floor Amendment #3 addressed those concerns. Is that correct?"

Howard: "That is correct. In fact, there were several meetings where the discussion was around how we could come together and to eliminate their concerns and this Amendment, #3, eliminates their concerns."

Lindner: "All right. Thank you. I want to congratulate the Sponsor. She worked very hard with the opposition on this. Everyone in committee voted for this and I would ask a 'yes' vote on the floor too."

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

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Howard: "I just ask for the 'green' votes of my colleagues.  
Thank you."

Speaker Hannig: "The question is, 'Shall Senate Bill 2737 pass?'  
All in favor shall vote 'aye'; those opposed 'nay'. Mr.  
Clerk, call the roll."

Clerk Mahoney: "Acevedo."

Acevedo: "(Inaudible)."

Clerk Mahoney: "Acevedo votes 'aye'. Arroyo."

Arroyo: "Aye."

Clerk Mahoney: "Arroyo votes 'aye'. Bassi."

Bassi: "Aye."

Clerk Mahoney: "Bassi votes 'aye'. Beaubien."

Beaubien: "Yes."

Clerk Mahoney: "Baubien votes 'aye'. Beiser. Beiser.  
Bellock."

Bellock: "Aye."

Clerk Mahoney: "Bellock votes 'aye'. Berrios."

Berrios: "Aye."

Clerk Mahoney: "Berrios votes 'aye'. Biggins. Biggins.  
Boland."

Boland: "Aye."

Clerk Mahoney: "Boland votes 'aye'. Bost."

Bost: "Aye."

Clerk Mahoney: "Bost votes 'aye'. John Bradley."

Bradley, J.: "Aye."

Clerk Mahoney: "John Bradley votes 'aye'. Rich Bradley."

Bradley, R.: "Aye."

Clerk Mahoney: "Rich Bradley votes 'aye'. Brady. Brauer.  
Brauer. Brosnahan."

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Brosnahan: "Aye."

Clerk Mahoney: "Brosnahan votes 'aye'. Burke."

Burke: "Aye."

Clerk Mahoney: "Burke votes 'aye'. Chapa LaVia."

Chapa LaVia: "Aye."

Clerk Mahoney: "Chapa LaVia votes 'aye'. Chavez."

Chavez: "Aye."

Clerk Mahoney: "Chavez votes 'aye'. Churchill."

Churchill: "Aye."

Clerk Mahoney: "Churchill votes 'aye'. Collins. Collins."

Collins: "Aye."

Clerk Mahoney: "Collins votes 'aye'. Colvin. Representative  
Colvin. Coulson."

Coulson: "Aye."

Clerk Mahoney: "Coulson votes 'aye'. Cross. Cross. Cultra."

Cultra: "Yes."

Clerk Mahoney: "Cultra votes 'aye'. Currie."

Currie: "Aye."

Clerk Mahoney: "Currie votes 'aye'. D'Amico."

D'Amico: "Aye."

Clerk Mahoney: "D'Amico votes 'aye'. Monique Davis."

Davis, M.: "(Inaudible)."

Clerk Mahoney: "Monique Davis votes 'aye'. Will Davis."

Davis, W.: "Yea."

Clerk Mahoney: "Will Davis votes 'aye'. Dugan."

Dugan: "Aye."

Clerk Mahoney: "Dugan votes 'aye'. Dunkin. Dunkin."

Dunkin: "Yeah."

Clerk Mahoney: "Dunkin votes 'aye'. Dunn. Dunn."

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Dunn: "(Inaudible)."

Clerk Mahoney: "Dunn votes 'aye'. Durkin. Durkin. Eddy."

Eddy: "(Inaudible)."

Clerk Mahoney: "Eddy votes 'aye'. Feigenholtz."

Feigenholtz: "Aye."

Clerk Mahoney: "Feigenholtz votes 'aye'. Flider."

Flider: "(Inaudible)."

Clerk Mahoney: "Flider votes 'aye'. Flowers."

Flowers: "Aye."

Clerk Mahoney: "Flowers votes 'aye'. Fortner."

Fortner: "Yes."

Clerk Mahoney: "Fortner votes 'aye'. Franks."

Franks: "Aye."

Clerk Mahoney: "Franks votes 'aye'. Fritchey. Fritchey.

Froehlich."

Froehlich: "Aye."

Clerk Mahoney: "Froehlich votes 'aye'. Giles."

Giles: "Aye."

Clerk Mahoney: "Giles votes 'aye'. Golar."

Golar: "(Inaudible)."

Clerk Mahoney: "Golar votes 'aye'. Gordon."

Gordon: "Yes."

Clerk Mahoney: "Gordon votes 'aye'. Graham."

Graham: "(Inaudible)."

Clerk Mahoney: "Graham votes 'aye'. Granberg."

Granberg: "Aye."

Clerk Mahoney: "Granberg votes 'aye'. Hamos."

Hamos: "Aye."

Clerk Mahoney: "Hamos votes 'aye'. Hannig."

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Hannig: "(Inaudible)."

Clerk Mahoney: "Hannig votes 'aye'. Harris."

Harris: "(Inaudible)."

Clerk Mahoney: "Harris votes 'aye'. Hassert. Hassert.  
Hoffman."

Hoffman: "Aye."

Clerk Mahoney: "Hoffman votes 'aye'. Holbrook."

Holbrook: "Aye."

Clerk Mahoney: "Holbrook votes 'aye'. Howard."

Howard: "Aye."

Clerk Mahoney: "Howard votes 'aye'. Jakobsson."

Jakobsson: "Aye."

Clerk Mahoney: "Jakobsson votes 'aye'. Jefferies."

Jefferies: "Aye."

Clerk Mahoney: "Jefferies votes 'aye'. Jefferson."

Jefferson: "Aye."

Clerk Mahoney: "Jefferson votes 'aye'. Jenisch. Jenisch.  
Joyce."

Joyce: "(Inaudible)."

Clerk Mahoney: "Joyce votes 'aye'. Kelly."

Kelly: "Aye."

Clerk Mahoney: "Kelly votes 'aye'. Kosel."

Kosel: "Aye."

Clerk Mahoney: "Kosel votes 'aye'. Krause."

Krause: "Yes."

Clerk Mahoney: "Krause votes 'aye'. Lang."

Lang: "Aye."

Clerk Mahoney: "Lang votes 'aye'. Leitch. Representative  
Leitch. Lindner."

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Lindner: "(Inaudible)."  
Clerk Mahoney: "Lindner votes 'aye'. Joe Lyons."  
Lyons, J.: "Aye."  
Clerk Mahoney: "Joe Lyons votes 'aye'. Mathias."  
Mathias: "Aye."  
Clerk Mahoney: "Mathias votes 'aye'. Mautino."  
Mautino: "Yes."  
Clerk Mahoney: "Mautino votes 'aye'. May."  
May: "Yes."  
Clerk Mahoney: "May votes 'aye'. McAuliffe."  
McAuliffe: "Aye."  
Clerk Mahoney: "McAuliffe votes 'aye'. McCarthy. McCarthy.  
McGuire. Representative McGuire. Mendoza."  
McGuire: "(Inaudible)."  
Clerk Mahoney: "McGuire votes 'aye'. Representative Mendoza."  
Mendoza: "Aye."  
Clerk Mahoney: "Mendoza votes 'aye'. Meyer. Meyer."  
Meyer: "Aye."  
Clerk Mahoney: "Meyer votes 'aye'. Miller."  
Miller: "Aye."  
Clerk Mahoney: "Miller votes 'aye'. Bill Mitchell."  
Mitchell, B.: "Aye."  
Clerk Mahoney: "Bill Mitchell votes 'aye'. Jerry Mitchell.  
Jerry Mitchell. Moffitt."  
Moffitt: "Aye."  
Clerk Mahoney: "Moffitt votes 'aye'. Molaro."  
Molaro: "Aye."  
Clerk Mahoney: "Molaro votes 'aye'. Mulligan."  
Mulligan: "Aye."

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Clerk Mahoney: "Mulligan votes 'aye'. Munson."

Munson: "Aye."

Clerk Mahoney: "Munson votes 'aye'. Myers."

Myers: "Aye."

Clerk Mahoney: "Myers votes 'aye'. Nekritz. Nekritz."

Nekritz: "Yes."

Clerk Mahoney: "Nekritz votes 'aye'. Osmond. Osmond."

Osmond: "Aye."

Clerk Mahoney: "Osmond votes 'aye'. Osterman."

Osterman: "Aye."

Clerk Mahoney: "Osterman votes 'aye'. Parke."

Parke: "Aye."

Clerk Mahoney: "Parke votes 'aye'. Phelps."

Phelps: "Aye."

Clerk Mahoney: "Phelps votes 'aye'. Pihos."

Pihos: "Aye."

Clerk Mahoney: "Pihos votes 'aye'. Poe."

Poe: "Aye."

Clerk Mahoney: "Poe votes 'aye'. Pritchard."

Pritchard: "Aye."

Clerk Mahoney: "Pritchard votes 'aye'. Ramey."

Ramey: "Aye."

Clerk Mahoney: "Ramey votes 'aye'. Reboletti."

Reboletti: "Aye."

Clerk Mahoney: "Reboletti votes 'aye'. Reis. Representative  
Reis. Representative Dan Reitz."

Reitz: "Aye."

Clerk Mahoney: "Reitz votes 'aye'. Rita. Rita."

Rita: "Aye."



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Clerk Mahoney: "Rita votes 'aye'. Rose. Rose."

Rose: "Yes."

Clerk Mahoney: "Rose votes 'aye'. Ryg."

Ryg: "Aye."

Clerk Mahoney: "Ryg votes 'aye'. Sacia."

Sacia: "Aye."

Clerk Mahoney: "Sacia votes 'aye'. Saviano. Saviano."

Saviano: "Aye."

Clerk Mahoney: "Saviano votes 'aye'. Schmitz."

Schmitz: "Aye."

Clerk Mahoney: "Schmitz votes 'aye'. Scully."

Scully: "Aye."

Clerk Mahoney: "Scully votes 'aye'. Smith."

Smith: "Aye."

Clerk Mahoney: "Smith votes 'aye'. Sommer."

Sommer: "Aye."

Clerk Mahoney: "Sommer votes 'aye'. Soto."

Soto: "(Inaudible)."

Clerk Mahoney: "Soto votes 'aye'. Stephens. Representative  
Stephens. Sullivan. Sullivan."

Sullivan: "(Inaudible)."

Clerk Mahoney: "Sullivan votes 'aye'. Tracy."

Tracy: "Yes."

Clerk Mahoney: "Tracy votes 'aye'. Tryon. Representative  
Tryon."

Tryon: "Aye."

Clerk Mahoney: "Tryon votes 'aye'. Turner. Representative  
Turner."

Turner: "Yo."

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Clerk Mahoney: "Turner votes 'aye'. Verschoore."

Verschoore: "Yes."

Clerk Mahoney: "Verschoore votes 'aye'. Wait."

Wait: "(Inaudible)."

Clerk Mahoney: "Wait votes 'aye'. Washington. Watson."

Watson: "Aye."

Clerk Mahoney: "Watson votes 'aye'. Winters."

Winters: "Aye."

Clerk Mahoney: "Winters votes 'aye'. Yarbrough."

Yarbrough: "Aye."

Clerk Mahoney: "Yarbrough votes 'aye'. Younge."

Younge: "Aye."

Clerk Mahoney: "Younge votes 'aye'. Mr. Speaker."

Mr. Speaker: "Aye."

Clerk Mahoney: "Mr. Speaker votes 'aye'. Beiser."

Beiser: "Aye."

Clerk Mahoney: "Beiser votes 'aye'. Biggins."

Biggins: "Aye."

Clerk Mahoney: "Biggins votes 'aye'. Brady."

Brady: "Yes."

Clerk Mahoney: "Brady votes 'aye'. Brauer."

Brauer: "Yes."

Clerk Mahoney: "Brauer votes 'aye'. Colvin."

Colvin: "Yes."

Clerk Mahoney: "Colvin votes 'aye'. Durkin."

Durkin: "Aye."

Clerk Mahoney: "Durkin votes 'aye'. Cross."

Cross: "Aye."

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Clerk Mahoney: "Cross votes 'aye'. Fritchey. Representative Fritchey. Hassert. Representative Hassert."

Hassert: "(Inaudible)."

Clerk Mahoney: "Hassert votes 'aye'. Jenisch. Representative Jenisch. Leitch."

Leitch: "(Inaudible)."

Clerk Mahoney: "Representative Leitch votes 'aye'. McCarthy. Representative McCarthy. Jerry Mitchell. Representative Jerry Mitchell. Reis."

Reis: "Yes."

Clerk Mahoney: "Reis votes 'aye'. Representative Stephens. Stephens."

Speaker Hannig: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on Supplemental Calendar #2 is Senate Bill 862. Would you read the Bill, please."

Clerk Mahoney: "Senate Bill 862, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Hold that on the Order of Second Reading. And read Senate Bill 1537 on Supplemental Calendar #2."

Clerk Mahoney: "Senate Bill 1537, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Okay. Mr. Clerk, hold that on the Order of Second Reading. Mr. Clerk, would you read the Agreed Resolutions."

Clerk Mahoney: "Agreed Resolutions. House Joint Resolution 154, offered by Representative Washington. House Resolution 1555, offered by Representative Fortner. House Resolution 1556, offered by Representative Krause. House Resolution 1557, offered by Representative Washington. House Resolution 1558, offered by Representative Cross. House Resolution 1559, offered by Representative Lyons. House Resolution 1560, offered by Representative Howard. House Resolution 1561, offered by Representative Patterson. House Resolution 1562, offered by Representative Granberg. House Resolution 1563, offered by Representative Granberg. House Resolution 1564, offered by Representative Brady. House Resolution 1565, offered by Representative Tracy. House Resolution 1566, offered by Representative Bill Mitchell. House Resolution 1567, offered by Representative Jakobsson. House Resolution 1568, offered by Representative Howard. House Resolution 1569, offered by Representative John Bradley. House Resolution 1570, offered by Representative Cross. House Resolution 1572, offered by Representative Jakobsson. House Resolution 1573, offered by Representative Jakobsson. House Resolution 1574, offered by Representative Cross. And House Resolution 1575, offered by Representative Durkin."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are

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adopted. Are there any announcements? Then Mr... Mr. Clerk, would you announce any committee... committee hearings for this evening."

Clerk Mahoney: "The House Executive Committee will meet immediately following Session in this chamber, immediately following Session in the House... Old State Capitol chamber, right here."

Speaker Hannig: "Representative Currie now moves, that allowing perfunctory time for the House, that the House stand adjourned until tomorrow, Monday, January 8 at the hour of 9 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on January 07, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 1959 and Senate Bill 2674. Senate Bill 1959, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Senate Bill 2674, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Referred... The following Resolutions are referred to the House Committee on Rules: House Resolution 1571, offered by Representative Madigan and House Joint Resolution 153, offered by Representative Granberg. There being no further business, the House Perfunctory Session will stand adjourned."