

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

46th Legislative Day

5/2/2007

Speaker Hannig: "The hour of 10:00 having arrived, the House will be in order. The Members will be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Dr. LaRue Franklin Kidd who is the Pastor of the True Light Church Baptist in Chicago. Reverend Kidd is the guest of Representative Jefferies."

Pastor Kidd: "Let us pray. Eternal God, our Father, Creator of the Universe, giver of every good and perfect gift, as we stand before Thy presence on this 2nd day of May we offer up to You sacrifices of praise and thanks for all of the wonderful things that You've already done. We thank You for being a good God and for being good all the time. And now, Lord, as we pray on behalf of this Body today, we don't come to invoke Your presence in this room because we believe that You are already here. And because You are a God that is already here, it is our prayer that You will endorse all that is said and done on this day, in this Assembly, at this appointed time, that this great State of Illinois will be better off tomorrow than we are today. Bless the Speaker of this House, those that sit on the right and those that sit on the left, that there will be unanimity at the end of this Session. Gives us what we need to be as one as we move forward to serve humanity in the way the You have ordained us to do. Lead us and guide us in the way that You would have us to go and we'll be careful to give all the glory and all the praise to You.

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In the name of the One who is the same yesterday and today and forevermore, amen."

Speaker Hannig: "Representative Dunkin, would you lead us in the Pledge?"

Dunkin - 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 Hannig: "Roll Call for Attendance. Representative Currie."

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

Speaker Hannig: "And Representative Bost."

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

Speaker Hannig: "Mr. Clerk, take the record. There are 117 Members answering the Roll Call, a quorum is present. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 02, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 and Floor Amendment #2 to House Bill 2352, Floor Amendment #1 to House Bill 2377, and Floor Amendment #1 to House Bill 2425. Representative Molaro, Chairperson from the Committee on Gaming, to which the following measure/s was/were referred, action taken on May 02, 2007, reported the same back with the following recommendation/s:

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'recommends be adopted' is Floor Amendment #2 to House Bill 3453. Representative Colvin, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on May 02, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 429. Representative Nekritz, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on May 02, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 3256."

Speaker Hannig: "On page 41 of the Calendar under the Order of Resolutions, Mr. Clerk, is House Bill... House Resolution 342. Would you... would you read the Resolution, please?"

Clerk Bolin: "House Resolution 342.

WHEREAS, The Lincoln Foundation for Performance Excellence was founded in 1994 and is a publicly and privately-supported not-for-profit organization; it was created to significantly raise Illinois worldwide competitiveness by improving the performance of its institutions and businesses; and

WHEREAS, The Lincoln Foundation for Performance Excellence has created an award patterned after the Malcolm Baldrige National Quality Award; the award is an annual recognition of Illinois organizations that have demonstrated exemplary approach, deployment, and results in their overall quality systems and processes; it is presented to organizations

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that serve as role models for quality, customer satisfaction, and performance excellence; and

WHEREAS, The Lincoln Foundation for Performance Excellence has awarded the 2006 Lincoln Gold Award for Achievement of Excellence to Methodist Medical Center of Illinois, Peoria; and

WHEREAS, The Lincoln Foundation for Performance Excellence has awarded the 2006 Lincoln Silver Award for Progress Towards Excellence to the following organizations: Delta Dental of Illinois, Lisle; ZF Sales & Service NA, LLC, Vernon Hills; Centegra Health System, Woodstock; Illinois Division of Child Support Enforcement, Illinois Department of Healthcare & Family Services, Springfield; Marianjoy Rehabilitation Hospital, Wheaton; and Decatur Memorial Hospital, Decatur; and

WHEREAS, In addition, three other Illinois organizations were recognized with the 2006 Lincoln Bronze Award for Commitment to Excellence for their earnest efforts to adopt and apply continuous improvement principles; these recipients include the Carle Foundation, Urbana; Serenity Packaging Corporation, St. Charles; and Advanced Technology Service, Inc., Peoria; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize The Lincoln Foundation for Performance Excellence and its efforts to assist Illinois organizations to strive for performance excellence, and we thank each of the organizations the Foundation has recognized for the

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devotion to excellence they have demonstrated; and be it further

RESOLVED, That a suitable copy of this resolution be presented to The Lincoln Foundation for Performance Excellence and each 2006 Performance Excellence Award recipient as an expression of our respect and esteem."

Speaker Hannig: "Representative Pihos."

Pihos: "Yes, as we've just heard, Mr. Speaker, the Lincoln Foundation for Performance Excellence is a non-for-profit that has helped many organizations in our state by creating models on which they can base their development in order to improve performance and achieve excellence. By making these improvements they are also making Illinois a better place to work and to live. And I ask all fellow Members of the House of Representatives to join me now in welcoming the Lincoln Foundation; they're behind me in the gallery here."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. I'd... I'd like to thank Representative Pihos for bringing this forward. And Representative Tryon and myself as well as Representative Beaubien have the pleasure of having Centegra Health System in our district. And we have with us the CEO, Mike Eesley, and along with him, I think it's the CFO, Aaron Shepley, as well. And we welcome you here. And they are the predominate and preeminent leader of health care services in our county. They've got hospitals in both McHenry and in Woodstock. They serve over three hundred thousand (300,000) people and they have over thirty two (32) locations. Centegra started in 1914 in Woodstock and they

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also have a facility in McHenry in 195... was started in '56. My oldest son was born at the Woodstock facility and my youngest son was born in the McHenry facility. Today, Centegra is comprised of over thirty-two hundred (3200) associates and then two (2) medical staffs of over four hundred and fifty (450) physicians. They provide care to over twenty thousand (20,000) inpatients, fifty-five thousand (55,000) emergency room patients and over three hundred thousand (300,000) outpatients and ambulatory patients. Very proud that they've been chosen to be recognized as a recipient of the 2006 Lincoln Silver Award for progress towards excellence. And we wish them much continued success in all their endeavors."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I, too, would like to thank Representative Pihos for bringing this Resolution forward. And I'm very pleased to stand and welcome and recognize Carle Foundation Hospital in Urbana. The Carle Foundation Hospital is a two hundred and ninety-five (295) bed regional care hospital and it offers a higher level of clinical service and technology than other hospitals in that area and it serves the area's only Level 1 Trauma Center and Co-Perinatal Center. The hospital places an emphasis on education and medical research with a goal of translating laboratory research into breakthroughs in patient care. A good example of that is that they now have a cancer center that's in cooperation with the U of I and Carle. The Carle Foundation's Hospital Nursing Division is also on a journey to obtaining the mark Magnet Status from

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the American Nurses Credentialing Center. And as many of you know, that's the highest level of recognition that the... that the center extends to health care organizations. So, please welcome Carle Foundation Hospital and congratulate them."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. With me is Senator Dale Risinger, as well, from Peoria. We're here to join in this recognition our President and CEO of Methodist Medical Center in Peoria is among the recipients of this important recognition. I would say that Michael Bryant has been one of the most aggressive and persistent pursuers of excellence that anyone could ever encounter and this recognition is just one mark of that passion and his enthusiasm for quality health care. And to that end the entire Methodist Medical Center has become an example of that passion for excellence in health care. On a special note, with the closure of Zeller Mental Health Facility in Peoria, Methodist Medical Center stepped up to provide superb behavioral health services to the community, in fact, greatly improved far more accessible health services to the serious mentally ill and others. With Michael Byrant's leadership and the strong participation of Methodist and the Central Illinois Coalition for Mental Health Recovery, Methodist Hospital is now pursuing with the University of Illinois College of Medicine at Peoria, a much needed psychiatric program to be implemented we hope within the next eighteen (18) months in our community. So,

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I would like to add my voice to the others who salute these winners and specifically thank you, Michael and your team, for your outstanding leadership in health care in our community. Thank you."

Speaker Hannig: "Representative Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. And my thanks to Representative Pihos for bringing forward this Resolution. Also, among the award winners is the Marianjoy Rehabilitation Hospital located in Wheaton. This is a facility that is one of the preeminent places for rehabilitation for people with disabilities. They've been there providing that service for over three (3) decades. And have a gorgeous sixty (60)-acre campus where they continue to provide this work. I know that under the leadership of Kathleen Yosko, who's the President and CEO of Marianjoy, they're going to continue in this fine work. And getting the Silver Award is a real testimony to the fine work that they have done and I know they will continue to do. And I'd also like to recognize them as well."

Speaker Hannig: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker. I join my colleagues in congratulating the Lincoln Foundation for Performance Excellence winners, but it is with great pride that I tell you about ZF Sales and Service North America from my hometown of Vernon Hills, Illinois. ZF Sales and Service strives for excellence through ongoing learning, innovation, and technological breakthroughs. And in a world of escalating costs for raw materials and external factors such as health care, ZF Sales implemented lean

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manufacturing principles to increase productivity, a best practice well deserving of the Lincoln Silver Award for progress towards excellence. So, we thank them for the model that they've set for our entire state."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker. I want to rise, as well, to congratulate all the candidates and although I... I want to echo Representative Jakobsson's comments about Carle Hospital and Carle Foundation, the main hospital facility is, in fact, in her district, but many of their satellite facilities are in mine. And I just want to state for the record how very lucky we are to have Carle, its physician group, its... its therapy department, its staff. They provide an excellent level of care to citizens throughout east central Illinois. And I purely want to rise today to congratulate Carle on being included in this prestigious award. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Feigenholtz. Representative Pihos to close."

Pihos: "Thank you, Mr. Speaker and Members of the House. Within my own district, I'm so pleased to have an honoree here today, Delta Dental of Illinois. It's a non-for-profit dental service corporation that administers and underwrites comprehensive, easy to use, and cost-effective dental benefits for employers based here in Illinois. I wish them continued success in applying all they've learned through their implementation of Baldrige Criteria to guide their systematic evaluation of strengths and to capture

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opportunities for improvement. And once again, we congratulate all the recipients today. Thank you."

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

Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I would like to introduce to the Body the 7th grade class of (sic-Bernard Zell) Anshe Emet Day School from my district. They've been here for a few days cleaning up and working on the environment in our... and would love to meet other Legislators interested in the environment, but I would love to welcome them. It's great to have them here."

Speaker Hannig: "Mr. Clerk, read the Committee Reports."

Clerk Bolin: "Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 02, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 980, Floor Amendment #1 to House Bill 2285, and Floor Amendment #2 to House Bill 2285; 'recommends be adopted as amended' House Resolution 76, and House Joint Resolution 39."

Speaker Hannig: "Representative Osterman."

Osterman: "Point of personal privilege, Mr. Speaker. Ladies and Gentlemen of the House, wish we could all extend a warm happy birthday to 39-year-old Deborah Graham."

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Speaker Hannig: "We're going to start out on the Order of House Bills-Third Reading. And Representative Black, you have House Bill 632. Okay. Well, we'll... we'll come back to that one. Representative Boland you have House Bill 2284. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2284, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Boland: "Thank you, Mr. Speaker. House Bill... let me see here... 2284 deals with independent transportation networks. These are a relatively new thing for Illinois. The first one in Illinois will be in the Quad City area with both Iowa and Illinois cooperating and it's already in five (5) states including California, Maine, Florida, New Jersey. There is an article in today's USA Today about this type of program which is volunteers that help senior citizens get their doctor's appointments and run errands when they... they can't drive or they're willing to give up their driving privileges to take part in this program. And... so what this Bill does is, this says that an insurer... insurers cannot refuse... cannot impose a surcharge or otherwise increase the rate for a vehicle policy solely... solely on the basis of the named insurer being a volunteer driver. And there's no... no opposition in committee."

Speaker Hannig: "This is on the Order of Short Debate. And in response, the Gentleman from DuPage, Representative Meyer."

Meyer: "Would the Representative yield?"

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

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Meyer: "Representative, you indicate there's no opposition. My analysis shows that there is opposition, both from the independent insurance agents and the Illinois Insurance Association. Has that opposition been changed?"

Boland: "Well, Representative, I... I don't know for sure because only in committee there was no opposition and no... no opponents have contacted me."

Meyer: "Representative, I want to talk about the risk factor that you spoke of a little bit. Your... your Bill would release insurance on who happen to perform that volunteer driving from... from having to pay additional insurance rates based on additional miles or additional risk base because of people in the car. Is that correct?"

Boland: "Well, they... just... just because of their being a volunteer driver. I'm sure if they have a bad driving record or something that might make a difference, but just as being a volunteer for this network; that would prohibit any additional charge."

Meyer: "Well, norm... normally in the insurance industry the way that rates are set is by the risk that's assumed. And if you're a volunteer out there driving four (4) to six (6) hours a day, say taking people from one location to another, you're on the streets more so than what a normal driver would be with additional people in the car. There... there is an additional liability. Would you not... would you not agree?"

Boland: "Well, there may or may not be. I suppose, in... in my eyes anyway, but obviously, the insurance industry would probably look at it differently."

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Meyer: "Well, we're not talking about the goodness of what they're doing..."

Boland: "Right."

Meyer: "...we're talking about the risk factor and... and the money that is at risk when the insurance company agrees to insure you as a driver, they do it for normal circumstances not as a driver of a purveying vehicle, correct?"

Boland: "Well, for your purposes I'll... I'll agree, I'm not sure myself."

Meyer: "Well, my... my indication just now is that those two (2) groups: the independent insurance agents and the Illinois Insurance Association still stand in opposition primarily for the reasons that I've cited, that there is additional risk that the insurance company is not being compensated for insuring. And in this instance, I think that needs to be taken into consideration. Thank you very much for your comments."

Speaker Hannig: "Representative Osmond."

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

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

Osmond: "Representative, in... in this Bill you understand that the insurance follows the car, right? The vehicle is what's insured."

Boland: "Yes."

Osmond: "Okay. And the owner of the vehicle fills out an application and it's judged on his driving record as to what the premium is charged."

Boland: "That's correct, as I understand it."

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Osmond: "Okay. See, here's my confusion. Why would you not want coverage to be given to somebody that is donating their time and effort to a charitable organization? You want them to be safe, you want them to be good drivers and yet, you're saying that they should not be assessed as to their ability for driving?"

Boland: "No. That... that's not the case. It... they can be assessed due to their record and so forth. This is only dealing with the fact that they are a volunteer. Their rate can be set by, you know, if they've had... whatever kind of record they've had."

Osmond: "But when you're saying volunteer, what's the difference? I volunteer for an organization and I drive my car. And maybe Representative Black volunteers for an organization. What's the difference here? I'm... I'm not really sure I understand."

Boland: "I... I didn't hear your question?"

Osmond: "If a person is driving for work or for a charitable organization or for school or for any duty and they're driving an extra ten thousand (10,000), twenty thousand (20,000) miles a year, the same should apply to them. They should... if they put down on their application that they drive thirty thousand (30,000) miles a year, that's thirty thousand (30,000) miles on the road, that's thirty thousand (30,000) miles that they have a chance to have a problem with..."

Boland: "They..."

Osmond: "...an accident. They want their insurance."

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Boland: "They can drive... they can charge more for additional miles. This only deals strictly with the volunteer status."

Osmond: "But not those miles because they're volunteer?"

Boland: "No, it doesn't say that."

Osmond: "Well, it applies... it provides an insurer may not refuse to issue vehicle insurance to a person solely because the applicant is a volunteer driver."

Boland: "Yes."

Osmond: "How do you separate those out?"

Boland: "Yes, very easily. Just solely... they can't refuse them solely because of their being a volunteer driver. They can refuse them if they've had a bad driving record or something. Obviously, the network wouldn't even want them."

Osmond: "So, you're saying to me that you believe that there are insurance companies out there that are denying coverage to an individual because they solely volunteer their time?"

Boland: "We don't think there are right now, but they... they probably want to prevent is the additional charge just because of the status of being a volunteer driver."

Osmond: "To the Bill. I just do not believe that this is necessary. I... I feel that if a person is out on the road for ten, twenty, thirty thousand miles that they should be assessed accordingly for their use of the vehicle. And I encourage a 'no' vote."

Speaker Hannig: "We've had one in favor and two in opposition. Representative Black, you're recognized for 5 minutes."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This... this sounds like a classic

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piece of legislation to me, it's a solution looking for a problem. I have never had in twenty-one (21) years in this organ... in this Body any organization or any individual come to me and say they're volunteering for the Red Cross or they're volunteering to drive VA patients from the outpatient clinic in Peoria to the Veterans Administration Medical Center in Danville or any other voluntary organization, I've never had any of them contact me and say that that volunteer driver couldn't get insurance. First of all, are you telling me that the volunteer driver, that's all he or she does? If you have a driver's license, I assume you have insurance. Now, insurance companies may rate what you're doing, depending on how many miles you drive and where you drive. If you're a volunteer driver taking people back and forth to various hospitals and clinics in Chicago, your insurance is going to be higher than a volunteer driver. And I volunteered; I've taken people to clinics. I've taken people for treatment to Shriners Hospitals. I don't have to have volunteer insurance. I am an insured driver. And what I choose to do, as long as it isn't the only driving I do, my insurance company's never said anything about that. And I point out that I often will take a family and their child to the Shriners Hospital in St. Louis or a family to come visit a burn victim here in Springfield. If you're creating a class of driver who is strictly a volunteer driver, then it only stands to reason the insurance company may want to know, well, what is that category? And how many miles are you going to drive? And who are you driving? And where

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are you driving? Those are simple rules of risk that we all have to meet, all have to find applicable when we get a driver's license and when we go into the market to make sure that we are insured. You know, I have never heard of this issue in twenty-one (21) years of service in the General Assembly, but I've also learned that doesn't make a whole lot of difference anymore. This is one of those classic Bills that's trying to solve a problem that I don't think most of us are... are aware of or have ever been contacted that it's a problem. This Bill hasn't even gotten out of Rules in the past, but as we approach deadline, the Majority Party often gets to hear things that normally wouldn't... wouldn't be heard. If you'll just take a look at this Bill and what it actually attempts to do, you're creating a category of volunteer driver. Now, you're telling me that's the only driving that individual will do? I... I... I don't think this Bill makes a great deal of sense, in all due respect to the Sponsor and deserves a 'no' vote."

Speaker Hannig: "We've had one (1) in support and three (3) in opposition. The Rules would provide two (2) additional speakers in support. Representative Dugan, would you like to rise in support? You have 5 minutes."

Dugan: "Yes, Speaker, will the Sponsor yield?"

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

Dugan: "Thank you. Representative, I... have you had any constituents that have actually called you about this particular issue where they have had possibly an increase in an insurance premium?"

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Boland: "There has been instances in other states where this has happened. We're just getting it started in Illinois. So, it's a brand new thing, but it has... these independent transportation networks are now in five (5) other states."

Dugan: "Okay. And... and thank you for that. Just to the Bill. I... I just want to say this is a particular issue that actually has been brought to me by a constituent. In fact, it's just been in the last couple of weeks where we found that with agencies in the state... many of my volunteers that drive people that are disabled, they bring them to the doctor, they bring them to the store to get things. We just found out that there's an agency through the state that is no longer able to provide that transportation for these people because they're volunteers that do it on their own time unfortunately, are no longer allowed to do it because the agency has been told by the insurance that their rates would have to go up to cover these agent... these people that work for the agency but then on their own time volunteer to bring them to the doctor. So, I think it is happening. I've heard it just in the last couple of weeks. So, whether or not it's to the extent yet that it's going to start to bother our Meals on Wheels and the other things that we do throughout the district and many volunteers do, I think it is starting because I know of a particular incident that just happened where ten (10) of my volunteers in my community have been told they can no longer help and bring these disabled people to the doctor and those kinds of things. So, I... I certainly encourage an 'aye' vote. It is something that is happening, even though it may not be

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happening in all districts, but I know for a fact that one agency has told volunteers they can no longer drive the people because it is affecting the insurance rates and that should not be. Volunteers and the help that they provide to people all over this state should not be penalized and it leaves not only the person not being able to do it, but certainly the people... the people that need the help then can no longer get it from a volunteer. So, I certainly encourage an 'aye' vote and thank you for bringing it."

Speaker Hannig: "Representative Boland to close."

Boland: "Thank you very much, Speaker. And thank all of you who have been listening. This is a very important issue. As we know, as our population is aging, as those of us who get up in age we have more disabilities and problems and a little harder getting around, particularly in downstate and non-metropolitan areas where public transportation may not be as available or as reliable. And so we are coming to depend more and more upon volunteers who are willing to help their fellow neighbors, take them to the doctor, take them to the store, take them to the pharmacy. And we often hear complaints sometimes from younger drivers that, oh you know, some of these real old drivers just aren't safe drivers anymore. And some of us as we get up in age begin to realize that we're not the drivers maybe we once were and so, we're more willing to give up maybe even our own driving privileges to let someone else help us out. Hopefully, that's family, but in many cases it may not be and you and I all know those folks who volunteer to help their elderly neighbors, their disabled neighbors. This is

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one way that we can help them by making sure that they're not penalized for doing this volunteer work, for giving up their time and maybe even their... their vehicle use for this wonderful purpose. So, I would ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 64 voting 'yes' and 52 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cross, for what reason do you rise?"

Cross: "Thank you, Mr. Speaker. An inquiry of the Chair? Last week, Members on our side of the aisle filed House Resolution 344 dealing with the Gross Receipts Tax and in that Resolution we voiced our opposition as strongly and as emphatically as we could on the Gross Receipts Tax. I wanted to make sure that people knew in the State of Illinois that the Gross Receipts Tax was bad for consumers and bad for business. Today, I am very pleased to announce that if all... if... for those of you that so choose if you looked at the record of the Clerk's Office you would now see an additional eight (8) Members on this Resolution, meaning there are now sixty (60) people in the Illinois General Assembly, in the Illinois House of Representatives, people that represent all walks of life, all parts of the State of Illinois, business big, small, consumers, families, moms and dads, seniors, all voicing their

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opposition to the Gross Receipts Tax. I think everybody in this chamber knows how to count. I think everybody in this chamber knows the significance of sixty (60) people voicing their opposition to the Gross Receipts Tax. I think somebody... and I guess we can do it through this mechanism 'cause I... in a minute going to ask you the status of the Resolution. I think it needs to be told to the Governor that there are now sixty (60) votes in the House of Representatives opposing the Gross Receipts Tax. I think this is a good day. There happened to be an article in the paper today or an ad that shows the bipartisan support in opposition in the State of Illinois to the Gross Receipts Tax. Republicans, of course, not a surprise. Mayor Daley is quoted as saying, 'Business people are not fat cats. They don't have to be here. So, if you want to beat up business, go beat them up. And when you... and when they leave just wave to them and they're going to wave back to you.' Mayor Richard Daley, mayor of the City of Chicago, in his opposition to the Gross Receipts Tax. Our Treasurer, perhaps a rising star in the Democrat Party, 'I'm concerned the employers will end up leaving the state or going out of business. Frankly, businesses are only going to take a certain amount of hits before they start passing these things on to consumers.' Last but not least, I think I have this right, Lieutenant Governor, Pat Quinn, 'The businesses pass it on. The ultimate consumer at the store suffers the burden. The notion that everyday people will be exempt from this levy is not correct at all.' Bipartisan support, outside of this chamber and in this chamber shows

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the Gross Receipts Tax is DOA if it ends up in the House. I think we have sent a strong message to the Governor. We, of course, want to be part of a solution to a balanced budget as we leave here in the next few weeks and adjourn, I'm sure on time. It's not a budget, though, and no one should accept the premise that we need seven to eight billion dollars (\$7,000,000,000 to \$8,000,000,000) to balance the state's budget. So, Mr. Speaker, my question is, what is the status of House Resolution 344?"

Speaker Hannig: "Mr. Clerk, what is the status of House Resolution 344?"

Clerk Bolin: "House Resolution 344 is in the House Rules Committee. Representative Black has filed a Motion to discharge from Rules."

Cross: "Well..."

Speaker Hannig: "So, the Bill is in the Rules Committee, Representative."

Cross: "Well... and I want to thank the Members on the other side of the aisle who are standing up for consumers and business people in the State of Illinois in their opposition. Could I get a indication from the Chair when and if you're planning assigning this to committee or to the floor? I... we could, I guess, bypass the committee and go right to the floor?"

Speaker Hannig: "Representative, that's a decision for the Rules Committee to actually make. So..."

Cross: "When... when... when can we expect the Rules Committee to act on this Resolution that we're trying to pass that would

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stop the greatest, largest tax increase in the history in the State of Illinois?"

Speaker Hannig: "Representative, that's... that's up to the chairman of the Rules Committee and the Members of the... pardon me, and the Members."

Cross: "Who's the chair of the Rules Committee."

Speaker Hannig: "Representative Barbara Currie."

Cross: "Oh. Is there a chance we could get an answer from her as to when we're going to maybe have a vote on our Resolution that, as I said, would voice... voices our strong opposition to the largest tax increase in the history of the State of Illinois? Could we get an answer on that, Mr. Speaker?"

Speaker Hannig: "Well, Representative..."

Cross: "Sixty (60) people are saying they're not for Gross Receipts."

Speaker Hannig: "I understand what you're... what you're... you're saying, Representative, but the Rules would provide that... when an Amendment... when a Resolution is introduced it's assigned to the Rules Committee and those five (5) individuals will make a decision to send it off to some committee or... or not, but that's their choice."

Cross: "We... we just got through with the month of April. We're moving into... we're in May. People were handing out May baskets the other day on May 1st as they often do. Now, we are literally weeks and days away from scheduled adjournment. Why continue the charade? Gross Receipts has no life in the House. We need to make that known to the people of the State of Illinois. Businesses can breathe a

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little easier; consumers can breathe a little easier and one way they can breathe a little easier is by passing House Resolution 344. Why the hesitation in keeping this Bill in Rules?"

Speaker Hannig: "Representative, it's... it's a matter for the Rules Committee to... to decide. That's... that's all I guess I can tell you from here at the podium."

Cross: "Well, I... could we get some indication in the next two (2) to three (3) weeks as to what the intentions are of the Rules Committee with respect to this Resolution? Could I get some commitment out of... out of you?"

Speaker Hannig: "We certainly will make an effort to at least... we'll certainly convey the message I suspect, Representative. I mean, I can't speak for the chairman of the Rules Committee. You're..."

Cross: "I know you can't."

Speaker Hannig: "You're asking the wrong person."

Cross: "I know you can't, but I appreciate this. I... I think that if the Governor is in town, perhaps he's downstairs, he should know that there are Republicans and Democrats in this chamber and around the state that don't want Gross Receipts Tax. I think we've made it about as clear as we can. And at the same time, we are ready and willing and able to have a discussion of passing a budget that's balanced. But I can tell you, Mr. Speaker, we don't accept a premise, not even close, that this state needs to raise an additional seven or eight billion dollars (\$7,000,000,000 or \$8,000,000,000) to balance the budget. So, thank you, Mr. Speaker."

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Speaker Hannig: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. Just an announcement. My roommate, Representative Osterman, announced earlier that we're celebrating the birthday of my seatmate, Representative Deborah Graham. In furtherance of that celebration there is cake in the back office, Representative Skip Saviano's office area that was brought to us by former Representative and now chief of staff of the Treasurer's Office, Robin Kelly. Thank you."

Speaker Hannig: "Representative Franks, for what reason do you rise?"

Franks: "Thank you. A point of personal privilege."

Speaker Hannig: "State your point."

Franks: "I wanted to follow-up with Representative Cross's comments. Representative Cross indicated that we now have sixty (60) Members who have signed on to the Resolution, House Resolution 344, with our opposition to the Gross Receipts Tax. I submit that it doesn't matter anymore whether... if that Resolution is called or not. It does not matter because we have made our will known, which I think is the most important issue. There is a loud and clear message now that the Governor has to hear, that the GRT proposal is unacceptable. With twenty-nine (29) days to go until our scheduled adjournment we are letting the Governor know that his proposal will not fly. We are absolutely doing him a favor by not letting him hang his budget on the GRT. He now knows that it will not pass in the House of Representatives. He needs now to get off of his position and engage the Legislature in a real dialog to achieve our

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mutual goals. He cannot continue to govern by press release. He knows this is not going to happen now, he's got to deal with us. I don't... he cannot save this GRT proposal. The time now... is now to engage in serious discussions. The Governor is also laying out a large part of his proposed budget on the sale of the lottery. Again, we don't have consensus here that that is going to be acceptable. With twenty-nine (29) days to go the Governor now knows that the Gross Revenue (sic-receipts) Tax will not work. So, I appreciate the help from our colleagues who signed onto this to let the Governor know of our intentions. So, now he can go forward and craft a budget within those parameters without the Gross Receipt Tax. He also needs to understand that we know that there has been growth of approximately eight hundred million dollars (\$800,000,000) this year in revenue that we have that we can use to fill expenses that need to be filled, to fully fund the hundred and forty-nine dol... the hundred and forty-nine million dollars (\$149,000,000) that the schools who have already built those schools should be getting right now. We also will have some money to pay our Medicaid providers; we'll have money to put into the schools to increase the categoricals as well as the base foundation levels. There's money there. The seven or eight billion dollars (\$7,000,000,000 or \$8,000,000,000) he's trying to raise through the Gross Revenue (sic-Receipts) Tax has now been rejected, let's work within those parameters."

Speaker Hannig: "Representative Stephens, for what reason do you rise?"

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Stephens: "A point of personal privilege."

Speaker Hannig: "Representative, um... the only thing I would ask is could we put the timer on if we're going to sort of make..."

Stephens: "Yeah, give me..."

Speaker Hannig: "...speeches?"

Stephens: "...give me a half hour."

Speaker Hannig: "Half hour. We'll start... how about if we start out with 5 minutes, Representative?"

Stephens: "All right. Okay. I'm not very good at math, but I'll take them five (5) at a time. I want to congratulate my Democratic colleagues for a very commonsense decision in joining in the Resolution declaring the death of the Gross Receipts Tax. That took a lot of courage. It's not political pandering; it is a courageous step. And I know that the Governor's at least rumored to be in the building and I hope that he's got his... his ears on because we... we're very serious about a very serious issue. And it's time that the public knew that this Body with Republican Leadership and Democrat cooperation has said clearly and loudly that the Gross Receipts Tax is dead. What part of that doesn't the Governor agree... or understand? I don't agree with the last Speaker, I think we should call the Resolution because that would be the real, official declaration that the Gross Receipts Tax is dead and... and that's a good... a good move. And with that in mind, Mr. Speaker, I would... I would move if it's under the appropriate rule that we... since we seem to be in suspended animation at this moment, that I would move to convene the

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Rules Committee immediately. And I would appreciate an opportunity to present the Gross Receipts Tax Resolution before that committee."

Speaker Hannig: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise to support this Resolution. And just would like to draw attention to the fact that I believe there's what, sixty (60) names, from what I heard the last time we checked here on the Resolution itself cosponsoring it, but I would venture to say that it's... it's certainly no realm of disbelief that the actual number of people who are opposed to the GRT and the way that it's put together today is far larger and far exceeds this sixty (60) votes or sixty (60) names that are cosponsoring this legislation today. I think it's important that we actually get the work of the people done. We get it done responsibly; we get it... get it done as quickly as possible and I think it's... it's important to make a statement as a Legislature that we do care about the people of this state, that we do believe in better education; we do believe in better health care but that we also need to believe in responsible legislation that looks out for everyone. It's not going to do us much good if businesses in our state are closing up and moving across the border because they're seen as fat cats, when in reality they're not. A business like Representative Sacia's is a perfect example of what we're talking about here and how this GRT, the way it's been marketed, is absolutely wrong for this state. I would like to just say that I certainly, along with I would say every

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Member in this Body, believes that we represent, you know, the people in this state to the best of our ability every single day that we come down here. And having that responsibility is a large responsibility and one that I would... I would assume all of us take very closely to heart. And... and, you know, are privileged and honored to have that responsibility. But, we do have responsibility to get, you know, roll our sleeves up, to stay here as long as it takes and get this done right the first time. As Representative Franks said, to govern by governing and not by press release. And it's important that we... we tackle these issues, that we get serious about it with our leadership and that leadership as well being from that Executive Office. And so, I look forward to working with the other Members of this House of Representatives in getting the job done, getting it done right and looking out for the interests of every citizen and every resident in this state. Thank you."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. I... the only thing I'd like to add, if I can, when the Representative said we shouldn't call the Resolution, I have to believe that we should and here... here's the reason why. I don't know if others have experienced this, but I've got a couple businesses that are talking about expansions. They want to do that. They were talking about that before the Governor came out with this proposal of the GRT, but now after the proposal of the GRT they've put those on hold. Matter of fact, unfortunately, one of them is actually looking at another state to locate

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that... actually expand a different part of a business he has in another state rather than deal with the State of Illinois because he's so unsure about what the situation is. I'm really glad that... that we've got other colleagues... the colleagues from the other side of the aisle joining on with us, but until we actually take the Resolution, bring it out here, vote and send such a clear message it... it's very difficult for these businesses that are out there that are wanting to provide jobs for... for people here in the State of Illinois... matter of fact, one of them wants to not only provide jobs, it's where he was born and where he was raised, but unfortunately, he's kind of held out here in... in nowhere land because all he hears about is the Governor walking around the state or going around the state to different locations, sometimes in locations where the crowd is... is not in... not real receptive to the GRT and other times where he goes to a... a program situation where he only allows people that are in there that support it to... to come in and talk. But we've got to send a message to our businesses that we do want them to create jobs, we do want them to continue to expand their business, to provide the revenues to the economy in a... in a sensible way and send a clear message that we don't want the GRT. I think by not calling it, what we're doing is... is we're kind of sending message we're really not sure. I'm sure. I know that the Members on my side of the aisle are definitely sure. It sounds like there's several Members on your side that are sure, but until we have that Resolution in front of us we can't send that bold, clear message that we need to be

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sending, that not only do we not want the GRT, we want it to quit be talk... we want to quit talking about it and move on to some other solutions that might be necessary out there. I would encourage us to call this Resolution. Thank you."

Speaker Hannig: "Representative Miller."

Miller: "Thank you, Mr. Speaker. It's easy for us as Legislators to talk about what we don't want to support; it's easy for us to talk about one plan versus another, it's very easy. In fact, what has been penalized is the children in the State of Illinois. This is the political rhetoric that I'm hearing today. It's the political quagmire that we've been caught in over these years. There's another Bill out there, House Bill 750... Senate Bill 750 that is on Second Reading that is still being worked on that still provides an opportunity to fund our schools. The problem I have with it, if you're not for GRT, if you're not for 750, then what are you for Members of the General Assembly? So, we can sit here and keep going and let's go onto other more pieces of leg... important pieces of legislation, but until we get to the point of what are we going to vote for? What are we going to support? How are we going to fund a fair system for educating our children? Then we're going to continue having children who are subject to a second tier system. The disparity of those who have a quality education and those who don't are... is going to widen and we're going to continue to fund our schools based on our zip code, not on the ability of the children."

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Speaker Hannig: "Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. A couple of weeks ago in Education Committee I ask the question of the Governor's budget representative, very simply put, if the GRT is DOA what is Plan B? No answer. I asked the question three (3) times. What is Plan B for our children? What is Plan B? There is no Plan B. Now, you know, I'm... I'm not an expert on telling when something is dead or alive, but we have an expert with us today. Representative Dan Brady, as you all know is a coroner and a few minutes ago Representative Brady declared that GRT is dead. GRT is dead. It's time for us to move along. It's time for us to engage in rhetoric that will solve problems. This Body has an opportunity this spring to do something regarding education. We're not going to be able to do it if we don't get away from what everybody understands is something that is not the answer and GRT is clearly not the answer. One other note, and I want folks to take advantage of this limited time offer, I'm... I'm appreciative of the fact that we have a beautiful new chamber here, beautiful leather inlaid desktops and I have found a way to protect those desktops from any damage. And I have available for Members desk protectors. These desk protectors are available if you just let me know, I... I can get you a desk protector for your desk here on the General Assembly Floor. And that way, even though we can't follow a Democratic process of allowing a vote on a Resolution that has over a majority of the Members signed on as a Sponsor we can still make our voice known. Thank you."

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Speaker Hannig: "Representative Fritchey. The Gentleman does not wish to speak. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'm... I'm heartened by the remarks on both sides of the aisle so this doesn't appear to anyone to be just simply a partisan display. My concern and I can... I can get you or the Governor's staff copies of this, I live on the Indiana border and it has been widely reported in the Indiana newspapers by economic development professionals in the State of Illinois that I find disconcerting. One article pointed out that they hoped, they, being economic development folks in Indiana, they hoped that we passed the GRT tax so that they could get ready to welcome all of the jobs that would move from my area into Indiana. Another economic development professional not... not long after said that he... he didn't care if we passed it, he hoped that we just kept discussing it month after month after month because it would have the same result that companies would not expand in Illinois; they are beginning to look at border states. On a television news program that I tuned into here in Springfield, not long ago, they were interviewing a businessman in my district and... and basically, he started out cleaning carpets and he has branched out into storm damage and fire damage and cleanup. And he pointed out that should this go... and he's a small businessman, he's not a rich corporation, but he could gross two million dollars (\$2,000,000) and last year made a profit of forty-seven thousand dollars (\$47,000) and would have to pay a tax on

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that. And I think that the inherit unfairness, as he pointed out, that if he lost money he would still be subject to the Gross Receipts Tax. So, he.. he said in a non-threatening manner that he could save ten thousand dollars (\$10,000) in workers compensation costs by moving to Indiana, a couple of thousand dollars in unemployment insurance costs by moving to Indiana, and if the Gross Receipts Tax were to pass or continues to be discussed which keeps some of his expansion plans on hold, he would certainly look at.. at moving in Indiana. We have another industrial expansion that could bring as many as two hundred (200) jobs from a plant in Ohio to a plant that is in Vermilion County, but that's on hold. That's on hold until they know what this tax climate is going to be. So, I think the message is very clear and I.. I tend to agree with Representative Miller. I think it's time that we begin to discuss a Plan B, that I think most of us realize the Gross Receipts Tax.. as.. as noble as some of things it would fund are, health care and additional money to education, it is, you know, as Robert Browning said that, 'A man's reach must exceed his grasp or what's a heaven for?'. Well, in this case the reach exceeds the grasp. Now we need to get down in the weeks ahead and see what we can do, what we are willing to compromise and agree to so that the business community can face the coming year with some confidence. There are expansion plans that are on hold, there are job additions that are on hold. This is not a good situation for the state to be in. And one of the most grievous injustices we can do to our children is

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to leave Illinois in such a poor business climate that they will have to leave the State of Illinois in order to find jobs when they graduate from school. That doesn't help us, it doesn't help anybody. I think we should act on the Resolution."

Speaker Hannig: "Representative Lang."

Lang: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. I'm not a very big supporter of the Gross Receipts Tax, as written, but I did not sign onto the Resolution and I did not sign onto it for a very good reason. I don't think that we should be about the business in this House of preparing Resolutions in advance to announce how we're going to vote on a piece of legislation we don't even have yet. Imagine, if you will, that you have a Bill, whether it's a large Bill or a small Bill, something critical to Illinois or something just for your district, and sixty (60) Legislators decide to put a Resolution forth to say, well, whenever that Bill comes up we're not going to vote for it. I just don't think that's the appropriate thing to do. To have a Resolution that says we're not going to vote for a Bill that isn't even in our chamber yet seems to me a bit premature. And it seems that we could have five thousand (5,000) Resolutions discussing in advance how we're going to vote on the five thousand (5,000) Bills on the House Calendar, that seems to be a... be a waste of our time and a waste of our effort. We ought to take Bills as they come and vote on them, up or down. Having said that, I'm not a supporter of the Gross Receipts Tax, certainly not as written. I'm pleased that we're having this part of

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the debate; I think the House Floor is a good place for debate on important issues. I just objected to the notion that we decide in advance by way of a Resolution what we're going to vote for later or what we're not going to vote for later. Having said that, we should not leave Springfield without resolving some of the issues that the Governor boldly put forward. While I don't think I agree with his direction of how he wanted to get to the finish line, I think we would all agree that we've been waiting a very, very long time to properly fund education in Illinois and we must do that. We've been waiting a very, very long time to fund health care in Illinois and we must do that. We've been waiting a very, very long time to deal with property tax issues and we must do that. And there are any number of issues that the Governor talked about, boldly and creatively, but with a plan that was probably flawed. We have to deal with our pension debt. We have to find a way to pay for capital projects this year and I may have a plan for you on that, but we have to do these things. And instead of talking at each other, and that includes all of us in this chamber and all of those in the other chamber, and it includes the Governor and the Constitutional Officers, we ought to be talking with each other. Seems to me that the success we had in this chamber when we had a Committee of the Whole on electric rates, although we haven't gotten to the finish line there, is a good model for coming out to the House Floor and really debating issues about education funding, really debating issues about health care, really debating issues about pensions,

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really debating issues regarding how we're going to find the revenue to run the State of Illinois in the way we all want to run it. So, Ladies and Gentlemen, I don't think the Resolution was the right thing to do, but I sure agree with those that say we have to do something about these issues. Let's not find ways not to move forward, let's all work together to find ways to move forward and let's pledge that we're going to stay right here 'til we get this job done this spring. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker. I... this is maybe the most interesting thing I've seen happen in five (5) years and that is, we have a Resolution that's still in the Rules Committee, yet sixty-one (61) Members... and by the way, the number of people that have signed on in opposition to the GRT has... has gone up since Leader Cross started... started speaking here a half hour ago. Sixty-one (61) Members are now signed in in opposition to this from both Parties. That must be one of the most clear and unequivocal signals I've ever seen to the Governor of the State of Illinois and it certainly is in my five (5) years here. I think it's time that we all start looking at crafting a proposal and legislation that attracts jobs to the State of Illinois. Like Representative Bost said a few minutes ago and Bill Black before him, I have manufacturers in my district who are looking at expansion, those expansion plans are now on hold. All on hold pending a Resolution of this state's tax policy. And those manufacturers bring good jobs with good benefits. You talk about health care, those jobs have

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health care. This Body, this great state needs to be working to bring jobs to our state not scare them away. Thank you, Mr. Speaker."

Speaker Hannig: "Representative... excuse me... Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If I... if I might, I would like to just... if we can just take a step back and lay out the context under which... and the timing under which we're debating this issue and this Resolution that isn't even before the Body at this time. First of all, I do agree with many of the comments of my good colleague Representative Lang. Let's think about the process and where we're standing. We're here at the beginning of May, I understand the end of May is fastly approaching, but to stand here and talk about what we're against, what we're for, to debate a Resolution without it being before the Body... it's introduced over in the Senate, here's the question that we have to ask ourselves. It's a question that each of you on both sides of the aisle have to answer, because every time I've ran for office, here's what I've said and I think you have too. You've said the same thing: number 1) my #1 priority is funding education here in the State of Illinois, making sure our kids have a chance to make it forward, to move forward, to have good schools, quality education. We've also, many on this side of the aisle and many on that side of the aisle, have said we want to ensure that our people have access to affordable health care. Now, we may disagree on the plans, but we've said it over and over and over again. We've said we want

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to have good infrastructure and I know that the Leader on the other side of the aisle has come out and said, I want to be for a capital improvement plan to provide infrastructure improvements to move our economy forward. We've all said it. We've all said it. Education, health care, infrastructure improvement and God knows... God knows, you've all said it 'cause I read it in the mailers, God knows you all said, oh, my goodness gracious, the unfunded liability of our pension system is a crime and we got to take care of it, forty one-billion dollars (\$41,000,000) in unfunded liability. Well, I'm sitting here two (2) years later after we passed a budget, two (2) years later making some very difficult and tough decisions on a pension plan. We're sitting here, and we're still for your plan, we're still waiting for your plan. What are you for? Are you for an income tax increase? Is that what you want to do? Do you want to increase income taxes on the hardworking people of this state? Some people do, I understand their position. But don't stand here and say, fix the pensions. Don't stand here and say, money for education. Don't stand here and say, health care for everybody without having a plan on how to pay for it. Now, you may disagree with what's been put out by the Governor. You may disagree with the Gross Receipts Tax but, I got to tell you... I got to tell you, if you want to truly have an honest debate on the issue put forward a plan on how you're going to fund the necessary functions of the state: infrastructure, education, health care. Now, I want to just make one final point... one final point. Fundamental fairness in the tax

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system is very difficult to disagree that there is some fundamental unfairness in our tax system. Absolutely fundamentally unfair that twelve thousand five hundred (12,500) of the largest corporations in Illinois pay an average of a hundred fifty one dollars (\$151) in state income taxes. Fundamentally unfair that thirty four (34) of the largest Fortune 100 companies in Illinois pay zero (0) in Illinois income taxes. I'm not... I'm not making it up. It's fundamentally unfair. Do you agree with the proposal? Maybe not, but come back with a plan. Look, in the last two (2) years here's what's happened. My goodness, the White Sox have won the World Series, we still don't have a plan from you. Angelina Jolie and Brad Pitt have gotten together, for God's sakes, we still don't have a plan from you. The Cardinals won the World Series, we're still waiting for your plan. So, you can call all the Resolutions in the world, you can do all the speeches and talk about all the rhetoric, but somebody eventually has to govern and it's time we do it and stop the speeches. Let's work together and get this done by May 31."

Speaker Hannig: "Just... just to clarify, we're actually on points of personal privilege. There's some... there's some other Gentlemen and Ladies who liked to speak, but Representative Cross as Leader, I'd certainly... I respect your position and give you a chance to respond."

Cross: "Well, I... I... and I have about as much respect and I... a lot of friendship and enjoy his company as much as I do of anybody in this Body, the previous speaker. He's a solid guy, he's a bright guy, he's a capable guy and I have a lot

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of respect for him. But I don't think anybody in their opposition to Gross Receipts is saying we're not about solving the problems of the people of the State of Illinois. We all know what's gone on in this state over the last few years. We've seen increased spending by three and a half (\$3,500,000,000) almost four billion dollars (\$4,000,000,000). We didn't support that; it happened, by this Governor and by his Party. We've seen Medicaid payments unpaid to the tune of three billion dollars (\$3,000,000,000). We've seen a pension system raided to the tune of three and a half (\$3,500,000,000), almost four billion dollars (\$4,000,000,000) and it continues to climb. We realize that there are problems that be... that need to be addressed in a way that is getting to be almost catastrophic. We need to take care of our pensions, we need to take care of education, we need to take care of our debt service, we need to take care of Medicaid bills. We are simply saying today, along with Members of your side of the aisle to the previous speaker, that the way to do it is not the Gross Receipts Tax. The way to do it is not to hurt every consumer in the State of Illinois and every business, big and small. It's not the way to do it. If there are inequities in our corporate tax structure, let's look at those, but that's not what this is about. This is about raising seven and a half (\$7,500,000,000) to eight billion dollars(\$8,000,000,000) to not take care of old problems, but to create new programs and to find new ways to spend money. We do not approve of that. We object to that at this point and to suggest that we're not about

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solving problems because we're not for the Gross Receipts Tax is unfair and not accurate. When we talk about the Gross Receipts Tax and I think most people know this, we talk about a tax that's known as a stealth tax and a hidden tax. A tax that... taxes if you're making a car or a tractor, every single process in the building of that car or tractor gets taxed. So, Representative, the previous speaker, talked about I think a year ago looking under his desk for our plan. Well, I think if Gross Receipts passed we would have a hard time in this state finding farmers staying in business, finding grain elevators staying in business, finding manufacturers of cars staying in business, manufacturers of tractors staying in business, people that sell coffee staying in business, people that sell our children soccer shoes and blue jeans staying in business because the eight billion dollars (\$8,000,000,000) that the Governor wants to tax on those people is so onerous that we will lose business at an alarming rate. If you are on any part of the borders of this state, business will go across to Missouri, to Indiana, to Wisconsin, to Iowa. We're about solving problems, we're about education, we're about health care, we're about capital, but we're not about harming the consumers in the State of Illinois. We're not about harming businesses, small or large. And I might add, to the previous speaker, no one invited us to the table last year. No one invited us to the table the year before. So, it's pretty hard when you've got all the players on your side of the aisle and can pass a budget to find fault with the Minority Party when you did it on your

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own. We have offered solutions this year on capital. We will continue to push those and we will continue to assist... or try to assist on a dialog of solving problems, but not on the backs of consumers and not on the backs of business in the State of Illinois. So, Mr. Speaker, I... we now have sixty-one (61) Members who have voiced their opposition to it and we will gladly... gladly welcome any other people that want to show their support in opposition to Gross Receipts Tax. So, thank you."

Speaker Hannig: "We can proceed on this order, I guess, as long as the Members wish to speak. Representative Bost asked when we're going to call his Bill and I advised him as soon as we finish this order of business and others are probably in the same place. So, perhaps out of some courtesy to your fellow Members who would like to call Bills I'd ask the Members to be brief. Representative Fritchey, you're recognized."

Fritchey: "Thank you, Speaker. I didn't speak the first time 'cause I thought I was going to hold thoughts, but some things have been said. We all represent a hundred and five thousand (105,000) give or take, among my constituents are the Governor. What he has done is he's the one that's put us in this position. I don't care if the Resolution gets called or not, but I was one of the first Democrats to sign up in favor of it. Why? Because I'm tired of us being demonized. We are all out here trying to work for the men and the women and the children and the families and the businesses that we represent in our district. None of us have come forward and said, take our way or leave it. The

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Governor put us in the position when he was back looking at a primary, selling the lottery off was going to the answer to all the problems. That fell by the wayside. It fell by the wayside like a number of his large proposals have. They come, they get a big news storm and then they fall by the wayside. The Governor is the one that wants to be the leader here, he has not come and said, I want to work with the 177 Members of the Legislature. He said, 'It's my way or no way. I'm on God's side, I'm on the side of the kids, I'm on the side of the families and we're going to stay here until it gets done.' That is not how you lead. The Gentleman from Collinsville talked about having another plan. I've been one of the lead Sponsors of House Bill 750, there is another plan. Debate the merits of that. If you don't want to debate the merits of that, debate the merits of something else, but sit at the table. We have a Legislature in this state; we are coequal partners. We are not going to be bullied and cowed into doing the will of one man simply because he says that's how it's going to be done. The threats of keeping us here all summer... listen, like many of you, I was here through most of July two (2) years ago. I did it then because we had to do it, I'll do it again. What I don't want to do is go home with nothing but rhetoric and empty promises and telling the kids and telling the families and telling the workers that we care about them, but we didn't do a damn thing again. If he's serious about getting jobs back into this state and if he's serious about getting health care for the uninsured, if he's serious about fixing education, sit at the table with

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us and get it done. It's not going to get done by threats. It's not going to get done by demonizing the Legislature. It's not going to be done by media headlines. It's going to be done by showing some leadership and working with us. Ladies and Gentlemen, you may see a story soon... I don't want to be cryptic. One of the best known employers in this state has recently closed this week on five hundred (500) acres of property in Wisconsin. They've closed on that property to keep their options open. Every business that can... if the GRT were to pass and I'm really not worried about it 'cause it's not going to, but if the GRT were to pass every business that could pass it on to consumers will pass it on to consumers. The businesses that cannot pass it on to consumers will simply leave the state. Is it wrong that you and I pay more in income tax than some of the state's largest employers? Of course it's wrong. Then let's fix it. Let's not put the farmers out of business. Let's not put the small businesses out of business. Let's not keep other companies from coming to this state. Let's not do all of the those things and still not get anything done. What does it tell you that the more details that come out about this plan, the more opposition that you get? All I know is the people that I have heard from in my district and from around the state, when I hear from individuals, when I hear from family members, when I hear from business owners, they are against the GRT. The only e-mails that I have received from GRT have been form generated e-mails that are coming from one state agency or another, from vendors with the state, whatever it may be.

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Governor, if you want to lead I want to help you lead. You are going to have to sit down and deal with the Members of the House and deal with the Members of the Senate. If you want to dig your heels in, we can dig our heels in too and we'll stay here all summer. Thank you."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, for allowing this debate to go on. I think it's a much better debate here than on television and television commercials. I, too, wasn't planning on speak to... to speak until some of the other people brought up some general information, but let's take an overall look at where we're going in this state. By the year 2015, 2020 we're going to have more retired people than we have people working. The goal is to have a balance between business and labor so that our state employs enough people and entices business into our state so that we can support our retired people. At every turn this Governor has stymied that so that we will be at the bottom and all the surrounding states who are ahead of us in workforce investment and other things are going to be ahead of us. So, quite frankly, I don't understand. It is quite evident by what's been going on in this Body that business is disrespected in Illinois and labor is getting all the... the legislation. That may not be bad, but what you want is a balance. You want businesses that hire people so that we are a state that supports ourselves. We are not doing that. We have robbed from the pension system; we don't pay our bills on time. Human service providers are, I would say, being bullied into trying to back this plan, which is

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not a good plan. And then we have the television commercials and the things that talk about who God is supporting. God, she hasn't checked in with me yet, I think she thinks the General Assembly is going to work on this. So, quite frankly, I find that very interesting. The fact that polling shows that consumers do not think the Gross Receipts Tax is anything other than a pass-through tax, maybe the Governor ought to take that into consideration. And then one of the other Representatives brought up all those interesting people, and I certainly would never demean the White Sox, particularly since my roommate's Patti Bellock, and Angelina Jolie, I mean that's really important, but maybe what we're missing is that Elvis is alive and well and living on the second floor in the Capitol and perhaps that's how he's promoting gross excesses."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I just want to say that I know that there are a number of issues that we will have to settle before the end of this Session. I want to commend the Leaders of our House, the House of Representatives, Emil Jones as President of the Senate and Governor Blagojevich and even you, Representative Hannig, as these issues are hammered out. People want new schools, but they don't want to pay for them. People want increased foundation levels for education, but they don't want to pay for it. I am truly saddened when I hear people say that the GRT will cause price increases. Have you been to the store lately? Have you purchased gas for your car?"

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Everything continues to increase in cost without the GRT. Businesses are adding dollars on a daily basis for school supplies, shoes, clothing for children, furniture. It is an astronomical increase in every consumer product that we're using in this state and in this country. People are becoming trillionaires, no longer millionaires. No longer billionaires, but trillionaires. As a State Representative who's been here for twenty (20) years, I will continue to support the consumer. I do not believe... I do not believe that my role here should be to continue and allow businesses to gouge the citizens in the State of Illinois and not pay their fair share. Whether we will pass the GRT or whether we'll pass some other taxing solution, one thing should be perfectly clear and that is that prices are continuing to rise without the GRT. So, let's not blame a proposed GRT on rising prices. Have you priced milk today? Are there any mothers in here? Do you know what a gallon of milk costs today? Well, it won't cost that on Monday. It'll be up a little bit more on Monday. Orange juice, how much is it? Used to four dollars (\$4), five dollars (\$5), now it's six dollars (\$6). Six dollars (\$6) for a quart of orange juice for your family. Come on, guys. Come on. It has to stop. Because as, you know, salaries are not rising to this degree. I am not in this Body to continue to make trillionaires with consumer dollars of the poor people of the State of Illinois. You want a new school, you got to pay for it. You want an increased foundation level on education, you got to pay for it. You want to make sure people... believe me they're not going to leave Illinois,

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they're not going to run from Illinois because they know they've still got some pockets left here. Again, I commend our Leaders for working this issue out. And Mr. Speaker, I urge you to help us get back to our Third Reading Bills. Friday or Thursday is the deadline for Third Reading and I've got a Bill I want out of here. Let's move on."

Speaker Hannig: "Representative Biggins."

Biggins: "Yeah, thank you, Mr. Speaker and colleagues in the House. A few minutes ago, there's something familiar when Representative Hoffman was speaking, lecturing if you will, at our side of the aisle, it reminded me of the last time I heard him do that. And it was over a decade ago and at that time the Republicans had the Majority in the House and the Senate and the Governor's Office, but there's a little bit of difference now because he seemed to be complaining about what this Legislature's not doing. In those days he was speaking from a Minority position, but today, to remind him, he has the Majority in this chamber and the Senate and the Governor's Office. Now, we are very happy to have been able to put out a lot of input to the budgeting process, we really appreciate the inclusion, merry nature on the Democratic side of the aisle and I look forward to continuing to do that as we focus on what we agree on and hopefully come to a sound fiscal solution to our state's budget. So, I look forward to working with my colleague, Mr. Representative Hoffman, as well, as we go forward doing this."

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Speaker Hannig: "Okay. And now on the Order of House Bills-
Third Reading, is House Bill 3567. Mr. Clerk, read the
Bill."

Clerk Bolin: "House Bill 3567, a Bill for an Act concerning
transportation. Third Reading of this House Bill."

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

Bost: "Thank you, Mr. Speaker, Members of the House. House
Bill 3567 is strictly cleanup language for the Golden
Apple... the transfer of the money... the change around,
cleanup language so it'll work. It's at the request of the
ISAC and I'd be glad to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does
anyone stand in response? The Gentleman from Cook,
Representative McCarthy."

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

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

McCarthy: "Representative, it says plate on the board. Is this
a... a new license plate? Or is this..."

Bost: "No, it's... it's..."

McCarthy: "...clarification?"

Bost: "No, it's an existing plate, but it actually just changes
which direction the money goes."

McCarthy: "So, it just changes the distribution of the money?"

Bost: "It changes the distribution, puts it in the right
account for ISAC, yes."

McCarthy: "Okay. And this plate is like one of the regular
plates? Goes on front and back?"

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Bost: "It is."

McCarthy: "Okay. Thank you."

Bost: "You're welcome."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bradley, D'Amico, Lyons, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bradley, you have House Bill 1956. Out of the record. Representative Brauer, you have House Bill 635. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 635, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 635 is a Bill with no opposition and it's subject to appropriations. Very simply, what it does it has DCCA create a pilot program that we put kiosks in the rest areas to inform the travelers about the tourists sites in the state. Amendment #1 changes the language from 'must' to 'may'. I'll answer all questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take

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the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Burke, you have House Bill 1455. Out of the record. Representative Monique Davis, you have House Bill 1890. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1890, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 1890 is a Bill that is an agreement between the Chicago Public Schools and the union and it states that the evaluation of teachers will be done by their peers as well as their superiors; that if there's a cause for remediation there will be recommendations in reference to that remediation. And that this performance evaluation plan will be the procedure that's followed. This agreement between these two (2) bodies will help to make it more, let's say, fair for the evaluation of teachers. And I would just ask for a 'yes' vote."

Speaker Hannig: "This is on Short Debate. And in response the Lady from Cook, Representative Mulligan."

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

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

Mulligan: "Representative, would this legislation have any bearing on what the Chicago Board has announced about laying off teachers for the coming year?"

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Davis, M.: "No, it will not."

Mulligan: "Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Dunn you have House Bill 3388. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3388, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Will, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's a relatively simple Bill, clarifies that doctors and electrologists may delegate duties and tasks to an appropriately trained person. I ask for an 'aye' vote."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Eddy, you have House Bill 1651. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1651, a Bill for an Act concerning education. Third Reading of this House Bill."

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Speaker Hannig: "Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. House Bill 1651 is a Bill that basically removes the requirement that the regional superintendent of schools must sign off on a deactivation or reactivation of a school facility referendum. Many years ago the county clerk took over most of the signature sign-offs by... on referendums, this one still has a duplicate and this simply takes the regional superintendents off. It still has to be certified by the county clerk."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Osterman and Acevedo. Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flider, you have House Bill 1786. Out of the record. Representative Flowers, you have House Bill 1338. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1338, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1338 would require the Chicago Board to post in the school buildings the date of the last fire alarm inspection as well as the capacity of the building."

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And I'll be more than happy to answer any questions you may have."

Speaker Hannig: "This is on Short Debate. Does anyone speak in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bassi, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ford, you have House Bill 3602. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3602, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. I'd like to offer House Bill 3602. House Bill 3602 requires that the election of commissioners of the ICC happens at the general election. Under the current law there are five (5) Commissioners appointed by the Governor. And in light of all of the incidents with the ComEd and... and Ameren, I propose this legislation today for passage so that the people of the State of Illinois will have accountability for those making the decisions about rates. Thank you."

Speaker Hannig: "This is on the Order of Short Debate. In response... and in response the Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

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

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Durkin: "Representative... Representative Ford, where would these individuals be running from? Would it be through districts or would it be statewide at large?"

Ford: "From the judicial district circuit."

Durkin: "Judicial districts?"

Ford: "Yes. Appellate."

Durkin: "I'm sorry, could you repeat that?"

Ford: "From the five (5) appellate judicial districts."

Durkin: "Okay. All right. One for each district. How would they... I'm just kind of curious. Would there be a Republican candidate and a Democratic candidate? Would that be the same way? I mean, how..."

Ford: "I'm sorry, I can't hear you."

Durkin: "...they would be filing as Republicans and Democrats, I imagine, or Independent candidates running?"

Ford: "That's... that's right."

Durkin: "Okay. Would these individuals... would this be a full-time constitutional... I mean, may I ask this. Would this be technically a cont... under the constitutional offices? Would there be an executive election?"

Ford: "No. It's a state election."

Durkin: "Is this... would this be a full-time job?"

Ford: "Well... it depends. If that person that we're going to be holding accountable at the time will devote full-time obligations."

Durkin: "Well, the thing is, right now the ICC members I don't think... I think they're precluded from practicing law or having any outside... any other outside employment. Would the same apply to these individuals? 'Cause, I mean, we

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don't want to see lawyers who are running for office, they're elected to the ICC, but at the same time may be with a firm that has matters before the ICC. While they could probably, you know, avoid the conflict of interest, but I think we'd want to avoid these individuals having second jobs so they can devote their attention to it. Now, is that defined within your legislation that this is a full-time position and that they're precluded from outside employment?"

Ford: "Yes. Certain... certain lawyers as it states is... they're not prohibited from running."

Durkin: "No, but I... but the issue I have is whether or not the people that you have... these five (5) commissioners who will run whether they will be prohibited from any other employment?"

Ford: "Oh, no. No. No. That's a problem for you that they would not be prohibited from holding any other positions?"

Durkin: "Yes. I... I... I think right now and maybe you can ask your staffer, but I don't think any of the commissioners right now are allowed any other income outside of what they receive as the ICC Commissioners?"

Ford: "And... and you're correct on that. And... and I still feel that even though they're full-time it seems as though they've been full-time not representing us full-time."

Durkin: "I... no disagreement of me. I mean, I'm... I'm disappointed with the ICC. Last week in committee I asked a question of when they would finish their investigation of the utilities, which was... which began in January and they said it would take two (2) or three (3) months a few months

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back, now they said it's going to go into September. So, I'm not happy with the way things are going over there. But I just want to get an idea of when these individuals do run that they are going to be state employees?"

Ford: "You know, you bring up a good suggestion, if it's a suggestion or if you're just making a point; that we may want to include some language to state that they can't hold any other positions. But, it is an elected position. And right now it does not exclude them from holding any other position."

Durkin: "Well, I think not only that, but not only... it's elected. I think that they should be full-time employees of the state, but also I want make sure someone's not holding another office as well. I... I think that there's a number of Attorney General opinions that show that, you know, that certain jobs are incompatible, but I just think that we need to be real clear when we're going to take on and create an elected position like this that it's... it's... it's quite obvious that what are the qualifications and also that if you are elected the restrictions on what you can do. I mean basically, you're restricted from doing anything else other than serving as commissioner. Now, the compensation... would it be subject to the Compensation Review Board?"

Ford: "That's right."

Durkin: "Okay. Does that mean I'm... I'm not just up here just trying to spend time, but does this... I don't have the legislation in front of me, but is that in your legislation that states out that they will be compensated and the

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Legislature will be the ones that will approve or disapprove their... their recommendations from the compensation review?"

Ford: "That is... that is something that we must make sure that we work with the Senate Sponsor to make sure that it's included in the legislation."

Durkin: "Have you heard from anybody who objects to this legislation?"

Ford: "Yeah... no..."

Durkin: "Anybody in the utilities..."

Ford: "...no."

Durkin: "...or how about the IC..."

Speaker Hannig: "Representative, your... your time has expired. Yeah, you can bring your remarks to a close, if you want to ask one more question."

Durkin: "Has the Illinois Commerce Commission indicated what their position is on this?"

Ford: "They're neutral."

Durkin: "They're neu... All right. Thank you very much."

Ford: "Thank you."

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

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

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

Black: "Representative, can you tell me what the salary is for a current commissioner on the Illinois Commerce Commission?"

Ford: "Currently, it's ninety-nine thousand, four hundred and fourteen dollars (\$99,414), Mr. Black."

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Black: "Is that what the salary will be for those who are elected?"

Ford: "Right... right now that's what it would... and it would have to be reestablished according to what we... what I was speaking with the former... or the previous speaker saying that we have to make sure that we establish the salary."

Black: "So, you're... you're going to reestablish the salary by administrative rule then, not... not in the legislation, right?"

Ford: "We would like for the... no... we would like for one... if this passes out of the House, that the Senate will establish this with me."

Black: "So, then it would have to come back here for concurrence?"

Ford: "The Amendment."

Black: "All right. Let me ask you, I didn't see anything in the Bill that would preclude a member who worked for any utility company; telephone, electric, water. Are they specifically prohibited from running?"

Ford: "No, not at all."

Black: "Would not that be a classic conflict of interest?"

Ford: "I think..."

Black: "To sit on a board that sets rates and your employer is an electric util... transmission company or a water company or a telephone company?"

Ford: "Yes."

Black: "Well, then what... why would we want to pass a Bill that you say is an absolute conflict of interest to begin with?"

Ford: "Well... An absolute conflict?"

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Black: "Yeah."

Ford: "Absolute... I don't know if it's absolutely... because you know what happens, in this case, the public still can see that this person is a member and they don't have to elect them."

Black: "Representative, I can think of a lot of elections where they probably should not have elected somebody but they did. Under your Bill all five (5) commissioners could work for Commonwealth Edison, AT&T and the Ameren companies and sit on the..."

Ford: "Well..."

Black: "...Commerce Commission."

Ford: "Well, Mr. Durkin, I think that you..."

Black: "No, I'm Mr. Black."

Ford: "I mean... I'm sorry... oh..."

Black: "That's all right."

Ford: "I think our... I think you raise a... a important point because I spoke... as I said previously, the previous speaker already addressed that. And we said that we really want to work with that, so that it'd be full-time position and no longer will the person that works for ComEd or any utilities would be able to serve on this board."

Black: "How about someone who retired from Commonwealth Edison?"

Ford: "Someone that's retired from the board?"

Black: "No, retired from Commonwealth Edison and runs for the Illinois Commerce Commission?"

Ford: "Well... well the people will have a choice to see if that person that they're about to elect or considering to elect

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really has the best interests of the people of Illinois or if they have a special interest in the utility companies."

Black: "Representative, you have a heck of a lot more faith in the electoral process than I do. I mean with... with the Internet blogs and thirty (30) second television commercials, I could run the president of Commonwealth Edison and the average voter wouldn't know anything about him and elect the president of Commonwealth Edison to the Illinois Commerce Commission and every decision he would vote on would be immediately taken to court because he has a vested interest in protecting the rate structure of his utility. This... this... you really need to do some work on this Bill when it gets to the Senate. Let me ask you just one more question. Is this your idea, have you ever heard of this idea somewhere?"

Ford: "Have I heard it somewhere?"

Black: "Yeah."

Ford: "It's... it's my idea and it's all... yes."

Black: "Oh, okay. I... I just thought you might have read my House Bill 1383 that called for the same thing, that I introduced this fall, but the Democrats wouldn't let that out of committee. And then when they did they... they gutted the elected Commerce Commission and took it out of the Bill. So, I just... I just thought maybe you were... you know, imitation being the greatest form of flattery, I wanted to be flattered, but if you didn't... if you weren't aware of my Bill calling for the election of a Commerce Commission then I'll... I'll take you at your word. I'm not opposed to your concept, Representative, but you really need to tighten

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this thing up or you'll have people on the board who are there to protect utility interests rather than consumer interests. I think you've got a good idea and I.. I tried to get it passed earlier in the year.."

Speaker Hannig: "Pardon me, Representative, your time has expired. Could you bring your remarks to a close?"

Black: "I'll just leave one thought with him. Again, I.. I think it's a good idea that's why I introduced it earlier, but it really needs to be tightened up. You can't have people sitting on the board who make their living or.. or get a fat pension check from utilities that you're now charged with regulating. I think we'll have to be very careful. The Gentleman has indicated he'll have some of that taken a look at in the Senate and I appreciate his answers."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Speaker. I would like to rise on a point of personal privilege to introduce to you some of the students and faculty from the Howard Area Alternative High School back there. Please stand up and give them a round of applause everybody. And may I speak on the Bill? Thank you so much."

Speaker Hannig: "Proceed."

Hamos: "Ladies and Gentlemen, I rise in opposition to this Bill. I worry about this Bill; it's kind of a sleeper. But really.. well, I.. I would ask just a couple of questions. First of all, what is the campaign plank on which an ICC Commissioner would run? They would say, I will.. I will never increase your rates. I promise to have

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a rate freeze for every single issue which I'm regulating for the rest of my life. That is not... I mean, that's populist, it might be popular it might get you elected, but it might not be the most responsible way to have an Illinois Commerce Commission in Illinois, as piqued as we are with them right now. Secondly, following up on the previous speaker's position, I worry about who would fund these campaigns. I mean, these are still big campaigns, will be statewide and there's only really one group that has a really strong vested interest in funding something of this magnitude and those are, in fact, the regulated industries. So, it's a kind... it's a funny conflict for... on the one hand they would have to have this populist message, on the other hand, they would be funded by the regulated industry. I think this is not the way to go. We're mad at them, but I think we need to work to make them and improve... to make them better and to improve them. Thank you."

Speaker Hannig: "Representative Lang."

Lang: "Thank you. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Lang: "Thank you. Representative, I strongly support your Bill. In fact, I had a similar Bill some years ago. I don't think we'd be in the mess we are with electric rates if the members of the Commerce Commission were beholden to the voters of the State of Illinois rather than to the Governor of the State of Illinois. But having said that, I think Mr. Black raised some very interesting points. And I just want to ask you straight out, if this Bill passes and goes to the Senate, will you work with the Senate Sponsor

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to amend the Bill to make sure that those who have a vested interest in utility companies, either employees, retired employees, family members, pensioners, stockholders, whatever it might be, you make sure that none of those folks with vested interests have... would be allowed to run for the Commerce Commission?"

Ford: "Yes... yes, I commit to that."

Lang: "All right. Thank you. I think that... with that commitment we have a very solid Bill here. We... we have been unhappy as a chamber with what's come out of the Commerce Commission for a very long time. You can say it's fate, but I think there are other things at play here. Seems to me that if the Commerce Commission has a broader group of people that it's responsible to, beholden to, committed to, which would be all of the people of the State of Illinois, we might get a better product out of the Commerce Commission. You can argue that they don't know what they'd be campaigning on, but I would argue that there's plenty of offices where that takes place anyway, people running for certain local boards or commissions. In fact, even judges, what are they supposed to run on; that they're always going to be on your side? They can't always been on your side; they have to be for truth and justice. And therefore, the members of the Commerce Commission should be that as well. This is a very important piece of legislation which certainly deserves more vetting in the Senate, but we should move it along and let the Senate take a look at this. And maybe we can make some differences

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that would be good for our constituents and for consumers in the State of Illinois. I would urge 'aye' votes."

Speaker Hannig: "We've had three (3) in support and two (2) in response, and the rules would provide for one additional speaker in response. Representative Winters, would you like to speak in response?"

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

Speaker Hannig: "Indicates he'll yield."

Winters: "Representative, how are the current Commerce Commissioners selected?"

Ford: "Appointment."

Winters: "By appointment by whom?"

Ford: "The Governor."

Winters: "By the Governor with the approval of the Senate?"

Ford: "Of the Senate, yes."

Winters: "So, you're making a change in that. Is that... can you then imply from this Bill that you think that the process that we have is flawed, we have to change it? In other words, the Governor's appointments are not working like they should to protect the consumers of utilities in the state?"

Ford: "Well, you know, that was part of my closing and I... I don't think... I don't think that..."

Winters: "Sorry... sorry to preempt you."

Ford: "...I'm not going to take a jab at anyone. I'm not going to take a jab at the Governor saying that what's that it's not working, but what we are here to do is to do what's best and what will work the best and I believe that if the people have a choice then that would probably be the best

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way to yield the best decisions for the people of Illinois, if they have a choice."

Winters: "Well, I... I just want to point out that you are criticizing the current ICC inherently by saying that what we have currently is not working, the Governor has not appointed the right people and that this is a different way of... of letting the people, in fact, choose their Commerce Commissioners. Now, what... to the Bill. I would suggest then that not only this... this particular issue shows the... the flawed nature of this Governor's administration, but some of the other proposals that we talked about here today also should carry this same kind of impact. This Governor is wrong and we ought to correct what he's doing. The problem that I have with this is that there are no campaign limits on a specific policy position that will determine the cost of our utilities throughout the state. So, if Commonwealth Edison or Exelon or one of its other subsidiaries or Ameren or City Gas, any of them could, in fact, fund candidates that would be completely obliged to their funders in how they ruled. The whole point of an appointment system with Senate approval, even if it's flawed because we selected... the Governor hasn't selected the... the best people to serve, the... the thing that we're trying to do with the appointment is to insulate them from manipulation through the campaigning, through the donations that they receive. By putting it back into the public sphere, what we're doing is in fact letting the big companies, the utilities that have a vested interest, select their own commissioners, ones that will be

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responsive to their needs rather than have commissioners that are somewhat insulated. I think the furor that we've seen over the electric rate hikes this summer has brought this issue to a blow, if you will. We're turning up the heat a little bit more with changing it over to a popular election. But this is a policy position that should be as insulated as we can from manipulation by vested parties that have an interest in public policy. The appointment process, while we wouldn't always agree that we have the.. the perfect set of commissioners, we have to acknowledge that they are working only as commissioners they cannot hold outside jobs. They are there to work full-time to study the policy implications. And to run political campaigns every four (4) years for a position that is highly visible and can have their decisions bent by who their supporters are when they're... when they are focused on very specific policy address... policy questions, only concerning utilities, I think it is a... it is a wrong direction to move away from the appointment process. It does insulate them from political atmosphere. I would urge a 'no' vote to this Bill."

Speaker Hannig: "We've now had three (3) in support and three (3) in opposition, and the rules provide that Representative Ford is recognized to close."

Ford: "Thank you. I just want to say that I think that today's debate has yielded ways to address some of the concerns that some of the other Representatives spoke of. And I... I really believe that the position is still political and it's still has a... some sort of mechanism in it that

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influence people in the way they are appointed and the way they vote on these decisions. I also believe that now if this position is an elected position the campaign disclosure will report and tell us who's receiving campaign donations from what organizations. So, I look forward to working with the Senate Sponsor in order to make this a more perfect legislation for the people of Illinois. And I ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano, McAuliffe and Leitch, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 74 voting 'yes' and 41 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2672."

Clerk Mahoney: "House Bill 2672, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you. Thank you, Speaker, Members of the Body. A couple of weeks ago I came to you and with your assistance passed legislation that would prohibit individuals convicted of a felony relating to their duties in public office from running for public office again. At that time, I told you that there was going to be a companion piece of legislation and this is it. Ladies and Gentlemen, we have an inconsistency in our Election Code

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and a inequitable policy that needs to be addressed and should have been addressed quite some time ago. Now more than ever we have had a policy of trying to promote reentry into society. People do stupid things, people break laws, people get convicted of felonies oftentimes as young adults or teenagers. And they can go on and turn their lives around and be not only productive members of society, but leaders in society. If you were convicted of car theft as a seventeen (17)-year-old and you turned your life around and you go run for office, you can run for State Representative, you can run for Senator, you can run for Governor, but you can't run for a municipal office because there's a prohibition in the Municipal Code that doesn't allow felons to run for office. I believe that if we are going to be consistent in our ideas of rehabilitation, if we're going to be in consistent in our ideas of having open access to the electoral process, probably the most fundamental piece of our democracy, that we should have a consistent standard saying if you are able to run for the State Legislature you should be able to run for city clerk, for alderman, for a local municipal office, but you can't do that today. Please don't be fooled into thinking that this is a soft on crime Bill; it's no such thing. This simply says that if you committed a felony that you are still able to run for office. We have some individuals that have served in this chamber, we have some individuals that are on the Chicago City Council who committed crimes as young adults. They turned their lives around and became productive members of society involved with their family,

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their community, their church and they have been great leaders in an elected office. We had to take steps to pardon one of them several years ago because we realized that we did not want to deprive either that mem... that individual or his constituents from his ability to serve. All we're looking for now is a consistent policy that says whether you are running for State Legislature or alderman or any municipal office that we're going to have the same policy up and down the ballot and that is one that is not going to punish you for something that you may have done in your youth and you're going to let the voters decide. The voters are more than capable of making a decision and weighing the good and the bad in any candidate. That's all this does. It's overdue and I appreciate an 'aye' vote."

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

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

Speaker Hannig: "State your point."

Dunkin: "I'd like to first to give a warm welcome of... round of applause for our Phillips High School students who are visiting here from Chicago, Illinois. Can you stand up and welcome them? Thank you. Welcome to Springfield, Illinois."

Speaker Hannig: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

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

Durkin: "John... John, can you think of any situation where somebody who has a prior felony conviction would not be

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suitable to run for office and... and you wouldn't want on the ballot?"

Fritchey: "Oh, I... I can think of many situations where there are people with prior felony convictions that would not be suitable elected officials. This is not saying that having a felony makes you qualified for holding office, it says that once you have served your time, once you are back in as a member of society, that you should be able to exercise one of the most fundamental democratic rights, which is the right to run for office. As we discussed and as you are well aware, you know, a felon can run for the Legislature. A felon cannot run for a municipal office. I think we should have a consistent policy."

Durkin: "So, I guess... one of the questions I have is that a lot times in these local government elections, whether it's school boards or park districts, you have a lack of enthusiasm out of mun... out of the local governments or out of the public to even put up a candidate and we may be left with one person or... who's running for an office whose prior convictions is being a drug kingpin. I... I... I don't know where to draw the line. So, let me just ask this one question. Somebody who is... now currently has to register under the Sex Offender Registration Act they would not be precluded for running for a local school board, correct?"

Fritchey: "They're not precluded for running for the State Legislature."

Durkin: "Okay. I just wanted to... Thank you."

Speaker Hannig: "Representative Bost."

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

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Speaker Hannig: "Indicates he'll yield."

Bost: "You know, John, is there not... and I'm going to go along the same way with... as Representative Durkin did. Are... don't you feel there's certain areas that if your certain felonies you've been convicted of that you shouldn't have certain jobs? And I'm thinking of... of... of where you've embezzled funds. Okay. If... if you've embezzled funds and... and you've already shown that you have a problem with the... with a trust issue, and you serve as city treasurer, there's a little problem with that."

Fritchey: "Oh, it... it... excellent... excellent question. Let me address that in two (2) fronts. As I said, the Bill that I passed a couple of weeks ago makes clear that I believe there are certain felonies for which you should forfeit your right to even run again and that is a violation of your duties... a felony related to your duties as an elected official. Essentially, that Bill said that if you violated the public trust, you don't get a second chance to go it again. What this Bill is saying, though, is that if you committed... if you stole a car when you were seventeen (17) years old, you spent the next twenty (20) years of your life turning your life around, being a productive leader, a member of society, let the voters decide if you're qualified to hold office. And... and again, Representative, at the risk of being redundant as I have a tendency to do, none of those prohibitions exist for any of the chairs in... in this Body. You can run for State Representative, you can run for State Senator, you can run for constitutional office with a felony conviction. And I think that part of

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that... part of what's underlying that is the belief that we have faith in the voters and the process to weigh a person in their totality and say, you know what, they embezzled from their former employer, I don't trust this man, I don't trust this woman, I'm not going to vote for them. But let the voters make that determination. It's... it's contradictory in my mind and illogical in my mind for us to have two (2) standards for municipal office or legislative..."

Bost: "I under..."

Fritchey: "...or statewide."

Bost: "...I understand what you're trying to do and... and... but I have several concerns and those are... those are them. It should make it very interesting, though. You know, I've... we've got one guy that I know of in one of our local communities that... that he has had several misdemeanors, he hasn't had a felony and he... he has run for public office and... and matter of fact, several times... years ago there were like seven (7) or eight (8) people running for... seven (7) people running for mayor. And the headlines read, there's seven (7) people running for mayor, six (6) seriously. And... and... you know, I mean it makes for, I guess, that situation to come up and... and then... that same person ran for sheriff. And his argument for running for sheriff was, he said, 'Yeah, because there's only one person running for this office that has seen the inside of that jail and really knows what it is that needs to be done there.' You know, I see all kinds of problems with this. I... I... I want someone to be encouraged to work their way to

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become a productive member of society, run for office, that's wonderful, but I think if we don't put certain stipulations in there, and I don't know how you'd do that, to protect from people that are... are... like I said, have been charged with embezzlement and those types of... they're going to be in charge and be placed with their... a situation where they're going to be handling a lot of money with maybe not... some checks and balances, but not necessarily the amount of checks and balances needed, if you have someone who has a tendency to do that or has proven that they're going to do that. I... I have some real problems with the Bill and I voted 'no' in committee and I'll be voting now and I'm encouraging my Memb... Members and everybody in this chamber to vote 'no' as well."

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

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, if I heard you correctly is... is it in a trailer Bill or this Bill where that if you are convicted of abusing your public office, ghost pay rolling, bribery, et cetera, then you would not be able to seek public office?"

Fritchey: "That... that was a separate Bill that was..."

Black: "Okay."

Fritchey: "...being passed a couple of weeks ago. I divided the two (2) Bills because I realized that they were two (2) unique issues; related obviously, but unique. And I wanted

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to make that distinction that, yes, there are certain things that..."

Black: "Okay."

Fritchey: "...you know what, we're sorry you just don't get a second chance. You violate the public trust, you lose your pension. You violate the public trust, if the Senate passes the Bill that we passed, you lose your right to try to do it again."

Black: "Okay. Then let me go back to what Representative Durkin had mentioned. And I don't know if this could be amended or... or you would be amenable to an Amendment in the Senate, but it would seem to me that if you are a convicted sex offender and... and on the registration list and you... and... I agree with you, if the voters elect the person, but it often happens. If the school board, they often meet in a school, then you have, I think, a situation where the individual who was elected to the school board isn't supposed to be within 'x' number of feet of the school, let alone in the school. Now, one could argue that the students wouldn't be there perhaps, they usually meet at night."

Fritchey: "I... I'll... I'll tell you what. Let me... let me be wholly unequivocal. If I can get the assistance here... if people can get past the boogeyman and the specters of all this, I will commit that that Bill will not come out of the Senate without that addition to the Bill. I get it, I understand it, it makes sense. It is through the laws of unintended consequences. It is not something I had contemplated. It makes nothing but sense."

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Black: "Okay."

Fritchey: "I'll tell you right now... you know my word... I'll tell you right now that I will have it put on the Senate or... on the Senate side or it will not come out of there."

Black: "Okay."

Fritchey: "It makes sense. My concern, Bill... Representative, people do stupid things. People commit crimes, some of them go into a life of crime. Other of them go on and really see the light and I can name some individuals that have really gone on to lead stellar lives. And all I'm saying is, give them a chance. We're always talking about giving felons a chance to get back into society. What more fundamental way is there to do that than allow them to run for office. We're not saying they get a free ticket into office, I'm saying allow them to run and again, they're allowed to run here. And I'll tell you, you and I have both served with people here that probably had greater infirmities than a felony conviction that should have precluded them from being elected. But without making light of that, it doesn't make sense for us to have a standard where the car thief can run for State Representative, but not for county board and not for alderman."

Black: "Okay."

Fritchey: "Let them... let them run, let the voters decide. The issue of the sex offenders, it's a valid one, it's one that I will address. It's one that I hope will allay any fears that may exist on both sides of the aisle, actually and hopefully, we can go forward from there."

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Black: "All right. And... and I appreciate that response. And I... I... I, too, have often thought it was somewhat inconsistent that you could seek and hold state office, but you couldn't hold municipal office, particularly, if the felony, I don't know that some people would ever say any felony is relatively minor, but some of them certainly aren't on the level of John Wayne Gasey and others and it never made any sense to me. I... I think you're on the right track. I think... I do take you at your word. I think there are reasonable exceptions that might have to be made and there's certainly time to make that. Thank you very much for your answers."

Speaker Hannig: "We've had three (3) in opposition or response and... and one (1) in support. So, the rules would provide two (2) additional speakers in support. Representative Molaro, would you like to speak in support? Are you in support?"

Molaro: "Yeah."

Speaker Hannig: "Okay. Don't be fooling the Chair anymore. You're in support?"

Molaro: "Yeah."

Speaker Hannig: "Okay."

Molaro: "All right. Well, here's... I'm in support of the Bill, but I'm actually rising to sort of chastise the Sponsor so he can get mad at me later. You know, this Bill... I like the idea of what you said. You know, you got someone twenty (20) years, he goes out there and he committed a crime and now he should be able to run for office. I think that's what you said, similar language. So, therefore, if

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you're a convicted felon and you're a rapist and then you've tried to bribe people and you stole five hundred thousand dollars (\$500,000), five million dollars (\$5,000,000) from some charity, you're going to be able to run for Chicago alderman under this Bill?"

Fritchey: "The same as you can run for State Representative today."

Molaro: "Oh, same... but yet, if you get somebody who maybe gave out a political job when he shouldn't have and he happened to be an officeholder and he's now twenty (20) years later... does it make... you just passed a Bill that says, but he can't run for office."

Fritchey: "Because I think that there is a differentiation that is valid for somebody..."

Molaro: "Right, right."

Fritchey: "...that has violated the public's trust."

Molaro: "That's the point. That's the point, Representative. That you..."

Fritchey: "Is this the part where you're still in support or...?"

Molaro: "Yeah, well, yeah. That's the point. In other words, what... what makes the argument difficult for me is that you came up and decided that that particular crime you shouldn't run for public office. And the problem is, there are Members who say, well, we think there are particular crimes that you should not run for office. Right? So, the point I'm trying to get at would be, once you start taking political crimes and saying, in my mind that crime should stop you from office, in my mind that crime you should be rehabilitated, that's a... that's a terrible road to go on."

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Now, this in and of itself is a good Bill. I guess what I'm asking you to do and I'm doing it in public so to speak, I'm asking you that this Bill is okay because I think you deserve a second chance, but I also think that twenty (20) years down the road some guy who was an alderman who helped his friend get a political job and had to go... and had six (6) months probation for some mail fraud statute should also have that. So, all I'm asking is that, let's vote 'yes' on this Bill, but talk to whatever Senate Sponsor passed your Bill and maybe have second thoughts about it. So, thank you for allowing me to do that in public."

Speaker Hannig: "So, the rules provide for one additional speaker in support. Representative Mulligan are you in support? You like to make a nice speech in support?"

Mulligan: "I could be in support just like Representative Molaro was."

Speaker Hannig: "We'll... we'll give you five (5) minutes."

Mulligan: "Thank you, Mr. Speaker. I'm going to talk to the Bill. I've supported a lot of things here, you know, I support expunging records, I support the juvenile justice things, but at some point, what do you say to young people? You don't do 'x', 'y', and 'z' because then you can't run for office, you can't do this. Why do we make it that there's no reason to be a regular good citizen anymore? There's no reason behind this. You know, we talk about sex offenders can't be in school, but he didn't say sex offenders can't run for office. So, then what happens if they run for school board then they can't be in school?"

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What do you hold up to young people why you don't do things that are wrong that send you to jail? There's got to be a few privileges in this world that you don't get just because you decided you're rehabilitated. You can't be a rehabilitated gang leader in a community where you're going to scare off other people from running. I just think that at some point you draw the line and you say to young people, if you do this you're not going to be able to do this later on in life and this is why you do it the right way, not the wrong way. And so, I don't think I can support the Gentleman's Bill. I know where he's coming from, but there have to be a few privileges in life that you don't get just because."

Speaker Hannig: "Representative Fritchey to close."

Fritchey: "Yeah, I appreciate the strong support from Representative Mulligan. Again, and with all due respect to her and the others that made the similar line of argument, Ladies and Gentlemen, you can run for any of our seats today. Please don't be scared about this Bill. Don't be scared about the arguments. This Bill makes logical sense. The Bill makes equitable sense. The Bill makes moral sense. It is doing nothing other than putting municipal offices and municipal candidacies on the same footing as yours and mine and the constitutional officers. The point about the sex offenders is an excellent point. Should the Bill pass out, that language will be put on in the Senate. It makes sense, I missed it plain and simple. But the one thing I did not miss is that it's wrong, arguably unconstitutional, wholly indefensible, to say that

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the individual that committed a crime as a kid can run for State Representative, can run for Governor, can run for any other office, but can't run for local office. Let's give them the incentive, give the voters the opportunity to make the decision. I've seen mailers... I saw mailers in the last aldermanic cycle, people bringing up past DUI convictions, people bring up, you know, possession of marijuana convictions and sometimes those candidates win, sometimes those candidates lose, but we trust the voters to decide. If you're going to be intellectually consistent and intellectually honest, simply acknowledge that the standards that apply to us should be the same standards that apply to local office. Vote 'aye'. Let me get this Bill to the Senate, let me fix it and tighten it up so it comes back here. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 30 voting 'yes', and 85 voting 'no'. And the Bill fails. Representative Turner in the Chair."

Speaker Turner: "All right, gang. The Gentleman from Menard, Representative Brauer, for what reason do you rise?"

Brauer: "Thank... thank you, Mr. Speaker. If we could have House Joint Resolution #12."

Speaker Turner: "Ladies and Gentlemen, we're going to do a death Resolution for a former Member, Representative

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Brauer? If the Clerk will read House Joint Resolution 12.
If our guests in the gallery will rise."

Clerk Bolin: "House Joint Resolution 12, offered by
Representative Brauer.

WHEREAS, The Members of the Illinois General Assembly learned
with sadness of the death of Carl Nels Becker of
Petersburg, who passed away on April 13, 2006; and

WHEREAS, He was born on June 8, 1949, in Sheboygan, Wisconsin,
to Elmer Becker and Amy Nora Truesdale; he married Peggy
Parks on July 31, 1971, in Black Creek, Wisconsin; he held
a Bachelor's degree in biology from the University of
Wisconsin at Stevens Point and a Master's degree in
ornithology from Eastern Michigan University; and

WHEREAS, Mr. Becker worked as the Associate State Director for
Conservation Programs for the Illinois Chapter of the
Nature Conservancy; he held several positions within the
Illinois Department of Natural Resources (IDNR); he was the
first Executive Director of the Illinois Endangered Species
Protection Board, the first Chief of the Division of
Natural Heritage, and served as Assistant Office Director
of Realty and Environmental Planning, before his retirement
in December 2002; and

WHEREAS, He began working at IDNR in 1978 as a biologist and
quickly became a leader; during his tenure at IDNR, he
spearheaded the effort to create the Wildlife Preservation
Fund, an income tax check-off program that provides money
for wildlife habitats; he also worked to pass legislation
allocating a portion of the Real Estate Transfer Tax to
protect natural areas and habitats for endangered and

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threatened species; he played a critical role in conserving natural habitats from Cook County to the Cache River State Natural Area, laden with cypress trees, in the southernmost tip of Illinois; he also was instrumental in efforts to save the dwindling territory of the prairie chicken in southern Illinois and to encourage peregrine falcons to roost among the Chicago Loop's skyscrapers; and

WHEREAS, Mr. Becker was a national leader in conservation issues, serving as Illinois representative with the International Association of Fish and Wildlife Agencies to push for the Teaming with Wildlife Initiative; he was the past president of the Natural Areas Association and was a member of several conservation organizations; and

WHEREAS, In addition to his work to protect Illinois nature areas, he was a leader in his community, serving as President of the Lake Petersburg Association and Chair of the Menard County Zoning Board of Appeals; a member of Petersburg United Methodist Church, he was active in his church, serving on the board of trustees; he also served as a Cub Scout leader and coached youth soccer, softball, and baseball; and

WHEREAS, The passing of Carl Nels Becker has been deeply felt by many, especially his wife, Peggy Becker; his sons, Jason Becker and Jared Becker; his daughter, Jenifer Becker; and his sister, Jane Kesting; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we mourn the passing of Carl Nels Becker, who will be remembered as a champion for the

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environment, and we extend our deepest sympathy to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our sincerest condolences."

Speaker Turner: "The Gentleman from Menard, Representative Brauer."

Brauer: "Thank you, Mr. Speaker. A friend of mine once told me that if you speak from the heart be careful that it does not get caught in your throat. I want to first thank Speaker Madigan and Tim Mapes for the opportunity to honor Carl Becker here today. The Resolution that was just read spoke of the many achievements that Carl earned during his career. His family members, friends, and coworkers are here today in the gallery behind me to pay tribute to his hard work, dedication, and success. I remember Carl as a friend and neighbor. This story I want to tell though is Carl as a father. There are many stories, but this is my favorite. His daughter, Jenny, was on the swim team and hated to miss the meets. The Becker family had a reunion in Wisconsin at the same time as a swim meet. A good friend, Rick Allen, wondered had Carl would handle the challenge of the family reunion or the swim meet. Carl took the family to Wisconsin to the reunion, but to Rick's surprise Carl drove back from Wisconsin with Jenny so she could compete in the swim meet. At the conclusion of the swim meet, Carl and Jenny then drove back to Wisconsin to be with family. Carl will be missed as a husband, father,

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friend, and neighbor but, Carl will also be missed for the work to make Illinois a better place for all of us. Let's take a moment of silence to remember Carl. Thank you."

Speaker Turner: "Representative Brauer moves that we adopt House Joint Resolution 12. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. On page 34 of the Calendar, on the Order of Third Readings, we have House Bill 1294. Representative Howard. Connie Howard. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1294, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Howard: "Yes, thank you, Mr. Speaker. House Bill 1294 amends the Code of Corrections to expand the ability of the Prisoner Review Board to grant certificates of good conduct to eligible offenders. It expands the reach of certificates of good conduct to relieve offenders of employment-related disabilities such as prohibitions on receiving professional licenses. This Bill changes the definition of an 'eligible offender' from those convicted of two (2) or fewer felonies to include anyone who has been convicted of a crime that does not subject them to registration under the Sex Offender Registration Act or the Child Murderer and Violent Offender Against Youth Registration Act. This Bill would not serve to relieve any offender of any employment-related disability that would prevent the offender's employment by the Department of Corrections. The Bill provides employers

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with an exception for cases of willful and wanton misconduct."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 12... I'm sorry? The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?'"

Sacia: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Sacia: "Representative Howard, maybe I'm not fully understanding this. How does this affect an offender that seeks employment later or is this not the Bill that deals with that? I... I... I'm catching it kind of at the eleventh hour. If... Let me ask you a question. If I understand the Bill and if a armed robber or a drug dealer could be employed by, say, my local park district and if the park district hired them and later on there is a victim, couldn't the park district be sued for negligent hiring?"

Howard: "I... I... said this before that employers are immune except when it comes to willful and wanton misconduct."

Sacia: "Okay. But I guess I'm... I'm..."

Howard: "So, they would be immune to any liability unless the conduct is willful and wanton."

Sacia: "Well, under the immunity provision that you've got on page 9, can an employer be held liable for negligent hiring no matter what the record of the certified employee? Is that your intent? Could a school district hire..."

Howard: "It is... it is not my intent that an employer could be sued. In fact, we're attempting to relieve them of that liability."

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Sacia: "Could a school district hire a drug dealer who's recov... who's received one of these certificates or would the School Code prohibit him... the district from doing so?"

Howard: "If the Prisoner Review Board did see fit to hire one of those individuals... or to give that person, that is, a certificate, then the school board could hire that person. They... they would have the ability to hire that person, but only if they got the certificate of good conduct. And obviously, they would have to granted that."

Sacia: "How... how does this Bill affect background checks currently? Now, we've... we've got a prisoner that's been released and he... he has this certificate, how does that change the background investigation conducted by, say, a park district or a school district? Will they have full knowledge of the activity... activities of the offender?"

Howard: "Yes, they would have full knowledge. This is only saying that a person has taken the time, exerted the effort to indicate that they are now a good person, that they are to be considered for employment, that they no longer are involved in the same kind of behavior that resulted in the conviction in the first place."

Sacia: "Looking at the Bill, Representative Howard, page five (5), line twenty one (21), (a) (5), 'notwithstanding any other provision of law a conviction of a crime or of an offense specified in a conviction within the meaning of any provision in Section 8-23 of the Park District Code, Section 16a-5 of the Chicago Park District Act or Section 1021-9 or 1021.9 and 34-18.5 of the School Code. I read that over and over and it seems to me like garbbedegook

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(sic-gobbledegook). I... I don't think it's clear at all.
Could you help me with that?"

Howard: "All right. Those... it is... it is quite confusing
because there are so many Acts that are talked about."

Sacia: "I think that's... that's the point, Representative
Howard, is that it seems so very, very confusing and it
seems like we're attempting to... I don't want to use the
word manipulate, but we're... we're dealing with things so
significant and background checks come into play and it... it
just seems to me on the... on the reading that I've done of
it... done of this particular Bill... there's a tremendous
amount of confusion. And I'm wondering if organizations
like park districts and school boards are really going to
find themselves..."

Speaker Turner: "Bring your remarks to a close."

Sacia: "That's all, Mr. Speaker. Thank you."

Speaker Turner: "The Lady from Kane, Representative Lindner,
for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Lindner: "All right. First of all, I think it's more important
that we look at... carefully at this legislation and see what
is crossed out. This amends the Unified Code of
Corrections, is that correct?"

Howard: "That is correct."

Lindner: "And before, an eligible offender for this certificate
of relief from disability, previously you... you have crossed
out everything... a crime of violence, the Crime Victims
Compensation Act, Class X, so these would be eligible now?"

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Howard: "Yes."

Lindner: "And the only thing that you're saying is ineligible is... are... are crimes under the Sex Offender Registration Act?"

Howard: "The... the specifics Acts that are being cited are those under which a person who is applying would not be able to get any kind of relief based on this legislation."

Lindner: "Okay. This is a huge change in the law because before, as I said, all these other crimes of violence were still included as people that would be excluded for the certificates of relief for disability. So, you have just excluded a number of crimes that were previously included in this. So, I think this is a large change in the law. And then, also, you have crossed out a number of things that used to define felonies. Before two (2) or more convictions of felonies and two (2) or more convictions charged in indictment or a plea or verdict of guilty. All these things before were ineligible for certificates of disability and now you have made all those eligible also?"

Howard: "As we were attempting to assist more individuals, we have asked that the Prisoner Review Board have more discretion in making those kinds of decisions."

Lindner: "All right. What is the procedure for applying? What is the process for applying for this?"

Howard: "Well, you must go to the Prisoner Review Board and... and there is a hearing and they decide whether or not they think you have adequately become a good citizen and productive citizen now, based on the things that you have

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done between the time that your conviction... you were convicted and that point in time. So, that if the... your activities have not demonstrated that you are worthy of this kind of consideration then you will not get it."

Lindner: "All right. And actually, disabilities... can you define disabilities, what that means in this context?"

Howard: "Representative Lindner, the... the term disabilities is not being used. Now, we're talking about employment barriers, which was a little bit more self explanatory and that, of course, means those things that would hamper a person from being able to be employed and to become a productive citizen. Not exactly gotten rid of disabilities, but we're using the terminology a little differently. The employment barriers are... would sort of be synonymous to that."

Linder: "And why did you include, on page two (2) of the Bill certificates of relief from disabilities, why did you include granting relief from forfeiture as well as from disabilities?"

Howard: "What page are you referring to? Oh, page three (3). Okay."

Lindner: "Page two (2), Section 5/5-5.5-15. Line twenty-two (22)."

Howard: "I do not have an answer for you for that one."

Lindner: "All right. I would just... To the Bill. I would just urge people to look at this very carefully. I... I certainly appreciate the Representative's work to try and help people enter back into the job market, but I really don't think this is the way to do it. It does exclude so many crimes

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that were included before that, I think, you know, ought to be included as an eligible offender. So, I would urge a 'no' vote on this."

Speaker Turner: "We've heard... this Bill is on Standard Debate. We've heard two (2) in opposition. Is there anyone that supports the Bill, other than Connie? Reboletti, are you an opponent or a supporter of the Bill?"

Reboletti: "Opponent, Mr. Speaker."

Speaker Turner: "Opponent. Representative Black, an opponent? Representative Eddy, an opponent? I think at this point we'll just go ahead and let her close and go for the vote. Representative Howard to close."

Howard: "Yes. I know it is difficult sometimes for people to understand what some individuals who've had a problem are going through. In many instances they have for years, ten (10), twenty (20) years, not done anything on the wrong side of the law, but each time that they attempt to get a job to support their families, to become productive citizens, they are faced with the same kind of barriers. It is my hope that we as a state will begin to move more toward attempting to let people earn their way back into society. To help them to... to demonstrate that they, in fact, are sorry. Give them an opportunity to be redeemed, to show that they, in fact, do not plan to act in the same way that resulted in their having the problem in the first place. I am hopeful that my colleagues will have some kind of compassion and sensitivity for more of those individuals and will vote 'yes' for this legislation. Thank you."

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Speaker Turner: "The question is, 'Shall the House pass House Bill 1294?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 40 voting 'aye', 76 voting 'no', 1 voting 'present'. And this Bill fails. On the Order of Third Readings, we'll do House Bill 632. Representative Black."

Clerk Bolin: "House Bill 632, a Bill for an Act concerning elections. Third Reading of this House Bill."

Black: "Thank you very much, Mr. Speaker. Before I begin, an inquiry of the Chair? Yes..."

Speaker Turner: "What's your inquiry?"

Black: "...would you ask the Clerk if Committee Amendment #1 has been adopted to the Bill?"

Speaker Turner: "Mr. Clerk, what Amendments are on this Bill?"

Clerk Bolin: "One (1) Amendment has been adopted. Committee Amendment #1 was adopted to the Bill."

Black: "Thank you very much. Ladies and Gentlemen of the House, House Bill 632 becomes the Bill as a result of Committee Amendment #1. The Committee Amendment was brought to me by Democrat staff and I... and I... and the State Board of Elections and I appreciate their help. It simply answers some of the questions that came up in an Illinois Supreme Court case about Lee v. Keefe and others. A court case that found ballot access rules for independent candidates unconstitutional. This Bill simply answers the complaints made by the Illinois Supreme Court. And I'll answer any questions that you have, but basically, those

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candidates running for General Assembly from an Independent Party or an independent base will now have to simply meet the same percentage of signatory requirements that the two (2) established Parties do. The Bill does a few other things, but they're, I think, technical in nature. I'll be glad to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 632?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Feigenholtz. The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 313. Representative Jakobsson. Out of the record. We have Representative Joyce on House Bill 1727. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1727, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1727 would create the Internet Screening Libraries... and Libraries Act. Much has been... I know many of the Members of our entire chamber have been lobbying on this Bill. I have met and talked with numerous librarians from all corners of this state. We have amended the Bill. And basically, what the Bill says is, creates a mandate for

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filters to block out pornographic material on their computers in a public library. And the penalty provisions that were once in the Bill are now out. The only thing that is required besides the filters is certification of attestation to the Secretary of State, the Chief... the State's Chief Librarian in order to insure that each library board... or library district have filters. And the... if they don't sign that attestation, then they would not receive... be eligible to receive state grants. I'm sure there are a lot of questions, I'd be happy to answer any of them."

Speaker Turner: "The Lady from Cook, Representative Nekritz, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Nekritz: "Representative, have... can you tell me a little bit how the filters work and how... whether they are... whether it's... they're able to be broken into and got... you know, whether we can break around them?"

Joyce: "Well, they can be lifted and the Bill calls for them to be lifted for research purposes."

Nekritz: "No, I mean can... can... is it... is it easy for someone who wants to circumvent the purpose of the filter to... to do that?"

Joyce: "If you're trained in that, sure... I'm sure."

Nekritz: "I'm not even sure it's that, Representative..."

Joyce: "I'm not..."

Nekritz: "...cause in the... in... in one of the local districts that I represent someone was... someone goes around every couple

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of years to see in the neighboring districts what filters are there, how they work and how effective they are. And all she has to do is know a little bit of a foreign language and she goes in and types a Spanish word and boom, the pornography comes up. Types in a Polish word, the pornography comes up. And so, if that's all that the filter... if it's that easy to get around the filter, then I'm not sure what we're accomplishing with this 'cause this is not a person who has expertise. This is a person who speaks a second language which is something we would..."

Joyce: "So, you... you have..."

Nekritz: "...be encouraging people to do."

Joyce: "Have you done this yourself?"

Nekritz: "I... this is a survey that was done by a librarian in the... in a school dis... in a district that I represent."

Joyce: "Oh. Well... in a school, you said?"

Nekritz: "No, in a library, in a public library. The kind of thing... the kind of thing we're seeking to..."

Joyce: "Well, I wonder why that librarian has filters in the first place."

Nekritz: "Well, I... and that... that, I guess that's my... would be my next point. Is that, I think... we have... we do... I have filters in many of the libraries' districts that I represent."

Joyce: "As do I."

Nekritz: "But it's a decision that they made locally as to what kind of filter they want, what information they want to be filtering because I... I think what's... what's right in... in someone else's district may... may not be right for the

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sensibilities of the voters in the district that I represent and so, to impose a one-size-fits-all on every library across this state I think is really not good public policy. That's what we have library boards for. And... and we... they should be empowered to do their job, represent their constituents and if... and if those constituents want a filter then there can be a public debate about what that filter should include, what it should not include and that library can... can... can use that filter. But I just think a one-size-fits-all approach is a really... is not good policy for the State of Illinois when we have such a diverse state. So, I... I just believe this is not the right policy for the State of Illinois. The filters are not effective in the way that we think that they... that I think the Sponsor would think that they are. And that this one-size-fits-all approach is... is really not the way to go. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Durkin, for what reason do you rise?"

Durkin: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Durkin: "Representative Joyce, I just want to just go back a little bit, you've amended this a number of times. When you first originally filed this Bill you had some provisions, one was the perjury provision, I imagine?"

Joyce: "That's correct."

Durkin: "And now, is that... that's been removed?"

Joyce: "It has."

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Durkin: "Okay. What other changes have you made to the Bill since you first amended it? When you first introduced the Bill?"

Joyce: "Sure. We... we've removed the perjury provision as you mentioned. We've removed the fines that would apply to libraries themselves for not having the filters. We've removed the ability for individual librarians or library district boards to be... have a cause of action brought against them."

Durkin: "You've eliminated the private right of action, which a citizen can go..."

Joyce: "That's correct."

Durkin: "...seek some recourse through the Attorney General or individually against the library, correct? Does your legislation dictate the type of screening devices which must be placed within the computers?"

Joyce: "Absolutely not."

Durkin: "All right. So, what this states is that you shall have some type of filtering device and that you will certify, but it's not under penalty of perjury or anything that you are substantially in compliance with the statute and that's just filed with the Secretary of State, correct?"

Joyce: "That is correct."

Durkin: "If a school board fails to... I mean a... a library fails to comply with this, what would be the sanctions imposed upon them?"

Joyce: "They would not be able to receive state grants from the Chief Librarian from the State of Illinois."

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Durkin: "Until they are in compliance?"

Joyce: "In compliance with... with the filter."

Durkin: "What does a filtering device cost, do you know? Have any idea?"

Joyce: "Depending on the number of computers you have, I mean it ranges somewhere between three thousand (3,000) up to ten thousand (\$10,000) dollars per library."

Durkin: "And it doesn't necessarily require... does every computer require an individual filter or can it be a filtering sys..."

Joyce: "It can be operated on a separate server."

Durkin: "So, a... a rather large library district, all they have to do is purchase one filtering system and that will take care of all the computers within the facilities, correct?"

Joyce: "Correct."

Durkin: "All right. Thank you very much."

Joyce: "Thank you."

Durkin: "I know that this has caused a lot of... a lot of people have asked questions about this and I think you've made some, I think, reasonable changes to meet a lot of the accommodations. Particularly, we didn't want to make... turn librarians into felons; we didn't think it's right to encourage lawsuits against libraries, but I think this is reasonable. I've seen the reports, we've all seen them on television and everywhere else of the things that are going on in the libraries. And I will support your legislation."

Joyce: "Thank you."

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Speaker Turner: "If we're going to move this from Short Debate to Standard Debate, as a result, we have one opponent and one... one proponent and one opponent. Representative May."

May: "Yes, will the Sponsor yield? He indicates he will."

Speaker Turner: "He indicates he will."

May: "Thank you. Representative, how do these filters work with networks? You know, a lot of libraries or school or university libraries are networked. Can you take just one computer off and turn it off the filter for an hour?"

Joyce: "Well, I think it depends on how the filter's applied."

May: "Okay."

Joyce: "Is it on an individual computer, is it on a bunch of them? How many?"

May: "Okay."

Joyce: "You know, I think that's more of a specific question for technology. I wouldn't say that I'm an expert on that."

May: "Okay."

Joyce: "And wouldn't want to answer your question with any sort of authority on that."

May: "And is it true this would affect any library that gets funding... federal funding... state funding?"

Joyce: "Actually, any of the library that gets federal funding right now is... has to have filters. This pretty much mirrors the federal legislation."

May: "Yeah. What... what I would... I'd like to share with you and Members of this General Assembly. When the librarians were down recently, the school librarians from Judson College an evangelical college, that certainly has concerns over I'm

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sure concerns of why you brought this legislation. They made it very clear that this would be catastrophic. They already have the basic filter and this is trying to go beyond a basic filter to filter out everything. And at their network system, this impact would be profound. They cannot turn off one computer in one professor's libr.. library or office. All of them are networked, not only in the library, but also in individual office. So, imagine a university professor having to go and ask to lift the whole system for one hour or half an hour, not knowing how long they'd need, they would have to change the filtering on the whole system for them to do research on breast cancer or anything that they might be trying to filter out. This is a huge burden on our libraries. I don't like the idea at all of adults needing to go to a librarian and asking to lift some sort of a filter so that they can do research. Our libraries put the basic filters in. This is onerous for our good libraries. And I would very strongly urge a 'no' vote. Thank you."

Joyce: "Thank... thank you. You know, Representative, I should respond. What people should understand, that case that you just stated about Judson College, universities and colleges are exempt from this Bill. So, their... their point on that is... is quite moot."

May: "Thank you for that clarification. I guess that the part about adults needing to go and asking a librarian to lift a filter so that they can do some sort of research in any other library, I think absolutely still stands and also my concern about networks. Although you've exempted colleges

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now, I think that the networks in other institutions would still stand. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black. Opponent or proponent?"

Black: "Thank you very much, Mr. Speaker. I rise in strong opposition to the Bill. Ladies and Gentlemen of the House, this Bill in one form or another has been around for about twelve (12) years. I don't know why we don't just add... add everything to the Bill. I think we should censor the books. I mean, there are books in there that you'd be shocked. Maybe you could just search people before they come in the library or make them sign an affidavit that they won't check out any books. Well, they shouldn't check out any books that are on a list. The only thing that ever scares me is who makes out the list? Who becomes the censor? I... I have letters here from the Chicago Public Library, my library, Indian Trails Library District, they're all opposed to this and let me just try to give you some simple reasons why. If you can find software that reliably will filter anything that you don't want on there, let these libraries know. These filters generally are circumvented by technological wizards in less than a day, less than a day. There is a provision in the original Bill, they may have taken it out in the Amendment, that allows a library employee to disable the filter on request for legitimate research, but what if the researcher then decides to visit a restricted site. The library can't use... can't monitor the use of these computers every day. Most of the libraries in my district only have one employee.

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You can't be everywhere; they do the best they can. But this... this requirement of filtering and monitoring... many of the libraries in my district simply, as hard as they try with filters that three (3) or four (4) or five (5) weeks after they're put in people on these sites you don't want people to go to have already figured out how to get around the filter. But there's only one (1) or two (2) staff members there. It... it... just can't be done. What about the person who brings in a laptop, accesses the WiFi in the public library and gets on a restricted site? Is the library going to be held responsible for that? Well, this has always been, in my mind, a very slippery slope. Children need to be educated about what the Internet is and what it can do and what it shouldn't do and parents have to play an ever... evermore important role in that. Libraries do the best they can. I don't know of any library or librarian who simply throws open the door and says you can research anything you want to, that's what we're all about. But on the other hand I think they are legitimately concerned about attempts to censor the access of information that flows through a public library. That's the whole point of library, the whole purpose of libraries. This is a very slippery slope that I hope we don't go down. And I stand in strong opposition to the Bill."

Speaker Turner: "The Gentleman from Cook, Representative Lang, a supporter or opponent?"

Lang: "I'm opposed to the Bill, Mr. Speaker."

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Speaker Turner: "We've heard from three (3) opponents. Is there a supporter amongst those that are still willing to speak? Representative Reis, the Gentleman from Jasper."

Reis: "Thank you, Mr. Speaker. I rise in support of House Bill 1727. You know, the world's changing. A minor under the age of eighteen (18) cannot go into a convenience store and buy an adult magazine, they're behind the countertops, they're in plastic wrappers, you got to show a proof of ID. They need that to go into an adult store or an adult bar where adult things are going on. And now we have the Internet and it's the greatest thing in the world, we play with them on the House Floor and we can do research. We've got them in our schools, and we got them in our libraries. And... and these filters people have pointed out that they're not 100 percent, technology changes, there's ways of getting around them, yeah, but I think as... as taxpayers who are funding libraries where young children can go, ex sex offenders and child predators can go that we need to be doing all we can. Maybe this... this Bill will only last for a year or so. And I think that we'll have to come back and revisit it all the time because technology is changing so rapidly, but we know what's going on. We know that sex offenders are going to libraries. They're loading up the screens with Websites and then they're going to the next computer and doing the next... doing the same thing. They're doing things that we can't even talk about to themselves on the House Floor. We have this on video. And... and it's so much different than a magazine that's at a... in a convenience store. As I said, the world's changing. And

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I've heard from my librarians, I've visited my librarians. I have all their e-mail addresses, I... I try to support as much stuff as I can for them. And I've heard from them about their concerns with the Bill. We've made changes and I want to thank the Sponsor for that, but I think we need to be doing all we can to protect our children. And I want to say one last thing. We heard a speaker that was concerned about one size fits all. Folks, I don't have hardly anybody in my district that wanted a smoking ban, but yet we took away local control yesterday where municipalities or county boards can decide on their own whether or not they want to have a smoking ban. And we just shoved down their throats yesterday a statewide smoking ban. So, if we're going to be consistent in one area, let's be in both areas. I think this is a good Bill. Is it going to end... is it going to be the prevention of all adult-natured material getting to our kids? No. But it sure is a good step in the right direction. We can come back and work with it, get federal grants, get state grants, improve the technology so that these... these types of things cannot be obtained by our young minors and adults who are wanting to, for whatever reason, look at that stuff in public libraries. So, I would ask for an 'aye' vote on this very important piece of legislation. Thank you."

Speaker Turner: "Representative Joyce to close."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I have called back every single librarian that has called me. I have spoken to them individually. I have ad... amended this legislation. They are not going to

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be held responsible or liable for what this filter can filter or not filter. It is their choice on the local control of what filter they're going to use. Many of the library districts within many of our districts have filters, they have them for a reason. It's common sense. Are they perfect? No, they're not perfect, but it's better, it's better than nothing. And it's common sense for us to absolute... absolutely say, in a public building paid for by taxpayers on a computer paid for by taxpayers we ought to protect children. We ought to protect children from having to walk into a library and see graphic, pornographic images on a computer. Now, I talked to lobbyists, but in addition to that I went to all the libraries in my district. And I walked through those libraries and I asked those patrons of those libraries, does this make sense to you or am I too out there? Is this a right wing nut job... plan that I'm bringing out here? And they said, no, this is common sense. We should filter... we shouldn't have these type of images available on the taxpayer's dime for the benefit of sex offenders or whoever wants to do that. If they want to look at pornography, fine, do it in your own house. Nobody's going into your own house. You hear about mandates all the time. We pass mandates down here every single day. This is a mandate that would protect children, make our libraries the educational places that their supposed to be. And if you have any questions about it, go ask someone who uses the library. Tell me how many times librarians have been put in that uncomfortable position of asking someone to get off

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the computer because the things that they have on that computer are not something that belongs in a public library on the taxpayer's dime. I appreciate an 'aye' vote, I appreciate everybody's comments."

Speaker Turner: "The question is, 'Shall the House pass House Bill 1727?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Molaro, Hassert? The Clerk shall take the record. On this question, there are 63 voting 'aye', 51 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have House Bill 1331. Representative Hamos. Representative Hamos. Out of the record. Representative Gordon on House Bill 20... 2002. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2002, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Gordon: "Thank you, Mr. Speaker. House Bill 2002 would require the Department of Human Services, subject to appropriation, to provide for three (3) separate children's group homes for adolescents who've diagnosed with autism and are at least fifteen (15) years of age and not more than eighteen (18) years of age. Right now in Illinois we do not have any of these homes. There's a specific instance in my district where the... a family's son had... had... they were unable to care for him anymore and he did... he has autism and because of the problems with the State of Illinois there was no place that they were able to place him so that he could get the care that he needed. And he was required

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to go out of state, which the family was happy with because he'll be getting the care that he needs, but that also makes it very, very difficult for them to be a very large part of his life. This is subject to appropriation. It would also be available for federal matching funds. And because we now know so much more about autism, this is an absolute necessity for the State of Illinois. And I would ask for your 'aye' vote."

Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Bost: "Representative, the only question I have is, it says DCFS is opposed, why... do you have any reason why?"

Gordon: "They... DCFS is... there was a question between who was in charge of these things, DCFS or DHS? And we worked it out with the Amendment."

Bost: "Okay. Thank you."

Speaker Turner: "Representative Gordon to close."

Gordon: "Ladies and Gentlemen, I would ask for your 'aye' vote."

Speaker Turner: "The question is, 'Shall the House pass House Bill 2002?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared

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passed. The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "Thank you. Mr. Speaker, if the record could reflect, I was out trying to solve the budget crisis out in the hall and I missed House Bill 1727. I'd like the record to reflect that, if I had been in my seat, I would have voted 'yes' on 1727."

Speaker Turner: "The record will so reflect that. The Gentleman from DuPage, Representative Reboletti, what for.. reason do you rise?"

Reboletti: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Reboletti: "Mr. Speaker, Ladies and Gentlemen of the.. of the House. Behind me I have members of the Elmhurst Park District and the Anson Park District, they're down here for the IAPD Conference today. And I'd like you to join me in wishing them a good day here and a.. and a warm Springfield welcome, so.."

Speaker Turner: "Welcome to Springfield. The Lady from Champaign, Representative Jakobsson, for what reason do you rise? The Gentleman from Lee, Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. I.. I had the same problem that Representative Molaro had. I was out talking to my constituents and I was inadvertently voted 'no' on 1727. I'd like to be recorded as a 'yes'."

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Speaker Turner: "The... the record will so reflect your wishes. The Lady from Cook, Representative Feigenholtz, for what reason do you rise?"

Feigenholtz: "Thank you, Mr. Speaker. I rise for purposes of an announcement. Last night at 6:30 a daughter was born to Anne Marie Murphy, Isabelle Camille. So, let's welcome her to the world."

Speaker Turner: "Welcome to the world. The Gentleman from Cook, Representative Riley, for what reason do you rise?"

Riley: "Mr. Speaker, a point of personal privilege."

Speaker Turner: "State your point."

Riley: "I'd like for everyone in the House to recognize and give a good House of Representatives' welcome to someone who's really near and dear to me. And these are teachers who are down here from Rich Township School District 227, one of the greatest districts in the state. Please give them a round of applause. There they are right there."

Speaker Turner: "Welcome to Springfield. On the Order of Third Readings we have House Bill 226. Representative Lindner. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 226, a Bill for an Act concerning business. Third Reading of this House Bill."

Lindner: "Thank you, Mr. Speaker. This is a totally agreed Bill to... which amends the Motor Fuels Sales Act, which helps people with disabilities get assistance for pumping at gas stations. And it's agreed between the petroleum industry, the disability... disability community and all... the Secretary of State and everybody that was involved. They had several meetings in my office and I want to thank

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everybody involved. And especially Representative Osterman who is the cosponsor. I'd ask for an 'aye' vote."

Speaker Turner: "The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Franks: "Representative, I'm looking here at the... at our analysis. Is there a Floor Amendment that has been adopted?"

Lindner: "A what? Yes. Yeah. I had promised to hold this on Second until we had an agreed Amendment and it's all agreed."

Franks: "Okay. And you've got the agreed Amendment now?"

Lindner: "Yes."

Franks: "Okay. And what... and I appreciate you carrying this Bill. We worked on something very similar last year. And I think the difference with your Bill is that we're not requiring a certain type of calling device, correct?"

Lindner: "Correct."

Franks: "So, what we're doing here is we're requiring the service station to post a sign indicating that there will be someone there able to help?"

Lindner: "Yes. To post signs to tell people with disabilities how they can get assistance to have somebody come out to pump."

Franks: "And right now is it Federal Law that they have to be doing something similar?"

Lindner: "Yes, it is. And part of the Federal Disabilities Act is also included in this Bill."

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Franks: "Good. So, we're recodifying that in our State Law so we'll have state enforcement of those measures?"

Lindner: "That's correct."

Franks: "Thank... I think it's a great Bill and I appreciate you carrying it."

Speaker Turner: "The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "Sponsor yield."

Speaker Turner: "She indicates she will."

Osterman: "To the Bill. I just want to commend Representative Lindner for her efforts on this legislation. She brought together all the interested parties that care about those with disabilities in our state. And the legislation is one that's been worked on over the last couple of months. And I think it is something that will help those individuals that need assistance at the gas stations. And I would simply ask everyone's support of this legislation."

Speaker Turner: "Representative Lindner to close."

Lindner: "I would just ask for a favorable vote."

Speaker Turner: "The question is, 'Shall the House pass House Bill 226?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'nays', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, Representative Moffitt, we have House Bill 3667. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 3667, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3667 is an issue.. a Bill to help encourage the use of environmentally friendly fuel, that being biodiesel. We're all concerned about glob.. global warming. We're all told to try to reduce our carbon footprint. This is an incentive to buy clean fuel, to buy green fuel, to buy fuel that's better for our environment. I want to read just a quick ad that was in the Parade Magazine last Sunday about the fluorescent light bulbs. It says, 'Can a funny looking light bulb change the world? If every Wal-Mart shopper bought and used one compact fluorescent light bulb, it would be the eq.. oil-burning equivalent of taking over a million (1,000,000) cars off the road.' There's no one silver bullet, no one magic pill to improving our environment. It's a group of actions. And this is one of those actions where we'd use more biofuels; it's cleaner burning. This has a five (5)-year sunset. And what it provides for is that if you use biodiesel you can use that as a tax credit towards the.. your license purchase the next year on your commercial distribution fee. You use the fuel, use a credit in the future. It's an incentive to buy an Illinois-produced product that creates jobs, adds value for our farmers, grown here, improves our balance of payment. Be happy to entertain any questions."

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Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "I'm not sure. Oh, will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Black: "Thank you. Representative, the commercial distribution fee... and I don't have any problem with your Bill... but where are we on trying to finally get rid of that? We... we made a promise that we were going to get rid of it. And I think we did about 50 percent of it, but it... but the other 50 percent is still out there. And as I recall, I think that's a Democrat-sponsored Bill that I... I don't think it's been called. So, I... I would help that we could get rid of that onerous CDF that we passed a few years ago. But, one of the... one of the questions I did want to ask you, I... I saw the same Parade article. And I have purchased some of those strange looking little neon energy saver bulbs. But, there's one problem with them. You know what that one problem is? And the Lady who should know is right in front of your desk? Those bulbs are full of mercury. So, when you dispose of those energy saving bulbs, you have to be very careful because they contain a fairly decent amount of mercury. So, as... as you've said, nothing is ever as simple as it seems. So, on the one hand we're saving energy, on the other we're putting mercury in our homes and eventually we'll put them in some kind of a toxic waste dump. Well, how much... to get to the specific question after my editorial comments, how much do you think we can save by your Bill? How... how much would a trucker or the trucking industry... will they be able to save any money?"

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Moffitt: "They certainly can if they use biodiesel. It's competitively priced, in some cases even less. So, the fuel... and still get the efficiency depending on what percent... most of it I think they use is B11. I believe it's... is up to B11. So, they're going to... it's not going to cost them more to use it but they're going to be burning a cleaner fuel and they're going to be able to use that purchase to reduce their commercial distribution fee. And let me say if... we eventually pass legislation to eliminate the commercial distribution fee to make this unnecessary, no one would be happier than me."

Black: "Yeah, I..."

Moffitt: "But until that happens..."

Black: "Yeah."

Moffitt: "...this is a way."

Black: "I don't know..."

Moffitt: "I also want to just..."

Black: "...we could bring back those twenty thousand (20,000) jobs we lost, but it'd be nice to try."

Moffitt: "I believe the first year this was... the commercial distribution was in effect, I believe the next year there were I've heard, figure about eighteen thousand (18,000) fewer big trucks registered in Illinois."

Black: "Yeah."

Moffitt: "In other words, the fee went up, but we had fewer trucks registered. The next year, of course, it climbed some more and I heard the figure as high... if you know different, but I heard the figure as high as thirty thousand (30,000) fewer trucks. But on the energy.. and

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you... what you just said... you mentioned the... I used the fluorescent light bulb because sometimes we fail to recognize that it's a group small acts put together that really solve some problems eventually. In the case of biodiesel, I have a report here that I'd gotten from doing some research on this. And that when you produce biodiesel, the net energy that you gain... that the... there's a 93 percent more net energy per gallon than is required to produce it. So, if you use one (1) unit of energy to produce this gallon of biodiesel, you get one point nine three (1.93) back, a net energy gain. So, we're... we're improving the environment there in addition to clean fuel. You mentioned the light bulbs come with an additional problem. I am not aware of any additional problem created by the use of biodiesel."

Black: "I'm not either. In fact, we have a biodiesel plant that will be online hopefully in a few months in my district. I'm anxiously awaiting that event. The only other question I have, is... is biodiesel subject to a Gross Receipts Tax?"

Moffitt: "Not at the present time and we aim to keep it that way."

Black: "Well, I trust that you'll be in contact with Willie Nelson to help us make sure that it doesn't apply to biodiesel. Oh, wait a minute, that was another Governor that was close to Willie Nelson, I... I keep forgetting. Thank you, Representative."

Moffitt: "Maybe we can send a joint letter to Willie?"

Black: "This is a good Bill."

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Speaker Turner: "Representative Moffitt to close."

Moffitt: "Thank you, Mr. Speaker. We've commented about the huge, huge benefits of biodiesel, it's one a series of things that we can do to improve our environment. But in addition to that, this is jobs for Illinois. It's better for our economy, keeps profits here. And I urge a 'yes' vote. Thank you."

Speaker Turner: "The question is, 'Shall the House pass House Bill 3667?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Saviano? The Clerk shall take the record. On this question, there are 114 voting 'aye', 2 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

Sacia: "Mr. Speaker, a point of personal privilege?"

Speaker Turner: "State your point."

Sacia: "The district that I represent, the largest city is the City of Freeport, Illinois. The good mayor of that city is up in the balcony, up where I'm pointing, George Gaulrapp, a great friend and a great mayor. Would you make him feel welcome."

Speaker Turner: "Welcome to Springfield, Mayor. On the Order of Third Readings, Representative Mendoza, we have House Bill 1635. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1635, a Bill for an Act concerning commerce. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Mendoza."

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Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1635 creates the Illegally Logged Wood Act. The Bill would outlaw the sale, importation or dispensing of illegally logged wood. Illegally logged wood refers to any whole logs or timber that are harvested, transported, bought, or sold in violation of national laws. This Bill would establish a principle that Illinois businesses and consumers would not contribute to or act as willing participants or accomplices in the global illegal logging problem. And I think that in terms of Illinois businesses it's a good marketing benefit and that's a competitive advantage in being able to demonstrate that our wood products are not derived from illegal sources. I would be happy to answer any questions. And would ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 1635?' All those in favor should vote 'aye'; those oppose vote 'no'. The voting is now open. Have all voted who wish? Have all voted... Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 2 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Molaro on House Bill 858. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 858, a Bill for an Act concerning interstate compacts. Third Reading of this House Bill."

Molaro: "Thank you, Mr. Speaker. It's a pretty straightforward Bill. What this does is... we call it the national agreement

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among the states to elect a President by national popular vote. Basically, what this Bill does is this, it's a compact between... we think there are thirty-nine (39) other states have... have introduced the exact same language. And the Constitution calls for states to make these agreements. And basically, what the agreement says, if there are enough states that pass this law that allows for the electoral college in that particular state to vote for whoever wins the national popular vote. So in other words, if there's enough states that pass this that equal two hundred and seventy (270) electoral college votes then what would happen is here in Illinois that no matter who wins the popular vote, instead of voting for who wins Illinois we would actually vote for... our electoral college would vote for the person who winds up winning the national popular vote. Now, about 75 percent of Americans would like it that way, but let me tell you why I think it's a great idea to do this. Right now in a National Election... we're going to have a national election coming up... there are about thirteen (13) states if you go to any presidential candidate's war room, you'll see a big map of the United States and there'll be thirteen (13) states that they have circles around. The other thirty-seven (37) states don't come even into play because they're either red or blue. So, they spend no money in Illinois 'cause we're a blue state. They'll come and visit Illinois. They don't go to Kansas 'cause Kansas is a red state. I don't know if anybody knows this, but in Ohio and in Florida you had George Bush and John Kerry going to the homes of State Reps

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and State Senators for their supports, calling up alderman to get their support. Millions and millions of campaign dollars were spent in those states. There is a big economic boon for those states during the presidential campaign. You know what they spend in Illinois and Kansas, the blue states? Nothing. Zero. Because it doesn't matter here in Illinois if the... if the presidential team or candidate say, Illinois is... we're going to win by fifty thousand (50,000) votes. Doesn't matter if the win by twenty (20) or eighty (80), doesn't matter how many votes they win by, they get the electoral college. Same with Kansas. So, it absolutely gets to the point where everybody's disenfranchised. Nobody knows what's going on with the presidential election. If you ever visited Ohio or Florida while this election was going on you would see some of the most amazing commercials, signs. Every sign company in Illinois, every mailing house in Illinois should be glad that you're voting for this Bill 'cause it now puts us on the map. For those of you who were around in 1960 where there was a great torch light parade, we can't get a presidential candidate to stop in Illinois. Well, maybe we can get him for ten (10) minutes to pick up seven hundred thousand dollars (\$700,000) at some millionaire's home and then they're right out the door. This would make Party Leaders on the Republican side and on the Democratic side players in national politics. It makes us players in national politics. Now, I've had many Democrats say to me, why are you doing this because we've been a blue state? Why are you now saying that if a Republican wins a national

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popular vote even though the Democrat almost assuredly is going to win Illinois, we would be voting for the... why? I'm going to tell my Democratic colleagues who are afraid of this Bill 'cause obviously Republicans should be 100 percent for it. My Democratic colleagues that... this is a great Bill to put Illinois back into presidential politics. Again, the national popular vote comes there. Not one thing in this Bill changes the Constitution. So, anybody who's going to get up on any side and start talking about we better not mess with the electoral college, I'm not. I'm not changing anything. The Constitution speaks for itself. What happens is, and make this clear to everybody before you jump up, the electoral college cannot be changed and the way we do it cannot be changed 'cause we can't change the United States Constitution. In Maine and Nebraska the Constitution says each state decides what they do with their electors. So, let me tell you what Maine did and what Nebraska did. Maine says and Nebraska that, and they have like nine (9) electors, the reason you have nine (9) because you have two (2) U.S. Senators, here in Illinois we have nineteen (19), two (2) U.S. Senators, seventeen (17) representative districts, so you have nineteen (19). In Maine, whoever wins the popular vote in Maine gets two (2) votes and then every Congressional District whatever candidate wins that Congressional District that's who gets that electoral vote. So, there are states that do it differently. I'm saying that our state should consider saying that we're going to tell our electors, instead of doing it by congressional votes, it

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should be whoever wins the... the presidential popular vote should get the electors vote. So, there's no change in the United States Constitution. We're keeping the electoral college. We're just looking at changing the way our electors vote so we once again can get a presidential candidate to stop in Illinois and we once again can create jobs, can spend money in Illinois and... and make Illinois an economic hub when a presidential race comes to town. And I'll... will answer any questions."

Speaker Turner: "This Bill was on the Order of Standard Debate. We will listen to three (3) proponents and two (2) opponents... three (3) opponents and two (2) proponents. Representative Fritchey."

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

Speaker Turner: "Indicates he will."

Fritchey: "See, by difference here, when I actually get up in support of your Bill, I'm actually in support of your Bill. Ladies and Gentlemen, this is a Bill that makes a lot of sense. We are not tinkering with the Constitution. I'll... I want to assure you that I don't think the founding fathers ever envisioned a electoral college that never met. Electoral college that never got together to debate these issues. This is not something that is tinkering the system, it is something which is resurrecting the very essence of democracy here and that is the will of the people and the popular majority dictating where the votes go for our electoral college. A number of states have seen the wisdom of this. There's been a lot of work in getting this to a form where it can work in all these states and

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really get back to fundamental democracy. We're going to have a lot of heated debate over a lot of different Bills and a lot of different issues down here. And we all know what the hot button issues are. And this is not one that falls in... in that range. This is one, though, that may be one of the more important votes that we cast, because it really can set our democracy back on the right path and back on establishing power to the people in electing the president of this country. Thank you."

Speaker Turner: "The Gentleman from DuPage, Representative Fortner, for what reason do you rise?"

Fortner: "Will the Sponsor yield for a question? On... one of the... one of the questions I'd like to start with is, if there was a circumstance where there were three (3), four (4) or more candidates running and there was a lot of split regionally and otherwise, how would this Bill affect that? Would... could someone presumably win, let's say in a three (3)-person race with as little as 35 percent of the vote? Would they win directly through the mechanism of this Bill?"

Molaro: "Yes."

Fortner: "Is that... are... are you aware of other countries that would typically operate that way among the western democracies?"

Molaro: "Oh yeah. There's... there's a lot of countries where the president could win with 20 percent of the vote. They have prime ministers that win that their Party got 15 percent of the votes. So, yeah, it happens all the time."

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Fortner: "In... you mentioned the... the case of prime ministers. Isn't it the case that when there are prime ministers they have to still put together a majority coalition in their parliament in order to get there? The fact that they had 20 percent of their Party is not sufficient to become the prime minister?"

Molaro: "Right. But the people have nothing to say about it. It's strictly the members of parliament."

Fortner: "I... I understand."

Molaro: "Oh, okay."

Fortner: "But I'm just... I'm..."

Molaro: "Right. I thought you asked me about the pop... about the vote of the people?"

Fortner: "I... I did."

Molaro: "Oh, I'm sorry."

Fortner: "But I'm saying that there's a... there's another round, essentially a tiebreaker if you like, or there's a runoff in the case of parliamentary democracies where the case... the runoff is happening not directly with the people, but in fact with the members of parliament."

Molaro: "That's... that's a fact."

Fortner: "Now, in those countries that have direct election and I think an excellent example is France. France is a country that has direct election of its president, in fact they're going through their election right now. What they did... what most countries do when they have a direct election, is they provide for a runoff. There's some mechanism. As I say, in parliamentary systems, which is not unlike what happens in an electoral college, there is a

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mechanism that allows for a runoff to occur. In France they're right in between. They had twelve (12) candidates run for president, the top vote getter had 31 percent. Rather than just saying, well, 31 percent wins it, they established a runoff process. So, there's going to be a vote this weekend between the top two (2). And that's not even a process that's unique to France. Some states, Louisiana is a good example, they do exactly the same thing when they elect their Governor and other members to Congress. They have a runoff process. Even here in Illinois, we have a process whereby for many of our major municipalities may provide for a runoff. If someone doesn't get a majority at the outset, there's a mechanism for a runoff. Now, it was mentioned that the founding fathers didn't anticipate an electoral college that never meets. That's probably true. However, what they did anticipate was that for... there had to be some kind of majority brought together, a majority of the electors of states; if that didn't happen, there was a second mechanism that it could even run to the House of Representatives. Under the terms of this compact for the presidential election, there would be no mechanism for it to fall ever to the House of Representatives, barring the unusual case of an exact... an exact vote tie there. Attempts to amend the Constitution to accomplish this goal have... have been tried in the past. Most of them have recognized there's at least a floor below which if a president was to get that few of a percentage of the popular vote it would not happen in just that one round. So, even people who put together

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the Constitutional Amendments would do that. So, whether it be with cities like Chicago, states like Louisiana, countries like France, it's important to have some mechanism for the Leader of the Body to recognized... to be recognized to have a majority of something. Unfortunately, as is pointed out, our system seems out of balance because that is... because of an electoral college, which became the mechanism by which accumulated enough votes. It is also said the whole reason is to make Illinois competitive. Well, I think we need to take a moment and think about history. Parties evolve over the decades and centuries of our country, so do the positions of the candidates. There have certainly been times in the past, if you look at the 1960 presidential election, where Illinois was the pivotal swing state. That's not to say that fifty (50) years from now we're not in that same position. Why would we want to adopt policy because of the current dynamics of Illinois today? I think we need... this is a big decision. And I want to close with a quote by David Broder of the Washington Post, 'A change of this scale requires careful consideration, something the amendment process provides and this mechanism is designed to circumvent. A change of this sort should not be created by as few as eleven (11) of the fifty (50) state legislators (sic-legislatures).'

Speaker Turner: "The Gentleman from Jasper, Representative Reis, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

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Reis: "Representative, you had said in your comments that this does not change the electoral process, the electoral college or the Constitution, right?"

Molaro: "Yeah, I said it doesn't change the United States Constitution or any of the... or any of the matters that the Constitution talks about."

Reis: "But in our analysis... and I just want to make sure it's right. It says, the presidential candidate who receives the most total popular votes among all the fifty (50) states would be declared the winner for each of the member states regardless of whether that candidate won the popular vote in that state or not. Is that still right? Is that the gist of your Bill?"

Molaro: "That's... that's cor... that's what it does."

Reis: "Okay. So, say Kansas is part of this compact."

Molaro: "Right."

Reis: "And go back to the 2000 election and John Kerry won the popular vote."

Molaro: "Right."

Reis: "So, that means Kansas's electoral votes would have to go to John Kerry?"

Molaro: "If... if... if this passed in all those states, yes."

Reis: "How on earth can you... I mean, I love watching you in Jud II, but how can you say that that doesn't change the Constitution?"

Molaro: "Well, it flat out doesn't. No, I mean, I..."

Reis: "Well, I could go on and on."

Molaro: "...we, you know, I don't want to take your five (5)..."

Reis: "Say Texas. So ..."

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Molaro: "I don't want to take..."

Reis: "...according to your Bill, with two (2) candidates in the race, John Kerry would have got every electoral vote in every fifty (50) state."

Molaro: "No, not at all."

Reis: "If all fifty (50) states joined the compact."

Molaro: "That's correct. If all fifty (50) states went into the compact, he would have got all their votes."

Reis: "That isn't what our forefathers had in mind, Representative."

Molaro: "Well, what did they... what did they say about Nebraska and Maine? 'Cause they do it differently. In Nebraska and Maine, you can wind up in Nebraska, there can be a presidential candidate carries that, but he doesn't get the electoral college 'cause he didn't carry the... the... the congressional districts. Every state could do it any way they want."

Reis: "And... and that's fine."

Molaro: "That's what the Constitution... but that's what the Constitution envisioned. They envisioned debates like this 'cause each state could do it anyway they want. That's why Nebraska..."

Reis: "But Nebraska still has the same... they have the electoral votes for each of their Congressmen..."

Molaro: "Right."

Reis: "...or Congress people..."

Molaro: "Right."

Reis: "...goes to the winner of that congressional district. You're not changing..."

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Molaro: "Yeah, but not to... not to the popular... not to the... who wins in that state."

Reis: "But... Okay. So, who cares in... in Nebraska who wins New York and L.A. and Chicago and Miami?"

Molaro: "Right."

Reis: "They could win those four (4) towns if you had enough people."

Molaro: "That's correct."

Reis: "What about the provision now that says you have to have two hundred and seventy (270) electoral votes? Is that still a provision?"

Molaro: "I can't..."

Reis: "Which would go against your answer to..."

Molaro: "No, no, no. That... that's in the Constitution, I can't change that."

Reis: "Well, you said that someone could get a third of the votes and win."

Molaro: "No, no, no. I said... what he asked me is that if the national popular elector gets a third of the votes, right? So therefore, he wins the popular vote. By this compact those electoral college... twelve (12) voters from those states that equal 270 would vote for that person who got 33 percent. That's correct, I can't deny that. But... but it still doesn't change that they need 270. I mean..."

Reis: "Okay. But you're still taking away the right of the people who join this compact based on population centers in other states, whoever wins the popular vote their electoral votes would go to that candidate. I'm not sure if... if

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Kansas passed this if they would want their electoral votes to go to John Kerry."

Molaro: "Well, no. There would... no, but they're having... John Kerry, of course not. And if... and if..."

Reis: "But yet if they join..."

Molaro: "...it would have been Bush..."

Reis: "...this compact that's what you would say."

Molaro: "...But no it doesn't. Each individual voter decides who they want to vote for, right?"

Reis: "Okay. So, say John Kerry got 40 percent of the vote and George Bush..."

Molaro: "But they..."

Reis: "...got 60, but they were part of this compact, their electoral votes would have to go to John Kerry."

Molaro: "Right. But if John Kerry got 51 percent in Illinois and fort... and Bush got 49 percent, all the electoral votes go to Kerry. It's the same deal."

Reis: "And that's fine."

Molaro: "In other words, they didn't carry... Kerry didn't carry every... every town. He didn't carry every Representative district. Why should he get all our electoral votes? Because he won the popular vote in Illinois. I'm just doing... exactly what we're doing here in Illinois, I'm saying we should do in the country. Why should your district that voted for George Bush, that carried George Bush, why should that Representative District and electoral college from Illinois all vote for John Kerry when John Kerry only got 51 percent of the vote?"

Reis: "That's..."

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Molaro: "Oh, and by the way... by the way..."

Reis: "...that's not what your Bill does. If you want to change..."

Molaro: "It doesn't..."

Reis: "...that and say that each..."

Molaro: "No, I'm making an argument."

Reis: "...con... and one congressional to each Congressional District, their electoral vote would go to the winner in their district, that's fine. I'll... I'll probably go along with you on that one, but that isn't what your Bill does."

Molaro: "No, I'm going to your argument that if John Kerry carried 38 percent of this state and George Bush had 20 percent and a McCarthy had 15 percent, John Kerry would get all of our electoral votes even though he only got 38 percent of the vote. So, it's the same thing here. The guy that wins 38 percent of the national vote... or woman, they would get all the electoral votes, same theory."

Reis: "Okay. I'm going to finish up my... my time is about to run out. I'd like to close, Speaker. To the Bill. You know, this was one of the biggest issues in the... in the Constitutional debate back in 1787. And, you know, they were at logger heads all summer over this if you read on this and finally this compromise came up with the electoral college that allowed the small states like Rhode Island and North Dakota and Wyoming who didn't have a lot of population to still have a say in the national election. This Constitution has served us for two hundred and twenty years (220), it's the longest running Constitution and a big part of it is how we elect our leader. And... and I... I

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see big... just as big... I see just as big of problems now as what our forefathers did, a big population centers controlling the national vote. This isn't the right thing to do. Let's not meddle with the Constitution. And regardless of what my fine friend says, this is changing the electoral college election process for our leader of the United States. So, I stand in strong opposition to this Bill."

Speaker Turner: "The Gentleman from Cook, Representative Froehlich, for what reason do you rise?"

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

Molaro: "Yes."

Speaker Turner: "Indicates he will."

Froehlich: "Representative, let's... let's just review this a little bit. Does your Bill eliminate the electoral college?"

Molaro: "No."

Froehlich: "Does your Bill eliminate electoral votes?"

Molaro: "No."

Froehlich: "Does the Constitution permit... currently permit states to decide how to award electoral votes?"

Molaro: "Absolutely. It has for two hundred (200) years."

Froehlich: "Okay. Are you aware that... that the electoral college was in fact a last minute compromise at the Constitutional Convention, 1787?"

Molaro: "Yeah. That's what I read. I think Black was there, but I wasn't there. But I read that, yes."

Froehlich: "Okay. Isn't it true that currently presidents are elected with less than 50 percent of the popular vote?"

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Molaro: "It has happened."

Froehlich: "And there's no runoff election?"

Molaro: "No."

Froehlich: "When they... when Bill Clinton gets 42 percent in 1992, there's no runoff election?"

Molaro: "He got 42 percent and he won the election."

Froehlich: "Right. I know some would... would make this a, you know, a purely partisan issue, but I understand Senator Kirk Dillard, who was until recently chairman of the DuPage Republican Party, favors this Bill."

Molaro: "He... he's in support."

Froehlich: "In addition, are moderately prominent Republicans that say they're not just changing how you award electoral votes, but favored abolishing the electoral college, Gerald Ford, George Bush 41, Robert Dole, Congressman Ray LaHood and one of my favorite Congresswoman, Charlotte Reid who is the mother of Pat Lindner, one of our colleagues. So, just want to get in the record that... that prominent Republicans over the years have not considered the electoral college some sacrosanct sacred thing that could never be changed."

Molaro: "Correct."

Froehlich: "Thank you."

Speaker Turner: "And our last speaker will be Representative Black, the Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker. To the Bill. That last exchange reminded me of routines I used to watch Edgar Bergen and Charlie McCarthy do. You know, all Mr. Froehlich had to do was go over there and put his hand up the back of Representative Molaro's jacket and it would

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have been, you know, have you... 'yes'. Have you, 'no'. You know, it... and I... I was glad to know that Representative Froehlich talked to Gerald Ford. I haven't been able to talk to him since they buried him, but... anyway. If you listen to this argument, Representative Fortner has phrased it in the right language and in the right frame that could happen if you have three (3) or four (4) candidates. This Bill does not change the electoral college in any way. It's just a very convenient way to circumvent it. And for the Sponsor saying, well, this would make all the presidential candidates come to Illinois and... and you know, French Lick, Nevada and Cutlip, Montana and... no, it wouldn't. No, it wouldn't. They don't do that anymore anyway and it's not because of blue states, red states. The way we campaign for president has changed dramatically and it has become so expensive that we are eliminating most people's ability to seriously consider seeking the highest office in the land. If you can't raise a hundred and fifty to two hundred million dollars (\$150,000,000 to \$200,000,000) in a six month period, you're not going to be able to run for president. Why? You have an on the ground staff in all of the states or... or a vast majority. You must spend millions of dollars on TV and then of course the TV stations will editorialize that you... you're spending too much money on campaigns, but they get the bulk of it. I've never understood that either. When it comes to putting any of us... and I'm not criticizing the Sponsor, I have high regard for him and I know how intelligent he is, but as a student of history and having read the book, The Miracle at

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Philadelphia, I think the author was Catherine Drucker (sic-Drinker Bowen), excuse me if I've gotten the wrong name. The sheer brilliance of the founding fathers, how they were able to compromise, how they worked things out, absolutely fascinate me and not very often in our history have we been able to improve on the framework that they left us. Yes, what... what the Sponsor wants to do is perfectly within the framework of the Constitution, if that is in fact what you want to do, but I think this Bill will have just the opposite impact of what he said in his opening. You will campaign in only the population centers of any state and it will be the bigger states and the bigger cities. Look at the last gubernatorial election. I didn't see the Governor campaigning in my district, but I saw him spend a lot of time in Chicago and the suburbs and Metro East. They campaign where the people are and quite frankly, they campaign where the television stations are, so they can get earned media. I don't think this adds one thing to the way we elect the President of the United States, except to throw it, as Representative Fortner said so eloquently, into the possibility of total confusion if you have four (4) candidates who split the vote. Now, if we want to adopt the European system of how we have runoffs, I'm willing to debate that. But I don't think this is any improvement whatsoever in how we elect a President of the United States. I don't think it will have a positive impact, I don't think it improves on the basic framework of... of what the founding fathers did years ago. And... and the... and the Sponsor's right, it does not abolish

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the electoral college. It does, however I think... and I hope the Sponsor will think I'm being fair, it does give a reasonable way of circumventing the electoral college process. Mr. Speaker, should this Bill get the requisite number of votes, I would request a verification. And I would urge all of you, I hope you heard what Representative Fortner said. I've been here a long time and I've heard an awful lot of very good speeches from very good people. Here's a freshman who I think boiled the essence of this Bill down to brilliance. I can't add anything to what Representative Fortner has already said."

Speaker Turner: "There's been a request to take this Bill off of Standard Debate and move it to Extended Debate. And leave will be granted. Representative Watson, from Morgan."

Watson: "Thank you. Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Turner: "He indicates he will."

Watson: "Representative, I've got just one question. Is your goal to make the awarding of... of these votes... is your goal to make it more accurately reflect the popular vote?"

Molaro: "Yes."

Watson: "And... and... so, help me here. If you get 50.1 percent of the popular vote in Illinois, what percent of our electoral votes goes to the winner?"

Molaro: "A hundred... oh, you mean... 100 percent."

Watson: "So, why not... I guess my question is, why not do what Nebraska and Maine do? Why not go back to award these electoral votes by Congressional District? If you want to

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accurately reflect the will of the people, why not award those votes accordingly?"

Molaro: "That's a... that's a way of doing it and it's a probably better way than we do now. I think this might be a little better. But I like that way too."

Watson: "How is this way better?"

Molaro: "Because it... it reflects what the people of the United States... just like 50.1 if... if... if there's 50.1 percent or the majority of Americans vote for a certain presidential candidate then it wouldn't be a bad idea just like we do in Illinois. Now, remember use 50.1 percent and I don't want to use up your time, but I might point out that if there's four (4)... if there's a third party here, if the... if 38 percent is the biggest vote getter they get 100 percent of electoral..."

Watson: "Exactly."

Molaro: "Right. So, all I'm saying is..."

Watson: "That's a problem."

Molaro: "...maybe... maybe it's time that if there's... whoever wins the popular vote in the United States gets the two hundred and seventy (270) electoral votes. Maybe it's time for that and that's what we're asking this Body here. This is... this isn't left handed or behind anybody's back..."

Watson: "I... I... I'm am not excusing..."

Molaro: "...it's straightforward. You know what I'm asking for. If you don't agree with it, then I suggest maybe you put another Bill or you vote 'no' on this Bill."

Watson: "First... first of all, I don't agree. And I do not think it's partisan and did have that Bill last year..."

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Molaro: "There we go."

Watson: "...and it was never called for a hearing. Second of all, as to what Representative Froehlich said... Ladies and Gentlemen, this is a serious issue. You could end up in a situation where a... a fringe element of the population of the United States gets 25 percent of the vote and leads this country. If you've studied history, that has happened in the past. It's happened in Germany to... with frightening results. This is a big, big deal that we should not take lightly and just march in lock step. I hope everybody will take this in serious consideration. There was a reason they had that last minute compromise, these were some smart individuals two hundred (200) years ago that put this Constitution together and they were as much worried about the tyranny of the minority as they were the tyranny of the majority. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Ford, for what reason do you rise? Representative Ford. The Gentleman from Cook, Representative Lang, for what reason do you rise?"

Lang: "Thank you. Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Lang: "Representative, I support your Bill. I've been listening to the debate. I... I want to give you an opportunity through my time to respond to some of these comments that have been made in a way that you haven't had a chance to just speak your mind. So, you've heard all these negative comments about your Bill, I think they're well-intentioned. I don't think anybody's using this for

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improper reasons, but you should tell us in your own words why you think they're all wrong."

Molaro: "Is that a trick question or something?"

Lang: "I don't... I don't do that, Sir. You're not a freshman, right?"

Molaro: "No."

Lang: "All right."

Molaro: "Thank you. Well, the only thing that I want to make sure that I point out and if they listened to the Gentleman from Vermilion, we... you know... I just hope and... and I wish the person from Jasper County heard him and he was kind enough to say that this doesn't change the Constitution. It does nothing to the United States Constitution. As a matter of fact, it does what the founding fathers thought of and the founding fathers said, we're going to leave it to the states. Now, if you're worried about the fact that someone might get 38 percent of the vote and get all the Electoral College votes here in Illinois, well, you're correct. Somebody could get... just like the last speaker, someone could get 25 percent of the vote if there's four parties running and get all our electoral college, that's the system. It would be the same with the national election. Now, the... the... the professor there talked about runoff elections. I don't know, maybe we should put a Bill in that says that there should be runoff election for Governor or President, if that's what we're looking for. There have been many times in many elections throughout this state and this nation that someone did not receive 50 percent and still was elected to office. It happens all

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the time, it's happen in the past and it'll happen in the future. I'm just pointing out that there's different ways to do the electoral college. Nebraska and Maine has done it. And this is a way. The former Representative... I mean the Representative that just spoke before Representative Lang said that he had a Bill in to change it. So, there are ways of changing electoral college, this is one and I think it's a fine idea."

Lang: "Well, thank you, Representative. Have you had interaction with some of our colleagues in other State Legislatures regarding their view as to whether their states are going to go ahead and join the compact?"

Molaro: "Well, you know, obviously they're having their same debate here. And when the speaker said it's important, he was absolutely right. This is an important debate. And they're having their debates right now. Maryland has already passed it and it's signed by the Governor I'm told. And thirty-eight (38) other states are debating it just like we are. I don't know what the outcome going to be, but according to the Bill unless you have enough states that come up to two seventy (270) it really doesn't matter what we do."

Lang: "Have any states rejected this?"

Molaro: "Yeah. There have been one... there is one that has rejected it. It happened to be a blue state; I don't know which state it was."

Lang: "It was a blue state?"

Molaro: "Yeah."

Lang: "Well, that's unfortunate, isn't it?"

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Molaro: "I know."

Lang: "Well, maybe we should go down there and talk some sense into them."

Molaro: "I'd like to."

Lang: "And so, I... would it be fair to say that if the majority of those thirty-eight (38) states would approve this it would hit the magic number of two seventy (270)?"

Molaro: "Yes."

Lang: "Are some of those larger states New York, Michigan, California and Texas?"

Molaro: "Yeah, most... they're... they're... of the thirty-eight (38) states they're the thirty-eight (38) nonbattleground states. The twelve (12) states that are the battlegrounds, they don't like this 'cause they want all of the money from all the campaigns to be spent in their cities and their towns. So..."

Lang: "All right. To... to the Bill. I think we all have a concern with the fact that someone could win the popular vote for president and not become president. I think we all have a concern that perhaps in this way the electoral college hasn't worked exactly the way the founding fathers of our country had... had thought out. They thought out a lot of great things, the United States Constitution's a great document. This doesn't amend the Constitution, but it does put us in a posture where we're saying to the people of Illinois, we want to make sure that the person that you want to become President of the United States actually becomes President of the United States. I urge support of this Bill."

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Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "Mr. Speaker, call the previous question."

Speaker Turner: "Gentleman asks leave for previous question. Previous question is granted. Representative Molaro to close."

Molaro: "Thank you. I'm not going to repeat myself. I just want to make sure 'cause it was said, it was said... we're just not changing..."

Speaker Turner: "Representative, you don't get a chance to close, you've already closed. I called the question. The question is, 'Shall House Bill 858 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Remember vote your own switches, there has been a call for verification. The question is, again, 'Will House Bill 858 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The Clerk shall take the record. On this question, there are 66 voting 'aye', 50 voting 'no'. And the Gentleman with the verification, Representative Black."

Black: "I want the Clerk read the affirmative?"

Speaker Turner: "We'll proceed with the verification. Mr. Clerk, read the affirmative."

Clerk Bolin: "A poll of those voting in the affirmative: Acevedo; Arroyo; Beiser; Berrios; Boland; Bradley, J.; Bradley, R.; Brosnahan; Burke; Chapa LaVia; Collins; Colvin; Crespo; Currie; D'Amico; Davis, M.; Davis, W.; Dugan; Dunkin; Feigenholtz; Flider; Flowers; Ford; Franks; Fritchey; Froehlich; Golar; Gordon; Graham; Granberg;

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Hamos; Hannig; Harris; Hernandez; Hoffman; Holbrook; Howard; Jakobsson; Jefferies; Jefferson; Joyce; Lang; Lyons; Mautino; May; McCarthy; McGuire; Mendoza; Miller; Molaro; Nekritz; Osterman; Phelps; Reitz; Riley; Rita; Ryg; Scully; Smith; Soto; Turner; Verschoore; Washington; Yarbrough; Younge, and Mr. Speaker."

Speaker Turner: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Representative Flowers?"

Speaker Turner: "Representative Flowers is in the rear of the chamber."

Black: "Representative Collins?"

Speaker Turner: "Representative Collins? She's in the annex."

Black: "I'll remove my request when I see her."

Speaker Turner: "There she is."

Black: "Okay. Fine. Thank you. Tell the Majority Leader she never has to wave her hand. I would never verify the Majority Leader or the Speaker. I've been here long enough to know better."

Speaker Turner: "Thank you, Bill."

Black: "Acevedo?"

Speaker Turner: "Representative Acevedo? Is the Gentleman in the chamber? Remove him."

Black: "Representative Mendoza? I..."

Speaker Turner: "Representative Smith asks leave to be verified?"

Black: "That's fine. And I... I see Representative Mendoza in the center."

Speaker Turner: "Mendoza's in the center, right."

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Black: "Representative Dunkin? I think he's auditioning for a movie, I'm not sure."

Speaker Turner: "Yeah. He's in the annex."

Black: "He's in the annex?"

Speaker Turner: "There he is."

Black: "Okay. He's... he's negotiating a movie deal."

Speaker Turner: "Yeah."

Black: "Representative Mautino?"

Speaker Turner: "Representative Mautino? Gentleman in the chamber? Remove him."

Black: "Representative Golar?"

Speaker Turner: "Representative Golar? She's in the annex."

Black: "Okay. Well, Mr. Speaker, when we do a verification if you could have your Members in your seats. I'm not trying to be dilatory, it would just make it a lot easier. I can't see in the annex."

Speaker Turner: "You're absolutely right, Representative. The Members should be in their seats during a verification. Staff should be in the rear."

Black: "Representative Will Davis?"

Speaker Turner: "Representative Will Davis? Is the Gentleman in the chamber? Remove him."

Black: "Is... I can't tell, when they turn their chair to the back I don't know whether that's Representative Washington sitting in there or staffer? It is indeed. I'd recognize that handsome face anywhere. Mr. Speaker, nothing further. Let me just... if you'll give me the pleasure of... of... of..."

Speaker Turner: "Closing?"

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Black: "Well, yeah, you could say that. You could say that. You know, I... I know many of you think those of us born downstate were born at night. And we may have been, but most of us weren't born last night. And while we go to many county fairs, I've never fallen off the back of the pumpkin wagon and hit my head. I know what was going on with the repartee between Representatives on your side and the Sponsor of the Bill. You simply delay to let your staff go out and find your Members and bring them back."

Speaker Turner: "Right."

Black: "That's fine. I, you know, that's part of the process. But it... it gets a little tiring sometimes when we abuse the process. And again, I would simply ask when we do a verification if you would ask, or whoever was in the Chair, if you would just simply ask that Members be in their seats and the staff rather than running all around the chamber with their seating charts looking like three blind mice heading for the cheese factory, it would just simply make it... we could do a verification much more quickly, much more efficiently and much more fairly and we don't have to play the games we've been playing on these verifications. You and I have been here a long time. We used to get these done in three (3) or four (4) minutes."

Speaker Turner: "Your... your... your point... your..."

Black: "But it's turned into a game now and it takes five (5) or ten (10)."

Speaker Turner: "Your point is well-taken, we want to return Representative Acevedo, put him back on the Roll Call. Representative Davis, put him back on the Roll Call. And

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Representative Black, just for your edification, it was your side of the aisle that asked that this Bill be moved to Extended Debate. We were pretty much through with the debate, but it was your side of the aisle that made that request and trying to honor the Member's request. So, this Bill, having received 65 'yea'... This Bill, having received 65 'yeses', 50 'noes' and 0 'presents', is declared passed. The Gentleman from Cook, Representative Ford, for what reason do you rise?"

Ford: "I rise, Mr. Speaker, for a point of personal interest. Some people that you may be aware of, some people that Deborah Graham and Karen Yarbrough may be aware of. They represent organizations in the City of Chicago fighting for better education. And they've taken a bus down to Springfield to join A Plus Education on Funding. And I would like to introduce the organizations. We have Parents United for a Responsible Education, they're to the right. We have Westside Health Authority. We have the South Austin Coalition, Wings of Hope Resource Center. We have a group of schools also that... or parents from Douglas Elementary School, May Elementary School, Spencer, Leland, Lewis and Ella Flag Young. We also have Every Block a Village Organization; Euro Afrocentric Youth Group. All these people... organizations have come down to support education, to show how important it is in our area to improve it. And I would like for everyone to give them a round of applause for taking the trip. Thank you."

Speaker Turner: "Welcome to Springfield. The Lady from Cook, Representative Howard, for what reason do you rise?"

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Howard: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Turner: "State your point."

Howard: "We've been joined today by students and their chaperones from Hirsch High School in my district. Please give them a warm Springfield welcome."

Speaker Turner: "Welcome to Springfield. On the Order of Third Readings, we have House Bill 3416. Representative Munson. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3416, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Munson: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 3416 increases penalties by one class if street gang members utilize the Internet to facilitate a felony offense. I'll answer any questions."

Speaker Hannig: "Okay. So, Representative Hannig in the Chair. This is on the Order... we'll put it on the Order of Standard Debate. And Representative Fritchey's recognized."

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

Speaker Hannig: "Indicates she'll yield."

Fritchey: "I'm not even sure where to start with this one. What's the genesis of this Bill?"

Munson: "Through meetings of the Drug and Gang Task Force we were looking at ways we could help law enforcement with curtailing gang activity."

Fritchey: "But this Bill doesn't curtail gang activity, Representative. Here's the problem. You... you and I have worked together on a lot of stuff. I... I... I think I know where this was trying to come from. Let's talk about what the Bill really does. It's not a long Bill. I mean

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everybody here can read this Bill in about thirty (30) seconds. If a individual commits any felony via the Internet and they happen to be a street gang member their penalty would be enhanced by one classification category, correct?"

Munson: "Correct."

Fritchey: "Nowhere in this Bill does it say that the felony has to be related to gang activity, correct? The... the... the answer's correct."

Munson: "It... the intent was in furtherance of gang activity."

Fritchey: "But that's not in here. You're... you're better than that, I'm better than that. That... intent comes into play where there's ambiguity, there's no ambiguity in this Bill. The Bill says if a street gang member is con... is convicted of a felony and uses the Internet to commit that felony, there now is going to be an enhancement of the penalty. Any felony whatsoever. Correct?"

Munson: "If the..."

Fritchey: "How... how does that... how does that... and listen. It's like shooting fish in a barrel down here for us to crack down on street gang members, for us to crack down on sex offenders, for us to crack down on deadbeat dads. All reprehensible crimes, all of them, but we've got to have a nexus to what we're doing. Nothing in this legislation is a deterrent to gang activity. This is the same as saying, if you get arrested for jaywalking and you happen to be a street gang member we're going to give you an enhanced penalty."

Munson: "Well, that's not... that's not a felony, Sir."

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Fritchey: "What?"

Munson: "Jaywalking is not a felony."

Fritchey: "No, no, no. But the analogy is a correct one and it's an unfortunate one. This Bill does not have to do... if... if it said, if they are convicted of a felony in furtherance of their gang membership or in furtherance of their gang activity the Bill probably goes from being a bad Bill to being a no-brainer, but that's not what it does. It says, if you commit a felony and you use the Internet to commit a felony the fact that you are a street gang member gives you a penalty enhancement, correct? Now, the Bill doesn't provide for a evidentiary hearing, does it? Here... here... here... it's a gang membership. Here... here's the issue. If you... if they commit a felony... let's say they commit wire fraud and they use the Internet to do that. There's a trial on the wire fraud hearing. There has to be a separate evidentiary... He... he can answer if you want. There has to... there's going to be a separate evidentiary hearing on their gang membership status, correct?"

Munson: "I don't know the answer to that."

Fritchey: "The answer is, yes. And the Bill doesn't provide for that. What happens if they were a gang member and they renounced affiliation with the gang in February, they used the Internet to commit a crime in March, there's going to have to be an evidentiary hearing as far as when they were a member of the gang or when they got out of gang membership."

Munson: "And... and that would up to the... the courts."

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Fritchey: "Not under this Bill it wouldn't. The Bill does not provide for that type of hearing. It... it... this Bill... the Bill... I get what you're trying to do, it doesn't do it here. Folks, again, there's some Bills that are just easy, easy Bills to vote for on their faith. And I mean no disrespect to the Sponsor, to staff, the Bill is drafted poorly, the Bill is drafted improperly, the Bill does not achieve the goal she says she wants to achieve or any other goal. Mr. Speaker, should this get the requisite votes I will ask for a verification, please."

Speaker Hannig: "And you'll be acknowledged at the appropriate time, Representative Fritchey, for that purpose. Representative Monique Davis. Representative Davis. Okay. So, Representative Munson, you're recognized to close."

Munson: "Gangs are using different forms of communication and different mechanisms to... to commit their crimes and... and prevent from being apprehended by law enforcement. I urge your 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. There's been a request for a verification, so please vote your own switch. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Mr. Clerk, take the record. On... excuse me, Representative Fritchey, do you withdraw your request? It's your call. Representative Fritchey?"

Fritchey: "I'll... I'll let people have to answer to this vote on this one down the future. I'll withdraw the request."

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Speaker Hannig: "Okay. So, the Gentleman withdraws his request. And on this question, there are 87 voting 'yes' and 23 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Nekritz, you have House Bill 1421. Representative Nekritz, do you wish us to read 1421? Okay. Out of the record. Representative Poe, you have... excuse me, Representative Phelps, you have House Bill 988. Out of the record. Representative Poe, you have House Bill 2194. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2194, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House. This is a cleanup language for the SIU School of Medicine here in Springfield. And it provides statutory authority to conduct health programs in connection to its teaching, research and public service functions. I'll like a 'aye' vote, please."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Reitz you have House Bill 2306. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 2306, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 2306 deals with false alarms, allows county boards and municipalities to implement a series of fines if they have a... false alarms that are unaccounted for or basically the fault of the person and... that is making the alarm. If it's avoidable in any way, then it allows the towns to set up a fee schedule for that. And I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schock, Ramey, Pritchard, May, Granberg, Acevedo. Last chance to be recorded. Mr. Clerk, take the record. On this question, there are 71 voting... Mr. Clerk, take the record. On this question, there are 69 voting 'yes' and 45 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rita on House Bill 559. Out of the record. Representative Rose on House Bill 620. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 620, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

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Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is... help local communities site wind farms. As we move more and more towards renewable energies in this country, we learn in our state that there really aren't any provisions for siting by local communities. This would allow those communities to do such. I worked with IML and a number of different organizations to put together this legislation. It is the suggestion of Doug McDermand, who's our Coles County Regional Planning Development Commission director in... in Charleston, Illinois, but it does have statewide implication. I know of no known opposition. I'd ask for a favorable consideration."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg, Flowers, and Acevedo, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sacia, you have House Bill 3135. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3135, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill is a very simple, non-controversial Bill."

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Two (2) years ago we passed legislation making it illegal to have a secret compartment in a motor vehicle. We need to delete the word 'motor'. Here is what has happened. Recently, a pickup truck and a horse trailer were stopped, the horse trailer had a secreted area in it with narcotics and cash. And the enhancement... or the legislation that had been put into effect several years ago could not be used in the charging of the individual in as much as the secret compartment was in a horse trailer. So, all we're trying to do is simply delete the word 'motor vehicle'. If there is a secret compartment in a vehicle. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Davis and Acevedo, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano you have House Bill 126. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 126, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 126 extends the sunset of the Podiatric Medical Practice Act to 2018. We've made some

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minor changes in the Act. This is an initiative of the association, Illinois State Medical Society supports it and DFPR is neutral. I ask for a favorable vote."

Speaker Hannig: "On the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano on House Bill 128. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 128, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative..."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 128, again, is a..."

Speaker Hannig: "Rep... Representative Saviano, excuse me, the Clerk advises me there's an Amendment that's pending. Did you intend to go forward without it or do we need to go back and pick it up?"

Saviano: "I had... I had thought the Amendment was on... let's bring it back to Second."

Speaker Hannig: "Why don't we... Mr. Clerk, what is the status of the Amendments?"

Clerk Mahoney: "Floor Amendment #1 has been approved for consideration."

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Speaker Hannig: "So, do you wish to go back to Second and adopt it? So, Mr. Clerk, let's return this to the Order of Second Reading. And on Amendment number... which Amendments... which Amendments are pending, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #1."

Speaker Hannig: "Amendment #1, Representative Saviano is recognized."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 simply is an initiative of the department, which we're doing across the board in other sunsets, to increase the civil penalties and fines for violations of the Act. It's an initiative of the department and I would ask it be adopted."

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

Leitch: "Thank you. Will the Gentleman yield?"

Speaker Hannig: "Indicates he'll yield."

Leitch: "I notice these... these are very, very substantial increases in fines and penalties. Is there a reason that was shared with you as the Sponsor as to why these are so significant?"

Saviano: "Yeah, the department's concerns are, you know, some of these home medical equipment items are items of very, very expensive nature. And that because the fines before if you see were a thousand (1,000) and five thousand (5,000). You know, when they put these different equipment in these homes, these are major, major capital investments made for these people. And the fines just didn't match the cost of the equipment."

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Leitch: "Thank you."

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

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

Speaker Hannig: "Third Reading. So, we'll just go to this tomorrow, okay, Representative? Representative Smith you have House Bill 1026. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1026, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Fulton, Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an initiative of the Fire Service Caucus. And this would allow local fire departments, fire protection districts, township fire departments and local communities the authority to charge reasonable fees for specialized rescue services. Now, that would include any type of tactical response that the department might be involved in, any type of special rescue or structural collapse. And I know of no opposition to the legislation. Again, it's an initiative of the Fire Service Caucus."

Speaker Hannig: "This is... we'll put this on the Order of Standard Debate. And Representative Black, you're recognized."

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

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

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Black: "Representative, some of the items highlighted in the Bill, a structural collapse, a tactical situation, a confined... a confined space, below grade. In other words, a sewer trench collapses. I... I'm not sure why they should be able to charge... I'm sorry, what? I... I'm not sure that... I don't understand why they should be able to charge for things that were not the fault of the individual? If a building collapses or a sewer trench collapses and we have to try and rescue the occupants of the building or the construction worker who's trapped in the trench, I... I... I'm not aware that we've ever charged for something that was not, in fact, brought on by a person's carelessness or... or what have you. Why would we want to do this?"

Smith: "Yeah, Representative Black, it's my understanding that... that there is no provision for townships or fire protection districts to charge a nonresident for their services. And that's really what this is... that's really what this is getting at."

Black: "All right. Let's just take a construction project. And I have... I only have one full-time paid department in... in my legislative district. But let's say that there's a construction project, a water main or a sewer project, the odds are that almost all of those construction workers are... don't live in that fire protection district. And you're telling me that if... if it's an accident, not caused by the individual, not caused by the construction company, it is an accident, that the fire protection district would then be able to levy a reasonable fee for rescuing someone who

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is trapped in such a collapse? What... what's a reasonable fee?"

Smith: "Yeah, it... it gives the flexibility to the local authority to determine what the fee would be."

Black: "Representative, that... that just doesn't tell me a thing. I... I don't know whether they would charge a thousand dollars (\$1,000), five thousand dollars (\$5,000). I thought the whole purpose of a fire protection district or a fire department or an ambulance protection district or an ambulance service or a first responders is you respond to the scene of an accident and you render all aid and assistance. Now, if... I can see this Bill... if you climb up a water tower, this is in violation of most laws and those are posted, 'No Trespassing', you climb up a water tower and you get yourself stuck and they have to come out and do rappel and rescue you that... you... you did that. You caused that by your foolish action. And I don't have a problem with charging for that. But I don't know what the fee is and I don't know why we would want to suddenly grant these fire protection districts the right to charge a nominal fee that is not explained nor detailed in the Bill to come out in the event of a construction accident or a house collapses because of... I don't know, an earthquake or termites or whatever, I mean, I... I think people would respond to this in absolute incredulity. They'd say, what. I pay my taxes, assuming that they lived there, but even if they didn't if... if a sewer... if a worker is the subject of a cave-in what are they going to do? Sit there and say, hey, he doesn't live in the district and somebody's going to

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have to pay us two thousand dollars (\$2,000) or we're not going to dig him out? I mean, could that scenario exist?"

Smith: "Representative Black, I think the... the intent here was to allow for some recovery of the costs. As you know, many of our fire departments and local fire districts may have to provide... that are not going to people who pay taxes to that fire department, to that municipality or to that fire protection district. So, the intent here is for them to recover some of their costs basically from nonresidents, sort of a user fee, I guess, if you would. This is not to provide an additional fee on people who are already providing tax revenue to these fire departments."

Speaker Hannig: "Representative, your... your time has expired."

Black: "All right."

Speaker Hannig: "Could you bring your remarks to a close?"

Black: "I... I will, Mr. Speaker, thank you very much. Ladies and Gentlemen of the House, I... I don't argue with the intent of the Bill, but the devil is in the details. I... I'm not sure I know what the intent is. I certainly don't know what the fee is. And if I'm passing through somebody's district and I'm involved in an automobile accident and I don't live there, do you mean I'm going to get a bill for being extricated from my vehicle because I don't live there? I mean, I... I think if you're going to do this you have to give constructive notice, people have to know what to expect. I... I would assume that most districts would use this very judiciously. But what about the one who didn't? Maybe he didn't live here, the sewer ditch collapsed and you owe us five thousand dollars

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(\$5,000) or a thousand dollars (\$1,000) or whatever it is. That... that to me flies in the face of what the fire service, the police and first responders are all about. This Bill, in my humble opinion, needs a lot of respect. Take the little girl that fell down the well in her yard in Texas, a decade or more ago, in an abandoned well and people worked around the clock for probably seventy (70) hours to get that little girl out. And they did. Well, was she a resident? Could she have been charged? Again, I think if you're doing something that is against the law or you are taking an undue risk and they... and the first responders have to go to a great deal of trouble to rescue you from your own foolishness or your own trespass, absolutely you ought to be able to recover those fees. But in the course of a construction accident or a house collapse or something of that sort, I... I... this Bill just doesn't give me enough detail and without the detail I don't intend to vote 'aye'. I vote... I will vote 'nay'."

Speaker Hannig: "Representative Schmitz."

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

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

Schmitz: "Representative Smith, as the previous speaker just said it's a quiet Bill and the caucus supports, the Fire Caucus and I just... I have some, I guess, technical questions on how we would administer this. The... the fire department would get called out to a scene and would the fire department have to say that, you know what, we wouldn't have been called here if you weren't negligent."

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Do they have to prove some sort of negligence in order to assess the fee?"

Smith: "No... no, they would not."

Schmitz: "So, they would just send the company a bill or the employee a bill and they're expected to pay? And if that employee... is there a grievance process? Do they go to court, small claims, something like that?"

Smith: "The Bill doesn't provide for that, but of course, that would be... you know they'd always have that... that right under law."

Schmitz: "I guess the problem I have with this is... is the fire service and the first responders, who are already paid by the taxpayers and you know, there's kind of an underlying agreement that things are going to happen and you don't plan on accidents. And we had a subject fall down, they were painting the inside of a water tower, fell inside the water tower, broke their leg; it took several hours to secure and get them out. I can't imagine the worker planned on that's how his day was going to go, but you know, as firefighters we're trained to respond to those. And at the end of the day we don't look at, you know what, if this guy would have used one more rope we wouldn't have been called there or something like that. I just have a tough time that the oath of office that we take as first responders, the training that we... that we offer to our members and the equipment that we purchase, that's for people that get in situations that they don't want to be in. And I think for us to pass a... a piece of legislation... I understand that the Fire Caucus is supportive of it, but

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for us to pass this it seems the language is ambiguous and... and how we could get down a road of negligence or do the... with the OSHA investigation. You know, you just keep going down the road like that. I would caution the Members of this Body on this particular piece of legislation. And... and right now, I will very reluctantly stand in opposition, because I do know that those types of services are very expensive, the training is expensive, but that's what we do. And again, Mr. Smith, thank you for your answers. And I... I do stand in reluctant opposition to your proposal."

Speaker Hannig: "Representative Moffitt."

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

Speaker Hannig: "Excuse me, Representative Smith, for what reason did you rise... are you requesting..."

Smith: "Mr... Mr. Speaker, I'd like to pull this Bill out of the record at this time, if we could."

Speaker Hannig: "Okay. All right. So, we'll take this out of the record at the request of the Sponsor. Representative Rita... Rita, you have House Bill 559. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 559, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Okay. Out of the record. Representative Rose, are you seeking recognition? No? Okay. Representative Sullivan you have House Bill 134. Representative Sullivan, shall we read this Bill? 134? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 134, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 134 creates Domestic Abuse and Domestic Violence Police Training Fund. The purpose of this fund is to allow... funds may come from gifts, grants, donations, and appropriations of any amount from any legal service. I ask for an 'aye' vote."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Verschoore, you have House Bill 1716. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1716, a Bill for an Act concerning land. Third Reading of this House Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker. What this Bill does is... every year the... IDOT has some properties that they get their bids on and they... and they sell to people and/or they acquire property. And this year it... it includes sixteen (16) parcels. And I'd be glad to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Yeah, Mr. Speaker. Will the Sponsor yield, please?"

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

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Black: "Yeah, Representative, I assume that all of the documentation has been filed? The appraisal... All... all those things that need to be done on a land appraisal?"

Verschoore: "They got their appraisals, they got at least two (2) appraisals."

Black: "So, every... everything's on file?"

Verschoore: "Yes."

Black: "And IDOT and everybody's in agreement?"

Verschoore: "Right."

Black: "Thank you very much."

Verschoore: "Thank you."

Speaker Hannig: "Representative McCarthy."

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

Speaker Hannig: "Indicates he'll yield."

McCarthy: "Representative, there are two (2) parcels in Cook County, could you tell me where they're located?"

Verschoore: "Okay. There's a parcels in St. Clair County, there's... in Champaign County..."

McCarthy: "I'm asking about Cook County."

Verschoore: "...Cook County, DeWitt, Effingham, Grundy, Lake, McLean, Rock Island, Sangamon, Tazewell and Woodford Counties."

McCarthy: "Thank you. But I asked... there's... House Amendment #5 added two (2) parcels in Cook County. Do you know where they're located in Cook County?"

Verschoore: "It doesn't say. Well, let me look, hold on a second."

McCarthy: "Representative?"

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Verschoore: "Yes, I'm looking."

McCarthy: "Oh, okay. It seems like you just have parcel numbers. Is that true, Representative?"

Verschoore: "Yes, but... and I... I know it's here somewhere."

McCarthy: "Could you pretty well ensure for me that my home is not included in any of those parcels in Cook County?"

Verschoore: "Yes. If it is I'll... I'll come up and... well, here they are right here. Parcel #0ZZ0737 in Cook and o..."

McCarthy: "What is it?"

Verschoore: "What... what parcel number is your house? I'll see if it's in here."

McCarthy: "Parcel #0ZZ0737."

Verschoore: "Yes, it's in there."

McCarthy: "It's what?"

Verschoore: "That number is in there."

McCarthy: "That was the parcel I was worried about. Thank you for your answer. So, all of these parcels are willing buyers and willing sellers?"

Verschoore: "Yes."

McCarthy: "But in reality we have no idea where they're at in Cook County?"

Verschoore: "Just... I don't know."

McCarthy: "Who would know?"

Verschoore: "The... IDOT. They have a map of all these."

McCarthy: "Are they behind you? Is Representative Phelps brother anywhere in the vicinity that could help us out with that?"

Verschoore: "I'm sure he could."

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McCarthy: "Okay. Because of the thorough explanation of the Bill, I'll be very supportive when it comes for a Roll Call. Thank you."

Verschoore: "Thank... thank you very much, Representative."

Speaker Hannig: "Representative Rose."

Rose: "Thank you. Will the Sponsor yield, briefly?"

Speaker Hannig: "Indicates he'll yield."

Rose: "Representative, there's some concerns and confusion on our side about what some of these properties are. Could... could I ask you to take this out of the record just for... may we conference and talk a little bit. And then I'm sure this is something we can clear up. We're trying to pull some files to find out what some of these legal descriptions are."

Verschoore: "That's fine."

Rose: "Do... would you do that?"

Verschoore: "Sure."

Rose: "Thank you, Representative."

Verschoore: "Sure."

Speaker Hannig: "We'll take the Bill out of the record."

Representative Wait, you have House Bill 1234. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1234, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1234 simply is to help veterans... to help promote veterans in the business. It says that our goal is

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for the state to try to have a goal of 12 percent veterans to give them special recognition for all that they've done for us. Be happy to answer any questions."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? The Gentleman from Cook, Representative Riley."

Riley: "The speaker please yield?"

Speaker Hannig: "Indicates he'll yield."

Riley: "Representative, where... where is this with regard to other, for lack of a better term, set-aside programs in terms of the percentage that you're talking about?"

Wait: "This would simply be a goal of trying to get 12 percent of the businesses that contract with the state would be veteran-owned businesses."

Riley: "But I'm saying... you know, how does that square with other percentages for other programs? You know, there are some programs that have set-asides or goals that say that, you know, a certain percentage of contracts will be reserved for, you know, whoever. I'm just saying, you know, how did you arrive at 12 percent?"

Wait: "Twelve (12) percent, I believe it followed some other goal that we had set for veterans is what it is. 'Cause I think it's a federal goal or something or other. There's no magic to it, if that's your question."

Riley: "Well, I just wanted to know how you arrived at it. Thank you."

Wait: "Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Joyce, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Joyce: "Ladies and Gentlemen, today at the Executive Mansion of the Governor the Illinois Law Enforcement Medal of Honor ceremony took place. And one of those honorees is with us today, he's a neighbor of mine and a Chicago police officer. He's actually a captain on the Chicago Police Department and his name is Jerry Carroll. And the reason he was honored, was in our alley by my house, across the street from my house, a girl unfortunately was stabbed last summer and she was killed. And this gentleman, this person that killed her, was running away and Jerry happened to be coming home from the ceremony making him a captain on the Chicago Police Department. He apprehended him, removed the weapon from him and captured him... he captured him. At the same time, it was a beautiful afternoon and there were many children out on the block playing with this person, now a murderer, running around with a weapon. And that's why he was honored and I would just like to welcome him, his wife Sue, his children, Tim, Mary Kate to the chamber. They're on the Republican chamber. If you'd please stand up, Jer?"

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Speaker Hannig: "On the Order of House Bills-Third Reading, on page 38, Representative Watson you have House Bill 3014. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3014, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3014 simply gives a 10 percent increase to shelter cared home providers. Is roughly the cost is going to be about two hundred and forty thousand dollars (\$240,000) a year. I will say this, if shelter... shelter care homes are the biggest bargain in the state. If they go under, these... the... the individuals they take care of will be forced to go to much higher cost nursing homes. And I urge an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 31."

Clerk Mahoney: "House Bill 31, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

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Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 31 deals with auxiliary power units that are used on over the road trucks and lighter trucks. It's a way that if they are idling at night to keep the... the engine warm enough to run, to keep the driver comfortable in either hot or cold conditions, the auxiliary power unit will save a considerable amount of fuel over the year. This would allow them to have up to a four hundred (400) pound variance in the weight classification. The State Police are in support, the Midwest Truckers are in support. I know of no opposition. Would be happy to answer any questions. Thank you."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough you have House Bill 315. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 315, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Yarbrough: "Thank you, Mr. Speaker and Members of the House. I have for your consideration today House Bill 315 which re... which requires the Department of Revenue to establish a new scratch-off instant lottery ticket with the title 'Quality

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of Life' to commence on July 1, 2007 and to be discontinued on December 2012. It provides that the net revenue from the game shall be deposited into the Quality of Life Endowment Fund for appropriation by the General Assembly solely to the Department of Public Health in consultation with the Quality of Life Board for the purposes of HIV and AIDS prevention education and for making grants to public or private entities in Illinois services to the highest at-risk population for contracting HIV and developing AIDS. Among the United States, Illinois ranks sixth in the nation in the severity of HIV and AIDS epidemic. Since the epidemic began in 1981, eighteen thousand (18,000) Illinoisans have died of HIV and AIDS. An estimated forty-two thousand (42,000) Illinoisans are currently living with AIDS and HIV. And an estimated sixteen hundred (1,600) new HIV infections occur each year. African Americans who comprise 14 percent of the state's population account for half of all of the people living with the disease in Illinois. The fiscal impact of the Quality of Life scratch-off game would have an insignificant impact on the Common School Fund as indicated by the Commission on Government Forecasting and Accountability. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. And in response the Gentleman from Vermilion, Representative Black. Representative Black, you're up."

Black: "You see those moves, Mr. Speaker?"

Speaker Hannig: "Yeah."

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Black: "The old man's still got it. Although, I think I did hurt my knee. Mr. Speaker and Ladies and Gentlemen of the House, I rise in reluctant opposition to the Bill. I don't quarrel with the Sponsor's intent. I don't quarrel with the need, it's certainly there. And I'd be more than happy to help her find any other source of revenue that I possibly could. Ladies and Gentlemen, there aren't many of us left who were here when we decided to change what we did with the lottery money. In 1985, 1986 was Representative Chuck Pangle from Kankakee, a Democrat, got a bunch of us together and said, you know, we've caught heck for years about this lottery money. And when the lottery was passed, and I have the front page of the Chicago Tribune... gosh, it goes back probably what twenty-five (25), thirty (30) years ago now... not one word was mentioned in the original lottery Bill about going to education. It was RTA and Public Aid and so forth and so on, but over the years people thought the lottery money went to education and it didn't. So, what former Representative Chuck Pangle decided in '85, '86 that he would pass a Bill with bipartisan support and Governor Thompson signed it that simply said, and I know some of you don't believe this, but this is true, all of the profit of the lottery would be placed in the Common School Fund. I thought that was an excellent idea. Now, had we done it more efficiently it might have made a bigger difference, but what we did over the years since the profit of the lottery, back then, I don't know three hundred and eighty, four hundred million dollars (\$380,000,000-\$400,000,000), now it's over six hundred million

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(600,000,000). Unfortunately, then we took some other dollars out of sales tax and income tax and it became a replacement rather than an addition. But... I said this four (4) years ago when we started this procedure, that we were going to start raiding the lottery and developing all kinds of meaningful, I'm not saying that this isn't a meaningful game, but then the dollars from the lottery are going to start going to other places and we're going to get back in that argument that I thought Chuck Pangle had... had... had stopped years ago. All of the profits of the lottery by law are supposed to go to the Common School Fund. And it does, except when we pass a law like this that diverts money here, diverts money there and diverts money elsewhere. In a time when we are so hard-pressed to meet the needs of K-12 education, no matter how good the cause is... and I... and again, the Sponsor has a good cause, but if we aren't careful we're going to come up with ten (10), twenty (20), thirty (30), forty (40), one hundred (100) scratch-off games in the lottery and the profit is going to go to a good cause, but it isn't going to go to the Common School Fund. And I think that was an article... that was an issue we tried to address some twenty-one (21) years ago and now here we come finding it easier and easier to make scratch-off games go to other places. I think once you start down this road and we already have, I don't know how we're going to stop it. And I don't know how we're going to go back home someday and answer the question, 'Why are you taking money away from the Common School Fund when we barely have enough money to operate now?' That's a

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question I don't want to go home and answer. I rise in reluctant opposition to this... to the Bill, not the content, not... not the intent of the Bill. But, I rise in opposition because I remember so distinctly we decided as this Body, joined by the Senate and the Governor signed it into law, that the profits from the lottery shall be deposited into the Common School Fund. We've already changed it two (2) or three (3) times and if you're not careful you're going to change it twenty (20), fifty (50) or a hundred (100) times. I urge a 'no' vote."

Speaker Hannig: "Is there any further discussion?
Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I rise in strong support of this measure. Contrary to the previous speaker, whose name will not go... I will not mention, I will speak to this Bill because I chair the Appropriations Committee-Human Services and have watched the... the lines for AIDS treatment grow. But one of the things that we have not seen grow because resources are often so scarce, is money for prevention because that is typically what will fall off the table when we're making tough decisions about what we should fund in the AIDS budget. I encourage everyone to support this measure. This is not going to divert money from... from anything. I... I believe the previous speaker often can create his own set of mythology. And I would appreciate an 'aye' vote. This is a great Bill that is very... that is supported by a lot of AIDS advocacy groups who all day, every day work in the trenches on prevention

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and treatment and for cures. So, please support the Sponsor and vote 'aye'."

Speaker Hannig: "Representative Cross."

Cross: "I... I... I may end up using Representative Black's name in debate and since I have, I'd like to yield some time to Representative Black."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Leader Cross. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I respect the previous speaker a great deal, God knows I owe her several apologies and I certainly respect the Sponsor of the Bill, but I hope none of you are swayed by a comment that this does not divert money from the Common School Fund. When the law is clear, at least it was clear twenty-one (21) years ago, that all of the profits of the lottery, any and all games, all of the profit of the lottery goes to the Common School Fund. If you start a new game... scratch-off, bite-off, chew-off or whatever... when you start a new game, then the money from that game is being diverted from the Common School Fund to another purpose. I'm not arguing the efficacy of the purpose. I'm not arguing that it... it's not a good idea. I'll help you try and find money in some other source, but I'm telling you I've been here long enough and I've been down this lottery road too many times. When you start to divert lottery money from its lawful in statute provision, when you take money away from the Common School Fund you are diverting money. And in an era when it is... we're scratching for every nickel in education, it's disingenuous to say you can start a new lottery game and

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not take money away from what we passed more than twenty (20) years ago. The profit of the lottery goes to the Common School Fund. Now, if you want to change that, then change that underlying law, but don't start nickel and diming... well, it isn't nickel and dimes, it's thousands of dollars... no matter how valid the cause, don't. Please don't stand up and tell me you're not diverting money from the Common School Fund, because you are. Any lottery game that's profit goes to another purpose, diverts money from the Common School Fund. And I'm not going to be a party to that and I don't think this Body should either unless you want to change the underlying law and say that the profit can go wherever you want it to go. But that's not the underlying statute and when you start tinkering with that, you're going to get asked questions at school board meetings, at PTA meetings and at people who are concerned about education and rightfully so. The diversion of ten thousand dollars (\$10,000) could make a difference to a school district the way we are failing to fund education today. I, again, urge a 'no' vote."

Speaker Hannig: "Representative Howard."

Howard: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Howard: "I am very, very pleased that Representative Yarbrough is bringing this idea to us. The fact of the matter is the problem regarding HIV/AIDS in this state and across this country and the world is still very, very serious. It is... it is wonderful that we have been able to determine another method of funding some of those programs that are very

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important. I have been a part of the 'Ticket for the Cure' and I have not noticed that people have made a decision to not support the regular lotto... or the lottery. They have, in fact, made decisions to help this cause as well. I think that there are enough people who are spending enough money on the games for there to be enough money for us to put a significant dent in the problem of HIV/AIDS. I would urge all of my colleagues to please support this legislation, our state needs it. Thank you."

Speaker Hannig: "Representative Yarbrough to close."

Yarbrough: "Thank you so much to all of the previous speakers for your input on this very important measure that I've brought forward today. I want to reiterate that the Commission on Government Forecasting and Accountability says that House Bill 315 could decrease the amount transferred to the Common School Fund by the lottery, though this amount is expected to be insignificant. I want to make sure that you understand that, but more than that, this is an important... important matter. Last year we had a 'Ticket for the Cure' and it raised about four million dollars (\$4,000,000) for a worthy cause. I think this, too, is a worthy cause. And I ask for your 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'yes' and 49 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Representative Gordon, for what reason do you rise?"

Gordon: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Hannig: "State your point."

Gordon: "Ladies and Gentlemen, we have a very special group of people in the House today, visitors from my district as well as House Minority Leader Representative Tom Cross's district, the Jeff White family from Morris, the Lloyd Bents family from Mazon, Elizabeth Ordoneas family from Morris, Guy Connor family from Lisbon, Joe and Deb Warning, my very good friends from Minooka and their family, Curt and Dee Halford family from Yorkville and Scott Latino family from Plainfield. They are a group of home schoolers who have come down to lobby us on Legislative Day, bring us wonderful cherry pies. And I'd like to give them a great big Springfield welcome. Thank you."

Speaker Hannig: "Representative Moffitt, you have House Bill 827. Mr. Clerk, read the Bill. Mr. Clerk, what is the... let's get this straight. Mr. Clerk, what is the status of the Amendments?"

Clerk Mahoney: "Amendment #1 was adopted to this Bill. Floor Amendment #2 has been approved for consideration, offered by Representative Moffitt, but not yet adopted."

Speaker Hannig: "So, would you prefer to take it back to Second, adopt the Amendment? Okay. So, Mr. Clerk let's return the Order... the Bill to the Order of Second Reading. And are there any Amendments?"

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Clerk Mahoney: "Floor Amendment #2, offered by Representative Moffitt."

Speaker Hannig: "Representative Moffitt on the Amendment."

Moffitt: "Thank you, Mr. Speaker. Amendment #2 removes any increase in fee for wireless. The original Bill had an... had an increase to increase revenue on wireless, that removes it, so it'd stay same. But the Amendment then does provide for by statute that it would be... prohibit a chargeback that would extend the... the life of the Wireless Phone Act and the very important thing, it would require an audit by the Auditor General as soon as possible so that we're assured that the funds are going where they... they are supposed to. So, that's what the Amendment does. Leaves the wireless fee as it is, but with the Bill will do those other things. And I'll talk about the main Bill."

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

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

Speaker Hannig: "Third Reading. So, we'll... we'll call this tomorrow, Representative. Representative Flider, you have House Bill 1786. Do you wish us to read that Bill? Do you wish us to read that Bill? No? Out of the record. Representative Bradley, John Bradley, you have House Bill 1956. Representative Bradley. Do you wish us to read this? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1956, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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Speaker Hannig: "Representative Bradley."

Bradley, J.: "This is a meth precursor Bill. It will help develop a monumental program to monitor people that try to acquire pseudoephedrine in multiple areas. And I ask for an 'aye' vote."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? The Lady from Kane, Representative Lindner."

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

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

Lindner: "Representative, it was my understanding that prior to Third Reading you were speaking with, I believe, IRMA and Pharmanex for... to do... I can't remember what. Did you speak with them?"

Bradley, J.: "Can... can you repeat the question?"

Lindner: "I said, my notes say from our committee meeting that prior to Third Reading you were going to speak with IRMA and Pharmanex to correct something in the Bill, can you tell me if that happened?"

Bradley, J.: "My understanding was that the AG's Office and the pharmaceutical representative and the IRMA had negotiated and worked out the issues with regards to this Bill. My understanding was this is an agreed Bill."

Lindner: "Okay. Thank you."

Bradley, J.: "Yeah."

Lindner: "I just wanted to make sure."

Bradley, J.: "Yep."

Speaker Hannig: "Representative Eddy."

Eddy: "Sponsor yield for a quick couple of questions?"

Speaker Hannig: "Indicates he'll yield."

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Eddy: "Representative, the idea behind this is... is to add an electronic component to the existing?"

Bradley, J.: "Yeah."

Eddy: "And... and if it works... if it's something that seems like it's going to catch like real time... almost real time when someone's moving around from maybe one store within Williamson County to another. So, you're testing it there with the idea of maybe..."

Bradley, J.: "Well, we got... we got a federal grant. So, we just needed the program to implement it. And yeah, if it works, we'll try to do it everywhere."

Eddy: "I think it's an excellent idea and I... and I hope it does because it's real time. It allows right there for... for that to be out and certainly with WiFi and some of the other ways to tap into that electronically by... even the State Police says they're going... they can catch some of these folks before they get a chance. So, appreciate that fact that you've done this. I think it's a good Bill."

Bradley, J.: "Yeah. Senator Forby and I are real excited about this. And we hope that it works everywhere else."

Eddy: "I hope so. I'd like to see it expand to our area. Thank you."

Speaker Hannig: "Any further discussion? Representative Bradley, you're recognized to close."

Bradley, J.: "Ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rita, do you wish to be

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recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mulligan, you have House Bill 2982. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2982, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Mulligan: "Thank you, Mr. Speaker. What House Bill 2982 does, it creates the Legislative Oversight Council on Cost Feasibility for a Health Care Plan Implementation. It examines various health care recommendations made pursuant to the Health Care Justice Act and other ideas to improve the health care system of Illinois. It is actually an outgrowth of the Adequate Health Care Task Force which has been disbanded and is created to not just look at the plan but to look at the cost. It allows the council to have twenty (20) members. Each of the four (4) Legislative Leaders would appoint two (2) Members of the General Assembly and two (2) members of the general public. The director of Healthcare and Family Services, the secretary of Human Services, Director of Public Health, the director of the Division of Insurance and the Department of Financial Regulations would all be members of the council or their designee. Of the people that the general public member that would appointed they would be... come from business, labor, insurance, doctors, hospitals and nurses. Two (2) additional categories that we'd like to see added in the Senate would be somebody from pharmaceuticals and

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somebody that would represent pharmacists. Those we could not amend onto the Bill at this time, but we'd like to see that happen in the Senate."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Rita, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. And Representative Mulligan, you also have House Bill 1533. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1533, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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

Mulligan: "Thank you, Mr. Speaker. House Bill 1533 amends the All Kids Program to require the Department of Healthcare and Family Services to annually publish the premiums that will be charged for the coming year to clients that are a part of the group that will pay. They're also required to provide a copy of all contracts related to the program to the four (4) Legislative Leaders. And the Auditor General with... will be required to perform an annual audit, which they should do anyway."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. On this question, there are 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Verschoore. Representative, did you... did you get the Bill squared away? Did you want to go back to House Bill 1760 or is there still considerations? Okay. Okay. We'll wait. Representative Graham, I'm advised you'd like us to... you'd like us to call House Bill 318? Okay. This is on the Order of Postponed Consideration on page... well, it's in Postponed Consideration. So, Representative Graham."

Graham: "Thank you, Ladies and Gentlemen, Mr. Speaker."

Speaker Hannig: "Could... could you pause a second here? Representative Graham, we've got to get a parliamentary inquiry on your Bill, the status of it. So, while we're doing that we're going to go... take that out of the record and go to House Bill 1455 for Representative Burke. Representative Burke, do you wish us to read 1455? Okay. So, read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1455, a Bill for an Act concerning criminal law. (sic-Third Reading of this House Bill.)"

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1455 very simply would prohibit the use of a false or forged identification card and the transfer, alteration or defacement of an identification card to enable a minor to obtain a cigar, cigarette, smokeless tobacco, or tobacco in any form. It also would prohibit

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the sale of tobacco in vending machines with other food items or any other items. And it would prohibit the sale or distribution of tobacco products, including but not limited to, single or loose cigarettes. And I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is... 'Shall... excuse me... The Lady from Kane, Representative Lindner."

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

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

Lindner: "Just... I see that from our committee hearing that you had agreed to hold this on Second for a compromise with R.J. Reynolds?"

Burke: "No. Representative Lindner, this is... that was the original Bill. This is a Amendment..."

Lindner: "Oh, I'm very sorry. Okay."

Burke: "...gut and replace. So, it's entirely different than it was originally."

Lindner: "I'm very sorry. Thank you."

Speaker Hannig: "Any further discussion? Then Representative Burke to close."

Burke: "Thank you again, Mr. Speaker, Ladies and Gentlemen. It's a very simple matter. I would ask for the Body's favorable consideration."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'.

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And this Bill, having received a Constitutional Majority, is hereby declared passed. We're going to return to House Bill 1716. And Representative Verschoore is recognized."

Verschoore: "Thank you, Mr. Speaker. The Republican staff and the Democratic staff got together and there are no... no concerns with that. And I checked with IDOT and Representative McCarthy's house and sandbox are safe. So, I'd ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, on the... on our analysis... Will the Sponsor yield? Thank you. Representative, on our analysis there is a transfer of... of one point one six (1.16) acres to the City of Chicago for four million, seven hundred and seventy-six thousand dollars (\$4,776,000). Where is that piece of land and what in the world is on it? Five million bucks (\$5,000,000) for an acre?"

Verschoore: "Well, they must be selling it by the square foot. I don't know."

Black: "I... I would think so."

Verschoore: "But all I have is a parcel number, Representative. I don't know. We can get that answer. I..."

Black: "Did... could... could we at least get the name of the seller?"

Verschoore: "Yeah."

Black: "Okay."

Verschoore: "My legal counsel said that your staff should have that."

Black: "Do we have... we don't have the seller?"

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Verschoore: "Pardon me?"

Black: "We don't have the seller's name. We've got a parcel number. All..."

Verschoore: "Well..."

Black: "All we have is that there's one point one six (1.16) acres of land being transferred to the City of Chicago for four million, seven hundred and seventy-six thousand dollars (\$4,776,000)."

Verschoore: "Hold on, we're looking."

Black: "Okay."

Verschoore: "Representative Black, they say... they believe it's the City of Chicago is the seller."

Black: "They're selling it to the City of Chicago? Is IDOT the seller?"

Verschoore: "The... the state is selling this to Chicago."

Black: "Okay. So, the..."

Verschoore: "The state owns the property."

Black: "...the state owns... not even one and half acres that's worth almost five millions dollars (\$5,000,000)? I can't imagine where this land is. Well..."

Verschoore: "It was a highway improvement and they... and it's completed. They don't need the parcel anymore and that's why they're selling it."

Black: "All right. Well, maybe it has something to do with the Olympics. That... that would make it all worthwhile. Representative, thank you very much for your time."

Verschoore: "Thank you."

Speaker Hannig: "Any further discussion? Then Representative Verschoore to close. Excuse me, Representative. We're

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going to have the Clerk read this a third time and be certain that it's official. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1716, a Bill for an Act concerning land. Third Reading of this House Bill."

Speaker Hannig: "Okay. We thought we did that the first time we recognized you, but the record didn't show that. So, now we're all official and Representative Verschoore to close."

Verschoore: "Thank you very much. I just ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 94 voting 'yes' and 20 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 45 of the Calendar, under the Order of Motions in writing, is House Bill 318. Representative Joyce, you're recognized for your Motion to reconsider."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to reconsider the vote on House Bill 318."

Speaker Hannig: "The Gentleman makes a Motion to reconsider the Bill. And Represent... the Gentleman from Vermilion, Representative Black is recognized. Okay. Anyone else seeking recognition? There's Representative Black. We're giving you a workout today, Representative. Representative Sullivan, did you wish to speak while Representative Black

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composed his thoughts? Okay. He's going to go to Representative Black."

Black: "Mr. Speaker, we intend to make this a parliamentary inquiry, obviously."

Speaker Hannig: "State your inquiry."

Black: "This Bill was defeated on Third Reading on the nineteenth of April. The House Rules clearly say that a Motion to reconsider must be filed no later than the second day. We have all the Calendars for the twentieth and the twenty-first, there is no Motion to reconsider on either Calendar. So, that takes it out to the third legislative day. Now, I don't know how you can conceivably manipulate the rules. The Motion to reconsider was not filed in a timely fashion. In fact, we know that you called up to the Journal Room and the Journal Room made a mistake and told you that the Bill had gone to the Senate and that's why the Motion to reconsider wasn't filed on the second day after the Bill was failed.. after the Bill had failed. On the third day on the Calendar there is no Motion to reconsider. Now, those Motions have to be in writing, the rules are very clear and unless you have manipulated the paperwork there is no way that this Bill can come back for a hearing. It had a vote, it failed, the Motion to reconsider was not filed in a timely fashion and I would ask that the Chair rule in favor of following the House Rules and this Bill be taken out of the record."

Speaker Hannig: "Yes, Representative, the.. the Motion is dated the twentieth that Representative Joyce filed. And the LIS system says that it was filed on the twentieth. So..."

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Black: "Not on our system it doesn't it. I don't care when the Motion was dated. Hell, I can backdate a check for a year. Now, you know better than that. The rules are very clear. There is no Motion..."

Speaker Hannig: "Representative..."

Black: "...to reconsider on the Calendar on the second day, there is no Motion to reconsider on the Calendar on the third day. Now, I don't... if your side lost it and your side blew it, that's your problem, but don't you take your problems out on us. Now, there's no..."

Speaker Hannig: "Representative, we're..."

Black: "...timely Motion to reconsider. It doesn't make any difference if that piece of paper's been hiding down in the well for six (6) months."

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

Black: "It has to appear on the Calendar in writing. That's the House Rule. For God's sake, can't you follow the rule once in your damn life."

Speaker Hannig: "Representative, the rule doesn't require that it appear on the Calendar. So..."

Black: "Show me that."

Speaker Hannig: "...it only has to be filed."

Black: "It says it has to be filed and appear on the Calendar. Unless you've changed that, too. I know you write the rules in invisible ink."

Speaker Hannig: "We're... we're simply trying to follow the rules."

Black: "Oh, I... that would be a first."

Speaker Hannig: "Representative Joyce."

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Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't know about the rule of appearing on the Calendar, but I will tell you I filed that Motion on Friday the twentieth around 3:30 in the afternoon. And if someone wants to challenge me to the other... to the contrary, then I suggest they challenge me and not speak to the Chair. But I filed that paperwork on Friday the twentieth. If you got something else to say about it come and talk to me not to the Chair."

Speaker Hannig: "So, Representative, the rule says a Member who voted on the prevailing side of a record vote on a legislative measure, still within control of the House, may on the same or the following legislative day move to reconsider the vote. That's what it says. It doesn't say it has to be on the Calendar."

Black: "...move within the day or the following. You didn't make any attempt to reconsider the vote. It doesn't make any difference what the piece of paper says. You just read the rule, you have to make the Motion. And no Motion was made. On the third of May, you're going to say, well, we... we... we... somebody filled out a sheet on the twentieth of April."

Speaker Hannig: "Representative, the Motion merely needs to be filed within the two legislative days."

Black: "Well, at the risk of being threatened and beaten up by a Member on your side of the aisle, who no doubt could take me in about fifteen seconds, but he forgets I'm a senior citizen so if he hits me it's a felony. But I mean, I... I'm going to tell you something. I've about had it. I don't know why this chamber can't run in a more efficient manner."

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It's not my fault that you didn't do what properly should have been done with Mr. Joyce's Motion. And all of a sudden... all of a sudden on the second of May it magically appears. All you had to do was to check with the Journal Room and enter it on the Calendar and there would be no complaint whatsoever. You would have been within your rights. You would have been 100 percent in accordance with the rules as written and in accordance with the rules as the intent. Now, do you think... do you think or any of you on your side of the aisle think if we pulled this you would agree with us? We would be ruled out of order in thirty (30) seconds and you know we would. If you want to invoke the rule of sixty (60), invoke the rule of sixty (60). That's... that's... when all else fails, you have the Majority and you can do whatever you want to do. But I... I'm telling you... I... I know what happened. I've traced this back. The Journal Room made a mistake. We don't control the Journal Room. The Journal Room told somebody in the Clerk's Office that this Bill is no longer in the House, that it was now in control of the Senate. Therefore, a Motion to reconsider could not be filed. The Journal Room made a mistake and I'm not holding them responsible. They... they simply forgot that the Bill had failed. And on the day after, most of the Bills are gone to... to the next chamber. Now, you know, in... in the interest of... of fairness... in all due respect, Mr. Speaker, if we, in the Minority, were to make the same Motion you wouldn't even give us the time of day. So, what... what's the Motion before us, Mr. Speaker?"

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Speaker Hannig: "The Motion is to reconsider the vote. And it's the Chair's ruling that that Motion is in order and it was filed on a timely basis. So..."

Black: "Well, I know how this happened. I know who came off the Bill at the last second, so it didn't pass. If you want to make amends within your caucus, ignore the... ignore what has happened, ignore our basic rights, ignore the intent of the rules, fine. There isn't anything I can do to stop you. I'm not sure I even care anymore."

Speaker Hannig: "So, the question is, 'Shall the House reconsider the vote by which House Bill 318 failed?' And on that question, Representative Stephens."

Stephens: "Well, on that sad note from Representative Black I... I... you know, there's no doubt in my mind that there were physical... a physical challenge here on the House Floor. If there's going to be a house... a fight on this House Floor I want the Body to know one thing, I'm putting my money on Terry Parke. To the... to the Motion, Representative. Representative Graham, in your original legislation... she had come to me in... in a moment that I now... it occurred to me at the time that I had made a commitment to vote for her Bill. When the Bill came up, I did not recall that commitment and I voted in opposition to her Bill. Ladies and Gentlemen, I don't think there's anything more important than keeping your word here in this Body. And so, I went to the Representative later and I said that if she recalled... if she calls the Bill again... not knowing that it was going to be this much later and under these conditions... that I would vote for her Bill. And I still... I

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intend, Representative, to keep that commitment to you because our sense of honor is the one thing that... that is most important here and keeping your word is part of that... that honor. But I find myself in a position now that I have to question the... the ethics of what we're doing here. If this bill was indeed reported to be in the Senate and now it's back, Representative, my commitment to you is one that I will keep. I will vote for your Bill. I will vote for it in an Amendment form if we don't get this done today, but I have to stick with my side of the aisle on the rule that we're challenging here. If I think you have the votes to... to get the sixty (60) votes to have it heard again. And if we... so, I'm gon... so I vote 'no' on the Motion to reconsider. I think the Motion is... with my side is not going to prevail and then I'm going to vote for your Bill. But I wanted to... I would have been remiss if I didn't explain that logic. Thank you."

Speaker Hannig: "On the Motion to reconsider, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. I have an inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Sullivan: "How many... we've been having some discrepancies on rules and such. Could you verify or tell me how many votes this Motion to reconsider will take to pass?"

Speaker Hannig: "Sixty (60) votes."

Sullivan: "Okay. So, if this Motion gets the sixty (60) votes, I would request a verification."

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Speaker Hannig: "And... and you'll be recognized for that purpose, Representative Sullivan. Representative Fritchey."

Fritchey: "Thank you, Speaker. A point of personal privilege and to... and to the underlying Motion. I... I'm going to hope that the Gentleman from Vermilion spoke out of passion and not with intention, because he stopped dangerously short of accusing a colleague of falsifying a document before this Body. When you said that the document could have been backdated, you're alleging that something improper was done. The Gentleman said that he filed the Motion the next day. The reading of the rule by the Speaker is exactly correct. Ladies and Gentlemen, a Motion to reconsider must be made, not voted upon. The Motion to reconsider must be made the same or the next legislative day. The Bill was heard on a Thursday, the Gentleman from Cook stated that he filed the Motion on a Friday. The only way to reconcile that that was not the case is to say that the Gentleman was lying. If anybody wants to say that, shame on them. You should never make that accusation of a Member here. The rule reads very, very clearly. The Motion to reconsider must be made, not acted upon. It must be made the same or the following legislative day. If you have a copy of the rulebook you can go to House Rule sixty-five (65), it's on page thirty-seven (37) of the Rules. It states very clearly. This is important not... forget about how you feel about this Bill. This is important because of the process and the integrity of this chamber. The rule is the rule. And I'll you what, the Gentleman from Vermilion, Representative Black, has been right much more often than

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not when he talks about process and abuse of process. He is wholly incorrect on this matter. The rules were followed, the rule is being properly applied and the Motion's proper and should be voted upon. Thank you."

Speaker Hannig: "On the Motion to reconsider, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Some of us supported the Lady's Bill. But I... this... this vote to reconsider is not the Lady's Bill. And because she had put her Bill on Postponed Consideration once and then she brought the Bill back a second time, and because this is an issue that will carry over into a lot of partisan votes as we go into the General Assembly. Some of us that would like to support her Bill and vote 'yes' will not vote on the Motion to reconsider in a way that she might find favorable. I just wanted that on the record because this is actually going to come down to a vote that is a discussion over what's going to happen on several issues as we go into the rest of the Session. So, many of us will not vote for this where we may be willing to vote for her Bill. In the case that it should fail, I would suggest that perhaps what she might want to do is find one of the Speaker's Bills, amend the Bill, put it on and throw it out one more time."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker. My name was used in debate by a previous speaker. I want to talk to both of those Gentlemen, Representative Fritchey and Representative Joyce. If you'll check the transcript, I said 'I could backdate almost anything and probably have at some point in

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my life.' I didn't say Representative Joyce backdated anything. So, I don't need a... for Representative Fritchey, who I consider a friend, to say I came close to doing this or that to a Member. I make lots of mistakes here, but I hope I've never crossed the line. Probably, the only time I have in my recent memory is on Sara Feigenholtz's Bill and I've apologized to her for that. I didn't accuse Representative Joyce of anything. I said, 'I could backdate anything and probably had.' I don't take a slip that has a date on it at face value any more than most of you would. It's never my intent to be personal, it's never my intent to harm anyone, and never my intent to certainly engage in some kind of testosterone battle between people half... with people half my age. I've told you this before and I'll say it once again, I don't take me... I don't take me seriously. I laugh at me and with me and I love to laugh and I think I have a pretty good sense of humor. But I take this process very, very seriously. There is a way that this could have been done within the rules, no question, no question marks, no doubt about it. That wasn't done. For whatever the reason, I only can speculate. But if I somehow offended Representative Joyce, I apologize. I don't think I did, but I certainly didn't mean to. I would never intentionally offend anyone on this floor. The one thing you should have learned about me by now, I take this process seriously and when we cut corners and when we do things that help Members in the Majority... that's fine, you've got sixty-some Members you can do that. I don't think it's right, I don't think it's fair and I

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don't think it adds anything to the process because none of you can look me in the eye and tell me if we make a similar Motion between now and adjournment, that you would even consider our Motion. So, Representative Kevin Joyce, Representative John Fritchey, I never mean anything to impugn the integrity of you or anybody else on this floor. And if I do, come over and talk to me and I will apologize to any of you personally or publicly. I respect all of you for what you do. I differ sometimes and I differ vehemently in how we sometimes run this chamber."

Speaker Hannig: "Representative Joyce, you're recognized to close on the Motion."

Joyce: "I just request an 'aye' vote."

Speaker Hannig: "The question is, 'Shall the House reconsider the vote by which House Bill 318 failed?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Okay. So, there's been a request for a verification by Representative Sullivan. And does the Gentleman persist?"

Sullivan: "Yes."

Speaker Hannig: "Okay. So, Mr. Clerk... Well, first, let me ask the staff to retire to the rear of the chamber. Would the Members please be in their seats. And now Mr. Clerk, read... read the names of those voting in the affirmative."

Clerk Mahoney: "The following Members voted in the affirmative: Acevedo; Arroyo; Beiser; Berrios; Boland; Bradley, J.; Bradley, R.; Brosnahan; Burke; Chapa LaVia; Collins; Colvin; Crespo; Currie; D'Amico; Davis, M.; Davis, W.;

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Dugan; Dunkin; Dunn; Feigenholtz; Flider; Flowers; Ford; Franks; Fritchey; Golar; Gordon; Graham; Granberg; Hamos; Hannig; Harris; Hernandez; Hoffman; Holbrook; Howard; Jakobsson; Jefferies; Jefferson; Joyce; Lang; Joe Lyons; Mautino; May; McCarthy; McGuire; Mendoza; Miller; Molaro; Nekritz; Osterman; Phelps; Reitz; Riley; Rita; Ryg; Scully; Smith; Soto; Turner; Verschoore; Washington; Yarbrough; Younge, and Mr. Speaker."

Speaker Hannig: "Representative Sullivan, do you have any questions?"

Sullivan: "Representative Soto?"

Speaker Hannig: "I'm sorry?"

Sullivan: "She just walked in, I saw her. Representative Arroyo? I see him."

Speaker Hannig: "Representative Arroyo is in his seat."

Sullivan: "I see him. Representative McCarthy?"

Speaker Hannig: "Representative McCarthy is right here in the... in the front."

Sullivan: "Okay. Sorry, I had someone in front of me. Representative Lyons?"

Speaker Hannig: "Representative Joe Lyons? Is the Gentleman in the chamber? Mr. Clerk, how is he recorded?"

Clerk Mahoney: "Representative Joe Lyons voted in the affirmative."

Speaker Hannig: "Remove him."

Sullivan: "Representative Dugan?"

Speaker Hannig: "Representative Dugan? Is the Lady in the chamber? Mr. Clerk, how is she recorded?"

Clerk Mahoney: "Representative Dugan voted in the affirmative."

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Speaker Hannig: "Remove her."

Sullivan: "Representative Mautino? Mautino?"

Speaker Hannig: "Mautino? Is Representative Mautino in the chamber?"

Sullivan: "I see you, Jack."

Speaker Hannig: "Is Representative Mautino in the chamber? Mr. Clerk, how is he recorded?"

Clerk Mahoney: "Representative Mautino voted in the affirmative."

Speaker Hannig: "Remove him. And Representative Joe Lyons has returned, Mr. Clerk. So, restore him to the Roll Call. And Representative Mautino is now in the rear of the chamber. Mr. Clerk..."

Sullivan: "Representative..."

Speaker Hannig: "...return him."

Sullivan: "...Hoffman?"

Speaker Hannig: "I'm sorry, who did you say?"

Sullivan: "Hoffman?"

Speaker Hannig: "Representative Jay Hoffman? Is the Gentleman in the chamber? Okay. Representative... and remove Representative Hoffman. Representative Feigenholtz is asking... Representative Sullivan..."

Sullivan: "I saw her."

Speaker Hannig: "...Representative Feigenholtz is asking to be recognized. Do you have any further?"

Sullivan: "I do not. I withdraw."

Speaker Hannig: "So, on the Motion there are 64 voting 'yes' and 50 voting 'no'. And the Motion prevails. Representative Molaro, for what reason do you rise?"

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Molaro: "I... I just... have just an inquiry if we're going to have more verifications. I want to know if Representative Black would consider... he said he's never going to verify the Speaker or the Majority Leader and since Jay Hoffman has become such a icon and such a big guy in this building, I think it's only fair that they would not verify Jay Hoffman off. I mean, I just think that's fair. And I hope that Bill Black would consider that 'cause Jay's pretty big nowadays."

Speaker Hannig: "Representative Watson, for what reason do you rise?"

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

Speaker Hannig: "State your inquiry."

Watson: "Didn't we spend a lot of time on a lot issues and... and we've gone through theatrics or what have you, but I do have one question that is pertinent to the state, are we ever going to address the utility issue?"

Speaker Hannig: "Certainly hope so, Representative."

Watson: "We demonstrate that we can come back and call any Bill we want, we've got the rules to do it. Are we going to address the utility issue?"

Speaker Hannig: "I hope the answer's 'yes'."

Watson: "Do we have a time frame, Sir?"

Speaker Hannig: "There at the appropriate time we'll... we'll pass the Bill. But I don't know... I'm not sure when that is, Representative. On Supplemental Calendar #1, under the Order of House Bills-Third Reading, is House Bill 318. The Lady from Cook, Representative Graham. Representative Graham."

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Graham: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have before you, again, House Bill 318 which allows the utility companies to continue to report to your credit how well you're paying your utility bills, but it would not be used as a determinant to your score. I'll try to answer any questions at this time."

Speaker Hannig: "The Lady moves for the passage of House Bill 318. And on that question, the Gentleman from Lake, Representative Sullivan."

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

Speaker Hannig: "Indicates she'll yield."

Sullivan: "Representative, we... we certainly have debated this Bill quite a bit. One of the things that we really did not talk about is why the utilities were able to use these payments or lack of payments for or against the person... the consumer in regard to credit scores? Now, did we not pass legislation a few years back? Didn't a Member of your side pass legislation to allow credit score... utility bills to be part of credit scores?"

Graham: "Thanks for asking, Representative Sullivan. It is my understanding that our Representative did not pass one that exactly addressed... addressed that. I think the ability to pay your utility bill with a credit card opened up the door for the utility companies to report to your credit, is my understanding. We did do some research on that and there was not a Bill on record like that. But the ability to pay by way of credit card would just... would open up the door for this."

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Sullivan: "Well, I believe there was a Bill that was passed by a Member of your side that allowed credit card... credit agencies to use utility payments in their credit score. The reasons were real simple. There are people in the state that can't... have a very hard time establishing credit. And the Member on your side brought this Bill forward, that is now law, because it was in her tent... her intent to help people establish credit through their utility bills by paying their utility bills on time."

Graham: "God bless..."

Sullivan: "Wasn't... wasn't that the Bill that was passed about six (6) years ago?"

Graham: "The colleague did not foresee... at... at this point in time that utility rates would go up and people not be able to really afford their utility bills. So, at this time, it's not a good move and seeing that income is limited to be able to pay the utility bills as they are rolling out now."

Sullivan: "But wouldn't it be fair to say that there are many people that pay their utility bills on time that have a hard time establishing credit and would like to use these utility payments to establish good credit?"

Graham: "Representative, they still will be able to use these utility bills because it will affect... in effect, be on your credit. If they apply for something it is visible on their credit record where a person can see how way... how well they've been paying their utility bills. That won't stop. It will be on their credit report. When I initially was working on the Bill, my colleagues told me that, Deborah,

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we would like know whether or not people are paying their bills. So, in effect, I searched and talked to some of my colleagues and we came up with this initiative where the utility companies could continue to report to their credit, but it not be used as a determinant to your score because it is nontraditional credit. When you apply for a car loan, an auto loan, a home loan, you know what the payments are going to be before you leave there, but because this is nontraditional credit, it's based on the usage of a utility service, the bills are what they are. You don't get a chance to negotiate that."

Sullivan: "Okay. Representative, your Bill specifically says, 'credit bureaus that receive personal consumer information from a utility service provider may not use that information to determine credit scores.' So, what you just said was... you said that they can still see it. They can still see it on the credit report like you said, but they cannot use a positive utility payment to help them establish credit."

Graham: "Prior..."

Sullivan: "Can they now, under your Bill?"

Graham: "...prior to that piece of legislation being passed a couple of years ago, the utility companies were not able to report monthly on your credit bill. However, they were able to put on your bill whether a collection's on your bill, much like medical records are used. If you have a medical bill from an emergency room that you can't pay, it's on your credit report in the FYI section that you did

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not pay that medical bill. That's where that information used to be some time ago."

Sullivan: "Okay. All right."

Graham: "But we opened up the door for them to do monthly reporting."

Sullivan: "Representative, I got a minute left, so I... To the Bill."

Graham: "Thank you."

Sullivan: "Ladies and Gentlemen of the House, we certainly understand what the Representative is trying to do, but I have two (2) points I'd like to make. At what point do we tell a Legislator that the Bill needs work? She's had two (2) bites of the apple. There's many of us sitting in this chamber today that have Bills in Rules that we can't get out. We have many people that have many priorities that we'd like to pass out of this chamber. At this point, the Representative has had now three (3) bites at the apple. When is enough enough in this chamber? Certainly, we've discussed that. But let's talk about the Bill. What we're saying is we don't want to know about your problems you've had paying utility bills. What that means is, you're having troubles keeping afloat as it is. Well, now we want to allow you to have more credit to get into more problems..."

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

Sullivan: "Thank you. Thank you, Mr. Speaker. We're giving you more credit to get into more problems. In the end, it is my belief that this Bill will do more harm to people

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because what you're doing is you're taking people that are having problems to begin with, giving them an ability to get more money and in essence just continue the cycle of.. of problems and poverty that you're trying to solve. So, with that Ladies and Gentlemen, I do believe that we should vote 'no' on this Bill. And.. and send it back for some more work."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you. Real quickly. First thing I want to say, I if you look at the analysis, which I'm going to get up here in a second, it basically says that no position is taken by Ameren, ComEd, Nicor, AT&T, Illinois Energy Association, Peoples Gas and North Shore Gas. So, that means that the people who are the utility companies that we're talking about here.. the people that are accepting the payment.. come up and say, as far as we're concerned we provide service they pay us a bill. This has nothing to do with someone's credit. What we're.. what the Bill says, and thank the previous speaker for pointing it out. The Bill says, doesn't stop any credit reporting agency, none whatsoever, from putting it on whatever piece of papers. All this Bill says is credit bureaus that receive the personal computer information, so the credit bureau gets it, may not use the information to determine the credit score. And the reason you do that is this. Is the information... does it have some value? Sure it does. It's saying if someone pays a utility bill or not. What it doesn't show and why it should not be on a credit score and why these companies have no position is because you cannot

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change the definition of credit. No matter how hard anybody who is against this Bill talks, you cannot change the definition of credit. We all know what credit is. You go there, you borrow money and you say, I'm going to make these payments on this type of time for the money you lent me. Whether it comes from a credit card, get it, credit card that gives you credit or a loan. So, here's what your credit score should be. How do you pay your credit? My credit score when I borrow money or I use a credit card, how do I pay it back? When you're thirty (30) days late on loan payments, thirty (30) days late on credit card payments, that should show up on your score, not your utility bills. That's not credit. They're giving you a utility, I gave your utility, pay the bill. You pay it, you pay it two (2) days late, four (4) days late that's how you pay a bill. It has nothing to do with credit. That's why none of the utility companies are opposed to this Bill. They know they are providing service that you should pay for. They do not provide credit. They should not be on your credit score because they do not provide credit. How simple can it be? And the Lady says, it shouldn't be there. Well, there may be ten (10), fifteen (15) years ago where someone said, let's report it to the bureau. Yes, because ten (10), fifteen (15) years ago they didn't have this credit score stuff. They didn't... that's a recent phenomenon. So, now this Lady is saying, you report it, that's fine. They pick it up from the computer, terrific. But you cannot use it for credit score 'cause it isn't credit. Now, everybody could get up and say they're for

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the Bill or against the Bill and give all their reasons. All the utility companies knows it's not credit. It's not credit. It shouldn't be considered in your credit score and should not be held against people who pay their credit on time. So, if there's a person out there who has borrowed money from ten (10) different places, have five (5) different credit cards and have paid it on time and has always paid their credit on time, should not have this held against them. This is a very good Bill and the Lady should be rewarded, not vilified, with a 'yes' vote."

Speaker Hannig: "Representative Black. Representative Gordon."

Gordon: "Thank you, Mr. Speaker. I rise in strong support of this legislation. Representative Graham has gone out of her way to make this a good Bill. And what we know, as Representative Molaro has just said, is that this has nothing to do with credit. The utilities are not providing loans. But what I do know is that with the changes that the utilities in this state have currently made, specific the electric utilities, people should not be held accountable for the lies and the treachery that they have engaged in with the consumers of this state. If people have trouble keeping afloat as one of the previous speakers has said, then they are... are not to be held responsible for that. It is up to the two (2) electric utilities, that is their trouble. They're not providing better service, they're not providing better reliability and they're not providing better treatment to their employees. This is a great piece of legislation. It is time for it to be passed. And once again, the Lady should be commended for

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bringing it before this House. People, at this time, need this legislation to make sure that they are protected from the lies that the utility companies have told the consumers of this state. And I urge a 'yes' vote."

Speaker Hannig: "We've had three (3) speak in favor and one (1) in opposition. The rules provide two (2) additional in opposition. Representative Mulligan, do you... would you like... No? Okay. So, Representative Graham to close."

Graham: "Thank you, Mr. Speaker. Thank you, Ladies and Gentlemen of the House. I actually brought this legislation forward to... forward to help the constituents who were having a hard time paying their utility bills in an effort to help them maintain some stability. So, I would urge an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 68 voting 'yes' and 46 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 40 of the Calendar, under the Order of Consideration Postponed, is House Bill 1332. Representative... Representative Ford."

Ford: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I... I'm back with House Bill 1332 after talking and communicating with different agencies. I spoke with Department of Children and Family Service and... and I spoke with the SURS and I spoke with a lot of different agencies that seem to be concerned about this legislation. And if

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you see, they moved to no position and they feel that this Bill has no threat to society. So, today I move to pass House Bill 1332 for the people of Illinois. And I urge everyone to vote 'yes'."

Speaker Hannig: "This is on Standard Debate. And in response, the Gentleman from Bond, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Watch what happens here, look at this. That's just a bunch... you know what, on behalf of the House Republicans we want our desk moved to a normal working position. These desks should be flat to the surface of the earth so you can set something on your desk. Absolutely ridiculous. Made me spill my soda awhile ago on a carpet, by the way, that is not... not to have... that guard... Scotchguard stuff on it. It soaked... it soaked right in, now there's a stain. Representative... would the Gentleman yield?"

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

Stephens: "Representative, you know anybody in the carpenters' union that could help us out on this?"

Ford: "Are you... you want those desks flat?"

Stephens: "Absolutely."

Ford: "I'm going to work on that right now."

Stephens: "All right."

Ford: "In fact, my partner here..."

Stephens: "All right. I've got a question before I vote against your Bill, I want to make sure..."

Ford: "Oh, wait, wait... Now, that's not fair."

Stephens: "I got your commitment, Representative, we're men of honor. I..."

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Ford: "Okay. Let's see..."

Stephens: "...what does your Bill do?"

Ford: "...I think, hold on, I got... I got the Democrat Leader over there on the phone right now. Let me just wait and see if he's... if he's going to give us an answer."

Stephens: "Let me wait and see if you can answer this question."

Ford: "All right."

Stephens: "What does your Bill do?"

Ford: "It... it helps the people of Illinois..."

Stephens: "No, what... what does it do specifically?"

Ford: "It helps Illinoisans determine who they're really hiring for jobs. Let me ask you, Representative, did you hear..."

Stephens: "No, no, no, no, I'm asking the... I'm asking you the questions, Representative."

Ford: "Let me... let me... let me ask you... it does..."

Stephens: "I want to know what your Bill does?"

Ford: "I'm getting ready to give you exactly what the Bill does."

Stephens: "Thank you."

Ford: "The Bill eliminates the possibilities of agencies hiring people that may be not telling the truth about their application. Recently, there was a dean of students that lied on her..."

Stephens: "Could you point to the line in your Bill that does that?"

Ford: "You... you want a short... I was told that you only want a..."

Stephens: "I want a line in your Bill that does..."

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Ford: "...I was told you only want..."

Stephens: "...that does what you just said it did."

Ford: "...a short answer and the... and the answer..."

Stephens: "I didn't ask for a short answer, I asked for an answer to the question, Representative."

Ford: "Okay."

Stephens: "And I... and I haven't gotten it yet."

Ford: "Okay. It's coming now."

Stephens: "Thank you."

Ford: "It removes the question as to whether or not a person has ever been convicted of a nonviolent offense. That's what it does. Just from the application."

Stephens: "Why don't you want people to know if somebody was a criminal or not?"

Ford: "I do want them to know. And I want them to know when they get to the interview and I want them to know when they do a criminal background check. I want them to know the facts and not a person's... whether or not a person is telling the truth about an application."

Stephens: "Will your Bill make a refusal to hire for conviction of a criminal offense?"

Ford: "No. My... my Bill... what did you say?"

Stephens: "In Section 25 of your Bill..."

Ford: "It does not prohibit..."

Stephens: "...the language of the Bill says..."

Ford: "No."

Stephens: "...refusal to hire for conviction of a criminal offense."

Ford: "No."

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Stephens: "Nothing in this Act prohibits..."

Ford: "This Bill does not..."

Stephens: "...a decision to refuse?"

Ford: "It does not prohibit a decision to refuse to hire on the basis of the application."

Stephens: "So, if I'm hiring somebody what do I need to change in my practice?"

Ford: "What do you need... Well, this is only for state agencies. So, it's not for the..."

Stephens: "All right. So, I'm... let's say the Governor hires me to run DCCA, I think that's probable."

Ford: "I think that if the government hires you to... the department should make a new application and only include whether or not a person has been convicted of a violent offense."

Stephens: "So, if you've been accuse... accused of other offenses we're not allowed to ask that question? Is that right?"

Ford: "You can ask the question at the point of the interview, Sir."

Stephens: "You can't put it on the application, excuse me?"

Ford: "I... right."

Stephens: "Then..."

Ford: "It would just simply allow..."

Stephens: "...let me... let me ask you."

Ford: "...an interview."

Stephens: "Do we have a shortage of applications for state employment at this point? Is... are we out of job applicants? Are we trying to knock veterans out of jobs here? Who are we trying to not employ? We have plenty of

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applications as it is. There's been no study of shortage of applicants for state employment and yet, you want to add some more who have a criminal background. That's what this Bill does."

Ford: "This Bill does not guarantee..."

Stephens: "It adds more applicants with criminal backgrounds, Representative, yes or no?"

Ford: "Does it... Repeat that question, please."

Stephens: "Does it add more applicants for state jobs with criminal backgrounds or not?"

Ford: "No. It could possibly add more applicants, but it does not say that you have to accept those applications. No, it doesn't."

Stephens: "Are you allowed to reject that application?"

Ford: "You can... you must take that application. You don't have to. You can reject it."

Stephens: "You must take it, but you don't have to?"

Ford: "You can reject the application. And that's what this Bill does. It allows you as the agency to reject a applicant."

Stephens: "But you can't reject their application?"

Ford: "You can reject their application and applicant."

Stephens: "How do you reject an application without rejecting the applicant?"

Ford: "You reject both of them by not accepting them."

Speaker Hannig: "Representative, your... your time has expired. Could you bring your remarks to a close, please?"

Stephens: "Well, Mr. Speaker, I guess we're on an order of reconsideration. We rejected this legislation before for

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all the right reasons. I suggest that we reject this legislation once more. Thank you."

Speaker Hannig: "Representative Black."

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

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

Black: "Representative, perhaps I didn't hear correctly. I thought I heard you say this Bill had been amended. Is that true?"

Ford: "It's been amended twice, Sir."

Black: "I'm... I'm sorry, what was your answer? I was listening to staff."

Ford: "I said it's been amended twice."

Black: "But... but it hasn't been amended since it's been on Postponed Consideration?"

Ford: "Oh, no. No. I..."

Black: "Okay."

Ford: "...but I went into negotiations with all..."

Black: "Okay."

Ford: "...agencies and none of them are in opposition at this point."

Black: "Well, let me ask you. The... the state personnel agency is Central Management Services, they no longer have any concerns with your Bill?"

Ford: "Yeah, you know, they're concern is... let me just... and I can't tell you their job because you know. They're not responsible for hiring anyone. Their job is simply to intake the application and also to do the test and send the results back to the agencies. So, the only reason why they would be opposed to this is because they don't want to

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spend money new applications. But I know that applications can be printed off and... and filled out online. So, for them to be opposed to it because of... of the financial burden that they say that it may be and that's... has nothing to do with safety. And I think that's what other people may be concerned about."

Black: "It would be a fair statement to say Central Management Services is opposed to this Bill, correct?"

Ford: "Can you repeat that, please?"

Black: "CMS is opposed to this Bill?"

Ford: "Yes."

Black: "Okay. And as to who hires what, it appears to me that the Federal Courts are going to determine who hires what in this administration. But let me just... Mr. Speaker, to the Bill that has failed once. CMS bases its opposition on what I would consider to be very reasonable grounds, not cost. They have an application that they send out to the departments and they feel that certain nonviolent criminal offenses should be reported when you apply for state employment. When you... when they send that application out to a state agency they think such nonviolent offenses such as tax evasion, if you haven't paid your taxes should you be hired as a state employee? Bribery, embezzlement, ID theft. You know, you may end up in a... in a state position where you have access to a database that would have thousands of Social Security numbers on it. There's at least another dozen forms of nonviolent offenses that CMS feels should be listed on the application. If they send an application over to the Department of Revenue and the

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Department of Revenue reviews it and says this individual has been convicted of tax evasion, I don't know that the Department of Revenue would or should hire that individual. I don't think it goes to the heart of what the Gentleman's trying to do. I think Central Management Services, which is our human relations office for lack of a better term, and processes and sends out applications. They feel very strongly that certain nonviolent offenses should be listed because it would have an... a... a measure or a potential impact on an agency that hires somebody. If you've been convicted of bribing a state official and you become an investigator for the Department of Revenue, doesn't that seem to be somewhat questionable? But if that information on the application isn't there, in a verbal interview you have to be so careful today you may not want to ask that question. I don't think CMS's opposition to this Bill is frivolous; I don't think it's based on finance. I think it's based on sound personnel policy. In order to do your job you need certain bits of information on the application and I think that's the sole reason CMS opposes the Bill."

Speaker Hannig: "Representative Molaro."

Molaro: "Well, you know, I just wish we'd take a minute and take a look at the Bill and what it does and then we'll be clear. First and foremost, the Bill doesn't say that the Department of Revenue should hire someone who's been convicted of some crime. I mean, the Gentleman who just spoke is absolutely right. They... no way they should be hired. And I don't think this Representative will want any of those people hired. What we're talking about is

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sometimes there are people who are convicted of a minor nonviolent crime somewhere in their background, that they should still be considered for employment. Now, when you go for employment let's remember what you do. You fill out the application, the application goes down to CMS. My friends that fill out the application winds up in some wastebasket in CMS. But eventually it goes down to CMS, then they look at it, they send it on to somebody else and then you get interviewed for the job. When they go further, then there's a background check. When they see the background check, when they're going to hire you then and they look at what it is and they ask you about it, then they can disqualify you and in most cases they should. All he's talking about is at step one, that there shouldn't be a question that says whether or not you've been arrested or convicted for a nonviolent crime, if you've gotten supervision. And the reason that is is they want the person who looks at that to get past step one. Otherwise, if it's right on the application none of these people will ever be given a chance. So, it makes sense to me you get past step one. All he's asking for is that it gets past step one before you're eliminated. So, the person who hires could look and say, twenty-four (24) years ago you were convicted... or fifteen (15) years ago you were put on supervision for shoplifting a pair of nylons or something. So, now they can look at it and say, you know what, we still think you could go to work for the tollway or we still think you could go to work for IDOT. If it says in there that you were convicted of embezzling a hundred

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thousand dollars (\$100,000) from some charity, well then, you can't... we're not going to hire you. This doesn't stop IDOT or any agency from saying no to any criminal. If they don't want to, they don't have to. As a matter of fact, the Amendments the Gentleman put on, two different Amendments, was to make that abundantly clear. And the reason he did it for some of the Republicans who were in committee to make the Bill better. So, it's crystal, crystal clear that the state is never under any circumstances going to be forced to hire somebody who has a criminal record. When you look at it, you don't like their criminal record, you say no. All this does is say, let it get to first base for nonviolent crimes. Let the person who's hiring them take a look at it and decide. Don't eliminate them in the first... at the first part of the process. Give them that chance. I think that makes a world of sense and I think we should vote 'aye'."

Speaker Hannig: "We've now had two (2) in support and two (2) in opposition. Representative Lindner, which side would you like to speak on?"

Lindner: "In support."

Speaker Hannig: "Okay. You're recognized for five (5) minutes."

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

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

Lindner: "Yes. Is there anything, Representative, in the Bill that does not permit them to do a criminal background check?"

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Ford: "No, no, there isn't."

Lindner: "In fact, in your Amendment it specifically states that, right?"

Ford: "Yes."

Lindner: "That there can be a criminal background check?"

Ford: "Yes."

Lindner: "And I assume that if this is not asked in the beginning of the application that that's what CMS will do? And this only applies to misdemeanors, is that correct?"

Ford: "This applies... this applies to nonviolent offense."

Lindner: "Nonviolent offenses?"

Ford: "Right."

Lindner: "All right. You know, I have sat through years in the Judiciary II Committee and with... mostly with Representative Howard bringing Bills to try and help people who have been imprisoned for some reason, man... many of them in their younger years and to try and give them a chance at employment. Now, we all voted against Representative Howard's Bill this morning because we felt that went too far. I feel that this is an effort that does not go too far, that would give people a chance to at least get in the door to get interviewed and then a criminal background check will be done. I would ask for an 'aye' vote."

Ford: "Thank you."

Speaker Hannig: "We've had three (3) in support and two (2) in opposition. The Rules would provide one more opponent. So, Representative Leitch, did you wish to speak in opposition?"

Leitch: "Thank you, Mr. Speaker. Will the Gentleman yield?"

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Speaker Hannig: "Indicates he'll yield."

Leitch: "Do you believe it is appropriate that CMS be prevented from learning that an applicant has been convicted of tax evasion, bribery, embezzlement, ID theft, fraud, burglary, larceny, drug possession or drug trafficking?"

Ford: "All right. You know, you've raised a perfect question. And that's why I have Amendment #2 for you. And it says that... it says, 'Add a new section providing that if a Federal or State Law disqualifies a person convicted of a certain offense from holding a position, an application for this position may inquire as to whether the applicant has been convicted of a disqualifying offense.' Which means, all of those that you named."

Leitch: "Well, they can already do a criminal background check, but that's not what we're talking about in your Bill. Your Bill precludes someone who has been convicted of forgery, ID theft, bribery and these other nonviolent offenses that I've just described to you, not even to be on the form when they're applying for a job."

Ford: "You... you know... you... you... you're raising... they can always ask that question. Let me ask you, is it possible... have you ever heard that someone was hired for a job and then weeks later or months later they had to be fired because they lied on their application? And if they didn't lie..."

Leitch: "Mr. Speaker, I can't hear a word he's saying."

Ford: "Sir, I said, in the past I've heard and I've read of people that's been hired for jobs and later fired because they lied on their application. Let... this not confuse anyone. This Bill protects everyone in the State of

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Illinois because I know for a fact that if I was an embezzler and I went into fill out a job application for the State Treasurer Office with the full intent to embezzle money and I said, 'no', that I've never been convicted and I get the job because the department decided not to do a background check, my job is done and now I can embezzle. I'm saying, do the background check before you hire people. That's all I want. And that's what this Bill says."

Leitch: "It doesn't say do the background check. They can do a background check if they want to, but it says that they can't put on the application these lists of crimes that we have recited here and other Members have recited. So, we have somebody working in the state.. in the Secretary of State's Office with all that information, who's been convicted of identity theft or some other nonviolent offense. Do you want that person working in the Secretary of State's Office?"

Ford: "Does the state already disqualify them? And remember, whenever they go into the interview, this doesn't say that.. I've heard of people say that we must create jobs for people with offenses. This doesn't say that. This doesn't say that, 'you must hire'. This doesn't say anything but be careful before hiring people by doing a criminal background check. Let me remind you, House Amendment #2, once again, disqualifies a person automatically. And that question remains on that application if you're applying for a job that disqualifies you for the position."

Leitch: "I.. I understand that."

Ford: "It would be on that application."

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Leitch: "I'm running out of time. To the Bill. I think this is... I have great respect for the Sponsor and what you're trying to accomplish. I'm sure there are lots of cases where people made mistakes when they were younger and shouldn't be penalized their whole life for making that mistake. However, this Bill goes way, way, way too far and is very, very much opening up the state to all kinds of problems in the future. CMS has a very reasonable position. I would urge that we support CMS and reject this Bill. And if this Bill gets the required..."

Speaker Hannig: "Rep... Representative, your time has expired. Could you bring remarks to a close."

Leitch: "I want a verification."

Speaker Hannig: "And you'll be granted one."

Leitch: "Thank you."

Speaker Hannig: "Thank you. Okay. So, now we've now had three (3)... three (3) speak in favor and three (3) in opposition and the rules provide, Representative Ford, you have 5 minutes to close."

Ford: "I respect all opposition for what they say, but I just wish that the opposition will look at this Bill for what it is and what it's trying to do. This Bill does not mandate, nor does it require for anyone to hire anyone. Everyone in this chamber have made a mistake in their life. And if you could tell me that there's no one in your family, no one in your circle of friends or anyone that does not deserve a second chance, then you should vote 'no'. But I'm telling you right now this Bill is very important to me and to the people of the State of Illinois, because if you hire people

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without doing a criminal background check, then you're doing everybody a disservice. So, I ask for a 'aye' vote. The Amendment #2 states that you must put on the application whether or not the person is disqualified. So, DCFS has told me through my workings in dealing with them that they are no longer opposed to this. So, if DCS... DCFS says that they're not opposed to it, why would CMS or whoever they are be opposed to it? If... if SERS, they said they were opposed to it, now they're not opposed to it. Why would anybody be opposed to it? If NRA say that they're not opposed to it and they're for it, why would you be opposed to it? This helps everyone. This doesn't help black people. I want to say that. It doesn't help just minorities; it helps everyone. And find in your heart to change your mind about this legislation because it does not demand for you to hire anyone. And I ask you... I ask you, please, to make a difference today. We're here to effect change. That's why we're here. I came here to effect change and I look forward to effecting change with you on that side and everyone on this side. I urge an 'aye' vote, please."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bassi, Colvin, Sommer, do you wish to be recorded? Mr. Clerk, take the record. And there's been a request for a verification. I'd ask the staff to retire to the rear of the chamber, clear the aisles. And we'd ask the Members to please be in their

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seats. Mr. Clerk, read the names of those who voted in the affirmative."

Clerk Mahoney: "The following Representatives voting in the affirmative are: Acevedo; Arroyo; Bassi; Beaubien; Beiser; Berrios; Boland; Bradley, J.; Bradley, R.; Burke; Chapa LaVia; Collins; Colvin; Currie; Davis, M.; Davis, W.; Dunkin; Dunn; Feigenholtz; Flider; Flowers; Ford; Fritchey; Froehlich; Golar; Gordon; Graham; Granberg; Hamos; Hannig; Harris; Hernandez; Hoffman; Howard; Jakobsson; Jefferies; Jefferson; Lang; Lindner; Mautino; May; McAuliffe; McGuire; Mendoza; Miller; Molaro; Nekritz; Osterman; Pritchard; Riley; Rita; Ryg; Saviano; Schock; Scully; Smith; Soto; Turner; Wait; Washington; Yarbrough; Younge, and Mr. Speaker."

Speaker Hannig: "Representative Leitch, do you have questions of those voting in the affirmative?"

Leitch: "Representative Lyons?"

Speaker Hannig: "Representative Lyons is here at the podium. Here at... here at the podium. I think he voted 'no'."

Leitch: "Representative Hoffman?"

Speaker Hannig: "Representative Jay Hoffman. Is the Gentleman in the chambers?"

Leitch: "Representative Scully?"

Speaker Hannig: "Wait a minute. Mr. Clerk, how is Representative Hoffman recorded?"

Clerk Mahoney: "Representative Hoffman voted in the affirmative."

Speaker Hannig: "Okay. Remove him. Sorry, who was the next one?"

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Leitch: "Representative Scully."

Speaker Hannig: "Representative Scully? Is Representative Scully in the chambers? Okay. Mr. Clerk, how is the Gentleman recorded?"

Clerk Mahoney: "Scully voted in the affirmative."

Speaker Hannig: "Remove him."

Leitch: "That's it, thanks."

Speaker Hannig: "Okay. On this question, there are 61 voting 'yes' and 51 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Lyons: "Representative Joe Lyons in the Chair. Thank you. Representative Molaro, for what purpose do you seek recognition?"

Molaro: "Just a... a point of inquiry of the... on the other side of the aisle. You know sometimes I joke too much, but I was serious. We... no, I'm serious now. When we're doing a verification, I... Mr. Black said we're not going to verify the Speaker or the Majority Leader. I'm trying to tell everybody, but I don't know if you guys are listening. Representative Jay Hoffman has become a very important man and I don't think that we should verify... he's very, very busy. There he his. Okay. We were waiting for him. You know he's a busy guy and I think he should be in the same status with the Speaker and the Majority Leader. And I'm not kidding this time."

Speaker Lyons: "Ladies and Gentlemen, what we're going to be doing some Second Readings to Third Readings. If there's Amendments, you'll need to explain them. So, we'll start

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alphabetically. Representative Acevedo you have House Bill 2758. Mr. Clerk, what's the status of House Bill 2758?"

Clerk Mahoney: "House Bill 2758, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Ed Acevedo. Mr. Clerk, take that Bill out of the record at the request of the Sponsor. Representative Beaubien you have House Bill 1622. Mr. Clerk, what's the status of House Bill 1622?"

Clerk Mahoney: "House Bill 1622, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendments 1 and 2, offered by Representative Beaubien, have both been approved for consideration."

Speaker Lyons: "By request of the Sponsor, take that Bill out of the record. Representative Burke on the floor? Representative Burke? Mr. Clerk, there is House Bill 1478. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1478, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2, offered by Representative Burke, have been approved for consideration."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Dan Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment #2, which becomes the Bill, is

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simply... offers to preserve home ownership in Illinois. As the foreclosure rates rose to a dramatic 55 percent in the year 2006 and the subprime lending market is in a meltdown. Brokers and lenders, Ladies and Gentlemen, must assess the borrower's ability to repay the loan, the ability to repay the initial monthly payment and the ability to repay the higher monthly payment when adjustable loans reset. This Bill would level the playing field. Federal financial institutions and state chartered banks are now under a duty to assess the same ability to repay. The Bill defines the broker/borrower relationship to ensure the borrower receives the best loan the broker can provide. The overwhelming majority of mortgage loans in Illinois go through brokers. The Bill also provides other protections concerning loan terms. Technically, Mr. Speaker, I'd like to withdraw Amendment #1 and continue to offer Amendment #2."

Speaker Lyons: "The Motion has been made to withdraw Amendment #1 and to proceed with Amendment #2. Amendment 1 is withdrawn. Mr. Clerk (sic-Burke) on Amendment #2."

Burke: "Thank you, Mr. Speaker. To continue, notification to the borrower of changes in material loan terms before closing, provide borrower with a copy of appraisal before closing. This would prohibit financing of single premium credit insurance. Prohibits misleading statements that lead to consumers to believe a low monthly payment would include taxes and insurance. I'd be happy to answer any questions."

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Speaker Lyons: "Anyone seeking recognition? Seeing not, the question is... Chair recognizes Representative Jim Meyer."

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

Speaker Lyons: "Indicates he will."

Meyer: "Representative, last year we... we passed legislation for a... for a demonstration project or something like that, I believe, with certain zip codes involved. And the Governor took some action on that to negate it. How... how does this Bill compare to that one?"

Burke: "Mr. Speaker, I didn't hear the Gentleman's question."

Speaker Lyons: "Ladies and Gentlemen, we have a debate going on regarding an Amendment and would like some silence. If you could please lower our volume slightly so we could have some quiet on the floor. Thank you."

Meyer: "Representative, a number of things have occurred on this Bill. And going back, last year we passed legislation that did a demonstration project based on zip codes which they make... the Governor found a way to negate that legislation. How does this Bill fit in with what we already vote... voted on previously and passed?"

Burke: "I believe you are referring to House Bill 4050, which was a pilot project that included, I believe, ten (10) zip codes in our state. And, in fact, you are correct, the Governor did repeal the Bill. This legislation differs dramatically in the sense that House Bill 4050 simply was collecting data. This legislation talks about certain controls, restrictions, and prohibits certain practices."

Meyer: "This is far more reaching than..."

Burke: "We believe..."

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Meyer: "...the previous Bill?"

Burke: "...as well, along with the Attorney General of our state, that this is a quite comprehensive piece of legislation that would address very directly the subject of predatory lending in our state."

Meyer: "Okay. Well, I supported the previous Bill and I plan on supporting this one, Representative. Thank you."

Burke: "Thank you."

Speaker Lyons: "No one seeking further recognition? The question is, 'Should House Amendment #2 to House Bill 1478 be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Chapa LaVia, you have House Bill 1977. What's the status of that Bill, Mr. Clerk? Out of the record. Representative Collins, you have House Bill 791. Out of the record. Representative Acevedo, are you ready to move your legislation? You have House Bill 2758. What's the status of that Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2758, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Lyons: "Representative Acevedo on Floor Amendment #1."

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Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask for adoption of House Amendment #1. It amends the offense of reckless homicide and aggravated assault to increase the penalties when a person harms a traffic control aide or if the offender is willfully disobeying a lawful order or direction of the aide. This legislation is an initiative of the City of Chicago in response to the recent deaths of two (2) individuals, traffic control aides', who were directing traffic and were killed by two (2) separate drivers who failed to comply with the aides' directions. I'd be happy to answer any questions."

Speaker Lyons: "Anyone seeking recognition on Amendment #1? Seeing not, the question is, 'Should Senate Am... House Amendment #1 to House Bill 2758 be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Ho... Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, Representative Acevedo has House Bill 429. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 429, a Bill for an Act concerning liquor has been read a second time, previously. Floor Amendments 1 and 2, offered by Representative Acevedo and Lang, have both been approved for consideration."

Speaker Lyons: "Mr. Clerk, House Amendment #1."

Clerk Mahoney: "Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

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Speaker Lyons: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd ask that we remove Floor Amendment #1. Withdraw, I apologize."

Speaker Lyons: "Request is made to withdraw House Amendment #1... Floor Amendment #1 to House Bill 429. The Amendment is withdrawn. Mr. Clerk."

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

Speaker Lyons: "Representative Acevedo on Amendment #2."

Acevedo: "Mr. Speaker, at this time I'd like to... Representative Lou Lang... Representative Lou Lang will handle Amendment #2."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'm sure you all know that for well over a year there has been a debate over how to handle the distribution of wine in Illinois, vis-à-vis, other states, concern about purchasing wine over the Internet, et cetera. We almost had a resolution to this issue a year ago, when it fell through and after some length of conversations and debate with the beer distributors, the wine and spirits distributors, the wine institute, Illinois Grape Growers and Vintners and the Illinois Retail Merchants Association, this is the agreement. All parties that have been involved in this issue, all parties involved in this debate and this negotiation are on board on the Amendment. I would ask your support."

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Speaker Lyons: "Anyone seeking recognition to the Amendment #2? Seeing none, the question is, 'Should Floor Amendment #2 be adopted to House Bill 429?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Amendment... Floor Amendment #2 is adopted. Mr. Clerk, anything further?"

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

Speaker Lyons: "Third Reading. Representative Colvin has House Bill 520. Out of the record. Representative Coladipietro, you have House Bill 3767. Out of the record. Representative Crespo, you have House Bill 3477. Mr. Clerk, what's the status of House Bill 3477?"

Clerk Mahoney: "House Bill 3477, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration."

Speaker Lyons: "Representative Crespo."

Crespo: "I think we did submit an Amendment for this one. It's probably still the Rules?"

Speaker Lyons: "Representative, we're going to take that Bill out of the record for right now. Representative John D'Amico, House Bill 2749. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2749, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Floor Amendments 1, 2, and 3 have all been approved for consideration, offered by Representative D'Amico."

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Speaker Lyons: "Representative D'Amico, there are three Amendments on this Bill. Which Amendment are we going to be with... working with?"

D'Amico: "Thank you, Mr. Speaker. I'd like to adopt Amendment #3. And I'd like to withdraw 1 and 2."

Speaker Lyons: "Okay. Request is made to withdraw Amendment #1 and Amendment #2 to House Bill 2749. Amendments are withdrawn. On... on Amendment #3, Representative D'Amico."

D'Amico: "Yes. Amendment #3 is just a technical change that changes it from a trial judge to the chief judge."

Speaker Lyons: "Is anyone seeking recognition? Seeing not, the question is, 'Should Amendment #3 to House Bill 2749 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Mr. Clerk, anything further? Representative, at the moment we'll have to take that Bill out of the record. We'll come back to you. Take that Bill out of the record. Mr. Clerk, Representative Dugan has House Bill 2043. Take that Bill out of the record. Representative Dunkin, you have House Bill 1351. Representative Ken Dunkin, House Bill 1351, an Amendment. Mr... Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1351 has been read a second time, previously, a Bill for an Act concerning State Government. No Committee Amendments. Floor Amendment #1, offered by Representative Dunkin, has been approved for consideration."

Speaker Lyons: "Representative Dunkin, Floor Amendment #1."

Dunkin: "Yes, I move that we adopt Amendment #1."

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Speaker Lyons: "Representative, would you like to do a little more explanation on what the Amendment does?"

Dunkin: "Yes. This Amendment simply is a test pilot.. test program, won't cost the state any money. All we're trying to do is to identify a couple of areas in the state where we can have a call set up as it relates to senior citizens. For example, seniors who are up in age or who may be elderly, we want them to have the ability to be able to contact the Department on Aging or depending on what agency we set it up with. And it won't cost the state anything. And I ask for a favorable adoption."

Speaker Lyons: "Anybody seeking recognition to House Bill 1351, Amendment #1? Seeing not, the question is, 'Should Amendment #1 be adopted? All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. House Amendment #1 to House Bill 1351 is adopted. Mr. Clerk, anything further?"

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

Speaker Lyons: "Third Reading. Representative Dunkin you also have House Bill 920. Out of the record. Representative Feigenholtz you have House Bill 3446. Mr. Clerk, what's the status on House Bill 3446?"

Clerk Mahoney: "House Bill 3446, a Bill for an Act concerning public health, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Lyons: "Representative Feigenholtz."

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Feigenholtz: "Thank you very much, Mr. Speaker. House.. Floor Amendment #1 is an Amendment that was put together by the Illinois Press Association and the Illinois Department of Public Health in order to make this Bill agreed. I'd be glad to answer any questions."

Speaker Lyons: "Anyone seeking recognition on the Amendment? Seeing not, the question is, 'Should Amendment #1 be adopted to House Bill 3446?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Feigenholtz, you have House Bill 2353. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2353, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Lyons: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Floor Amendment #1 to House Bill 2353 is a trailer Bill to a piece of legislation that Representative Currie passed a few years ago regarding children who are... children who are losing payments when their parents die, there is a gap. This closes that gap. I'd be glad to answer any questions."

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Speaker Lyons: "Anyone seeking recognition on Amendment #1 to 2553 (sic-House Bill 2353)? Seeing none, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Jack Franks, you have House Bill 247. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 247, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Golar, you have House Bill 1398. Out of the record. Representative Granberg. Is Representative Granberg in the chamber? You have House Bill 1868. Read the status of that Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1868, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Hamos, you have House Bill 611. Mr. Clerk, what's the status of that Bill?"

Clerk Mahoney: "House Bill 611, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendment

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#2, offered by Representative Hamos, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Julie Hamos."

Hamos: "Thank you. Ladies and Gentlemen, this has to do with mail in registration forms. The Bill would no longer require that first-time registrants would have to appear in person to vote since that is now verified at the front end by the election authorities. And I'm sure we will be discussing this in greater detail on Third Reading. Thank you."

Speaker Lyons: "Anyone seeking recognition on Amendment #1? Seeing none, the question is, 'Should Amendment #1 to House Bill 611 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, they 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Hernandez, you have House Bill 1449. Ready to move your Amendments? Mr. Clerk, what's the status of House Bill 1449?"

Clerk Mahoney: "House Bill 1449, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "No Amendments being... Third Reading on that House Bill, House Bill 1449. Representative Hernandez, you also have House Bill 2201. Representative Hernandez. Out of the record. Mr. Clerk, take that Bill out of the

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record. Representative Holbrook, you have House Bill 664. Representative Tom Holbrook. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 664, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Jefferies, you have House Bill 2563. Out of the record. Representative Jefferson you have House Bill 3428. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 3428, a Bill for an Act concerning local government has been read a second time, previously. Floor... No Committee Amendments. Floor Amendments 1 and 2 were adopted to the Bill. Floor Amendment #3, offered by Representative Jefferson, has been approved for consideration."

Speaker Lyons: "Representative Jefferson on Floor Amendment #3."

Jefferson: "Thank you, Mr. Speaker. I'd like to move for the adoption of Floor... Floor Amendment #3 which guts the Bill and becomes the Bill."

Speaker Lyons: "Are there any questions of the Sponsor on Amendment #3? Seeing not, the question is, 'Should Amendment #3 be adopted?' All those in favor signify by voting... saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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Speaker Lyons: "Third Reading. Representative Leitch, you have House Bill 1823. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1823, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Jim Meyer, you have House Bill 3632. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 3632, a Bill for an Act concerning health. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Bill Mitchell, you have House Bill 1983. Out of the record. Representative Mitchell has House Bill 308. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 308, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Jerry Mitchell, you have House Bill 3361. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 3361, a Bill for an Act concerning education has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted to the Bill. Floor Amendment #2, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Lyons: "Representative Mitchell on Floor Amendment #2."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House... Floor Amendment #2 simply says that if a

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charter school is not used for the... the purpose that it's indicated, which is for reenrolling dropouts or truants, then that particular charter would... would forfeit all of its state dollars."

Speaker Lyons: "Anyone seeking recognition on the Amendment? Seeing not, the question is, 'Should it be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Ramey, you have House Bill 3086. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 3086, a Bill for an Act concerning local government. Second Reading of this House Bill. Floor... No Committee Amendments. Floor Amendment #2, offered by Representative Ramey, has been approved for consideration."

Speaker Lyons: "Representative Ramey, you have Floor Amendment #2?"

Ramey: "Thank you, Mr. Speaker. What the Amendment... what the Amendment does is... becomes the Bill. And is... is... effective to Kane County only instead of the whole State of Illinois. I ask a favorable vote."

Speaker Lyons: "Anyone discussion on Amendment #3? Seeing none, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Ramey, you also have House Bill 314. Mr. Clerk, what is the status of that Bill?"

Clerk Mahoney: "House Bill 314, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ramey, has been approved for consideration."

Speaker Lyons: "Representative Ramey you on Floor Amendment #2."

Ramey: "The Amendment for House Bill 314 is working with the Department... DCOE... DCEO and minimizing the digital divide."

Speaker Lyons: "Anyone seeking recognition on the Amendment? Seeing not, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative... Representative Reboletti, you have House Bill 3662. Out of the record. Representative Tryon, you have House Bill 3256. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 3256, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lindner, has been approved for consideration."

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Speaker Lyons: "Representative Tryon on the Amendment. Floor Amendment #1, Mr. Clerk?"

Tryon: "Yes. Floor Amendment #1 essentially provides for a permitting system to permit geothermal wells that are installed for heating and air conditioning devices in the... in our state. Currently, there's no... some counties have their own code, some counties don't have a code. Rather than have a hundred and two (102) codes around the county, eventually the Illinois Ground Water Professionals and the well contractors and the heating and air conditioning installers would like to have one (1) State Code, which... which goes in line with our... our existing Well Code. And as electric prices go up, I think we're going to see more and more geothermal installations go in. It's important that these systems be inspected. And that the sys... that the well itself can be a conduit to ground water contamination and therefore, has to be properly sealed and grouted. So, I think this is a good piece of legislation. There's no opposition and certainly would urge that we have an 'aye' vote on this."

Speaker Lyons: "Any questions? Seeing none, the question, 'Should Amendment #1 be adopted to House Bill 3256?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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Speaker Lyons: "Third Reading. Representative Tryon, don't sit down, you have House Bill 2913. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2913, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Tryon, has been approved for consideration."

Speaker Lyons: "Rep... Representative Tryon on Amendment #1."

Tryon: "Yeah. House Bill 2913, essentially allows county boards throughout the State of Illinois the ability to have IT equipment leased for a period of up to five (5) years. Currently, they can't lease equipment for more than two (2) years; therefore, they have to have a funding out clause so that they can cancel after two (2) years and pay a higher interest rate. This will allow them to pay a lower interest rate and... and lease their equipment for a five (5) -year period."

Speaker Lyons: "Anyone seeking recognition? Seeing not, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Gordon, you have House Bill 2071. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2071, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Gordon, has been approved for consideration."

Speaker Lyons: "Representative Gordon on Floor Amendment #1."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, the Floor Amendment to House Bill 2071 re... requires that it would prohibit electric utilities from decreasing the staffing levels for job classifications due to layoffs, attrition, voluntary severance and termination and requires the levels to be the same as they were on January 1 of 0... of 2007. It also would allow the staffing levels to decrease only if the electric utility filed a petition with the ICC for such reductions and demonstrates by clear and convincing evidence that the reductions won't have any impact on the ability of the utility to provide safe and reliable service. It takes into consideration the contracts that have been entered into between the utilities and the unions and allows for the consumer to have continuous safe and reliable service considering the recent occurrences with our electric utilities in the state. And I would ask for adoption of the Amendment at this time."

Speaker Lyons: "Any questions? The Chair recognizes the Gentleman from Jasper, Representative Reis."

Reis: "Thank you, Mr. Speaker. Will the Sponsor yield for a quick question?"

Speaker Lyons: "She indicates she will."

Reis: "Representative, I had asked you real quick and we was busy that day, but we have a small public utility with only about fifty-five hundred (5,500) customers and they're not exempt with this. Is there anything we can do with... I

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think there's four (4) small public utility electric companies in the state who are going to be affected by this. Is there anyway we can do an Amendment to exempt those?"

Gordon: "I'm... I'm not... we... we can do that later if we pass it over to the Senate, but I was very busy with this Bill concerning all of the notes that were filed. So, Representative, that's something... the deadline is only until tomorrow. And I'd be happy to deal with it with the Senate Sponsor, but I don't think it's going to come out the House that way."

Reis: "All right. Thank you."

Speaker Lyons: "No one further seeking recognition? The question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Hoffman has House Bill 818. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 818, a Bill for an Act concerning regulation has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 was also adopted to the Bill. Floor Amendment #3, offered by Representative Joyce, has been approved for consideration."

Speaker Lyons: "The Chair recognizes Representative Hoffman."

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Hoffman: "Yes, inquiry of the Clerk. I believe that Amendment #2 was recommended for adoption also?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2's already been adopted to the Bill."

Hoffman: "Thank you. Then Floor Amendment #1 is simply a technical change to the Bill. Or Floor Amendment #3, I apologize, is simply a technical change to the Bill."

Speaker Lyons: "The Gentleman moves the adoption of Floor Amendment #3 to House Bill 818. Is there any discussion? Seeing not, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Cross has House Bill 1... Representative Eddy has House Bill 14... 146. Mr. Clerk, what's the status of that Bill?"

Clerk Mahoney: "House Bill 146, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Cross, has been approved for consideration."

Speaker Lyons: "Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. Floor Amendment #3 makes a few changes to the underlying Bill in that it addresses issues raised by school districts regarding how a

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care plan, a student with diabetes care plan, would be turned in and how it would be signed off on. In addition, it addresses concerns related to volunteer.. volunteers being assigned. And I would ask for a favorable consideration of the Amendment."

Speaker Lyons: "Anyone seeking recognition regarding the Amendment? Seeing not, the question is, 'Should it be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Crespo, you have House Bill 2671. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2671, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Crespo, has been approved for consideration."

Speaker Lyons: "Representative Crespo on Floor Amendment #1."

Crespo: "Okay. Yes. Floor Amendment #1, Speaker, amends the Election Code to prohibit a person from serving as an election judge if the person's required to register as a sex offender."

Speaker Lyons: "Is anyone seeking recognition regarding the Amendment? Seeing not, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of

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the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Crespo, you have House Bill 2472. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2472, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Crespo, has been approved for consideration."

Speaker Lyons: "Representative Fred Crespo on Floor Amendment #2."

Crespo: "Yeah, thank you, Speaker. House Amendment amends the Illinois Income Tax Act. It creates a tax check off for the Lung Cancer Research Fund and authorizes the Illinois Department of Public Health to provide grants for lung cancer research."

Speaker Lyons: "Anyone seeking recognition? The question, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Black you have House Bill 495. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 495, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Lyons: "Third Reading. Representative Karen May you have House Bill 2285. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2285, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2, offered by Representative May, have both been approved for consideration."

Speaker Lyons: "Representative May on Floor Amendment #1."

May: "Floor Amendment #1 is actually the Bill. It is a preventative health initiative for the Comprehensive Health Insurance Plan Act. This is the CHIP pool for the uninsured, the high risk people in this state. It would add coverage for the office visits for preventative health screenings such as: mammograms, pap smears, colorectal, and prostate cancer screening. And it also... and also for contraceptives."

Speaker Lyons: "Any discussion on Amendment #1? Seeing none, should the... the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Representative May on Amendment #2."

May: "Floor Amendment #2 is strictly technical referencing what we did in Floor Amendment #1, we missed it in one place."

Speaker Lyons: "No one seeking recognition? The question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the

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opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Mr. Clerk, anything further?"

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

Speaker Lyons: "Third Reading. Representative Frank Mautino, you have House Bill 1627. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1627, a Bill for an Act concerning public employee benefits has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lyons: "Representative Mautino on Floor Amendment #2."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment we had taken out of the record yesterday so that the House Democrat and Republican staff could get together and answer a couple of questions. What the Bill does, as amended, shows an agreement between the IFT, IEA, and the Illinois Retired Teachers Association. And what it says is that the TRS board of trustees may annually provide annuitants an option of receiving informational material from any nonprofit association with a membership consisting of at least 50 percent TRS annuitants, which means the IEA and IFT. Know of no objections. It's an agreed Bill now. And I thank Mr. Black for bringing up the earlier questions, we got them resolved. Ask for an 'aye' vote."

Speaker Lyons: "Anyone seeking recognition? Seeing not, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'.

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In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Mautino you also have House Bill 380. 380. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 380, a Bill for an Act concerning revenue has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative McCarthy you have House Bill 2632. Is Representative McCarthy in the chamber? Out of the record. Representative McGuire, you have House Bill 3571. 3571. Out of the record. Representative Mendoza, House Bill 1447. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1447, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Nekritz, you have House Bill 1871. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1871, a Bill for an Act concerning regulations. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Nekritz, has been approved for consideration."

Speaker Lyons: "Representative Nekritz on Floor Amendment #2."

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Nekritz: "Thank you, Mr. Speaker. House Bill 1871 establishes a renewable portfolio energy standard for Illinois. And all that House Amendment... Floor Amendment #2 does is to add another type of renewable energy into the list of... of acceptable fuels."

Speaker Lyons: "Questions? Seeing none, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Osterman, you have House Bill 1941. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1941, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Connie Howard, you're... you're handling House Bill 2233 for Representative Patterson? What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2233, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 lost on the floor. No Motions filed."

Speaker Lyons: "Hold that Bill on Second Reading on the request of the Sponsor. Representative Kathy Ryg, you have House Bill 2473. Status of that Bill, Mr. Clerk? 2473, Mr. Clerk."

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Clerk Mahoney: "House Bill 2473, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 was adopted to the Bill. All notes have been filed."

Speaker Lyons: "Third Reading. Representative Ryg, you have House Bill 471. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 471, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Scully... Scully in the chamber? Scully, you have House Bill 2070. 2070. Status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2070, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Scully, has been approved for consideration."

Speaker Lyons: "Mr. Scully on the Amendment, Floor Amendment."

Scully: "Thank you, Mr. Speaker. Floor Amendment #1 is an Amendment to the Collection Agency Act and it will add utilities to the types of entities that are subject to the Act. Over the past couple of months we've heard a lot of concern from the Illinois consumers about their inability to pay their electric utility bills. One way that we can give the people of the State of Illinois some assurance that they will not be subjected to unusual turn offs or collection procedures is to specifically make the utility companies subject to the Collection Agency Act."

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Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Will the Sponsor yield?"

Speaker Lyons: "He indicates he will."

Davis, M.: "I'm sorry, I didn't hear your explanation, Representative?"

Scully: "The Amendment will make a change to the Collection Agency Act to specifically make this Act applicable to utility companies when they are in the process of collecting consumer debt. At the present time, utility companies are exempt from this Act."

Davis, M.: "So currently the electric company has to collect the debt themselves and you want to give the authority to the... to the utility company to turn this over to a collection agency?"

Scully: "Oh, no. Just the contrary. Currently, the utility companies have the ability to turn this debt over to a collection agency, and if they do so that collection agency is subject to the Collection Agency Act. However, if they simply turn it over to their collection department, their collection department is not subject to the Collection Agency Act. I want to make their department subject to the Collection Agency Act, so that all of the prohibited activities... activities pro... collection activities, harassing activities that are prohibited by the Collection Agency Act are also applicable to the utility companies."

Davis, M.: "Thank you, Mr. Chairman. I will reserve the rest of my comments when you present your Bill on Third Reading. Thank you."

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Scully: "Thank you."

Speaker Lyons: "Seeing no further discussion, 'Should the Amendment be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the Amendment is adopted. Any further Amendments? Any further on that... on 2070, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Scully you have House Bill 2072. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2072, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Scully, has been approved for consideration."

Speaker Lyons: "Representative Scully on Floor Amendment #1."

Scully: "Thank you, Mr. Speaker. Floor Amendment #1 to House Bill 7... 2072 addresses the issue of some of the advertising and the free speech... commercial and political free speech that has been exercised by a group called CORE. The proposal made by this Amendment is to require that any advertisements by these types of organizations, that the Act of... the proposal defines as utility voice groups, requires a full disclosure of where they're getting their funding from. Now, if the funding is simply coming from a grass roots group of consumers there is no disclosure requirement at all, but it... if this organization... this utility voice group is obtaining at least half of their financing from one of the utility companies, that fact has

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to be disclosed. We are not in any manner attempting to regulate the message that they deliver. We are merely trying to make sure the consumers know who these utility voice groups actually are."

Speaker Lyons: "Anyone seeking discussion? Seeing not, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #1 is adopted. Mr. Clerk, anything further?"

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

Speaker Lyons: "Third Reading. Representative Smith you have House Bill 2470. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2470, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Lyons: "Third Reading. Representative Soto, you have House Bill 1747. What's the status of that Bill, Mr. Clerk? 1747, Mr. Clerk."

Clerk Mahoney: "House Bill 1747, a Bill for an Act concerning civil law has been read a second time, previously. No Committee Amendments. Floor Amendment #4, offered by Representative Soto, has been approved for consideration."

Speaker Lyons: "Representative Soto, on Floor Amendment #4."

Soto: "Thank you, Speaker and Members of the House. House Bill... Amendment #4 guts and replaces the original language to become the Bill. House Bill 1747, as amended by House Amendment #4, adds severance pay to the list of items

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defined in the income for wage withholding purposes, authorizes Healthcare and Family Services to request that any... that the Secretary of State suspend Illinois driver's license privileges to certain child support debtors through an administrative process. It also authorizes Healthcare and Family Services to work with the municipalities to immobilize vehicles and certain... of child support debtors. Authori... also authorizes parents and their legal representatives to review case child support records."

Speaker Lyons: "No one seeking recognition..."

Soto: "Thank you."

Speaker Lyons: "...the question is, 'Should Floor Amendment #4 to House Bill 1747 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, we'll go back to House Bill 3571, Representative McGuire. 3571."

Clerk Mahoney: "House Bill 3571, a Bill for an Act concerning fish and wildlife. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Mr. Clerk, what's the status of House Bill 410? Representative Verschoore."

Clerk Mahoney: "House Bill 410, a Bill for an Act concerning local government has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2,

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offered by Representative Verschoore, has been approved for consideration."

Speaker Lyons: "Representative Verschoore on Floor Amendment #2."

Verschoore: "House... Thank you, Mr. Speaker. House Amendment #2 replaces the existing Bill, but keeps the main intent of the Bill. The changes... a couple of changes made to the existing Bill. The... House Amendment 2 allows school district boards that represent 51 percent of the students in the county to pass a resolution that would put the question on the ballot. This is in addition to the county board having the ability to put the question on. Number two, the Amendment allows the revenue from the new sales tax to be pledged for the issuance of alternative bonds. Although alternative bonds are subject to a backdoor referendum, the Amendment prevents a backdoor referendum from being held if one the revenue streams is to be the school's facility tax. The Amendment also amends the section of the School Code that requires a referendum on the question of whether or not to build school buildings. Currently, a referendum has to be held on the question or if you can build a school and (b) whether the voters want to issue bonds for construction of... of the school. Since the question under this new tax will combine both questions, the Amendment does not require another referendum to ask for the bonding question. The Amendment also deletes the provision that would distribute the proceeds of the tax on a per pupil basis. And instead, requires the money to be distributed on a formula basis.

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The Amendment requires the money to be allocated based on the number of all students that live in the county that is collecting the tax, divided by the total number of students from all school districts within that county. The Amendment also adds a statute that the Illinois State Board of Education public school fall enrollment and housing report will be used to report the number of students that reside in the county by each school district. This will allow the superintendent to review the number of students in each district and will allow him or her to conduct random reviews if he or she so chooses. Thank you."

Speaker Lyons: "No one seeking recognition? Seeing not, the question is, 'Should Floor Amendment #2 to House Bill 410 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Younge, you have House Bill 2352. The status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2352, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 both have been approved for consideration, offered by Representative Younge."

Speaker Lyons: "Representative Younge on Floor Amendment #1."

Younge: "Thank you, Mr. Speaker. Floor Amendment #1 establishes a commission to set up community investment

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corporations. And I move for the adoption of the Amendment."

Speaker Lyons: "Anyone seeking recognition? Seeing not, the question is, 'Should Amendment #1 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Representative Younge on Amendment #2."

Younge: "Thank you, Mr. Speaker. Amendment #2 limits the territory of the commission to St. Clair County."

Speaker Lyons: "Any questions? Seeing none, the question is, 'Should the... Amendment #2 be adopted to House Bill 2352?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, back to House Bill 2749. The status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2749, a Bill for an Act concerning criminal law. Floor Amendments 1 and 2 were withdrawn from the Bill. And Floor Amendment #3 was adopted. All notes have been filed."

Speaker Lyons: "Third Reading, Mr. Clerk. Representative Colvin... Representative Marlow Colvin has House Bill 1664. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1664, a Bill for an Act concerning local government. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Colvin also has House Bill 1069. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 1069, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Mr. Clerk, on page 39 of the Calendar is Senate Bill 1395. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1395, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Mr. Clerk, on page 40 of the Calendar, we have joint... House Joint Resolution #42. And on that Resolution, we recognize Representative Karen May. Representative Karen May on House Joint Resolution 42."

May: "Yes. Thank you. Yes. House Joint Resolution 42 is regarding the 'Catch Your Breath Day' in the State of Illinois. Actually, it's May 2, it is today. It's an initiative of the American Lung Association of Metropolitan Chicago. And it's an educational program to call attention to the fact that women are much more susceptible to lung disease. In the recent fourteen-(14-) year period asthma is... among women jumped 97 percent compared to 22 percent increase in men. And lung cancer, more women die from the disease than from any other type of cancer and female

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smokers are twice as likely to develop lung cancer than male smokers. So, I think all the Members of the Conference of Women Legislators and I find also the men Members of the Conference of Women Legislators, most of us have signed on to this initiative calling attention and the education of women's health and.. lung health. And if anyone hasn't signed on, see me. But I do ask for your support for this Bill. Thank you."

Speaker Lyons: "All those in favor of the adoption of House Joint Resolution 42 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Joint Resolution is adopted. On page 42 of the Calendar, Mr. Clerk, is House Joint Resolution 40. The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. House Resolution... House Joint Resolution 40 is a Resolution that reconstitutes the council on reenrolling students who dropped out of school. This council was created in 2006. It's scheduled to be dissolved in 2... January 2008. The council will have eight (8) Legislative Members, two (2) appointed by the Senate President, two (2) by the Speaker of the House, two (2) by the Minority Leader in the House, two (2) by the Minority Leader in the Senate, one by the Governor and so on. This council will have hearings throughout the state to review data, review financing, and produce and file an annual report with recommendations to the Governor, General Assembly, and the state on ways and means to address the challenge of reenrolling students who have left school

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without a diploma. In Illinois, we have over two hundred twenty-seven thousand (227,000) such students and they really become a drain on the state. I just urge support for this House Joint Resolution."

Speaker Lyons: "No one seeking recognition, the question is, 'Should House Joint Resolution be adopted?' This will require a vote, folks. So, all those in favor of the adoption of the Resolution vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black. Representative Boland. Representative Black. Representative Mitchell, Jerry Mitchell. Mr. Clerk, take the record. On this Amendment... on this Resolution, there's 111 Members voting 'yes', 0 voting 'no'. And House Joint Resolution 40 is adopted. Mr. Clerk, on page 42 we have House Joint Resolution 51. Representative Marlow Colvin."

Colvin: "Thank you, Mr. Speaker. House Joint Resolution 51 simply urges the members of the Illinois Delegation to United States Congress to give full consideration to the passage of the Savings for Working Families Act that was introduced in the House of Representatives in Washington, D.C. This deals with the fact that for a second year in a row the national personal savings rate in the United States of America remains below zero. A negative savings rate in the United States has not occurred since the Great Depression, nearly eighty (80) years. One in five (5) families have a negative net worth here in the United States of America and about one third of all low-income

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households and more than one tenth of moderate income households report having no financial assets at all. This registration... the Bill I'm referring to is House Resolution (sic-House Bill) 4751, is currently being debated in the Unites States Congress. And I simply ask for passage. Thank you."

Speaker Lyons: "Mr. Clerk, take that Resolution out of the record. We'll repost it for next week. Representative Jerry Mitchell, for what purpose do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. I was away from my desk. Please record me as a 'yes' on House Resolution 40."

Speaker Lyons: "The Journal will so reflect."

Clerk Mahoney: "Committee Announcements. Immediately following Session, Consumer Protection will meet in Room C-1, Consumer Protection meeting in Room C-1 in the Stratton."

Speaker Lyons: "Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 363, offered by Representative Tracy. House Resolution 364, offered by Representative McGuire. House Resolution 365, offered by Representative Smith. House Resolution 366, offered by Representative Smith. House Resolution 367, offered by Representative Monique Davis. House Resolution 368, offered by Representative Reitz. House Resolution 369, offered by Representative Rose and House Resolution 370, offered by Representative Rose."

Speaker Lyons: "You've heard the Agreed Resolutions. All those in favor of their adoption signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Seeing no

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further business to come before the House of Representatives today.. Representative Toni Berrios, for what reason do you rise?"

Berrios: "Point of... well, actually just a reminder."

Speaker Lyons: "State your point."

Berrios: "The Latino Caucus, Cinco de Mayo party is tonight. Everyone is invited, it is at the Inn, 835 Second Street. Hopefully, you can come out and have a nice Mexican meal with us. Thank you."

Speaker Lyons: "Thank you, Representative. The Chair recognizes the Gentleman from Cook, Representative Bob Rita. For what purpose do you rise, Representative?"

Rita: "Thank you, Mr. Speaker. For an announcement. The Tollway Oversight Committee will be canceled tomorrow. The Tollway Oversight Committee will be canceled tomorrow."

Speaker Lyons: "Thank you, Representative. Seeing no further business to come before the House today, the House will stand adjourned to the hour of Thursday, May 3 at 10 a.m., allowing perfunctory time for the Clerk. Is there a Motion to adjourn? All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned. Have a safe and enjoyable evening."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 21, offered by Representative Mautino, a Bill for an Act concerning insurance. Senate Bill 41, offered by Representative Fritchey, a Bill for an Act concerning civil law. Senate Bill 677, offered by Representative

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Mendoza, a Bill for an Act concerning criminal law. Senate Bill 1026, offered by Representative Fritchey, a Bill for an Act concerning civil law. Senate Bill 1159, offered by Representative Stephens, a Bill for an Act concerning property. Senate Bill 171, offered by Representative Fritchey, a Bill for an Act concerning regulation. Senate Bill 194, offered by Representative Sacia, a Bill for an Act concerning education. Senate Bill 201, offered by Representative Reitz, a Bill for an Act concerning wildlife. Senate Bill 216, offered by Representative Sacia, a Bill for an Act concerning wildlife. Senate Bill 222, offered by Representative Soto, a Bill for an Act concerning judicial elections. Senate Bill 715, offered by Representative Feigenholtz, a Bill for an Act concerning health. Senate Bill 1381, offered by Representative Miller, a Bill for an Act concerning finance. Senate Bill 184, offered by Representative May, a Bill for an Act concerning regulation and Senate Bill 211, offered by Representative Brady, a Bill for an Act concerning State Government. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."