

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

68th Legislative Day

6/5/2007

Speaker Hannig: "The hour of 2:00 having arrived, the House will be in order and the Members will be in their seats. Members and guest 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 Wayne Padget, the Assistant Door Keeper."

Padget: "Let us pray. Dear Heavenly Father, we come before You today honoring Your life and accomplishments. We pray that You look over these Representatives and their families. We ask that You look over the men and women in our Armed Services and pray for all of them to come home safely. We pray that during these hard times of negotiations that the two sides can come together on common ground and help all people of this great state. These things we ask in Your name. Amen."

Speaker Hannig: "Representative Hamos, will you lead us in the Pledge."

Hamos - 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. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Bradley, Gordon, Graham, Nekritz, Osterman, Patterson, Scully, Yarbrough, and Younge are excused today."

Speaker Hannig: "Representative Bost."

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

68th Legislative Day

6/5/2007

Bost: "Yes, thank you, Mr. Speaker. Let the record reflect that Representative, Dunn, Schmitz, Black, Coulson, and Kosel are excused today. Therefore, we have less that are gone so therefore, we win."

Speaker Hannig: "Mr. Clerk, take the record. There are 102 Members answering the Roll Call, a quorum is present. Mr. Clerk, read the Rules Report."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and joint action motions were referred, action taken on June 5, 2007, reported the same back with the following recommendations: 'approved for floor consideration and referred to the.. consideration postponed' is House Bill 758. 'Approved for consideration' is Amendment #3 to Senate Bill 526. On the Order of Concurrence, Motion to Concur, recommends 'be adopted' is a Motion to Concur to Senate Amendment #1 to House Bill 281. 'Recommends be adopted' is a Motion to Concur in Senate Amendments 1 and 4 to House Bill 743 and a Motion to Concur with Senate Amendment #1 to House Bill 1685. The following measures referred to the House Committee on Rules are House Resolution 507, offered by Representative Pihos, House Resolution 509, offered by Representative Yarbrough, and House Resolution 511, offered by Representative Coulson."

Speaker Hannig: "We're going to go to page 12 of the Calendar, under the Order of Concurrence. I'd remind Members who have a Bill that's come back from the Senate with an Amendment that you need to file a Motion. Most of these have already been filed but if you have not, you need to

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

68th Legislative Day

6/5/2007

file a Motion to either concur in the Senate Amendment or to not concur in the Senate Amendment. Representative Golar, you have... you're recognized on House Bill 281 on the Motion to Concur in Senate Amendment #1. Representative Golar."

Golar: "Thank you, Mr. Speaker and Members of the House. I would like to concur on Senate Bill 281... House Bill 281."

Speaker Hannig: "The Lady moves... you heard the Lady's Motion to Concur in Senate Amendment #1. Is there any discussion? Representative Currie."

Currie: "If I could just amend my earlier statement. Representative Dunkin is also excused today."

Speaker Hannig: "And the record will so reflect. Representative Golar has moved that the House concur in Senate Amendment #1 to 281. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 101 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. We're going to jump for just a moment to page 10 of the Calendar, under the Order of Senate Bills-Second Reading. Representative Feigenholtz, do you wish us to read this Bill? Senate Bill 526. Mr. Clerk, read the Bill."

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

68th Legislative Day

6/5/2007

Clerk Mahoney: "Senate Bill 526 has been read a second time, previously. No Committee Amendments. Floor Amendments 1 and 2 were adopted to the Bill. Floor Amendment #3, offered by Representative Hamos, has been approved for consideration."

Speaker Hannig: "Representative Feigenholtz, would you like to handle the Amendment?"

Feigenholtz: "Sure. Thank you, Mr. Speaker. The... Floor Amendment #3 simply removes the effective date, immediate effective date from the legislation."

Speaker Hannig: "Is there any discussion? Then 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. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 526, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. The underlying Bill, Senate Bill 526, is a Bill that establishes that condominium associations have policies about putting up solar energy panels. There's no opposition to this Bill. I'd like to yield the rest of my time to Representative Hamos to present the second half of the Bill."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you. Ladies and Gentlemen, the second part of this Bill creates the Energy Efficient Building Code. We've had this legislation in this chamber before. It received 74 votes. And if you remember what we pointed out

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

68th Legislative Day

6/5/2007

then is that forty-two (42) states already have an Energy Efficient Building Code of one kind or another, because they understand as we should, that if you build the building right in the first place then if you have a chance, a fighting chance, that home owner using less energy and also reducing their energy costs. And in a climate where we are very serious about trying to help our consumers and our constituents reduce their energy costs, this is a key component in how it could really make a difference. Now, the other thing I want to point out is, that as a result of the work we did in committee, in the Energy and Environment Committee, this Bill only applies to new construction from this point forward. And again, it received 74 votes. We're available for questions."

Speaker Hannig: "And on that question, the Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "Indicates she'll yield."

Durkin: "Representative Hamos, just for starters. It seems that there's a significant amount of opposition, at least that I've been told. One is the Home Builders Association, the Operating Engineers and also 150 and Local 134. Could you explain to me what their opposition would be to this legislation?"

Hamos: "So actually, the home builders have been opposed. Although, as I pointed out in the first go around, the National Home Builders already have a website that speaks to the whole concept of building green. They support this. I quoted from that website before. Then it turns out that

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

68th Legislative Day

6/5/2007

when Representative Feigenholtz and I first received a fax sheet that showed that the operating engineers and IBEW were on this list, we called them, all of them, and they actually did not authorize for their names to be used on this fax sheet. And they told us that actually they had no reason to be opposed to this."

Durkin: "Okay, so it's..."

Hamos: "Now..."

Durkin: "...just the Illinois Home Builders Association..."

Hamos: "...well, I can't speak..."

Durkin: "...that's in opposition?"

Hamos: "...to the carpenters because I've been trying to reach them for the last week and until 5 minutes before I came in today I had not reached them, but clearly not the operating engineers and the IBEW."

Durkin: "All right. There was... apparently there was a proposal that the Home Builders Association offered and that was the Energy Star program and that was rejected. Could you explain to us why that proposal was rejected?"

Hamos: "Yes, I'd be glad to explain this because I was so pleased when the Home Builders came to my office and talked for the first time about this, and in fact, I have a fax sheet right here. We were confused about what this meant and started looking into this. And what we learned is that in those forty-two (42) states that have used Energy Efficient Code, none of them used an Energy Star. In fact, in the municipalities, hundred-thirty (130) municipalities in Illinois, that already have... are using an Energy Efficient Building Code, none of them use Energy Star. We

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

68th Legislative Day

6/5/2007

already have an Energy Efficient Building Code for commercial buildings and none of them do an Energy Star. And when we started looking a little bit deeper into this, the home builders, I think, told somebody that actually they weren't going to propose this anymore. Because what they learned is that it's actually more strict than the Energy Efficient Building Code. So, I don't know that the Energy Star was a realistic standard. I think it was stricter and it's based on an underlying code, which we don't have yet, but that this would establish. It's incentives that are created to get to a better standard, but we're just trying to establish a basic standard."

Durkin: "Can you give me the distinction between the International Energy Conservation Code and the Energy Star program?"

Hamos: "Give you the what, please? I'm sorry."

Durkin: "I'm just kind of curious. I'm looking at some notes. The... under this code we're mandating that the Act comply with the International Energy Conservation Code. I... pardon my ignorance, but can you give me... I'd like to know the distinction between what the Energy Star program..."

Hamos: "Well..."

Durkin: "...versus what we're mandating in this legislation."

Hamos: "Most of us... most of us know... Representative Durkin, most of us know the Energy Star as appliances. That's why I was very surprised when they first suggested this could be a building code, but let me read to you what I'm looking at as the fax sheet that was dropped off by the home builders. It starts by saying, 'Energy Star qualified

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

68th Legislative Day

6/5/2007

homes are at least 15 percent more energy efficient than homes built to the 2004 International Residential Code.' So I think... this is actually a stricter standard and it's 15 percent stricter, so we're trying to do something here that is more the middle ground."

Durkin: "Well, before we understand that, we're going to have to adopt the International Energy Conservation Code which still is, from what I understand, being developed. So, we're going to be locked into future Amendments to Conservation Code without having this Legislature debate each one of those Amendments in the future. Is that correct?"

Hamos: "Well, the energy... it is true that the energy... the International Energy Conservation Code is... does get upgraded every three (3) years, looking at new products that are available on the market. That process of creating the code involves home builders, developers, the professionals in the field, architects, et cetera."

Durkin: "I question the fact that if we're going to take this code and we are going to, as I said earlier, that we're going to be subject without any type of dialogue or any type of intervention on behalf of the Legislature for future Amendments that are made to the code. And we are, as I said earlier, we're locked in to things in the future which we have no control over. That's a concern I..."

Speaker Hannig: "Representative, your time has expired. Could you bring your remarks to a close. You want... Okay, Representative Eddy's going to yield you 5 minutes. Okay?"

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

68th Legislative Day

6/5/2007

Durkin: "Let me just finish up. I was just told that the Operating Engineers... I was just told that Local 150 is opposed. They're still opposed. So I would just ask people to look at this legislation. There's a lot in it, but as I said earlier, I really have concerns about the State of Illinois being locked into the... as I said earlier, the International Energy Conservation Code when we're not going to have any say how it's going to be amended in the future and we're not going to... and we have no way to forecast how that's going to be amended. So, I would ask everybody to look at this legislation and to vote accordingly. But I will be voting against it."

Speaker Hannig: "Representative Sacia."

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

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

Sacia: "Representative Hamos, I asked this question on your House Bill. And one of the concerns I had then is for young home buyers that their first purchase of a new home. Refresh my memory if you will that basements will require to be dry walled under this legislation. Is that correct?"

Hamos: "I'm sorry. There are different options that can be selected. And they typically have to do with insulation, windows, and furnace."

Sacia: "Right. Well, thank you for that. Ladies and Gentlemen of the House, this Bill is going to create a significant increase in cost. I recall when this... when this issue was debated as a House Bill, there were conversations about the amount of money it would cost. As the parent of a son with a new wife who just bought a new home, they were able to

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

68th Legislative Day

6/5/2007

purchase a new home that did not have the basement finished off, and in Winnebago County that is absolutely the standard for builders, because they want the new construction to settle for at least one (1) year to determine if there would be any cracks in the concrete finish. If anything would have to be done to go and repair it, prior to these insulations and drywall or paneling or whatever it is that he put up. You know, reading from our analysis, the home builders are very, very concerned with this and I appreciate everything that Representative Durkin brought out, but home builders are going to have to be in compliance with all changes going forward, and this could create some significant expense. I think that... you know, as a voluntary program, this is a good idea. To mandate it, we are going to increase costs to new construction significantly and I truly don't believe that this is the way to go. I would encourage a 'no' vote and I... I just think... I just think this is some legislation that is a great voluntary program, but to mandate it the way it is written is going to be a significant expense to new homes and our young home buyers should have that opportunity to make a purchase without encumbering these additional costs.

Thank you, Mr. Speaker and thank you, Ms. Sponsor."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Will the Lady yield?"

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

Leitch: "I, too, have a practical question that relates to the home builders' concerns and given the propensity for these codes to change quickly over a short period of time. What

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

68th Legislative Day

6/5/2007

happens to the homeowner who purchases a home and then a year later it's out of compliance with that code?"

Hamos: "Nothing happens, Representative Leitch, because this is only for new construction and it's the code then in use, just like any other code. There's lots of different building codes that are used in creating a building and you don't have to keep changing them to upgrade with new codes coming in."

Leitch: "Why was this code selected?"

Hamos: "The Energy Efficient Building Code is in place in forty-two (42) states because you have a chance when you build the building to reduce your energy use and energy cost. Now we cannot, as a Body, say that energy costs are not important. We have spent this entire Session thinking and worrying about this for our constituents, so this is completely relevant to what we're dealing with, what our constituents are dealing with and what in fact the whole world is dealing with. That's what this reflects; forty-two (42) states have done it for that reason."

Leitch: "I'm not suggesting it's not important, I'm just curious as why you would..."

Hamos: "But that's why selected it, because it is important."

Leitch: "...not make this a permissive Bill..."

Hamos: "It is important..."

Leitch: "Is this mandated in all forty-two (42) states or is there a choice granted to people who are purchasing new homes?"

Hamos: "No, in forty-two (42) states there is an Energy Efficient Building Code in place of one form or another."

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

68th Legislative Day

6/5/2007

It's been developed over the years. The reason that these codes are updated, Ladies and Gentlemen, is because new technology comes into place and it makes it easier for the builders to use the building code. So they want to reflect the new technology. They don't do it to make it harder or more expensive; they do it to make it easier and less expensive. That's the whole point of upgrading and not holding it static in one point in time."

Leitch: "To the Bill. Mr. Speaker, I would certainly support a Bill that is permissive and gives the homeowner the opportunity to make that decision. But absent that flexibility in the Bill, I think the law of unintended consequences will be applied throughout the state and I regret to urge a 'no' vote."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. To the Bill. One of the provisions of this is that it is a statewide standard. We don't have it as a permissive because that's already there. Homeowners, if they wish to contract with an architect and a builder to build these standards, already can do that. The problem is that we have builders that are scraping by with the bare minimum substandard energy conservation practices. I would ask one... one question of the Sponsor, though, concerning the payment and how banks would handle mortgage payments. The question is, if you come in with the energy building standards and as I understand those, they have an estimated energy cost of the home that would be significantly lower than the energy cost on one that is not built to energy standards. Can that lower utility cost be

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

68th Legislative Day

6/5/2007

used to justify a higher mortgage price? In other words, a way to pay off a higher investment?"

Hamos: "Well, I think... I think you're raising a really interesting point and actually, I put in a Bill to be considered over the summer that would allow you to use creative financing exactly as a way to balance your utility payments, your mortgage payments and your energy savings. But I do want to point out to some of the previous speakers who talked about increased costs and who said they were substantial, that we actually... the proponents actually commissioned a study. Not just throwing around numbers, but they actually commissioned a study by the Pacific Northwest National Laboratories that compared the additional costs and benefits of this Bill. And yes, there is for a typical home in downstate Illinois, there was an incremental increase in cost of fifteen hundred dollars (\$1500), Ladies and Gentlemen. Think about your monthly energy bills, to say that fifteen hundred dollar (\$1500) greater cost in the life of that house when you're talking about monthly energy bills that are going up two, three hundred (300) a month. The first day after you build an energy efficient home, even with a small incremental cost increase, that first day you will have less energy costs on your utility bills. It is... you recoup it immediately. You amortize it in a matter of a couple of years. That's what this is. This is helping people who are not building customized homes and sit down and preplan and have the wherewithal to think through all their insulation, et

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

68th Legislative Day

6/5/2007

cetera. But people, average... everyday people who walk into a home and..."

Winters: "Thank, thank you, Julie."

Hamos: "...and buy a home."

Winters: "Thank you for that long answer to the question I didn't ask. But back... back to my point. If, in fact, you have a... in the Rockford area, a hundred and fifty thousand dollars (\$150,000) is below the average cost, so we're looking at maybe a 1 percent in the capital cost, driving up the mortgage price, your annual... excuse me, your monthly payment. Can... can a bank... take into account the cost of maintaining a house in..."

Hamos: "Yes, of course."

Winters: "...doing the budget? That was the question I have."

Hamos: "That's... yep."

Winters: "If there are lower energy costs, those will be accounted for in whether or not a family can support the bank's statement. Again the question, can a bank take..."

Hamos: "Yes, yes."

Winters: "...the lower utility cost..."

Hamos: "Representative..."

Winters: "...in making the monthly statements? That's the whole point. A modest investment will lead to monthly statements that are less from the bank, and you'll have more money left over because you're not paying it out to Ameren, to ComEd, to Nicor, to your local propane delivery service. You'll have more money left in the family account that can more than cover the cost of the additional construction cost. I do urge support of the Bill."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Representative Meyer."

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

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

Meyer: "Representative, some of this organization seems kind of convoluted to me. The Energy Efficient Commercial Building Code is based off of the International Energy Conservation Code. Is that correct?"

Hamos: "Yes."

Meyer: "And who sets the International Energy Conservation Code?"

Hamos: "This is actually.. people write these codes with the help of the disciplines in the building field."

Meyer: "Who are the people?"

Hamos: "Well, they're actually based in Rolling Meadows, the International Building Code."

Meyer: "Well, again, who are these people? Are.. every time I see the word 'international' and I see the people that are international going to affect our state law. It kind of makes me want to know who are these international people?"

Hamos: "You know, I think again, that is a kind of a funny word in the title. I agree with that. They are based in Rolling Meadows. They bring together people in the disciplines to write these codes. This isn't the only code that they write."

Meyer: "Well, let me ask you this. Are you aware that the people based in Rolling Meadows, their world headquarters is in Washington, D.C.?"

Hamos: "I thought they were actually based in Rolling Meadows."

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

68th Legislative Day

6/5/2007

Meyer: "Okay. Well, the information I have is that their world headquarters are ba... are located in Washington, D.C. Well, I... I don't think this line of questioning is going to go much further here if we can't agree on where they're based, but then to the Bill. Ladies and Gentlemen, I believe that you really need to take a very close look at... at this Bill. Because any time that you have a world headquarters and an organization with a world headquarters setting the standards by which homes are constructed in the State of Illinois, regardless of whether you believe that they should be more energy efficient or not. I... I'm all for energy efficiency, but I do have a problem if this is a true nomenclature for this organization, a world headquarters, that we're going to allow somebody from a foreign country, from Europe, from somewhere else to set the standards by which our construction takes place in Illinois. And let me give you a case in point. In 1995, I was picked to represent the State Legislature here in Illinois, on a trip to Denmark, Norway, and England to take a look at small business exporting. And when we met with officials in Denmark, we were informed, our delegation which consisted of Legislators from Illinois, from Wisconsin, Minnesota, and Nebraska, we were informed that Denmark was going to start setting standards for construction in Europe and they would export those standards to foreign countries and that if any... any developers wanted to develop in Denmark or anywhere in Europe they would have to conform to those standards or they would be frozen out. Now, that's one thing for them

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

68th Legislative Day

6/5/2007

to say about us going over there to develop, but my concern is, when you look at a world headquarters and we don't know who makes up this world body, that we have people from other places coming here to tell us how we can develop our own construction here. And I believe that's it incumbent upon us to make sure we understand this Bill before we hear it again. We should vote it down at this point. Send it back for another look for additional work to have... be done on it to totally understand where it is or who it is that we're dealing with and who is setting these standards and how will they affect things here. Because I can tell you, I believe that Anderson Windows and Pella Windows can compete with any other company in the world, but if they set the standards that says they can't, well, then we will be losing our businesses here. And I believe that it's incumbent upon us to protect the people of this state by not only looking at energy efficient development and construction, but also making certain that the laws that we pass here are for the benefit of the people of this state totally and not just on one element which is energy efficiency. I would ask for a 'no' vote."

Speaker Hannig: "We're going to put this Bill on Extended Debate and Representative Flider, you're recognized for 5 minutes."

Representative Flider: "Thank you, Mr. Speaker. I stand in support of the legislation and... for a variety of reasons. I think ten (10) years ago this legislation had been around, would have been virtually impossible to pass because we had come out of a regulated system, we had

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

68th Legislative Day

6/5/2007

plenty power, plenty of generation capacity and the future was bright. We'd have generators who would be scurrying to build new generating electric... generating power plants and we'd have plenty of electricity for the future. But, you know, those days are over and this is actually a period of time to kind of reflect on where we are in Illinois and the fact of the matter is, we have a very dangerous situation that we face. And we need to develop some long-term energy policies here in this State of Illinois in order to ensure that not only do we have power available, but also to ensure that the power that's available does not cost us anymore than it does today. And that's going to be a pretty tough... tall order. Now there's a parallel, it's not an exact parallel, but it's similar when you think about it. When the Federal Government began to realize that our dependence on foreign oil was too high, the government required new EPA standards, mileage standards in cars, and I think... in fact, I would venture everyone of us here would that those standards have served society well. Because unless the government had taken some kind of action, we'd only have gas guzzlers. Now today, you can choose to drive a gas guzzler but you also... we also have new standards. So even the gas guzzlers are doing better than the gas guzzlers of old. And so we have here in our situation in Illinois, when you think about the power plants that the industry is talking about, whether it's the coal industry or whether it's a private developer, you know when they talk about coming to Illinois we have great promise. We're all doing cartwheels and communities are offering

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

68th Legislative Day

6/5/2007

incentives to try and get these new power plants to come to our area. But what has to happen in order to do that; there's has to be government subsidies. Has to be millions of dollars in government subsidies in order to get these new plans built. We didn't used to have to pay government subsidies to get new energy plants built, but today we have to pay hundreds of millions of dollars or more to get those plants built. Where do you think that money's coming from? It's coming from the pockets of taxpayers. It's coming from you and I. We're going to have to appropriate that money and somehow we're going to try and sell that as a good economic development. When the fact of the matter is, we shouldn't have to spend money as a policy in Illinois in order to get power plants built. But that's the fact. That's the way we are in Illinois because there's no company that's going to invest billions of dollars in new generation without some kind of assurance that they're going to be able to recover their cost. So our policy here is broke. One way to try and put off the time when we have to build that new generation is through a better energy policy, one which depends on energy efficiency. And that's what this measure is all about. Energy efficiency in trying to put off the time the new power plants are going to be built. So one of the ironies in the past is that utilities, when they tried to put off the construction of power plants, tried to reduce demand in the time when demand was needed the most, they'd raise their rates. What happens when you raise rates? Demand goes down. So for example, Commonwealth Edison, Illinois Power, CIPS, CILCO,

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

68th Legislative Day

6/5/2007

all the utilities raise their rates in the summer in order to stop people from using as much electricity. I don't know that that's the best policy necessarily, but we're going to have more of those days ahead if we're not careful here, so I think this legislation stops rates from going up at the most difficult of times for our society. So, until we get a new energy policy, until we find a sane way for companies to come in and build power plants and assure that they're going to get their cost recovered without the government having to pay millions of dollars in subsidies that's going to cost consumers more than having a energy efficient home. We really ought to think twice about... about turning back this legislation. This is important legislation in Illinois, in history and time... a time in history when we need to do something about assuring that power plants will be built in the future and doing so at the least cost possible. If we do not have a sane energy policy, what we're going to have is high-cost power plants being built in emergency situations. That would be the worst of all policies that we could have. So, please consider carefully whether or not you don't want to vote for this legislation because I suggest to you that this legislation will save consumers, the state, taxpayers more money in the long run. Thank you."

Speaker Hannig: "The Lady from Cook, Rosemary Mulligan. She doesn't wish to speak. Representative May."

May: "Yes, thank you. Will the Sponsor yield?"

Speaker Hannig: "Indicates she'll yield."

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

68th Legislative Day

6/5/2007

May: "Yes, Representative, there's been a lot of talk so I just wanted to make sure. This Bill started out with solar energy panels, is that correct?"

Hamos: "Yes."

May: "Is that still in the Bill?"

Hamos: "Yes."

May: "Yes, well, I'd like to first address that and speak in favor of that because I have a constituent in Northbrook who wanted to do the right thing, who wanted to save energy costs and who wanted to reduce her dependence on high energy costs, and she was turned down by her condo association. So that provision of the Bill I'm very glad to say is still in here because I think it gives flexibility for the homeowners who would like to do the right thing and who would like to conserve energy. Then also... but it also has added the provisions from House Bill 1842, is that correct?"

Hamos: "Yes."

May: "Yes, and I'd like to point out to the Body because there's a lot of people who seem to be questioning this and I'm not sure where they're coming from, but I'd like to point out that House Bill 1842 limited to new construction, got 74 'yes' votes. So a Supermajority of this chamber, realized that this was good public policy for the State of Illinois. It applies only to new construction. And Representative, I remember well when you brought this Bill to Energy and Environment Committee, that you quoted from the homebuilders website, quoted about how they were promoting energy efficient homes for people in the State of

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

68th Legislative Day

6/5/2007

Illinois and I presume they are doing that because this is what consumers are demanding. So for the construction industry, I actually salute them for recognizing that this is what people want and it's good public policy for the State of Illinois. This statewide energy efficiency policy for homes for new construction will reduce pollution, will curb energy demand overall, and stabilize energy costs for many of the hard-working people who are trying to buy homes in our state. I do think that this is a matter of good public policy as we are faced with many skyrocketing energy costs, not only for our cars, but also for heating and air conditioning our homes, this is one of the biggest issues facing our state and I agree with the former speaker who said that this will save money in the long run for consumers by investing properly. When a home is built, it will save energy costs to reduce pollution, curb energy and stabilize the demand for energy throughout the state. It is good energy policy, it is what many of our citizens want, and I, too, urge an 'aye' vote. Thank you."

Speaker Hannig: "Representative Hamos to close."

Hamos: "Thank you, Ladies and Gentlemen. I think there has been some misinformation. I'm looking at the website of the International Conservation Code people... Code Council who say there are some substantial advantages in combining the efforts of the existing code originations to produce a single set of codes. You can do uniform education and certification programs, you can have better quality construction, and you can reduce home construction costs. Those are the reasons that code enforcement people come

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

68th Legislative Day

6/5/2007

together into one council. There's nothing magical or mysterious about it, it's the disciplines that actually that actually come together. The National Association of Homebuilders has a website where they really tout the issue of building green. And they say, is it hard to build green? Is it a lot more expensive? Do I have to live in a straw bale cottage or some other strange building? No, no, and most decidedly no, according to the National Association of Homebuilders. Energy efficiency is the least expensive way to reduce our reliance on energy. It is in fact, the low-hanging fruit. And I think one of our colleagues... we've been dealing with this all Session in looking at procurement policy, energy policy, whether we need to build more power plants, whether we should have a rate freeze. This is the low-hanging fruit. Energy efficiency is the way to reduce our reliance on energy. And quoting from the National Association of Homebuilders, 'no, no, and no'. It is not more expensive. It is not impossible to do it. It is not difficult and it is exactly good building... you get good building products. I urge an 'aye' vote. This is the right policy for our times."

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? This requires 60 votes. Have all voted who wish? Have all voted who wish? Representative Arroyo, do you wish to be recorded? Mr. Clerk, take the record. Would you like to put this on postponed? Okay, we're going to put this on Postponed Consideration at the request of the Sponsor. On

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

68th Legislative Day

6/5/2007

page 5 of the Calendar, under the Order of House Bills-
Third Reading, is House Bill 429. Mr. Clerk, read the
Bill."

Clerk Mahoney: "House Bill 429, a Bill for an Act concerning
liquor. Third Reading of this House Bill."

Speaker Hannig: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 429 is intended to bring Illinois into
compliance with the 2005 U.S. Supreme Court ruling of a
wine called Granholm v. Heald, which will result in
Illinois regaining regulatory control over wine entering
the state. In Granholm, the court ruled that the laws that
treat instate and out-of-state wineries differently are
unconstitutional because they violate the commerce clause.
This Bill addresses two discriminatory provisions. One
provision often referred to as the Wine Shipping Reciprocal
Provision allowed only states that allowed shipments of
Illinois wine to ship into Illinois. The other
discriminatory provision allowed for some Illinois wineries
to sell direct to retail. The Amendment replaced the
Reciprocal Provision with a provision creating the wine
shippers license allowing a winery in any state to sell
directly to Illinois consumers up to twelve (12) cases of
wine per person per year. The provision actually better
accomplishes the original intent of the Reciprocal
Provision to authorize limited wine shipments by wineries,
which have a federal basic permit. The Bill will also
allow both instate and out-of-state wineries that make less
than twenty-five thousand (25,000) gallons of wine to apply

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

68th Legislative Day

6/5/2007

for an exempt to sell up to five thousand (5,000) gallons of wine direct to retail. The exemption allows a small winery to develop a market for its wines when it's erratic a limited production prevents it from developing a reliable business relationship with a distributor. This Amendment is supported by the Illinois wineries, the Wine Institute, the wine spirits distributors, the beer distributors, the liquor license association, IRMA is neutral. Other significant provisions of the Amendment are: shippers must file reports of total gallonage shipments semiannually and pay Illinois gallonage tax and state sales tax. It also expresses... states that Illinois licensed realtors make a tier of current sales practices. And LLC maintains jurisdiction over winery shippers, must conduct Internet compliance stings and approved package warning stickers. I'd be happy to answer any questions."

Speaker Hannig: "Representative Acevedo moves for the passage of House Bill 429. We're going to put this on... at least in the beginning, on Standard Debate. And Representative Mautino, you're recognized for 5 minutes."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. I simply rise to support the Gentleman's legislation. This has been a couple of years in process and he's done a great job working with all of the interested parties. And I believe that this will put us in good standing as far as the Granholm v. Heald decision and just wanted to thank him for his work. I know that the wineries and the small wineries throughout Illinois, IRMA,

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

68th Legislative Day

6/5/2007

all those groups have been met with their objections were satisfied. And with that I just stand in support."

Speaker Hannig: "Representative Bost."

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

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

Bost: "Representative, what is the total amount of cases that can be shipped from any given winery under this existing legislation?"

Acevedo: "It's twelve (12) cases of wine per year... per person."

Bost: "Twelve (12) cases per person per year. And that is per person, not per household, correct?"

Acevedo: "Per person, yes."

Bost: "Okay. Did... did... and I know they signed off on it, but a majority of the wineries do feel that the smaller wineries can develop their market this way. Because that was the main concern when we first started working on this is, that if we limited that as we're trying to develop a industry that is actually over the last eight (8) or ten (10) years just boomed. And we want to make sure that that door is still swung open for those people that want to enter into... into this industry. Is that... do they feel that this is..."

Acevedo: "Yes, Representative, they'll be able to accomplish that through self distribution."

Bost: "Through self distribution."

Acevedo: "Yes."

Bost: "Okay. What time do... does it force the winery then to using a distributor?"

Acevedo: "When it's over twenty-five thousand (25,000) gallons of wine."

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

68th Legislative Day

6/5/2007

Bost: "When their production level is over twenty-five thousand (25,000) gallons?"

Acevedo: "Yes."

Bost: "At what levels are we right now... we have a kind of a stair step in place for gallons of production on... for permitting and everything like that? Can you tell me where you're at... where we're at on that and how that falls in with those particular gallonages?"

Acevedo: "I believe, if I'm listening to you right, Representative, I believe it's twenty-five thousand (25,000) gallons or more."

Bost: "Twenty-five thousand (25,000) gallons or more. We still have to permit them before that, it's just a twenty (20)... that's a larger permit, at the twenty-five thousand (25,000) gallon or more, is that correct?"

Acevedo: "Yes, that's correct."

Bost: "Okay. Well, Representative, I thank you. I'm glad to see that they've come to an agreement on this and I hope that it does cure the problems that we... we were seeing last year. I'm glad to see that you worked through negotiations on this. I will be supporting the Bill. We want to do everything we can to make sure that this industry continues to grow. I think it's a booming industry and encourage everybody to... that don't... that have not been involved with Illinois wineries to visit them and see what all that we have... been producing over the last several years."

Speaker Hannig: "Representative Hamos."

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

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

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

68th Legislative Day

6/5/2007

Hamos: "Representative Acevedo, if a consumer currently is buying wine on the Internet, will they be... will they continue to be able to do so?"

Acevedo: "Yes."

Hamos: "The answer is 'no', unless they are buying from a winery. If a consumer is currently buying wine from an auction house in another state, will they be able to have it shipped to them?"

Acevedo: "The retailer has to have a presence in this state, Representative."

Hamos: "I guess you bought online. My consumers are going online shopping for the best product, the cheapest product, and getting convenient delivery to their homes. That's what they know. So I was asking you about buying online and the answer is, they will not be able to buy online unless it's specifically from a winery. Or an instate retail, an in-state retailer. But if they're just shopping around like consumers do, the answer is 'no'. What about from an auction house from another state? Again, I think the answer is 'no' unless it's connected to a winery. What about if they're going to New York and they go to a wine tasting in a store in New York and they like the wine a lot, they want to buy a carton of it to be shipped home because they don't want to take a carton on the plane, now we know how hard it is to get through at airports, and they want to have it shipped home. Will they be able to ship it home from that wine tasting in another state?"

Acevedo: "Representative, I'm going to try to answer that because every question you asked me, you've answered it

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

68th Legislative Day

6/5/2007

yourself, so, what I believe is that if it's a winery they can ship up to twelve (12) cases of wine per person."

Hamos: "So, if that consumer went to a nice store and went to a wine tasting and liked that wine, they are not allowed to anymore in the year 2007, have it shipped home to Illinois. They will be told that Illinois does not allow this. To the Bill. Ladies and Gentlemen, you know we heard... I know that this Bill is greased. I know there are powerful interests on the other side, but I would not feel that I was representing my constituents unless I stood up in opposition to this because if you've been getting e-mails from your constituents against this Bill and you thought that it was all agreed to, the answer is 'no'. It was not agreed to by the key people who buy wine. They are called consumers. Consumers were not at the table. The special interests that represents about five (5) different organizations were at the table. The consumers in the year 2007 are shopping online and through catalogs. They are shopping for the best bargains, they are shopping for specialty wines, they are shopping because it's convenient to have it shipped to them. This is the way, this is the product of the marketplace in the year 2007. The opponents talk about the Prohibition Era and the need for a three-tier system. I'm not talking about disputing the three-tier system, but I also don't think we that we could still be dealing with the prohibition which was after all, there's eighty (80) years apart between the year 2007 and when these liquor laws first came to be. In the year 2007, this Bill will be anticonsumer, will not allow our

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

68th Legislative Day

6/5/2007

consumers to buy wine exactly the way they have unless they happen to be buying from a winery. That's a good thing. My goal was that however they're buying wine that should be brought under the regulatory system of this state and it should also be required to be taxed properly. There should not be any opportunity to sell to minors. Instead of that, the people who put this Bill together said, no, no, no, we cannot do any of that, we have to leave out the people who are sending wine to our... to our consumers, and as a result of that, this Bill is going to pass. You're consumers are going to wake up and find out that you took an anti-consumer vote on this Bill. I do urge a 'no' vote, and I think this is not the way we should be going in an era of the Internet."

Speaker Hannig: "Representative Meyer."

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

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

Meyer: "Representative, I just want to verify... I'm having a hard time from my analysis seeing this. We're only dealing with the Bill as it is affected by Floor Amendment #2, is that correct?"

Acevedo: "Yes, Representative."

Meyer: "And in this case, are all... all the interested parties that came to the table in committee, are they all in agreement with it?"

Meyer: "Yes, Representative. And I'll tell you, I'm glad you reminded me because you're the one who had doubts about holding it on Second and I held true to my word until we

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

68th Legislative Day

6/5/2007

all negotiated and came to a sort of agreement... certain agreement."

Meyer: "Well, one of the notes that I have on my analysis here that still kind of concerns me is an indication that it amends the Liquor Control Act to address issues raised by the U.S. Supreme Court, a ruling in 2000... May of 2005, that stated that states who allow in-state wineries to ship directly to consumers must treat out-of-state wineries equally. Illinois allows in-state wineries to sell directly to consumers under this legislation, but it seems to me like there would still be a limit on the out-of-state wineries and would that still be in violation of... or in conflict with U.S. Supreme Court ruling?"

Acevedo: "Representative, I believe both in-state and out-of-state wineries have up to twelve (12) cases per person under this Amendment."

Meyer: "So they are equally?"

Acevedo: "Yes. It's equal."

Meyer: "Okay. Thank you for your response."

Speaker Hannig: "Representative Lang. Representative Lang, your turn."

Lang: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. There are a number of things to be discussed here. Firstly, this Bill as it is now is a product of about two (2) years of conversation and debate among many parties to try to craft a law that is constitutional and that will work for all parties involved. The reason the Bill was commenced in the first place was that there's a United States Supreme case called Granholm

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

68th Legislative Day

6/5/2007

v. Heald, which states that all states must treat in-state and out-of-state wineries on evenhanded terms. Before that court decision, Illinois wine sellers could only ship... or could ship products only to states... to consumers living in states where Illinois had a reciprocity agreement. But other states were allowed to ship to Illinois and so Illinois's eleven (11) agreements or the eleven (11) states gives us eleven (11) opportunities for Illinois wineries to sell their product. But under the law that's currently enforced today, all fifty (50) states or forty-nine (49) other states can ship into Illinois without anybody stopping them. This cannot be good for the Illinois economy, cannot be good for the wineries of Illinois, cannot be good for our efforts to help them grow that business. So firstly, the United States Supreme Court in Granholm v. Heald that when other states did this it was unconstitutional and so would they in Illinois, and this Bill directly addresses the need to deal with that constitutional mandate by the United States Supreme Court. Second, the Bill requires for a winery shippers license so we will know who these people are. We will make sure we get the tax paid. We will make sure the wine comes in appropriately. We will know who to go to if underage people are buying wine on the Internet or otherwise and having it shipped into Illinois. Next, under our system here in Illinois, the local mayors and others are involved in local control of wine and beer and alcohol in their local communities. Having wine shipped into Illinois from all over the place without some way to follow it, takes

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

68th Legislative Day

6/5/2007

away local control from our mayors and other local liquor commissioners, making sure that they have no control at all over the taxation, et cetera, that goes into their communities. Additionally, I heard someone comment that this Bill is bad for consumers, I would argue exactly the opposite. While consumers would not be able to buy from all retailers all over the country, consumers will now have a wider variety of choice, particularly when they're buying over the Internet, from buying directly from wineries. There is no restriction in this Bill about any wine you could buy from a winery any place. This Bill is about treating wineries across the nation in an evenhanded way. You will be able to buy any wine you want from any winery in the world if this Bill passes. That will save consumers dollars. It will enable them to go directly to the wineries, cut out the middle man, cut out that profit margin in the middle and have more of an opportunity to purchase wine on an evenhanded basis at a cheaper price, when those wineries then become in competition with each other. So Ladies and Gentlemen, this is an evenhanded Bill. It's a good Bill, it's well written, it took two (2) years to negotiate, and it took two (2) years to negotiate because there were a lot of parties at the table all with something to say. And they've all signed off on this legislation. It's good for them, it's good for Illinois, it's good for Illinois wineries, it's good for consumers. It deserves an 'aye' vote."

Speaker Hannig: "We're going to move this to the Order of Extended Debate to accommodate some of our Members.

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

68th Legislative Day

6/5/2007

Representative Durkin, you're next and you're recognized for 5 minutes."

Durkin: "Will the Sponsor yield?"

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

Durkin: "Representative Acevedo, I'm looking at the Bill and under the license Section where we're granting the shippers license. Wwe are asking that the licensee must collect, maintain, submit to the Liquor Co... Control Commission semiannually the following information: the name, birth date of each purchaser, the mailing address of the purchaser, the name, the total quantity and total price of the wine purchased and date of the purchase. Question, is that information which the... is going to be sent to the Liquor Control Commission, is that strictly for the Liquor Control Commission or would that be subject to a Freedom of Information request if someone would have to disclosed if somebody was seeking information about purchases that were made by individuals within the state?"

Acevedo: "Representative, according... during negotiations that same question came up and that's completely taken out of the Bill."

Durkin: "Great, thank you. Well, I rise in support and I think you've done a very good job negotiating this Bill. We have to realize what the Supreme Court has done a few years back in the Granholm Decision and I believe that this the... very good efforts have been made by all the parties to comply with that law and I would recommend everybody support this legislation."

Speaker Hannig: "Representative Feigenholtz."

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

68th Legislative Day

6/5/2007

Feigenholtz: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Hamos."

Speaker Hannig: "Representative Hamos."

Hamos: "You know what, Ladies and Gentlemen. I think the one thing... the reason I had to rise again is this question of what is good for consumers. If you're going to... I mean it is true that there was a Supreme Court decision and the Supreme Court decision had to do with only with one issue and that had to do with wineries. But to say... go back home and say to our constituents that you are no longer going to be able to buy wine from a retailer or no longer going to be able to buy wine from a broker or no longer going to be able to buy wine from an auction house. You're no longer going to be able to buy wine on the Internet from any of those other entities that don't happen to be wineries. If we are restricting the rights of our consumers to shop around for the best price, the best quality, and the more convenient service, if we are doing that just because a group with... of special interests came around the table and said we should do this. That cannot be good for consumers. We are restricting the rights of our constituents to do what they have been doing for two (2) decades and that's what we're doing with this Bill, that is not good for consumers and I had to stand up because you will be hearing from consumers back home. Do not tell them this was an agreed Bill. This was not agreed to by consumers, the very people who use these modern tools of the 21st century to purchase the best quality at the best price and the more convenient service."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Representative Sacia."

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

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

Sacia: "Ladies and Gentlemen of the House. I think I represent as many wineries as any other Representative in this Body. I represent... I represent Jo Daviess County where there are numerous wineries and more being started all the time in those beautiful rolling hills. Early on when Representative Acevedo started with this Bill, this Bill was all over the map, the wine makers were totally opposed. Is that right, Representative?"

Acevedo: "That... that's correct, Representative."

Sacia: "You have done yeoman's work and you truly are to be applauded because you have brought consensus with the wine growers, with the beer distributors, with the Illinois Retail Merchants. There are some many organizations that you have brought together. Now, there's no doubt like anything, there will always be some folks that have an issue and that is obviously apparent in what the discussions have been for the past few minutes. But this is a Bill that has been worked on so diligently by so many folks that represent the vast majority of the wine makers, the grape growers in Illinois, and coming to consensus literally throughout the nation, that this is a Bill whose time has come. It is an excellent piece of legislation, and to the Bill, Mr. Speaker. I strongly encourage the Members of this Body to support it and to commend Representative Acevedo for the fine job he has done with it. Thank you."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Any further discussion? Representative Acevedo to close."

Acevedo: "Thank you, Mr. Speaker. You know during... several months ago we had this Bill up in committee and I made a commitment to the committee that I would hold this Bill on Second Reading 'til we had further negotiations. Ladies and Gentlemen, every interested party was at the table for negotiations. As far as the constituents being at the table, well, what are we doing here? Your constituents had faith in you to bring you here to represent them. And that's when you have faith in yourself that you're representing your constituents to the best of your ability. You're protecting the consumer. This is not an anticonsumer Bill. This is about helping wineries here in the State of Illinois. This is about coming to compliance with the 2000 U.S. Supreme Court ruling where each state... each state is treated evenly. I ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall House Bill 429 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Rep... Mr. Clerk, take the record. On this question, there are 92 voting 'yes' and 6 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 434. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 434 has been read a second time, previously. No Committee Amendments. Floor Amendment #1,

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

68th Legislative Day

6/5/2007

offered by Representative Lyons, has been approved for consideration."

Speaker Hannig: "Representative Lyons."

Lyons: "Mr. Speaker, I'd prefer that I adopt the Amendment and I can discuss the Bill complete to the floor on the Third Reading."

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. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 434, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I could have called this Bill on Friday, but didn't have a chance to talk to my Republican colleagues on what exactly it does and have talked staff and to Michael McAuliffe who shares the district. This is on my Dunning property, the abandoned property on state property in the State of Illinois in my district that has been an eyesore and a health problem and a safety issue for many years. We amended... we put an Amendment on here, which basically does three (3) things. It takes the Chicago Park District off the Bill to be the recipient of the purchase, limits the City of Chicago. It cuts the actual property at Oak Park Avenue instead of including the property west of that, which is some of the land that now is under the

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

68th Legislative Day

6/5/2007

jurisdiction of the Department of Natural Resources and there's a revision clause into if it's not properly developed over the next ten (10) years that it would revert back to the State of Illinois. So, I'd love to present this to the Body for one last time and I'd be very appreciative of your support. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 434. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 99 voting 'yes' and 1 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Returning to the Order of Concurrence, Representative Feigenholtz, you're recognized on House Bill 652."

Feigenholtz: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 on House Bill 652. This Amendment removes a Medicaid provision that is agreed upon."

Speaker Hannig: "The Lady moves to concur in Senate Amendment #1. Is there any discussion? This requires 60 votes. Then the question is, 'Shall the House concur in Senate Amendment #1 and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ryg, do you wish to be recorded? Mr. Clerk, take the record. On this

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

68th Legislative Day

6/5/2007

question, there are 100 voting 'yes' and 0 voting 'no', and the House does concur in House Bill 562. And this Bill having received a Three-fifths Constitutional Majority, is hereby declared passed. And Representative Feigenholtz, on House Bill 653."

Feigenholtz: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1. I believe that the Senate chose to add hospitals to also maintain the confidentiality of anybody who abandons a newborn infant."

Speaker Hannig: "You heard the Lady's Motion. Is there any discussion? Then the question is, 'Shall the House concur in Senate Amendment #1 and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes and is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 0 voting 'no' and the House does concur in Senate Amendment #1. And this Bill, having receiving a Constitutional Majority, is hereby declared passed. Representative Rose, you're recognized on House Bill 654."

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. Today, I'm moving to nonconcur with Senate Amendment #1. Quite simply, I think that there was a mistake in the Secretary of State's Office... I think was confused and since then I've talked with them as well as the Senate Sponsor. They're neutral, so therefore, I'm moving to nonconcur which would send it back to Senator Clayborne and he understands that as well. So, I'd ask that we nonconcur in Senate Amendment #1."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "You heard the Gentleman's Motion. Is there any discussion? Representative Lang. Representative Lang on the Motion to Nonconcur."

Lang: "Will the Sponsor yield?"

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

Lang: "Thank you. Representative, I see that you're going to nonconcur. Senator Jones, I believe, has indicated that he's not going to be interested in having any conference committee, so I'm wondering what your plan is with the Bill?"

Rose: "Well, I would hope that Senator Clayborne would then recede."

Lang: "And then you'd have a Bill that you like as is, so..."

Rose: "Correct."

Lang: "And have you talked to Senator Clayborne?"

Rose: "I have. I think that there was some confusion. His Amendment was at the request of the Secretary of State's Office. Once I talked to them, they understood why the underlying language was the way it was. They've indicated no opposition to my nonconcurrency. And would like to proceed at this time."

Lang: "So you have no assurance from Senator Clayborne as to what he will do when he gets the Bill?"

Rose: "I think he was okay with that. I told him I talked to the Secretary of State's Office and he said that was fine."

Lang: "All right. Thank you."

Speaker Hannig: "So the Gentleman's Motion to Nonconcur. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the House nonconcur in the Senate Amendment to House Bill

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

68th Legislative Day

6/5/2007

654. On page 13 of the Calendar, under the Order of Concurrences, Representative Chapa LaVia, you have House Bill 668. Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. What Senate Amendment #1 does is add in National Guard and Reserve... National Guard Reserves for State of Illinois. I didn't have it in the original Bill, so I concur."

Speaker Hannig: "You heard the Lady's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment to House Bill 668 and 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 100 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Dunn, you're recognized on House Bill 722. Out of the record? Okay. Representative Bradley, John Bradley. You're recognized on House Bill 734. Representative Bradley."

Bradley, J.: "This comes back for concurrence from the Senate. It's a Bill sponsored by the AARP to increase elder abuse prevention and notification. Ask for an 'aye' vote."

Speaker Hannig: "You heard the Gentleman's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendments and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is opening."

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

68th Legislative Day

6/5/2007

This requires 60 votes. Have all voted who wish? Have all voted who wish? Rep... Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Fritchey, you're recognized to concur on the Amendments on House Bill 743. Representative Fritchey."

Fritchey: "Thank you, Speaker, Members of the Body. Best as I can tell, the Amendments were simply technical changes regarding to definitional aspects to the legislation. I request an 'aye' vote."

Speaker Hannig: "You heard the Gentleman's Motion. Is there any discussion? Then the question is, 'Shall the House concur in Senate Amendments 1 and 4 to House Bill 743 and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? This requires 71 votes. Have all voted who wish? Representative Hernandez, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 2 voting 'no'. And the House does concur in the Senate Amendments. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative McGuire, you're recognized on House Bill 804. Representative McGuire."

McGuire: "Thank you, Mr. Chairman. Excuse me. Senate Floor Amendment #1 just amends the State Employee Article for the Illinois Pension Code. Senate Floor Amendment #2 amends the Downstate Police Article of the Illinois Pension Code.

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

68th Legislative Day

6/5/2007

Excuse me. And Senate Amendment 3 also.. it replaces everything after the enacting clause and amends the Downstate Police Article for the Illinois Pension Code, which allows the policemen from the Village of Shiloh who had missed their cutoff time for their pension application and allows them to be entered into the pension system, also. I certainly concur with the Amendments and I'd appreciate your 'aye' votes."

Speaker Hannig: "You heard the Gentleman's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendments and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cultra, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 99 voting 'yes' and 1 voting 'no'. And the House does concur in the Senate Amendments. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Coulson is recognized on House Bill 816. Out of the record. Representative Jerry Mitchell, you're recognized on House Bill 822. Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Sp... Speaker. I move to concur on Senate Amendment 1 to House Bill 822. This Amendment takes care of some of the concerns of several House Members. And I would urge an 'aye' vote. Thank you."

Speaker Hannig: "Representative, did you wish to concur in all three (3) Amendments, 1, 2, and 3?"

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

68th Legislative Day

6/5/2007

Mitchell, J.: "One, two, and three, yes."

Speaker Hannig: "Okay. You heard the Gentleman's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendments and shall this Bill pass?' This requires 60 votes. All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendments. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 14 of the Calendar, Representative Moffitt, you have... you're recognized on House Bill 828. Representative Moffitt. Representative, do you wish to concur? Out of the record. Representative Ramey, you're recognized on House Bill 841. Representative Ramey."

Ramey: "Thank you, Mr. Speaker. I move to concur on Senate Bill..."

Speaker Hannig: "Excuse me... excuse me, Representative. That was the mistake of the Chair. We're still waiting for your Motion to come back to the... did you file a Motion?"

Ramey: "Yeah, I thought so."

Speaker Hannig: "Let's... let's... the record doesn't indicate that you filed a Motion to Concur."

Ramey: "Okay."

Speaker Hannig: "So, why don't you file a Motion to Concur and we'll have time to get to it before final adjournment. Representative Beiser, you're recognized on House Bill 845."

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

68th Legislative Day

6/5/2007

Beiser: "Thank you, Mr. Speaker. I move that we concur with Senate Amendment #1. House Bill 845 deals with involuntary manslaughter of a peace officer on the line of duty, and I would be happy to answer any questions."

Speaker Hannig: "You heard the Gentleman's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment, and shall this Bill pass?' This requires 60 votes. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mathias, you're recognized on House Bill 903. Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 903, Amendment #1... Senate Amendment #1 deleted the provision to make sure that this fund could not be swept, but I do believe the underlying Bill is worth passage, and therefore, I ask for an 'aye' vote."

Speaker Hannig: "You hear the Gentleman's Motion. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes and it's final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 2 voting 'no'. And the House does

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

68th Legislative Day

6/5/2007

concur in the Senate Amendment. And this Bill, having received a Three-fifths Majority, is hereby declared passed. Representative Currie on House Bill 913."

Currie: "Thank... thank you, Speaker. I move that the House concur in Amendment 1 to House Bill 913. The Bill is an effort to extend the period of time from six (6) months to one (1) year during which a short time guardianship can be agreed to by the birth parent and another grandparent, presumably. The Bill original amended the School Code as well as the Probate Act and this Amendment from the Senate takes out the School Code language, and the Bill in its final form merely amends the Probate Act and with the Amendment, I know of no opposition to the measure and I'd appreciate your support. Many times families are not easily able to renew a six-month guardianship. This just makes the twelve-month guardianship a possibility if that suits the needs of the parent and the person who will assume guardianship of the child."

Speaker Hannig: "You heard the Lady's Motion to Concur. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes. 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 100 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Constitutional Majority, is hereby declared passed.

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

68th Legislative Day

6/5/2007

Representative Fritchey, you're recognized on House Bill 977. Representative Fritchey."

Fritchey: "Thank you, Speaker. This simply deals with an Amendment that was at the request of some of the veterinarians that had a concern about potential implications of the legislation. With the addition of this Amendment, we know of no objections, whatsoever. I request an 'aye' vote."

Speaker Hannig: "You heard the Gentleman's Motion to Concur. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes and is final passage. Have all voted who wish? Have all voted who wish? Representative Harris and Hoffman, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 0 voting 'no'. And the House does concur in the Senate Amendment. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 982, Representative Coulson. Out of the record. Representative Brady on House Bill 991. Representative Brady, you're recognized on 991."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I simply ask for concurrence on House Bill 991. Thank you."

Speaker Hannig: "You heard the Gentleman's Motion to Concur. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment and shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting

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

68th Legislative Day

6/5/2007

is open. This requires 60 votes and is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 99 voting 'yes' and 1 voting 'no'. And the House does concur in the Senate Amendment. And this Bill having received a Constitutional Majority, is hereby declared passed. On page 30 of the Calendar, under the Order of Resolutions, is House... is Senate Joint Resolution 6. Representative Howard. Representative Howard. Connie Howard. Representative Howard. Representative Howard on Senate Joint Resolution 6."

Howard: "Yes, thank you very much, Speaker. Senate Joint Resolution 6 extends the legislative task force on employment of persons with past criminal convictions. It provides that the task force shall report its findings and recommendations to the Governor and the General Assembly on or before December 31 of this year."

Speaker Hannig: "The Lady moves for the passage of the Resolution. Is there any discussion? Then all in favor of the Resolution 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. 100 Members voting 'yes' and 0 voting 'no'. The Resolution is adopted. Representative Meyers, for what reason do you rise?"

Meyer: "Mr. Speaker, I'd like the record to reflect on House Bill 991 concurrence, I would like to be recorded as a 'yes'."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "The record will reflect your intentions. On page 21 of the Calendar, on the Order of Resolutions, is House Joint Resolution 4. Representative Reis. You're recognized, Representative Reis. We don't have to read Resolutions. If you'd like to say something..."

Reis: "Okay."

Speaker Hannig: "...we'd be happy to hear it."

Reis: "House Joint Resolution 4 renames the bridge along Route 50, west of Olney, the Robert Ridgway Bridge. Ask for your support."

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

McCarthy: "Thank you, Mr. Sponsor... er... Speaker. Will the Sponsor yield? I never get that right."

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

McCarthy: "Representative, could you tell me what this gentleman invented?"

Reis: "Robert Ridgway was an internationally known scientist and explorer and bird person that worked for the Smithsonian Institute in Washington, D.C., and he moved back to Richland County and is still very... has his farm and stuff. It's very prominent there. And this is going along with the development of Route 50 in promoting the Route 50 corridor. So the City of Olney asked me and Senator Jones to do this in his honor."

McCarthy: "The... our analysis may be... may be he wasn't an inventor. My question was what did he invent? Cities like the world famous... as far as I know he's not Cook County famous but..."

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

68th Legislative Day

6/5/2007

Reis: "I'm not sure if he invented anything. Like I said, he was a world renowned bird..."

McCarthy: "I think I'd appreciate maybe... this isn't the old Grumlow Bridge by any chance in your district?"

Reis: "The old what bridge?"

McCarthy: "No thanks. The... I would really appreciate it if maybe you researched the gentleman a little bit more before we go ahead with this Joint Resolution. I mean, we do name..."

Reis: "I have a..."

McCarthy: "...things from time to time but..."

Reis: "I have a number of pages of information that I could get to you. They did a four-part study... or a story on this gentleman in our local paper in anticipation of us doing this Bill."

McCarthy: "Is the gentleman alive or deceased?"

Reis: "No, he is deceased."

McCarthy: "He is deceased. I mean, all seriousness, I have no idea who this person is and, ya know, we do name things from time to time and maybe they're well known in some area and not well known in all the other, but when it says 'it's a world famous inventor and being a former school teacher', I feel I should at least know the person's name or some idea of what he invented and I have not a clue. So maybe..."

Reis: "And we had questions like this in the Transportation Committee and I answered those and it came out unanimous out of the..."

McCarthy: "What committee was that?"

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

68th Legislative Day

6/5/2007

Reis: "...Transportation Committee and it passed the Senate already unanimously last year."

McCarthy: "And that's a positive? It passed the Senate unanimously?"

Reis: "I'd be happy to bring the story over to..."

McCarthy: "Okay."

Reis: "...you if you'd like to read it."

McCarthy: "I'd be happy if you bring it over here."

Reis: "It's okay."

McCarthy: "Before or after the vote?"

Reis: "After."

McCarthy: "Well, then I'm not so happy. But I'd be happier if I got it before the vote, but that's up to you. I just.. I wish you had a couple of more complete answers in all seriousness. So thank you."

Speaker Hannig: "Representative Stephens."

Stephens: "To the Gentleman from Cook. You need to realize Representative, it doesn't take that much to be famous in his district."

Speaker Hannig: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. Sponsor yield?"

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

Davis, W.: "Representative, you said this is a world renown scientist?"

Reis: "Yes."

Davis, W.: "Does Representative Fortner know who he is?"

Reis: "You'll have to ask him that, Representative."

Davis, W.: "Representative. Appears he doesn't know. Thank you."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Any further discussion? Representative Reis to close."

Reis: "I'd be happy to share this information with anyone and I appreciate your 'aye' vote."

Speaker Hannig: "The question is, 'Shall the House adopt House Joint Resolution #4?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 2 voting 'no'. And the Resolution is adopted. Representative Tryon, you're recognized on House Joint Resolution 13. Excuse me. Representative Flowers, for what reason do you rise?"

Flowers: "Thank you, Mr. Speaker. Let the record please reflect that I would have voted 'yes' had I been paying attention. Absolutely."

Speaker Hannig: "Representative Tryon."

Tryon: "Mr. Speaker, can we take this record right now?"

Speaker Hannig: "We can take it out of the record for a while."

Tryon: "Okay. Thank you."

Speaker Hannig: "We're going to go to page 29 of the Calendar where we have House Resolution 439 by Representative Cross. Who would... Representative Hassert, would you like to handle this? Representative Hassert."

Hassert: "Thank you, Mr. Speaker. House Resolution 439 simply urges the Village of Yorkville to adopt a traffic pattern for the proposed Fox Marine Landfill to minimize congestion throughout other Illinois communities. I'd be happy to try to answer any questions."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. On page 22 of the Calendar, Representative Stephens, you have House Joint Resolution 28. Did you wish to present that?"

Stephens: "Thank you, Mr. Speaker. This... this Joint Resolution authorizes the construction of a memorial honoring women in military service on a portion of the state-owned property at the Oak Ridge Cemetery here in Springfield. I would appreciate an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Resolution be adopted?' 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 100 voting 'yes' and 0 voting 'no'. 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'd like to embarrass someone who's having a 52nd birthday today. Let's all say happy birthday to Greg Harris, Representative Harris."

Speaker Hannig: "Representative Hernandez, on House Joint Resolution 31."

Hernandez: "Thank you, Speaker. House Joint Resolution (Sic-31) designates November of 2007 and each thereafter as Hire a Veteran Month in the State of Illinois. I ask for a favorable vote."

Speaker Hannig: "Representative Fortner."

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

68th Legislative Day

6/5/2007

Fortner: "Point of personal privilege."

Speaker Hannig: "Why don't we adopt the Amendment, I'll come right back to you. I'm sorry, adopt the Resolution. Is there any further discussion? Then all in favor of House Joint... the question is, 'Shall House Joint Resolution 31 be adopted?' 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, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. And now Representative Fortner on a point of personal privilege."

Fortner: "Thank you, Mr. Speaker, Members of the House. I just wanted to inform the House that, in fact, Robert Ridgway is famous enough to have a lengthy Wikipedia entry. I would encourage anyone who would like to read more about this famous ornithologist, expert on birds. He actually had birds named in his honor to read up on that."

Speaker Hannig: "Representative May on House Joint Resolution 37. Representative May."

May: "Yes, thank you. House Res... Joint Resolution 37 proclaims May 27 as Rachel Carson Day throughout the State of Illinois in honor of her prophetic work. I know a lot of us when we were down here passing other Bills thought about Rachel Carson on that day. She was the author of the landmark book Silent Spring and is known as the mother of the modern environmental movement. Twenty three (23) municipalities, twelve (12) states and eight (8) more

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

68th Legislative Day

6/5/2007

states are pending naming Rachel Carson Days. And I ask for your support."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the House adopt House Joint Resolution 37. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. Representative Bellock, you're recognized on House Joint Resolution 39."

Bellock: "I thought it was 43. Yeah, thank you very much, Mr. Speaker. And this is the Resolution that activates... that asks public health to activate the Alzheimer's Disease Advisory Committee to examine the exiting services that are there for people that suffer with Alzheimer's disease and other dementia, their families and caregivers. It asked to prepare and develop a strategy to implement this plan in the State of Illinois. Thank you."

Speaker Hannig: "Is there any discussion? Then all in favor... well, then the question is, 'Shall the House adopt House Joint Resolution 39?' 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 Cultra, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Riley, you're recognized on House Joint Resolution 41."

Riley: "Thank you, Mr. Speaker, Members of the House. House Joint Resolution 41 encourages DHS to conduct an assessment of state and federal programs... assistance programs to determine what services are needed to serve children

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

68th Legislative Day

6/5/2007

affected by fetal alcohol spectrum disorders. This disorder is the leading cause of mental retardation, which is 100 percent preventable."

Speaker Hannig: "Representative, I'm advised there's an Amendment to this... is this on... Mr. Clerk, is this Amendment on the floor? What is the status of the Amendment?"

Clerk Bolin: "Floor Amendment #1, offered by Representative Froehlich, has been approved for consideration."

Speaker Hannig: "Okay, so Representative Froehlich, did you wish to present the Amendment to the Resolution? We can adopt and then adopt the Resolution."

Froehlich: "Yeah, Mr. Speaker. All this did... the Amendment does is remove the reference to the council on developmental disabilities."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. And now, Representative Riley on the Resolution. I think the Gentleman has spoken to it. Did you wish to add anything more?"

Riley: "No, I'm in concurrence with the Amendment."

Speaker Hannig: "Okay. So..."

Riley: "I would ask for an 'aye' vote."

Speaker Hannig: "All... okay, Representative Fritchey."

Fritchey: "Thank you, Speaker. I apologize. I actually had a quick question for Representative Froehlich if possible."

Speaker Hannig: "Representative Froehlich or Representative Riley?"

Fritchey: "Well, I can ask the Bill Sponsor if he'll yield?"

Speaker Hannig: "Sponsor will yield."

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

68th Legislative Day

6/5/2007

Fritchey: "But Representative Froehlich may be more familiar. We had legislation come through the Judiciary Committee, Representative dealing with this issue, and I'm just wondering how this Resolution fits into... how this harmonizes with the legislation that we had dealt with? I don't know if Representative Riley or Representative Froehlich wants to address that."

Speaker Hannig: "Representative Froehlich, did you wish address that or Representative Riley?"

Froehlich: "Well, I can give it a shot. I think you're referring to a Bill that Gordon... Representative Gordon carried that had to do with amending the Probate Act to allow guardianship of adults who have fetal alcohol syndrome."

Fritchey: "You're... you're entirely correct. All... it just... it rang a bell in the back of my mind..."

Froehlich: "Yes."

Fritchey: "...that you were involved..."

Froehlich: "Yes."

Fritchey: "...as was somebody else..."

Froehlich: "...yes, in both of these, yes."

Fritchey: "...in the committee on this same issue."

Froehlich: "I was."

Fritchey: "I just wanted to make sure that we weren't doing something contradictory."

Froehlich: "No, no, at all."

Fritchey: "Thank you."

Froehlich: "You're welcome."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Any further discussion? Then the question is, 'Shall House Joint Resolution 41 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. Representative... Representative Phelps on House Joint Resolution 48."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 48 designates Illinois Route 127 and other highways in several counties as the Shawnee Hills Wine Trail. This brings in... the Shawnee Hills Wineries brings in over a 100,000 people and over two million dollars (\$2,000,000) a year. We want to officially designate this to bring in more revenue for our economy and ask for its adoption."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the House adopt House Joint Resolution 48?' All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar, do you wish to be recorded? Mr. Clerk, take the record. On this question, there 99 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Miller, you're recognized on House Joint Resolution 49. Out of the record. Representative Monique Davis, you're recognized on House Joint Resolution 52."

Davis, M.: "Thank you, Mr. Speaker. House Joint Resolution 52 is a Resolution urging the Federal Government to make certain that health care and other needs of returning servicemen are met."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the House adopt House Joint Resolution 52?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there 99 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Osterman, on House Joint Resolution 55. Out of the record. Representative Eddy, on House Joint Resolution 60."

Eddy: "Thank you very much, Mr. Speaker. House Joint Resolution 60 declares that October of '07 and each October thereafter shall be known as ATV Safety Month. Since the time I proposed this, we have had a couple of corporate sponsors come up with about a hundred thousand dollars (\$100,000) in donations to provide materials for educating youth on how to operate ATVs in a safe manner. That will be distributed during that month and there's also additional money in that fund for helmets for those who can't afford helmets for ATVs. And I would encourage an 'aye' vote on the Resolution."

Speaker Hannig: "Is there any discussion? Then all in... then the question is, 'Shall the House adopt House Joint Resolution 60?' 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 99 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Jerry Mitchell, you're recognized on House Joint Resolution 64."

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

68th Legislative Day

6/5/2007

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you House Joint Resolution 64. It simply requests the Chicago Board of Education renew the charter of the Youth Connection Charter School. The Youth Connection Charter School deals only with drop-outs and those that have had problems in school. They have 83 campuses and do a really good job on students that the public schools no longer want in school. I request an 'aye' vote. Thank you."

Speaker Hannig: "Representative Monique Davis."

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

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

Davis, M.: "Mr... Representative Mitchell, how many charters are we speaking of?"

Mitchell, J.: "There's only one charter."

Davis, M.: "And will they be allowed to open more than one campus?"

Mitchell, J.: "Yes, they will. They are grandfathered in as the original fifteen (15) charters in the City of Chicago. The rest of the charters after that, there was an agreement made that they would only have one campus."

Davis, M.: "There was an agreement made after the original fifteen (15)?"

Mitchell, J.: "That's correct."

Davis, M.: "So you're saying that if you were one of the original fifteen (15) You're saying you can't open more than one campus?"

Mitchell, J.: "As far as my understanding of the legislation and where it stands with the agreements have been made,

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

68th Legislative Day

6/5/2007

those original fifteen (15) can have more than one campus.
Any charters after that cannot."

Davis, M.: "Representative Mitchell, how many locations will
this Bill garner?"

Mitchell, J.: "Right now, they're located in eighty-three (83)
places, but you've got to remember that these schools can
be... to be effective are no larger than a hundred (100)
students. So it doesn't really serve nearly as many
students as you would think."

Davis, M.: "But are these charters to be used for a particular
kind of student?"

Mitchell, J.: "This... this charter is only for drop-out
students. It can't be used for any other purpose and any
campuses that are opened up would simply be for kids that
are no longer in the public schools."

Davis, M.: "And is there something in the Bill that prohibits
Chicago from using them for K-8 schools?"

Mitchell, J.: "In this particular Bill, the charter that was
applied for in the beginning stated that it was simply for
drop-out students. And with that statement in there, if
they chose to do something different than that, they would
void their charter."

Davis, M.: "So if they used it for anything besides enrolling
drop-outs, they would lose the ability to use the charter."

Mitchell, J.: "That's correct, Representative."

Davis, M.: "Will the teachers be certified teachers?"

Mitchell, J.: "They will be hired in accordance to the rules
that rule charter schools. They certainly look for those
but they also use experts in the area of... of child

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

68th Legislative Day

6/5/2007

problems, student problems, and some of those may be counselors that might not hold certification but have worked extensively with youth."

Davis, M.: "Well, I think the current law requires... is it 75 percent of charter school teachers or more that have to be certified?"

Mitchell, J.: "That's correct and they are."

Davis, M.: "So my question is, with this charter, will they have to be 75 percent be certified people?"

Mitchell, J.: "Yes, and they are at this time. Over 75 percent of their... their teachers are certified."

Davis, M.: "Thank you very much, Representative."

Mitchell, J.: "In fact, Representative, it was over 90 percent."

Davis, M.: "Thank you very much. I appreciate your answers. Thank you."

Mitchell, J.: "You're welcome."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall the House adopt House Joint Resolution 64?' 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 99 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Bradley, John Bradley, you're recognized for an announcement."

Bradley, J.: "What would that announcement be? I'm teasing."

Speaker Hannig: "That the Revenue Committee is canceled."

Bradley, J.: "Revenue Committee is canceled this evening."

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

68th Legislative Day

6/5/2007

Speaker Hannig: "Representative... Mr. Clerk, would you announce the committee schedule."

Clerk Bolin: "The following committees will meet upon adjournment: Judiciary 1-Civil Law in Room C-1 Stratton. State Government Administration in Room 122B. Registration and Regulation in Room 118. And Judiciary II-Criminal Law in D-1 Stratton. Tomorrow morning at 8:30, the Gaming Committee will meet in Room 114."

Speaker Hannig: "Mr. Clerk, read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 505, offered by Representative Berrios. House Resolution 506, offered by Representative Cross. House Resolution 508, offered by Representative Eddy. House Resolution 510, offered by Representative Cross. House Resolution 512, offered by Representative Beiser. House Resolution 513, offered by Representative McGuire. And House Resolution 514, offered by Representative Riley."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are adopted. Are there any announcements? Then Representative Currie moves, that allowing for perfunctory time for the Clerk, that the House stand adjourned until Wednesday, June 6, at the hour of 11:00 a.m. All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned until tomorrow, Wednesday, June 6, at 11:00 a.m."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Dugan, Chairperson from

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

68th Legislative Day

6/5/2007

the Committee on State Government Administration, to which the following measures were referred, action taken on June 5, 2007, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #3 to Senate Bill 778. Representative Fritchey, Chairperson from the Committee on Judiciary-Civil Law, which the following measures were referred, action taken on June 5, 2007, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to Senate Bill 333. Representative Saviano, Chairperson from the Committee on Registration and Regulation, to which the following measures were referred, action taken on June 5, 2007, reported the same back with the following recommendations: 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 1406. Referred to the House Committee on Rules is Senate Joint Resolution 52, offered by Representative Osterman. There being no further business, the House Perfunctory Session stands adjourned."