

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

115th Legislative Day

8/10/2007

Speaker Hannig: Speaker Hannig: "The regular Session of the House of Representatives will be in order. Is there leave to use the Attendance Roll Call from the First Special Session? Leave is granted and a quorum is present. Mr. Clerk, are there any Committee Reports?"

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on August 10, 2007, reported the same back with the following recommendation/s: 'approved for floor consideration' and referred to the Order of Second Reading is House Bill 2088. On the Order of Concurrence a Motion to Concur with Senate Amendment #1 to House Bill 3866 has been 'recommend be adopted'."

Speaker Turner: "Representative Turner in the Chair. On Supplemental Calendar #1, we have House Bill 3866. Read the Bill, Mr. Clerk. On the Order of Concurrence, we have House Bill 3866, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill is identical except for a few technical changes that was made in the Senate. It's identical to the budget that we passed yesterday with great discussion. So, I'd be happy to answer any questions, but I'd simply just ask for your 'yes' vote."

Speaker Turner: "With the House's indulgence, we're going to adopt Amendment #1 and then we'll take questions. Seeing no questions, the question is, 'Shall the House adopt Amendment #1 to House Bill 38? Right I'm sorry, it's on concurrences, so we'll have to move to questions right away. The first

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person with his light on is the Gentleman from Crawford, Representative Eddy."

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

Speaker Turner: "He indicates he will."

Eddy: "Representative, just for the record, all of the appropriation amounts for each of the categories we discussed in detail regarding education funding are exactly the same as the Bill that we passed from this chamber yesterday?"

Hannig: "Yes. The mentoring line was actually broken out, Representative. And I think that represented a desire from some Members on your side of the aisle, but the totals are the same."

Eddy: "The totals are the same. We just broke up the mentoring for the principals program, I believe, to make sure it was separate. Okay. Thank you very much. I appreciate that. Just wanted to get that on the record that those amounts were the same. Thank you."

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

Black: "Thank you very much, Mr. Speaker. I have some remarks, but I think Representative McCarthy is going to do some legislative intent on community colleges. Let me just speak to the Bill, if I could, Mr. Speaker and Members of the House. Let me make it very clear that my 'no' vote yesterday was not any subtle message against anyone. In... this place is becoming the house of horrors. I have been told I voted 'no' because I was unhappy with Republican

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Leader Tom Cross. I've been told I voted 'no' because I was trying to send a message to my Republican colleagues. I was told that I voted 'no' because I was unhappy that I didn't participate in the budget negotiations. Now, none of that is true. I thought I made it perfectly clear yesterday why I voted 'no'. And I would ask all of you to think about this in the next year. The process is flawed here. If you can't figure that out by now, you never will. We are going to have to come together as Members of this Body and demand a sunshine rule in appropriations. Now what's wrong with that? What's wrong with saying you put a fourteen hundred (1,400) page document on our staff's desk at 10:00 the night before; they have about 8 hours to look at it. They put it on the Member's desk at 9:00 the following morning and we're asked to vote on it starting at 10:30. Now, don't you see something wrong with that process? Are you telling me... I want to know, I want to hear it from you if there's somebody in this Chair who... or in this chamber, who yesterday at 10:30 in the morning knew every single line item in this budget. Nobody did and that's no insult to any of you. What it is, is an insult to the process. And I will continue those sunshine and appropriation Bills and I hope that we get a chance to at least debate it next year, we didn't this year. Because it's wrong, it's wrong... it's not fair to the public, it's not fair to the Members, it's not fair to the media that we're sitting here, 24 hours ago voting on a budget that very few, if anybody, knew exactly what was in it. And that's why you've been asked so many questions about, well, what about this, and what about that,

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and what about this. The public should have the right to access that budget on the Web site. The Members should have the right to take at least 24 hours to read it. Staff should have more than 8 or 9 hours working all night long to evaluate it. Maybe if that'd been done the Senate wouldn't have had to make technical changes in the Bill and take almost 24 hours to send it back to us. There's a better way to do the process. But let me make it perfectly clear, I'm not unhappy with Republican Leader Cross. I'm certainly not unhappy with our appropriations staff or our budgeters, they work extremely hard. But I still, 'til the day I walk out of this chamber, have a deep and abiding respect for the process. The founding fathers of this country, the authors of the Constitution, the writers of the Declaration of Independence were brilliant people who left us a good system if we demand that it work the way it should. And voting on a budget when you've gotten about an hour and a half to look at it is not what they intended, I daresay, it's not what the writers of 1970 Constitution intended, and I don't think it's right. Now I've had my 24 hours. I've had my opportunity to look over it with staff. I've had the opportunity to go through it, line by line by line. I've had the opportunity to talk with the press, who wanted to know about this or that. Now, I'm ready to vote on the budget. And I'm perfectly happy with all of the work that all of you did to get us to this proce... to get us to this point. But we could do better on the process and I'm gonna try the darndest that I can next year to bring sunshine and transparency into the process before we're asked to vote on

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a fourteen hundred (1,400) page budget. I won't take any more of your time, it was all said yesterday, any document we do here is imperfect, but this is the best we can do with the limited resources we have, it makes our pension payment, it pays some of our Medicaid bills, if not all, down to fifty-seven (57) days. This is the best budget we can do without a huge increase in taxes and there are not votes on this floor to increase taxes by 2, 3, 5, or 8 billion dollars (\$8,000,000,000). And we've known that for ninety (90) days. I intend to vote 'aye'."

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

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

Speaker Turner: "He indicates he will."

McCarthy: "Thank you. First of all, I would just say that I agree entirely with my friend from Danville over here that a little sunshine into the process, a little way to review this thing before we go forward on a vote that is a very important vote not only to ourselves, but to all of our constituents would be very appropriate. And things like that, I mean, I'm gonna go over one mistake in the budget, and I'm sure that if we went through every page of this budget, as we will in the upcoming months, we'll find lots of things that aren't going to be corrected by legislative intent and I'm not doing this as a surprise thing against Representative Hannig, I talked about it to him this morning, he agreed with me. So I will read him a question into the legislative intent, but basically the money we talked about, and it's good to see that everybody's so

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interested, but the money we talked about that was going to go to the veterans' funds and the community colleges, the way it's written in the Bill we passed yesterday, and in the Amendment that we're concurring with today is identical and under this language, none of our community colleges will probably be able to access any of that money. So that's a problem. We're all patting ourselves on the back for putting seven million dollars (\$7,000,000) more in veterans' funds, but the language clearly states if a college is not getting 50 percent of the cost of the veterans' grant to them, they can apply for money through this new seven million dollars (\$7,000,000). Well, the average community college in our state is getting between 52 and 54 percent of the money, they're having to eat the 46 percent, but the way we wrote the language in... in Section 135 those people wouldn't be eligible to apply for it. So, that's not the intent of this. The intent is to take the seven million dollars (\$7,000,000), divide it among the community colleges after the original nineteen million dollars (\$19,000,000) that we already put in there for the veterans' grant, is applied against the formula that goes for all the public universities, as well as the community colleges, and then the extra seven million (7,000,000) will be able to supplement the community colleges. So instead of returning about 52 to 54 percent of their cost, they will approximately get close to 80 percent of their cost for that veterans' grant. So it is a very good thing, but without legislative intent, I fear that the way it's written in the budget on page 38, it clearly, clearly states that if you

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already get 50 percent of your money back on the veterans' grant, you're not eligible for any money from the seven million dollars (\$7,000,000) that we are now placing in this budget. So, Mr. Hannig, I know that the budget contains a line item for community colleges which refers to veterans' grants, that line item is in the amount of 7.2 million dollars. I'm concerned about the wording of this line item and would ask you to help clarify this for me. My understanding of the intent of the line item is to provide these funds to the community colleges that are providing educational opportunities for veterans, and that these funds are meant to be an addition to any other funds to which the veterans and the colleges might be entitled. By that I mean that this new line item is in addition to other funds that we already give to ISAC, that nineteen point two million (19,200,000), or other sources. After any or all of those additional resources have been applied to tuition costs for the veterans, then this special line item will be applied to the remaining cost. Is this the way you understand it, Representative?"

Hannig: "That's correct, Representative."

McCarthy: "Well, I appreciate your cooperation on this matter and I hope that we find other things in the budget, that maybe if we do have some sunshine into the budget process at one time, we won't have to go through things like this and worthy causes that we're trying to help will actually get the help that they deserve. Just as a personal note. I still feel this is a bad idea to go forward at this time. I think this puts a capital Bill in jeopardy, a capital Bill

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that's important to all hundred and eighteen (118) people in this chamber, I daresay. I don't think is the right way to do the process, I think we need to do those things together. I wish we were doing it that way and I therefore, of course, remain a 'no' because even with this additional seven point two million (7,200,000), if you're an advocate for community colleges, they are really getting shortchanged in this budget. Hopefully, we do to a capital Bill at some time and we can help them with some of the dire needs they have in the capital market. So, thank you for your attention."

Speaker Madigan: "Speaker Madigan in the Chair. I'd like to remind everyone that we debated this Bill for 2 hours just the other day. And for those seeking recognition, I would simply ask you to be brief. Representative Younge."

Younge: "Thank you, Mr. Speaker. I would like, for purposes of legislative intent, to read into the record, funding in the autism line includes two hundred and fifty thousand dollars (\$250,000) for FASTT, Families for Autism Services Today and Tomorrow. FASTT provides services to autistic adults in St. Clair County who have aged out of the system for children."

Speaker Madigan: "Thank you, Representative Younge. Representative Mulligan, please be brief."

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

Speaker Madigan: "The Sponsor yields."

Mulligan: "Representative Hannig, my question to you is, is this budget basically the same Human Service budget as we passed out of the Bill, previously?"

Hannig: "Yes, Representative."

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Mulligan: "Except for one change that was a typographical error?"

Hannig: "That's correct."

Mulligan: "Thank you."

Speaker Madigan: "Representative Feigenholtz."

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

Speaker Madigan: "Sponsor yields."

Feigenholtz: "Representative Hannig, last night in the Senate there was a little concern about the DD COLA. Could you tell us, is the... is the increase still at 2.5 percent?"

Hannig: "Yes. The actual numbers reflected a 2.5 percent increase. The typo was where it said 3 percent, but the numbers were correct and so we corrected the typo."

Feigenholtz: "Thank you very much."

Speaker Madigan: "Representative Patterson."

Patterson: "Yes, Mr. Speaker. I'm just... I would like to find out from you if the amount that was originally allotted for paratransit, is that still the same?"

Hannig: "Yes, it is, Representative."

Patterson: "Thank you very much."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3866?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 98 people voting 'yes', 8 people voting 'no'. The House does concur in Senate Amendment #1 to House Bill 3866 and this Bill, having received a Supermajority vote, is hereby

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declared passed. Mr. Clerk, have you received a Motion?
Mr. Clerk."

Clerk Mahoney: "A Motion has been filed to reconsider the vote
on House Bill 3866."

Speaker Madigan: "The Chair recognizes Mr. Lang."

Lang: "Thank you, Mr. Speaker. I move to table that Motion."

Speaker Madigan: "The question is, 'Shall the House adopt Mr.
Lang's Motion to Table?' Those in favor signify by voting
'yes'; those opposed by voting 'no'. Please vote 'yes'.
Have all voted who wish? The Clerk shall take the record.
On this question, there are 105 people voting 'yes', 0
voting 'no'. The House does adopt Mr. Lang's Motion to
Table the Motion by Representative Currie to reconsider the
vote on House Bill 3866. Senate Bill 662. Mr. Clerk, what
is the status of that Bill?"

Clerk Mahoney: "Senate Bill 662 has been read a second time,
previously. Amendment #1 was adopted in committee. Floor
Amendment #2, offered by Representative Nekritz, has been
approved for consideration."

Speaker Madigan: "Representative Nekritz on the Amendment."

Nekritz: "Thank you, Mr. Speaker. The Amendment becomes the
Bill and it is a... an omnibus elections Bill that includes a
number of provisions from legislation, both from the Senate
and the House that's been previously approved as well as
some other provisions. And I would ask for your 'aye'
vote."

Speaker Madigan: "The Lady moves for the adoption of the
Amendment. Those in favor say 'aye'; those opposed say

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'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 662, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. As I indicated on the Amendment, this includes provisions of a number of Bills that we've previously considered and passed from both chambers including House Bill 611, House Bill 3270, House Bill 632, House Bill 1685, House Bill 1876, and Senate Bill 662, as well as some... numerous other provisions. And I'll be happy to answer any questions."

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

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, this is a consolidation of a number of pieces. Is there anything in here... I noticed the title of the Bill has to do with campaign communication disclosure. Would this deal with people disseminating anonymous campaign flyers?"

Nekritz: "It... There is a part of the Bill that does... that deals with that."

Fritchey: "And what does that... what does that provide?"

Nekritz: "It changes... there is in the existing law there's an... there's an 'and' in the provision and this changes it to an

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'or'. So, if you are simply advocating on behalf of an issue and not a candidate, you still have to disclose who's sending out the mailer."

Fritchey: "But if campaign materials or if materials were disseminated in opposition to elected officials, would... would the people disseminating those flyers have to identify themselves?"

Nekritz: "Yeah. That still has to identify and the... and the sense was that that always did have to identify. It was the question of whether or not, when you were advocating on behalf of an issue, whether that also required a disclosure and we think this clarifies that you now must do that."

Fritchey: "But going forward, it will remain a violation of State Law for somebody to anonymously disseminate flyers in opposition to candidates for elected office, correct?"

Nekritz: "If it's a political committee, yes."

Fritchey: "Thank you."

Nekritz: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 106 people voting 'yes', 0 voting 'no'. This Bill, having received a Supermajority vote, is hereby declared passed. Senate Bill 48. Mr. Clerk, what is the status of the Bill 48?"

Clerk Mahoney: "Senate Bill 48, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Burke."

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Burke: "Thank you, Mr. Speaker. I would ask for the adoption of Amendment #1 to Senate Bill 48."

Speaker Madigan: "All right, Mr. Clerk, is this Bill on the Order of Third Reading?"

Clerk Mahoney: "Senate Bill 48's on Third Reading."

Speaker Madigan: "Put the Bill on the Order of Second Reading. Are there any Amendments?"

Clerk Mahoney: "Amendment #1 was adopted in committee. No other Amendments have been filed."

Speaker Madigan: "Mr. Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Amendment that I refer to was adopted in committee."

Speaker Madigan: "Very good. Mr. Clerk, put the Bill on the Order of Third Reading. And read the Bill for a third time. Mr. Turner in the Chair."

Clerk Mahoney: "Senate Bill 48, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

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

Burke: "Thank you again, Mr. Speaker. Senate Bill 48 in its current language would amend... excuse me... would establish a new school construction program for severely overcrowded schools. This new program would be subject to appropriation and would be completely separate from the regular school construction program. The appropriation for the new program would not be tied to the regular school construction program, so the General Assembly could choose to fund the regular school construction program and not this new program or vice versa. The existing school construction program

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authorizes projects in the following manner: natural disasters, overcrowding in aged buildings, reorganizations, health life safety issues making buildings accessible for individuals with disabilities, and other. The perceived problem is that the Bill tries to address is that the state has never gotten past priority number two, overcrowding in aged buildings when they're funding projects, because both overcrowding and aged buildings lump together, as priority two most likely describe at least one situation in almost every school district in the state. The Amendment establishes a new fund, the Severely Overcrowded Schools Construction Relief Fund, into which money could be deposited and then could be appropriated for the overcrowding relief purposes. I'd be happy to answer any questions."

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

Eddy: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Eddy: "Representative, will this legislation affect the existing school construction grant program in any way?"

Burke: "No, it will not."

Eddy: "How... It's subject to appropriation. Where would the funds be appropriated from in order to create the fund for this purpose?"

Burke: "Representative, there would have to be a separate appropriation specifically for this purpose."

Eddy: "Okay. And that..."

Burke: "So it's a whole new category."

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Eddy: "Okay. So, the school construction program that currently exists, if there is a capital Bill done and there's money appropriated to that, say in an amount, I'll just pick a figure, two billion dollars (\$2,000,000,000), this would be a separate line that would have to also be appropriated?"

Burke: "You're absolutely right."

Eddy: "So, the only way that you could accurately describe this as affecting that would be of the total pool of money available there would be some of that money taken for this and that money could have been appropriated to the school construction grant program instead of a separate fund."

Burke: "Or any other for that matter, so..."

Eddy: "Roads, bridges, but we're talking about schools here."

Burke: "Correct."

Eddy: "So, really what we're doing here is we are carving out part of the funds that could be available for school construction for a specific purpose fund to serve overcrowded schools?"

Burke: "That is the issue we are trying to address."

Eddy: "Okay. And I don't have a problem... believe me, I want to build schools everywhere and I understand there are problems of overcrowding. I understand there's problems related to reorganizations, natural disasters, but the school construction program that has worked, and everybody seems to love and we've built schools all over the state, that... that program, in a manner, in my opinion with this... is we are diverting funds that could go to that from the total capital Bill. We're setting up a fund that that money could be appropriated to."

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Burke: "Well, I, for one, being the Sponsor of this, would not suggest that we are diverting anything. We're now, in fact, just creating a separate category for specific needs."

Eddy: "Okay. Let's take that as a little disagreement between you and I on the face of it and I think that money would be better served in a program that already exists, that already works, and everybody's agreed, and we don't need to carve special... let's just say we disagree on that. How would a school district qualify for a school construction grant under the Severely Overcrowded School Construction Relief Fund?"

Burke: "Representative, it's up to ISBE and CDB to make that determination."

Eddy: "Totally?"

Burke: "Totally."

Eddy: "So, is there no formula or any ranking or any way that school districts would apply, like in the existing school construction grant program where districts have to apply and then they go through a ranking and need process and then they receive funds based on need? There's nothing like that associated with this?"

Burke: "There is some language with respect to the criteria that would identify a particular school as being overcrowded. Yes, in fact, there is language for that, but then..."

Eddy: "Well, there's a form, I read through it and I see where there is a form where you qualify yourself based on square footage, there's weighting factors, there's loading factors, and I understand all that, but the part that I think you're referring to is Section (e) on what is page 6 of my copy,

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and it says, 'the Capital Development Board in consultation with the State Board of Education, shall utilize reliable demographic data and school building capacity reports to identify the schools with the greatest overcrowding. Overcrowding must be defined by formula.' So that formula is determined by the Capital Development Board. That's not defined in law."

Burke: "That's right."

Eddy: "At this point. Okay. So, that formula is yet to come. Can you describe what your intent is? Because elsewhere in the legislation we see criteria relating to the fact that an applicant's district's available local resources per pupil are less than the product of point nine three (0.93) times the foundation level. Is... can you comment on whether or not those criteria exist in the language?"

Burke: "Very simply, Representative. The legislation is intended to capture those communities who are outrageously overcrowded in their school, public school buildings and those that are pretty much in lower-income communities."

Eddy: "Okay. And I appreciate your candor, and that's what I read in this Bill. Mr. Speaker, to the Bill. Mr. Speaker, to the Bill."

Speaker Turner: "To the Bill."

Eddy: "Ladies and Gentlemen, if I could have just a little bit of quiet and attention here. I think you need to look at this. I don't have a problem... I don't have a problem with what the Gentleman is trying to do. I understand the intent, but I want you to understand we are carving out a new construction grant program for a specific population and

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purpose from a program that has worked very well and could, if we're successful in doing a capital Bill, fund a program that hasn't seen this type of significant change. Now if that's what you intend to do, and that's what we support in here, that's fine. But this is intended specifically for a certain group defined by criteria within the Bill. And again, that will not serve a great majority of those school districts you represent and will take funds, that otherwise would be available for the Statewide School Construction Grant Program, and reserve those funds in a special place for a special group that's defined in this particular Bill. And it's funny. We didn't see this Bill in a committee this year. We didn't debate this Bill, we didn't have the opportunity to have experts or school districts or anybody associated with school construction, come in and talk about this. But, in a hurry, this is kicked out to the floor, goes to Second Reading, is amended and then all of a sudden we're supposed to vote on what I consider to be a major change in the School Construction Grant Program by carving out special purpose. I think this is the wrong way to do it, I think we need to look at this carefully, and no changes in that program should be made. You don't want to vote for something like this and go home and explain why you took money out of the School Construction Grant Program for a specific area when you could have got that money for your area. Vote 'no'."

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

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Saviano: "Thank you, Mr. Speaker, Members of the House. I rise in support of this and I respect the concerns of the previous speaker had. We all know this Bill is subject to appropriation. I think it's a concept that should be discussed, as it affects my area and some surrounding areas of my district. The previous speaker brought up all good points and I believe, down the line, we can refine this when an appropriation is made available and so we can preserve any sort of concerns about any diversions from the current school construction program. I would urge you to vote for this. The concept is good and we're going to continue working on it. Thank you."

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

Black: "To the Bill, Mr. Speaker."

Speaker Turner: "To the Bill."

Black: "Ladies and Gentlemen, I've been here long enough to know when the pig is greased on the rails and it's gonna oink, oink its way out of here. But I hope you've listened to a superintendent of schools, Roger Eddy. You can spin this any way you want to spin it, doesn't make any difference to me. There is a finite amount of money. When we have a bond program, and we will, I don't know what we will set aside for school construction. I would hope it's two (2) to three (3) to four billion dollars (\$4,000,000,000). Now, is there anyone in here foolish enough to think that when we have a finite amount of money to finance this program we'll divert money that has gone to a proven and existing program on school construction? Since the school construction

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programs' inception, Chicago, by statute, always gets 20 percent of the school construction bond dollars. Since we began the program, Chicago has received six hundred and twenty million dollars (\$620,000,000) from the School Construction Fund. It wasn't that many years ago that Superintendent of Schools, Paul Vallas, who then was the superintendent of Chicago (sic-schools), put forth a bond issue that made millions of dollars available for these kinds of things strictly for the Chicago Public Schools. No one in good conscience, including my good friend from Cook, the Gentleman that he is, can look me in the eye and say that this type of infrastructure and the specificity in the Bill, should be a local priority and it should be rectified by the Chicago school officials, which Paul Vallas had tried to do. Now, they're going to tell you that this is a statewide program. Ladies and Gentlemen, as a superintendent of schools who knows this business better than any of us said, Roger Eddy has simply spoken truth to power. Is there an echo in here? Roger Eddy has spoken truth to power. You will divert money from whatever school construction program we end up passing because there is just so much money available. And to fund this program, you will have to take out a billion (1,000,000,000), a billion and a half (1,500,000,000), whatever it is, and it will only serve districts, 99 percent of these districts will be in Chicago. And that is the reason you didn't see this Bill in committee, you didn't see it go through the committee process, you didn't see this Bill go through the legislative process at all. You see it late in the Session, one of the

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last things we'll do. No school officials have been asked to testify, nobody familiar, and who has utilized the school construction bond program, has been notified of this. This is one of the last minute deals that this Body has become famous for over the years. The Gentleman would like to bring it back. It appears that this Session will go on forever. I'd like to bring it back at some other time, go through the committee process, let people testify in favor of or in opposition to, have a full and fair committee hearing, he might convince me to vote for it. But this is one of the egregious abuses of the process here that I think we need to rise above. If it's such a good idea, it should've been introduced early in the Session, it should have had a full committee hearing, it should have gone to the Education Committee, it should have been debated, we should have been able to hear from our school superintendents, our school board members, and people who are familiar with the program and if it was a fair and full hearing and passed, ...that's great. I would congratulate the Sponsor because that's the way the process is supposed to work. This is an abuse of the process and I have no doubt that you have already greased this thing enough that it'll slide through here faster than a Chinese dinner through a sick goose. But that doesn't make it right. Vote 'no'."

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

McAuliffe: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

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McAuliffe: "Representative, when I was looking through the legislation, can you say if a school... could a school get two (2) grants before, maybe another school that applied, didn't even get theirs?"

Burke: "No, Representative. They wouldn't necessarily meet the criteria in order to make that application for this separate consideration."

McAuliffe: "Okay. To the Bill. I respect the previous speakers that were speaking against the Bill, however, in my district the parents and the children are getting penalized because we're sending our children to our local schools. The schools are bursting at the seams in my district. To go visit all the classrooms we have to walk outside the permanent building and go into the modulars, where the children have to walk through, and you can imagine how cold that is in the wintertime. I didn't have to go through that when I was growing up in schools and I'd hate to see our children have to go through that, too. So, I would like to see this Bill passed and vote... urge everyone to vote 'yes'. Thank you."

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

Winters: "Thank you, Mr. Speaker. To the Bill."

Speaker Turner: "To the Bill."

Winters: "People realize that we have twenty-four (24) schools in this state that were promised money from the state and on the word of the state that they would help to pay for their schools, they went ahead and built those schools. And the state has not honored that obligation. Every dollar that

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would be devoted to the schools under construction under this Bill will come from those schools that have already relied on the state and our word, as a Legislature, to fund them. Besides that, every school that asked for school construction money to date has to supply a local match of from 25 to 65 percent of the construction costs, plus any other parts of the construction that is not strictly educational in nature. So, you already have a very significant local investment in their own schools. This Bill requires zero (0) dollars, you can get the state to pick up the entire tab. Why are we changing that major rule that we've had before for school construction of a local buy-in? Without that buy-in there's no disincentive to just going out and building. Another provision of this Bill that I think is very bad, is that it allows school principals to apply. They actually simply fill out initiated grant application; send it to the general superintendent of schools, who then forwards the application to the Capital Development Board. A school principal that feels that his school isn't up to snuff, if it means certain criteria, simply fills out the application himself without any school board oversight whatsoever. This is poorly crafted, there's not the overview and oversight by governing boards that is needed. It's a poor idea and Mr. Speaker, if this Bill should receive the requisite number, I would ask for a verification."

Speaker Turner: "Representative Eddy, you spoke in debate already."

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Eddy: "Mr. Speaker, my name was used in debate, very, very briefly."

Speaker Turner: "I don't remember hearing it, but go ahead."

Eddy: "Very, very briefly. You know, I have a great deal of respect for the Sponsor of this Bill. I have worked with the other side of the aisle on education issues to try and make those kind of programs better. I've worked to try to provide for those special circumstances, the types of education programs that may be particular to certain areas. And I want to continue to do that. But folks, this is not good public policy related to a good program. I would be happy to work on some type of a program that would take care of this problem in the course of the legislative process. It would be something I would treasure doing. But to have this at the last minute thrown out here the way it has, should be an outrage to everybody in here. This should be an outrage to what you believe your part of this process is and how you're supposed to be involved in it. For the process, for your own integrity in the process, make the Sponsor bring it back through the proper channels. Vote 'no' or 'present' until this comes out here the right way. We need the verification acknowledged. Representative Winters asked for verification. Could you acknowledge the verification, Mr. Speaker? Thank you."

Speaker Turner: "The verification has been acknowledged. Need it in writing? The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

Sacia: "Thank you, Mr. Speaker. To the Bill."

Speaker Turner: "To the Bill."

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Sacia: "Ladies and Gentlemen of the House, I had no intention to speak on this Bill until a Gentleman from Cook stood and made it sound like they have some unique problem with modular buildings, as if their school district is the only one with modulars. There are at least ten (10) school districts in my five (5) counties that have modulars, are overcrowded, and are desperately looking for school construction money. Representative Eddy said it very, very well, this is something that needs to be vetted properly, it needs to be discussed thoroughly. I would respectfully ask of the Sponsor, like the others who have spoken before me who I have profound respect for, to take this out of the record until it has had its chance to be vetted in a sunshine-like way. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Cook, Representative Burke, to close."

Burke: "Thank you, Mr. Speaker. Ladies and Gentlemen, just to set the record straight, one of the previous speakers had suggested that this matter did not get a proper hearing. I must insist to the Body that, indeed, this matter was heard before the Executive Committee and got unanimous consideration. There wasn't a great deal of debate and maybe there shouldn't be a great deal of debate because we know, in this state, that we have communities that have been overwhelmed by this problem of overcrowding. And to this day, there hasn't been a solution. This is an alternative, this is a double bite at the apple for those individuals who are confronted with these outrageous overcrowded situations in schools. The next thing we'll be doing is putting up

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tents in the playgrounds for these children to be educated. It's an outrageous situation. It needs our immediate attention. I think all the discussion in the world wouldn't change anyone's idea that across this state we are confronted with a horrendous problem of overcrowding in schools. We need to act... we need to act immediately, and I would again ask for this Body's favorable consideration."

Speaker Turner: "So the question is, 'Shall the House pass Senate Bill 48?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. I remind the Members to vote their own switch. There has been a request for verification. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk... Representative Jeffries? The Clerk shall take the record. On this question, there are 42 voting 'aye', 60 voting 'no', 4 voting 'present'. And this Bill, having failed to receive the Constitutional Majority, is hereby declared failed. On the Order of Third Readings, we have Senate Bill 671. Representative Coulson. Read the Bill, Mr. Clerk. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "Senate Bill 671 is on the Order of Third Reading."

Speaker Turner: "Bring the Bill back to Second Reading. Then read the Bill."

Clerk Mahoney: "Senate Bill 671, a Bill for an Act concerning education. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Turner: "Amendment #1, Representative Smith, the Gentleman from Fulton, on Amendment #1."

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Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. This Amendment would... is an initiative of the National Board for Professional Teaching Standards. It would change the makeup of the P20 Council, which was approved earlier this Session and would include members of that council, or would ensure the members of that council include national board certified teachers and members of the adult education community. I know of no opposition. It was approved unanimously by the Elementary & Secondary Education Committee."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 671?' All those in favor signify should say 'aye'; opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment #1 is adopted. Further Amendments."

Clerk Mahoney: "No further Amendments have been approved for consideration. However, Amendment #2 has been referred to the House Committee on Rules."

Speaker Turner: "Take the Bill out of the record. On page... Senate Bill 1229, Representative Holbrook. On the Order of Third Readings. Read the Bill, Mr. Clerk. 1299, I'm sorry. 1299."

Clerk Mahoney: "Senate Bill 1299, is on the Order of Senate Bills Third Reading."

Speaker Turner: "Mr. Clerk, what's the status of Senate Bill 1299?"

Clerk Mahoney: "Senate Bill 1299 is on the Order of Third Reading."

Speaker Turner: "Could you bring that Bill back to Second Reading. Read the Bill."

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Clerk Mahoney: "Senate Bill 1299, a Bill for an Act considering regulation. Amendment #1 was adopted in Committee. Floor Amendment #2 was adopted by the Body. Floor Amendments 4 and 5, offered by Representative Holbrook, have both been approved for consideration."

Speaker Turner: "On Amendment #4, Representative Holbrook, the Gentleman from St.Clair."

Holbrook: "With the Chair's leave, I'd like to adopt Amendments #4 and 5, 4 becomes the Bill, 5 is a technical cleanup from LRB. And then debate the Bill on Third Reading."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #4 to Senate Bill 1299?' All those in favor shall say 'aye'; all those say opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #4 is adopted. Further Amendments, Mr. Clerk."

Clerk Mahoney: "Floor Amendment #5, offered by Representative Holbrook."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #5 to Senate Bill 1299?' All those in favor saying 'aye'; all those say opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #5 is adopted. Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1299, a Bill for an Act considering Regulation. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook, on Senate Bill 1299."

Holbrook: "Thank you, Speaker. Senate Bill 1299 as amended will bring Illinois the tools it needs to meet competition for

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residential and small business consumer electric in this deregulated state and the environment we're in now. The original Bill allows the Commerce Commission to review utility construction process and approve them if it promotes competition. As amended today, Senate Bill 1299 will give Illinois consumers the best practices that we have in the country for competitive residential electric markets and small consumers. Consumers who switch to a competitor don't have to receive two (2) bills, it will be consolidated billing just like we do right now in the competitive telephone markets and natural gas. Consumers that want to switch the utility... from a utility to an alternative supplier can now have to sign written statements and contracts. This will allow the enrollment by electronic means and have a system for recording it. The Commerce Commission will have authority over establishing a consumer choice referral program and raise awareness to consumers that they have alternatives to their current utilities. The fourth tool will create a vibrant competitive market to help purchases of receivables, which will allow the alternative supplier to exchange uncollectible payments with incumbent utilities. The utilities already is reimbursed for this bad debt, and all bad debt will be shared by utilities and the alternative supplier. They will pay upfront on their payments. There have been a number of questions raised by Ameren about this provision. There is no change to the customer base, and therefore, there should be no change to the customer base as this is done with both Ameren and ComEd. And I'd like to note, the only utility that raised

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an objection in committee was Ameren, and we had a lengthy dialogue over that issue. And we feel these provisions provide for the competitiveness. There are other states that already provide this: Ohio, New York, Connecticut, Maryland just passed it, along with utilities in New Jersey, Virginia, Indiana, and Michigan. And this is the system we use for this. We think it is the way to go. Consumers in this territory won't have to change their billing, they'll have ability to pay on a one bill and the purchase receivables means that these alternate suppliers do not have to pre-qualify customers in order to sign them up. I'd be glad to answer any questions and for the purpose of legislative intent, I believe, if we could first call on Representative Scully, he has a couple questions for me."

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

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

Speaker Turner: "Indicates he will."

Scully: "Representative Holbrook, we have very..."

Holbrook: "Yes, you may."

Scully: "...well informed debate yesterday during committee and I rise with a question for the purpose of establishing legislative intent, may I proceed?"

Holbrook: "Yes."

Scully: "With regards to the Customer Service Call Center Referral Program, which is referred to in Section 20-130(e)(3), which states 'that customers choosing to participate in a referral program would be transferred to a customer service representative for the program. And would

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either select the electric supplier from which they would like to take service or be placed with a participating electric supplier chosen at random on a rotating basis.' Mr. Holbrook, are you familiar with the Section I'm referring to?"

Holbrook: "Yes."

Scully: "Would the phrase, 'program', as used in that context, be affiliated with any utility?"

Holbrook: "No. The program would not be affiliated with any utility."

Scully: "Thank you. And who would the program be affiliated with, if not a utility?"

Holbrook: "The program would refer to it would be affiliated with a third party, such as Illinois Commerce Commission or another third, neutral entity that the ICC Office of Retail Market Development decides is best situated to promote retail competition in a neutral manner."

Scully: "So, I want to clarify that. Would the program be affiliated with a neutral, third party or a neutral entity?"

Holbrook: "Yes, it would."

Scully: "Thank you, Mr. Holbrook. That clarifies a question that some people raised about the possibility of an ambiguity. I do not think the language is ambiguous, I think the language is clear and concise. But certainly, your answers to these questions would clarify any ambiguity that someone might construe. Thank you."

Holbrook: "Thank you, Representative Scully."

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

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

Speaker Turner: "I,ndicates he will."

Mulligan: "Representative, unfortunately I wasn't in committee and in our area we've had some problems, particularly with the gas company, who was a subsidiary, who enrolls people on an automatic payment program which is different than the one if you automatically enroll on your bill. They do this... they do this by letter and they do it by phone. What they don't tell you, is if you've sign up for the automatic payment program with your bill, you can opt out or receive moneys back if you're overcharged. On the other program, in small print on the letter, and the one that also comes to you also by telephone, if you sign up for an automatic payment problem... payment program that turns out to be more than your gas bill, you get penalized if you drop out and you have a hard time getting the money back. So my area of concern on your Bill is where it states that you can sign up by phone. Particularly for seniors, and other people that are solicited, so there is a difference in the way you sign up, there's a difference in the way you get out, there's a difference in the way if you're overcharged. And so I have some concern about that part of your program. So, I don't know if the Representative that just asked about the neutral part would answer the part, but I felt, particularly since it was a major gas company and when I call them they said the other people were affiliated with them, but a subsidiary, and it made it appear that it was the actual gas company. I warned my constituents, that what... and particularly of the senior centers, that I thought there was

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a problem with this. So, can you tell me how your Bill would deal with something like that?"

Holbrook: "As we said, it would be a neutral third party, one under the purview of the Commerce Commission that they would set up. And in addition, Amendment #5 that we adopted adds to either the further requirements when they do sign up, that the subscriber initiating the call that they... that are being enrolled in this program as a customer, that the electric supplier must, with the consent of the customer, make a date stamp, time-dated audio recording that elicits, at a minimum, that type of information."

Mulligan: "All right. So would they then follow it up by a written contract or something in the mail that would allow the person they've solicited to again review all, maybe what would be call the fine print of this?"

Holbrook: "Yes. It requires them to provide them with the written."

Mulligan: "And do they have at least the time from when they receive the mail to take a look at that contract and then still opt out if they choose?"

Holbrook: "I'm gonna have to read it. I know there's an opt-out provision. Representative Mulligan, can we get back to you? We're looking that specific Section up for you."

Mulligan: "All right. I wouldn't be so concerned if it hadn't happened in our area."

Holbrook: "We're getting you an answer. My folks say if you look at page 17, between lines fourteen (14) through nineteen (19) it pretty well covers that. It says that after that written notification is done, they'll be able to

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find out exactly what... it says, 'the letter of the agency shall be a separate document contained with the authorization and with the sole purpose for authorizing the program and a letter of the agency must be signed and dated.' The agency shall combine these within the document that they've approved."

Mulligan: "All right, thank you. I'm sorry to take up the time when everybody's rushing but..."

Holbrook: "That's fine."

Mulligan: "...a major gas company in our area did this and I'm very concerned about it."

Holbrook: "That's fine. I think that covers it."

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

Rose: "Ground control to Major Tom, could you have the blast shields lowered, please? Thank you"

Speaker Turner: "We weren't planning on being here that long. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. First of all, I got a message from the veterinarian, he gave that goose some antibiotics and he got well very fast. So, I'm really happy for that. I rise in support of this Bill. Competition is the only way we're really gonna to see honest to goodness rate relief. I don't know what the Governor's gonna do on the rate relief Bill. I have no idea. Blue Star Energy is interested in this Bill and I can tell you from my experience, Blue Star is an alternative... not an alternative energy company, but another company that can supply power,

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has written to several constituents in my district saying that they would like to talk to them about becoming a customer of Blue Star, and perhaps being able to save 10 to 12 percent on their electric bill. But Blue Star wants to make certain that the regulatory climate in Illinois will not suddenly change so that they can enter into those contracts and be reasonably assured of delivering the power at a discounted rate and being able to make, obviously, a profit, which is not a dirty word. Every business must, in fact, make a profit. I think the Sponsor has given a reasonable and thorough explanation of the Bill. I think it has been examined fairly carefully, and from everything that I can read, and I know we're all nervous about voting on electric Bills after what we've been through. But I think this will lead to competition. The Illinois Commerce Commission is in favor of the Bill and I think it's worthy of a 'yes' vote."

Speaker Turner: "Representative Holbrook to close."

Holbrook: "Thank you. I ask for a 'yes' vote."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1299?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Molaro. The Clerk shall take the record. On this question, there are 105 voting 'aye', 1 voting 'nay'. This Bill, having received a Constitutional Majority, is hereby declared passed. We have House Bill 664. Read the Bill, Mr. Clerk... concurrence... The Lady from Cook, Representative Currie on a concurrence Motion for House Bill 664."

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Currie: "Thank you, Speaker and Members of the House. This measure is a response to high residential property taxes across the state. It establishes several new exemptions for the disabled, for veterans. It expands existing exemptions, the general and the senior homestead. It extends eligibility for the senior property tax freeze from fifty thousand (50,000) to fifty-five thousand (55,000). In those counties that have opted for the alternative exemption, the 7 percent solution, it expands and extends for three (3) years, the 7 percent program in those counties, and would replace that after year one (1) with a long-time homeowner exemption which would be limited in come to eighty (80,000) or to a hundred thousand dollars (\$100,000). And in that program we would make it possible for people who've lived in the community for a long time to avoid being gentrified out when the neighborhood values increase. Finally, the measure deals with two other items. One is the opportunity to put brownfields back into economic production by giving counties a narrow opportunity to waive interest and penalties on delinquent taxes in brownfield site. And finally, through the work of Representative Mautino, local units of government and the Taxpayers Federation, we established uniform proposal for assessing wind energy farms, taking into account both the decline in the value of the machinery and the increase in property taxes. I'd be happy to answer any of your questions and I'd appreciate your support for this concurrence Motion."

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

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in strong support of the concurrence Motion. We've had this notion regarding the real estate problems in certain portions of the state many times on this floor and have voted for it many times on this floor. Since the last time we voted on it the reassessment notices have come out in my district and their unbelievable, just simply unbelievable. And we must do something about it. Rather than to continue to debate this over and over, let me just say that this is an excellent effort to deal with this problem. It's an excellent compromise. The very interesting provision of this says that there is no cap on the cap if you're in certain lower-income levels and you've lived in your home a long time. This is a very, very good provision to help long-time homeowners. And I would strongly recommend 'aye' votes."

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

Froehlich: "To the Bill, Mr. Speaker. This Bill has many attractive features. I think it's gonna have wide support. I do want to point out that with a exemption cap at thirty-three thousand (33,000) it's not gonna provide as much tax relief as if we had that cap at forty thousand (40,000) or fifty thousand (50,000). This is a temporary fix. We need long-term property tax reform. And I hope the Property Tax Task Force will propose some permanent relief for the homeowners of Illinois."

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

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

Speaker Turner: "Indicates she will."

Eddy: "Thank you. Representative, this is a kind of a complicated subject for a lot of folks that don't deal with the assessment and I wanted to just make a couple things clear related to the school part that I think have gone back and forth in the past. But let me start with some of the changes that were made, one that relates to the long-term occupant homestead exemption portion. My understanding is that counties opt into that exemption. Is that correct?"

Currie: "That is correct."

Eddy: "Okay. So, the concern that I would have about that, as far as the state aid formula, would be relieved by the opt in. And basically, what the opt in does, is make it by county choosing to, if their GSA is affected, they would lose it that way by opting in. There's no effect on general state aid unless the county chooses to opt in."

Currie: "That's exactly right."

Eddy: "Okay. And the other confusing part of this has to do with PTELL limited.. the limit rate by PTELL and then in those non-PTELL areas. The concern always was that because of this there would be additional general state aid necessary to make up for that cap. However, however, since PTELL already sets the limiting rate, the number that's used in the GSA calculation is the actual revenue of the school district that doesn't include the impact on the cap. So there is not that negative effect and that need for additional GSA is not there."

Currie: "Correct."

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Eddy: "The only way that would apply is if counties that are not affected by PTELL would get involved in this, and then, according to State Board of Education, there could be a additional strain on GSA."

Currie: "But it's extremely unlikely that any county will. Only one county in the state has ever opted in, that county is Cook."

Eddy: "Right. So, at this point, except for a couple of anomalies that cost just a very small amount of money, this has not had that effect, nor do I see that effect from this legislation unless, in the case of the occupant... long-time occupant homestead a county were to, but they would then have the opportunity at the local level districts could go to the county and say this is going to have a negative effect, please don't do it, and they could make their case there."

Currie: "Correct."

Eddy: "Okay. Thank you very much. Mr. Speaker, very quickly, to the Bill. This legislation obviously is something everybody has a little bit different spin on, and there's no doubt that it can shift the burden of the tax from residential to business and there can be a negative effect within. But however, as far as school districts are concerned, the General State Aid effect that sometimes we felt might be there, that negative effect, is not there. I'm not sure what I'm gonna do with the legislation, but I did want to make it clear that that negative effect, that I think sometimes there was some confusion over, does not occur unless there's an opt-in. Thank you."

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Speaker Turner: "Representative Currie to close."

Currie: "Thank you, Speaker. Property tax relief for all of our homeowners. Special property tax programs in the county of Cook. Vote 'yes'."

Speaker Turner: "So the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 664. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Kosel? The Clerk shall take the record. On this question, there are 100 voting 'aye', 6 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Speaker Madigan."

Madigan: "Ladies and Gentlemen, I'd like to talk about scheduling and our plans for the future. But first, let me thank all of you and commend all of you for the time that you've put into the construction of a state budget for the next fiscal year. For your patience, your tolerance under very adverse conditions. And so, all of us are to be congratulated and commended for the work that we've done in crafting an FY'08 budget for the State of Illinois. We have distributed a schedule for the month of August, September, and October. And very briefly, it provides that the House shall be in Perfunctory Session every day going forward until November 1. The purpose of scheduling Perfunctory Sessions is to provide that we will be available, if needed, to be here at the Legislature. We will be available if the Governor takes action on Bills, such as the budget or the supplemental appropriation, such that we would be required

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to return to Springfield on short notice. Our plan is to give you as much notice as possible and clearly, it would never be any more than a day. We would hope that it would be several days notice before you'd be required to be back in Springfield for whatever purpose. But clearly, the obvious purpose would be the Governor's action on the budget that we just sent to the budget... to the Governor, or a action on the supplemental appropriation. The Governor has already issued proclamations calling for Special Sessions for tomorrow and Sunday, for the purpose of considering a thirty-(30) day budget. Now, we've sent the Governor the twelve-(12) month budget. We've done our job. It wasn't easy, but we worked through it. We recognized that there are differences among us. Here in the House we didn't work to divide people, we worked to unite people, to bring people together, identify common problems, work toward common solutions. We did that. That budget is on the way to the Governor's Office. And so, given what we've done, I don't see that there's any need for consideration of a thirty-(30) day budget. However, the Constitution does give the Governor the authority to call Special Sessions and pursuant to the requirements of the Constitution, Gary Hannig, Representative Hannig, who lives locally, will be here at the appointed time."

Speaker Turner: "Congratulations, Gary."

Madigan: "So, Representative Hannig will be here at the appointed time to convene the Special Sessions. And in the event there are Special Sessions called next week, he will do the same thing. My advice to all Members would be don't

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come to Springfield. We've done our job. There's no need to work on a thirty-(30) day budget. So again, don't come to Springfield until you get notice from my office or from Representative Cross' office that it would be an appropriate time to come, given appropriate notice for a specific purpose. Mr. Speaker, Members may have some questions."

Speaker Turner: "The Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. And to the Speaker, I want to just for Members on our side, I support your position with respect to the Special Session and our side, I believe, would act accordingly, so thank you for that. I, too, want to echo what you said, that this has been a difficult summer and a difficult spring and it was not... has not been a pleasant time, I know, for Members or for staff and so, like you, I want to thank them for their hard work and thank you. We will have a short caucus after this, very short. But one area, I think that if you could explain, with respect to the 'bimps', if I'm not mistaken, we had a brief conversation and a number of people have asked about that and it's my understanding that we'll do that, do the 'bimps' the next time we're down here or around sometime we're down here again dealing with other issues. I know we still have to do 'bimps'."

Madigan: "Now that's correct. We do need to finalize the work on the 'bimp' Bills and move those along to the Governor's Office. There's still a little bit of work to be done on those Bills and that can be done during the interim between

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now and whenever we return. And then we can move the Bills along to the Governor's Office."

Cross: "Thank you."

Speaker Turner: "Representative Cross, will Representative Brauer be representing your side of the aisle here tomorrow?"

Cross: "Well, he will be here and he would love to, perhaps, sit in the Chair along with Representative Hannig, if you don't mind sharing the Chair with him tomorrow."

Speaker Turner: "We'll be reading excused absences."

Cross: "Okay."

Speaker Turner: "Representative Hamos, for what reason do you rise?"

Hamos: "Thank you. The Speaker opened up the possibility of asking a question and I would like to ask a question about Transit. There still is an emergency, a funding emergency in the region, and certainly in the Northeast Illinois region and I wondered what the time table would look like. I know that yesterday the CTA suggested that the middle of September was going to be their firm deadline for instituting some of the cuts and the fare increases, but for those of us who also have PACE. As I understand it PACE will be instituting fare increases, including for paratransit, disabled riders on September 1. So, I wondered, Speaker, whether you've thought about a time table for returning to Springfield to deal with that very important outstanding agenda. Just today, we were able to file a Bill that was a very significant effort, bipartisan

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effort on Senate Bill 572, and hoping to get consideration of that before the end of the month."

Madigan: "I think that's a good question that leads us into other issues which may require our return to Springfield, which is the reason why we've done a schedule that provides for Perfunctory Sessions. My approach to the problems of the RTA, CTA, Metra and PACE is that I plan to begin work shortly. I'll take one or two days off and then I'll get to work, working with our Members in the House, both sides of the aisle, toward the passage of that Bill, which would provide for relief for those carriers. Another Bill, which seems to be hanging in the balance, is the one that relates to electric rates. So, there had been a request to the Governor to sign that immediately, he's declined to do that. He may take action on the Bill, he may not. The action may require that we return to Springfield so that action can be taken to implement the rate relief that was provided in the legislation. But for those two issues and for others, that's a good reason to have these Perfunctory Sessions so that we have the ability to come here when we're prepared to come here and not be dependent upon the Governor to issue a proclamation for a Special Session."

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

Mulligan: "Thank you, Mr. Speaker. As all good information comes through the Capital Fax blog, we heard that earlier there was an agreed order signed about the AFSCME suit that said employees would be paid and then there was a question, particularly going around, whether your lawyers or our

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lawyers already looked at, which employees would be paid. And the other issue which would be attendant to that would be just to reiterate one more time, what actually happens if the Governor takes no action?"

Madigan: "Concerning the first question, I'm not at a position to respond to the question because I'm not even familiar with the elements of the lawsuit. Number two, I believe your question is what if the Governor takes no action on the budget that we just sent to his office, that means there's no spending authority. And so, it seems to me that for the Governor to decline to take action is just not a long-term option for the Governor. The state needs spending authority today. And it'll need spending authority tomorrow and the next day and on and on. And so, we're all well advised to get the spending authority in place as soon as possible."

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

Black: "Thank you very much, Mr. Speaker. Speaker Madigan, in the same vein as Representative Hamos, we are approaching a crisis in LIHEAP funding. With no action on the rate relief Bill, I have, and I believe I sent you a letter, eleven hundred (1,100) people in my legislative district on a waiting list for assistance with winter bills and assistance with cooling summer cooling bills. Talking to several constituents in the last week, this heat wave that has gone through Central Illinois, some of my elderly constituents are fearful. Even though, they will not be disconnected and have not, they owe so much money and they've not had any help because we're out of LIHEAP dollars. They're afraid to

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turn on their air conditioning. I think that is a potentially dangerous situation, I hope we can address some kind of emergency funding for LIHEAP because, like you, I have no idea when the Governor will, or will or will not, sign the LIHEAP... or excuse me, the energy rate relief Bill. In closing, Mr. Speaker, I would like to thank you. Not to be redundant, but our staff, you and Leader Cross bring a level of maturity to this process that I appreciate. This year has been frustrating, aggravating, embarrassing to all of us and, I think, to the State of Illinois. For the first time in twenty-one (21) years I'm almost afraid to go home without a baseball hat on and a pair of sunglasses. The citizens of Illinois have not been well served; the people in my district have not been well served, by the machinations, and the ridiculous statements and counterstatements, and press releases, and threats and counter threats that have gone on. I thank you for your ability to stay calm and on target and on task. I thank Leader Cross for his ability to do the same. It's a shame that we simply can't get together, do our business, and go home and be with our spouses and be with our families, and let the citizens of Illinois rest easy for the next eleven (11) months. And Mr. Governor, we've tried to do our job. You ran for this office, you spent a lot of money to get this office, please, stop the theatrics. Learn to govern. Pay attention, sign the Bills you need to sign and come back with your agenda and try again next year. That is what compromise is all about. I think, as one who's been here, served with the Governor when he was in the House, enough is

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enough. I'm tired, I'm almost embarrassed to say I'm a Member of the General Assembly, and I think the public of Illinois is just about fed up with what has gone on over here. But I thank you, Mr. Speaker, for your maturity, your ability to stay on task, and the ability to sometimes bring us together. And I thank Leader Cross for his ability to try and keep our caucus informed and to keep us all moving in the same direction. But Governor, govern."

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

Dunkin: "Mr. Speaker, the other issue is... that's pressing a lot of us in Cook County, is the health care system, the Cook County hospitals. Will that be on the agenda as well as we contemplate major issues that affect us here in the state?"

Madigan: "The answer is 'yes'."

Dunkin: "Thank you."

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

Stephens: "Thank you, Mr. Speaker. I just wanted to express my gratitude to you, my colleagues, the staff, and friends for your support and prayers today. And on behalf of our family, we need it and much appreciate it. Thank you."

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

Brady: "Thank you, Mr. Speaker. Just to reiterate what Leader Cross said, the Republicans will caucus immediately upon adjournment in Room 118, and I would simply like to add personally to all of my colleagues, their thanks during this very challenging Session and to all staff that have just

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gone above and beyond on both sides of the aisle. Thank you."

Speaker Turner: "Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 660, offered by Representative Flider. House Resolution 661, offered by Representative Howard. House Resolution 662, offered by Representative (sic-Biggins)."

Speaker Turner: "Ask... ask the Members not to leave. We do have a... we have a Death Resolution in regards to a former Member. So if Members would please wait around. Mr. Clerk, continue with the Agreed Resolutions."

Clerk Mahoney: "House Resolution 662, offered by Representative Biggins. House Resolution 664, offered by Representative Lang. And House Resolution 665, offered by Representative Lang."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Agreed Resolutions are adopted. If staff would retire to the rear of the chamber and Members would give your attention. Mr. Clerk, read House Resolution 663 and Members, if you would rise."

Clerk Mahoney: "House Resolution 663, offered by Representative Gordon."

WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of former State Representative and former director of the Illinois Department of Veterans Affairs James R. "Bud" Washburn of Morris, who passed away on August 8, 2007; and

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WHEREAS, Bud Washburn was born on April 25, 1921 in Morris, the son of Russell V. and Jennie E. Hutchison Washburn; he attended Morris schools, and graduated from Morris High School in 1939; he attended North Central College and the University of Illinois; and

WHEREAS, Bud Washburn served in the United States Marine Corp during World War II; he attained the rank of Major while serving as a torpedo bomber pilot aboard the Salerno Bay Aircraft Carrier in the Pacific Theater; and

WHEREAS, From 1946 to 1950 Bud Washburn served as the Grundy County Treasurer; from 1951 to 1979 he served in Springfield, including five terms as State Representative; he served as Chairman of the House Appropriations Committee and was elected minority leader during his last term; he also served as Director of the Illinois Department of Veterans Affairs from 1977 to 1979; and

WHEREAS, He was elected the Mayor of Morris and served from 1981 to 1993; he served as the Chairman of the Upper Illinois River Valley Authority from 1990 to 1997; he served as a member of Governor Edgar's Veterans Advisory Board; he served as a member of the Grundy County Republican Central Committee for thirty years, and served ten years as its chairman; and

WHEREAS, Bud Washburn was a member of Happy Hill Aerie #1024 F.O.E., the Loyal Order of Moose Lodge #967, the Morris American Legion Post #294, the Morris AmVets Post #53, the Disabled American Veterans Chapter #86, the John Martin Steele Post #6049 V.F.W., the U.S. Marine Corp Aviation

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Association, the U.S. Marine Corp League, the Grundy County 40 & 8 Chapter #1195, and the Morris Kiwanis Club; and WHEREAS, Bud Washburn was preceded in death by his parents and his sisters, Gladys Davis and Dorothy Hermanson; and WHEREAS, The passing of James R. "Bud" Washburn will be deeply felt by all those who knew and loved him, especially his sons, William D. (Laura) Washburn and William R. (Jody) Norman; his daughters, Heather (Jeffrey) Yount and Janice Coop; his twelve grandchildren; his four great-grandchildren; and several nieces and nephews; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family and friends, the passing of James R. "Bud" Washburn; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of James R. "Bud" Washburn as a symbol of our sincere sympathy."

Speaker Turner: "The Lady from Grundy, Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, Mayor Washburn was the first elected official that I ever met. I did not know him, obviously, as a State Representative. I was very, very young and not even born yet when he was here. But I did know him as my mayor in Morris and was the very first elected official that I met. When I was talking to different people about him, knowing that this Resolution was going to come up, I talked to people at home and then I talked to some of the people down here who had served with him. He was the Minority Leader when Mr. Shay, Mr. Jerry

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Shay, was the Majority Leader. And what everyone said about him down here was that he was very good at reaching out to both sides of the aisle and working with everyone. And then when I talked to someone at home, who had worked with him throughout his tenure as mayor, they said he was very good at reaching out to both sides and working with everyone to making sure that solutions were found to the local problems as well. So it looked like that no matter where he was, he was able to work with people to find solutions to the problems that were out there, and to serve his constituents whether he was at home, in my wonderful hometown of Morris, and the town of Morris that he loved, or whether he was down here in Springfield. Mayor Washburn served during the time when there were three (3) State Representatives for each district and interestingly enough, one of the things I learned about him was that some of his best friends down here in Springfield were the Chicago Democrats. So, it's very, very interesting who our friends are no matter where we're from in the state and who we learn to work with and the problems that we solve. One of his major accomplishments as a civil servant through his constituents, was the development and putting into place, the Morris Airport. Everyone thought it was kind of goofy, why would Morris need an airport? But through his vision and what he learned here in Springfield and working with Governor Edgar, when Mayor Washburn went home and became Mayor of Morris and also again working with Jerry Shay, they were able to put that Morris Airport into place a long time ago, which I can now say, as the State Representative for that area, is an

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economic development engine and something that we've expanded and have become very proud of. So through his vision a long time ago, even though people questioned it, he saw into the future and knew that it would very, very important for our area. So, while we can look at him and look at his service both to his constituents down here in Springfield and at home in Morris, his service to his country during World War II, those are all important things to us. I guess his most important titles are father, son, husband, friend, grandfather, and great-grandfather. So I would ask, Mr. Speaker, that all the names of my colleagues in this chamber be put on this Resolution so that I can present it to his family when I do get home to the wonderful town of Morris that Mayor Washburn served for so very, very long. And I thank you all for allowing me to present this today."

Speaker Turner: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, and Ladies and Gentlemen, I served with Bud Washburn when he was the Chair of the Appropriations Committee and when he served as the House Minority Leader. Everything that Representative Gordon said about him was absolutely correct. He was a very capable, competent Member of the House of Representatives. He was a very humble, easy-going person, not difficult to work with. Just a typical State Representative who we all try to emulate where he would simply come here and recognize problems that existed in his district, problems that existed statewide, and wanted to work with people to try and solve those problems. Clearly, his loss is a loss for the Legislature,

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for his family, and for his region and on behalf of my family, and all the Members of the House, I wish to express our regret and best wishes to his family. Thank you."

Speaker Turner: "Representative Gordon asks leave to add all the Members of the House to this Resolution. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And now, Representative Currie moves that we adopt House Resolution 663. All those in favor say 'aye'; all those opposed 'no'. And the Resolution is adopted. The Chair is prepared to adjourn and allowing perfunctory time for the Clerk, the Chair will adjourn the Regular Session to the Perfunctory Session on Saturday, August 11, at the hour of 12 noon. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And the House stands adjourned until Saturday, August 11, at 12 noon."

Clerk Mahoney: "The House Perfunctory Session shall come to Order. Introduction and reading of Senate Bills First-Reading. Senate Bill 782, offered by Representative Phelps, a Bill for an Act concerning State Government. Referred to the House Committee on Rules is House Resolution 666, offered by Representative Pihos. There being no further business, the House Perfunctory Session will stand adjourned."