

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

154th Legislative Day

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Speaker Hannig: "The hour of 11:00 having arrived, the House will be in order. The Members will be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Pastor Bob Spriggs, who is the Pastor of the Sacred Heart Catholic Church in Effingham. Pastor Spriggs is the guest of Representative Reis."

Pastor Spriggs: "Lord God, the bottom line, I guess, for anyone who works on behalf of the people, is human dignity. Lord, each individual person You created is sacred because You created him or her. Lord God, in our dealings with one another and on behalf of one another we are to view each other and each person we serve with reverence. Help us to work together, not in a spirit of competition, not from an adversarial stance but in a spirit of collaboration, cooperation, consensus. Our working together will be successful when all of our citizens, even those of seeming least importance find fulfillment and happiness in our state through our efforts on their behalf. Amen."

Speaker Hannig: "Representative Chapa LaVia, will you led us in the Pledge."

Chapa LaVia-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."

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Currie: "Thank you, Speaker. Please let the record show that Representatives Nekritz and Patterson are excused today."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker and good morning. Representative... the excused absences on the Republican side of the aisle, Representative Meyer, Hassert, Bassi, Watson and Osmond. Thank you."

Speaker Hannig: "Mr. Clerk, take the record. There are 111 Members answering a Roll... the Roll Call. A Quorum is present. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Resolutions. Introduction of Resolutions. House Resolution 749, offered by Representative Rose and House Joint Resolution 78, offered by Representative Miller. Committee Reports. Representative Dugan, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to Senate Bill 753 Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'approved for floor consideration' a Motion to accept Amendatory Vetoes recommends be adopted for House Bill 4, House Bill 1303 and House Bill 1759."

Speaker Hannig: "We're going to start with page 16 of the Calendar, under the Order of Amendatory Vetoes. And

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Representative Rich Myers is recognized on House Bill 291, Representative Myers."

Myers R.: "Thank you, Mr. Speaker. I respectfully request that we move to override the Governor's Veto of House Bill 291."

Speaker Hannig: "So, is there any discussion? So, Representative Myers moves that the House Bill 291, 'do pass', notwithstanding the specific recommendations for change of the Governor. 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 104 voting 'yes' and 7 voting 'no'. And this Motion, having received a Supermajority... this Bill, having received... this Bill, having received a Supermajority, House Bill 291 is hereby declared passed, notwithstanding the specific recommendations for change of the Governor. Representative Bellock, on page 17 of the Calendar, you have House Bill 1268. You're recognized on your Motion."

Bellock: "Thank you very much, Mr. Speaker. I make a Motion to override on the Amendatory Veto on House Bill 1268."

Speaker Hannig: "You've heard the Lady's Motion. Is there any discussion? Then the question is, 'Shall... Then the... then Representative Bell... Bellock moves that House Bill 1268 'do pass', notwithstanding the specific recommendations for change of the Governor. 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? Have all voted who wish? Representative Reis, do you wish

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to be recorded? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 0 voting 'no'. The Motion, having received a Supermajority, House Bill 1268, is hereby declared passed, notwithstanding the specific recommendations for change of the Governor. Representative Kosel, you have House Bill 1303, you're recognized for a Motion."

Kosel: "Yes, Mr. Speaker. I'd like to move to accept the Governor's Amendatory Veto."

Speaker Hannig: "You heard the Lady's Motion. Is there any discussion? Then... then Representative... then Representative Kosel moves to accept the specific recommendations of the Governor as to House Bill 1303. All those 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... all done? Okay. Mr. Clerk, take the record. On this question, the Motion have... on this question, there are 87 voting 'yes' and 24 voting 'nay'. The Motion, having received a Con... a Three-fifths Constitutional Majority, the specific recommendations of the Governor as to House Bill 1303 are accepted and the Bill is declared passed in that form. Representative Mulligan, you have House Bill 1539. Out of the record. Representative Joyce, you're recognized on House Bill 1729. Representative Flowers, on House Bill 1759, the Lady's recognized for a Motion."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's Amendatory Veto on House Bill 1759."

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Speaker Hannig: "You heard the Lady's Motion. Is there any discussion? Then Representative Flowers moves to accept the specific recomen... excuse me, Representative Rose."

Rose: "Mr. Speaker, could.. could the Lady yield?"

Speaker Hannig: "Indicates she'll yield."

Rose: "Can you tell me why the Governor Vetoed your Bill, Representative?"

Flowers: "You know, I'm glad you asked that question 'cause quite frankly, I really don't know and neither did he give a reason."

Rose: "He didn't give a reason."

Flowers: "He did not give a reason."

Rose: "Shocked."

Flowers: "Yeah."

Rose: "I had a Bill yesterday that he didn't give a reason to be Vetoed."

Flowers: "Well, you know, I don't know. But, you know, when I read down here the Governor does not indicate the reasons for the recommendations for change, despite the fact what he changed it to is what the Bill already does. So, therefore..."

Rose: "So, his Veto didn't do anything?"

Flowers: "Well, there were some technical changes. Whatever... but whatever it was we had to clean that up because there was a problem with his Veto message. His Veto message was in error..."

Rose: "His Veto message was in error?"

Flowers: "And we had to make some corrections in the Governors Veto message, but that's okay. I will accept all of this

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because we corrected the Veto message and made that correct."

Rose: "Okay. So you're okay with this?"

Flowers: "Pardon me?"

Rose: "You're okay with this?"

Flowers: "I'm okay with it."

Rose: "Outstanding, thank you, Representative."

Flowers: "You okay, I'm okay. You okay?"

Rose: "Representative, if you're okay, I'm okay."

Flowers: "I'm okay, thank you."

Rose: "Outstanding."

Flowers: "Thank you."

Speaker Hannig: "Any further discussion? Then Representative Flowers moves to accept the specific recommendations of the Governor as to House Bill 1759. All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? This requires 60 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'yes' and 0 voting 'no'. The Motion, having received a Constitutional Majority, the specific recommendations of the Governor as to House Bill 1759 are accepted. And this Bill is declared passed in that form. Representative Fritchey, you have House Bill 3378, do you wish to debate the Motion? Representative Fritchey."

Fritchey: "Thank you, Speaker, Members of the Body. The underlying Bill was a Bill to clean up a pension loophole that was brought to the attention of many in Cook County by some actions earlier this year. There was overwhelming

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support for the Bill. The Governor's Amendatory Veto, candidly is somewhat inexplicable, and if read in any type of logical sense is actually unconstitutional. We believe that the Legislature got it right the first time and we ask for... I would ask for a... assistance in overriding the Veto. Thank you."

Speaker Hannig: "Is there any discussion? The Gentleman from Champaign, Representative Rose."

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

Speaker Hannig: "Indicates he'll yield."

Rose: "Representative, you... you indicated that you believe that Amendatory Veto would unco... unconstitutional if accepted. Could you elaborate on why it would be unconstitutional?"

Fritchey: "Essentially, of why... what I have tried to do and what the Body joined me in doing was closing a pension loophole that seemed ripe for abuse. Obviously, we can not modify the pension rights of people that are vested, per constitutional rights, and we were careful not to do that in the underlying legislation. What the Amendatory Veto would do actually is close the loophole for people that are vested and leave it open for people that aren't, which really defeats what we were trying to do. And as I said wouldn't sustain a constitutional muster as well. We reached out to the Governor's Office to try to get an understanding of what it is they were trying to do, which is not what they did. But we did not hear back from them. I remain confident on my own review, on the review of staff as well, that we got it right the first time that we are

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cleaning up a potential for pension abuse. That this is the right thing to do, both equitably and legally."

Rose: "Representative, are you suggesting that the Governor, who is sworn to uphold the Constitution, has issued an Amendatory Veto that is unconstitutional knowingly and not only that when you press him upon it to state his case why it would be constitutional, he's not returned your calls? His staff has not called back?"

Fritchey: "I've said what I have to say on this."

Rose: "Very Well. I'll be happy to join you, Representative, in overriding an unconstitutional Veto."

Speaker Hannig: "Represent... okay. Is there any further discussion? Then Representative Fritchey moves that House Bill 3578 'do pass', notwithstanding the specific recommendations for change of the Governor. All those 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 Schock and Representative Washington, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', and 0 voting 'no'. The Motion, having received a Supermajority, House Bill 3578 is hereby declared passed, notwithstanding the specific recommendations for change of the Governor. We skipped over two (2) of these Amendatory Vetoes because the Sponsors were temporarily off the floor, but I thought I saw Representative Mulligan and Representative Joyce in the chamber. Representative Joyce, do you wish us to... do you

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wish to call House Bill 1729, the Motion? Okay, Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to override the Governor's Amendatory Veto on House Bill 1729. This deals with the board and care regulation. We... this Bill passed 57 to 0 out of the Senate, 84-22 out of the House. The reason for this Bill in the first place was to deal with the... merge the regulations of board and care homes under the Single Assisted Living and Shared Housing Act. Part of the reason is that 7 of the 20 registered homes... board and care homes have been recorded as violation... in violation for operating as an unlicensed... unlicensed nursing home. I have been in contact with the Governor's Office. Their language, basically would make this permissive instead of mandatory. But they don't seem to have that much of a problem with the override. They're not going to complain about it. I'd appreciate an 'aye' vote."

Speaker Hannig: "The Gentleman has made a Motion to override the Governor's Veto. Is there any discussion? Then Representative Joyce moves that House Bill 1729 'do pass,' notwithstanding the specific recommendations for change of the Governor. All those 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 98 voting 'yes' and 13 voting 'no'. The Motion, having received a Supermajority, House Bill 1729, is hereby declared passed, notwithstanding the

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specific recommendations for change of the Governor. And Representative Mulligan, do you wish to debate House Bill 1539? On your... on your Motion? Representative Mulligan."

Mulligan: "Thank you..."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Yes, I just needed a minute to get like a little organized here. House Bill 1539 was basically a change because of an incident in JCAR. The Governor decided to request... or his director... then director of Veterans decided to request the majority of the money from the scratch-off to go into the Illinois veterans' new health care program. At the time there were not many people signed up for that program and some of the people on the committee then, particularly Representative McKeon, pointed out the fact that the Bill was passed to cover (5) five separate areas and one of them being homeless veterans, another one was things to do with posttraumatic stress syndrome. And so, what happened in JCAR in the next several months was a way of getting around us not allowing them to use all the money in one area and to put before the committee. So, that generated the legislation this year that put a limit on how the funds could be spent, changed the makeup of a board that would decide them from a nonvoting veteran member to including a voting veteran member, having the director of veterans put the committee together as opposed to the Lieutenant Governor, the Director of HFS and the director and no voting veteran member. And we did a compromise with the current director, Tammy Duckworth, on how this should be set up and that the money would not be spent all in that

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one area but divided up equally. The Governor did an Amendatory Veto on the Bill that basically took it back to what we had objected to in JCAR. And so, what he did was he just returned the Bill to wherever it was before, except for the board. So, what we would like to do, and the director has been giving out grants that you can apply for, is still see the money divided up equally among the areas that the General Assembly looked at when we passed the Bill. This Bill was pretty much the first Bill which a lot of us were concerned about that tapped into the lottery money other than education and we felt that it should be spent along what the General Assembly had requested it to be spent for. So, I would hope you would not put us back in the position of being where we were over a year and a half ago because the Governor did an Amendatory Veto, take it back and I would hope you would support the override."

Speaker Hannig: "You've heard the Lady's Motion. Is there any discussion? Representative Boland."

Boland: "Yes, Speaker. Will the Sponsor yield?"

Speaker Hannig: "Indicates she'll yield."

Boland: "Representative Mulligan, I was the Sponsor of the Veterans Lottery. It was originally proposed for five (5) purposes, I believe. Now... so, your legislation actually is to put it back for those different purposes rather than... you're saying the Governor wanted to use a major portion of it for just veterans' health care?"

Mulligan: "Yes, it was to go to that new program. And initially... particularly when I introduced the legislation, there were only thirty-three (33) veterans that had applied

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and were eligible. I think it's supposed to be up to a hundred (100) now. But, there are other issues like... there is an area that you could put money into posttraumatic stress, so I think they could take money from two (2) areas. And the only area according to what I changed the original Bill to go along with what Tammy Duckworth wanted, was to limit it to 20 percent for that particular program as opposed to putting all the money into that program and transferring it to DHS... or DHFS. So what were... what we wanted was to go back to what the intent of the legislation was and that is what JCAR had argued in the first place. The intent was for it to cover a variety of areas where there was an extra need."

Boland: "Right, well as I said, I was the original Sponsor of that and the intent was to have it used for any of those purposes. So, what you're saying here is to override it we're sending it back to what my original intention was on the original legislation?"

Mulligan: "Right. And you'll see that a lot of the Sponsors and the Sponsor in the Senate... the Sponsor in the Senate is Senator Crotty who is the Co-Chair of JCAR. And a lot of the Sponsors on this Bill are either people that are interested in veterans or JCAR Members that were unhappy with what had happened."

Boland: "Okay, thank you very much."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Will the... will the Representative yield?"

Speaker Hannig: "Indicates she'll yield."

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Chapa LaVia: "Representative, have you heard from any veterans groups asking you not to override the Veto, 'cause, there's a little confusion on our side?"

Mulligan: "No, I have not."

Chapa LaVia: "Okay, that's my only question. Thank you."

Speaker Hannig: "Is there any further discussion? Representative Mulligan, would you like to close?"

Mulligan: "Yes. I would ask for your 'aye' vote."

Speaker Hannig: "So, Representative Mulligan moves that House Bill 1539 'do pass', notwithstanding the specific recommendations for change of the Governor. All those 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 Jefferies and Beaubien, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 0 voting 'no'. This Motion, having received a Supermajority, House Bill 1539 is hereby declared passed, notwithstanding the specific recommendations for change of the Governor. Representative Harris, for what reason do you rise?"

Harris: "Point of personal privilege, Mr. Speaker."

Speaker Hannig: "State you point."

Harris: "Ladies and Gentlemen of the House, I rise as we discuss the Governor's Vetoes, to keep in mind another action the Governor has taken in applying a BAND-AID to the Mass Transit Bill. We must also take care of this issue. I'm asking on behalf of the fifty-thousand (50,000) households in my district who count on mass transit

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everyday and we must also take care of the hundred thousand (100,000) households in my district who use automobiles. And we have to be sure we have a Capital Bill to do our roads and bridges, so that all Illinoisans, whether they take private or public transportation are taken care of. Thank you, Mr. Speaker."

Speaker Hannig: "We're going to go to page 15 of the Calendar now, under the Order of Total Veto Motions. And Representative Molaro, you have House Bill 1124. So, you're recognized on that Motion. Do you wish to take... okay, we'll come back to it at the end of the rotation, Representative. So, we're going to move down the list. Representative Cole, you have House Bill 1242. Do you wish to debate that Motion at this time? Representative Cole. Proceed Representative."

Cole: "Thank you, Mr. Speaker. I apologize for taking a few moments. I respectfully ask that the House override the Governor's Veto on House Bill 1242. This passed the House unanimously and the Senate unanimously. It's reinstating a Bill that sunsetted providing child care credit to businesses that open up a child care for their employees. It also allows a group of businesses within a corporate center, small businesses to work together to provide daycare services to a group of employees, as well. I respectfully ask for a 'yes' vote of the override."

Speaker Hannig: "You've heard the Lady's Motion. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, if I understand the Governor's comments in his Veto message, he regards reinstating the corporate income tax credit for start-up costs for providing on-site child care as a corporate loophole. Was that your understanding of the Veto?"

Cole: "Yes, that's my understanding of the Veto."

Black: "So, let me understand this. If we uphold the Governor's Veto then it becomes more difficult, at least in... in my understanding, it would make it more difficult for employers to provide on-site child care, correct?"

Cole: "Yes it would."

Black: "Which, if you carry it out to what I think would be a logical conclusion, then it would prevent in... in more than a few cases, women who are seeking employment or men who are seeking employment who might be single fathers or single mothers, without child care makes it extremely difficult for them to work, would it not?"

Cole: "Yes Representative. The Governor classified this as a corporate loophole when in fact it really isn't. It's a tax credit. There's really a big difference. And this is not combined reporting, it's not controlling interest, it's not an off-shore bank account. It's a... it's an incentive given to businesses to provide a service to their employees. In many cases, these are single parents, mothers, fathers who seek to work... certainly would love to work close to where their children are being taken care of.

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They can have lunch with their children, it's pro-family it's pro-business and... and this is a wonderful way in a very small way that the state can assist working parents."

Black: "It's my understanding... we have some State buildings that have on-site... on-site child care do they not?"

Cole: "I believe so, we do."

Black: "Okay. There... there's a child right there. Obviously, we don't have on-site child care in the House chamber. But have you heard from any large corporations that are saying to you, 'oh, if we only get this child care credit then we'll move to Illinois, en masse because this is a tremendous corporate loophole. We'll make a fortune off this.' Have any of them called and told you that?"

Cole: "No, Representative."

Black: "I wouldn't think so. All of my experience with on-site child care has been that it is an expense that many benevolent employers, including hospitals in some cases have made to enable single parents to work and still be sure that their children are safe. I think it's an eminently good policy that we need to expand. I certainly don't think this could, under anybody's definition, be considered a corporate loophole. I wish more companies would take advantage of it. But, it generally is an expense and a liability issue, and I think that's why many of them don't. Hopefully, your Motion to Override will prevail and that we will find more employers willing to provide on-site child care. It is a definite help to those parents who need to work and if they have on-site child

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care it certainly relieves some of the burdens and stress that they face. I urge an 'aye' vote."

Cole: "Thank you Representative."

Speaker Hannig: "Is there any further discussion? The Gentleman from Cook, Representative McCarthy."

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

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

McCarthy: "Representative, the... I'm reading our analysis and it basically says that this expired at the end of 2004, tax year. Mr. Tryon, please sit down."

Cole: "Yes, Sir. I think the last credit was given out in 2000... FY2005."

McCarthy: "Okay, so we've gone two (2) years without this? And this would reinstate it with all the same rules that it had before?"

Cole: "Yes. And DECO would... would administer..."

McCarthy: "Okay, just for my own education here, was there any limit on this? That's where I see a problem. Is there any limit? It's 30 percent of their start-up cost, correct?"

Cole: "Correct. I believe there was a limit originally in the Bill, but I would have to check that. I... I... I'm sorry I don't know."

McCarthy: "I appreciate it. I mean, I've gone to some of these businesses where they have a nice adequate day-care facility for their employees. But then there's other ones that I think are like the Cadillac of Cadillac's and I don't think we should be responsible... if they decide to do that, that's all well and good for them. But if they make that decision, I certainly think there should be some limit

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on this so that people just can't build anything they want and then take 30 percent of the cost of that as a tax credit. So, hopefully..."

Cole: "Unfor... the greater cost when you build a daycare like this is the ongoing maintenance of a facility and the employment cost. Most of the businesses in all the states that provide this, smaller and medium size businesses are the ones taking advantage of this. And the daycare itself only provides services to those businesses that participate."

McCarthy: "Okay."

Cole: "Very seldom is something like this ever taken advantage of by a large corporation 'cause they want to have total control over you know, who they hire and how that works. In this particular sense..."

McCarthy: "This is just start-up cost right, 30 percent of start-up cost, not operational?"

Cole: "Thirty percent. Right, correct. There is a provision of the Bill that hasn't sunsetted that require... that allows for, I think, 3 percent of... of ongoing operations."

McCarthy: "Operat..., okay."

Cole: "That's still in effect within this Bill."

McCarthy: "Okay. Well, I would appreciate it if you get that information back to me, but I do think there should be some limit. I don't think they should be able to build a TajMahal if they want. And there are some that are... I mean that are really beautiful. But I think if a business takes on that responsibility they should truthfully take it on and not use it as a tax credit. So, I hope there is some

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reasonable limit as to how high they can estimate their start-up costs."

Cole: "I'll check that out, Representative. Thank you for bringing that up."

McCarthy: "Thank you, I appreciate that."

Speaker Hannig: "Is there further discussion? The Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. Are we... what Bill are we on up here, Mr. Speaker? Is this... is Sandy Cole speaking to House Bill 1293 which says Howard, Graham, Yarbrough?"

Speaker Hannig: "No, it's actually House Bill 1242."

Rose: "Okay."

Speaker Hannig: "Mr. Clerk, could you... could you correct the board?"

Rose: "Okay, thank you, Mr. Speaker. To the Bill. This just frankly, perfectly illustrates the shortsidedness of the Governor's Office in declaring this a... some sort of corporate loophole. The State of Illinois would gain far more tax revenue from having employed citizens paying income tax than we would otherwise by having these centers in place. To declare this a corporate tax loophole completely ignores and I think frankly intentionally ignores the complete personal income tax side of this equation. To have a healthy vibrant economy you have to have employees. And to have employees you have to have a conducive work environment for them to come and work. Sand Cole's legislation would remedy that and encourage people to work and inturn, help produce revenue for our state in the form of income tax. It's absolutely asinine, and

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frankly, to a large degree ignorant of the facts to somehow say that this is a corporate tax loophole. and not say that by putting people to work our whole state isn't going to be a lot better off. And what ever we might lose, whatever small sum of money you might loose on this will be far, far and away recaptured by having the income tax revenue coming in from these citizens who are working every day, living every day and paying taxes to the State of Illinois. So, I salute Sandy Cole for standing up to the Governor on this important issue, and frankly, making the case that by.. that this is not a corporate tax loophole, far from the contrary, it will actually put people to work and we will be much better off as a state from a revenue standpoint in the long run. Thank you, Mr. Speaker."

Speaker Hannig: "Any further discussion? Then Representative Cole, you're recognized to close."

Cole: "Thank you, Mr. Speaker. I just respectfully ask that everyone vote to override the Governor's Veto and support a pro-business, pro-family, pro-child legislation."

Speaker Hannig: "Representative Cole moves that House Bill 1242 'do pas', notwithstanding the specific recommendations for change of the Governor. Okay, Representative Cole moves that House Bill 1242 'do pass', notwithstanding the Veto of the Governor. All those 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 111 voting 'yes' and 0 voting 'no'. The Motion having received a Supermajority, House Bill

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1242, is declared passed, notwithstanding the Veto of the Governor. Representative Ford, do you wish to debate House Bill 1332? Representative Ford."

Ford: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to override House Bill 1332. First, let me thank all the people that supported House Bill 1332 to get it to this point and the staff that helped me get it to this point. I hope we continue to work toward getting House Bill 1332 passed. Today, I move to override the Governor's Veto. His Veto came as a surprise to me, given his stance on improvement and improving the quality of life for all people. House Bill 1332 shows the people of Illinois that Illinois may fall short of living up to its constitutional responsibility, the Constitution that I swore to say that... that I will uphold. House Bill 1332 shows me exactly how difficult it is for people to get jobs. And today I'm move to say that we override the Governor's Veto of House Bill 1332, thank you."

Speaker Hannig: "So you've heard the Gentleman's Motion. Is there any discussion? The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Will the Sponsor of the Motion yield for some questions?"

Speaker Hannig: "Indicates he'll yield."

Eddy: "Representative, can you tell us what the CMS position is on your legislation? Based... excuse me. What CMS's position is on the Governor's Veto?"

Ford: "The CMS position remains as it did when... previously."

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Eddy: "Will... what is that position? Related to your legislation, what is the position of CMS?"

Ford: "I don't know. I know... do you have it? I'm not looking at any opposition to this Bill at this time."

Eddy: "Well, I..."

Ford: "Only the Governor."

Eddy: "In our analysis it states that CMS supports the Governor's Veto. Let me... let me ask you a couple of questions regarding the types of offenses that the application questions may not contain. Is it true that if some one is guilty of tax evasion, bribery, embezzlement, ID theft, antitrust, other fraud and burglary, larceny offenses that this legislation would allow the individual to not report that on a... on a application?"

Ford: "You're wrong when you say that. This legislation says, 'if the Federal or the State law disqualifies a person convicted of a certain offense from holding a position an application for that position may inquire as to whether the applicant has been convicted of a disqualifying offense.' So, no."

Eddy: "And... and... and that's what I'm getting to, the certain offenses. And our understanding is that those certain offenses that would be omitted for being reported include fraud, burglary, forgery and other felonies that could include drug possession and trafficking as well. And in the Governor's Veto message he Cites the possibility of that and CMS also supports that because the agency believes that certain nonviolent criminal offenses should be reported when you're applying for state employment. And

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this legislation, in their opinion, seems to allow individuals not to report certain crimes."

Ford: "Not to report certain crimes. But once again, I go back to tell you that this legislation says that if the state disqualifies a person for a position such as what you're talking about, then they must report it."

Eddy: "Well Representative... Mr. Speaker, to the... to the Motion. I... I would suggest that folks pay attention on this and read carefully what the underlying Bill allowed for. And I understand what the Representative's attempting to do, I... I know why he's attempting to do that. And I certainly understand that there are individuals that their past has chan... excuse me. They have changed from their past and perhaps, you know, they would like to have certain things that they had done, not be considered. However we're walking a fine line here and some of the offenses clearly, that this would allow individuals not to report are very important public policy concerns. I would ask that individuals pay attention, look at your vote on this last time and consider the reasons that you thought this was a dangerous public policy and... and not support this Motion and in this case sustain the Governor's concerns. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support the Governor's Veto of this Bill. And, I think if you look at it very carefully you'll see why the Governor did, in fact, Veto

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this Bill. This Bill was defeated in the House the first time it came up. It was placed on Postponed Consideration. The second time that it was called it got 61 votes. This Bill is drafted... and in all due respect to the Representative, it... it... it in fact does say if you're disqualified by virtue of a Federal or a State Law then that application can ask you about that potential disqualification. Well how many applications are we going to have out there? The purpose of a CMS 100 application is to find out whether or not that applicant meets certain criteria. You can't... the Bill goes on to say if you're applying for a peace officer position then that application may inquire as to whether the applicant has ever been convicted of a disqualifying offense so that he or she would not qualify to be a peace officer. Again, to carry out the actual language of this Bill would require, in my opinion, having been here for some years, a wide array of applications. And if the applicant got the wrong application and did not then have to put down what he or she may have been found guilty of, then that application could go through the system and that applicant could get hired. This has happened in the past where people have not been honest nor truthful on their application. Again, the Gentleman is certainly... has my respect for what he is attempting to do. But I think it makes it... the application process extremely cumbersome and you would have to... if I read this Bill correctly, you would have to ask an applicant something that you're not really not supposed to ask. And that is before I give you this application, is

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there any reason for me to believe that you aren't qualified for the following one hundred (100) jobs? Well, I don't think that is what the Gentleman really intends to do. I think if he would work on this Bill and bring it back in January it might enjoy more broad-based support. But, as it's written and... and the implications of the Bill as written, I think the Governor's Veto in this case is accurate and should be upheld and I urge you to look at this very carefully. I, for one, intend to vote to uphold the Governor's Veto of this Bill. I think the Bill needs some... some work and if the Sponsor would bring it back in January or February of next year with some safeguards then who knows, it might very well pass with a substantial majority. But until that is done, I think it's bad public policy and I intend to vote against the Motion to Override."

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

Molaro: "Well... Thank you, Ladies and Gentlemen. There's no doubt what the last speaker said has some validity. You could always make a Bill a little bit better. And Representative Ford would certainly... if this was... we're lucky enough to get the requisite amount of votes and both chambers overrode this vote, he would certainly sit down and talk to anybody. But I think we're going too far afield and we're saying things that just aren't part of this Bill. If you go for a CMS application today and you go fill out for a state job, the question that's on there is whether or not you have ever plea guilty

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or been convicted of any criminal offense? That's the question of anywhere of a three (3)- to a twenty (20)- page document. Representative says we should put violent offense because a lot of people were placed on supervision. And what we have is if you check that box 'yes', you never get to the second step. There is no doubt on applications for a... from police officers to other ones that you can ask anything you want. All this is doing is saying on the application itself you should ask if it's a violent offense. Once you get past the application process and you're being interviewed for the job, or your being hired for the job, you have to go through fingerprinting, you have to go through all kinds of interviews, and the interviewer could certainly get into what kind of criminal background, were you arrested for a DUI, what exactly did you get suspended, were you arrested for retail theft, oh you got supervision or you didn't. And you don't want to hire, him you don't hire him. But, someone who has had supervision for retail theft should not have to answer that question and be barred from looking at state employment. That just makes simple sense. We're not asking for anything else but just to say violent offense, fine, but if you got supervision for retail theft, you shouldn't be barred right at the application process. That's all this Bill does. Now if you want to talk about unintended consequences we can... well, we can come up with four thousand (4,000) anecdotal stories on any Bill that we pass. I think we're going too far afield, again all we're talking about is the application that you have to fill out,

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not the interview process. I want to make that clear. You file an application, if your application's picked and you're interviewed you can be asked anything at the interview process. And if you have to explain your retail theft, and if the department doesn't want you on there because you've been convicted for retail theft, then they don't have to hire you. We're not going that far, we're not saying what they have to do at the interview process. We're just saying at the point of application you should be able not to have that question answered because that should be left for the interviewer so this way you can explain that you got supervision. If not, then we might as well eliminate supervision for retail theft and all these kind.. 'cause it won't matter. If you have to answer the question, because as you know, to get supervision you have to... that is a conviction you have to answer 'yes' on the application. And if you're going to be disqualified or you're going to be looked at with jaundice eyes right at that part of it, then we should also, if we're going to not override this Veto, then we should bring a Bill that gets rid of supervision throughout the State of Illinois and it should say that if you're just convicted for any small infraction, we don't want you working in the state. We don't want you anywhere, and we should figure out if we could have a place where we could have all people who are convicted of small crimes, like retail theft, where they can live somewhere in this state because we don't want them to even fill out applications in the State of Illinois. It's a small Bill to help people who were convicted of

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small crimes and received supervision and I think it's a good Bill and we should override. Thank you."

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

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

Speaker Hannig: "Indicates he'll yield."

Sacia: "Ladies and Gentlemen, I stand in strong deference to the previous speaker. I find that amazing because usually I'm on exactly the same page as he is. He used the example of non-violent crimes and... and he used the example of retail theft. Yes, retail theft would be considered a minor crime but other nonviolent offenses: tax evasion, bribery, embezzlement, id theft, antitrust, at least a dozen forms of burglary, fraud, larceny, forgery, and numerous other felonies he failed to mention. In this past year, I can't think of one time that I've stood with the Governor, but I sure do on this one. This is bad legislation. It crawled out of here with 61 votes. I strongly applaud what Representative Black said earlier when he suggested that the... that the Sponsor bring us back some legislation next year with some cleanup language that could make some sense. But, as a thirty year (30)- law enforcement officer, this is actually... the only word that comes to mind is scary. To allow someone to make an application and not have to list felony convictions, even though they were nonviolent, we have no idea how in-depth the process will be for the interview, fingerprinting processes and so forth. On this issue I would urge the

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Body to uphold the Governor's Veto. Thank you, Mr. Speaker."

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

Howard: "Yes, thank very much, Mr. Speaker. Will the Sponsor yield?"

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

Howard: "Representative Ford, does this Bill, at all, preclude a background check?"

Ford: "No, you still would have a right to a background check."

Howard: "Does it preclude anything else happening that would not give the employer the opportunity to determine whether or not they want this person as an employee?"

Ford: "No, Ma'ma."

Howard: "Your... your whole intention is to try and give people an opportunity to get an interview. Is that correct?"

Ford: "That's is Right."

Howard: "To the Bill. My colleagues, there is going to have to be a time when we begin to understand that too many of our people in this State are walking around without jobs because nobody is interested in giving them a chance. Many of these people have made mistakes, they're very sorry that they've made mistakes, they want to atone for the mistakes, they want to get on with there lives, they want to become productive citizens. If we never give them a chance, then they will continue to be recidivism statistics. Why not allow them to have an interview and let them demonstrate to that employer that they are the people that they need to get that job? What is the problem with that? The employer has a safeguard. They need but do the background check,

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they need but talk about it during the interview process. This is a... this is a safety... neighborhood safety issue, people who walk around the streets and have no hope are never going to be able to be productive. They will never have any hope that there will be a time when they can become productive citizens. We must at some point decide to give them that opportunity. I urge you to vote to override the Veto. Thank you."

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

Rose: "To the Bill. Every now and again a blind squirrel gets a nut in it this case, as much as it pains me to admit it, the... the Governor got this one right. So, I won't go into belabor the point, but I would urge a 'no' vote on this override. Thanks."

Speaker Hannig: "Any further discussion? The Gentleman from Cook, Representative Dunkin."

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

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

Dunkin: "I think Representative Connie Howard spoke very eloquent when she mentioned the fact that no state employee, no agency will be denied a background check on a particular interviewee. If you knew how many people that have been released from the Department of Corrections in this State that live in my district or my colleague Representative Ford's district and downstate here in Sangamon County and various parts of this state who have been out of prison for about ten (10), fifteen (15), twenty (20) years are simply looking for a second chance and all

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they want is an interview. They're educated, they are motivated they may impress the interviewer and all an application says is that there is no criminal background check box right there at the onset. That's all it does. It does not prohibit any state agency from doing his or her due diligence, whether it's criminal or references, et cetera. this is simple legislation, it's straightforward in that it gives people an opportunity to sit in front of someone and get a chance to be voted up or down on at the onset. Unfortunately, what typically happens is when we see, 'have you ever been arrested'? And that box is checked 'yes', it tends to go in the garbage. But, if you have political clout, or maybe if you know someone, the owner, maybe if you're a relative of your... or if you're from a certain community, it doesn't make a difference whether that box is on that application or not, now, we know that. Most of us here in this chamber have assisted some of those individuals whose backgrounds wasn't as favorable as we would've liked, maybe. And that's not against the law, to give a person a second chance or at least a first look without being tossed in the... in the trash can or pushed to the side and they simply want... all it is, is an interview. This Bill simply gives people, at face value, an opportunity to interact with a potential employer. That's it, with no discrimination at the onset. And again, as he stated so, so clearly, they have a right to do their background check, their due diligence and so forth. Let's look to pass this Bill out of this chamber. Let's give Illinoisans a chance to get back on their feet,

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to take care of themselves, to take care of their families, their children so they can walk upright like many of us. And some of those people who don't have the political influence as some of the people that we've helped in our day. I would encourage a strong 'aye' vote for this legislation. Thank you."

Speaker Hannig: "The Gentleman from DuPage, Representative Reboletti."

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

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

Reboletti: "Representative, would these include offenses like burglary, possession of a motor vehicle, theft over three hundred dollars (\$300), theft over ten thousand (\$10,000)? Those would all be include as nonviolent offenses?"

Ford: "What... what's your question?"

Reboletti: "I guess... these... you're... you want this to be included as part of your Bill, that people who have burglary convictions or theft convictions of felony levels would... would not have to answer the question as if they'd been arrested or if they have any prior history. Is that correct?"

Ford: "What I'm asking is for the state to take a serious approach and do a criminal background check, that's what I'm saying. I'm saying we should not rely on a piece of paper. You know... you know... you heard the old saying, 'you can't judge a book by its cover'? This is an example of judging a book by its cover. Open the book up and give the person an opportunity and interview them. You know, some people do things like say, I want to fight and I want to

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make sure that you hire people. This Bill doesn't say that you have to hire a sole. This Bill simply says that you should open the book and give the person a chance. That's all it does."

Reboletti: "Representative, I just think that, at least in my position, that this Bill is a little expansive. Maybe it might try to bite off too much at the first... at first blush. I know you and I have talked about this Bill. I also... I... I... attended a recidivism committee hearing in North Chicago with Chairman Washington to take a look at helping ex-offenders and what things that we could all do here as a Body to... to try to help those people that are working on being reformed and... and trying to integrate back into working society and being productive. But, that also assumes that everybody that makes application is reformed and is... and how far are we looking at as far as, you know, people are picking up other... other cases? How many cases are you looking at them not disclosing? Is it... do they have five (5) convictions for retail theft, five (5) burglary convictions? I mean are ...we're not disclosing any of it?"

Ford: "No, it has... that's good dialog, but it doesn't talk about anything but allowing the person to sit before you. You know, I think a perfect example is, I don't think any of us would probably be elected today if we had to submit an application with one shot at it. But what we get to do is go throughout the district and sell ourselves to people. And when we sell ourselves to people, it allows us the opportunity for people to hire us. And that's what

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happened to everyone in this Body. But, you know what, people in the State of Illinois, they're being held back and the Constitution of Illinois is not being upheld because the constitution says provide a opportunity for the fullest development of an individual, and that's not what we're doing."

Reboletti: "I... I guess the other concern that I have is that, you talk about the supervision part of... some of the crimes here and... and that many people, if they only have the supervision they can go two- or three- year period, depending what the statute says, and they can go and get that expunged. Why... why aren't we helping these individuals get these cases expunged? I mean, expedite the expungement process so that they can then go in and answer these forms without being arrest... saying about they were arrested."

Ford: "Now, if you... if you're for... if you're for expungement then you should be for this because I don't want to hide it."

Reboletti: "Well, I'm saying that this is already part of the statute."

Ford: "Yeah, but...".

Reboletti: "In that why that these individuals are trying to find work they can... they can actually go to DuPage County or Cook County or wherever, they can file the expungement papers and in the appropriate time frame and this is not even recorded as an arrest against them. So, if they follow the paperwork they can get this expunged, they won't have to answer this question in the affirmative then."

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That's, I guess, what a part of my concern is. Because, unless they're not following that procedure, there may be other crimes that they have been convicted of that they cannot the supervision expunged."

Ford: "Well, you know that's... that's an approach that I think that I would be for, for some form of expungement. But when you tie this to my legislation and all the other people that help... that's sponsoring this legislation, expungement is hiding the fact. This legislation says, keep the facts there in front of you. Look at it, look I was convicted when I was eighteen (18) years old, of something that was silly, but now I'm twenty-five (25), twenty-seven (27) years old with a family. Please, please, can I come sit before you and let me plea my case to you and say look, that was a mistake, I'm qualified, I can work for you, I'm trustworthy. You know what, you can watch me. You're going to have me on probation anyway, just like the next person. Boland for example, he could very well be the person that we have to worry about without an offense. But guess what? We're not worried about Boland, we're only worried about that person, he puts himself out there. He has a criminal background check on record and there's no reason for us to deny a person the opportunity that the constitution says that we should."

Reboletti: "Well, Representative I... I don't think that necessarily expungement is hiding something that is part of the process to help people that have found themselves in situations as young men and women that have done something out of character and that it shouldn't affect them for the

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next fifty (50) years in trying to gain employment. I think that strives to actually help them in that endeavor and I can understand that. One of the things that also concerns me on this is you're talking about while this person did this you're talking about a ten-year (10) jump later is now you're twenty-eight (28) years old and this is impacting you, that's not in the Bill. So, it's not well if... if... if you live the crime free life you have moved into a productive lifestyle then we're looking at a ten-year (10) period of not answering the question. It could happen five months ago. It could've happened... been disposed of five months ago, it could've been disposed of last month and now you're applying for a state job."

Reboletti: "You're right. And you know what? I mean you give good dialog and I like it because it allows me... but, you know what? Let's talk about Jena Six. The Gentleman that was in Jena Six wrongfully accused of a crime. And it just happened. They're released now, let them go apply for a job. Now they have to check a box that says they've been convicted, but they were actually, possibly wrongfully accused. So, do they deserve to sit in front of an employer?"

Reboletti: "Well, I'm not going to comment on the... on that case. I don't believe that is... is relevant to necessarily this discussion. And I understand that there are wrongful convictions at times and I know we've been discussing that all Session. But what I'm looking for, I guess is something smaller in your legislation looking at time frames. Now you're twenty-five (25) years old and applying

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and this happened when you were eighteen (18) and nothing else has come up and then maybe try to help these people maybe acquire state employment. I think if you're talking about burglaries being included and major thefts being included, it's just too expansive and I think the people of the State of Illinois deserve protection or at least more knowledge that the people that they are employing are.. are convicted felons of these types of offenses. Thank you, Representative."

Ford: "Thank you. That gives me hope."

Speaker Hannig: "Representative Scully."

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

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

Scully: "Representative Ford, you stated that within this legislation it is permissible for the interviewer to ask the question of whether someone's been convicted of the felony. Is that correct?"

Ford: "For the employer to ask? You know, the legislation just says that it does not prohibit the employer from doing a background check. Maybe I didn't understand your..."

Scully: "It's my understanding that the employer.. the interviewer, is permitted to inquire."

Ford: "Okay, Yes."

Scully: "Is that correct? Now, is there any criteria for when the employer can ask that question?"

Ford: "No criteria in this legislation."

Scully: "Are you concerned about the possibility that the employer would use that discretion, and only ask that question of certain protected classes of people?"

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Ford: "I'm concerned of that."

Scully: "Representative, I am concerned about that. I am also concerned of the potential liability for the State of Illinois. Let me give you a very simple example. Ladies and Gentlemen, I do a lot of work in the mortgage lending field and you've probably all filled out home mortgage applications. And you've seen that four (4)-page application, it's very complicated. But that application asks every legally permitted question, and if a loan officer comes to me and say, 'you know I want to ask this question of the borrower but it's not on the form'. My response is, there's probably a law that says you're not allowed to ask that question. I am deeply concerned about the possibility of giving that discretion to an interviewer and I'm concerned about the risk that interviewers will be discriminatory, illegally discriminatory in when they ask that question. If I was giving legal advise to interviewers for the State of Illinois... Ladies and Gentlemen, please pay attention. To any interviewer for the State of Illinois, if this law is passed they should never, ever ask the question unless they have clear, unequivocal, nondiscriminatory written standards for when they do or do not ask the question. To take this question off of the application and leave it purely up to the discretion of the interviewer is a huge legal problem, both for the applicants and for the State of Illinois. Thank you."

Speaker Hannig: "The Gentleman from Bond, Representative Stephens."

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Stephens: "Mr. Speaker, I move the previous conviction...
previous question."

Speaker Hannig: "The Gentleman moves the previous question.
The question is, 'Shall the main question be put?' All in
favor say 'aye'; opposed 'nay'. The 'ayes' have it. And
Representative Ford, you're recognized to close."

Ford: "Thank you very much. Well, you know this... this House
Bill 1332 only affects state employment. It does nothing
for private entities. It's only saying that the state
should live up to the constitution and allow people to be
developed into their fullest form to serve as citizens of
this country, this state as well. It's very disappointing
to know that people in this day and age can't really
understand that this is a Bill that provides opportunity
and poses no danger. People everyday are hired on jobs and
we have no idea who we're hiring. And those are the people
that's causing most of the problems in employment, not
people that's not hired, otherwise employment would be in
much better shape than it is today. Given the fact that
Illinois has failed the kids in education, in all
communities, even down is Springfield, I believe,
Springfield has the poorest school districts and
communities here in the State of Illinois. And for the
Governor to Veto this legislation when he says that he's
for the improvement of the quality of life for all people
is surprising. So, hopefully, you'll see it fit to give me
an 'aye' vote for House Bill 1332 because it poses no
problems for the people of Illinois. Thank you."

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Speaker Hannig: "Representative Ford moves that House Bill 1332 'do pass', notwithstanding the Veto of the Governor. All those in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 54 voting 'yes' and 57 voting 'no'. And the Motion fails. It's a renewable Motion, Representative Ford. Representative Beaubien, you're recognized on House Bill 1558. Out of the record. Representative Poe on House Bill... excuse me. Representative Rose, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Rose: "Ladies and Gentlemen, in the gallery behind me and I'd ask them to stand, are some citizens from the Charleston... the Coles County CCAR Industries in Charleston which is part of the Veto override yesterday. And they came up today to say thank you to you all for being part of the override to help put their funds back. CCAR is one (1) of four (4) organizations that helps individuals with developmental disabilities live to their fullest extent and enjoy life, and we really appreciate them being here. And they wanted to say thank you for your vote yesterday. So, thank you."

Speaker Hannig: "Representative Mitchell."

Mitchell B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to introduce, standing right next to me is my intern, Vince Brock. Vince is a Iraqi war

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veteran. He's been in one tour of Iraq, one of Europe and he might be going back to Afghanistan. He is a senior at Millikan University in Decatur and he's a recipient of the Bronze Star. So, I'd like to give a big Illinois House welcome to a hero."

Speaker Hannig: "And Representative Poe, you have House Bill 1960. You're recognized on the Motion."

Poe: "Mr. Speaker, I make a Motion to totally override the Veto."

Speaker Hannig: "You've heard the Gentleman's Motion. Is there any discussion? So, Representative Poe moves that the House 'do pass' House Bill 1960, notwithstanding the Veto of the Governor. All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? This requires 71 votes. Have all voted wish? Have all voted who wish? Representative Hoffman, Gordon, Dugan, Bradley, do you wish to be recorded? Representative Rich Bradley, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 0 voting 'no'. The Motion having received a Supermajority, House Bill 1960 is hereby declared passed, notwithstanding the Veto of the Governor. Representative Molaro, do you wish to debate House Bill 1124, the Motion to override? Representative Molaro."

Molaro: "Thank you, Mr. Speaker. This is the Bill that we discussed before and basically what this does is... you know, you take the Western Open, which is a golf tournament here in Illinois, and you take any bowling leagues, when you're in the Western Golf Open and you have a tournament, they're

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actually playing for prize money. And the reason that it's legal in the State of Illinois is there is a skill involved in it so it's really not gambling. What they have in about... a lot of taverns and a lot of VFW halls in Illinois, for those of us over the age of forty (40) you remember bowling games that you used the little puck. They would have leagues about bowling games they would have leagues about dart tournaments, and those were all legal in the State of Illinois, there never was a problem. The State of Illinois, we cut up the Department of Revenue into certain areas. And there's... one of the agents thinks that when the dart games are computer games or when the bowling games are computer games even though there's skill, because it's a computer game, that that shouldn't be allowed. The rest of the state it's allowed. All this qualifies as to what the word 'skill' means in skill games. Obviously, card games... all those other things are exempted. But, anybody who's played Golden Tee or played any trivia games... you know Golden Tee or these hunting games or these bowling games, They are a game of skills and this allows the VFWs in the... and the restaurants to hold leagues like they always have in the past. So, it defines what 'skill' is and that's all the Bill does and we would ask that the Motion be Overridden."

Speaker Hannig: "The Gentleman has made a Motion to override the Governor's Veto of House Bill 1124. Is there any discussion? Okay, Representative... Representative Molaro moves that the House... moves that House Bill 1224 'do Pass', notwithstanding the Veto of the Governor. All those in

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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? Have all voted who wish? Mr... Last call. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 67 voting 'yes' and 44 voting 'no'. And the Motion fails. Representative... this is also a renewable Motion, so you can file a new Motion. Representative Molaro."

Molaro: "I just... no, I just want to make sure my microphone is working because, I don't know if the Membership heard what I had to say and I just... It's working, so I guess I have to accept the vote. So, thank you."

Speaker Hannig: "With that eloquent speech in opposition... Representative Tryon, for what reason do you rise?"

Tryon: "Mr. Speaker, I rise for a point of personal privilege."

Speaker Hannig: "State your point."

Tryon: "As I was walking into the Stratton Building this morning I happened to see by the door there a bouquet of balloons that said, 'Be sure and wish Jack Franks a happiest fiftieth birthday'. I didn't know he was fifty (50) but it's... it's his birthday yesterday, so if you would give me a opportunity to wish Jack a happy birthday and a round of applause for our colleague, Jack Franks."

Speaker Hannig: "We're now going to go to page 8 of the Calendar, Senate Bills-Second Reading. And on that Order is Senate Bill 753. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 753 has been read a second time previously, a Bill for an Act concerning government. No Committee Amendments. Floor Amendment #2, offered by

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Representative... Floor Amendment #1 and 2, offered by Representative Turner, has both been approved for consideration."

Speaker Hannig: "I'm advised, Representative, that we need to withdraw Amendment #1."

Turner: "That's correct. Withdraw Amendment #1."

Speaker Hannig: "So, we'll withdraw Amendment #1. Mr. Clerk and then Representative Turner on Amendment #2."

Turner: "And Amendment #2 basically, just changed the effective date of this legislation. The... deals with the Supreme Court Historic Preservation Committee, and it moves the date from October 24, which is when they were supposed to have set the additional appointments, to January 1, 2008. I move for the adoption of Amendment #2 to 753."

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

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

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

Clerk Mahoney: "Senate Bill 753, a Bill for an Act concerning government. Third Reading of this Senate Bill."

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

Turner: "Thank you, Mr. Speaker. Again, I move for the adoption. As I explained earlier, Amendment #2 primarily just changed the effective date in terms of when those appointments need to be made for the Supreme Court

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Preservation Committee. And I move for the adoption of Senate Bill 753."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wait, Mitchell, Collins, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed."

Speaker Turner: "Representative Turner in the Chair. On page 15 of the Calendar, we have House Bill 978. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would move to override the Governor's Veto on House Bill 978. The Bill deals with the Procurement Policy Board and this is a board that was established a few years ago as a Legislative Branch Agency. And like the Auditor General, the purpose of the Procurement Policy Board is to serve as a watchdog on the Executive Branch of Government, particularly the leases that are executed out at Central Management Services. So, currently, the Procurement Policy Board has the power to review leases that CMS makes when they're renewing leases. That power will sunset unless we override the Governor's Veto of this Bill. So, for those of you who believe that the Legislative Branch of Government has an obligation to serve as a check on the Executive Branch, this is a Bill that we need to have in

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order to ensure that this Legislative Branch Agency, the Procurement Policy Board has the tools that they need to be the watchdog that we want them to be over the Central Management Services Agency. The... the Bill itself simply extends the sunset. So in other words, it simply allows them to continue doing what they already do. I'm not certain why anyone in our branch of government would object to that, but clearly the Governor no longer wished to have this agency this... this legislative agency overseeing some of the actions of the Executive Branch. So, Ladies and Gentlemen, this is a good government Bill, and I would simply ask for your 'yes' vote."

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

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

Speaker Turner: "Indicates he will."

Eddy: "Representative, the underlying legislation I... I... I did not vote in favor of that. However, listening to your comments I... I want to... I want to give you an opportunity to change my vote, because I... I think what you said made some sense to me that maybe I didn't hear the first time. The Governor's Veto message states that this would hinder the bidding process. Can... can you respond to... to that assertion?"

Hannig: "I... I'm not certain what that actually means. These are situations where people have significant leases, where there is most cases will... in almost every case will be no alternative in the community for a competitive situation to

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exist, where that lease holder has probably the only building in town that's suitable. And so, by having the Procurement Policy Board available to review the renewal we can make sure that the State's getting the best... the best rates that's available. So, simply by having the watchdog group with the authority means that CMS is more likely to act in the best interests of the State anyway knowing that the Procurement Policy Board could object. And then there are cases where leases are signed that are not in the best interests of the State and the Procurement Policy Board does object and that serves the best interests of the State. So... so that's the way that the situation works, Representative. And I'm not certain how, by letting that sunset, we would make things better."

Eddy: "So... so this simply permits the... a state agency to renew or extend a lease, it... it doesn't require them to. It permits them to and they can, if it's something they feel can be better... a better deal for the public by bidding it, they can. This just permits them to that in those cases where it... it makes perfect sense that that's the thing to do."

Hannig: "Right. These are going to be cases where probably if... if we went to bids, there would only be one bidder, and that's the person who holds the contract now. So, in those cases, we would say it's okay to negotiate because the bidding process really isn't going to work very well, so it's okay to just negotiate with that bidder. But now we want to have the watchdog group, the Procurement Policy Board, have the authority to make sure that whatever is

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agreed to by the Executive Branch and the private person, that we want them to be able to review that and say whether that's in the best interests of the State. So, it's an added opportunity to ensure that the taxpayer get the best bang for there buck."

Eddy: "That makes sense. And I appreciate those explanations, and in fact I don't see where this hinders any process and as a result, Representative, I'll... I'll switch my vote and support that, because it makes perfect sense that this is needed. Thank you."

Hannig: "Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I certainly appreciate listening to the response that Representative Hannig gave to Representative Eddy. I simply stand in strong support of Representative Hannig's Motion. This legislative oversight is necessary and needed. For those of you who have been around awhile, Representative Hannig and I could recite newspaper article after newspaper article where leases were simply renewed, renewed, renewed, where they generally... with a increase in the monthly stipend and very little oversight. I think what the Legislature created some years ago was a necessary step. I... I certainly join with Representative Hannig, I don't think this hinders the competitive bidding process whatsoever. In fact, I think in some cases, it might help to bring about a competitive bid. If you'll look around in your districts you can find,

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as I have in mine, leases for state offices that are simply renewed for a term of five years (5), ten years (10), then you have literally to go through a FOIA request to find out what the monthly rent is on the lease. And... and that's why this Procurement Agency was... was started in the first place, to give the Legislature some ability to look into leases and see if that lease was in fact was in the best interests of the State of Illinois. It has worked well, all this does is to take a program that has worked well and extend its shelf life for a few more years. And then we will act on that when this sunset closes. I think Representative Hannig's Motion is certainly one deserving of your support and I hope you will join him in overriding this total Veto."

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

Dugan: "Thank you, Speaker, To the Bill. I, too, was one that kind of misunderstood what this original Bill, the underlying Bill was doing. Procurement, of course, is a issue of mine. I just did the Resolution to get up a task force to look at procurement policies in the State of Illinois. Already I've received an answer on procurement and it had to do with this Bill. This Bill is needed... I mean certainly to override the Motion, this type of thing, the sunset needs to be extended so we do have, as Representative Hannig said and others said, the oversight on leases and things that are done in this state. It's imperative that we have a watch doggroup and certainly this particular piece of legislation allows that to continue.

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So, originally, I had voted against the Bill, not understanding the full impact. Now that I do understand the impact of what this does, this is in the best interest of the state and certainly for the people of this state to make sure that there's someone watching over and just looking again at what happens when we do leases to make sure it's in the best interest of the people of the State of Illinois and us as a Legislator. So, I certainly stand in strong support of overriding the Veto of the Governor on House Bill 978. Thank you."

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

Mathias: "Thank you, Mr. Speaker. To the Bill. I also was one of those Members that voted against this Bill in its... when it first came up. And I sit on the Audit Commission and just by coincidence we did the audit this week of the Procurement Board and I was able to question the... the head of the Procurement Board as to this Bill and ask for an explanation. And when he explained it to me in the same manner basically as Representative Hannig has explained it to this Body, I also was convinced that this was in the best interest of the state. And I'm going to change my 'no' vote to a 'yes' vote. It still gives the power to the Procurement Board to determine what is in the best... that it is in the best interests or if it determines it isn't, then it could still ask for these leases to go out for a bid. But, as... what happens a... many times in small communities, there's only one building maybe that's suitable for a lease. And so if you put it out to bid, the full control

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then is with the lessor who could certainly try to bid as high as he can for his property and there is no one else there to counter that or make a lower bid, and so, this way there will be more of a negotiation process because the Procurement Board will oversee any extension. And so I urge the Body, those of you voted 'no' the first time to change your vote also like I will, to a 'yes' vote. Thank you."

Speaker Turner: "Representative Hannig to close."

Hannig: "Well, thank you, Mr. Speaker and Members of the House. In short, this is a good government proposal. It's a way that we can have a watchdog agency from the Legislative Branch of government oversee some activities of the Executive Branch. I can understand why the Governor might Veto it, but I think it's in the best interests of the citizens of Illinois that we have this arrangements. And I'd ask for your 'yes' vote."

Speaker Turner: "Representative Hannig moves that House Bill 978, 'do pass', notwithstanding the Veto of the Governor. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. There are 106 voting 'aye', 5 voting 'no', 0 'presents. And this Motion, having received a Supermajority, House Bill 978 is hereby declared passed, notwithstanding the Veto of the Governor. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Yes, Mr. Speaker, an inquiry of the Chair."

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Speaker Turner: "State your inquiry."

Black: "Yes, in one of the Chicago newspapers yesterday, it pointed out that every Chicago alderman was given the opportunity to buy... purchase two (2) tickets to a Cubs' playoff game. Now, I don't know any Chicago alderman personally. I thought if there was anybody on the floor who did, and that alderman didn't want to go... and I hope I'm not violating any ethics rules but, I am prepared to pay face value for those tickets. SO, if you... how do I get a hold of a Chicago alderman?"

Speaker Turner: "I think Representative Osterman may be able to answer that question, he's fairly close to the field I think. I don't see Representative Feigenholtz, she's not here and... Oh, we'll let Rep... we'll let Rep..."

Black: "Perhaps I need to talk to Representative Osterman?"

Speaker Turner: "Lets start with Harry... lets start with Harry, and think I think John D'Amico has a rep... recommendation. and maybe by that time Sarah will be back. I think she's printing up extra tickets right now. But, Representative Osterman, the Gentleman from Cook."

Osterman: "Representative Black, earlier today I happened to eavesdrop or overhear my good friend Sarah's conversation and she was in contact to people on your behalf. And, you know, I think given all of the years and years and years of your support of the City of Chicago and all you've done on the issue of parking tickets, on the issue of gun control, on all these things, you know, we're working really hard to make sure that your in the ball game but more importantly, we want to find a place where you're Winnebago will be able

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to park. So, but, Representative Feigenholtz is working diligently on your behalf, 'cause we know your good luck and we hope you bring some of that luck up to the north side of the city."

Black: "I appreciate that, Representative, and you know of my long love affair with the City of Chicago. I... I love to visit, I love to spend money there, I love to take my grandchildren there, but on all those days I visit Chicago and fight your traffic, I am, I must admit, glad that I don't live there. That traffic is something else. So and you know, for all of those... the parking ticket things, I apologize to the mayor a long time ago for that. I'm sure he's forgiven me. But I remember... and this is a true story. I've been a Cub fan for well over forty-five years (45). And I remember when you could drive up to Wrigley Field, park for five dollars (\$5), walk up to the ticket window on literally any game and get a ticket and a good seat at that in Wrigley Field, long before the days of Channel 9. And I never will forget, many years ago, I went up there the last game of the season in late September, it was cold, not a very nice day, I told the gentleman in the ticket window, I've never sat right behind home plate and I'd really like to do that if at all possible. And as only a Chicagoan could do he said, 'Son, you can sit in the first row, the second row, the third row or the fourth row, right behind home plate. What do you want? And I sat in the first row behind home plate and I'll bet there weren't seven thousand (7,000) people in Wrigley Field that day and it's got to have been at least forty years (40) ago. So,

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for those of us who have been long-suffering Cub fans, let it be known that we are searching for tickets, not in violation of any ethics rule or law, and I'm so happy that my good friend Sarah Feigenholtz is trying to do that. And remember, I rooted for the White Sox, I rooted for the Cardinals, and Mark O'Brien told me just the other day, and it made sense. Why the Cardinals just didn't do it this year, they... they had no offense. And he told me and I... I never thought of this. He said, 'How hard is it to swing a bat when you've got (10) ten World Series rings on your fingers and thumb?' And he's right, he's right. So, I've been happy for the Cardinals, I've been happy for the White Sox, but it's been ninety-nine years (99) and I don't have ninety-nine years (99) left. So, go Cubs and you know, it... it would be a great gift for my retirement party if... if we can just get some Cub tickets. And by the way, they are on television here tonight aren't they? Surely Springfield carries the Cub games. And it was on TBS? What's that the Tired Broadcasting System, what is that? Okay, well if we can't go, we'll see it on TV and I hope all of you will join me. Ninety-nine years (99) since we've won a World Series. It's time. Go Cubs."

Speaker Turner: "On page 15 of the Calendar, we have House Bill 664, under the Order of... Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Yesterday I filed a Motion to accept the Governor's amendatory changes to House Bill 664. Today I filed a Motion to override the Governor's changes for the reason... for the reason, the simple reason that a careful nose count

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of the votes in the Senate suggest that there are not enough votes in that chamber to go with the Governor. That leads us to a situation where we are all or nothing. And I would suggest to the Members of this chamber... cha... this chamber that the Bill that we sent to the Governor, House Bill 664 in its original form, was in fact, pretty good legislation that will provide property tax relief to people across the State of Illinois and it will provide special protections, continued special protections, for the people, the homeowners who live in Cook County. That program will phase out after three (3) years although, obviously, if we need to do more work in the future this is a continuing Body and we will be in a position to do so. I'm not going to talk about the changes between the Governor's version and ours, simply because that's not the basis for the override Motion. The override Motion is to say we cannot leave Springfield without providing property tax relief to the people we represent. In addition to the 7 percent solution, which I recognize may not be as helpful to higher-end property owners as the Governor's version, there still is a lot of help in that program. And in addition, there are increases statewide to the General Homestead Exemption, the Senior Homestead Exemption, a new Disabled Homestead Exemption, a new exemption for returning veterans, a new exemption for disabled veterans, an increase in eligibility for the Senior Freeze and the Circuit Breaker and the opportunity for local governments to abate properties, homes that are owned by people, widows or widowers whose emergency personnel, husbands or wives

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were killed in the line of duty. Again we're in a situation where we take what we get or we have to walk away from this issue. I would urge Members of this chamber that it is a better thing that we do for our constituents, whether we live in Cook, Kendall or Boone Counties, a better thing to override the Governor's Veto and send again to the people House Bill 664 in its present state than it would be to walk away from this Veto Session with nothing. I urge your 'aye' votes."

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

Osterman: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Osterman: "The... I'll go straight to the Bill in my remarks on the Bill. And Ladies and Gentlemen, I rise as someone who's a cosponsor of this Bill I rise as someone that's spoke to each of you, or many of you about this Bill but I rise as someone who was sent done here to protect the taxpayers of my community. And Ladies and Gentlemen of the House, I will tell you that I am incredibly frustrated with the way this is being dealt with. I stand before you today because the people in my community are incredibly frustrated with the way this is being dealt with. The Sponsor of the Bill has said that the Senate doesn't have the votes to pass the Bill. Senate, in committee yesterday passed the Bill that's the exact same language as the Governor's Amendatory Veto that's going to be coming over here, one would suggest in the day or two. If we pass this today, this is going to go over there and we are going to

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be sending Bills back and forth. What concerns me even more though is that on an issue that affects taxpayers in Cook County and taxpayers around the state, that the Leadership has not gotten together to work on this issue. Those that support the original underlying Bill know that this was a long negotiated process. The Governor did an Amendatory Veto that changed that. So, the choice that we have as Members is to continue the back and forth with the Senate, or we can encourage our Leadership to work on a compromise. I would like to see, and I think the people that I represent would like to see, Democrats in the House, Republicans in the House working with the Democrats in the Senate, the Republicans in the Senate and our Governor on a compromised piece of legislation that we can support. All of us know that Bills are revived here every day. I don't want to vote against the Bill or have a bill that's defeated that... that will give no property tax relief. If I thought for a second that this was the last bite at the apple, I may support it. But moreover people, the people that sent us here are watching how we work on this issue. And if we cannot get this issue right, I will say to you that I hardly believe we'll be able to deal with a capital program for the state, long term school funding, and a host of other issues. So as individual Members, 118 of us and the Senate, we have to urge our Leaders to come together. There should be a compromise that we all can support and more importantly, the people back home would get relief and begin to gain confidence in this process."

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

Fritchey: "Thank you, Speaker. To the Motion."

Speaker Turner: "Motion."

Fritchey: "I'd... I'd like to echo, all be it probably not as eloquently, the words of Representative Osterman. Ladies and Gentlemen, if there was a sound track to what has happened with this legislation it would be called the Springfield Shuffle. So much time has been spent by all of you, to whom this Bill is important, to some of you to whom the Bill is not important but have been gracious enough to listen to us over the last months and years about the importance of this issue to us and more so to the people that we represent. Legi... Legislating and the process down here is about working together, it's about compromise, it's about reaching results. Sometimes not perfect results, sometimes not results that work for everybody, but results that collectively work for the greater good. The greater good in this issue is truly keeping some of our homeowners in their homes. I did not love the initial Bill, but I felt that the initial Bill was a result of the process. The initial Bill was a result of give and take, of compromise, between the involved parties and compromise, between the chambers and between the Leaders. I'm faced now with an override for legislation which I initially supported, but in light of the fact that the Senate President has stated that he would not call this Motion for an override, and granted he has, you know, changed his opinion on various things. But my concern is that it is

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not enough for us to send a Motion to the Senate to die, for the Senate to send a Bill over to us that will not be entertained, and for us to come home empty-handed. Ladies and Gentlemen, this is not right. This is not how to govern, this is wrong. We are failing ourselves and our duties. We are failing the people that we have been sent down here to represent. I can't tell you with any logical certainty that I know what the right answer is here and I know what the right vote is here. Hours were spent yesterday in what I thought were sincere and productive conversations about the importance of making sure that something is done. A couple months ago we sent legislation to the Governor's Office, this original Bill, that legislation was the stroke of a pen away from becoming law of the land. Due to political machinations and the process that can sometimes derail many things down here, tens of thousands of homeowners are faced with the prospect now of not greater relief, but with the prospect of no relief. A procedure, I trust of all you know, that if both chambers don't act in unison the underlying Bill dies. If the underlying Bill dies our homeowners are faced not just with another skyrocketing reassessment, but without any of the relief they've had for the last three (3) years let alone greater relief. Folks, this is not a partisan issue, this is not a theoretical issue, this is a real life issue that will decide whether people and families that we represent can stay in their homes going forward. Is it a perfect solution? No it's not. I've advocated and others have advocated that we really need to fix the underlying

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solution. It is not fair to ourselves it is not fair to our constituents for us to go through a triennial stress test of determining whether or not we can re-extend this legislation. I'd like to see legislation that doesn't go into perpetuity candidly, because I think that will increase the pressure on getting something fixed at the end of the day. But first and foremost and I apologize for going on longer than I intended to, but Ladies and Gentlemen, we need to figure out what we can do so we come home and we can have a piece of legislation that is signed into law. It is not enough for us to say that we passed something, and for the Senate to say that they passed something, but I have to go look homeowners in the eyes and tell them that they get nothing. It's not right, it's not how we are supposed to be doing our job down here, it's not what we got sent for down here. We need to make sure that we achieve a result at the end of the day. There are question about the propriety of the Governor's Veto, I do not believe that he had the authority to Veto the Bill in the way that he did. If I was tempted to override the Veto I would probably do it more on procedural grounds more than anything else. But I will submit to you, Ladies and Gentlemen, that we need to keep our eye on the bigger picture here, and we can not let this Bill meet the fate that numerous ethics Bills have meet in the past, and numerous other Bills have meet in the past, where both chambers go home patting themselves on the back saying that they did something, knowing damn well that at the end of the day the voters got nothing. Ladies and Gentlemen,

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think carefully about what you're going to do here. I wish I knew what the answer was that would force the parties to the table. This is an issue that deserves resolution, it's an issue that deserves to have the decision makers locked into a room and not having them come out until a decision is made. This is going to be a tragic situation, indeed, if we do not receive and not realize at the end of the day an outcome that has a meaningful result for our homeowners. It's a tricky vote, folks, you have people that supported the underlying legislation that are going to be opposed to the override. You had people that were opposed to the original legislation that are going to support the override. It tells you that there's something wrong with the process, there's something wrong when we take a Kafkaesque labyrinth of a road to get to nowhere. That being said, I'll defer to the other people that I'm sure want to speak on this issue. Thank you for hearing me out."

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

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

Speaker Turner: "State your inquiry."

Black: "Yes, Mr. Speaker, what is the status of the previous Motion made by the maker of this Motion to accept the Amendatory Veto?"

Speaker Turner: "The Lady from Cook, Representative Currie, you want to explain to him what happened to your previous Motion?"

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Currie: "That is on the Calendar, Representative. The reason I filed the second Motion, the Motion to override is because a 'noes' count in the Senate suggests that there is not enough support in that chamber to accept the Governor's changes. I didn't want the issue of property tax relief to die so I thought our better course was to override the Governor and have 664 in its original form on the books."

Black: "Well, Representative, you and I have been here long enough to know I don't understand that explanation at all. Noses don't vote. What's a nose have to do with it?"

Currie: "I was actually looking for the 'aye' votes, not the 'no' votes so, I did misspeak."

Black: "Oh, you were talking about the 'noes', not the nose? N-o-s-e as opposed to n-o?"

Currie: "Thank you, Representative."

Black: "Okay, well... well, I... I appreciate that explanation but we have a Motion on the Calendar and now... are you... are you saying that this is a substitute Motion?"

Currie: "This is the Motion I am pursuing."

Black: "Well..."

Currie: "I am not... I'm calling the Motion to override, not the Motion to accept."

Black: "Well, I'm confused. There appear to be two (2) Motions on the... before the chamber."

Currie: "There is only one Motion."

Black: "Wouldn't the original Motion have to be withdrawn?"

Currie: "No."

Black: "No? So, we're back to no and nose. All right. Well, Mr. Speaker, I... I'm... certainly agree with two (2) of the

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previous speakers about we need to come together, we need to work together. And in that light, let me ask you the status of Representative Mathias's Motion that he filed in writing to accept the Amendatory Veto."

Speaker Turner: "Clerk... Mr. Clerk, could you tell me what's the status of this Bill... I should say Representative Mathias's Motion? Representative Black, I'm going to refer this to the parliamentarian. It's getting more and more complicated."

Black: "I was hoping that you would. Thank you."

Speaker Turner: "Yeah, there's only one set of noes here."

Parliamentarian Ellis: "Representative Black, on behalf of the Speaker in response to your inquiry, the House Rules give the discretion to the principal Sponsor to control Motions regarding Amendatory Vetoes. Representative Mathias's Motion to accept the Amendatory Veto is therefore out of order. In addition, the Chair has the discretion to determine the Order of Business and Representative Currie's Motion is currently before the Body."

Black: "Thank you very, much Mr. Ellis. Let me pursue this. For the benefit of those of you in the chamber, Representative Mathias's Motion wasn't even accepted by the Clerk. They wouldn't even take it. And so, for those of you that say we should work together to try and come up with a reasonable solution to what is a really complicated and complex problem, you wouldn't even take a Motion from our Member, you just handed it back to him. Mr. Speaker, under House Rule 79, it states that a Motion to accept a Veto of the Governor 'may', I emphasize 'may', be made by

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the principal Sponsor, the Committee Chairperson in the case of a committee sponsored Bill or a co-chairperson from the Majority Caucus for a special committee Bill. Nowhere do I see language that states that the Motion to accept the Veto 'shall' be made by one of those three (3) potential Sponsors. It doesn't say 'only', it doesn't say 'shall', it says 'may'. The use of the word 'may' in Rule 79 in my estimation, should allow a Member who is not the principal Sponsor, committee chair of a committee sponsored Bill, or co-chair of a committee sponsored Bill, to file a Motion to Accept a Veto. As such, under Rule 79, I move that Representative Mathias's Motion to accept the Governor's Amendatory Veto of House Bill 664, be deemed in order and the proper procedural steps carried out. We have rights, too, and your... the wording in Rule 79 does not say 'only' and it does not say 'shall'. I believe therefore, that Mr. Mathias was in his rights as a Member of this Body, to file a Motion which the Clerk refused to accept, and we should therefore accept his Motion and then rule on that Motion in a procedural manner consistent with the rules and operation of this chamber. Otherwise, you are denying our Member an inherent right to participate in the process."

Speaker Turner: "Representative, the parliamentarian has ruled earlier that Representative Mathias's Motion was out of order."

Black: "But he did not rule on our question specifically to Rule 79. It... it does not say 'only' the maker of the Motion, it does not say 'shall'. The language is vague and I assume it's vague purposely so that a Member of this

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Body, duly elected, can also file a Motion. And to deny that basic right is to deny not only our Members right, but anybody on your side of the aisle who would also file a similar Motion. And if the parliamentarian would rule on the specific language of House Bill 79, it seems clear to me that because it says 'may', and because there is no word 'only' that any Member should have the right to pursue a Motion to accept the Governor's Amendatory Veto. And to deny any Member that right is a gross miscarriage of the debate and the ability of this chamber to freely debate both Motions, otherwise you disenfranchise the one hundred and ten thousand (110,000) people in Representative Mathias's district and you disenfranchise more than several million people who will now only be allowed to vote on one Motion that you rule is in order. I'm saying the language of House Rule 79, does not give you that authority. You are denying the basic rights of an elected Member of this Body and where does it say in House Rule 79 that that's the way it should be?"

Speaker Turner: "Representative, the Parliamentarian has ruled and the Chair is accepting the ruling of the parliamentarian. If you care to make another Motion..."

Black: "I didn't hear the... the parliamentarian rule on the language... the vagaries of the language in the rule."

Speaker Turner: "The parliamentarian..."

Black: "My God, Mr. Speaker, look at the rule. It does not say what he says it says. You can... you can allow a Motion to be heard. You're denying the basic rights of Members on

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your side of the aisle as well as ours. This cuts both ways."

Parliamentarian Ellis: "Representative Black, in... in further response to your inquiry on behalf of the Speaker, Rule 79 limits the people who may make Motions with respect to Amendatory Vetoes. And in the case of a noncommittee Bill, that this only person is a principal Sponsor. The word 'may' appears instead of 'shall' because the principal Sponsor is not required to file a Motion. The rule does not require that the principal Sponsor 'shall' file a Motion because it's in the discretion of the principal Sponsor. So, the ruling will stand."

Black: "Mr. Parliamentarian, I... I appreciate... I appreciate your interpretation. Let the record reflect that I and several others on both sides of the aisle do not agree with your interpretation. I was up all night looking at this and I thought maybe I would get you to agree with me once, but I guess it's not to be. Mr. Speaker, you leave me no choice. You're denying, I think the rights of a number of Members on both sides of the aisle on this issue the ability to also make a Motion on this very, very complex Bill. So, if you won't agree with us on our interpretation of Rule 79, I would move to appeal the ruling of the Chair that Rule 79 does not allow for a Member other than the principal Sponsor, Committee Chair, or cochair from the Majority Caucus, to file a Motion to accept the Amendatory Veto. I believe the House Rules do allow for a Member other than that... those enumerated to file a Motion to accept an Amendatory Veto. I'm joined by a sufficient number of

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Members on my side of the aisle to appeal the ruling of the Chair on Rule 79, and I would request a record vote on our request to overrule the... no, I won't use that word. Just... we want a record vote on our Motion to overrule the ruling of the Chair regarding the Motion and regarding our interpretation of House Rule 79."

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

Fritchey: "Speak... Speaker, inquiry of the Chair. Procedurally I... I... I understand the Gentleman's Motion. What I don't understand and I would be willing to wager that a number of folks in this chamber wouldn't understand is, what are the ramifications should that Motion prevail or fail? Should the Motion prevail, he is simply saying that a Motion could be entertained but not that a Motion shall be entertained. And I'm in no way trying to derail it, I may in fact agree with it. And that's what I'm trying to figure out, is if the parliamentarian could clarify the ramifications of the Gentleman's inquiry being sustained or defeated?"

Parliamentarian Ellis: "Representative Fritchey, on behalf of the Speaker in re... response to your inquiry, the Chair retains the discretion to determine the Order of Business and Representative Currie's Motion is before the Body. So, that Motion would take precedence, regardless of the outcome of Representative Black's Motion to override the Chair."

Fritchey: "I... I understand and I guess that's what I'm trying to get at. From your... from your understanding and the Gentleman from Vermilion as well, does that in fact

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essential render his Motion moot for ev... even if there's a determination that another Motion could be filed that would not be... that would necessitate that that other Motion be heard? You know, I found it hard to believe that we could take an issue this convoluted and make it more complicated, but I think we're succeeding in doing so."

Parliamentarian Ellis: "Representative Fritchey, I would also add that a Motion to accept an Amendatory Veto has to go to Rules Committee, and that and in Representative Mathias's Motion has obviously not been... gone to the Rules Committee at this point."

Fritchey: "I... I had looked at a tangent... tangential issue to this which was, if a Motion for a override were to be put and fail... I... my understanding is that you could... that the... you could actually have Postponed Consideration on that Motion to override and then proceed with a Motion to accept were that the choice of the Sponsor. So, I... I guess part of the inquiry here... I'm not trying to further... further complicate this, but I do want the Members to understand what they're voting on, on Representative Black's Motion. Part of the inquiry I would have then is, what would happen in the event that the... in the event that the Chair is sustained and the Motion to override were to proceed and not receive requisite votes, the Sponsor could... could take Postponed Consideration on that Motion and then proceed with a Motion to accept. Is that correct? I believe as long as there is one intervening piece of legislation entertained between the two (2)..."

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Speaker Turner: "That would be at the discretion of the Sponsor, you're correct, Representative."

Fritchey: "But it would be procedurally allowable that this would not be the only Motion that could be heard. If this Motion were not to get... if the Motion were not to get... if the vote on the Motion to override were not accepted into the record, a Motion to accept could then be later brought by the Sponsor if she so chose?"

Speaker Turner: "It would be allowable. The Gentleman from Vermilion, Representative Black."

Black: "Yes, I... I would certainly... I would certainly agree with that interpretation from the parliamentarian and the Chair. This would be a renewable Motion, we would not seek Postponed Consideration and we would not attempt to block any further Motion. Our Motion to overrule the Chair is simply based on our interpretation of House Rule 79, and the refusal of the Clerk to even accept a Motion from one of our Members to accept the Amendatory Veto. We think that by refusing to accept his Motion that that is a rather strict interpretation of House Rule 79, and then denies, in this case, Representative Mathias's basic right to try and get his position heard. It would be a renewable Motion, certainly wouldn't be one that we would place on Postponed Consideration. Anybody could make a Motion later on, and I assume perhaps there will be."

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

Molaro: "Well, thank... thank you. I guess it's a parliamentarian question. He's asked for an overruling of

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the Chair. So, are we going to go... is it your intention to go to a vote on his Motion to overrule the Chair?"

Speaker Turner: "That's my... that's my intention."

Molaro: "All right, well I got to... I got to ask this then of Representative Black, if he's going to insist on this Motion. I mean... I understand we... you could interpret anything twenty (20) different ways, we know that. Right? Sure seems to me that when you read it, it just talks about the other person filing a Motion to Veto or accept maybe one of three (3) ways. And it makes common sense, maybe one of these three (3) ways and only there three (3) ways. It seems to make sense. And in all the time that you or I have been here I've really never heard whether it be the Senate or the House that someone other than the Sponsor... you know unless the Sponsor's ill or something, is going to be out there filing Motions to accept or Veto. Otherwise, any Member at any time if they feel, could file all these Motions, and if you are successful in your... we would have to hear thousands and thousands of Motions of any Member going out there overriding or accepting Vetoes and they're not the Sponsor of the Bill. One of the biggest things that I always thought was important in this House, when you guys ran it or we ran it, whatever it may be, that the Sponsor controls his Bill. I always thought that was like a... not only a written rule but a rule that we should always follow. So, I don't see why, or how you can interpret this any other way. And I guess this goes to if you're going to insist on calling the Motion to override, it would give us a reason to do it. I don't understand how we can stand

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here and say because we go along with your Motion then it would be that anybody at any time can file any kind of Motion and demand to be heard.. 'cause a Motion in writing always is in order if we go to that Order of Business, that a person who isn't the Sponsor could override Vetoes and accept Vetoes. And I, for one, certainly don't.. don't want to go down that path that in the future we're there. So, I think it's impor... important in the rule that you can't do it. Not only shouldn't we hear it, we shouldn't even accept it because you're not the Sponsor. Otherwise, you're going to have a hundred and eighteen (118) Members filing Motions to override Vetoes and accept Vetoes on Bills that they weren't even the Sponsor of. So, if we do get to that order, Mr... Mr. Speaker, I would hope that we would vote with the Chair. Thank you."

Speaker Turner: "Representative Black, do you wish to proceed with your Motion to overrule the Chair?"

Black: "Yes, Mr. Speaker. And I would also point out that this Motion says that one person on each side of the issue can debate the Motion. So, your side has had that debate from Representative Molaro. I would pursue my Motion, and in all due respect to Representative Molaro, he certainly brings up a point that I respect. I was here when we used to vote, as were you Mr. Speaker, thousands of times, when we could file Amendments and they didn't have to go to rules. And the process was much different than it is today. Appropriations Committees actually did appropriations work. Many things have changed in my tenure here, I don't think always for the best. So, I would

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pursue my Motion to overrule the Chair and... and certainly, we're... we're willing to accept the ruling of this Body, but in this particular case... and I'm not asking that this be... set a precedent and that from every time from now on we will use this. We think that on this particular Motion, on this particular Bill, that it's important that both sides of this issue were able to get a hearing. And we don't think that that is being carried out. We think the wishes of one of our Members has been denied and therefore, in the wisdom of this Body, I'm asking you to either side with us or side against us. But we think the ruling of the Chair denies the full and unfettered debate on the issue and fails to protect the rights of one of our Members. And I would ask, Mr. Speaker, that you proceed with our Motion to overrule the Chair on its interpretation of House Rule 79."

Speaker Turner: "The question before the Body now is, 'Shall the ruling of the Chair be sustained?' You should vote 'aye' if you agree with the Chair. You should vote 'no' if you don't. The question is now open. Have all voted who wish? The Clerk shall take the record, 64 'ayes', 47 'noes', 0 'presents'. And the Chair is sustained. The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, I... I don't agree, but let me just say for the record, I accept that. I appreciate Mr. Ellis's response as I always do and I appreciate your fairness in the Chair. We... we have tried to make our point. One gets used to losing sometimes when you're in the Minority, but I do appreciate the time that you gave us and I appreciate Mr. Ellis's ruling. We don't always agree, but I like the

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reasoned way in...that he approaches his job. We had a full and fair hearing. That is all we have any right to expect and for that courtesy, I thank you."

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

Joyce: "Thank you, Mr. Speaker. I rise on the underlying Motion. Ladies and Gentleman, I appreciate Representative Osterman and rest... Representative Fritchey's concerns, but I think we need to look at the underlying Bill. The underlying Bill was in fact a compromise that your side of the aisle, our side of the aisle and both sides of the aisle and the Illinois Senate participated in that compromise. There were a 100 votes... votes on August 10, for this Bill here in this chamber. There was 57 votes in the Senate for the underlying Bill. About three (3) or four (4) months ago the Governor decided that he wanted to have us in on a meeting on this issue. We had a meeting, it was on a Thursday afternoon. It was on a Thursday afternoon after we had adjourned for the weekend. Many of us, over thirty (30) as I recall, stuck around for three (3) or four (4) hours before going back to our districts, our families. And at that meeting the Governor said, 'We're not ready to proceed.' He didn't like that fact that the only people that were there were Members that were interested in it and the Chief Sponsor in the House and the Chief Sponsor in the Senate, people that had been working on this Bill for fourteen (14) months. And we walked out of the meeting and he said, 'We'll get together again', and that's the last time we heard from the Governor on this

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issue until September 20, when he issued his Amendatory Veto. Was it because he was so concerned? If he was so concerned, he had fourteen (14) months to work with us on this issue. No Bill that comes out of the Illinois General Assembly that has an impact on the lives of the people in the State of Illinois is perfect. But this was a compromise that a lot of people in both chambers, on both sides of the aisle, outside interests, worked on. And this is a property tax relief Bill. Now, we can go and vote to override the Governor's Veto and send it over to the Senate, and we're not sure what's going to happen, that's true. But to accept the Governor's Veto would be a gross mis-justice to every Member of this Body, so the work that every Member of this Body has put in on this issue. So a hundred (100) of us could vote 'yes' and this was an acceptable Bill on August 10. I would hope that a hundred (100) of us will think it's an acceptable property relief package... property tax relief package for our constituents today on October 3. Thank you."

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

Winters: "Thank you, Mr. Speaker. An inquiry of the Chair. If our computers are incorrect and the record that we are dealing with on this Bill is incorrect, is it appropriate to move forward at this time? And the... what I'm... what I'm referring to in here is that on August 6, the status reports that Representative Terry Link, Representative Mattie Hunter, Representative Matt Murphy, Representative Jacqueline Collins, and Representative Don Harmon were

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added as chief cosponsors. Now is this an attempt by the chair to secure enough votes for the Bill by turning what I believe are Senators into Representatives? And is it appropriate, if the record as found on our computers is inaccurate, for this Bill to be considered at this time?"

Speaker Turner: "You and I know there's no guarantee that if they were Senators, that it's going to be 'yes' or 'no' on this vote. So, it's still a question mark in that regards."

Winters: "Is it appropriate, though if our computer is... is inapro... inappropriately recording House action, that we should consid... continue to consider this Bill? That's my inquiry of the Chair."

Speaker Turner: "I don't know what's on your computer, but the Motion is properly before this Body at this time."

Winters: "And there's no rule that says that our computer or the Journals of the House has to be accurate?"

Speaker Turner: "The Journals... the Journals will be accurate as we continue to proceed. I cannot speak about what's on the computer, what was put on there a month ago. It is properly before this Body at this time and with that..."

Winters: "I would at least ask at this point for unlimited debate on this Bill."

Speaker Turner: "And you're joined by?"

Winters: "I would hope a number of my colleagues."

Speaker Turner: "So, the debate Calendar will be... I mean the debate switch will be on. Members will be timed as we were timing Members earlier..."

Winters: "Thank you."

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Speaker Turner: "And we will go with unlimited debate. Does that go with the computer? Unlimited debate I don't..."

Winters: "Unlimited debate on the Bill itself."

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

Lang: "Thank you, Mr. Speaker. I rise to the underlying Motion. Ladies and Gentlemen, the changes in the law affect my district pretty substantially. I was the original Chief Sponsor of the 7 percent Bill. It's worked pretty well for the three (3) years it's been in play. And I was a strong proponent of moving it forward again. I was involved in the negotiations regarding moving the exemptions up or down, what we call the 'cap on the cap.' And I would've liked to have seen a higher cap. In fact, I think the changes the Governor made are changes that we should've considered as a Legislative Body. However, having said that, we have to talk about facts and reality. The first fact in reality is that, if we did accept this Amendatory Veto we'd be violating the Constitution of the State of Illinois. The Governor does not have the power to do what he's tried to do in this case. He's taken legislation that we've written... in fact over a long period of time written, with compromise and give and take, a completely rewritten it. He took a temporary exemption and made it permanent. He changed the numbers on the caps and made them permanent, and I just don't think he can do that. And I know you don't think he can do that, regardless of where you stand on the higher numbers. Having said that, I would prefer the higher numbers and frankly, if the

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Majority Leader today would be presenting her Motion to accept the Amendatory Veto I would, although it's unconstitutional, reluctantly vote for it. I would vote for it because my citizens must have the relief that these Bills that we've been working on in this issue proposed to provide. And so, I wish the Majority Leader had done that to give us the opportunity. But she has not done that. And we're in a situation today where those of us who have constituents who have been badly hurt by dramatically increased property assessment increases, must do something. We must accomplish something. And you've heard that there is not going to be a Motion to accept the Amendatory Veto. If there is no Motion to accept the Amendatory Veto and there is no other legislation to come before us to help our constituents that area aggrieved by these dramatic increases and assessments, this is the only game in town. So, I intend to vote for this Bill today, this override Motion, not because I support every word of it, not because I think it's the best we can do, but because it's all we can do today. This is all that will be before us today. And for my colleagues on the north side of Chicago and the northern suburbs who believe strongly we should have a higher number, I agree with you. I agree with you. But we are not going to get that opportunity, that's simply where we are today. And so we can vote to stop this Motion in which case we'll be telling our constituents that perhaps you will get no tax relief if that's what we choose to do, because we're going to try to do it just our way, or no other way then I think we will be damaging our

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constituents. I think we will make it more difficult for our constituents to get this relief. And so I reluctantly support the Majority Leader's Motion. I wish we had done this a different way and I hope that no matter how this vote turns out these negotiations will continue. I can tell you for my constituents we don't want to go home without some kind of tax relief. This Bill will provide some tax relief, not as much as they deserve, not as much we seek, not as much as they want, but a 'no' vote on this leaves us floating with very little opportunity to provide the... any kind of property tax relief to those who so dramatically deserve it. I would recommend 'aye' votes."

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

Feigenholtz: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Feigenholtz: "There's been a lot of discussion today about the merits of the override. I'm a little confused, I know Representative Black, who's very excited about the division series as he should be, asked about Representative Mathias's Motion. There are two (2) Motions that the Sponsor filed. Is that correct?"

Currie: "That is correct."

Feigenholtz: "So, you filed the Motion to override and a Motion to accept?"

Currie: "That is correct."

Feigenholtz: "You chose to call the Motion to override first. My question to you is, if that Motion fails do you intend to call the other Motion to accept?"

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Currie: "Representative, I intend this Motion to succeed because from the perspective of this chamber this may be the last and only game in town. If I'm wrong, if we didn't count right and in fact there are votes in the Senate to accept the Governor's language and they send a Bill like that our way, we will have every opportunity to consider it. But I don't think that's going to happen, and I think for us to walk away from this Veto Session with no relief for our homeowners, for our seniors for our disabled veterans would be irresponsible. I think for us, this may be the last and only game in town, and that is why I strongly urge support for the Motion to override. If I'm wrong we'll have another opportunity, but I fear there will be no other opportunity."

Feigenholtz: "Thank you."

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

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

Speaker Turner: "She indicates she will."

Krause: "Representative you had filed, originally, a Motion to accept the Amendatory Veto which I had... which I support. You stated however, that due to the fact of discussion in the Senate that there was no way to proceed with that. Did you have conversations with the President of the Senate indicating that in fact there would be no support?"

Currie: "I did not speak to the President of the Senate but various people talking to individual Members of the Senate have come to the conclusion and it's a pretty credible conclusion that there are not the right number of votes to

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accept what the Governor has done, either on a Motion on this Bill or as a new piece of legislation."

Krause: "So, you're stating that the only indication you had from the Senators was they would only override? Was that a personal discussion?"

Currie: "I... no... and... no, no, no, no and I... I'm not even vouching that they would override, what I'm saying is that I do not think that there are a sufficient number of votes in the Senate to support a Motion to accept the Governor's Amendment. I would hope that the Senate, if we send them this override... if I'm right that there aren't enough votes to accept would recognize that if they wanted to do anything for the folks back home, then they had better join us in the override."

Krause: "Yeah. Mr. Chair, I've already used up half my time, I don't understand that. To the Bill, I rise... I had supported and do support the Amendatory... to accept the Amendatory Veto. I think that the override will leave us with a much weaker Bill. For Cook County, the significance of the Amendatory Veto presented a stronger Bill, it presented for the middle class which is the basis for all of us the opportunity and strengthening of what is so important, and that is for the homeownership. The override will leave us with a Bill that does not assist in a whole number of areas in Cook County, be it north or south. The tremendous rapid rise in the increase that we have had in the residential assessments in Cook County are not really due to the fact that somehow the tax rates have shot up so high or other types of changes. What we have gone through

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in Cook County is an extremely rapid increase in the assessment that far exceed the commercial increases and that the effect of this is really the result of a real estate market fueled by historic low interest rates which therefore have forced the assessments to rapidly rise. What we are doing here with the override is truly leaving a much lower chance of a... of an extended exemption for our residents of Cook County and it does not tie into the fact of the tax bills and the difficulty that they are going to have to have in order to pay them, because the exemptions will not be as great. Particularly true, in the northwest suburban area of Cook County where we have seen a tremendous rise. The Amendatory Veto and the extended exemption granted in that Bill would have been of a much greater assistance to our residents than what is going to occur in this Bill when it is overridden. I would urge that we continue to work and to get a better Bill than the one that is going to result from the override. I would urge that we strive to work for that forty thousand (40,000), make some other adjustments in the Bill, but sincerely help the people of Cook County and.. and also the people in the northwest suburban part of Cook County that do not receive the benefits that are granted in this Bill that they would have received in the Amendatory Vetoes. The Amendatory Veto Bill had much greater benefit to our residents that should have been granted and indeed the Motion to accept the Amendatory Veto should have proceeded. I do not support the override."

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

Mulligan: "Thank you, Mr. Speaker. To the override. The definition of the word 'dilemma' is a situation requiring a choice between equally undesirable alternatives. That's pretty much the definition of this year. For those of us on our side that do not control the agenda, do not control what Bills are called, the dilemma is what we have had for the most part of the year. The dilemma is where we find ourselves. I find it inexplicable that the Senate would not go along with what the Governor had proposed. Young homeowners, particularly in the City of Chicago, which I have a lot of, I have a small portion of in my district and people that are property tax owner, you know, people that have had their property taxes raised a lot in my area besides Chicago, but particularly Chicago, where they have bought condos, things on ARMS where their mortgages have gone up. And then, you add on top of that, the increase that they are going to get in their property tax bills over the next three (3) years. It is going to make the ownership of that property untenable. I don't really want to go home and I don't know how some of my colleagues, particularly from the city that are going to get their bills this year, are going to go home and explain this. Compromise is a word that is used really loosely this year and quite friendly that gen... that genifer... gentrification and the amount of the rise in my area, my home that I purchased several years ago has gone up by one third. That's the kind of property tax bills that are going to be

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generated in our area. For young people who have taken, not a thirty year (30) or a twenty year (20) straight mortgage, they're going to be faced with such payments that it's going to be unbelievable. Quite frankly, a lot of people come out to meetings and can't understand what's going on with the process in the General Assembly. But you want to know what the bottom line is? The bottom line, they don't care about this political fight here, they only care when their property tax bill comes in the mail and that we did not support them. We had put out several better Bills, we ended up with a compromise that was never palatable to us, but it was the only game in town and so we voted for it. I don't think that's going to make much difference this year when the property tax bills come. I think they've already issued the fact that they don't understand what goes on here. They don't understand why rank and file Legislator can't get Bills heard, can't force an override of the budget in the Senate, can't make the Leaders do whatever. They do not understand that day one of a new Session when the Rules are put out there, the die is cast for the next two (2) years. They don't care anymore. What they care about is that we solve these problems for them, and anything less than a solution to the problems is not going to hack it this time. I will tell you, particularly for those in the City, when they get their mortgage payment and then they get their property tax you are going to hear from your voters. This is not a good solution. This whole year has been a dilemma. I see nothing more but more dilemmas coming up because, honestly,

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we don't have good choices any longer. I would urge a 'no' vote. I don't know why Representative Currie did not call her original Motion, I can only guess. But quite frankly, it was a much better Motion than this one. I think we're going to hear from our voters, this is the single biggest issue in most of the districts in Cook County that has been generated individually by homeowners calling on their own without some kind of uniform group backing them to send us some kind of a protest. They will call on their own, they are really unhappy and they certainly are unhappy with how long it's taken to have this process go through because the school payments are going to be late. This is a very bad process. I would urge a 'no' vote."

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

Coulson: "To... to the Bill, Mr. Speaker. Not to reiterate many of the points that have been made by my colleagues from the Cook County area, but to add a few items to what they've already said. The underlying Bill may seem to be okay, but it is not enough. The middle class homeowners in our area are being priced out of homes every single day, whether it be because of the raising value of the home that they... assessment claims they have. This year homes haven't gone up that much, but assessments went up thirty 30 percent to 60 percent in my district alone. Home values have not gone up that much in the last three (3) years, but the assessments did. We are way over assessed in many of our areas. In addition, as we all say we can reevaluate and look at this again next year, why should our constituents

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believe that we're going to be able to do better when we're not doing better this year? Our values are set for three (3) years, if we truly have the downturn in the market that is being forecasted, we will have assessments that cannot be changed for three years and will be way over assessed. I can only encourage with some of my colleagues from my area that we definitely look at this issue again and again and again. And I only hope that those of you who've suggested that we'll continue this fight next year if this override does occur. Thank you."

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

Molaro: "Thank you. I just want to make a couple of quick points. First of all, the previous three (3) speakers, Ladies from the Cook County area, there's no way you could disagree with anything they said, because what they said is actually pretty factual. The problem however, that we have is... I'm looking at this Bill and it's House Bill 664, and if anybody from the Governor's Office is listening I don't want them to say, you know, I hear... is Molaro going to say anything bad about the Governor, cause I'm not, and I haven't and I won't, but I do have to point this out. When this Bill was called, 664, it got 100 votes in the House and 53 votes in the Senate. And the reason that happened is because there was sitting down of all the parties and there was a well-thought-out reasoned way to give much needed, much needed property tax relief to a certain section of this state. Many downstaters and many people like myself and in the Speaker's area, we're not going to

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be a participant of the 7 percent solution, 'cause our taxes don't go up that high. We don't have the gentrification that's going on or the skyrocketing values. But a lot of people in this Chamber, as a matter of fact, a hundred (100) of them, and fifty-three (53) in the Senate, said we're going to go along with our colleagues and give tax relief that is much needed to these areas. Now, it was well-thought-out and reasoned, so well-thought-out and so reasoned and so compromised that thrift... fifty-three (53) Senators voted for it. Now, for whatever reason, we have a political problem that's going on in this state, and because of that, we stood in caucus yesterday trying to figure out what Motion is the best way. We have Lou Lang getting up and saying I could be... be for both. That's how difficult this is. We're not talking about what the public policy of the State is, we already decided that. However, we have a big political problem going on and I'm not going to blame anybody who... whose in... whose fault that political problem. We don't have our budget done, we don't have our capital program, we haven't addressed gaming we haven't addressed the RTA/CTA and it looks like we're not going to address property tax relief that that's going to be all of this big picture that's coming down the road. I may be a half full kind of guy. I believe that we are going to have tax relief in the next two or three weeks. I believe we are going to have a capital Bill in the next two or three weeks. I believe Julie Hamos's is going to have her Bill in the next two or three weeks, this is just one of those. However, we're forced to do something. It was almost like

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a coin flip. We pulled something out and this is a political problem, not a policy problem. I think the Governor's doing his job, President Jones is going to do his job, we have to do our job. I think that there's going to be cooler heads that prevail through everything; I think Hendon and Cullerton, all these people are going to get together and we are going to get this job done, Harry. I really feel we cannot leave without property tax relief. A hundred (100) of us here, fifty-three (53) in the Senate, it was unanimous, voted to have property tax relief. We will get it. I don't know what the best way to go is. I'll vote for anything anybody calls, but my point is, we got to follow some process. This is the process from a political standpoint that we're going to follow. I think we should, you know pass this, move forward to where we can sit down with Link and Jones, whoever the Governor want's to send, whoever Hulahan wants to send. They said last night Hulahans guy... they'll sit down and talk. I think we're going to get this thing done, but this is just the process. So, this is not a vote for or against anybody, this is just a way to get the ball rolling."

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

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

Speaker Turner: "She indicates she will."

Black: "Majority Leader Currie, under the alternative general homestead exemption, when will coun... why... by what date will counties have to have agreed to join that or... or pass that?"

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Is it a date in the future or has that date already passed in fact?"

Currie: "Six months (6) into the future. In Cook County as you know, already participates."

Black: "Okay."

Currie: "So, that's the only county in the state to date that has chosen to do so, but this is available to any county, and a vote could happen within six months (6) of the effective date of the Bill."

Black: "All right. Would... this would include any county, whether they had adopted the property tax cap or not?"

Currie: "Yes."

Black: "Okay. Let me ask you one other question about the one-time exemption increase. It appears to me that that's aimed at Cook County, but other counties if they were in that situation could opt to an additional exemption to the assessment cap, or is that only Cook County?"

Currie: "Is this the transition period that you're talking about?"

Black: "Yes, it provides for an additional exemption amount to the assessment cap for the 2006 tax year only if the assessed value of the homeowner's property increased over the 2002 based assessed year."

Currie: "That's only Cook County."

Black: "Okay. The one thing I like about the Bill, the property tax task force I don't know how many of those we've had. At least you aren't calling it a blue ribbon committee because I think that would be the sixty-fifth (65) blue ribbon committee. Is there anybody in this

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chamber that doesn't believe that the property tax system is in need of a complete and total overhaul? This Bill doesn't do that, it may give some temporary relief, but Ladies and Gentlemen if you think the property tax is going to continue to fund all of the local government services and education and on and on and on, it just isn't going to happen. And it's... it's no blue ribbon, but the State of Illinois has more taxing bodies than any state in the nation by a factor of double and they all rely on the property tax. And so, it's no wonder that we get conflicting calls. School board members have some fears about this Bill in my district because we're eroding the EAV, and yet property owners are... are... are si... are saying that with some degree of accurate statement, their property taxes are becoming confiscatory. The only other question I'd like to ask you, Representative, is about the senior citizen assessment freeze. And that has been, I think, a good program for our seniors statewide. My only fear is, the Bill remains silent, and I'm sure you know this as well as I. Will we ever mandate that somebody has to check and verify income? The Department of Revenue refuses to do so, and supervisors of assessments say they aren't mandated to do so and I've had a supervisor of assessment tell me he knows darn good and well that some people are claiming this with incomes double the amount. But he has no way to check."

Currie: "Well, in fact, under this Bill those local officials have the authority, the ability to do the audit and I think

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it's up to us to try to put their feet to the fire and make sure they do."

Black: "Well, I... I... I definitely think that is something we need to do. One last question, Representative, I don't know when the assessor came by, but the tax Bills that you will be receiving in Cook County are for the values assessed in 2006, correct?"

Currie: "That is right."

Black: "Could we not anticipate that the tax bills you will receive in 2008, may reflect the downturn in real estate values or am I just wishing for something that may not happen?"

Currie: "It depends on which part of Cook. The difficulty is that in Cook County we have three different (3) triads, and each of those is on a three (3)-year assessment cycle. So, even if there is a downturn in the housing market, that would not be reflected until the next time the assessment cycle happens."

Black: "Okay."

Currie: "It is our hope that at the end of this Bill, the end of this three (3)-year period, three (3) years starting at different times for each of those triads in Cook, it is hoped that the housing market will have shown some cooling off, and that we may not have to engage in this kind of dif treatment in the future. We don't know that, that will happen, but this Bill does sunset in three (3) years and we would then have the opportunity to reevaluate."

Black: "I'm... I'm glad that you said that last statement because many of us did have some concerns about the permanency of

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the Bill. And I'm glad that it does have a sunset clause because this is a dynamic that cha... that could change from year to year and I was... I was somewhat fearful that making it permanent, while we could always revise or change that in the General Assembly. That's not easy to do once we make something permanent. At least this does have a sunset clause. One of my... and I hope that your prop... I hope the Property Tax Task Force will take this up. We have a growing problem in this state in that manufactured housing, the person who buys it pays sales tax and they get a title and they are then supposed to, as I understand the law, pay the privilege tax, which is considerably less than the real estate tax. But we're having assessors say it looks like a house, therefore it must be a house. And so I'm having people coming into my district office saying, 'Look, I paid eleven thousand dollars (\$11,000) in property... or excuse me, in sales tax on this manufactured home. I get a title so it's personal property and now the assessor says I have to pay real estate property taxes'. And that is something I tried to clear up with language last year and hopefully I'll reintroduce it. And the only other thing I would say, on a personal basis, I don't know why my taxes went up because I forgot to put the wheels back on my house. If the assessor would've just let me know when she was coming by, I would've had the wheels back on the thing but, I'll pay the taxes, I get the services. Mr. Speaker, an inquiry of the Chair."

Speaker Turner: "State your inquiry."

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Black: "How many votes... how many votes will this take to override?"

Speaker Turner: "71."

Black: "It takes 71 votes?"

Speaker Turner: "Correct."

Black: "Weren't we debating House Rule 79 earlier? I thought it took 79 votes. Or is that too far of a stretch?"

Speaker Turner: "You know, everything's not working right now. The timer didn't cut you off, I mean, it's been a bad day."

Black: "Thank you. I appreciate that. Thank you very much, Mr. Speaker."

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

Mautino: "Thank you, Speaker. Just on a couple of points on... that have been raised and a lot of these have been... been brought forward, and I do rise in... in support of the override Motion. On procedure, yes, it was part of an agreement as most of the major Bills of this Session were all part of the same agreement which happened to fall apart. But the reality is, months have been spent trying to fix a system which is creating a great problem within the County of Cook. And I think the negotiated form which has come out is probably as good as it was going to get because it stepped things down to let the markets take over how property would be assessed. If you want to figure out where the Mason-Dixon line of this whole Bill is, take a look at the little town of Steger. Steger is divided down the middle between Will County and Cook County. The college district, the school districts are all... and the

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high school district are all right there. On one side of the street properties are assessed at 16 percent and will have, if the Governor's side goes through, a forty thousand dollar (\$40,000) level permanently, because you're not going to drop that. On the other side of the street in Will County, the fastest growing county in the country, you have the same house which is assessed at 33 percent of value and has a five thousand dollar (\$5,000) exemption forever. That's the Mason-Dixon line folks, and somebody is going to ask, why me, when the same three-bedroom ranch on the other side of the street is going to get a forty thousand dollar (\$40,000) exemption, am I going to have five (5)? That's the reason that it has to be restructured as far as classification and phased out. And that's just one town of a growth area in the suburban... in the suburban areas that match up with Cook on a very dysfunctional classification system. The Bill, as it was negotiated, was not great. It's a zero-sum game shift. Somebody loses, somebody wins, but it was designed to step this down over three (3) years. Mr. Osterman did a great job for fourteen (14) months and in this dysfunctional Legislature that we've had this year, a decent agreement fell apart. Now I don't know how many of you are willing to support another Bill that locks in forty thousand dollar (\$40,000) exemption level forever when your people will never have the hope of seeing that, but they're going to ask. And the reason they won't see it is simple, we in the downstate areas, don't have the available wealth or the large business that can actually take that shift. So, trying to

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put a percent in any other county would break us, our police, our fire, or schools. But somebody's going to ask and they're going to ask you why. So, the system needs to be fixed. They should be given the opportunity to do that and although I don't like the 7 percent solution, I never have liked that Bill on its policy side. It's a step to give them some relief and give them some time to bring their classifications in line. The Veto override Bill, I'm supporting. The other Bills coming which make that cliff permanent, I do not see passing this House. I could not see someone who does not live in that region supporting..."

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

Mautino: "I think you got the point. You know this whole Session... Ron White is a... a great comedian and he... he coined the phrase 'you can't fix stupid' and in the course of that, his meaning was the same. I think and it applies to this whole Session, that some actions defy explanation, justification, or excuse. Our Leadership has a lot of problems that they need to fix. This was part of a major deal that should not have been broke and it was and I'd ask for support of the override."

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

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

Speaker Turner: "Indicates she will."

Mathias: "Yes. Leader Currie, one of the parts of the Veto that I actually... that I do agree with, I do agree with other parts but the one part in particular is a little known part dealing with senior citizens, and I find it to

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be very strange that Cook County is the only county that makes and requires it senior citizens to file each year a document stating that they're a senior citizen. I didn't know that that status could change from year to year, I... I understand it could for senior freeze because that's based on income, but the designation as a senior citizen, I didn't think that could change from year to year. And I was wondering, why is Cook County the only county that requires people every year to say that they're still a senior?"

Currie: "I think the point is to say they still are alive and living at their old address. So, I don't think anybody intended to think that maybe they would be reducing in age year by year. But the question is whether that residence, which is where the exemption turns up, is in fact lived in by someone who qualifies by age as a senior."

Mathias: "But on the other, hand you don't require homeowners every year to file something that say that they're homeowners. I think that's... isn't that automatic? It's just for the seniors that are required to do that. I'm just concerned that... you know, seniors, while obviously can do it, sometimes you have... it's more likely that there's a portion of seniors that could be ill, that are... that for... for a period of time may be in a nursing home or a hospital don't see that document, don't file it, and even though they're still seniors, won't get the exemption."

Currie: "Well, I think in my county we have to reapply every year for the general homestead exemption, as well."

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Mathias: "Okay. I may be wrong on that. When I heard yesterday that you filed a Motion to accept the Veto, I was obviously very happy, although not thrilled with the entire part of that Veto. I also have some concerns of it but... but it does give... would you say it does give more property relief to our homeowners than... than the current Bill?"

Currie: "You mean the Governor's Amendment... amendatory change?"

Mathias: "Yes."

Currie: "Well, it depends on which... which property owner... which homeowner you are. There's no question the Governor's amendatory changes gave greater relief to owners of higher end homes, but remembering that property taxes are a zero sum game, renters, seniors on the freeze, and businesses help to pick up the slack. So, it's... it's a... which way do you want to go? Yeah, some people got more relief."

Mathias: "But when you say... when you say higher end, in my district those people are considered middle class. These are not wealthy people. these are middle class people, who because of the assessments, in the past and continued assessments, have now homes that are probably over valued in... in... as it... as it comes to the assessments but yet don't get the same relief. You did file a Motion, is that correct, to accept the Veto?"

Currie: "Yes."

Mathias: "When you filed that did you believe then that that was the course and that that would provide more relief and... and that we should have that, and it was only after you thought it wouldn't pass in the Senate that you changed your mind and filed the other Motion?"

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Currie: "I thought that the likelihood that we would succeed in providing property tax relief at whatever level would..."

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

Mathias: "To the Bill. I, after much soul searching, feel that I have to vote against this Motion. I do support, and I was a chief cosponsor of, the underlying Bill because it was the only Bill on the table to vote for, it gave us... it did give property tax relief. Now we do have a choice because there... and that's why I filed my... my Motion. It wasn't just for delaying or to spend a lot of time here debating over House Rules, it was a sincere effort to put forth an alternative to this Body that we could have more property tax relief, especially in Cook County where we need it. So, I am going to vote 'no' on this and I obviously urge everyone to vote what's best for their own districts. Thank you."

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

Eddy: "Will the Sponsor yield for a question?"

Speaker Turner: "Indicates she will."

Eddy: "Representative, let me ask you this question. What would happen if th... this Body failed to act on this Bill and there was no relief? What would happen to those homeowners who are currently protected in some fashion by the existing relief, what would happen?"

Currie: "Well, they would find that they were looking at very significantly higher property tax bills."

Eddy: "So, as far as the decision that this Body has before it at this time, this is a way that we can provide them with

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continuing relief that... that would essentially reduce what... what would be some pretty large increases in..."

Currie: "That is correct."

Eddy: "And I think this is... we... we talked about this before many times, but I want to remind this Body of a couple of things. First of all, the 7 percent is an opt-in for any county besides Cook County, is that correct?"

Currie: "For any county in the state, yes."

Eddy: "Any county. So, if another county chooses to opt-in and they're like Cook County and they have a limiting rate that PTELL establishes really there isn't a significant, if any, detriment to the amount of general state aid that's necessary?"

Currie: "No, that would not be affected."

Eddy: "So, if indeed... however a county that was not PTELL were to somehow think 7 percent solution were appropriate without PTELL, that's really about the only case where there could be some significant problems related to general state aid. And that would be a local choice."

Currie: "Right."

Eddy: "So, what we have done for the last three (3) years has seemed to work in some fashion to at least mitigate some of the increases and... and until we have the opportunity to fix larger problems that are associated with the entire, the entire tax... Property Tax Code and structure, this is something that can be done today to give those folks some assurance that the General Assembly is listening to the problem. And while we can't totally agree on... on a forever cure, which to me seems like it would be an extreme we can

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today take a step forward so that those folks will have some anxiety relieved regarding those increases."

Currie: "Absolutely correct."

Eddy: "Ladies and Gentlemen of the House, to... to the Motion. I would say that based on the fact that as we stand here today the reality of the situation is, we have before us an opportunity to provide relief and this is that opportunity knowing that any real detriment to any county would have to be by choice. And that really, what we're talking about here in some total is a shift, a shift from some property owners to some other owners who aren't able to take advantage of the exemption and we know that business is going to have to take up some of the slack, that this is a good compromise. And that's what we do here. That's what we do. We come up with something enough of us can agree on to provide people some measure of relief. That doesn't mean we can't come back and look at this again and... and try to change it more to get more relief and to look at other aspects of the Property Tax Code and they way we fund schools and everything else in the future. We can always do that. I think today, though, we need to support your Motion and give the relief to those folks so they can stop worrying by the moment what's going to happen and do some planning. Please support the... the... the Lady's Motion."

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

Scully: "Thank you, Mr. Speaker. To the... to the Motion."

Speaker Turner: "To the Motion."

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Scully: "First of all I want to thank Representative Mautino for the... his comments about the Village of Steer. He came up to me afterwards and said he didn't want to pick on the little Village of Steger, but I said no, the little Village of Steger very much appreciates somebody besides me sticking up for them and explaining the plight of a community that actually straddles the county line. Now, he referred to it... Mr. Mautino referred to it as the Mason-Dixon line where people can actually look across the street and see... they can look across Steger Road, the county line, and see a completely different tax structure for real estate; for the real estate taxes that they're paying, for the high school district, the village, the elementary school district, the community college district. The people on the north side of Steger Road are looking at a completely different structure than the people on the south side. Now, this is particularly a problem in Steger, but merely because of our ability to look across the street and stare it in the eyes. The rest of the state is confronting the exact same problem, it's just not that obvious to the rest of the state that we are using two (2) completely different taxing structures to fund one of the most important and one of the most expensive obligations, we have as a state, the obligation to properly fund our public education. Ladies and Gentlemen, when this Bill was originally proposed three (3) years ago, I stood before you and I said this is not even a BAND-AID a BAND-AID actually stops the bleeding a little bit. This is a shot of morphine, we're still sick. We still have a system that is

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inherently flawed. we're just going to kill the pain a little bit, give it a good shot of morphine. The real solution to the problem is not the underlying Bill, the real solution is not the Motion to override or the Motion to Concur. The real solution is dropping the dependency on real estate as the... real estate taxes as the fundamental way to fund public education. Mr. Mautino, I thank you as the Representative from the people of Steger, Illinois. I thank you for standing up for their issues. I ask you to listen carefully to his words and to understand that the only difference in Steger is their ability to physically see a different taxing structure when they look across the street. Thank you."

Speaker Turner: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. On the merits, some clearly prefer House Bill 664 the way we sent it to the Governor. On the merits there are many who prefer the Governor's Amendatory changes to House Bill 664, but that distinction I don't think makes a lot of difference to us in our vote this afternoon. We are at the eleventh hour. We're at the final moment when we can consider House Bill 664 and we're close to the time when, if the property tax bills don't go out, schools and local governments will have to borrow significant sums of money. We believe that there is not support in the chamber across the rotunda to accept the Governor's Amendatory changes. If I'm wrong they'll send us something, it'll be a whole new ball game. But if I'm right... if I am right, then this is the eleventh hour and this is the only game in town. If

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you want to do anything to provide your constituents statewide, as well as in Cook County, with property tax relief, and there is no question there is substantial property tax relief in this Bill. The only vote today is a 'yes' vote on the Motion to override. I would appreciate your support and so would your constituents back home."

Speaker Turner: "So, Representative Currie moves that House Bill 664 'do pass', notwithstanding the specific recommendations for change of the Governor. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 92 'ayes', 19 'noes', 0 'presents'. And this Motion, having received a Supermajority, House Bill 664 is hereby declared passed, notwithstanding the specific recommendations for change of the Governor. On Supplemental Calendar #1 we have House Bill 3866. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, and Members of the House. There's two (2) Motions on the Supplemental Calendar today with respect to House Bill 3866. Motion #3 is a Motion to override certain line item Vetoes. I would ask for leave of the Body to suspend all applicable House Rules so that the Body may consider the override of these item Vetoes on a single Roll Call vote."

Speaker Turner: "The Sponsor requests leave of the Body to consider these item Vetoes on a single Roll Call vote. Is there leave? Leave is granted. Representative Hannig, on House Bill 3866."

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Hannig: "Yes, thank you, Mr. Speaker, and Members of the House. Yesterday, as we debated a number of item Vetoes and reduction Vetoes, inadvertently we failed to include a few number of Vetoes that we intended to override. And in fact, when I spoke yesterday, it was my understanding that those Vetoes were part of yesterday's override Motion. But we've since found that that was not the case and so what we're asking today is that there are line item Vetoes that deal with ISAC, DECO (sic-DCEO), Public Health, Criminal Justice and Board of Higher Ed that were inadvertently left out. And so at this point I would simply ask that we now override the Governor's Vetoes, his line item Vetoes for those articles."

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

Black: "Inquiry of the Chair, Mr. Speaker."

Speaker Turner: "State your inquiry."

Black: "I had my light on before Representative Hannig proceeded. I intended to ask the Chair if there was leave to waive the posting requirement, whether or not we're going to take this to committee. Obviously, the answer is 'no'. So, we're... we're here to vote on line item Vetoes and I've just now been handed a copy of... Mr. Speaker, let me ask a question of the Sponsor. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Speaker Turner: "Representative, is there any sense of urgency that we do this now or that we... you not take it to committee and we vote on it tomorrow? I... I was just... just in the last thirty (30) seconds been given a copy of this."

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Hannig: "Representative, in all honesty, I believed that these Motions were in the debate that we had yesterday. And I presented yesterday's Motions with the understanding that these items were part of that debate. And because of an oversight in... in the filing of the Motion, we simply omitted those. So, all I'm suggesting today is that we procedurally do what we believed that we had done yesterday which is to override the Governor's Veto on... on a... on these items. These are the line item Vetoes and then we'll go to the reduction Vetoes next. So, we just need to correct an error so that what we believe that we did yesterday is really what we did."

Black: "With my apologies, Representative, I had forgotten our appropriations director had talked to me about this earlier in the day and I had forgotten about it. My apologies, and he did give me a copy at that time which I promptly lost. So, that's my fault. So, I'll just ask you one or two (2) questions. These were just inadvertently left out of the Motion you did yesterday, correct?"

Hannig: "Yes, I actually believed that they were part of the Motion."

Black: "Okay."

Hannig: "I spoke to some of these items and they were inadvertently and honestly left out."

Black: "And then... let me ask you just one question, one question if I might. On Article 45, Motion 4, of reduction Vetoes dealing with Chicago State University. Are we... I'm not sure what we're doing in that case. Are we giving back money to Chicago State that the Governor had reduced?"

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Hannig: "Yes, that's correct. That's actually in the.. in the next item, but that's correct."

Black: "All right. So were not on item 4 we're on item 3?"

Hannig: "Yes."

Black: "All right, bear with me. I'll catch up with you here in a minute. I'm.. I'm with you on Motion 3, I'll ask you a question on Motion 4 later. Thank you."

Hannig: "Thank you Representative."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the line items.. The Gentleman from Madison, Representative Hoffman, for what reason do you rise?"

Hoffman: "Yes, inquiry of the Chair."

Speaker Turner: "State your inquiry."

Hoffman: "Yes, a question of the parliamentarian. It's my understanding that the constitution is very clear that within fifteen days (15) of the date of enrollment that has to be acted on in this House. This was enrolled, my understanding on September 17, maybe my calculations are incorrect, but it's my understanding that the date ran yesterday. Therefore, if it was not acted upon yesterday, then these line item Vetoes would actually stand and would have the act of law. I would ask that the parliamentarian rule and I would inquire as to whether those fifteen (15) days had elapsed, number one, because I believe that had and they had to be voted on yesterday, that this not timely and this Motion is therefore not timely under our constitution."

Speaker Turner: "Mr. Hoffman, the parliamentarian."

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Parliamentarian Ellis: "Representative Hoffman, on behalf of the Speaker in response to your inquiry, it's beyond the function of the parliamentarian to determine the constitutionality of legislation that passes this Body. That's for a court to decide. The Motion is in order. The constitutionality of anything that may result from passage of this Bill is beyond the scope of the parliamentarian to comment."

Hoffman: "Then for the record, I would just raise the constitutional question, 'cause it is my belief that based on the constitution it is clear that this Motion is not timely and therefore it is beyond the constitutional mandate of fifteen (15) days and the line item vetems... Vetoes that we are hereby voting on actually are sustained. This is not timely and therefore they will be... they will stand."

Speaker Turner: "So, the question is, 'Shall all... 'Shall the line items contained in Motion #3 pass, notwithstanding the item of Veto of the Governor?' All those in favor should vote 'aye'; all those opposed they vote 'no'. And the voting is open. This Motion requires 71 votes. Have all voted who wish? Have all voted who wish? Durkin? The Clerk shall take the record. On this question, there are 104 voting 'aye', 3 voting 'no', 4 voting 'present'. And, this Motion, having received the Supermajority, the relevant line items are hereby declared passed, notwithstanding the item Vetoes of the... notwithstanding the item Vetoes of the Governor. On Supplemental Calendar there appears... Representative Hannig... Representative

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Hannig, just one minute. The Gentleman from Peoria, Representative Schock, for what reason do you rise?"

Schock: "Thank you, Mr. Speaker. I'd like to be reflected on House Bill 664 as voting 'yes'."

Speaker Turner: "The record will so reflect. Representative Hannig on Motion..."

Hannig: "Yes, thank you...thank you, Mr. Speaker, and Members of the House. Motion 4 on the Supplemental Calendar is a Motion to restore certain line item... items reduced by the Governor. I would ask for leave of the Body to suspend all applicable Home Rules so that the Body may consider these item reductions on a single Roll Call vote."

Speaker Turner: "The Sponsor requests leave of the Body to consider those item reductions on a single Roll Call vote. Is there leave? Leave is granted. Representative Hoffman, the Gentleman from Madison."

Hoffman: "Thank you, Mr. Speaker. Inquiry of the parliamentarian regarding the timing of Motion #4 to restore the reduction Vetoes to House Bill 3866. I would raise a similar objection that I raised for Motion #3 and ask the parliamentarian to please rule on whether or not the constitutional mandate of acting on these reduction Vetoes within fifteen (15) days after enrolling is being met, number one. And I believe the fifteen (15) days has passed since this was enrolled on September 17, and these reduction Vetoes had to constitutionally be heard by yesterday, otherwise they will stand. I would inquire of the parliamentarian to rule regarding my inquiry."

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Speaker Turner: "The parliamentarian has stated before and... that he will not rule on constitutional issues regarding this particular Motion. It was the same ruling that he made on Motion #3."

Hoffman: "And I would just reiterate my same objections."

Speaker Turner: "It will be so recorded. So, the question is, 'Shall the line items contained in Motion 4... the Gentleman from Vermilion, Representative Black, for what reason do you rise?'"

Black: "Mr. Speaker, in case there's a lawsuit on this vote, and it sounds like there may be, I want the record to reflect that I'm voting of my own free will not under any duress nor pressure. I am not an attorney, I have no idea whether this is constitutional or not. I'm voting because I'm restoring funding to universities throughout the Illinois... throughout the State of Illinois. And if there is a lawsuit I would respectfully request that my name be omitted from any lawsuit. Thank you."

Speaker Turner: "Representative Hannig on Motion #4."

Hannig: "Yes, thank you, Mr. Speaker and Members of the Assembly. This reflects reduction Vetoes that we believed were part of yesterday's Motion. I spoke to some of those... particularly those that dealt with ISAC and... and our state universities and so we believed that they were in yesterday's Motion. They were inadvertently omitted. At this time I would simply ask that we move to override the Governor's Veto. And I'd ask for your 'yes' vote."

Speaker Turner: "So, the question is, 'Shall the line items contained in Motion #4 be restored, notwithstanding the

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items reductions of the Governor?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is open. And this Motion requires 60 votes. Have all voted who wish? The Clerk shall take the record. On this question 103 voting 'aye', 4 voting 'no', 4 voting 'present'. And this Motion, having received the Constitutional Majority and the relevant line items, are hereby declared restored notwithstanding the item reductions of the Governor. On page 14 of the Calendar, we have House Bill 1124, Representative Molaro. Representative Molaro. Representative Molaro on House Bill 1124."

Molaro: "Thank you, Mr. Speaker. I'm recalling this Motion. Last time I called it the microphone wasn't working properly, because I don't think everybody heard what I had to say or explain. And the way I'll explain it is to say that it's a great Bill. We've talked about this many, many times. I don't want to reiterate this, but obviously, all it'll do is allow what we're doing today and mostly all the state to continue to allow these bowling leagues and these dart leagues that have been around for a hundred (100) years to continue on. It has nothing to do with anything else but that. And I'd ask for an 'aye' vote and I'll answer any questions."

Speaker Turner: "Seeing no questions, Representative Molaro moves that House Bill 1124 'do pass' notwithstanding... The Gentleman from Cook, Representative Molaro."

Molaro: "So we're clear, this is just a renewed Motion that I made earlier. It's not a Motion to reconsider. But I do

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want to thank Senator Peterson and Senator Raoul probably came here to help me pass this. I really appreciate it and to be quite honest with you, I haven't really talked to the Governor, but I... I really think he knows that he's probably for this Bill now. So, those of you who were with the Governor I'm sure, now that he read this over he's going to be for it..."

Speaker Turner: "Representative Molaro moves that House Bill 1124 'do pass' notwithstanding the Veto of the Governor. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Dunn? The Clerk shall take the record. On this question, there are 71 voting 'aye'. 40 voting 'no', 0 'presents'. And this Motion, having received the Supermajority House Bill 1124 is hereby declared passed, notwithstanding the Veto of the Governor. Mr. Clerk, could you read the Committee Schedule?"

Clerk Bolin: "The following committees will meet immediately upon adjournment. The Executive Committee in Room 118, the Appropriations Human Services Committee in Room D-1 Stratton, the Labor Committee in Room C-1 Stratton, the State Government Administration Committee in Room 115, the Elementary and Secondary Education Committee in Room 114. The following committees will meet one half hour following adjournment: the Appropriations Elementary and Secondary Education Committee in Room C-1 Stratton and Human Services Committee in Room D-1 Stratton."

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

Mitchell, J.: "Thank you, Mr. Speaker on the previous Bill I'd like the record to reflect that I meant to vote 'yes'."

Speaker Turner: "The record will so reflect. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 746, offered by Representative Holbrook. House Resolution 747, offered by Representative Holbrook and House Resolution 748, offered by Representative Will Davis."

Speaker Turner: "Representative Currie moves that we adopt 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. Representative Bradley, the Gentleman from Williamson, for what reason do you rise?"

Bradley, J.: "I move for the suspension of the posting requirements on House Resolution 666, House Resolution 725, Senate Bill 478 Amendment 3, House Bill 4144, House Joint Resolution 77, House Joint Resolution 78, Senate Bill 120, House Bill 4148, House Bill 4149 and Senate Bill 934."

Speaker Turner: "The Gentleman asks leave to suspend the posting requirements on the previous mentioned Bill. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the posting requirements are suspended for those legislation... those Bills. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you, Mr. Speaker, inquiry of the Chair."

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Speaker Turner: "State you inquiry."

Black: "Is any of the flights from Air Illinois headed to Arizona this afternoon that might have an empty seat? I'll pay whatever the rate is. What, ten Cents (\$0.10) a mile or whatever it is? I don't know if any of the flights are leaving from DOT Aeronautics. Has anybody seen the Governor? I'll carry the Governor's bag I... whatever. I'm desperate."

Speaker Turner: "You want to check down on two (2) on your way out."

Black: "I'll do that."

Speaker Turner: "Okay."

Black: "Thank you."

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

Rose: "Mr. Speaker, I'd like to lodge an objection to the numbering of HR 666. A quick perusal of HR 666 actually finds that it is a Bill dealing with religious freedom. It seems to be a bit ironic that HR 666 involves religious freedom. I just thought we should object to that and perhaps who ever number these in the future could be a little bit more respectful."

Speaker Turner: "Your objection will be noted. Seeing no further questions, Representative Currie moves that the House stands adjourned until Thursday October 4, at 9:30 a.m. Thursday, October 4, at 9:30 a.m. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House stands

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adjourned until Thursday, 9:30, allowing perfunctory time for the Clerk, 'til Thursday 9:30... at 9:30 a.m."

Clerk Mahoney: "The House Perfunctory Session will come to order. Committee Reports. Representative Soto, Chairperson from the Committee on Approp-Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4149. Representative Feigenholtz, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 4144. Representative Osterman, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 77 and House Joint Resolution 78. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 4148. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'do pass

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Short Debate' is Senate Bill 120. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on October 3, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is floor Amendment #3 to Senate Bill 478; 'recommends be adopted' is House Resolution 666 and House Resolution 721. Introduction to reading of House Bills-First Reading. House Bill 4150, offered by Representative Monique Davis, a Bill for an Act concerning local government. House Bills-Second Reading. House Bill 4144, offered by Representative Golar, a Bill for an Act concerning appropriations. Second Reading of this House Bill. House Bill 4148, a Bill for an Act concerning education. Second Reading of this House Bill. House Bill 4149, offered by Representative John Bradley, a Bill for an Act concerning appropriations. Second Reading of this House Bill. Previous House Bills will be held on the Order of Second Reading. Senate Bills-Second Reading. Senate Bill 120, offered by Representative Verschoore, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Senate Bill 478, offered by Representative Lang, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. The previous Senate Bills will be held on the Order of Senate Bills-Second Reading. There being no further business, the House Perfunctory Session now stands adjourned."