

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

227th Legislative Day

2/21/2008

Speaker Turner: "The hour of 12:00 having arrived, the House will be in Session. We shall be led in prayer today by Wayne Padget, the Assistant Doorkeeper. 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."

Wayne Padget: "Let us pray. Dear Lord, we come before You today in sound body and mind. Praying that on this day You grant us wisdom and guidance. We pray for the men and woman in our armed services, both here and abroad. Provide them with Your protection and give them the strength to make it through these tough times. Let us also pray for Representative Jim Watson, who is over there serving for his country. We would also like to pray for the men, women, and their families who have made the ultimate sacrifice to defend our country. These things we ask in Your Son's name. Amen."

Speaker Turner: "We shall be led in the Pledge today by Representative Flowers."

Flowers - 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 Turner: "Roll Call for Attendance. The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives John and Rich Bradley and Representatives Molaro and Younge are excused today."

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Speaker Turner: "The record will so reflect. Representative Bost, for what reason do you rise?"

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

Speaker Turner: "The record will so reflect. 111 Members present, a quorum is present and we shall proceed with business. Committee Reports, Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative D'Amico, Chairperson from the Committee on Drivers Education & Safety, to which the following measure/s was/were referred, action taken on February 21, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4162. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on February 21, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4219 and House Bill 4450; 'recommends be adopted' is House Joint Resolution Constitutional Amendment 2. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on February 21, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4653; 'do pass Standard Debate' is House Bill 4167 and House Bill 4628. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on February 21, 2008, reported the same back with the following

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recommendation/s: 'do pass Short Debate' House Bill 4190, House Bill 4314, and House Bill 4590; 'do pass as amended Short Debate' House Bill 4212 and House Bill 4574; 'recommends be adopted' is House Resolution 703. Representative Soto, Chairperson from the Committee on Approp-Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on February 20, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 4730. Representative May, Chairperson from the Committee on Health Care Availability and Access, to which the following measure/s was/were referred, action taken on February 20, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4223; 'do pass Short Debate' House Bill 1432. Representative Nekritz, Chairperson from the Committee on Elections & Campaign Reform, to which the following measure/s was/were referred, action taken on February 20, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4174 and House Bill 4588. Referred to the House Committee on Rules is House Resolution 1009, offered by Representative Madigan. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on February 21, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4226, House Bill 4309, House Bill 4407 and House Bill 4727."

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

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

Speaker Turner: "State your point."

Pritchard: "Ladies and Gentlemen of the House, I would draw your attention to the Speaker's gallery were we have, and if they would please stand up, representatives of the Sycamore High School cross county track team, which was declared the Division 2A State Champions this past year. This team in 2005 missed qualification for the state meet by only six (6) points and it was with determination that they decided that they wanted to become state champions. In 2006, the team won the first boys cross country sectional title in Sycamore High School history. The first high school boys team to reach the state meet and during the summer of 2006, they ran ten thousand (10,000) miles. A lot of us do a lot of walking when we campaign; this team ran ten thousand (10,000) miles in preparation for the 2007 season, demonstrating a collective focus, hard work, determination to achieve even greater success. And in November 3, 2007, in the City of Peoria, this team won the first place championship, winning over their next closest competitor by a hundred and sixteen (116) points, a margin of victory that's almost unprecedented. Please join me in welcoming the coaches for this cross country team Michael Lambdin and also David Liszka and the team for an outstanding accomplishment."

Speaker Turner: "Congratulations again. Representative Pritchard moves for the adoption of House Resolution 885.

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All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. The Lady from Grundy, Representative Gordon, for what reason do you rise?"

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

Speaker Turner: "State your point."

Gordon: "Thank you, Ladies and Gentlemen, I... I don't know if you remember, but approximately two (2) years ago and a few months I had the privilege of introducing this young man when he was three (3) weeks old. And he had just fallen asleep that day and I had asked Representative Black and Representative Lang to keep it quiet because he had just gotten his nap. Well, since then, this is Representative Dugan's grandson, his name is Dugan Huber and he's not taking a nap today. So please, my colleagues feel free to yell and scream all you want because he will join you in doing that. So, this is Dugan and he says hello to the House of Representatives today."

Speaker Turner: "Welcome to Springfield. The Gentleman from St. Clair, Representative Holbrook, for what reason do you rise?"

Holbrook: "Thank you, Speaker. Personal Announcement, Environment & Energy has been canceled today. It will not meet. Environment & Energy is canceled."

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

Mitchell, B.: "A point of personal privilege."

Speaker Turner: "State your point."

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Mitchell, B.: "Ladies and Gentlemen of the House, I would like to introduce a constituent of mine from Tremont, right behind me, Michelle Boston and her son Joshua, who's paging from Tremont. In sixth grade right? Let's give them a big Illinois House of Rep welcome."

Speaker Turner: "Welcome to Springfield. Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "Point of personal privilege."

Speaker Turner: "State your point."

Eddy: "Thank you, Mr. Speaker. I also have some constituents visiting up in the balcony, here to my right, if Jay Ping and his daughter Eva will stand up. Would you please help me welcome them to the House of Representatives."

Speaker Turner: "Welcome to Springfield. The Gentleman from Fulton, Representative Smith, for what reason do you rise?"

Smith: "For the purpose of a... purpose of an announcement, Mr. Speaker. For the Members of the Fire Caucus I would like to remind you that we're having our breakfast meeting tomorrow morning at 7:30 a.m. in the Rathschellor or the Bistro, formerly known as the Rathschellor, 7:30 for Members of the Fire Caucus. We will have some of the associations there we'll discuss our legislative agenda for the year. So Representative Moffitt and I would like to make sure that you all attend, 7:30 tomorrow morning."

Speaker Turner: "Page 4 of the Calendar, on the Order of Third Readings, Representative Osmond, House Bill 4182. The Lady from Lake. Clerk... Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4182, a Bill for an Act concerning local government. Third Reading of this House Bill."

Osmond: "Thank you, Mr. Speaker. Members of the General Assembly. House Bill 4182 has been brought due to a constituent concern about three (3) trustees that were sworn in last year on a village board and immediately decided to put in an ordinance that would allow them to hire their own personal attorneys to advise them on the day-to-day operations that they would be voting on. When the constituents brought it to my attention we checked the law and the law had nothing forbidding it and we feel very strongly that they have access to the village attorney, they have access to the state's attorney, and the attorney general if it so be. So for them to want to have legal counsel on a day-to-day operations at taxpayers' expense seem to be inappropriate. I would appreciate an 'aye' vote."

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

Fortner: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Fortner: "I understand and appreciate the intent of this Bill. The question that I have is there are cases where it is useful for the city council retain separate legal counsel, sometimes they might need a second opinion, perhaps with more expertise than what they would have with their normal municipal attorney. Would this Bill in any way restrict their ability to get that extra opinion, should they so need it?"

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Osmond: "No, I don't believe so. This is strictly in the case that they just want somebody to sit at their elbow and advise them how to vote and it's all personal. They should be paying... if they need that legal counsel, they need to pay that at their own... not with taxpayers' money. And in your case I don't believe that this would pertain at all."

Fortner: "So... so as long as a majority of the city council, either with concurrence of the mayor or if they had a veto proof majority, if they said we want to acquire couns.. additional legal counsel with city funds, they could still do that."

Osmond: "That's... absolutely."

Fortner: "Okay. Thank you very much."

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

Rose: "Question of the Sponsor."

Speaker Turner: "Indicates she'll yield."

Rose: "Hello, Representative, how are you?"

Osmond: "I'm just fine, Sir."

Rose: "I understand what you're trying to do on this specific set of facts that you elicited and that sounds like a very good idea. My concern is that this... if the village had to go outside, which often happens, in the scope of representation of the attorney, let's say they get involved in litigation with an employee, some sort of environmental issue, can... will they still be able to hire an outside counsel absent their city attorney's recusal of himself or herself. My... and again, my concern here is the trigger as applied to your set of fact might also apply to other sets

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of facts where it's totally appropriate for the village attorney to go outside for someone of expertise."

Osmond: "Well... I guess my concern here is the fact that the village attorney is in place. Okay?"

Rose: "Right."

Osmond: "And if they choose not to have that attorney, they have the power to remove him. That's not what this Bill is doing. This Bill is saying that these individual trustees do not have, at taxpayers' expense, the right to hire their own personal attorney to advise them on each vote that they take."

Rose: "Well... And that's what I'm getting at what I'm... that's where I'm confused. If it is that you're saying that they can't get their own individual attorney, I get that, but if this is read more broadly to say that the village attorney can't hire an expert, in say environmental litigation regarding the clean up of something then, you know, that... that village attorney doesn't normally recuse them self, they actually usually act in a co-counsel capacity while they hire out for an expert firm."

Osmond: "And I don't think that this Bill is made for that purpose, I mean..."

Rose: "I get that's not your intent."

Osmond: "...that's on a day-to-day duty of... of... I mean, if your village attorney feels that there's an obligation to bring in additional... additional legal counsel to be able to pursue whatever they're trying to do, I think that that is not part of this Bill, they have perfect right to do that. I'm saying trustees have... they're bonded first of all and

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second of all they have the... the city... the village attorney at their disposal. If they want to go out and get a legal opinion to make sure that they're voting correctly, I don't think that they should be doing it at taxpayers' expense."

Rose: "Okay. Let me... I think I hear what you're saying, is it your legislative intent that this apply only to individual board members trying to get an outside opinion as to their duties as an individual board member."

Osmond: "Correct."

Rose: "Perfect. Thank you."

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

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

Speaker Turner: "Indicates she will."

Franks: "Thank you. We had to keep our streak intact."

Osmond: "Thank you."

Franks: "My analysis is somewhat confusing to me and I'm hoping you can help shed some light on this. Our analysis indicates that this Bill only affects municipalities organized under the strong mayor form of government and it does not affect municipalities with commission or managerial forms of government. Would that be a fair representation of this Bill?"

Osmond: "That's correct."

Franks: "I'm not sure I understand it then. So, if I've got a mayor and I've also got like a city manager, okay, and let's... let's use Woodstock for an example. Woodstock has a mayor, it's got trustees, and it also has a manager. Would this apply to Woodstock?"

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Osmond: "Virtually all municipalities have strong mayor form of government."

Franks: "Okay. So, we're talking about the vast majority of government?"

Osmond: "Yes."

Franks: "Okay. Let me ask you, who usually hires the village or city attorney? Is it the mayor, who has veto power of who that village attorney is going to be or is it hired by the trustees?"

Osmond: "Well, I think it's appointed position that the trustees vote on to support."

Franks: "Here's my concern, 'cause if... if you have a strong mayor and the mayor's the one who's suggesting who the attorney should be or only putting forward one name, that attorney could be somewhat beholden to the person who gave him that job. And... and I see in a... in my capacity as a corporate attorney sometimes you have to be very careful when you are representing a corporation that you're representing the corporation and not the president of that corporation. So, I'm analogizing this type of situation where you may be the city attorney, but you don't want to be confused on whether you're representing the mayor or the city. Are you following my train..."

Osmond: "Yes... yes."

Franks: "...of thought. So, what I'm concerned about is if I'm a trustee and I believe that the municipal attorney is giving improper advice or he is unduly influenced by the mayor. Okay. Then I want to bring in my own lawyer to say, hey, I think that your advice is wrong, and instead of really

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representing the village you're representing the mayor. So I want to have my own lawyer to protect the interests of the citizens and I'm concerned that this Bill would take away that ability to do so."

Osmond: "But first of all, if you're... if you're sitting on a board and you're in... as a capacity like that and there is a question, you can still go without taxpayers' expense to your states attorney and get a legal opinion as to if this is correct or not correct."

Franks: "Well, that's usually just on criminal stuff. I'm... I'm most of the stuff that they're going to be seeing is going to be civil issues, okay, civil matters. And I don't think the state's attorney is going to be equipped to answer those type of questions. And I'm... and I just... I understand the intent here. What I'm concerned, though, is it could take away a big check and balance that the trustees have and have used very rarely, but when the case where they have used it, they might of abused it here."

Osmond: "Well, I think you... you have appointed an attorney to do the village business and I think that if there seems to be this type of a problem or a question that the board, in a group, could suggest that maybe they get a second opinion. I don't... the purpose of this Bill is basically not to have a... a private attorney sitting next to that trustee on a day-to-day basis at taxpayers' expense, advising him how he should vote or he or she should vote and that's what I'm trying to..."

Franks: "And I agree..."

Osmond: "...capsulize here."

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Franks: "...and I think that's a proper... proper way to do it. My only concern is would we be hamstringing those trustees if they were trying to protect the public welfare and actually believe there's a potential conflict of interest by the attorney and say, hey, we're going to have our own guys come in and question this guy. I mean, sometimes you bring a third one in, I've seen it happen, in corporate world and I presume in this type of situation, I... I don't think it's that farfetched. Would we be hamstringing folks to do that, because most trustees aren't going to have the wherewithall to pay for their own attorneys?"

Osmond: "Well, that's true and that's... that's what I'm doing this Bill... That's why they do... they put it on taxpayers' expense, because they don't have the money to advise them. But I guess what I'm trying to say is that the power of the trustees, they can always remove this attorney at any point by a vote. So, I guess I'm missing..."

Franks: "Okay. I guess I wanted to make sure that checks and balances were brought in. Thank you."

Osmond: "Thank you."

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

Riley: "Will the Sponsor yield, please?"

Speaker Turner: "Indicates she will."

Riley: "Representative, I think that this Bill is a good one. Frankly speaking, when someone runs for municipal office, they're the one who went to the people to represent, you know, their concerns, not their own personal attorney. I mean, if that was the case then the attorney should run for

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trustee. So, it is clear what it is you're trying to do and I would celebrate that; although, I do and I think I'd mentioned it in committee, and it's not really a concern, but the whole issue of strong mayor. Now, most of the municipal corporations in this state, I would presume, are village president and trustees rather than mayor and alderman in a city council. Is that... is that true?"

Osmond: "I'm sorry, I'm having so much trouble hearing you, I apologize. Could you just repeat the last part of the question again?"

Riley: "Okay. What... what I asked was..."

Osmond: "Thank you."

Riley: "I was under the belief that most of the municipal corporations in the state are organized under a village president, which most people colloquially say mayor, but they're really a village president and trustees versus a mayor and an alderman representing districts. Is that... do you know that to be true?"

Osmond: "Yes."

Riley: "Okay. Why is it that you didn't extend this prohibition to... to all forms of municipal government irrespective of whether they're strong mayor or whether they have a village manager type of system."

Osmond: "I guess..."

Riley: "Because... because these kind of problems can exist under any type of system."

Osmond: "Ninety-eight percent of our cities are strong mayor form. I guess I never took it into consideration the other. I apologize. Maybe you could do that Bill next."

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Riley: "Well, I just might. To the Bill."

Speaker Turner: "...Bill."

Riley: "I think this is a good piece of legislation. I did have the concerns that I just elucidated, but I really think that this is a good piece of legislation in that again, when you run for city council or trustee or whatever... you know, whatever you want to call it you're running to represent the people. And, you know, there's errors and omissions insurance that you have, but you represent those individuals, not your own personal attorney. If you have to have a personal attorney there at your side as you're, you know, dealing with issues of the day, then I think that speaks to your inability to do your job. So, I think that this is a good piece of legislation and I'm going to vote 'aye'."

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

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

Speaker Turner: "Indicate she will."

Lindner: "Yes, Representative, someone may have asked this question before. I understand that you are trying to not have public funds used for this, but this does not prevent somebody from using their own funds to go..."

Osmond: "No."

Lindner: "...hire a private attorney..."

Osmond: "No, absolutely."

Lindner: "...and consult them about any issue."

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Osmond: "That's right, if they want to do it at their own expense that's fine. I'm... I'm concerned about them spending taxpayers money for this."

Lindner: "Very good Bill. Thank you."

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

Miller: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Miller: "I have a... Representative, I have a question regarding the fees. Now, you said that the... the trustee can hire or an individual can hire a private attorney and use public dollars. Is there any discussion on... on the amount of fees that the private attorney can charge the village for their services?"

Osmond: "I... I think there's a little confusion here. I'm trying to stop the trustees from using taxpayer dollars to have their own personal attorney sit next to them and advise them on day-to-day votes in the village. So, what you're saying... I'm not sure that you understand what my Bill is doing."

Miller: "In... in our analysis it says, however a village attorney rescu... recluses (sic-recuses) from the village trustee that the trustee may hire a separate attorney using public funds. So, maybe that's the confusion."

Osmond: "Okay. I'm sorry. I don't know what the fee schedule would be. I would think that it would be something that the trustees would have to agree upon."

Miller: "I guess my concern is that if you have a village attorney who's... whatever their fee is, let's say a hundred

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dollars (\$100) an hour and I decide... let's say I'm a trustee and decide to hire a attorney using public dollars, then I can say my... this other attorney or law firm could charge a hundred and fifty dollars (\$150) and hour versus the hundred dollars (\$100) that the city would pay. So, is there any discussion on... or is there any thoughts on trying to limit the amount of funds or... that... that the trustees can hire? This situation happened in a Village of a Calumet City where the mayor had some issues and was able to hire the best lawyers that his citizens paid for versus their internal counsel. So, it'd be lovely for any trustee could pick the top notch law firm anywhere and that firm could charge whatever they charge and the public would just have to eat it. So, is there any discussion on that?"

Osmond: "But I think that would have to be just like any other professional contract. It would have to be agreed upon. You know..."

Miller: "That would have to be what? I'm sorry, I didn't hear you."

Osmond: "It would... it would have to be voted on to accept that bill. But what I'm trying to make it is that they cannot hire their own private attorney for day-to-day matters. So, in you're using... you're saying that if somebody has to excuse themselves from this process and... and get another attorney, that's something that the village board or village trustees would have to agree upon. I don't know that that's covered in this Bill."

Miller: "Well, I think... I think, and just to give it some thought, I'm not here... I think it's a great idea, but just

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to give it some thought is the fact that at least I've heard of stories where trustees have hired very expensive law firms on their own and with... and as you know..."

Osmond: "And then come back with a bill."

Miller: "...these things do come up for a vote. Unfortunately, they may not know the day-to-day proceedings or whatever their going to be voting on. They could say well I can... I'm going to hire an attorney, you know, law firm X, you know, attorney... law firm X is, like I said, much more than what the lawyer who recused (sic-recused) himself in that, you know, the citizens end up getting stuck with a bill. So, my... just my only concern is, is there been any thought or will..."

Osmond: "I think this Bill is going to help that because right now there's nothing in the law that prohibits, you know, from hiring their own personal attorney, and... and so the villages could be stuck with very expensive bills. So, I think this is... this is the first step in helping that situation."

Miller: "And I would agree. And not to belabor the point, I guess I would just argue that possibly an Amendment maybe in the Senate, or wherever to try to look at maybe capping the fees of what the pub... of what that attorney would charge just so they couldn't hire anybody. You know. Or they could hire their brother-in-law and the brother-in-law charges the village, you know, an exorbitant amount of fees. Now, it's to say... it's one thing to be pro... proactive about it or preventative, but what happens is a lot of times these actions happen and then the village,

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they just end up paying the bill and it's just more of a response. So, I don't disagree with you. I'm just saying I think it's headed in the right direction, but that possibly may be the Senate Sponsor could have some kind of language capping the fees."

Speaker Turner: "Represen... Representative Miller."

Osmond: "Thank you."

Speaker Turner: "Your time is up."

Miller: "Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Lang, for what reason do you rise? I'd like to remind the Members that this Bill is on Short Debate."

Lang: "Thank you. A little to late for that, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Lang: "Thank you. So, Representative, I understand what you're trying to do. You're trying to protect taxpayer dollars and that all makes sense to me, but here's what I don't understand, and I may have missed this in the debate and if I did forgive me. You seem to want to make it either/or. So, either they can go do this or they can't go do this by operation of statute. Why can't we just allow the village board to decide whether these village trustees can go do this or not do this? Why do we have to decide?"

Osmond: "Well, as I said in the very beginning, the... three (3) new trustees came on this board and immediately went and put in an ordinance saying that they could hire their own personal attorneys and when constituents came in my office and said, how can they dare do this? We consulted the

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state's attorney and they advised us that there's nothing in the law that prohibits this."

Lang: "Did..."

Osmond: "So that's..."

Lang: "...did..."

Osmond: "...why we're trying to correct that."

Lang: "Did the ordinance pass?"

Osmond: "Yes. But it's taxpayers' money."

Lang: "It is taxpayers' money, but it's taxpayers' money of that local village or municipality. Why should they not, through their own elected officials, have the right to make any decision they want to make? Don't you believe in local control?"

Osmond: "My constituents came to me asking me to put in the law something that would prohibit this because they felt that it was wrong to have an own personal attorney sitting next to somebody that was elected that is... is supposed to be representing them and, you know, the election's already over, they took office and then they pulled this. People just didn't understand that this was even going to happen."

Lang: "Did that village ordinance that proposed that they allow this hiring also provide the revenue for it?"

Osmond: "There was no stipulation in there as to revenue, they said accustom and ordinary."

Lang: "So how did it pass? Why didn't one of your constituents file a lawsuit against the village saying they passed an ordinance that is against their own rules because there's no budget to pay for it?"

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Osmond: "They would just use the General Fund to pay for it in the city. I... I don't know."

Lang: "Well, Representative..."

Osmond: "They didn't have their attorneys present at that time to advise them."

Lang: "I share your view that we should not allow, where we can avoid it, anyone to waste taxpayer money, whether it be us or a local municipality. And I understand what you're trying to do, but I must say that I think this legislation's misguided. If a local municipality through its elected officials passes an ordinance to do anything that is legal to do under the laws of the State of Illinois, who are we to tell them they should not do it? Now, I suppose, you want to say, well it shouldn't be legal under the laws of the State of Illinois, that's why you're doing this. But I submit to you that most people in this chamber and frankly, most... more... even more people on your side of the aisle talk about local control. Let the local school districts decide. Let the local municipalities decide. I don't think we ought to get into this. It'd be one thing if these trustees on their own had the ability to contract with lawyers and the lawyers would bill the municipality, but here they actually passed an ordinance. What next? If your constituents don't like a certain zoning change, we're going to do zoning changes from Springfield? We're going to do planning changes from Springfield? We're going to decide for a local municipality where they can place a legal billboard? We're going to decide for a municipality which sidewalks they

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fix? That's next, and so I don't believe in you legislation. Not that I'm for wasting taxpayer dollars, but here a sovereign governmental entity, the Village of Antioch, is that what it was, decided to let their trustees do this. We shouldn't stand in the way of that. They're a legally constituted government. They made a decision. We should not overturn that here. Thank you, Mr. Speaker."

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

Washington: "Thank you, Mr. Speaker. I have a question for the Sponsor, my distinguished college, Ms. Osmond. JoAnn, I'm sorry that I came in a few minutes late, but JoAnn, what's... what's... this is something you yourself have brought to the attention of the floor to eradicate something in your own district?"

Osmond: "I had constituents come into my office concerned about three (3) new trustees that got sworn into office and immediately filed, or I'm sorry, immediately put in an ordinance that allowed them to have their own personal attorneys advise them on day-to-day votes that they would take in the village. And they felt very strongly that this was not the way to go, that they have the use of the village attorney, the state's attorney, whatever the situation would be and that for them to have their own attorney sitting next to them at taxpayers' expense was just not the way to go. And so, I'm trying to say... when they came to me we checked and there was nothing in the law that prohibited this. Now, I want to tell you that the

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Municipal League has not come forth and made any objections to it."

Washington: "Mr. Speaker, can we have a little.. little.."

Osmond: "I'm sorry they do oppose it, I apologize, but never slipped it in committee. So, I just felt that I was helping my constituents by, you know, trying to be taxpayer protector."

Washington: "And so let me... let me... can I paraphrase what I understood? Within your own backyard, there are three (3) trustees that recently came aboard and those three (3) trustees want to individually have individual attorneys customize for them to them to exclusively advise them on municipal matters as it relates to..."

Osmond: "Their vote."

Washington: "...advice when there's already a set protocol and system set up for that. Am I... got it correct?"

Osmond: "Right. They have a village attorney on... I mean, a village attorney is there for the purpose of helping them, you know, if there is any question. They want their own attorneys."

Washington: "And you are standing in opposition to that recommendation based on... on could you clarify for me?"

Osmond: "Just based on the fact that they're using taxpayer dollars. If they feel that they need to have legal counsel on... on, you know, each time they meet, then they should be doing that on their own expense and not taxpayers' dollars."

Washington: "Thank you. To the Bill. Mr. Speaker, I concur with my distinguished colleague on the other side of the

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aisle and the way she explains it. I know her to be very honorable in terms of protecting her constituency base and the interests of that base, and I, too, if given similar circumstances based on what I understand, what I read, and what I hear her say, I, too, would stand up and say it is a waste of taxpayers' money in terms of duplication and that the taxpayers need not be further burdened to accommodate individual attorneys to advise individual trustees of any municipality. So, I propose an 'aye' vote and say that I will be supporting my colleague in that move."

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

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

Speaker Turner: "Indicates she will."

Smith: "Representative Osmond, I'm sorry I may have missed a previous explanation, but are you saying that a municipality could not hire say a bond counsel or some..."

Osmond: "No."

Smith: "...special counsel?"

Osmond: "No. Representative, this basically is just trying to prohibit a sitting trustee from hiring an attorney to advise them on day-to-day operations or votes in... that they may take."

Smith: "Other... other than their..."

Osmond: "They have the village attorney..."

Smith: "Right."

Osmond: "...sitting there, and they feel that they want to be protected."

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Smith: "I think I understand the situation you're trying to address. It makes sense, but I just wanted to make sure we're not prohibiting, you know, an envir... sometimes, you know, the city, municipality, may need expertise."

Osmond: "No. And that would be up to the village board and that attorney and if they need to bring experts in that's not addressed here."

Smith: "Okay. Our... our analysis was not completely clear on that. So, thank you."

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

Tryon: "Thank you, Mr. Speaker. I'd like to speak to the Bill if the Sponsor will yield."

Speaker Turner: "To the Bill."

Tryon: "This came up in committee, and I got to tell you, we had debate about this. There are many various forms of government that don't get to hire their own attorney. County Boards don't get to hire their own legal counsel; they have to be appointed by the state's attorney. County boards of health don't get to hire their own legal counsel. I look at this as if every trustee had to have their own legal advice, meetings would become chaotic, the expense would be extreme for the village to incur. And even though it's a... at this point in time it's permissive because the statute doesn't prevent it that they can have their own counsel, the question is, should they have their own counsel? And if we compare it to many units of government that can't have their own counsel, I don't see why they should be able to. I think you should vote, when you're a

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council member, based on the advice of your village attorney and based upon what your constituents want you to do, not what your lawyer wants you to do. And I think if you aren't comfortable with that, you're in the wrong position to be representing constituents and you should quit. So, I rise in strong support of the Lady's Bill."

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

Dugan: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Dugan: "I just... Representative Osmond, I just... I just wanted to check because I'm just a little bit confused. You had said that these attorneys came on the village board and then they passed an ordinance allowing them to hire their own attorneys?"

Osmond: "The three (3) trustees came on the board and put an ordinance in saying that they could hire their own attorneys at taxpayers' expense."

Dugan: "Individual attorneys, like each one of them could have their own?"

Osmond: "That's correct."

Dugan: "And that... and that passed in that particular municipality?"

Osmond: "Yes."

Dugan: "Okay. I guess... and I guess that's where I'm confused because if three (3) trustees, I'm assuming you have six (6) trustees?"

Osmond: "Correct."

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Dugan: "Okay. So, three (3) of the trustees would vote for it, they had to have one (1) more vote. So, that means the majority of the village board said this would be okay?"

Osmond: "Correct."

Dugan: "Okay. Thank you."

Speaker Turner: "Seeing no further questions, Representative Osmond to close."

Osmond: "I'd just appreciate an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House pass House Bill 4182?' All those in favor should vote 'aye; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Osterman. The Clerk shall take the roll... the record. On this question, there's 72 voting 'aye; 39 voting 'no'; 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, under the Order of House Bills-Third Reading, we have Representative Colvin on House Bill 4093. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4093, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

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

Colvin: "Thank you, Mr. Speaker. House Bill 4093 is an appropriations Bill dealing with a very important program that's been successfully implemented in Cook County for several years and with a state grant of 1.9 million (\$1,900,000) we think we'd be able to expand it across the state. Basically, it creates drug schools in areas that

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want to implement sentencing alternatives for... Let me... let me back up just a little bit. This is not a sentencing alternative. What drug school is... it gives prosecutors an additional option to send certain offenders who are misdemeanor drug offenders, those who are caught with very small possession amounts of drugs to bypass the entire criminal justice system, which continually clogs our courts across the state. It gives prosecutors an additional option as opposed to sentencing them to jail or filling up the court calendars across the State of Illinois with a lot of misdemeanor drug prosecutions. It has worked and has been a tremendous option for the Cook County State's Attorney. And we're asking for 1.9 million dollars (\$1,900,000) to implement this program across the State of Illinois to give those prosecutors who are seeing the same thing as you see in Cook County and other large counties, an additional option with respect to sentencing and an alternative course for people who are guilty of no more than carrying very small amounts of drugs who enter to our criminal justice system, which forces the courts and the county jails to incur those serious cost associated with trying these individuals and housing them in our county jails. I understand the Governor has made his budget proposal, as of yesterday, and Department of Human Services came to committee, they didn't testify... just testify in opposition to the grant, but they did say they opposed it because they couldn't afford it. Well, I think the philosophical question here is, can we afford not to do this? We pay for this one way or the other, but figuring

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out a way to ease our court systems where they're seeing so much drug traffic with respect to prosecutions for people who are carrying very small amounts of drugs, to give prosecutors this option. They knowing better than the judges who's most warranted prosecution and who simply can be assigned to a drug school, which means they will receive information about the harmful effects of drugs, not only to themselves but their communities, we ask for a very small grant of 1.9 million dollars (\$1,900,000) to be added to the fiscal '08 budget... '09 budget to make sure that we address this serious problem in a way that becomes cost effective for the court systems in Illinois. The Bill was passed out of committee last week unanimously. There is no other known opposition. I'd be happy to answer any questions."

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: "Indicates he will."

Black: "Representative, you amended the Bill in committee. The Amendment simply changed the effective date, correct?"

Colvin: "That's correct."

Black: "Okay. Let me ask you a question about the amount of money in the Bill, 1.9 million (1,900,000), correct?"

Colvin: "Correct."

Black: "All right. Now, there is on page 2, excuse me, on page 1 of the Bill, line 21, subsection 3. Three hundred and fifty thousand dollars (\$350,000) to allow community

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organizations to work in conjunction with the State's Attorneys Office for implementation of educational workshops, et cetera, et cetera."

Colvin: "Correct."

Black: "There's no specificity there is it... is it all State's Attorneys Office can ask for some of the three hundred and fifty thousand (350,000)? Because it says specifically, State's Attorneys Office, not offices. So, is it... is it reserved for the Cook County State's Attorneys Office or any State's Attorneys Office who would ask for money to work on this?"

Colvin: "I'm not looking at the Bill, but in the Bill... what's implicit in the Bill is that it does allow for state's attorneys in each of the one hundred and two (102) counties to make requests to participate in this grant program."

Black: "Well, I have the Bill and I don't see that language. In the synopsis, 'fund the expansion of drug school programs throughout the State of Illinois modeled after the current Cook County drug school program.' Is... is that what you're referring to?"

Colvin: "Can you repeat that? I'm sorry, I wasn't... I didn't hear you."

Black: "Okay. So, of the 1.9 million dollars (\$1,900,000) it appears to me... and I'm not... I'm not trying to raise a red herring here, but the bulk of this money is earmarked for Cook County. As I read it, seven hundred thousand (700,000) to expand the Cook County drug school program. Five hundred thousand (500,000) to establish a drug school program for juveniles in Cook County. Three hundred and

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fifty thousand (350,000) to be divided among seven (7) counties in the State of Illinois to facilitate the building of a drug school. I don't know what seven (7) counties those are. And then three hundred and fifty thousand (350,000) available to community-based originations. It just appears to me, and I don't know what your intent is, Representative, and I'm not questioning that. It just appears to me that the biggest and perhaps rightfully so, Cook... Cook County is certainly the most populous county in the state. But it appears..."

Colvin: "Well, the three hundred fifty thousand (350,000)..."

Black: "...the Bill earmarks most of the money for programs to be used in Cook County. Would that be a fair assumption?"

Colvin: "Let me... let me go back to the issue where you mentioned the seven (7) counties."

Black: "Okay."

Colvin: "The seven (7) counties... this is basically a pilot program. To fully implement and fund something like this we're probably in the neighborhood, if we were going to do it equitably where the need exist based on the number of drug convictions, we're probably somewhere near twenty-five million dollars (\$25,000,000). But the three hundred and fifty million dollars (\$350,000,000) are for seven (7) counties, basically creates seven (7) grants. Three hundred and fifty thousand (350,000) that creates seven (7) grants of fifty thousand dollars (\$50,000) for those counties. So another words, the grant obviously, would not be enough money to cover all one hundred and two (102) counties. It's a pilot program. But what we've tried to

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do with the three hundred and fifty thousand dollars (\$350,000) is to create the ability to implement at least seven (7) more programs under this pilot program. The money for Cook County is to supplement the drug school programs that they currently have in place. I don't want to venture or guess, but I believe it's either six (6) or seven (7) drug core... drug schools that they've already established in Cook County and those dollars are to supplement those programs that one, already exist in Cook County, the Cook County State's Attorney, Dick Devine, has a..."

Speaker Turner: "Proceed."

Colvin: "...has a whole unit in his office that's dedicated to the implementation and maintenance of these drug school programs. And that's what that... those dollars are for those programs that already exist in the county in the State of Illinois that is dealing with the overwhelming number of drug prosecutions in the State of Illinois."

Black: "So, the... the seven (7) counties would be selected by the Department of Human Services Division of Alcoholism."

Colvin: "Based on those individuals..."

Black: "Okay. All right. Okay."

Colvin: "...who submit applications to have drug schools."

Black: "Thank you very much, Representative."

Colvin: "You're welcome."

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

Reboletti: "Question of the Sponsor, Mr. Speaker."

Speaker Turner: "He indicates he'll answer."

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Reboletti: "Representative, didn't we pass a Bill last year that gave ten million dollars (\$10,000,000) to establish statewide drug schools?"

Colvin: "I'm sorry..."

Reboletti: "I know we passed a Bill last year that gave a ten million dollar (\$10,000,000) grant to establish statewide drug school."

Colvin: "I believe we passed a Bill, but I don't think the funding was ever committed."

Reboletti: "So it was sent into a appropriation that was never appropriated?"

Colvin: "That's correct."

Reboletti: "Are you aware of how much money would go to DuPage County? Do you have that information, Representative?"

Colvin: "How much... I don't know if they have drug schools in DuPage County, but what this Bill does is provide an opportunity to create a... a program and what DuPage County would have to do if this Bill was to pass into law would to be submit their application set forth by the Department of Human Services meeting that standard would apply for a grant for the drug schools in DuPage County, Sir."

Reboletti: "As far as the Cook County drug schools are concerned, does the State's Attorneys Office actually run those? Are these the community-based programs are going to be running these on the weekends? I know that the..."

Colvin: "No. The..."

Reboletti: "...the defendants attend these courses on the weekend, I believe, or in the evening time."

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Colvin: "Well, actually the wonderful thing about these drug schools is that they work in conjunction. First of all, the State's Attorneys Office is responsible. If it was come to do DuPage County, the state's attorney in DuPage County would house the program and administer it. They would be the ones to apply for the grant. In Cook County, the great thing about the programs that the drug schools are... are all in community-based organizations. So, they're working hand-in-hand with the communities to bring information not just to those who are drug offenders, I should point out, but also to young kids and to different schools and different communities which is the other component of this. Working with community organizations with the State's Attorneys Office to create real drug education to help prevent the continued proliferation of dangerous drugs in our communities."

Reboletti: "And this would only be a one-time appropriation?"

Colvin: "I'm sorry, could you repeat that, Repre..."

Reboletti: "Is this not a continuing appropriation?"

Colvin: "No. This is not a continuing appropriation. This is a..."

Reboletti: "Thank you."

Colvin: "...a one-time 1.9 million dollar (\$1,900,000) grant."

Reboletti: "Thank you, Representative."

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

Rose: "Question of the Sponsor."

Speaker Turner: "Indicates he'll yield."

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Rose: "Representative, would existing drug courts be allowed to qualify for the portion of this? It says here there's three hundred fifty thousand dollars (\$350,000) to be divided amongst seven (7) counties chosen by DHS. And my specific question is, you're dealing with drug schools, would a drug court be allowed.. would they.. be allowed to apply for that and how are.. what criteria are being used to make the decision?"

Colvin: "Well, let me tell you that the state's attorneys will be the ones, in each county, that would submit a bid to participate in this program, to apply for the grant."

Rose: "But... but my point is there's a technical distinction between a drug court and a drug school and the drug court is much longer..."

Colvin: "Let me clarify that distinction. It... drug schools and drug courts, completely separate as it relates to what this 1.9 million dollars (\$1,900,000,000) is intended to do. I know you're a former prosecutor, you have a much better idea what drug court is. But drug court, if I'm not mistaken, is a function of our criminal justice system."

Rose: "Yeah. Cor... that's my point."

Colvin: "This program... this program is largely outside the criminal justice program."

Rose: "All right. That's true."

Colvin: "The state's attorneys will have the discretion of whether or not those offenders would face drug court if they were to be prosecuted for drug sales or possession or distribution."

Rose: "I... I..."

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Colvin: "Or be sentenced to a drug school as an alternative to prosecution for those offenders who, and I would suspect, but I know in Cook County for a fact that those individuals who are eligible for drug schools..."

Rose: "Representative."

Colvin: "...are fist time offenders, have small amounts of drugs..."

Rose: "I..."

Colvin: "...that wouldn't be considered distributable or, I mean you know these terms better than I do, Chapin, but..."

Rose: "Representative, I... I know the difference between drug court and drug school. My point is that I have two (2) drug courts and zero (0) drug schools in my five (5) counties, and what I'm... what I'm asking you is as far as this seven (7) counties that will be allowed to apply for the funding..."

Colvin: "All counties would be allowed..."

Rose: "...does it have to be existing drug schools?"

Colvin: "All counties would be allowed..."

Rose: "Can they start..."

Colvin: "Fist of all let me just clear up that miscommuniqué. All counties will be allowed, but this is a pilot program, which means it is not enough money to fund everything statewide."

Rose: "Right."

Colvin: "But under the pilot program, that... what we hope to do is create seven (7) opportunities for counties..."

Rose: "It says... the Bill says it will be picked... the seven (7) counties to receive that additional funding will be picked

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by the Department of Human Services. And I'm wondering what criteria... I mean, we've already been told by... by your side of the aisle that we... we are not going to have things go to rulemaking authority, but right here we're giving them the ability to pick which seven (7) counties, you know, when... every county may be able to apply, but how are they going to pick? And my question is, if... if a county wanted to start a drug school, but doesn't already have one, will they be... will they be part of that or will this only be for existing drug schools? I mean what's the criteria?"

Colvin: "No... no. Unfortunately, the only drug schools right now are in Cook County. We want to take what we think is working in Cook County and expand it not only in the county that has the overwhelming number in drug prosecutions in the State of Illinois, but create the opportunity, the begging of an opportunity to bring it to other areas of the state where it's deemed necessary or it may..."

Rose: "Right."

Colvin: "...deem where it may work. "

Rose: "How are they going to pick that? How are they going to pick the seven (7) counties to win?"

Colvin: "Well, Chapin, let me say that through... obviously through some rulemaking mechanism. Now I don't know what that's going to be no more than you do."

Rose: "Some nonrulemaking mechanism."

Colvin: "But I also... but I also don't want to turn this into a discussion about some of the other things that are going on in the chamber."

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Rose: "I'm not trying to do that."

Colvin: "What we're trying to do here..."

Rose: "I just want to know how you're going to qualify."

Colvin: "Let me... let me speak to the attention of all I'm trying to do here, is to deal with the overwhelming drug prosecutions that we face in Cook County and other places around this state every day. That is what Marlow Colvin is trying to accomplish."

Rose: "And... and I salute Marlow Colvin for trying to do that."

Colvin: "Hopefully, enough people here..."

Rose: "What I'm trying to find out..."

Colvin: "...will see that as well."

Rose: "...is we'll be able to qualify."

Colvin: "I think any county that chooses to put together... and I imagine the Department of Human Services, as it would with any grant program, will establish the rules for which you would submit an application to bid on starting a drug school. I... I am not..."

Rose: "All right. And I guess I just don't have as much..."

Colvin: "...I am not the expert who's going to put those rules together. I would largely suspect that state's attorneys will be part of that process..."

Rose: "Yeah. Yeah."

Colvin: "...obviously the department and those departments that deal with drug rehabilitation would be part of that process. They will come up with..."

Rose: "Well..."

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Colvin: "...the program and what we're doing here is simply trying to provide the funding to do something that will save us..."

Rose: "Well..."

Colvin: "...an awful lot of money in terms of drug prosecutions..."

Rose: "And... and Marlow let me just say. First of all, I salute you for your intent here and frankly on the issue of drug courts, you know, I'm right there. I mean that's... that was... we had legislation last year and that was my Bill. I mean I..."

Colvin: "I remember it."

Rose: "Yeah. So, I'm not trying to thwart that, I'm just trying to get to the bottom line of how are these going to be picked. And I don't have as much... first of all, I don't have as much faith in the department as maybe some others do. But secondly, we've already been told that we're not going to have rulemaking, we may have rulemaking. You know, there's that whole sub issue, and so I guess I'd just like some clarity on how..."

Colvin: "Well..."

Rose: "...where we're going to get those..."

Colvin: "Well... well, Chapin, let me... let me say that..."

Rose: "...that... how that decision is going to be made."

Colvin: "We can't allow... we can't allow... I think the legislative process to grind to a halt based on what may or may not happen with regard to the rulemaking process. The legislative process exist for a reason that we could do things that we think will implement and impact our

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community in positive ways. I think that's the goal of what we all try to do here every day."

Rose: "Well in..."

Colvin: "Now, I know..."

Rose: "Marlow, I understand..."

Colvin: "...that there's an ongoing debate on what the rulemaking process is going to be."

Rose: "And I... I don't want..."

Colvin: "And obviously, this Bill... this Bill will at some point be subject to whatever that outcome is."

Rose: "Well, let me say this, I don't want to belabor the point..."

Colvin: "I stand here today on February 21, and I can't be absolutely certain what that process is going to be. I don't think anybody can at this point."

Rose: "Okay. I'm not going to belabor the point. All I'm going to say is that... that I share your passion for solving this problem, but I have an extreme concern about the... the apparent unfettered discretion this'll give the department on where this money will go. And it's on... I'm done. Thank you, though."

Colvin: "Well, Chapin, I really appreciate all the hard work you've done on drug issues, on meth issues, but I would say that as advocates, as Legislators who care about these problems, let's... let's conduct ourselves as Legislators. We'll let the hyperbole of what's happening in Springfield around some of these issues that will, without question, Chapin, I agree with you, will impact ultimately what comes out of Bills like this. And this won't be the last Bill we

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see like this this year. We're going to have this discussion an awful lot, but that's a different track. I think as Legislators, as advocates of those who are trying to bring positive change to some real serious problems in our communities, I mean, we need to play that role now and..."

Speaker Turner: "So the question is, 'Shall the House pass House Bill 4093?' 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 81 voting 'aye', 30 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Davis, Monique Davis, for what reason do you rise?"

Davis, M.: "Thank you, Mr. Speaker. I rise for a point of personal privilege. I wanted to introduce a very special person in our midst today. He is Mr. Beverly Lawrence Dunjill. Mr. Dunjill was born in Chicago on April 20, 1927, and he's the youngest of two (2) children to Mr. and Mrs. Harry Dunjill, who was a retired realtor. Mr. Dunjill attended Chicago public schools in McCosh Elementary, Tilden Technical High School, and The Illinois Institute of Technology. He married Elizabeth, I'm sorry, he married Evelyn Compton-Dunjill. Mr. Dunjill entered the United States Army flight training on June 4, 1945. As an aviator, a cadet at Tuskegee Army Airfield, in Tuskegee Alabama, he was a Class 46C. World War II ended and he was discharged to reserve duty in November of 1945. In 1949,

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Mr. Dunjill volunteered again as an aviation cadet and graduated a Second Lieutenant with wings as a jet combat pilot. On October 28, 1950, Mr. Dunjill was discharged from active duty, on September 28, 1953 and he continued to serve in the reserves until 1957. As an overseas combat pilot Mr. Dunjill flew one hundred (100) combat missions, as a jet fighter, jet pilot in the 334th Fighter Squadron 4th Fighter Group in Seoul, Korea. In 1952 he was promoted to First Lieutenant and then appointed as test pilot and jet combat training officer for the 4th Fighter Group. He continued as a test pilot in jet fighter aircraft and in February of '53 he completed training at Tyndall Air Force Base an all weather F-86D radar jet fighters and became a regional flight instructor to train combat radar jet pilots. He received the following awards: one Distinguished Flying Cross, two air medals, the United States Presidential Unit Citation, and the Korean Presidential Unit Citation. Mr. Beverly Lawrence Dunjill was employed from 1954 to 1960 for Plus Computing Machines, from 1960 to 1975 he was self-employed as Rapid Service Incorporated Sales and Service Office Equipment in Chicago. He was also the director of Business Equipment Scientific Associates in New York. Mr. Dunjill... Mr. Beverly Dunjill, he was the director of investigations for Fair Employment Practices... the Fair Employment Practice Commission. He was a legislative administrative law enforcement agent and he officially retired on August 17, 1987. From July of 1988 to October of 1991 he was an Equal Employment Opportunity officer for Metra Transit Incorporated, a French-owned

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corporation that installed the people movers in Chicago's O'Hare and Tampa, Florida's Airport. Mr. Beverly Dunjill is president of the Chicago DODO Chapter of the Tuskegee Airmen's Incorporated. He conducted the Young Eagles flight program which was free to kids from seven (7) to seventeen (17) years old. He used to do it at Meigs Field until they were closed and then it was at Gary Airport. He also offered educational assistance and financial helped disserving high school students. I'd like this Body to stand and show regard for Mr. Beverly Lawrence Dunjill, a DODO Tuskegee Airmen and one of the few who remain. Where is Mr. Dunjill? Art, where is he?"

Speaker Turner: "I don't know if he's in the gallery right now? Mr. Dunjill are you there? I think he was over in the Senate and he's supposed to come over, Monique."

Davis, M.: "Well, he one of the few Tuskegee Airmen who are continuing to live who never lost a pilot. They were the ones who protected our fighter planes. They made sure that all the fighter planes they were assigned to came back and the reason they were separate was because of segregation in America. But they proved they could successfully protect the fighter planes and I'd like to have a warm applause for Mr. Beverly Dunjill, the fighter pilot."

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

Pritchard: "Point of personal privilege."

Speaker Turner: "State your point."

Pritchard: "Ladies and Gentlemen of the House, a tragic event occurred on Northern Illinois University's campus last

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week. And I appreciate the outreach that many of you have made to that community, to the students in your district that attend that University, and for the emotional crisis that everyone is going through right now. I wanted to draw your attention to your mail, which perhaps you've already seen, a letter from the President of Northern Illinois University to each member of the General Assembly talking about the university campus' appreciation for your response and for the response of the State of Illinois. There will be a major memorial service. We have lots of memorial services going on this week, but a primary one will occur at 7:00 on Sunday evening. You will probably have a letter in... in that letter from the president he referenced that Ken Zehnder, who is the government affairs representative for the university, has parking passes and also admissions to that memorial service. My office here in Springfield also has those passes and credential materials for you. If anyone is able to join us on Sunday evening we would be welcome to have you here. One other bit of announcement, the Education Caucus will also be meeting on Tuesday when we convene in Session next week at 10:00 in Room 114. Thank you, Mr. Speaker."

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

Schmitz: "Thank you, Speaker. Immediately upon adjournment, the House Republicans would like to caucus in Room 118."

Speaker Turner: "Mr. Clerk, announcements."

Clerk Mahoney: "Commit... Committee Report. Representative Smith, Chairperson from the Committee on Elementary &

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Secondary Education, to which the following measure/s was/were referred, action taken on February 21, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4226, House Bill 4309, House Bill 4457, and House Bill 4727; 'do pass Short Debate' is House Bill 4180."

Speaker Turner: "Mr. Clerk, changes."

Clerk Mahoney: "The following committee time changes and cancellations. Today, for the 2 p.m. committees the Tourism & Conventions Committee in Room 115 has been canceled. Tourism & Conventions has been canceled. Environment & Energy was to meet in 118 has also been canceled. Tomorrow there's a time change. Approps-Higher Education is meeting at 9 a.m. instead of 8 a.m. Approps-Higher Education at 9 a.m. tomorrow. The Revenue Committee tomorrow to meet at 8:30 is now meeting at 10 a.m. Revenue will meet at 10 a.m. Telecommunications for tomorrow has been canceled. Telecommunications has been canceled. Computer Technology for tomorrow has also been canceled. And Veterans Affairs for tomorrow has also been canceled."

Speaker Turner: "The committee announcements and changes, there will be a sheet probably in your offices for those who don't recall. The Lady from Cook, Representative Davis, for what reason do you rise?"

Davis, M.: "Thank you, Mr. Speaker. I think as we all know this February is African-American History Month, and someone will probably... probably announce our soiree for this evening, but I was given the task of picking out an African-American hero that we want people to know about.

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And my choice today is Percy Julian. And one of the reasons I chose Percy Julian is because there's a high school in my district that is named after this gentleman. Percy Julian was an African-American research chemist and a pioneer in the chemical synthesis of steroid drugs used in medicine. Mr. Julian was born in Montgomery, Alabama, the son of a railway clerk and the grandson of a slave. He graduated from DePauw University in Greencastle, Indiana, in 1920 and received his Masters of Science degree from Harvard University in 1923 with a PHD... and he went to Vienna to get his doctorate because African Americans were not allowed to get doctorates in the United States of America in 1923. He taught chemistry at a number of universities, but what he is best known for is his synthesizing and extracting cortisone drugs. The cortisone, prednisone, and all of those drugs were developed by this African-American research scientist in 1931. He had his own chemical laboratory that he sold for a million dollars (\$1,000,000). He had one in Mexico, one in the United States of America and one in another country. When I got on the elevator today and I was discussing the person I was going to talk about I ran into a Mr. Brad Babcock. Mr. Babcock is the Chemical Industry Council of Illinois legislative leader and he said, 'I know of him. Percy Julian, because he is one of the leaders in my industry, the chemical industry.' So, I was very proud to know that some other people in Springfield are aware of the significant work done by Mr. Percy Julian. Percy Julian High School named after him is one of the schools that

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we're trying to make a real example of the medical contributions made by this giant African-American hero. He also has... there's a program that comes on the History Channel that pays homage to Percy L. Julian, the chemist who developed cortisone and many other steroid products from the soybean. God bless you and have a wonderful African-American History Month."

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

Colvin: "Thank you, Mr. Speaker. For the purposes of an announcement. Once again, I just wanted to remind my colleagues here as well as all the staff here around the State Capitol that tonight the Illinois Legislative Black Caucus will be hosting our annual 2008 Soul Food Soiree. It'll be over at the Illinois Department of Transportation Headquarters, which is at 2300 South Dirksen Parkway. For those who attended in the past know it's always a festive time and we're asking and inviting all of our colleagues here in State Government to come over and break bread with us as we celebrate African-American History Month here in the State of Illinois. Thank you, Mr. Speaker."

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

Black: "Yes. Mr. Speaker, I was watching the news over this morning, the weather forecast. I just saw a television-live truck headed out for the interstate, now, you know what that means, they'll... they'll set up their live tower take a picture of the interstate telling us that traffic is snarled and it may be the winter storm of the century and

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we may never get home. The Senate is already adjourned. Of course, the average age is much higher in the Senate and they're worried about them getting home. But I just wondered in light of this winter storm that may be the worst in two (2) or three (3) weeks, are we going to adjourn so we can go home?"

Speaker Turner: "... it won't be long and we will adjourning until tomorrow."

Black: "Oh. I meant... I meant adjourn today and go home tonight before this storm catches us."

Speaker Turner: "I think that your usually... that's your usual activity right. You go home then you come back the next day. You're one of the more fortunate ones that get a chance to go home every night."

Black: "No, Mr. Speaker."

Speaker Turner: "No."

Black: "I live a hundred and twenty-six (126) miles away and I follow the speed limit. it takes me three (3) hours to get there. So, I just... you know, I'm getting to that age where I don't like to drive at night and I don't like to drive in ice and snow and heaven forbid, we're going to hold you responsible if Air Illinois can't operate tomorrow. There's going to be some people stuck here who aren't going to be happy."

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

Chapa LaVia: "Thank you, Speaker. For the purpose of an announcement. I just want the Local Government Committee to realize that we're having Local Government in 122B

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today. So, don't go over to the other building. Thank you."

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

Clerk Mahoney: "Agreed Resolutions. House Resolution 1010, offered by Representative Howard. House Resolution 1011, offered by Representative Hernandez. And House Resolution 1012, offered by Representative Berrios."

Speaker Turner: "Representative Currie moves for the adoption of 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. Seeing no further business, Representative Currie now.. Representative Currie moves that the House now stands adjourn 'til Friday, February 22, at the hour of 11 a.m. Friday, February 22, at the hour of 11 a.m. And the House now stands adjourned."