

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

237th Legislative Day

3/11/2008

Clerk Mahoney: "House Perfunctory Session will come to order. Further the House Committee on Rules is Senate Joint Resolution 75, offered by Representative McCarthy."

Speaker Turner: "The hour of 12:00 having come and went the House will be in Session. We shall be led in prayer today by the Reverend Jeff Hammer who is the Pastor at First Baptist Church of Marengo in Marengo, Illinois and the Chaplain of the Marengo Fire Department. Reverend Hammer is the guest of Rever... Representative Franks. 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. Reverend Hammer."

Reverend Hammer: "Let us bow for a word of prayer. Most gracious, powerful and merciful God, we just humbly come before You today and we thank You that we live in such a great country as this. Lord, my prayer is for each man and woman here that You would give them wisdom today to lead this state. We ask that You would give them wisdom in dealing with their family and all of the issues that they face as they juggle their careers. Lord, we also ask that you give them strength, energy to their body so that they can get all done, what they need to do driving back and forth, and family things and things with con... constituents and... and the work here. They need that strength and we ask that You bestow that upon them. Lord, we also ask that You give them strength of character and integrity to do the job that they've been called to do in this House of Representatives. Lord, we ask that You give them integrity in all of their dealings, whether they may be in public or

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in private. And, Lord, we just ask that You give them a peace to know that You are with them, leading them, and guiding them in their lives. It's in Your name we pray, Amen."

Speaker Turner: "We shall be led in the... led in the Pledge today by the Gentleman from Cook, Representative Lyons."

Lyons - 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 reflect that Representatives Rich Bradley, Brosnahan, Joyce and Washington are excused today."

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

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

Speaker Turner: "The record will so reflect. We have 109 Members present. A quorum is present and we shall proceed with business. Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on March 11, 2008, reported the same back with the following recommendation/s: 'approved for floor

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consideration', referred to the Order of Second Reading is House Bill 2170, House Bill 2210, House Bill 2211, House Bill 2361, House Bill 2518, House Bill 2769, House Bill 3386, and House Bill 3642. Referred to the Order of Second Reading, 'recommends be adopted' Amendment #3 to House Bill 1144, Amendment #2 to House Bill 1809, Amendment #2 to House Bill 4223, Amendments 1 and 2 to House Bill 4391, Amendment #2 to House Bill 4710, Amendment 1 to House Bill 4999, Amendment #2 to House Bill 5150, Amendment #1 to House Bill 5215, Amendment #1 to House Bill 5505, Amendment #1 to House Bill 5701 and Amendment #2 to House Bill 5932. Referred to the House Committee on Rules is House Resolution 1069, offered by Representative Mendoza; House Resolution 1070, offered by Representative Berrios; House Resolution 1076, offered by Representative Bill Mitchell; and House Resolution 1077, offered by Representative Bellock."

Speaker Turner: "Representative Currie for a Motion."

Currie: "Thank you, Speaker. I move that we suspend the posting requirements so that these Bills may be heard in committee this week. House Bills 838, 1054, 4128, 4169, 4310, 4396, 4505, 4512, 4547, 4617, 4673, 4858, 4988, 5077, 5108, 5148, 5254, 5311, 5331, 5365, 5399, 5427, 5469, 5501, 5735, 5755, 5882, 5938, 6302, House Resolution 962, House Resolution 1059, House Joint Resolution 92 and Senate Joint Resolution 75. I know of no opposition to the Motion."

Speaker Turner: "The Lady moves for the adoption of the Motion. All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair, the 'ayes' have it and the Motion

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passes. On page 17 of the Calendar, on the Order of Third Readings, we have House Bill 4190. Read the Bill, Mr. Clerk. Representative Hannig."

Clerk Mahoney: "House Bill 4190, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This was a Bill that was given to me by our colleague, Representative Watson, before he departed for his service in Iraq, and it's identical to a Bill that he had passed last year by a unanimous vote of the House. The Bill would provide for a 10 percent increase... the Bill would provide for a 10 percent increase in the rates that the State of Illinois pays to sheltered care clients. They have not had a rate increase for a number of years. My records indicate that a... it's been several years since they've last had a rate increase. The total impact of the proposal, if we would enact it, is less than a quarter of a million dollars (\$250,000). So, it's a rate increase for those people who provide services from sheltered care. It's a 10 percent increase, and it's an effort to try to provide some additional moneys for these facilities. I'd be happy to answer any questions and I'd ask for your 'yes' vote."

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

Stephens: "Thank you, Mr. Speaker. To the Bill to... to thank Representative Hannig for carrying this piece of legislation. If the... if the Body would just pay a little bit of attention to the Bill. It's a Watson-Hannig Bill, and I would remind the Body that Jim Watson is in Iraq."

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For those of you who... who wish, if we could just bring a moment of... of attention to Representative Watson as he... He's about eight (8) hours ahead of us so it's... the sun is setting in Iraq, and Jim Watson is on guard, and we appreciate each and every one of your efforts to help him with his package of legislation in his absence, to fill in for him in committee, we appreciate that. And I would invite each and every one of you if you have a moment a day when... that you can spare, if you want to contact me, we can set you up for office hours in Jim's district. If you want to come and visit any of the cities in his district or his district office and pay respects to what he's doing in that manner, we will certainly assist you with that. And again, my... my thanks to Representative Hannig for carrying this Bill."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4190?' 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? The Clerk shall take the record. On this question, 108 voting 'aye', 0 'no', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 4130, Representative Dugan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4130, a Bill for an Act making reappropriations. Third Reading of this House Bill."

Dugan: "Thank you, Speaker. House Bill 4130 addresses an issue that we continue to address. And it reappropriates the

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hundred and fifty million (150,000,000) for the school construction grants from the FY02 year. We did, of course, as many remember at the end of last Session did a supplemental to appropriate the hundred and fifty million (150,000,000). Unfortunately, because of paperwork glitches, by the time the Governor signed it, the schools were not able to receive their money. So, I'm just asking for this Bill to again reappropriate the hundred and fifty million (150,000,000). As we know, as a state we've owed these schools since 2002. Certainly be happy to answer any questions, but I would like an 'aye' vote. We passed this from the House before and I would just like to continue to pass it on to get it to the Governor."

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

Eddy: "Thank you, Mr. Speaker. I rise in support of the legislation. These school districts, as everyone in here knows, have been waiting now for several years to complete projects for which they were sent letters of entitlement by the State of Illinois. We don't have to look very far actually to... to find one of these. Rochester, Illinois, has been waiting. I have a district (sic-school) in my legislative district at Stewardson-Strasburg that has been waiting, and the fact of the matter is this is a tarnish and a shame on the State of Illinois. The fact that for going on six (6) years now this state could not keep a promise to the school children of these communities, and I appreciate the Representative's work on this. We've worked together. I think last year this Body sent the Governor a

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piece of legislation that quite frankly he found a way not to fund, rather than looking for a way to do the right thing and fund these districts. Hopefully by starting early in the process and this Body showing that they have the same concern and the same priority for these school districts now as they did last year when we passed this appropriation, the Governor will get the message and whatever... whatever technicalities that... that he came up with last year regarding paperwork supposedly that schools were not turning in on time, there'll be plenty of time for all that paperwork to be turned in so the Governor will not again be able to come up with some lame excuse for not keeping the promise to the school children of these communities. Thank you."

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

Pritchard: "Yes. Would the Sponsor yield, please?"

Speaker Turner: "She indicates she will."

Pritchard: "Representative, I know you have been very passionate on this issue and you've been working with the Governor's Office. Do you have any assurance that if we pass this appropriation, the Governor will, in fact, release the funding?"

Dugan: "Representative, the only thing that... that I can go by is a statement that the Governor made in September of 2007 when we passed the original supplemental. And unfortunately because of paperwork, he said it wasn't able to be accomplished. And in September of 2007 after that Bill and that communication process broke down, the

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Governor said he would support a Bill that gives a hundred and fifty million dollars (\$150,000,000) to schools for long awaited construction grants as long as it isn't loaded down with other spending, his office said, and so therefore this Bill is only about the hundred and fifty million dollars (\$150,000,000). That was a quote from the Governor's Office in September. So we're giving back to him the Bill that strictly just has in it the hundred and fifty million dollars (\$150,000,000). I would assume he'll live up to his word and the quote that he made in September."

Pritchard: "Well, he... Representative, if you have an intent to go see the Governor, I would be happy to go with you and see if we can deliver that kind of message and see if we can extract some kind of follow-through to this issue. It is an important issue that I think has affected a number of districts. My district used the authorization, one it had with a local referendum, added the classroom spaces that it desperately needed five (5) years ago. And it's had to borrow money, paying higher interest charges because the state didn't follow through with its share of this agreement. I heartily support this Bill and urge all of you to support it as well."

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

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

Speaker Turner: "Indicates he will."

McCarthy: "Representative, same old question. Is this for FY09 or is this a... an addendum to FY08?"

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Dugan: "This is FY08."

McCarthy: "So your hope would be that this could be distributed out of the current budget?"

Dugan: "Correct."

McCarthy: "And do you know if there's been revenue that is available for that distribution?"

Dugan: "Again, I'm just going by the statement made by the Governor that if we gave him a Bill for this hundred and fifty million (150,000,000) that he would support it. And I also take into account some of the statements made by the Governor in the last couple of weeks of money that he was able to come up with, so I would believe that, therefore, the Governor knows that there is money available to pay these schools that have been waiting since 2002."

McCarthy: "So you're assuming that if we pass this Bill and the Senate passes this Bill, he will be able to fund it this year. Will that put us another hundred and fifty million dollars (\$150,000,000) in the hole as far as the budget deficit that we already have for this year or anticipated budget deficit?"

Dugan: "I don't believe so, Representative. Of course, again, I'm just going by some of the statements made by the Governor himself that said we had money available for other things out of this fiscal year. So I'm assuming whatever would need to be done, whether it be bonding or what it would be to come up with this hundred and fifty million (150,000,000). I'm assuming it's there since the Governor did have other things that he was going to release funding for this fiscal year."

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McCarthy: "Okay. And do you have a Senate Sponsor already picked out for this?"

Dugan: "I'm going to be talking to Senator Halvorson, who carried it last year."

McCarthy: "Okay. Senator Halvorson?"

Dugan: "Carried it last year."

McCarthy: "Okay. Well, she has the... she has the ear of the Senate President, so hopefully it would be carried over there as well."

Dugan: "Well... And I'm assuming because, of course, as you know two of the schools on this particular list include two (2) schools in Senator Halvorson's district and mine, and she's been very supportive in the past few years when we've tried to get it passed."

McCarthy: "Okay. 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? Looks like she's going to yield. I... I appreciate you adding me as a cosponsor. This is an important piece of legislation. My question... You... you had just mentioned that there's a list of schools that would be getting the money. My question is specific to the Loop Lab School, would the Loop Lab School be getting... Did they get their million dollars (\$1,000,000) out of this pile of money or is that a separate pile of money where they got their funds?"

Dugan: "I think that's a separate pile of money, Representative."

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Franks: "Are there any funding that go in here for where the Governor would have his own discretion for schools on any of these?"

Dugan: "No, this particular piece of legislation clearly spells out which schools it has to go to."

Franks: "Okay. Thank you very much."

Dugan: "You're welcome."

Speaker Turner: "The Gentleman from Rock Island, Representative Boland, for what reason do you rise?"

Boland: "Thank you, Mr. Speaker. I rise in strong support of this Bill. One of the school districts in... that is on the top twenty-three (23) that should be getting funds and that has not for the last five (5) years is the Silvis School District and they have waited and waited and waited. The Governor has come there. He's promised them their money. They still have not gotten it. We need to do something. I really appreciate the... the Sponsor, Representative Dugan, for sponsoring this Bill, and I'm glad to be a cosponsor and strong supporter of it. We need to send the Governor the message that, you know, school construction... Particularly when these schools are needed, they're new or they're in need of big repair. We cannot wait five (5) years and we cannot be held hostage to photo opportunities. We need the cash and we need the cash now. So with that, I hope everyone will give their 'aye' vote to this legislation. Thank you."

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

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Bellock: "Thank you very much, Mr. Speaker, to the Bill. I just wanted to thank the Sponsor of this Bill for bringing it forward. And I hope that we will vote for this Bill because to alleviate funding from twenty-three (23) schools just based on what they call a technicality, it's hard to go back to your district and say you're going to lose \$1.5 million (\$1,500,000) just because of a technol... technicality of something in this state. These schools definitely deserve the funding, and I hope you'll support the Bill. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4130?' 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? The Clerk shall take the record. On this question, there are 108 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Soto, on House Bill 4730. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4730, a Bill for an Act making appropriations. Third Reading of this House Bill."

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

Soto: "Thank you, Speaker and Members of the House. House Bill 4730 seeks to appropriate three million dollars (\$3,000,000) to GRF for... to ISBE for payments... for ISBE for payments to school districts for affordable multifamily housing cost reimbursements under the Local Planning

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Technical Assistance Act. And I urge your support. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4730?' 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? The Clerk shall take the record. On this question, there are 65 voting 'aye', 43 voting 'no', 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, Representative Pritchard, under the Order of Resolutions, we have House Resolution 953. Read the Resolution, Mr. Clerk. I'm sorry. Representative Pritchard, on House Resolution 953."

Pritchard: "953, Mr. Speaker? 953 deals with designating ...29th as Knights of Columbus Founders Day for the State of Illinois. This is the one hundred twenty-sixth anniversary of the founding of the Knights of Columbus. And we feel that this is an appropriate recognition. I would ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Resolution 953?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1068, offered by Representative Saviano. House Resolution 1071, offered by Representative D'Amico. House Resolution 1072, offered by Representative Munson. House

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Resolution 1073, offered by Representative Monique Davis.
House Resolution 1074, offered by Representative Crespo.
House Resolution 1075, offered by Representative Dugan."

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. The Gentleman from Macon, Representative Flider, for what reason do you rise?"

Flider: "Yes, Mr. Speaker, point of personal privilege."

Speaker Turner: "State your point."

Flider: "Yes. Mr. Speaker, to my left up in the gallery I'd like the House to recognize and welcome several members from my district who are here representing the Macon County Health Department. We have Diane Johner, the Director of Health Promotion; Bob Hermann, leader of 'Us TOO' in Macon County, a prostate cancer survivor. Mr. Bob Jelks, local advocate for prostate screening; and Dan Moore, Macon County Health Department Board member. And I'd like you to welcome them here to Springfield today."

Speaker Turner: "Welcome to Springfield. Let's give them a round of applause. The Gentleman from Cook, Representative Froehlich, for what reason do you rise?"

Froehlich: "Thank you, Mr. Speaker. Just wanted to say thank you to Joe Lyons for those delicious corn beef sandwiches. I don't know... oh, here he is. Thank you, Joe."

Speaker Turner: "Thank you for lunch, Joe. Mr. Clerk, committee announcements."

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Clerk Mahoney: "The following committees will meet at 1:00 p.m.: Agriculture & Conservation in Room 122B; Appropriations-Elementary & Secondary Education, Room 118; Insurance in Room D-1; Public Utilities in Room C-1; Transportation & Motor Vehicles in Room 114; Environmental Health in Room 115. At 4:00 p.m. the following Committees will meet: Consumer Protection in Room C-1; Elections & Campaign Reform in Room 122B; Fire Protection in Room 115; Health Care Availability & Access in Room 118; and Bio-Technology in Room D-1 in the Stratton Building."

Speaker Turner: "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: "Ladies and Gentlemen of the House, a few weeks ago I had the privilege of standing here and presenting a Bill regarding funding for youth educators for 4-H around the state. And that Bill passed out overwhelmingly, overwhelmingly out of this chamber, except for one 'no' vote. And that one 'no' vote was Representative Winters, and he gave very, very good reasons for his 'no' vote, and I respect him for those reasons. He said that these are volunteer organizations, volunteer organizations, and people should volunteer and raise money. Well, interestingly enough, this past Sunday evening I was the guest speaker at my 4-H Club in Grundy County, and on April 4 of this year at the Morris VFW, the 4-H Club is holding a benefit to raise money. And I went up to Representative Winters earlier today and asked him if he would like to

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donate... to donate to these hardworking volunteers because he said this was the way for that club to raise money. And, Ladies and Gentlemen, he said, 'no'. He said, 'no', Ladies and Gentlemen. Now I ask you, does this chamber stand with me? Who will volunteer? Who will help these kids with... Who will help the 4-H around this state? Who will stand up? Raise your hand, Ladies and Gentlemen. Thank you, Mr. Speaker. Thank you."

Speaker Turner: "And now, seeing no further business to come before the House, Representative Currie moves that the House stands adjourned until Wednesday, March 12 at the hour of 1:00 p.m., allowing perfunctory time for the Clerk. The House will stand adjourned till Wednesday, March 12 at the hour of 1:00 p.m., allowing perfunctory time for the Clerk. And the House now stands adjourned."