

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

254th Legislative Day

4/17/2008

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members to turn off laptop computers, cell phones, and pagers and we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Reverend Terry Harter who is the pastor of the First United Methodist Church in Champaign, Illinois. Reverend Harter is the guest of Representative Jakobsson."

Reverend Harter: "Thank you for the invitation to be here, Sir. Let us pray. We know, Lord of all nations, that You have always taken more than a passing interest in the ways and works of those women and men who govern. And so it is, that at the beginning of this day we pray for all who serve here from the Speaker and Leadership to each of the Representatives, their staffs, the reporters, Capitol police, to those who empty the wastebaskets and serve lunch. I pray that each one of these whom You love as Your own child may on this day be encountered by the glad surprise of Your grace, even in the midst of their work on behalf of the people. Today, in the press of the Calendar and the stress of the difficult task of public deliberation, grant each one Your peace and a clear vision of Your zeal for truth and justice. Today, amidst the seductiveness of their power, grant them courage to live and work on the side of Your power. As they labor here, guard their families from whom they're separated, heal their wounds and restore their relationships, and as the day wanes, revive their sagging spirits and forgive their

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shortcomings. Turn them away from temptation to bitterness and blame so that in the darkest hour of the night they might trust Your ever-present redeeming grace and come to know that You love family. Lord of all, hear our prayer. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Jakobsson."

Jakobsson - 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 Madigan: "Roll Call for Attendance. Representative Currie."

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

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "Representative Currie."

Currie: "Please add Representative Dugan to that list."

Speaker Madigan: "The Clerk shall take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be

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adopted' is Floor Amendment #2 to House Bill 5546, House Resolution 1188 and House Joint Resolution Constitutional Amendment 44; 'do not pass Short Debate' is Executive Order 2008-1. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on April 17, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 4647. Representative Joyce, Chairperson from the Committee on Aging, to which the following measure/s was/were referred, action taken on April 17, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 and 2 to House Bill 5703. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on April 17, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #3 to House Bill 4900. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on April 17, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 5189 and Floor Amendment #2 to House Bill 5503. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 17, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor

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Amendment #2 to House Bill 4401. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on April 17, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 117, House Resolution 1027, House Resolution 1030, House Resolution 1076 and House Resolution 1127. Representative Miller, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on April 17, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2248."

Speaker Madigan: "Represen... Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker. Yesterday, I inadvertently hit the 'no' button on House Bill 5152 and I'd like to be recorded as a 'yes'."

Speaker Madigan: "Let the record reflect the Gentleman's request. Representative Currie, do you wish to call House Bill 2392? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2392, a Bill for an Act concerning government. Third Reading of this House Bill."

Currie: "Thank you, Speaker and Members of the House. This is the measure that would bring the state statute into line with Daylight Saving Time's dates proposed by the Federal Government. I'd appreciate your support."

Currie: "The Lady moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The

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Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Coulson, do you wish to call House Bill 5595? Coulson. Coulson, do you wish to call 5595? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5595, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Coulson: "Thank... thank you, Mr. Speaker. House Bill 5595 is... limits... requires insurance companies to provide habilitative services for children with disorders that they've been diagnosed with at birth or in early life. The physician must do the diagnosis. No experimental or investigational treatments would need to be covered. We've worked very hard on this Bill with all the parties, and as we mentioned yesterday on discussing the Amendment, there is... most people are neutral. And I can answer any questions."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise to support the Lady's Bill. First, let me thank Representative Coulson for working so hard on this legislation. She's been working on it a very long time, working with those who were originally opposed to the Bill to get them to a place that they are today. This is an important piece of legislation to ensure necessary and a needed services for children of neurological disorders and this is something we simply can't ignore. For all too long

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we have allowed some of the situations that some of these children find themselves in to... to linger... to languish. We must do something about it and this Bill will take a good step in that direction. So, I thank Representative Coulson and urge 'aye' votes."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Black, did you wish to call House Bill 4209? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4209, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Black: "Mr. Speaker, with my apologies. Lincoln's Challenge is in a leased facility. We cannot use state funds to make capital improvements to leased facilities. The Department of Military Affairs is working on this issue about the boiler that needs repair. I thank many of the Members of your side of the aisle for expressing their interest in Lincoln's Challenge. I cannot call this Bill at this time. My apologies."

Speaker Madigan: "Mr. Clerk, take the Bill out of the record. Representative Munson, do you wish to call House Bill 4220? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4220, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4220 permits judges in child custody

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proceedings to provide for or reject virtual electronic visitation as an option for families. It also requires that courts not use the availability of virtual visitation as a factor in determining whether a custodial parent can move with the child to another state. We've passed this Bill out of... out of the House a couple of times. It's just stalled in the Senate. So, I ask for your 'aye' vote and I'll answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson. Representative Howard, did you wish to call House Bill 5516? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5516, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "Representative Howard."

Howard: "Thank you very much, Mr. Speaker. House Bill 5516 will expand the State of Illinois's certificates of good conduct and relief from disabilities. This legislation expands the eligibility pool of applicants both certificates... of both certificates and strengthens the certificate of good conduct by providing an individual clemency review by the Prisoner Review Board to determine rehabilitation and it also expands the eligibility pool that eliminates people who have to register on Illinois

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registering lists such as the sex offenders, arsonists and murderer lists and also, first degree murderers for a certificate. It eliminates those individuals. I ask for a... an affirmative vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Mr. Black, did you wish to vote? The Clerk shall take the record. On this question, there are 58 people voting 'yes', 56 people voting 'no'. The Bill shall be put on the Order of Postponed Consideration. Mr. Acevedo, do you wish to call House Bill 4900? Mr. Clerk, what is the status of House Bill 4900?"

Clerk Bolin: "House Bill 4900, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Acevedo, has been approved for consideration."

Speaker Madigan: "Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4900 amends the School Code by providing that contracts for transportation of pupils with special needs or disabilities must be awarded based... first based upon the proposal of quality service than of price. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Representative Kosel."

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

Speaker Madigan: "Sponsor yields."

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Kosel: "The Bill changes the way that you would bid bus services for school districts. Each school district... each school board would now not to be required to take the lowest... the lowest best bid, the lowest responsible bid. They could take a bid that came from any place in the spectrum or not even bid these services. Is that correct?"

Acevedo: "Yes, Representative. The decision will be based solely on the quality of the... the company that is being hired in comparison to the price."

Kosel: "So, this would... is an exception to the lowest responsible bid legislation that has been the tradition in this state?"

Acevedo: "I believe so, Representative, yes."

Kosel: "Just so that the House is aware of this. Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, Floor Amendment #2... Floor Amendment #3 is identical to Floor Amendment #2, correct?"

Acevedo: "Yes, Representative."

Black: "And Floor Amendment #2 was defeated in committee?"

Acevedo: "Representative, I believe the other day it was called twice and it was not supposed to be... be called twice, so we redid it in committee at once again."

Black: "All right. So, but when you presented the Bill in committee with Floor Amendment #2, according to our notes, the Amendment failed."

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Acevedo: "Well, Representative, the first time it went out of committee, it came out of committee. The reason why I brought it back to committee because even though there was a... some opposition, they didn't really oppose the legislation, they had some concerns which I addressed and brought it back to committee. The second time around, we were short Members and we didn't have enough Members there. That's why it failed."

Black: "Okay. All right. So... so, Amendment #3 becomes the Bill, is identical to #2, but you need Amendment #3 because 2 didn't get the vote."

Acevedo: "Yes, Representative."

Black: "Okay. Fine."

Acevedo: "Yes."

Black: "Thank you."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Representative Collins. Representative Collins, did you wish to call House Bill 5343? 5343? The Lady indicates she does not wish to call the Bill. Mr. John Bradley, did you wish to call House Bill 5580? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5580, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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Bradley, J.: "Thank you, Mr. Speaker. This is a Bill that was brought to me by the Illinois Health Care Association, the triumvirate of the long-term council. I know of no objection to this Bill and basically what it does is it provides for quality assurance, cooperation, and col... collaboration between the long-term care facilities and the Department of Public Health. I believe it passed out of committee unanimously and has many cosponsors. I'd ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Brady."

Brady: "Thank you, Mr. Speaker. I'd like to call for a Republican Caucus in Room 118 as soon as possible, please. A Republican Caucus in Room 118."

Speaker Madigan: "Did you want to wait until we consider the Bill that's in the record?"

Brady: "Yes, I would. Thank you."

Speaker Madigan: "Okay. The Gentleman moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, the Republicans would like to go to caucus in Room 118. They indicate they'll be gone for about 30 minutes. Democrats can stand at ease. The House shall stand at ease for 30 minutes. Thank you."

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Speaker Hannig: "The House will be in order. Representative Hannig is in the Chair. Representative Soto, you have House Bill 5359. All right. Out of the record. Representative Durkin. Representative Brosnahan, excuse me, you have House Bill 5059. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5059, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5059 seeks to address the nursing shortage by alleviating the critical shortage of nursing instructors in the State of Illinois. This sets out to increase the number of skilled nurse educators by providing scholarships to experience... experienced Illinois nurses through the Illinois Department of Public Health beginning in the fall term of the 2008-2009 academic year. Nursing educator scholarships provided in House Bill 5059 can be awarded to recipients for up to a period of three (3) years. It also sets up a nurse educator employment obligation that scholarship recipients must meet. The obligation would require the scholarship recipients to be employed in Illinois as nurse educator for at least two (2) years for each year of the scholarship assistance received. This Bill also amends the Nurse Practice Act. It increases the amount of money that is transferred annually from the Nursing Dedicated and Professional Fund to the Illinois Department of Public Health. It increases that amount from 1.2 million per year to 2 million dollars per year. I've worked on this legislation with the Illinois Nurses

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Association. They are proponents. I don't know of any opposition. And I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferson. Okay. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Osmond, you have House Bill 5932. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5932, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 5932 requires the Illinois Power Authority and DCEO to develop a program to promote renewable energy and net metering options in Illinois in conjunction with a grant... with grant opportunities available through the department. I'll be happy to answer any questions."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson and Brosnahan. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

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Representative Wait, you have House Bill 5946. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5946, a Bill for an Act concerning economic development. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yes. This Bill here would simply make it... give the victims' rights more say in dealing with the Prison Review Board. I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from McHenry, Representative Franks."

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

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

Wait: "Oh, this is the wrong Bill."

Franks: "Well, I'm trying to figure out what this Bill does. And our analysis indicates that it will allow the Department of Commerce and Economic Opportunity to develop a program to make grants to local development organizations. Is that your understanding?"

Wait: "Yeah. This... this Bill... Excuse me. I guess we were on a different Bill, but anyway. No, this Bill would simply allow... it'd be subject to funding... for the local economic development people to get grants from the state is basically what it was. And as you know, it was sent to your committee."

Franks: "Do we have any definition of what 'local development organizations' are? Do they have to be not-for-profit corporations? Do they have to be part of a county board system? Because I'm worried. I've seen some of these

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economic development corporations be little more than political organizations."

Wait: "Well, I know the one that we have in Belvidere has worked very effectively with Chrysler and Chrysler spent four hundred and twenty million dollars (\$420,000,000) retooling. We only spent... I think the state gave them thirty-four million (\$34,000,000), so that was able to create two... over two thousand (2,000) new jobs there, I know."

Franks: "Yeah, but you're talking about... I'm not talking about dealing the state... dealing with legitimate corporations that have businesses in Illinois. Your Bill, the way... and tell me if I'm wrong, this would be outright grants to local development organizations. What's the definition of a 'local development organization'? What safeguards do we have that we aren't giving state money to noth... that basically a political organization?"

Wait: "If you read subsection (b), for purposes of this Section 'local development organization' means a private or public entity organized for the purpose of economic development within a municipality, county or region of the state. I know, for example, with our local one both the City of Belvidere and Boone County contribute quite heavily to it."

Franks: "And I'm wondering is there an aspect that would make this not-for-profit because the way you're saying a 'local development organization' meaning it could be someone who's advocating for a new hospital, for instance?"

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Wait: "I'm not aware of, you know, that as a possibility. I know in our area, both Winnebago, Boone, and DeKalb, those are all not-for-profits, I know, in our area."

Franks: "I'm not sure they are in ours and I'm concerned. We dis... we, in our committee we had in State Government, we had a hearing a few weeks ago where the Department of Commerce and Economic Opportunity had given a million dollars (\$1,000,000) of state tax, you know, of taxpayer money to an organization that the Governor admitted was a mistake and they've done nothing to try to get the money back. They weren't, you know, a charitable organization, and I'm concerned if there are not strict safeguards written into these Bills that we are going to continue to see the Governor's Office directing funds willy-nilly that aren't supposed to go to where... to where the tax dollars would be best spent. And I'm concerned in this, the way this is written, that there is no requirement that this is a not-for-profit comp... company or a charitable organization. And I think by keeping it op... by not having that in there, the Bill is fatally flawed because the Governor then, can direct the moneys pretty much anywhere."

Wait: "I couldn't agree with you more, Representative. I'd be happy to work with you and the Senate and put it... any safeguards that you think would be effective in there."

Franks: "Could we... Would you mind moving it back to Second and putting an Amendment on it?"

Wait: "Yeah. I'd be happy to do that 'cause I understand we're going to move some of these Bills back we have 'til the ninth to work on them."

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Franks: "Right. Yeah."

Wait: "So, I'd be happy to move it back to Second, if that would make you happier."

Franks: "I really appreciate that, Representative."

Wait: "Okay."

Franks: "Thank you."

Wait: "Mr. Speaker, could we take this out of the record and then try to work on it some more?"

Speaker Hannig: "Yes. Did you indicate you wish to move it.. return it to Second?"

Wait: "Yes, please."

Speaker Hannig: "Okay. So, Mr. Clerk, return it to the Order of Second Reading at the request of the Sponsor. Representative Soto, you have House Bill 5359. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5359, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Soto: "Yes. Thank you, Speaker and Members of the House. House Bill 5359 permits a hospital located in county.. in Cook County to apply for.. to the Department of Public Health to approval to conduct operations from more than one location within the county under a single license if the distance between each location to be combined under one license. So, we're merging a license of two hospitals that are a block and a half away from each other. And I urge an 'aye' vote. Thank you."

Speaker Hannig: "Is there any discussion? The Lady from Cook, Representative Coulson."

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Coulson: "Will the Sponsor yield?"

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

Coulson: "Was the... Can you explain the third Amendment that you... was it put on the Bill and then also, what it would do?"

Soto: "Remember in committee, Representative, I had agreed to leave it on Second until we had our meeting back home because AFSCME had some... some issues with the... with the Bill. Well, now we've taken care of that. We're... So, they're neutral now, as we speak, and Amendment #3 changes the distance standard between each hospital, so that they can operate under a single license to half mile rather than one mile."

Coulson: "And that... and that Amendment was put on yesterday? I might have missed that, so."

Soto: "Yes."

Coulson: "Okay. All right. Thank you."

Soto: "Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferies, do you wish to be recorded. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ryg, you have House Bill 4862. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4862, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker. Last year we approved adding licensed clinical social workers as providers to the law that allows Medicaid reimbursement. We are now seeking to expand that even further to allow increased access for mental health services to include psychologists and licensed... I'm sorry, clinical professional counselors. So, this again is an attempt to expand access to mental health services through qualified providers."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Verschoore and Saviano, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, you have House Bill 5238. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5238, a Bill for an Act concerning housing. Third Reading of this House Bill."

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

Yarbrough: "Thank you, Mr. Speaker, Members of the House. This is an initiative of the Chicago Housing Authority who wishes to participate in a development partnership in a development of affordable housing in the City of Chicago. As federal funding for affordable housing continues to

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dwindle, public housing authorities must look for creative public-private partnerships to finance the construction and rehabilitation of public and mixed income housing. One way to establish this goal is for the CHA to partner with established development firms utilizing low-income housing tax credits. Passage of House Bill 5238 would provide the CHA with multiple benefits. It would allow them to earn developer fees which could be used to build more affordable housing. It would leverage the experience and financial strength of established developers; it would enable the CHA to maintain the long-term affordability of housing beyond the partners' short-term commitment. Currently, the Illinois Housing Authorities Act is silent on whether housing authorities can participate as development partners to build or rehabilitate public and mixed income housing. House Bill 5238 will clarify this point going forward. I'd be happy to answer any questions."

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

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

Speaker Hannig: "Indicates she'll yield."

Miller: "Representative, what is preventing... what's in... what is preventing the Chicago Housing Authority from doing this right now? Why can't they just enter into a public-private partnership?"

Yarbrough: "They... they cannot. The Housing Authority Act is silent on this and they cannot; they want to have this in law so that they can."

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Miller: "Okay. In our analysis, it says this author... authorization is also exempted from a statutory section requiring rents to be fixed at the lowest possible rates by the Housing Authority, not any higher than necessary. Can you explain, you know, why that because it sounds like rents can be higher than... than what it seems."

Yarbrough: "Well, it states that it can't be higher than necessary, if you read the... It says not any higher than necessary."

Miller: "So, I assume in the rent..."

Yarbrough: "It's exempted. It's exempted from the statutory section requiring rents to be fixed at the lowest possible rate."

Miller: "So, is it... is it fair. Maybe I'm not... I'm not clear on this. So, are you saying that the rents could be higher or no?"

Yarbrough: "They... It says that the rents to be fixed at the lowest possible rates, not any higher than necessary."

Miller: "Okay. Which means what, as far as not higher than necessary part? I'm confused on this."

Yarbrough: "Just that they could be fixed at the lowest rate possible."

Miller: "All right. And as far as... because the... so, this essentially applies to just to the City of Chicago?"

Yarbrough: "Yes."

Miller: "And is this... this is not considered a pilot program? This is something that'll be ongoing?"

Yarbrough: "Yes."

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Miller: "Are there any other... clearly when entities talk about a public-private partnership are those... are there... been any identified entities that would be interested in partnering with the Chicago Housing Authority?"

Yarbrough: "Not to my knowledge, yet."

Miller: "Okay. Now, would they go under the normal RFP process..."

Yarbrough: "Yes."

Miller: "...of applying? Okay. Thank you."

Speaker Hannig: "Representative Rose."

Rose: "Will the Sponsor yield for a question, please?"

Speaker Hannig: "Sponsor will yield."

Rose: "Representative, do we do this anywhere else where we allow for the quasi state agency or in this case, city agency, to be a joint venturer or partner in a limited liability company?"

Yarbrough: "I didn't... I didn't hear your question."

Rose: "Do we do this anywhere else where we allow a..."

Yarbrough: "I really don't know."

Rose: "...an agency to be, you know, sort of a joint venture in a limited liability company?"

Yarbrough: "I don't know."

Rose: "I guess, I'm just thinking out loud here. It troubles me a little bit on sort of a fundamental level, you know, government is supposed to be a public entity. Government is now engaging under this or would be engaging under this Bill in potentially a limited liability company which is, in its very essence, a private enterprise. I... I noticed the Amendment adds this... the ability to do this with... with

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non-for-profits. Don't... does the CHA not already have the ability to help a non-for--profit without being an actual joint venturer or coparty to the... to the development?"

Yarbrough: "Representative, we amended this Bill because the non profit developer wanted to be included. Initially, the Bill was written to be for profit only, but the non profits wanted to be able to be included."

Rose: "Well, I understand that, but I guess my question is, if you fund the CHA and I've got a grant program, can I not hand a grant to the developer whether it's non for profit, for profit, partnership, whatever form of entity it is, without actually joining them as a developer, as being part of the development company? You see what I'm saying? No."

Yarbrough: "No."

Rose: "Okay. What I'm saying is, government historically, if you wanted to do this, would issue a grant, someone would apply for the grant, receive the grant and then do it. I... I... we may have done this before, but I can't think of an example where we've actually as a government Body become a joint venturer in a limited liability company, in a non-for-profit status corporation? I mean, these are corporations and now you're going to be a member of the corporation which potentially... let me ask you this. If... if a bad act is undertaken by the company, the limited liability company, and someone's injured and someone sues the limited liability company, does that... does that then pass through to the CHA?"

Yarbrough: "I'm having trouble hearing you. Mr. Speaker..."

Rose: "Mr. Speaker..."

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Yarbrough: "...could you ask the..."

Rose: "...could you get us some..."

Yarbrough: "...to keep the noise down."

Speaker Hannig: "Let's... let's give the Lady and the Gentleman
some attention."

Rose: "Thank you."

Speaker Hannig: "Representative Rose."

Rose: "Representative, what I was asking is, if... let's say the
CHA joins a limited liability company and that limited
liability company does some bad act. Okay. Whatever it is
and somebody gets injured and there's a lawsuit. And it
appears to... Let's not even use the example of limited
liability company. So, we'll use the example of a joint
venturer. It goes in as a joint venturer with some
developer, someone gets injured at the location on the
property. Is the CHA now subject to suit? Have they waived
their civil immunity provisions?"

Yarbrough: "Yeah, I guess I do understand what you're asking."

Rose: "Because in that scenario you might have a situation
where one-half of the joint venture or the CHA could... could
not be sued because of immunity, but the other half of the
joint venturer could be sued. I'm not... I'm pulling a John
Fritchey on you here. I'm just thinking aloud and I've got
some concerns about it. I'm not... I'm not necessarily
against the Bill; I just need to think through this thing.
The Speaker has extended the deadlines. I mean, could you
pull it, give us a week to think about it a little bit? I
really do have some legitimate concerns about this."

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Yarbrough: "Representative, there's no opposition to this Bill. It came through the committee process. We added an Amendment to it and we're just simply trying to give the CHA an opportunity to leverage fees and work with these non-for-profits and for-profit organizations to build more affordable housing. I mean, that's all the.."

Rose: "Okay. But let me give you the reverse of the hypothetical I just gave you. Let's say somebody gets injured at this building once it's built. Does the civil immunity of the CHA then carryover to the joint venturer thereby depriving the injured party of the ability to sue anybody? I mean, these are... these are real legitimate questions, Representative. I mean, all I'm asking is give us a little bit of time to get some answers."

Yarbrough: "I can appreciate that, but let me make a decision..."

Speaker Hannig: "Representative Rose, would you bring your remarks to a close, please."

Rose: "All I want to hear is her response and I'm done."

Speaker Hannig: "So, why don't we let the Lady respond and then we'll move on. Rep... Representative Yarbrough."

Yarbrough: "I'd like to hear if there are others who have other questions and I'll make a decision at that time. Thank you."

Speaker Hannig: "Representative Riley, you're recognized for 5 minutes."

Riley: "Will the Representative yield, please?"

Speaker Hannig: "Indicates she'll yield."

Riley: "Representative Yarbrough, how does this square... how does what they're endeavoring to do here, how does this

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square with what their intent was under the plan for transformation? Part of the plan for transformation was to build.."

Yarbrough: "More affordable housing."

Riley: "...make mixed use in affordable housing."

Yarbrough: "Sure."

Riley: "So, how does this square with that?"

Yarbrough: "It's along the same line. I mean, the CHA, what they want to do, obviously, you know that they want to create more affordable housing. I mean, there are a number of people who want to, you know, transition back into housing. So, this just kind of fits in with what they're trying to do already."

Riley: "Well, one of the things about the people trying to transition back in, that's one of the questions that some of us have had over the years, whether or not everyone that was originally in the housing units, I hate to say projects, that they had the ability to come back and many of them have sort of gotten left out because the densities were so high in the beginning that it would be very difficult to give everyone who was there a unit."

Yarbrough: "That's correct."

Riley: "So, they'll, you know, that's the genesis of my question."

Yarbrough: "Okay. All right."

Riley: "Thank you."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you. Ladies and Gentlemen, to the Bill. I rise in support of this Bill. This came before our housing

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committee and before it came up I had an opportunity to do a little research to try to understand it better and here's what I believe to be the case here. In a hundred percent of CHA's developments... well, not... that's an overstatement... in a very large percent of CHA's developments now, there is mixed income housing. This is the trend for how we are creating affordable housing. It's part of a mixed income development and there's a huge amount of public subsidy going into these mixed income developments. It's public money; it's state, and federal tax-exempt bond money. And what this is intending to do is to give the public body, responsible for public money, more input, control, regulatory oversight, real impact on the development in... so to make sure that the public moneys are protected, but also to make sure that the intended users, namely low-income people, are getting the full benefit of what's intended as part of a mixed income development. So, I think this is just a sensible approach to housing development when its limited partners who can guide the future course of development, I... in response to a previous question about whether a civ... a governmental body's immunity would somehow be transferred to this project, and while I don't know the exact answer to that, it's hard for me to believe that as part of the partnership agreement that wouldn't be all very clearly spelled out and I can't believe anybody would agree to that. So, again, I think this is a sensible approach to making sure that public moneys are well protected."

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Speaker Hannig: "We've had... we've had two speak in favor and three in response. So, Representative Stephens, would you like to be a third speaker in favor under the rules of Standard Debate?"

Stephens: "Actually, I'm not sure. I... I wonder if the Lady will yield to a question."

Speaker Hannig: "Okay. Representative, we'll recognize you for 5 minutes."

Stephens: "I... I think there was a request to take the Bill out of the record. Is that... Was a request made to take the Bill out of the record?"

Yarbrough: "Yeah. There was a request. Yes, there was a request."

Stephens: "And I... if I understood your response, that you'd think about that for the next few minutes of the debate. This seems to be unprecedented action. Is there precedence for this language in your Bill?"

Yarbrough: "Yes."

Stephens: "And would you remind me of that precedence, please?"

Yarbrough: "Yes. They currently don't do it now. They would like to have the ability to do it now."

Stephens: "That's prec..."

Yarbrough: "The... the Housing Authority Act is silent... currently silent on this."

Stephens: "And that's..."

Yarbrough: "And so, we want to codify it."

Stephens: "That's your precedence?"

Yarbrough: "Yes."

Stephens: "Maybe I don't understand the word."

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Yarbrough: "Yeah. It... I don't know that whether it's a practice or not, but if the... Housing Authority Act is silent on it currently."

Stephens: "Well, let me ask a question that maybe I understand better. Does somebody already do this somewhere in America?"

Yarbrough: "I have no idea."

Stephens: "Was this an epiphany? Where did we get this idea?"

Yarbrough: "This idea came from the Chicago Housing Authority."

Stephens: "The Chicago Housing Authority in Chicago?"

Yarbrough: "Yes."

Stephens: "Is that the one that's frequently the subject of news reports in my area? You know, I'm from Bond County that's way downstate and we don't... sometimes we don't get it, we don't get it. We only see what we... and learn what we see in the paper and sometimes that Chicago and Housing Authority has been fairly or, unfairly criticized and even brought up in a variety of investigations of the federal nature. I wonder if you can shed some light on that."

Yarbrough: "No, I can't... I can't speak to that. My Bill doesn't deal with that. My Bill deals with public-private partnerships to help build more affordable housing."

Stephens: "Well, speaking of partnerships, does the Chicago Housing Authority get any federal funds?"

Yarbrough: "Do they get federal funds? It's a federal program, yes."

Stephens: "They do get money from the Federal Government?"

Yarbrough: "Yes."

Stephens: "Do they get money from a local tax base?"

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Yarbrough: "I'm sure."

Stephens: "Why are you... why do they need more money?"

Yarbrough: "I'm sorry?"

Stephens: "Do they need more money?"

Yarbrough: "Yes, they do to build..."

Stephens: "Is that what this Bill does?"

Yarbrough: "...to build more affordable housing."

Stephens: "Well, Representative, I think that Representative Rose had some serious concerns that I... and I know Representative Rose as you do as one who has a bipartisan approach to most legislation. He's offered that assistance on this Bill. I agree with him that you should take it out of the record. We've got some... some concerns and... about precedence. I've even got to go back to my dictionary to find out what precedence means. So, I would hope that you would take it out of the record."

Speaker Hannig: "We're going to put this on Extended Debate to allow two additional speakers on each side. So, Representative Osterman, you're recognized for 5 minutes."

Osterman: "Thank you, Mr. Speaker. To the Bill. What the Representative is trying to do is enable CHA to creatively move forward to provide quality, affordable housing within the City of Chicago, housing for families, housing for people that want a better life and I think all of us should try to support that. The only comment I'll make to the CHA is that regardless of their partnerships, they hold the ultimate responsibility for the mission of affordable housing and they should not relinquish that responsibility within communities that they help. So, this is a... this

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legislation is good legislation. It helps them move forward in creative ways that are not going to cost taxpayer dollars in a negative way, but they hold the ultimate responsibility for the communities that they represent. So, I would hope that they would not relinquish that, but I hope that all of us would join in the cause of trying to provide quality, affordable housing for families."

Speaker Hannig: "Representative Tracy, you have 5 minutes."

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

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

Tracy: "First, I do have a question. I very much support wholeheartedly the concept of affordable housing and what you're trying to do by the intention of this Bill; however, I do have concerns as Representative Rose meant... mentioned and brought to my attention just in his thoughts. Do you think that if we agree to such a partnership and allow, say, a governmental body like the Chicago Housing Authority to enter into this type of partnership, what would happen if the development of this project, they would undertake, would go bankrupt?"

Yarbrough: "You know, I would think that since the Federal Government is involved in this that it's got to be federally insured."

Tracy: "Well, to me it seems that we can accomplish the same type of thing if we do it through the grant process and do not... I mean, there's a... if we allow the not-for-profits, and I really like your Amendment, because I think allowing the not-for-profits in my experience in just working with

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the not-for-profits to try to accomplish the affordable goal, they seem to be able to work through it and I was wondering why you've gone further to just... have again a governmental body entity enter into a partnership?"

Yarbrough: "Representative, this Bill was brought to me by the Chicago Housing Authority. I didn't dream this up. And I thought it was a good opportunity to build more units in the City of Chicago because we have such a dearth of affordable housing units and this was a creative approach to address affordable housing. Now, some of the groups that came to me when... initially when this Bill was put forth, they were talking about only for-profit organizations. So, they asked that could they be added in because they would like to participate. They, of course, are housing groups that, you know, are really involved in this whole issue of affordable housing and they wanted to be in the Bill. And so, that's why the Amendment was placed on the Bill."

Tracy: "Do you... do you think that their attorneys for the Chicago Housing Authority have given thought to what my question was about the bankruptcy and the civil liability, though?"

Yarbrough: "I really can't answer that."

Tracy: "Well, to the Bill, if I might. I... I do agree that I think Representative Rose has raised some very important issues. In working to achieve affordable housing projects in my area, I've worked very much with the entities that have worked to accomplish that whether they be for-profit or not-for-profit. But I do think that we have to give

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great deal of consideration to when we're going to have a governmental entity enter into a private enterprise relationship what the civil liability and the repercussions would be. And so, I do join Representative Rose in asking that perhaps we step back from this just a moment, work to make this a better Bill because of those concerns. I want to support this... this concept wholeheartedly. I have very much the same need in my area. I know that we worked... we're always looking for a not-for-profit type vehicle whether it be United Way or for instance, in my area, Two Rivers Governmental Association as a vehicle to channel the grant and the liken it. It is a very difficult sometimes to work those things out, but I must, I think as a Representative, be concerned about the liability for a governmental entity. And that would be why I'd ask that you maybe take a step back and try to rework this and address those concerns. Thank you very much."

Speaker Hannig: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. To the Bill. I stand in support of the Lady's Bill. And those of us who represent parts of the City of Chicago are well aware over the last decade and a half of the CHA's transformation from the large public housing complexes, which in many parts of the city have been torn down and done away with, which has put an enormous pressure on the affordable housing markets, particularly the affordable rental markets in the City of Chicago. It has become more and more increasingly difficult for those individuals in the City of Chicago and surrounding areas, where all these people have now been

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scattered into different housing situations to find clean, safe, affordable housing. The CHA, the Chicago Housing Authority, in response over the last two... nearly two decades now, have entered into no less than a dozen joint ventures with private developers both for-profit and not-for-profit to develop scattered site housing and those developments and the CHA has done a tremendous job in outreach to elected officials and other community stakeholders to make sure and aware of what those very complicated structures look like. And... and while it's probably clear that the Lady doesn't have at her fingertips right here today what a model of those contracts would look like, but it is unequivocal (sic-unequivocal) that the FHA in concert with Housing and Urban Development do not take into account liability and insurance. In particular, those for profit, private developers who develop new real estate projects using federal dollars... using federal dollars and not have very specific contract language in those agreements, i.e., the City of Chicago with a particular developer to build low-income housing would not take into account liability insurance in the event that something goes wrong. A lot of the housing is market rate housing, some of it is low-income housing, but in every instance there is a very specific provisions and anyone whoever has been involved with city government understand when you're using FH... not FHA... HUD dollars to develop scattered site housing that insurance and liability on the behalf of the developers is part of those intergovernmental agreements; it's a huge part of it. I would suggest that

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if those individuals who feel the same concern as I do in terms of providing more low-cost, affordable, clean, safe housing for people who have been displaced, not just in Chicago but all over the State of Illinois, would have a clear understanding that Housing and Urban Development and any of the deals that they do, including and I should also put into that item any of the state dollars and you can... and we can get the answers to these questions with simple phone calls. And not... we don't have to... I don't think the Lady here is in no way in a position to have to reinvent the wheel. These issues are well thought out, in place, in any intergovernmental agreement with respect to liability and insurance for any housing development project that goes forth using these federal dollars. In light of that, I would suggest those individuals who want answers to those questions, those answers exist. I don't think she has them, like I said earlier, have them here at her fingertips at this moment, but I don't think it would be very difficult to get those answers probably within a day or two. And I think the questions and the concerns that Representative Rose and Representative Tracy have brought up could be easily answered with respect to, I think, just maybe 20 minutes probably here on a Website dealing with HUD intergovernmental agreements. I think that's what we're really talking about is HUD intergovernmental agreements to build housing projects, in particular, governmental entity like the City of Chicago. So, with that, I stand in support of the Lady's Bill, dealing with those issues of insurance and liability, the answers are

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already there. I suggest we take a look at them and vote 'yes' on this very important measure. Thank you."

Speaker Hannig: "We've had 4 speak in favor and 5 speak in opposition. The rules would allow for one additional speaker in support. In support? Anyone like to stand in support? So, at this point, Representative Yarbrough, I don't see anymore supporters wishing to speak, so you're recognized to close."

Yarbrough: "Thank you, Mr. Speaker. And I appreciate my colleagues on the other side of the aisle. I just spoke to somebody from the Chicago Housing Authority who suggested to me that if there were a liability claim that they would have to give up... the CHA would give up some of the fees that they would receive to pay for those claims. And the other question was... had to do with why don't we do the grant process? Well, they're trying to get tax... they're using tax credits here, so, you know, that would not enter into this. I don't want you to lose focus on what we're trying to do here today, though, because in this state, actually, one of the challenges across the entire state is we simply do not have enough affordable housing and this is a creative way in order... the Chicago Housing Authority to partner with public-private partnerships to create more affordable housing. I ask for your 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 78 voting

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'yes' and 35 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cross, for what reason do you rise?"

Cross: "Thank you, Mr. Speaker. I'd like to spend a moment to talk about some Constitutional Amendments that have been filed with the respect to the issue of redistricting. I think everybody in this chamber, if not everybody in this state, in fact, anybody around the country that follows redistricting would agree that the redrawing of district lines for both the House and the Senate every ten (10) years in Illinois is broken. I haven't heard anybody dispute that. In fact, our system of literally picking a name out of a hat to pick and draw legislative districts is almost a joke around the country and clearly a system that doesn't work and I say that as a... being the Leader of the Republican Party in the House where we have been the beneficiary of a coin toss and we have not been the beneficiary of a coin toss. The point is it needs to change to assure greater fairness, encourage deliberation and to the greatest extent possible remove partisan political advantage from the process. We're in the business of politics; we have winners and losers. You are in control and we know that, it's the case around the state. But when it comes to drawing district lines, partisan political politics and political advantage should not be the case, because it is the very essence of our government that we have a fair system to elect our Representatives. I believe it's safe to say that everybody on our side of the aisle and I suspect people on your side

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of the aisle and around the state believe the system needs to be reformed. And as a result of that, we have filed and introduced House Joint Resolution Constitutional Amendment #45. Without going into great detail at this time, it is our belief that this proposal addresses the flaws in the current system and offers the best alternative by creating a fair, nonpartisan, deliberative, redistricting process for Illinois. I want to, for a moment, commend a few people on this issue. Representative Brosnahan has filed House Joint Resolution Constitutional Amendment 44 and what he's done is he's generated some discussion on a topic and issue that needs to be discussed and for that I applaud Representative Brosnahan. I want to commend Mike Lawrence who's the head of the Institute for Public Policy at Southern Illinois University. He put together a group of well respected, well-meaning folks who understand the political process from a policy standpoint and from a political standpoint and created the Redistricting Process Review Commission which was convened in 1999 for the purpose of offering an alternative to the current system. All of these individuals and I would say Eileen Lyons, former Member of our caucus, helped... worked to create a better scheme for the redistricting process. The problem though is that and it wasn't intentional, it wasn't meant to be deceptive, but that most of this work that has gone on in redistricting and analyzing the flaws in the system was done outside of public view, And again, I stress, Mike Lawrence is probably one of the most well respected individuals you will ever meet, he understands and cares

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deeply about government and about this process, but nevertheless this was not something that had the deliberation needed and the type of deliberation we give to important issues. It's time to open up this process and have a real debate about which plan is best to put before the people of Illinois as an Amendment to the Constitution. We have been and I... and again, to Representative Brosnahan, I know he believes that his Amendment is the right one on its merits. I happen to have a different view on that. We have gone thirty-eight (38) years under the current Constitution and everybody says that the current system doesn't work. My fear is and my concern is and my point is, why would we... why would we, when we've gone thirty-eight (38) years and everybody acknowledges the system is broken, say we are going to have just one hearing on this Resolution offered by Representative Brosnahan and then ask the House to vote on it? One hearing... one hearing when everybody says it's bad; it doesn't work; it's broken. We flip a coin to decide who's going to represent us and yet, we can only have one hearing to determine how we are going to change the flawed system in Illinois. I introduced some Amendments this morning. I was told by the Majority Party that due to time restraints our Amendments could not be considered. We've heard testimony this morning from Mike Lawrence and again, I am not at all being critical of Mike, we haven't heard from other people. There was the Ladd Commission that spent a lot of time on this issue. There are constitutional scholars running around this country and in this state that have opinions on it. And while I like

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many things about the Commission put together by Mike Lawrence, we do need to hear from other people. I have been in this chamber for fourteen (14) years not once have we had a discussion about redistricting. Some of you have been here a lot longer than I have, some of you a lot shorter times, but when was the last time we had a healthy debate about redistricting? So, Mr. Speaker, because of the time constraints your Party put on us in the filing of this Bill and because of the need to get our work done by May 4, because we want to work with you in a bipartisan manner. We want to change the flawed system; we believe we can have some agreement on a Constitutional Amendment to address this system. I would encourage you and I've sent a letter to the Speaker to not only release our Amendment... Constitutional Amendment from the House Rules Committee and send it to State Government. I would further ask as I did in the letter that you call the House into Session on Tuesday, April 22 and Thursday, April 24 to consider these proposals. As we know, they need to be read three times, we need to get one of them out of the House that we can all agree on, send it over to the Senate. We can do it and we shouldn't shut down good proposals, honest proposals that can make this better and can bring everybody together because of some time constraints. I mean, we can remedy those. We can come back next week. I don't suggest this lightly, but I think it is vital to the debate and it is vital that we discuss these systems. I am for reform of the broken system. I am not for rushing to judgment to fix a flawed system. Thank you, Mr. Speaker."

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Speaker Hannig: "Representative Bill Mitchell, for what reason do you rise?"

Mitchell, B.: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Hannig: "State your point."

Mitchell, B.: "Okay. Over on the Republican side of the aisle in the gallery, I'd like them to stand up, a group of gifted students from Decatur 61. So, I'd like to welcome them to the Illinois House. Thanks for coming."

Speaker Hannig: "Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, in accordance with House Rules and parliamentary procedure as I understand it, I would move to immediately suspend all of the applicable rules and request that HRJCA45 be immediately read by the Clerk of the House and then be assigned and posted immediately to the State Government Administration Committee and that the State Government Administration Committee be posted for Tuesday, April 22, 2008 at 3 p.m.. excuse me.. Monday, April 21, 2008, 3 p.m., in order to hear HJRCA45."

Speaker Hannig: "Mr. Clerk, what is the status of the Bill at this moment?"

Clerk Mahoney: "House Joint Resolution Constitutional Amendment 45 was filed today and has not yet been read a first time."

Speaker Hannig: "Representative Currie on the Gentleman's Motion."

Currie: "Thank you, Speaker. I had thought first that the... that the proposal was already in the Rules Committee, in which case I would be happy to object to the Motion, but

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this is not even in the Rules Committee and under the Constitution this needs to have a First Reading before anything can happen to it. So, I do believe the Representative's Motion is untimely and I would urge us to move on to other items on the House agenda."

Speaker Hannig: "Representative Black, I think that the Lady is correct. It has to be read a first time and then it goes to Rules for an assignment."

Black: "Well, Mr. Speaker, I have no... Well, I may object, but her response is correct under the rules of the House and that is why I have moved, with all due respect, that the applicable rules be suspended, that the Clerk do, in fact, or will, in fact, read the Bill for the first time and then that the additional rules be suspended and that the Constitutional Amendment be assigned to the State Government Administration Committee which should be posted Monday, April 21, 2008, at 3 p.m., so the Bill can be heard. We're not asking for a discharge of Rules; we're not asking for any remarkable precedent setting Motion. We have concurred with you on occasion to allow a Bill to be read into the record and assigned to a committee and all we're asking is the same consideration. This doesn't guarantee us passage of this Constitutional Amendment from the committee, but because of the deadlines we are asking for at least an opportunity to have the Bill publicly heard and publicly debated and hopefully, next Tuesday, publicly voted on and then you obviously have the votes in the committee to vote 'yea' or 'nay'. That's all we're asking for and this is not, in my time here and my memory, if it

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is still as accurate as I hope it is, we have... we have joined with you in the past to allow the Clerk to immediately read a Bill and then send it to committee on the Order of Second Reading."

Speaker Hannig: "So, Representative Black, it's the Chair's ruling that at this time, since the Bill has not been even read for a first time, that your Motion is just simply premature and out of order. So, that's the ruling of the Chair."

Black: "Yeah. Mr. Speaker, in all due respect, it's very difficult to make a timely Motion in this chamber because time and time and time again we're denied any reasonable attempt to satisfy the time requirements. That's all we were asking for is to allow the Clerk to read it a first time, and that the Bill be assigned to committee. I think that is not only reasonable, I think it meets any test of constitutionality. The House can, in fact, suspend that rule and has done so in the past. Since you have denied my Motion that I make in the greatest of respect, I would ask under House Rule 57(a), I would appeal the ruling of the Chair that HJRCA45 cannot, in fact, be read into the record a first time and assigned to committee. And I would move that your ruling that our Motion isn't timely to be appealed."

Speaker Hannig: "So, that Motion is in order, Representative Black. So, the Gentleman has moved that the Chair be overruled. The question is, 'Shall the Chair be sustained?' All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 64 voting 'yes' and 50 voting 'no'. And the Chair is sustained. Representative Cross."

Cross: "I'm puzzled, Mr. Speaker, frankly. We have asked for a simple request to have a Constitutional Amendment that gives the people of the State of Illinois an opportunity to express where they are on redistricting a voice, an opportunity to be heard. Have we heard that expression or phrase much over the last couple weeks? And we have simply requested a very simple request to read a Constitutional Amendment into the record. We've got time, be here all day and this is an opportunity where no one in this state disputes that the redistricting process is flawed. I would encourage you to go find somebody in this state to come before this House and say, wow, that redistricting process, where you flip a coin, is really working well. It's just an ideal way to create legislative districts in the State of Illinois; everyone else wants to emulate your system. You can't do that. We have agreement on the fact that this system is flawed and you are now using the power of the Majority, the power of the Majority, to block attempts and efforts to have a fair discussion on an approach we think, as a result of the Commission's suggestions, would be a better way to handle redistricting. A simple request is being denied the people of the State of Illinois to read a Bill into the record. Is that... I just want to make sure I'm correct. Is that what you're doing? Right now, to read it into the record."

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Speaker Hannig: "Representative, the request was a series of Motions that we ruled that were out of order."

Cross: "I'm asking you to read it into the record right now. I want to know why you can't read that Amendment into the record right now. Why not? What's wrong with reading it into the record? What's... what are we afraid of?"

Speaker Hannig: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, to respond to the Minority Leader. Everybody's entitled to a little history regarding the proposed Constitutional Amendment. The proposal, which is under discussion right now, was developed by the Paul Simon Institute at Southern Illinois University, currently under the leadership of Mike Lawrence, noted former journalist in the Capitol Building. I'm advised that this proposal was made available to all four caucuses in November of 2006. Let me say that again. What we're talking about today was made available to all caucuses, our caucus and your caucus, November of 2006. Our caucus decided to take some action on the proposal from the Simon Institute; therefore, we introduced a Resolution that contains the proposal from the Simon Institute that's under the sponsorship of Representative Brosnahan. It was duly assigned to committee; it was before the committee this morning. A quick reading of HJRCA45, which is your proposal, indicates that the essential elements of difference between the Brosnahan Resolution and your Resolution were presented in committee this morning, at the Amendment stage in committee they failed. When the Resolution... when the Brosnahan Resolution was called before

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the committee for final consideration, I'm advised that two Republicans voted for the Brosnahan Resolution. So, this matter has been before us for quite awhile, all the way back to 2006. We decided to move the Resolution. I suggest that you didn't anticipate that we would do that, but when we did you went into an action to try and catch up. You'd tried to catch up this morning; the Amendments were voted down, two of your people voted for the Resolution under final consideration in the committee. Now, you're asking us to change everybody's schedule, call people back in next week when we've told people for several weeks and months that next week would be an off Session week so that people made personal plans, but you're asking us to change all of that because you got caught a little bit behind in the legislative process. Well, we're not going to do that. We're not going to change a schedule that's been published for weeks and months just because you fell a little behind. That's too bad. Get up a little earlier in the morning and get in the Capitol Building a little earlier in the morning. If you want to seriously change the current Constitution on redistricting, Representative Brosnahan has a proposal. It'll be called on final passage the first day that we return to the Capitol. If you don't like it, vote against it. It requires 71 votes. And so if your caucus position is that you don't want to support the Brosnahan Resolution, for whatever reason, maybe you don't like the merits of the Brosnahan Resolution, maybe you want to take that as an opportunity to show that you're being abused by the

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Majority Party. Go ahead and do what you want to do. But your opportunity will come the first day back, you can take a caucus position, vote 'no', the Resolution will fail. If your response to that is, well, we didn't get a fair hearing; that's not true. There was a hearing this morning. In the committee, Representative Cross was at the committee, he fully participated in the committee. I presume he was representing all of you. But to bring this before us now and to say, oh, look, we fell asleep at the switch a little bit, change everybody's schedule, rearrange everything. We're simply not going to do it. And there is a proposal to change the Constitution; it's on the Calendar now; it'll be called the first day back. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Cross."

Cross: "Mr. Speaker, thank you. For those of you that are concerned that maybe the House Republicans have fallen behind, might want to take a look at House Joint Resolution Constitutional Amendment 3, offered by Representative Black, that was stuck in the Rules Committee and has been stuck in the Rules Committee since the day it was filed. If you don't want to look at that one, look at House Joint Resolution Constitutional Amendment 4, offered and filed by Representative Lindner. It's also been stuck in the Rules Committee with absolutely no attempt to get that out or help to get that out. You don't like either one of those, you might want to look at Constitutional Amendment 6, offered by Representative Bassi to address a travesty that exists in the State of Illinois, but again, stuck in Rules,

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has been in Rules since the day it was filed. If that doesn't suit you, why don't you look at Constitutional Amendment 21, offered by Representative Mulligan that also addresses the travesty of the redistricting process in the State of Illinois. We all agree, at least, I think you're serious on your side of the aisle, that you want to change the redistricting process. We want to change it. It doesn't work. We have been interested in this issue for some time, but as I said earlier, they were all killed in Rules and given no opportunity. We don't have the luxury and we're not whining about it, you're in the Majority. We all know that. You decide what gets called; you decide when it gets called. This is something that was filed a week ago. We have tried to get back to you and offer some, what we believe, are substantive changes, real changes that can make this better. They would have, I believe, almost unanimous support in this building, almost unanimous support, if not unanimous support, in this building. It.. it's not a bad document. I said that this morning. Representative Brosnahan's done a nice job; the Lawrence Commission has done a nice job. We want to work with you to get it better and we were there this morning to offer some suggestions. We realize that you control this place, but one opportunity now to correct forty (40) years, forty (40) years, everybody says forty (40) years it doesn't work. Let's do something better. So, instead of coming over here and saying, hey, Cross, anybody, maybe we can come up with a better way. We want to work with you; we're not going to do that. We're going to take the Brosnahan

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Amendment that has many good merits and play politics with it and not give you an opportunity to make a better... a better... a better document. And we're going to have one hearing, one hearing, on a system that is so flawed that we've had commission after commission, the Ladd Commission... anybody remember the Ladd Commission? It worked for eight (8) years on this issue, the Lawrence Commission for two (2). And we've decided we're going to give you one shot at it. I guess we're back to the political games of take it or leave it. That's a shame, because the reality is and everybody knows... I'm repeating myself... the system's bad. We've offered Resolution after Resolution, gets stuck in Rules. So, we know where we are and you've expressed to us that you control the place and we acknowledge that, but someday we have to remind ourselves this isn't about who's in power, this isn't about who's got more people, this isn't about showing everybody who's the boss, this is about what's good for the people of the State of Illinois and how we redistrict legislative boundaries. And enough of the political games, enough of the showing everybody that I run this place and you're going to do what I want you to do and someday, maybe, someday on a variety of issues starting with this one, we will do the right thing and put politics and Majority Party rule aside. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. The... isn't it amazing, if you're watching a Democrat press conference, it's all about, you know, we are the Party of cooperation; we are the Party of bipartisanship; we want to do for

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America what the Democrats have done for Springfield. And you've done for Springfield what you've done for Chicago, you've made it so harshly partisan that we can't even recognize what's going on here anymore. There... there's a time, even here on the House Floor, for harsh partisanship. We don't have a problem with that, Mr. Speaker. We'll take you on in every precinct in Illinois. But I am... I can't let this go without remarking that, you know, time after time, even this very day, we can't even get a Bill pulled out of the record by one of our most esteemed colleagues, a simple request by Representative Rose that... let me have a look at this. Oh, no, you know, why are you like you are? Is the sheer arrogance of power gone totally to your heads? Why are you the way you are? You don't have to insult the Leader, Mr. Speaker, by telling him he doesn't get up early enough. A simple response and you know what, Speaker, he was months ahead of you. And he's ages ahead of you in the respect he has for this process."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I... I feel badly that we're denied an opportunity to at least have our idea heard and we're up against the May 4 deadline so that's why it probably won't be heard. And you know, out of... out of our Constitutional Amendment and out of the one sponsored by Representative Brosnahan there might... there might be some common ground where we can combine some good parts of both and come up with a... a pretty reasonable Constitutional Amendment that would change how we redistrict in the State of Illinois. I

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don't want to go over the ground that I think Leader Cross has... has eloquently covered. I've been here twenty-two (22) years; I've been through three (3) redistricting. I can tell you it's one of the most stressful things you can go through. The drawing... the drawing of something out of the hat is something left over from I don't know how many years ago and there's elation if your side wins, as you have twice in the three times I've been through it. There's elation on your side and grumbling on ours and in the '92 drawing when the Republicans won, there was elation on our side and a great deal of grumbling on your side. It's not a very good way to do it. For those of you that have been here awhile, I had a district once where the middle of the street was in two different districts and I... if I worked and I went door-to-door on one side of the street I was in my district and if I crossed the street, I was in former Representative Mike Weaver's district. Some years ago, when I had Iroquois County, by the way a delightful county that Shane Cultra now represents, I had about a hundred and thirty-five (135) residents in Onarga and trying to figure out on the map what hundred and some houses I was supposed to knock on the door and which ones I wasn't, finally required a local... locally elected official in Onarga who kind of took me by the hand and could help me determine where some of these houses were 'cause there wasn't any rhyme or reason. It wasn't a block; it was a half a block here, a half a block two blocks away, one block three blocks away. Okay. You know, we've all been through that and we all know what it's like to have to do that. But I

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think all the House Republican Leader was asking was that you read it in the record, that it go to committee, that we have a hearing. We know you control the committee, but some people might say, hey, there's some good ideas in that, we can combine the two. But I just wanted to respond to the question of timeliness. There are people on our side of the aisle, and I think on your side as well, I have sponsored a Constitutional Amendment for the last six (6) years that tries to recognize the fact that what we have done doesn't work very well. It's modeled after the situation in Iowa and it seems to work very, very well in Iowa. It gives the two bodies an opportunity to draw a fair map. If they don't, it's turned over to a nonpartisan commission and with computer technology today, they draw the map. And I've not... I'm not aware of any constitutional questions or complaints, but you know, in the matter of timeliness, if you'll look on page 35 of the Calendar under Motion to Discharge committee, I have HJRCA #3. For six (6) years I have not been able to get a hearing or even discharge from the Rules Committee a Constitutional Amendment that would change how we reapportion after the decennial census. So, I don't think it's a matter of timeliness. I think it's a matter of, as the Leader said, and I don't understand why we have to do it this way sometimes, you have some good ideas; we have some good ideas. I don't know why we can't have a hearing, pick and choose among what we hear in that committee and come up with something that we can all be proud of and that we can all take ownership. The way we're doing things reminds me

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of a few years ago when everything that took place in this chamber was either yours or ours and there wasn't any of that... and we've done it in the past, we've been able to work together and when we work together we generally come up with some pretty darn good ideas and if there's any... if there's a period of time in the twenty-two (22) years I've been here where House Democrats and House Republicans need to work together, I can't think of a time when it's more important now in the twenty-two (22) years that I've been here. I... I have no bone to pick with anybody on your side of the aisle; I don't think our... the House Republican Leader, Representative Cross, has any. Contrary to what I read, I don't think we have ever tried to play any subterfuge with Speaker Madigan or any Member of the Democrat Caucus. We respect the Speaker; we respect the position that he holds. All we'd like in return is some similar respect for the House Republican Leader and some ideas that the Republican Caucus have. We certainly respect many of the ideas that you have, many Bills sponsored with no Republican cosponsors, have come out of here in the last week with near or unanimous votes. So, it isn't that we are lined up in opposition to anything and everything that you do and we hope you're not lined up in opposition to anything and everything that we do. We can't afford this division. We cannot afford this division. I don't want to criticize the Governor, but I don't think it's a well-kept secret around here, we are suffering from a lack of Leadership. We don't seem to have a direction; we seem to be steaming on the stip... ship of state without a

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rudder, without a captain, we're steaming in circles. Then let us get together. There are... there are two (2) Leaders in this chamber elected by their respective caucuses who are very intelligent, very compassionate, very empathetic people and I really believe and have for twenty-two (22) years that Speaker Madigan and Leader Cross, if you'll just let us, can work together and we can show the State of Illinois that we can put aside some differences and give this state, what I think, Republicans, Democrats, Independent, Green Party Members, whatever, what they are so desperately asking for today, leadership. Do something. Move in a positive direction and if we can't get the cooperation of the chief elected officer in the State of Illinois, then we have to do it. And we can do it, but we can't do it if every time we ask for consideration we're denied. We're denied our voice; we're denied our opportunity to present our ideas. I don't think the idea of timeliness is really the issue here and I'm not sure I understand anymore what is. I... I would hope maybe before the day is over you could reconsider, we could move on in a positive step and we could continue to take those positive steps for the rest of this Session, however long that might be, because I know people in my district and I'm sure people in your district as well are saying, let's stop all this. And Speaker Madigan isn't doing it, Leader Cross isn't doing it. Our two Leaders aren't having a press conference every day, they aren't flying around the state saying I'm going to do this, I'm not going to do this. We're getting all the blame. So I think it's time that we

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lower the rhetoric, lower the barriers on the center aisle, work together as we have in the past, let's give this state what we know it needs and what we can provide and that is leadership, for positive direction in the time we have left. I hope, I would ask, I would plead that before the day is over you might be willing to reconsider and work together on something we all know needs to be done. And I certainly understand you're in the Majority Party, Mr. Speaker, and I have... I have worked with you for a long time and I know you aren't about to lay down for any election cycle. You are a most worthy opponent, but I don't think we're opponents on this issue. I think we'd like to get to the same point; we'd like to discuss ideas. All we ask is give us an opportunity to let us work with you. We're not asking you to take our Amendment or leave it, nothing, all we're asking is for an opportunity to share some ideas, come together, and provide the leadership this state is so hungry for, so desperate for. The people who send us here are saying stop this fighting, stop this nonsense, and I don't think we're the ones behind most of this, on either side of the aisle. It's time to work together. We've had enough divisiveness; we've had enough leadership by press conference; we've had enough leadership by criticizing either your side of the aisle or our side of the aisle. If that's the way some people want to do business, fine; we don't have to do business that way. We've cooperated in the past, let's please try to cooperate in the future."

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Speaker Hannig: "Representative Tracy, you have House Bill 5901. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5901, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Tracy."

Tracy: "Thank you, Mr. Speaker."

Speaker Hannig: "Representative Tracy, the Clerk advises me there's an Amendment on the Bill."

Tracy: "Yes, there is. And I would like that, yes."

Speaker Hannig: "Do you want us..."

Tracy: "That is... that is the truth."

Speaker Hannig: "So, we'll bring it... So, let's return this to the Order of Second Reading for the purposes of an Amendment. Mr. Clerk, is... are there any Amendments?"

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

Speaker Hannig: "Representative Tracy."

Tracy: "Yes. This Amendment actually becomes the Bill itself and what it does... it was... we are trying to continue to address and put tools in our arsenal of weaponry against the fight against methamphetamine in its use and its production. And what this Amendment does is expand a pilot program database to the counties of Vermilion, Madison and Adams Counties much similar to a program that was previously passed in the House including Williamson County and some others and it... what the program did was allow the use of a database that would track precursors of methamphetamine such as pseudoephedrine and it met with a

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great deal of success and we're wanting to expand this program and that is the essence of the Amendment and which actually becomes the Bill."

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

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

Speaker Hannig: "Third Reading. Representative Cole, for what reason do you rise?"

Cole: "Mr. Speaker, I have a point of personal privilege, please."

Speaker Hannig: "State your point."

Cole: "Today, in Springfield, we have groups from the Illinois Association for Gifted Children and I'm proud to have a group here from Gurnee District 53. Their names are: Colter, Sarah, Dani, Jessica, Giovanni, Eduardo, Alyssa, Merek, Charlie, Alexander, Nivhanti, Darien, Nina, Tyler, Matthew, Josh, Connor, Adam, Nicolas, and Nicole. Please help me in welcoming them to Springfield."

Speaker Hannig: "Mr. Clerk, read House Bill 5148."

Clerk Mahoney: "House Bill 5148, a Bill for an Act concerning civil law. Third Reading of this House Bill."

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

Davis, W.: "Mr. Speaker. Mr. Speaker, we'd like to do House Bill 5116 first, please."

Speaker Hannig: "So, let's take this out of the record, Mr. Clerk. Let's read House Bill 5116, Mr. Clerk."

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Clerk Mahoney: "House Bill 5116, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Davis."

Davis, W.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5116 would allow the Commission on... Illinois Commission on Volunteerism and Community Service to award a partial matching grant to volunteers who have already received a national service education award from groups like AmeriCorps and City Year. Only individuals who volunteer in Illinois can choose to attend an Illinois based secondary school would be eligible for this grant. Approval of this legislation will make Illinois the first state to establish such a grant, which ultimately would attract and retain volunteers in Illinois. The grant winners described by the Commission would be allowed to use the money for the same purposes in which the national service award that they received can be used as well including things like cost of tuition and repayment of student loans. I have spoken to Representative Eddy who asked in regards to the dollars collected and by the way, this is subject to appropriation, but it does allow for private donations to be rendered to award these grants and I've spoken to Representative Eddy and we have assured him that there is language by way of the Lieutenant Governor's Office in the Bill that would prevent this from being swept. I'll be more than happy to answer any other questions."

Speaker Hannig: "Any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3038."

Clerk Mahoney: "House Bill 3038, a Bill for an Act concerning domestic violence, which may be referred to as the Cindy Bischof Law. Third Reading of this House Bill."

Speaker Hannig: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 3038 creates the Cindy Bischof Domestic Law and it would allow electronic surveillance for violators of an order of protection against an intimate partner. The legislation would allow judges to decide whether or not the GPS system would be appropriate based on circumstances of each individual case. The monitoring would provide the victim and law enforcement with immediate warning if the offender gets too close to the safety zones as stated in the order of protection. The legislation also requires domestic violence offenders to complete a risk assessment evaluation. The evaluation allows professionals to identify psychological, substance abuse, or other conditions that must be treated before counseling and other programs designed to modify behavior can be effective. If the offender fails to undergo court-ordered risk assessment evaluation or complete abused... abuser partner intervention treatment, it will be considered a violation of the protection order. If the order of protection is violated,

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the judge then has the right to order an electronic surveillance as a condition of bail or probation. Other violations of the order of protection include stalking the victim and violating the victim's personal space as defined by the court. The legislation also establishes protocol for the implementation of domestic violence surveillance program and creates a fund to help offset the cost of the program. All order of protection violators who are convicted would have to pay a fine and in addition to other fines that would go to the Surveillance Program Fund. One in twelve (12) women will be abused by their intimate partner and one in three (3) women dies every single day from domestic abuse. Michael Bischof who is the brother of the victim, Cindy Bischof, worked with us and came to testify at the committee hearing last Tuesday. Michael's comment was, he said, my sister... and that was Cindy Bischof... did everything she could in the context of the law to protect herself and unfortunately, it still wasn't enough. She did everything from installing an alarm system in the house, she had security cameras and even wore a panic button around her neck twenty-four (24) hours a day, seven (7) days a week. She lived in constant fear of this coward. This legislation was a request that actually Cindy had made to her judge. The law was not in place to allow this kind of a... to fill in the gap in the domestic violence situation. And I stand ready for questions and would appreciate your support."

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Speaker Hannig: "We're going to put this on Standard Debate. And Representative Reboletti, you're recognized for 5 minutes."

Reboletti: "Thank you, Mr. Speaker. To the Bill. This is a very important piece of legislation to address an issue that the time has come. Having dealt with these cases, as I know others that are here are former prosecutors have dealt with, we probably all had a situation where a victim of domestic violence was killed and unfortunately, the order of protection is simply a piece of paper. And there are those in our communities that do not understand what the word 'no' means. No contact, not by e-mail, not by phone, not by third party, but 'no' means 'no'. And unfortunately, Miss. Bischof was murdered in my district after doing everything that she possibly could to protect herself from this individual who was hell-bent on doing what he did. This would give a judge the option to place a GPS mechanism similar to those that judges already use in most of our counties for house arrest or for monitoring during pretrial services or similar to what we have for sex offenders. Again, this isn't going to be a cure-all for this situation, but what it will do is give law enforcement and give the victims of these cases maybe an added opportunity to take evasive action if that time comes. So, hopefully, this Bill will pass unanimously and I send my condolences to the Bischof family. They worked very hard on this legislation with all of us and brought their concerns and shared those concerns with us. And I would ask for your support and hopefully, this will bring some

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additional protection to the thousands of individuals that live in silence with this situation. Thank you, Mr. Speaker."

Speaker Hannig: "Representative McAuliffe."

McAuliffe: "Thank you... thank you, Mr. Speaker. To the Bill. I had the opportunity a number of years ago to meet Cindy Bischof. I mean, she was a warm, sensitive, All-American type girl. As the speakers have said before, Cindy did everything that she possibly could to try and avoid that cowardly act that that perpetrator did. She lived... she lived through a life of hell and her family, they were all threatened, including herself and she was the type of individual that tried to go to the court system and ask the judge, is there more I can do, is there more I can do. One of her thing's was... was to be able to have a perpetrator wear an ankle bracelet if it deemed appropriate by a judge. So, this is another extension of Cindy's wish list and hopefully, by the unfortunate accident that happened to her, that this will also help save lives. Domestic violence is a terrible thing. We had another woman that got killed last weekend in the City of Chicago, so this happens throughout the whole state. Maybe a lot of us don't hear about it, maybe some of our friends are being abused now or are being stalked and sometimes it's a tough thing to tell other people. But hopefully, by the judges having the latitude to be able to use an ankle bracelet, this will help stop these executions like what happened to Cindy. And I ask for your 'yes' support. Thank you."

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Speaker Hannig: "We've had three (3) in support. Representative Bellock, would you like in response... in response? Why don't we just bend the rules a little, we'll let you speak in support."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. I just want to say thank you very much to Representative Bassi for carrying this important legislation and to thank the Bischof family for making a change for all the women in Illinois. Cindy Bischof had to live and her entire family and extended family in a reign of terror for the ten (10) last months. And this legislation, I hope, will bring that reign of terror to an end for all the other women in the State of Illinois who have lived through orders of protections that did no good, judgments that did no good. Something now has to change to help these people so that we do not hear on the radio of another woman who is found dead by someone who has attacked her, just by going out her door of her home, by going out the door of where she works or by just going to see her children and being shot in an alley or some other death. Thank you very much to everyone who worked on this Bill and I hope this makes a change. Thank you."

Speaker Hannig: "Representative Bassi to close."

Bassi: "Thank you, Mr. Speaker. One last... a couple last things. This happens to be Victims' Rights Week. This particular Bill is closing a loophole. It has over thirty (30) Sponsors. And I would ask for your support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mendoza, for what reason do you rise?"

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Mendoza: "I am excited to have up in the gallery on both sides, ninth through twelfth graders from the civics class at Gage Park High School, if we could all just give them a warm welcome from Springfield. They're accompanied by Michael Altman and teacher Victor Harbison. And we just want to say welcome and thanks for being here today."

Speaker Hannig: "Representative Jakobsson, you have House Bill 4147. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4147, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Bill 4147 has to do with the Illinois Economic Development Authority. When it was originally... the legislation was originally drafted for it, it required eleven (11) members to conduct business and that was a technical error and it should have been eight (8). And so this is what this Bill does is make it eight (8) members. I ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Indicates she'll yield."

Black: "Thank you. Representative, you and I have discussed this and there was some... evidently some initial confusion on this board that you were either making it more difficult or too easy to pass something. And as I remember the conversation I've had with you, the enabling legislation had the wrong number of members and so all you're doing is making the quorum based on the actual membership that they have. Is that right?"

Jakobsson: "That's correct."

Black: "All right. So, if the letters I've had expressing concern probably weren't based on what you're actually trying to do and I think you told me now that this has finally been worked out and that they're on board and understand what you're trying to do."

Jakobsson: "Right. In fact, it was brought to me by members of the board."

Black: "Okay. Fine. Thank you very much."

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

Jakobsson: "I urge an 'aye' vote, please. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Representative Verschoore, you have House Bill 5196. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5196, a Bill for an Act concerning local government, on the Order of Consideration Postponed."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that I got 53 votes on last week. What it is is a stipend for the auditors. There's seventeen (17) auditors in the State of Illinois that do not receive a stipend and every other elected official in county government in the state receives a stipend. So, what this does is gives them a sixty-five hundred dollar (\$6500) stipend. I'd ask for an 'aye' vote and I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I'm confused because we have two (2) candidates running for the county auditor's position in Vermilion County, but they aren't on... they aren't on my analysis. Did... did Vermilion County get overlooked or is it a different kind of county office?"

Verschoore: "It could be... in some the auditor... I mean, the auditor doesn't always perform their duties. It might be a circuit clerk or the count... not a circuit clerk, the county clerk or the treasurer in some cases. But you say they're actually running..."

Black: "Yes, yes."

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Verschoore: "...for the auditor's office?"

Black: "They're a member of both parties. The incumbent is a Democrat and the challenger is a Republican and she has been the county auditor for some time."

Verschoore: "I can't answer that. I got my information from Bill Foster with the... that represents county executives."

Black: "All right. Thank you very much. I'm not going to ask you to take the Bill out of the record. Let me... let me call and make sure that I'm... I think I'm right, but in case I'm not, I do believe she runs for election and if that's the case, I will come to you and maybe we can amend the Bill in the Senate and then concur if it comes back..."

Verschoore: "Well, this..."

Black: "...'cause I don't... I'm not sure why Vermilion isn't on here."

Verschoore: "Well, I don't think it's... I... the list I got from him was a list..."

Black: "Okay."

Verschoore: "...of the ones that were in effect..."

Black: "Yeah."

Verschoore: "...right now."

Black: "I... I certainly... you know, there are some objections always by county board members to these stipends, but no one has contacted me about this. But I will check and I will get back to you on whether or not Vermilion has an elected auditor or an appointed auditor. Thank you very much."

Speaker Hannig: "Representative Stephens."

Stephens: "Will the Gentleman yield for a question?"

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Speaker Hannig: "Indicates he'll yield."

Stephens: "You indicted you got 53 votes on this the last time?"

Verschoore: "I'm sorry, Representative."

Stephens: "You made an indication as to the number of votes you got the first time you ran this?"

Verschoore: "53. And then I went around and talked to some other people and they said that they would be in support of it now, so that's why I'm running it. I think I had enough votes so."

Stephens: "Are they all here today?"

Verschoore: "One of them isn't."

Stephens: "Well.. well, that gets us to 54."

Verschoore: "Taking a quick survey."

Stephens: "That's... You know what, in the spirit of cooperation, we hope they're all here."

Verschoore: "I appreciate that. Thank you."

Speaker Hannig: "Representative Verschoore to close."

Verschoore: "I would just ask for an 'aye' vote. Thank you very much."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Younge, Ramey, Meyer, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 62 voting 'yes' and 50 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby passed. Mr. Clerk, read House Bill 4943."

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Clerk Mahoney: "House Bill 4943 is on the Order of Postponed Consideration."

Speaker Hannig: "Still not enough votes, I see. The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4943, again, is the.. the legislation that would allow for day and temporary labor agencies to become certified application agents for the All Kids program. I'd like to reiterate the fact that they are not paid for this procedure, unlike every other participant in the application agent process who does currently receive payment for promoting these applications. The day labor agencies would not be receiving a single cent for their services. I would certainly.. I think I've spoken to most of the Members about this and clarified any concerns. And at this time, I would just request your support through an 'aye' vote. Thank you."

Speaker Hannig: "Is there any discussion? The Gentleman from Bond, Representative Stephens."

Stephens: "Would the Lady yield for a question?"

Mendoza: "Yes."

Speaker Hannig: "Indicates she'll yield."

Stephens: "Is this the Bill I agreed not to debate?"

Mendoza: "That would be correct."

Stephens: "Thank you."

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

Mendoza: "I would just once again ask for your support. Thank you."

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Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Winters, Meyer, Fortner, Durkin. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 78 voting 'yes' and 35 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Durkin, you have House Bill 4578. Out of the record. Representative Osterman, you have House Bill 5790. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5790, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5790 is an initiative of the Attorney General's Office and sets up a hazardous lead housing registry. Those homes that have been found by the Department of Public Health to have lead hazards in them will be put on this registry. Amendment 2, which was adopted yesterday, puts in protections that would ensure that the Department of Public Health would take off the registry those homes that have mitigated the problem and removed the lead. The goal of this legislation is to let the public know those homes that have the lead in there. We think this is a workable Bill. I'll remind people that Illinois is... more children poisoned every year through lead

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poisoning and we think this is an effective way to... one of the steps to counteract that. I'd ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'... Excuse me, Representative Bellock. Did you wish to speak on the Bill?"

Bellock: "Thank you very much, Mr. Speaker. Just to the Bill. I still have... I know, Representative Osterman, this Bill is very important to him and we discussed this a lot in Human Services. I still have concerns about creating data registries for people of their private homes being on a registry given to the government, even though I know the cause is good for lead... lead-based paint because that is so harmful to children. But it is a concern to me in creating a date... a data registry of people's homes being given to the government. Thank you."

Speaker Hannig: "Representative Osterman to close."

Osterman: "Thank you, Mr. Speaker. I appreciate the previous speaker's comments. I want to reiterate to the Body that the Illinois Realtors have no opposition to this Bill and IRMA has no position on this as well. They have other issues with our Bills, but I simply ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tryon, Schock, Cultra, Bost, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 106 voting 'yes' and 8

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voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jefferson, you have House Bill 5611. Do you wish us to read that Bill? Representative Jefferson, it's on Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5611, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Jefferson: "Thank you, Mr. Speaker, Members of the House. 5611 amends the state... establishes, subject to appropriation, a stipend program for teachers who agree to teach for five (5) years at hard-to-staff schools. I would answer questions. I ask for an 'aye' vote, please."

Speaker Hannig: "And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I just want to commend Representative Jefferson. I talked to him the other day. He had agreed to hold this Bill on Second Reading, pending an agreement with the IFT and the IEA. The Gentleman came over and told me that he has made a good faith effort to reach out. He has not been able to get the response, so I think he's made a good faith effort. He kept his promise about keeping the Bill on Second Reading. The Gentleman has kept his word and I think he's entitled to a vote on the Bill. Thank you very much, Representative."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote

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'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 74 voting 'yes' and 39 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rita, do you wish us to read House Bill 5308? Out of the record. Representative Smith on House Bill 4675. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4675, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker. This legislation would... applies to fire protection districts and only fire protection districts, but it would give them the same provision that fire departments have currently... municipal fire departments. This would increase the charge that the fire protection district can charge to a nonresident and this is for services that the fire protection district provides for nonresidents. It's a fee that they can already collect. This allows them to increase it if they would like. And I would point out that this is really protection for the taxpayers of the fire protection districts, because they're providing services for individuals who don't live within that district and already pay for those services as a taxpayer. This is an initiative of the Illinois Association of Fire Protection Districts and is an initiative of our own Fire Caucus as well. I know of no opposition. I'd be happy to answer any questions."

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Speaker Hannig: "And on that question, the Gentleman from Sangamon, Representative Poe."

Poe: "Yeah. Mr. Speaker, I'd like the record to reflect that on 5611 my switch was 'green'; I would prefer a 'no'. Thank you."

Speaker Hannig: "So, the record will reflect your intentions. Representative Graham."

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

Speaker Hannig: "Indicates he'll yield."

Graham: "Representative Smith, in my district sometimes people don't react to things that go on down here until we implement something. They normally don't call us when we're in debate sometimes and sometimes they call me after it's gone into law and then they raise holy hell about why didn't I do something. So, this question would be just for clarification. So, in towns like I have, like Berkley, Stone Park, North Lake, are you saying that if a fire department responded to an emergency in that community that was outside of those areas, they would charge those residents for coming to help them put their fire out? Is that how this works?"

Smith: "Representative, they have the authority to do that now. If it's a nonresident, they can do that if they determine that that nonresident was at fault or was... was the reason for their services. Now, this only applies to fire protection districts, so the communities you mentioned may have municipal departments which are not affected by this legislation."

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Graham: "Okay. So, what's a fire department protection district?"

Smith: "A fire protection district is a unit of local government. So generally they're in the areas where you wouldn't have a municipal department that's part of the city government. A fire protection district is a separate unit of government, a separate taxing body, governed by a board of trustees."

Graham: "So, would these... would this unit be responsible, let's say, for a wide area of space to cover? Are they... are they not assigned to a particular place? They just... they just move around and..."

Smith: "Typically, it's for an area maybe bigger than one community, one municipality. You know, downstate a fire protection district is usually for a rural area in addition to some small community."

Graham: "Okay. So, this..."

Smith: "But there are a lot of fire protection districts up your way, up in the suburban areas as well."

Graham: "Okay. Thank you."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. To the Bill. The prior speaker raised an excellent question there about if some of her fire departments responded. The situation I think she described would be mutual aid between fire departments and there would be no charge for that. This is if an individual causes a problem within one of our own fire district or departments, your department responds within your own jurisdiction, then they would be reimbursed. This

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is really to protect your own taxpayers so they'll be reimbursed. It does not apply to mutual aid where one department is going to help another department. That... and I think that's partially what the prior speaker was thinking of. An excellent question, but this is simply making sure that help... help really protect our own taxpayers and support our local fire departments. It does not change anything in terms of mutual aid where one fire department goes to help another fire department. Certainly, this is a Bill that I would urge everyone to support."

Speaker Hannig: "Representative Smith to close."

Smith: "Thank you, Mr. Speaker. I would simply ask for an 'aye' vote. This is to bring fire protection districts in line with municipal fire departments and what they're able to do and recover some of the costs that are involved in fighting fires for nonresidents. I'd ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schock, Reitz, Gordon. Mr. Clerk, take the record. On this question, there are 92 voting 'yes' and 21 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2769."

Clerk Mahoney: "House Bill 2769, a Bill for an Act concerning criminal law, is on the Order of House Bills-Third Reading."

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Speaker Hannig: "So, I'm advised, Representative, we need to move this back for the purpose of an Amendment. So, Mr. Clerk, return this to the Order of Second Reading. And are there any Amendments?"

Clerk Mahoney: "Floor Amendments 1 and 2 were adopted to the Bill. Floor Amendment #3, offered by Representative Molaro, has been approved for consideration."

Speaker Hannig: "Representative Molaro."

Molaro: "Floor Amendment 3 was strictly a technical Amendment that was offered by the State Police. It's, you know, one sentence compared to 25 pages. So, would ask for your support."

Speaker Hannig: "And on the Amendment, Representative Riley."

Riley: "This is not on the Amendment. I'd just... on the previous Bill, House Bill 2769, I inadvertently hit 'present'. I want to record voting 'yes' on that Bill."

Speaker Hannig: "So, the record will so reflect your intentions. And on the Amendment, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Younge, you have House Bill 4922. Do you wish us to read that Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4922, a Bill for an Act concerning community investments. Third Reading of this House Bill."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker, Members of the House. House Bill 4922 would establish a commission to develop community

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investment corporations. Amendment #1 limits the territory that this Bill would be effective in to the American Bottoms area of St. Clair County. The commission would study and come up with proposals that it would present to the General Assembly in reference to the development of community investment corporations."

Speaker Hannig: "The Lady moves for the passage of House Bill 4922. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Let me just thank Representative Younge for her long service to her area. I don't think anybody works any harder to represent her district than she does. I've been in a hearing or two in her district over the years and she certainly is faced with a number of challenges that she tries the very best she can to address. I also would like to say publicly, I have talked to her privately, I think it is absolutely horrendous what happened to her in her own home some three weeks ago, for anyone to hold Representative Wyvetter Younge at gunpoint and rob her of seven dollars (\$7) is... I was absolutely shocked, mortified, and horrified when I read that. I have talked with her. It would be a trauma for any of us to go through it, but I can't believe that someone would do that to her in her own district when she's worked so hard to represent that district. And I will just say this on the record, Representative, when they catch that individual, if I can testify or do anything, I will do the very best I can to make sure that gentleman... and I use the word advisedly...

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spends the maximum amount of time in prison. And I appreciate the fact that you've bounced from that and I appreciate the fact that you work so hard to represent your district."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Younge, you have House Bill 4935. Do you wish us to read that Bill as well? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4935, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Younge on House Bill 4935."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 4935 would increase the salaries of the trustees of the Commonfields of Cahokia Public Water District. The salary of the trustees now is two thousand dollars (\$2,000) and this would... a year and this would increase it to four thousand eight hundred (\$4,800) a year."

Speaker Hannig: "The Lady has moved for the passage of House Bill 4935. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 61 voting

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'yes' and 51 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Turner, did you wish us to read House Bill 2467? Representative Turner, 2467? No. Okay. Out of the record. Representative Durkin, you have House Bill 4578. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4578, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Hannig: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. House Bill 4578 is a... I believe is a good Bill that tracks what five (5) states in the United States are currently doing and that is to impose a... at least an obligation upon, information technology experts to report child pornography that they discover during the course of their employ. This Bill has been negotiated and has the support of Microsoft, AT&T, Verizon, the Illinois Telephone Association, Retail Merchants, Illinois Trial Lawyers Association. And I think it's a good Bill. I think it's consistent with what we do currently in the State of Illinois is under the state statutes right now, a person who processes film has an obligation to report child pornography if they discover it to local law enforcement. We have other reporting requirements that physicians and also people in the health care industry are required to report to law enforcement, that's gunshot victims and also any type of signs of abuse. So, I think this is consistent with, I think, good public policy and would entertain any questions."

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Speaker Hannig: "The Gentleman has moved for the passage of House Bill 4578. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson. Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Okay. Representative Black... Excuse me. Representative Beaubien, I believe you filed a Motion on page 33 of the Calendar. So, the Gentleman has moved to reconsider the vote by which House Bill 5152 failed. Is there leave to use the Attendance Roll Call? Okay. There's leave. Leave is granted and the Attendance Roll Call will be used and the Motion to reconsider prevails. All right. So, we're going to move to Second Reading for awhile. So, Representative... Representative Beaubien, you have House Bill 4836. All right. Out of the record. Representative Biggins on House Bill 4699. No. Out of the record. Representative Crespo on House Bill 4470. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4470, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendments 1, 2, and 3 were adopted in committee. Floor Amendment #4, offered by Representative Crespo, has been approved for consideration."

Speaker Hannig: "Representative Crespo on the Amendment."

Crespo: "Thank you, Speaker. The Amendment, what it does is combines, obviously, the first three (3) Amendments, 1

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through 3, it also addresses a technical issue. We filed the Amendments in reverse order. And also we put in a request by DCEO to change the frequency and methodology of their monitoring."

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

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

Speaker Hannig: "Third Reading. Representative Crespo, you have House Bill 5731. Do you wish us to read that? Out of the record. Mr. Clerk, let's return to House Bill 4836. Read the Bill, please."

Clerk Bolin: "House Bill 4836, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Beaubien, has been approved for consideration."

Speaker Hannig: "Representative Beaubien."

Beaubien: "Yes. Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill. It passed through committee unanimously and has no opposition on the Bill. Essentially, it's a change in the Insurance Code that clarifies what is currently an ambiguity. I'd like to go to Third Reading and we can discuss the Bill at that time in more detail. It's basically a technical change that clarifies the Insurance Code and there's no opposition."

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

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

Speaker Hannig: "Third Reading. Representative Rose, for what reason do you rise?"

Rose: "Mr. Speaker, are you familiar with the old phrase those in glass houses should not cast stones?"

Speaker Hannig: "I've heard that, Representative."

Rose: "Yesterday, Senator Hendon threw one heck of a stone at the hair of Representative Jack Franks. Now, Mr. Speaker, has anybody seen the suits that Senator Hendon wears? He's our Jack, leave him alone."

Speaker Hannig: "Representative Hassert has House Bill 2860. Out of the record. Representative Fritchey on House Bill 4844. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4844, a Bill for an Act concerning animals. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Fritchey, has been approved for consideration."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey on the Amendment."

Fritchey: "Thank you, Speaker. Just very briefly. This Amendment removes the opposition of the veterinarians and other than a technical change that DPR may want that we can do in the Senate, we know of no opposition. I request its adoption."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I appreciate very much the work you've done on this. And the Illinois Veterinary Medical... Medicine... easy for me to say... the vets no longer are in opposition to the Bill. Let me ask you one question, though, that a veterinarian asked me to ask you and that is, Did you ever hear of the Department of Professional Regulation on some of the concerns they may have had about this Bill or the Amendment?"

Fritchey: "There were two (2) prior Amendments to this legislation, one of which addressed a number of their concerns about having consistent enforcement schemes for their... for this legislation as we have for other laws on the books. They still do have a technical issue and, Representative, I have to tell you right now, what that issue was escapes me, but my understanding is that they are amenable to us addressing that over in the Senate."

Black: "Okay. Fine. And again, thank you for the work on this. You've done an excellent job of getting the parties together and I think we have an agreed Bill. Thank you."

Fritchey: "Thank you."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Fritchey, you also have House Bill 5518. Should we read that Bill? Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 5518, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Meyer, you have House Bill 4401. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4401, a Bill for an Act concerning health. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Meyer, has been approved for consideration."

Speaker Hannig: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker. The Amendment is very straightforward. It just adds in, at the request of Representative Jack Franks, McHenry County as being a county that could participate in the demonstration project that the underlying Bill provides for."

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

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

Speaker Hannig: "Third Reading. Representative Mulligan, you have House Bill 4822. Do you wish us to read this Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4822, a Bill for an Act concerning education. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Coulson, has been approved for consideration."

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Speaker Hannig: "Representative Coulson, did you wish to present the Amendment? Representative Mulligan, would you like to present it?"

Mulligan: "Yes."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Amendment #2 becomes the Bill and it keeps them intact with the majority of the original Bill. And then the Amendment reinserts language from that Bill and then it provides that the transition planning process for a student who has a disability must be conducted as part of the IEP process, which is consistent with Federal Law, and ensures that the student's transition plan is reviewed by the IEP team at least annually and revised as deemed necessary. It also restores a provision that was removed by the original Bill stating that a school district's responsibility for transition (sic-transition) services ends when the student's eligibility for special education ends due to age. And it adds a procedure that ensures accountability when the student's IEP team recommends transition services that are to be provided by the entity outside of the school district. Actually, I'd like to thank Representative Coulson for the work she's done on this. This is a really tough issue around the state and also Phil Milsk, who's a lobbyist, and they negotiated this with the state board and the Illinois Coalition of Citizens with Disabilities."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Bellock, for what reason do you rise?"

Bellock: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Hannig: "State your point."

Bellock: "I'd just like to ask all the Members of the General Assembly to look up into the balcony and welcome... we... along with a hun... a thousand (1,000) students here today, I have students from the gifted co-op of District 58 up in the Hinsdale-Clarendon Hills area and they've all come down today to advocate for gifted education in the State of Illinois. So, I'd like to welcome them. Thank you."

Speaker Hannig: "Representative Jakobsson, for what reason do you rise?"

Jakobsson: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Hannig: "State your point."

Jakobsson: "I'd like to also have the House give a great big welcome to another group of gifted students. This is the third and fourth grade class from Stratton, notice the name of that school, Stratton Elementary School in Champaign and they're in the balcony up here in back of us. See they're wearing these beautiful T-shirts. So, in case you can't see theirs, you can see this one. Give them a big, warm welcome, please."

Speaker Hannig: "Representative Pihos, you have House Bill 5189. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 5189, a Bill for an Act concerning property. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Pihos, has been approved for consideration."

Speaker Hannig: "Representative Pihos on the Amendment."

Pihos: "Yes. This Amendment has to do with townhome and condominium associations. And what this Amendment does it allows someone who bought a townhome or condominium under the conditions of being able to rent it, to continue to rent it if the rules change, but when they sell it, they have to come under the new townhome and condominium association rules."

Speaker Hannig: "All in favor of the Lady's Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Hoffman, you have House Bill 5157. Okay. Out of the record. Representative Jefferson on House Bill 5739. Out of the record. Representative Joyce on House Bill 4651. Out of the record. Representative Phelps on House Bill 5204. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5204, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Phelps, has been approved for consideration."

Speaker Hannig: "Representative Phelps."

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Phelps: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. This is some cleanup language to get some people off the opposition. I want to personally thank Representative Skip Saviano for his help with this Bill. This Amendment allows for more competition in the salvage vehicle business done in Illinois. Thirty-seven (37) other states do this. And I ask for its adoption."

Speaker Hannig: "All in favor of the Gentleman's Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Saviano on House Bill 5503. Out of the record. Representative McCarthy on House Bill 5200. Do you wish us to read this on Second? Out of the record. Representative Winters on House Bill 4771. Representative Winters, do you wish us to read this? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4771, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House... House Amendment 1 basically brings in compliance with the Federal Free and Reduced Lunch Act. It allows setting up a separate method of verifying household income that does not trigger any federal complications. Be happy to answer any questions."

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Speaker Hannig: "All in favor of the Gentleman's Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Saviano, you have House Bill 5503. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5503, a Bill for an Act concerning civil law. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 represents an agreement between the realtors, the department, and all other concerned parties. It was recommended for consideration this morning with no opposition. This makes the Bill an agreed Bill. And I would ask that Floor Amendment #2 be adopted to House Bill 5503."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. And Representative Saviano, you have House Bill 4762. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4762, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Reitz, you have House Bill 4789. Should we read that on Second? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4789, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative May, has been approved for consideration."

Speaker Hannig: "What's your pleasure, Representative Reitz?"

Reitz: "We don't want... sorry, we don't want... we would like to withdraw Floor Amendment #2."

Speaker Hannig: "So, are we on... So, did you wish... Mr. Clerk, what is the status of the Amendment? Let's clarify that."

Clerk Bolin: "Two Amendments have been approved for consideration. Floor Amendment #2, offered by Representative May and Floor Amendment #4, offered by Representative Reitz."

Speaker Hannig: "So, on Amendment #2, does the Lady wish to withdraw that? Okay. So, why don't we withdraw the Amendment. And Mr. Clerk, now let's proceed to Amendment #4. And Representative Reitz, you're recognized on the Amendment."

Reitz: "Thank you, Mr. Speaker. Amendment #4 becomes the Bill. It creates a task force on Radon Resistant Building Codes and clarifies some points that we had in the radon Bill that we passed last year on behalf of the home builders and the realtors. And I'd be happy to answer any questions."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Jakobsson, you have House Bill 2692. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2692, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "So, Representative, there's an Amendment that's pending. Do you wish to hold your Bill on Second? Representative Jakobsson."

Jakobsson: "Yes. I'd like to have the Amendment adopted."

Speaker Hannig: "The Amendment's still in Rules. I'm sorry. It's in Executive. So, you'll have to come back to it."

Jakobsson: "All right."

Speaker Hannig: "So, why don't we take it out of the record? Representative Brady on House Bill 5278. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5278, a Bill for an Act concerning election officials. This Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Chapa LaVia on House Bill 4927. Representative, do you wish us to read this Bill? No. Out of the record. Representative Flider on House Bill 4634. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4634, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. And Representative Flider on House Bill 5086, 5086. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5086, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Flider, has been approved for consideration."

Speaker Hannig: "Representative Flider."

Flider: "Yes. Thank you, Mr. Speaker. Amendment #1 represents an agreement between the utilities and AARP. This is an AARP Bill. And it pertains to summer shutoff policies. And ask for your 'aye'... 'aye' vote."

Speaker Hannig: "All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Hernandez, you have House Bill 5227. Representative Hernandez. Representative Hernandez, do you wish us to read this Bill? Shall we read this on Second? Second to Third? No. Out of the record. Representative Munson on House Bill 5956. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5956, a Bill for an Act making appropriations. Second Reading of this House Bill. Correction. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Third Reading. Representative Jakobsson on House Bill 4903. Do you wish us to read this Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4903, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jakobsson, has been approved for consideration."

Speaker Hannig: "Representative Jakobsson on the Amendment."

Jakobsson: "Thank you, Mr. Speaker. House Amendment #2 to 4903 becomes the Bill. Through the Amendment, the Bill seeks to reduce college textbook costs for students by requiring publishers to make certain information available to faculty selecting textbooks and by requiring publishers to make textbooks available for purchase in bundled and unbundled format."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Rose, you have House Bill 5912. Representative Rose, 5912. Out of the record. Representative Reboletti on House Bill 2861. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2861, a Bill for an Act concerning criminal law. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Reboletti, has been approved for consideration."

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Speaker Hannig: "Representative Reboletti on the Amendment."

Reboletti: "Thank you, Mr. Speaker. The Amendment will become the Bill. This is a... another gun Bill dealing with strawman purchases which would make any type of passing along of a firearm, somebody else uses it in a forcible felony, a Class X."

Speaker Hannig: "All in favor of the Amendment say 'aye'... Excuse me. Representative Osterman, did you wish to speak on the Amendment?"

Osterman: "Just an inquiry of the Sponsor. And that is that, are you not going to be happy if get... unless you get the... every Member of the Body to vote for the Bill?"

Reboletti: "I would welcome any support, Representative."

Osterman: "Because I would trade your Roll Call that you were concerned about with the Roll Call I had yesterday, so I just was curious if it was all or nothing or, you know, you'll settle for 60."

Reboletti: "We'll settle for whatever it takes, Representative, to pass the Bill, but I appreciate it."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amend... no further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Reboletti on House Bill 2916. Out of the record. Representative Miller on House Bill 5213. Representative Miller. Out of the record. Representative Tracy on House Bill 4841. Yes. Second to Third? Out of the record. Representative

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Nekritz on House Bill 5128. Representative Nekritz, read this on Second? Out of the record. Representative Ryg on House Bill 5120. Shall we read it on Second? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5120, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ryg, has been approved for consideration."

Speaker Hannig: "Representative Ryg on the Amendment."

Ryg: "Thank you, Mr. Speaker. I'd move to table Amendment #1."

Speaker Hannig: "So, the Lady withdraws Amendment #1. Mr. Clerk, are there any further Amendments?"

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

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

Clerk Bolin: "House Joint Resolution 128, offered by Representative Currie."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, April 17, 2008, the House of Representatives stands adjourned until Monday, April 21, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Thursday, April 24, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, April 29, 2008, at 1:00 p.m.; and the Senate stands adjourned until Thursday, April 17, 2008, and when it adjourns on that day, it stands

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adjourned until Wednesday, April 23, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, April 29, 2008, at 12:00 noon."

Speaker Hannig: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Adjournment Resolution is adopted. Mr. Clerk, read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1203, offered by Representative Pihos. House Resolution 1204, offered by Representative Hernandez. House Resolution 1205, offered by Representative Black. House Resolution 1206, offered by Representative Jerry Mitchell. House Resolution 1208, offered by Representative Lyons. House Resolution 1209, offered by Representative Cross. House Resolution 1210, offered by Representative Fortner. And House Resolution 1212, offered by Representative Black."

Speaker Hannig: "Representative Lang moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are adopted. Are there any announcements before we adjourn? Then allowing perfunctory time for the Clerk, Representative Lang moves that the House adjourn until Tuesday, April 29 at the hour of 1 p.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted. The House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and referral to the House Committee on Rules, is House Resolution 1207, offered by Representative Bost.

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House Joint Resolution 127, offered by Representative Schock and House Joint Resolution 129, offered by Representative Colvin. House Joint Resolution Constitutional Amendment 44, Second Reading of this House Joint Resolution Constitutional Amendment.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Sections 2 and 3 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the Senate, by resolution, shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State.

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- (b) In 2012 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years.
- (c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.
- (d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.
- (e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

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No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Legislative Districts shall be compact, be contiguous, be substantially equal in population, reflect minority voting strengths, and consider political boundaries. Representative Districts shall be compact, be contiguous, be substantially equal in population, reflect minority voting strengths, and consider political boundaries. A Representative District need not be entirely within a single Legislative District.

(b) In the year following each Federal decennial census year, the Senate, by resolution adopted by a record vote of three-fifths of the members elected, shall redistrict the Legislative Districts, and the House of Representatives, by resolution adopted by a record vote of three-fifths of the members elected, shall redistrict the Representative Districts. An adopted redistricting resolution shall be filed with the Secretary of State by the presiding officer of the house that adopted the resolution. Each house shall file an adopted resolution not later than June 30.

(c) A Legislative District Redistricting Commission shall be constituted by April 1 of the year following each Federal decennial census year. The Commission shall consist of four members, no more than two of whom shall be members of the same political party.

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The President and Minority Leader of the Senate shall each appoint two persons to the Commission.

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission. The Commission may hold public hearings and collect information regarding the redistricting of Legislative Districts.

If the Senate has failed to file a redistricting resolution with the Secretary of State by June 30, the Commission, by resolution adopted by record vote of at least three Commissioners, shall redistrict the Legislative Districts.

Not later than July 31, the Commission shall file an adopted resolution with the Secretary of State. If the Commission fails to file an adopted resolution by July 31, the Chief Justice of the Supreme Court and a Supreme Court Judge selected by the Supreme Court Judges from a political party other than the political party of the Chief Justice shall jointly appoint one person to act as Special Master to redistrict the Legislative Districts, who may not be the same person appointed Special Master under subsection (d). The Special Master shall be appointed and certified to the Secretary of State not later than August 10. The Special Master shall file a redistricting map of the Legislative Districts with the Secretary of State not later than September 5.

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(d) A Representative District Redistricting Commission shall be constituted by April 1 of the year following each Federal decennial census year. The Commission shall consist of four members, no more than two of whom shall be members of the same political party.

The Speaker and Minority Leader of the House of Representatives shall each appoint two persons to the Commission.

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission. The Commission may hold public hearings and collect information regarding the redistricting of Representative Districts.

If the House of Representatives has failed to file a redistricting resolution with the Secretary of State by June 30, the Commission, by resolution adopted by record vote of at least three Commissioners, shall redistrict the Representative Districts.

Not later than July 31, the Commission shall file an adopted resolution with the Secretary of State. If the Commission fails to file an adopted resolution by July 31, the Chief Justice of the Supreme Court and a Supreme Court Judge selected by the Supreme Court Judges from a political party other than the political party of the Chief Justice shall jointly appoint one person to act as Special Master to redistrict the Representative Districts, who may not be

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the same person appointed Special Master under subsection (c). The Special Master shall be appointed and certified to the Secretary of State not later than August 10. The Special Master shall file a redistricting map of the Representative Districts with the Secretary of State not later than September 5.

(e) A redistricting resolution or redistricting map filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

SCHEDULE

The State Board of Elections shall proceed, as soon as all the returns are received but no later than 31 days after the election, to canvass the votes given for and against this Constitutional Amendment, as shown by the abstracts of votes cast. If this Constitutional Amendment is approved by either three-fifths of those voting on the question or a majority of those voting in the election, then the State Board of Elections shall declare the adoption of this Constitutional Amendment and it shall, upon declaration of its adoption, take effect and become a part of the Constitution of this State. This Schedule supersedes and applies notwithstanding any statute to the contrary, and no other requirements, including without limitation proclamation of the results of the vote or notice by

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publication, are necessary for its effectiveness. This Constitutional Amendment applies to redistricting beginning in 2011 and to the election of members of the General Assembly beginning in 2012. This is the Second Reading of House Joint Resolution Constitutional Amendment 44."

Clerk Bolin: "Introduction and First Reading of House Joint Resolution Constitutional Amendment #45, offered by Representative Cross.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Sections 2 and 3 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the Senate, by resolution, shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Legislative Districts

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in each group shall be distributed substantially equally over the State.

(b) In 2012 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other

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governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Legislative Districts shall be compact, be contiguous, be substantially equal in population, reflect minority voting strengths in compliance with all federal voting laws, and consider communities of interest. Representative Districts shall be compact, be contiguous, be substantially equal in population, reflect minority voting strengths in compliance with all federal voting laws, and consider communities of interest. A Representative District need not be entirely within a single Legislative District.

(b) By April 1 of the year following each Federal decennial census year, the State Board of Elections, by a record vote of a majority of the total number of members authorized by law as provided in Section 5 of Article III, shall designate a computer program for redistricting that meets the requirements of this Section. The designation shall include detailed specifications of the computer program. The Special Masters must use this computer program to produce redistricting maps.

Any computer program designated by the State Board of Elections under this Section shall embody the standards and

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criteria, as defined by Common Law, as set forth in subsection (a) of this Section.

Any computer program designated by the State Board of Elections under this Section shall not consider the following data:

- (1) residency of incumbent legislators;
- (2) political affiliations of registered voters;
- (3) previous election results; and
- (4) demographic information not required to be used by this Section or by the United States Constitution or federal law.

Except as specified in this Section, the computer program shall produce districts in a random manner.

(c) In the year following each Federal decennial census year, the Senate, by resolution adopted by a record vote of two-thirds of the members elected, shall redistrict the Legislative Districts, and the House of Representatives, by resolution adopted by a record vote of two-thirds of the members elected, shall redistrict the Representative Districts. An adopted redistricting resolution shall be filed with the Secretary of State by the presiding officer of the house that adopted the resolution. Each house shall file an adopted resolution not later than June 30.

(d) A Legislative District Redistricting Commission shall be constituted by April 1 of the year following each Federal decennial census year. The Commission shall consist of four members, no more than two of whom shall be members of the same political party.

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The President and Minority Leader of the Senate shall each appoint two persons to the Commission.

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission. The Commission may hold public hearings and collect information regarding the redistricting of Legislative Districts.

If the Senate has failed to file a redistricting resolution with the Secretary of State by June 30, the Commission, by resolution adopted by record vote of at least three Commissioners, shall redistrict the Legislative Districts.

Not later than July 31, the Commission shall file an adopted resolution with the Secretary of State. If the Commission fails to file an adopted resolution by July 31, the Chief Justice of the Supreme Court and a Supreme Court Judge selected by the Supreme Court Judges from a political party other than the political party of the Chief Justice shall jointly appoint one person to act as Special Master to redistrict the Legislative Districts, who may not be the same person appointed Special Master under subsection (e). A Special Master must be a retired federal judge who has not held a partisan elected office within the past five years. The Special Master shall be appointed and certified to the Secretary of State not later than August 10. The Special Master shall file a redistricting map of the

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Legislative Districts with the Secretary of State not later than September 5.

(e) A Representative District Redistricting Commission shall be constituted by April 1 of the year following each Federal decennial census year. The Commission shall consist of four members, no more than two of whom shall be members of the same political party.

The Speaker and Minority Leader of the House of Representatives shall each appoint two persons to the Commission.

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission. The Commission may hold public hearings and collect information regarding the redistricting of Representative Districts.

If the House of Representatives has failed to file a redistricting resolution with the Secretary of State by June 30, the Commission, by resolution adopted by record vote of at least three Commissioners, shall redistrict the Representative Districts.

Not later than July 31, the Commission shall file an adopted resolution with the Secretary of State. If the Commission fails to file an adopted resolution by July 31, the Chief Justice of the Supreme Court and a Supreme Court Judge selected by the Supreme Court Judges from a political party other than the political party of the Chief Justice

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shall jointly appoint one person to act as Special Master to redistrict the Representative Districts, who may not be the same person appointed Special Master under subsection (d). A Special Master must be a retired federal judge who has not held a partisan elected office within the past five years. The Special Master shall be appointed and certified to the Secretary of State not later than August 10. The Special Master shall file a redistricting map of the Representative Districts with the Secretary of State not later than September 5.

(f) A redistricting resolution or redistricting map filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General, but the jurisdiction of the Supreme Court is limited to compelling the discharge of duties and responsibilities set forth in this Section.

SCHEDULE

The State Board of Elections shall proceed, as soon as all the returns are received but no later than 31 days after the election, to canvass the votes given for and against this Constitutional Amendment, as shown by the abstracts of votes cast. If this Constitutional Amendment is approved by either three-fifths of those voting on the question or a majority of those voting in the election, then the State

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Board of Elections shall declare the adoption of this Constitutional Amendment and it shall, upon declaration of its adoption, take effect and become a part of the Constitution of this State. This Schedule supersedes and applies notwithstanding any statute to the contrary, and no other requirements, including without limitation proclamation of the results of the vote or notice by publication, are necessary for its effectiveness. This Constitutional Amendment applies to redistricting beginning in 2011 and to the election of members of the General Assembly beginning in 2012. This has been the First Reading in full of House Joint Resolution Constitutional Amendment 45, offered by Representative Cross. Introduction of Resolutions. Senate Joint Resolution 77, offered by Representative Reis. This Resolution is referred to the Rules Committee. Introduction and First Reading of House Bills. House Bill 6334, offered by Representative Dugan, a Bill for an Act concerning appropriations. House Bill 6335, offered by Representative Yarbrough, a Bill for an Act concerning appropriations. First Reading of these House Bills. Introduction and First Reading of Senate Bills. Senate Bill 786, offered by Representative Miller, a Bill for an Act concerning finance. Senate Bill 848, offered by Representative Stephens, a Bill for an Act concerning education. Senate Bill 885, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 993, offered by Representative D'Amico, a Bill for an Act concerning transportation. Senate Bill 1938, offered by Representative Golar, a Bill for an Act concerning

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public aid. Senate Bill 1958, offered by Representative Eddy, a Bill for an Act concerning public employee benefits. Senate Bill 1959, offered by Representative Holbrook, a Bill for an Act concerning public employee benefits. Senate Bill 1960, offered by Representative Eddy, a Bill for an Act concerning public employee benefits. Senate Bill 1985, offered by Representative Molaro, a Bill for an Act concerning public employee benefits. Senate Bill 202 (sic 2002), offered by Representative Mautino, a Bill for an Act concerning government. Senate Bill 2033, offered by Representative Leitch, a Bill for an Act concerning local government. Senate Bill 2052, offered by Representative Beiser, a Bill for an Act concerning local government. Senate Bill 2085, offered by Representative Hamos, a Bill for an Act concerning local government. Senate Bill 2112, offered by Representative Moffitt, a Bill for an Act concerning public aid. Senate Bill 2113, offered by Representative Mathias, a Bill for an Act concerning State government. Senate Bill 2118, offered by Representative Turner, a Bill for an Act concerning courts. Senate Bill 2148, offered by Representative Flider, a Bill for an Act concerning revenue. Senate Bill 2232, offered by Representative Fritchey, a Bill for an Act concerning civil law. Senate Bill 2254, offered by Representative Wait, a Bill for an Act concerning criminal law. Senate Bill 2256, offered by Representative Fritchey, a Bill for an Act concerning human rights. Senate Bill 2275, offered by Representative Turner, a Bill for an Act in relation to minors. Senate

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Bill 2293, offered by Representative Chapa LaVia, a Bill for an Act concerning education. Senate Bill 2332, offered by Representative Dunkin, a Bill for an Act concerning State government. Senate Bill 2348, offered by Representative Hernandez, a Bill for an Act concerning public aid. Senate Bill 2349, offered by Representative Berrios, a Bill for an Act concerning criminal law, which may be referred to as the Child Protection Act of 2008. Senate Bill 2354, offered by Representative Hamos, a Bill for an Act concerning courts. Senate Bill 2362, offered by Representative Saviano, a Bill for an Act concerning public employee benefits. Senate Bill 2396, offered by Representative Froehlich, a Bill for an Act concerning transportation. Senate Bill 2399, offered by Representative Ryg, a Bill for an Act concerning health. Senate Bill 2431, offered by Representative Osmond, a Bill for an Act concerning safety. Senate Bill 2482, offered by Representative Eddy, a Bill for an Act concerning education. Senate Bill 2513, offered by Representative Lyons, a Bill for an Act concerning regulation. Senate Bill 2636, offered by Representative Osterman, a Bill for an Act concerning property. Senate Bill 2640, offered by Representative Verschoore, a Bill for an Act concerning government. Senate Bill 2677, offered by Representative Riley, a Bill for an Act concerning local government. Senate Bill 2678, offered by Representative Chapa LaVia, a Bill for an Act concerning local government. Senate Bill 2679, offered by Representative McCarthy, a Bill for an Act concerning local government. Senate Bill 2686, offered by

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Representative Flider, a Bill for an Act concerning education. Senate Bill 2687, offered by Representative Mitchell, Jerry, a Bill for an Act concerning education. Senate Bill 2689, offered by Representative Pihos, a Bill for an Act concerning education. Senate Bill 2696, offered by Representative Hamos, a Bill for an Act concerning regulation. Senate Bill 2707, offered by Representative Yarbrough, a Bill for an Act concerning health. Senate Bill 2718, offered by Representative Gordon, a Bill for an Act concerning criminal law. Senate Bill 2721, offered by Representative Graham, a Bill for an Act concerning civil law. Senate Bill 2722, offered by Representative Lang, a Bill for an Act concerning civil law. Senate Bill 2725, offered by Representative Fritchey, a Bill for an Act concerning civil law. Senate Bill 2734, offered by Representative Riley, a Bill for an Act concerning public health. Senate Bill 2743, offered by Representative Chapa LaVia, a Bill for an Act concerning local government. Senate Bill 2749, offered by Representative Moffitt, a Bill for an Act concerning local government. Senate Bill 2760, offered by Representative Burke, a Bill for an Act concerning regulation. Senate Bill 2784, offered by Representative Hoffman, a Bill for an Act concerning civil law. Senate Bill 2820, offered by Representative Crespo, a Bill for an Act concerning revenue, which may be cited as the Homestead Assessment Transparency Act. Senate Bill 2824, offered by Representative Franks, a Bill for an Act concerning local government. Senate Bill 2825, offered by Representative Yarbrough, a Bill for an Act concerning

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criminal law. First Reading of these Senate Bills. Having no further business, the House Perfunctory Session will stand adjourned until the House reconvenes in Perfunctory Session on Monday, April 21."