

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

259th Legislative Day

5/1/2008

Speaker Hannig: "The hour of 10:30 having arrived, the House will be in order. Members will be in their seats. Members and guests are asked to refrain from starting their laptops. Turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Ritch Boerckle, who is the pastor of Bethany Baptist Church in Peoria. Reverend Boerckle is the guest of Representative Schock."

Reverend Boerckle: "Let's pray together. Gracious heavenly Father, we... we need Your blessing today and we ask for it. We pray to You this morning that You've created for us for Your glory, that we might know You, that we might enjoy You forever and ever. In Your power You establish human government. You set human authorities and their positions for Your sovereign purposes. And I pray for these Representatives today that each would acknowledge that they are Your servants to do good. Bless each one with grace to love truth and righteousness, with wisdom to make decisions that promote liberty and justice for all. And Father, turn our hearts from our pride and from self-seeking. Lord, this morning we also consider the brevity of our mortal lives so that we may care for our own souls by seeking You as Savior to forgive us our sins and provide us with spiritual life. We know that this world is quickly passing away and we're moving toward a day of reckoning before You. Lord, assist us to set our priorities with eternity in view and help us to know the awfulness of our own sin that we might turn to You and repent and seek You today. Lord, in this, we ask that You make our lives fruitful and useful.

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

259th Legislative Day

5/1/2008

And help us to make the most of today's opportunities to advance the health of our souls and our families, our state and our nation. Lord, I thank You for demonstrating Your love for us all. And that this while we're still sinners, You sent Your Son to die for us. It's in Jesus' name I pray, Amen."

Speaker Hannig: "Representative... Representative Lindner, will you lead us in the Pledge."

Lindner - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Hannig: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Dugan, Gordon, Scully, Soto, Washington and Rich Bradley are excused today."

Speaker Hannig: "And Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives McAuliffe, Tracy, and Watson are excused today."

Speaker Hannig: "Mr. Clerk, take the record. There are 108 Members answering the Roll Call; a quorum is present. Representative Will Davis, for what reason do you rise?"

Davis, Will: "Point of personal privilege."

Speaker Hannig: "State your point."

Davis, Will: "Ladies and Gentlemen, if you will please... if I can please have your attention. I want to acknowledge that on tomorrow, May 2, my seatmate Deborah Graham will be

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

259th Legislative Day

5/1/2008

celebrating a birthday. I believe she's going to be 21 tomorrow. Thanks to Representative Raymond Poe, there is cake in the back in Skip Saviano's office, so please come and enjoy some cake. Thank you and happy birthday to Deborah Graham."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you. Also on a note of personal privilege, I would like to introduce a really wonderful class: Mr. Clemenz' class from New Trier High School. And when I met with them last week in preparation for their trip to Springfield, I thought the most challenging question I received from one of the young women was, Why is Illinois 51st in the funding for disabled services?. Please give them a warm welcome. Mr. Clemenz' class."

Speaker Hannig: "Representative Coulson, I'm advised that you have a House Resolution 1167 on page 28 of the Calendar."

Coulson: "Yes, a... Mr. Speaker, along with Representative Hamos, I wanted to also say hello to Mr. Clemenz' class. But I also have the reso... Resolution 1167 that congratulates the faculty, staff, and students of Glenbrook South High School on being named the national GRAMMY Signature School. This is a really exciting award. It's the only GRAMMY to any school in the nation on their band, choir, and orchestra work that they do. They are absolutely fabulous. I wish I could've brought some of them down to sing and play instruments, but they're all in school. So, I a... look forward to... and you don't want me to sing. I look forward to passing the Resolution."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. There was an omission on the excused absences and that would include Representative Patterson."

Speaker Hannig: "The record will so reflect. And Mr. Clerk, read the Committee Reports."

Clerk Bolin: "Committee Reports. Representative Lang, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measure/s was/were referred, action taken on May 01, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 2094. Representative Osterman, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on May 01, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #4 to House Bill 5319."

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

Black: "Mr. Speaker, with your permission, I would like to a... raise a point of personal interest to me."

Speaker Hannig: "Absolutely, Representative."

Black: "Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, two (2) weeks ago I had filed a Motion to Discharge House Bill 6318 a... which did not prevail. I know you're all shocked and appalled as I am."

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

259th Legislative Day

5/1/2008

House Bill 6318 would simply have allowed the State of Illinois to suspend the state's sales tax on gasoline and diesel from May 1, today, through September 15 of 2008. The Majority Party decided that they did not want to do that, and that's fine, I respect your opinion. But I wish some of you would realize that by voting for a discharge Motion, you're not voting for the Bill. You're just allowing this concept to be debated. And I think in this time of record high gasoline and diesel prices, we need to debate any issue that we possibly can that might give working men and women and independent truckers some relief from the record high motor fuel prices that they are paying. Ladies and Gentlemen, the price for a gallon of unleaded gasoline, as we stand here today, in the City of Chicago is \$4.09 a gallon. The average price in Illinois has climbed now above \$3.60 a gallon. This is putting real pain on working men and women, families trying to get to work, students trying to commit... commute to school, truckers trying to deliver food and fiber and other products to their customers. And as a result of these fuel prices, everything else is going up. Milk at 3.77 a gallon, going higher; bread, at a record price in supermarkets; eggs have climbed 45% since February. This is impacting our economy. We can't regulate the price; the Supreme Court has said that we can't do that. What we could do is to suspend the sales tax for a period of time. My Bill called for a regular audit. People are smart enough to figure out what that sales tax would cost them and whether or not they were being granted that relief. I

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

259th Legislative Day

5/1/2008

won't file a Motion to Discharge today. I'm not going to waste your time. I know what the outcome would be. But Ladies and Gentlemen of the House, the presumptive nominee of the Republican Party, John McCain, has called for a suspension of the Federal Gasoline Gallonage Tax and yesterday Senator Hillary Clinton joined him in that call, for the summer months. If they can get something done, and I don't know that they will, but at least two (2) of the a... a prime candidates for President from the Republican and Democrat Party are calling for relief at the federal level, why do you not even let us debate the issue at the state level? I think we're making a mistake by not debating the issue. I know there are economic theories and reasons as to why we shouldn't do it. I understand that. But economic theory doesn't put gasoline in a working man or woman's gasoline tank in my district. It doesn't help a college student commute to his or her campus. Last, but not least, if you won't join many of us on this side of the aisle in trying to do something about record high fuel prices, I would simply ask, Mr. Speaker, that in the near future, if not today, show me the Democrat plan. Where is your plan to give people needed and necessary and vital relief from record high fuel prices that are ravaging their economy, their ability to keep food on the table, their ability to keep gas in the tank to get to work. If you don't like House Bill 6318 and you won't let us debate it, then show me your plan."

Speaker Hannig: "Representative D'Amico."

D'Amico: "Point of personal privilege."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "State your point."

D'Amico: "Thank you, Mr. Speaker. Up here in the gallery to my right I have the eighth grade graduating class of Edgebrook School. I'd like everyone to give 'em a big round of applause. Welcome."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. I'd like to continue on the subject that Representative Black just brought up."

Speaker Hannig: "Proceed."

Bost: "You know, right now in Illinois, consumers are paying the fourth highest gas tax in the nation. Listen to that. We're fourth in the nation. Our families, if they just go across the border into Kentucky, Tennessee, Wisconsin, can save all kinds of money while every time they fuel their tank. Right now in Anna, just south in my district, a person can go across into Cape Girardo and gas is 56... 54.6 cents... The tax is 54.6 cents per gallon and only 36 cents in Cape. That difference is a tremendous difference to the working families of the State of Illinois. Ladies and Gentlemen, you know, Mr. Speaker, Mr. Speaker, I know this... this probably isn't too important to a lot of people here by the way it... way it looks. I'm sitting here explaining to everyone on the floor the concerns that our people are having in our districts, and I'm pretty sure it's happening in yours, too. This high cost of fuel is ridiculous. We have an opportunity here in the State of Illinois to stop just, just the sales tax portion. We could actually save our families five and six dollars (\$5 and \$6) every time they go and fuel up their vehicles. I guess the working

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

259th Legislative Day

5/1/2008

men and women of the State of Illinois aren't important to you and that's why you're not paying attention. Mr. Speaker, look at the people in this House. We're trying to talk about real concerns and you don't care. You don't care. People are paying so much at the pump, and I'm sitting here trying to explain to you the problems we're facing, and you just keep looking away. Do these people up here not matter? Do the people back in your districts not matter? Do you not hear them screaming for help? We've got a proposal, a proposal that's out there. All you have to do is join with us. We can give relief of as much as 17 cents a gallon with the price of fuel right now. Truck drivers that come through this state don't even stop in this state, and our own trucking companies are going out. Why? Because we continue to grab'em by the throat. Folks, this isn't just an act; this is real. These are people's lives. Why is it you just sit here day after day when we try to explain to you the problems, and all you're doing is going, oh, never mind. We'll wait on that Bill to come over from the Senate on recall, and then we'll worry about whether we're going home. Well, I want to know what you're going to do when you go home and tell your people that you just didn't care about the fact you could've saved them \$5.00 per... for each time they fill up their tank. You ought to be ashamed that you're not calling the Bill."

Speaker Hannig: "Representative Stephens."

Stephens: "I noticed several Democrat staff mocking my colleague, Representative Bost. That's embarrassing. The Speaker should be embarrassed. You wonder why Mike is so

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

259th Legislative Day

5/1/2008

upset and why many of us speaking on behalf of people who just don't understand why if government officials continue to say they really care about you, really want to help you, we really feel your pain. And those very leaders, as a matter of fact, the chairman of the Democratic Party of the State of Illinois said yesterday, 'Well, you know what? We could use that money in our budget. If we gave it back to the hard working men and women of Illinois, well, it would be harder for us to balance our budget.' We're asking for a few dollars out of every tank of gas to remain in the pocketbooks and the wallets of the men and women of the State of Illinois; men and women who are having a hard time affording to be able to drive their vehicle to work. We're asking for a reasonable amount of money to be... remain in their pockets for these few months over the summer. This isn't about energy policy. This is about pocket book policy, and Democrats across the state should be embarrassed and ashamed. You say you're for the working men and women, and when given a chance to give them just a small little break over summer, you turn your backs on those very people. You should be embarrassed."

Speaker Hannig: "Representative Graham."

Graham: "Thank you, Mr. Speaker. Thanks to former Representative Robin Kelly for the birthday cake and Representative Raymond Poe. But it's just not regular cake; you guys need to understand that. It's butter cake. So, if you want some butter cake. I don't want to have to take it home with me, so help me eat the butter cake. It's in the back in Saviano's area, but so... I just want you to

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

259th Legislative Day

5/1/2008

understand it's just not regular cake, it's butter cake.
Thank you."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker. I just want to weigh in on some of the comments here. I'm neither ashamed nor embarrassed of our actions of not considering this matter. Like many of you, I was here when we suspended the sale... gas sales tax several years ago under the Ryan administration. And I know that when we did it then, gas prices did not go down. There was a negligible drop that maybe lasted a week or so and that was it. The effect of rolling back the sales tax right now is not just one that would have an adverse impact on our budget. It simply on... ironic that on a day when Exxon reported record profits again, I believe of about 10 billion dollars (10,000,000,000) in the first quarter, that the Republicans are advocating that we roll back the sales tax. Their prices are gonna stay the same; their profits are going to go up. We're not helping anybody but the oil companies right now. So, if you... if you want sit here and you want to demagogue on this issue, you want to try to make political points by saying that you want to help people, you can do that. But don't try to lay the blame on us. We have nothing to be ashamed for right now. And we're not going to be engaged in pandering on an issue, which sounds really good, and it does sound good. We want to help people. Here, none of us like paying 70, 80, 100 dollars (\$70, \$80, \$100) to fill up a gas tank. But a temporary roll back of the sales tax for political expediency, going into a campaign season, is not the

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

259th Legislative Day

5/1/2008

answer. That's not offering people hope; that's offering them false hope. And we're not going to be a part of it. Thank you."

Speaker Hannig: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's very interesting to listen to the different points of view here on the House Floor. And the last speaker a... well, the last couple speakers, a... we've been invited to eat cake. I think the last time somebody invited someone to eat cake, there was a French Revolution or something like that. The last speaker talked about pandering. Well, I rise on this House Floor, and probably somewhat in a unique position, because I'm not pandering to anybody. I'm not running for reelection. But I do know that the people of my district are hurting. I have people in my district that complain to me all the time about the cost of... of... of gasoline, of natural gas that they use to heat their homes, the cost of electricity, and all those things are very, very much an impact on their pocketbook. We have a Congress that is dysfunctional in refusing to address the energy policy of this country. We need to have honest debate. Debate is where we reach understanding; debate is where we solve problems. We are not getting that debate at the federal level, and now we're not getting that debate at the state level. To me, that points out the fact that we have government at all levels that is at the present time very dysfunctional. When you're talking about increasing the price at the pump, increasing the price for jet fuel, you're talking about impacting the economy of

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

259th Legislative Day

5/1/2008

this country. And whatever we can do, for however much, to increase the ability of the economy of this country to function in a manner that produces jobs, I would think would make a lot of sense to all of us. Now, I know the people in both sides of the aisle here. Everyone down here is a good person. I can't name anybody that doesn't belong down here. But to turn our backs on the people that want to have jobs in this state, to turn our backs on the people that want to be able to afford more than just to fill up their gas, and now I'm being to... I read in the newspapers, reports that people are going without breakfast so that dad can go to work everyday and fill up the gas in his car. I think it's just unconscionable that we some way don't find a way to come together to make certain that the economy of our... our state, the economy of our country, the people of our state, the people of our country can afford to live where they... where they do now. We're going to be down here for the next few days to talk about recall. We're waiting on the Senate to do their job, and we've been all alerted to the... that we're probably going to be here through Saturday or Sunday. It's seems to me that we ought to release the Bill that we're speaking of and debate it, at least discuss it. We don't all have to agree. But let's do the work of the people and talk about it at least. They're asking for some type of action. We all appear before them every two (2) years and say, elect me. I want to represent you. I don't care what district you're from, whether it's a Democratic district or Republican district or one that can go either way. The point is that

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

259th Legislative Day

5/1/2008

the people in those districts have the same problem, and it doesn't help them to live their life to their fullest if we don't deal with the issues that can affect their lives positively. I just ask that we all a... join together in talking about what we can do to help the economy of this state, to help the people of this state, to live their lives a... in, a better manner by being able to afford it. Thank you."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I stand as one who represents a... eight (8) counties in Illinois, and a majority of those counties are on the border about 120 miles on the eastern side of the state, between Indiana and Illinois. And I can tell you that many of the folks that would normally purchase gasoline in our state are not doing it because it's very easy to cross the border and go into Indiana and purchase gasoline. But while they're there, they purchase clothing and food. They go to restaurants and they spend money that could very easily be spent in our... our side of the border. But they're not doing it, and we have within our power a way to attract those folks back to this side of the border. Now, there's been a lot of talk about problems with this proposal, why it doesn't make sense. Here's my question, unless and until you're willing to debate those items on the floor with a Bill in front of ya, how can you make this statement? How can you say that there are reasons not to vote for something that we don't even get a chance to vote on? Representative Black's Motion is to discharge a Bill

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

259th Legislative Day

5/1/2008

to the House Floor so that we can debate the issue. There are capable people on the other side of the aisle that have opposite opinions on this, that they think it's a bad idea, that somehow lowering the price of gasoline for people who are paying over \$4.00 a gallon is bad public policy. Defend that public policy in a debate. But do it when the Bill is on the floor. Allow us to do our job; vote the Bill up or down. It's easy to make statements about what's wrong with a proposal. It's easy. Get the Bill out here, let us vote on it, debate it, tell us what's wrong with the proposal. And for Pete's sake, if it's not a good proposal, come up with one of your own that makes sense, because people are paying over \$4.00 a gallon for gasoline. This isn't a partisan issue. I don't think Democrats buy gasoline or Republicans buy gasoline or Green... they don't buy... Everybody in the state buys gasoline. Help us solve the problem. If our proposal doesn't make sense, if there's holes in it, if it's not the right thing to do, offer an Amendment. You can't offer an Amendment to something you won't even debate. Have the courage to bring the Bill out here, and let's do something for the people besides hiding behind a rule that requires a unanimous consent. Get the Bill out here, have some courage, let's vote on something for the people."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Like Representative Eddy, I represent a district that is a... on a border of Illinois with another state; in my case, Wisconsin. And what do we see? We see the diesel

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

259th Legislative Day

5/1/2008

trucks that are hauling this nation's goods on our interstate highways. They stop in Wisconsin right before they get to Illinois because the gas prices typically are 15 cents a gallon cheaper in Wisconsin. Diesel now is well over \$4.00 a gallon; that adds to every price of any item that you buy. They fill up in Wisconsin. Most of them are headed to the East Coast. They're driving on Illinois interstates until they get to Indiana, and then they'll fill up again. But they're avoiding Illinois because our state gas tax structure is enough higher to make that little bit of difference. And when they're putting two hundred (200) gallons of diesel into their trucks, some of them are paying over a thousand dollars (\$1,000) every time they fill up. That thousand dollars (\$1,000) is not being spent in Illinois, and the motor fuel tax that should be coming back to our state treasury to fix our rotten roads are going to Indiana and to Wisconsin. I was in Jerseyville the other day with my pickup truck looking for gas, 3.78 a gallon was the cheapest I could find. I got up to Springfield, oh my gosh, it's only 3.72. Wow. What a... what a great way to save a few cents when we're almost \$4.00 a gallon. You look in the grocery store and you see eggs almost \$2.00 a dozen. You see a gallon of milk, 3.50 a gallon. Everything that we consume, everything that our families consume, has tacked on a fuel surcharge. Why can we not give back some kind of sales tax relief to Illinois consumers? Republicans have already offered a sales tax holiday over Memorial Day weekend. What happened? It was killed. By who? By the Speaker. He won't let it out of

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

259th Legislative Day

5/1/2008

Rules. We have offered plans for capital this year; it's been killed. We've asked for a gas tax holiday over the summer; it's been killed. What are you proposing to do? What is your plan as Representative Black asked? Do you have a plan or let's... let's enjoy our birthday cake and I... I hesitate to a... mention that a... the Representative whose birthday it is, while she's very a... joyful that she lived another year, the families of Illinois are not joyful that they don't have any money left in their wallets after they pay for gas to buy a birthday cake for their kids. We are celebrating here in the House. That was a... yeah, a great announcement when we're talking about serious public policy to say, why don't you all come back and have a piece of birthday cake. Let's concentrate on the people's work in this House and not on what joy we might have in our personal lives. The Democratic answer is when we asked to have a sales tax holiday, oh my gosh, that'll take away from the state budget and we, the Democrats, know how to spend the people's money better than they do. Why do we have the highest sales tax in the country in Cook county? Because Democrats rammed it down the people's voi... throats. There is a tax revolution going on in Cook County. There's a tax revolution going to happen in this state, throughout every part of this state. In fact, it won't surprise me at all after seeing the abysmal failure of this General Assembly to approve any Constitutional Amendments for this fall's ballot if we don't instead find a Constitutional Convention, and then people... the people will take back the power away from the Leadership of the House and the Senate.

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

259th Legislative Day

5/1/2008

Let this Bill out for a full debate. If you want to defeat it, go ahead and vote against it, but at least let us consider some alternatives to business as usual; tax, tax, higher gas, tax again. That's been the response of the General Assembly under Democratic Leadership. It's time for a change. Thank you."

Speaker Hannig: "Representative Bill Mitchell."

Mitchell, B.: "Thank you, Mr... Thank you, Mr. Speaker. Last week we just came back from break. We were on break last week and I, as well as I'm sure many others, had town meetings. And what the folks of the town meetings were saying was, what are you doing about the price of gasoline? What are you doing about the Recall Amendment? They're very unhappy with the state of government in Springfield nowadays. Now my friend and colleague across the aisle from the City of Chicago said we're pandering. He said we're just doing politics as usual. That's the one thing that we don't want to do. Because we all represent Democrats, Republicans, and Independents. And regardless of political parties, they're having a tough time in their pocketbook. They're having a very, very difficult time and one of the reasons is, gasoline is high. Now my friend said, and I'll agree with one thing, he said it shouldn't be a temporary, or it's a temporary relief. Well, it should.. what we should do is lift the sales tax on gasoline permanently. We're only one of nine (9) states that have it. We do know a fact is that for every fifty cent increase in the price of gasoline, the State Treasury makes an additional hundred and twenty million dollars

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

259th Legislative Day

5/1/2008

(\$120,000,000). So this General Assembly is good at spending the money for program after program after program but they tell the people... they give the people that we represent in effect a slap in the face. Now, the logic on the other side of the aisle I think is flawed. I said you lift the sales tax, these companies are going to make more and more money... well, I'm not really... we know that these gas companies are making a heck of a lot of money and that's another issue. But the precedent has been set in the State of Illinois. We don't tax food; we don't tax medicine. And so when food goes up, we don't say... we don't have the sales tax to blame. But we've set the precedent in saying food is important, medicine is important; it is a staple of life. Right now, particularly in downstate Illinois. The folks that I represent have to travel sometimes twenty (20), thirty (30) miles to work. It's just as important a commodity for people on fixed incomes, and most the people we represent are on fixed incomes. Is... it's very important that we give them some form of relief. We've already set the precedent in terms of food and medicine. Let's just extend it to gasoline. That's something that people... it's a commodity; it's a staple of life. Let's debate this issue, folks. The people that we represent demand us to get something done instead of bickering and bickering and bickering and acting like silly children. Let's vote on this thing; let's debate it. Thank you."

Speaker Hannig: "Representative Monique Davis."

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

259th Legislative Day

5/1/2008

Davis, M.: "Thank you, Mr. Speaker. I've been listening to this interesting debate in reference to a gas holiday in Illinois. When we had an opportunity in this Body to reduce the taxes, not just on gas, but on income, my colleagues failed to support that issue. It was House Joint Resolution 42. It would have allowed a small increase for those who earned over two hundred fifty thousand (250,000). It would have allowed a greater exemption on families as they file their income tax. But, no, we didn't want to vote for that. But we want to offer people twenty-four dollar (\$24) holiday on gas tax. That's about what it will come to, at the federal level. It truly amazes and surprises me that any candidate would suggest a gas tax holiday. Why? Because as stated, as researched, and as offered by Barack Obama, a federal tax holiday would mean the loss of three hundred thousand (300,000) jobs in our country. A tax holiday would mean the lack of improvement on our roads. It would be another attack on the truck drivers. Where is the federal administration? Where is Bush when we're talking about these huge profits by these oil giants? No one talks about the trillions of dollars they are earning on a quarterly basis to the detriment of all of Illinois's citizens. It would appear to me the argument should be to let's stop these profits of these oil companies to raise the price of a needed commodity for this economy to live, to survive, to raise the prices and nobody wants to talk about that. They want to talk about reducing a tax, reducing a tax that is the tax that pays for people to go to work everyday. It is the

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

259th Legislative Day

5/1/2008

tax that's used to pay to repair the roads, to repair the highways. Mr. Speaker, thank you for this opportunity, but I am going to beg my colleagues to be genuine, to not be disingenuous, but to be genuine. When you talk about reducing the cost to our taxpayer. Let's talk about reducing those profits to those greedy, greedy oil men that Bush is supporting. A tax holiday is merely saving the pain for the next three (3) months and perhaps the pain will be doubled. Thank you, Mr. Speaker."

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

Franks: "I want to... I want to follow up on the previous speaker. She... she made some great points."

Speaker Hannig: "Proceed."

Franks: "I know when our current President was elected, I was paying about ninety-eight cents a gallon for gas when I drive to Springfield from Marengo. Now I'm paying almost \$4.00 a gallon, as everybody else is, and we know that the President is an oil man, and the people who put up his money early were all oil people. And I think they're getting a heck of a return on their investment. Today, Exxon Mobile announced that they made 10.9 billion dollars (\$10,900,000,000), billion dollars, in the first quarter. Their record last year was over 36 billion dollars (\$36,000,000,000) profit. We're not talking sales; we're talking profit. And they're going to make over 40 billion dollars (\$40,000,000,000) this year. There's a real problem with our energy policy. It emanates at the highest levels of our Federal Government. We don't have an energy

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

259th Legislative Day

5/1/2008

policy, except to make oil companies richer. There's very little input in alternate sources of fuel, harnessing wind, and solar, which we ought to be concentrating on. But I think we oughta place blame where blame belongs and look at the dismal leadership of President Bush on this matter, and we ought to be talking to our Congress people about this. Now I appreciate this debate because it does bring it to light, and there's certainly things that we ought to be doing here in the state as well by encouraging alternate sources of energy, but I think we ought to be pushing hard, and efficiencies, absolutely, and our buildings, and in everything we do. But we ought to be putting pressure on our Federal Government, and perhaps looking at our foreign policy to determine on who we support and why and where we're going to be spending our money, and looking at why our gas prices are so high. And perhaps, instead of subsidizing countries that don't allow women to vote and pay their defense, that possibly we should be subsidizing the gas prices here for our own citizens, instead of subsidizing that of the Kingdom of Saudia Arabia. Thank you."

Speaker Hannig: "Representative Black, it's your turn again."

Black: "Thank you very much, Mr. Speaker. In all due respect to the last two (2) speakers, and they accuse me of pandering, and we start talking about federal policy and subsidizing OPEC, subsidizing CITGO, a company that's owned by the nation of Venezuela. And we talk about we aren't for lowering taxes. These would be good things to debate if you'd let the Bill out. That's what we need to do. Let

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

259th Legislative Day

5/1/2008

the Bill out and debate all these issues. To the Lady on the other side of the aisle, I have cosponsored every earned income tax credit expansion Bill that's come up in the last five (5) years. I'd Sponsor them, but your side of the aisle won't let me. Many Republicans vote for that, and we've championed reducing that first dollar income tax on the state income tax. When you transition from welfare to work, we need to expand our earned income tax credit. And you know, you talk about oil companies, 74 percent of the price of gasoline is pegged to the price of crude oil. Crude oil, earlier this week hit an all time record price of a hundred and twenty dollars (\$120) a barrel. So if... I'm not trying to demagogue or pander anything. I have an idea, and idea that I think would save people in my district a few dollars a week. I don't over promise. I don't... I'm not in the Federal Congress. I can't sit here and debate federal policy. I can't sit here and criticize George Bush. Doesn't do me any good, I'm not in Congress. I try to do what I and you can do, and that's address a problem that is of critical importance to most everybody in this state. And you... I don't know where you come up with this line, but you've done a good job of using this line for a year. Well, we did this in 2000, and we didn't save any money. That's funny, Economic and Fiscal Commission who studied that very carefully in the year 2000 said that consumers saved a hundred and twenty-one million dollars (\$121,000,000). Now that's Economic and Fiscal. It's not some organ of your Party or my Party. It has a pretty good reputation. I wonder why they would say we... the consumers,

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

259th Legislative Day

5/1/2008

saved a hundred and twenty-one million dollars (\$121,000,000) when we did this for six (6) months back in the year 2000. You can accuse me of pandering or whatever you want. I didn't move to discharge. I tried that and you said no. But some of the debate that I've heard borders on the ludicrous. You've used it as a... as an opportunity to criticize the oil companies when they're being held just as much hostage as we are by the high price of foreign oil. Criticize the President, and he may well deserve some of that criticism, but that doesn't feed the bulldog. You're not doing anything that you can do under the law to give the consumer some necessary and needed relief. It isn't a great deal, but I... I don't know why we're so reluctant to fully debate this. Then you can make all those comparisons you want, nationally, on personalities. You can criticize Hillary Clinton because she said a federal gas tax holiday might be a good idea. I notice you... Only one person referenced Senator Obama, who says it isn't a good idea. So maybe your political bias is showing, whether than being willing to debate the bill that I tried to move forward in good conscience, and I've not done this... I've done this since 2005. I've tried an income tax credit if you buy a flex fuel vehicle, but didn't even get a hearing in the Revenue Committee. I tried an income tax credit if you could get a filling station operator to put in an E85 tank. Wouldn't even be... wasn't even allowed a moment of discussion in the Revenue Committee, and this goes back two (2) years. How many E85 gasoline pumps are there in the State of Illinois? Fewer than 250. But we had a chance to

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

259th Legislative Day

5/1/2008

not only give the consumers a small income tax break to buy a flex fuel vehicle, nope, can't do that. Give the filling station operator, it often costs 35 to 50 thousand dollars (\$35 to \$50,000) to put in a dedicated ethanol 85 percent blend tank, so give them a five hundred dollar (\$500) tax credit. Nope, nope, can't do that. Well, what can we do? None of you have answered the question. What is your plan? Is your plan to criticize the national administration? Okay. I might join you in some of that. But what does it do for the Illinois consumer? Is it your plan to criticize the oil companies? Well, I might do that, too. But what does that do for the consumer in Illinois that's paying record high oil prices? It doesn't do any good to get up and find a convenient whipping post. If you're not willing to debate the Bill, then you're just debating, as far as I'm concerned, partisan political issues. If this is the first time I'd ever brought a... ever brought this up, I would accept some of your criticism in a more realistic fashion. I've been trying to do this for 2005. I had a Bill to eliminate the sales tax on gasoline over a period of three (3) years, no hearing, no hearing. Last, but not least, I had a Bill that would eventually put the sales tax on gasoline into the Road Fund. Can you imagine if we could put five hundred and eighty (580) to six hundred million more dollars (\$580 to \$600,000,000) in the Road Fund where we'd be today? The sales tax on motor fuel goes to the General Revenue Fund. It's a user tax that goes to the General Revenue Fund, where we buy staples and paper clips and pay salaries. We don't have any money, IDOT

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

259th Legislative Day

5/1/2008

says. IDOT says we're going to park the trucks. We can't afford to put gasoline in the state-owned trucks, but we won't debate a Bill that might save consumers money. We'll talk all around it. We'll criticize me for bringing it up, but we won't talk about the Bill. We won't allow a vote on the Bill. And yet, I read in yesterday's Chicago Tribune that IDOT, who has no money, IDOT issued a twenty-five million dollar (\$25,000,000) contract to fix potholes in Cook County. Nowhere else. I have potholes in my district, and I bet all of you in other parts of the state have the same problem. But they have no money, but they issued a twenty-five million dollar (\$25,000,000) contract to fix potholes in Cook County. But they don't have enough money to put gas or diesel fuel in their own trucks. You talk about politics. I intend to ask a Freedom of Information Act inquiry. I want to know what company got the twenty-five million dollar (\$25,000,000) contract to fix potholes in Cook County. I wonder if that construction company... Well, I've... The mind, I'm just boggled at whether that company might turn up on somebody's contribution list. We talk all around this issue. We talk all around it. We say all kinds of interesting things. We criticize those who want to give what relief we can under the law, and yet we won't even let the Bill be debated on the floor. It might pass; it might fail. You won't even give me an opportunity. I think that's too bad when your constituents and my constituents are crying for some relief, no matter how small it may be. And you quote economic theory and you quote some anonymous source that says this would be a

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

259th Legislative Day

5/1/2008

terrible economic policy. Tell that to the people in my district who can no longer afford to drive to work or commute to school. Economic theory and economic policy doesn't feed the bulldog. Once again I ask you, I've heard all the debate, but you won't... you won't vote on the Bill. I assume you have no plan. Your plan is simply to attack those of us who think we should debate honestly and openly a Bill that might give people relief. I thought that's what we were supposed to do here in hard times."

Speaker Hannig: "The Chair recognizes Speaker Madigan."

Speaker Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise for the purpose of an announcement. I'm going to direct my remarks to this piece of paper that has been distributed in the last few minutes. This concerns scheduling and it concerns the possibility that the Senate may pass a Constitutional Amendment that would provide for recall in the State of Illinois. I presume that all of you are aware of developments in the Senate where the Constitutional Amendment has been amended to include local government officials and judges, and I'm advised that that Resolution will be considered by the Senate sometime today. We don't know when they will consider that Resolution today. It might be soon; it might be later. We just don't know and in terms of planning, our plan for the House is that we will adjourn about 2:00 today and permit people to go home. If we receive a Message from the Senate either today or tomorrow, the plan is that the Rules Committee will send that matter directly to the floor. That would permit for First Reading today or tomorrow, Second Reading

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

259th Legislative Day

5/1/2008

either tomorrow or Saturday, and then we would plan to return to Springfield on Sunday for floor consideration of the Amendment. This all pertains if the Senate passes the Resolution. If the Resolution fails in the Senate, then we will just follow the schedule which was published and would provide that we would be here next week, Tuesday, Wednesday, Thursday, Friday. But what we're trying to do is to have an orderly consideration of this matter and also permit you to go home to your districts for part of the weekend. As I said, if we get a message today or tomorrow, the Rules Committee will send the matter to the floor for consideration on Sunday. We have scheduled a meeting of the State Government Administration Committee for Sunday at 1 p.m. to take testimony and to engage in discussion in debate concerning the Constitutional Amendment in the event that it arrives here from the Senate. Mr. Speaker, I presume that there'll be some questions."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker. You presumed correctly. You usually do. Mr. Speaker, first of all let me... let me you ask a procedural question under the Rules of the House. If you in fact read the Bill the first time by discharging it directly to the floor on Friday or Saturday, the First Reading I understand. Can you in fact under the current House Rules go to a Second Reading without the House being in Session?"

Speaker Madigan: "The parliamentarian advises me that we can do that and that's part of the plan. They would be read in a Perfunctory Session."

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

259th Legislative Day

5/1/2008

Black: "All right. Then obviously the next step to that, if we come back on Sunday, a... I assume that you have the necessary waivers prepared to waive the posting requirement?"

Speaker Madigan: "We haven't done that. As I said, we're planning a committee hearing. If a... if there's objection, then there's objection. We view this as an extraordinary situation. As I explained yesterday on the floor, the House in considering this issue acted in due time for the Senate to take up consideration of the matter. They chose to do it differently. They're the ones that are considering a Senate Resolution today where we are within three (3) to four (4) days of a Constitutional deadline. And so our thinking is that we want to accommodate the scheduling of the Members, permit them to go home, but to return on Sunday, which is the Constitutional deadline. We've announced that we'll have this committee hearing. We're making that announcement without regard to a suspension of the posting requirements. We wouldn't be able to do that until the message arrived from the Senate. And as I said earlier, we don't know when that will arrive. So we're proceeding in good faith, presuming that some people would like to attend a committee hearing on this matter."

Black: "I... I... I thank you for that answer, and I don't... I know that I don't need to remind you, and I'm sure you and your parliamentarian have looked at this most diligently. Obviously, if a mistake in policy or procedure is made on this, I would expect a legal challenge. And I'm not here

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

259th Legislative Day

5/1/2008

to criticize you or the Senate at this point, I'm just simply saying I trust that all of the necessary precautions that we need to take to withstand a legal challenge about First, Second Reading, et cetera, will in fact be done as carefully and as thoroughly as I expect will be the case."

Speaker Madigan: "The answer to that is yes."

Black: "All right. I appreciate your remarks, Mr. Speaker, and I certainly appreciate this notice. And I realize this is not of your making. And I think all of us in the House understand that. The Senate tends to do things a little differently lately, but that's what makes our jobs so exciting. I... I would be a... Mr. Speaker, remiss, and I want to say so publicly, as to why my absence will be required over the weekend. Two weeks ago you said that we could not interrupt a schedule that had been published for sometime and I took you at your word. Today, and again it is not of your making. I am not blaming you, nor am I blaming anyone in this House chamber, but I have airline tickets. I leave from Indianapolis at 9:30 tomorrow morning to fly to Greenville, North Carolina, to celebrate my grandson's tenth birthday on Monday. So, I have sent you the obligatory letter asking that I be excused. I will be in Greenville Friday evening, Saturday, Sunday, Monday for my grandson's birthday and will fly back to Indiana... Indianapolis on Tuesday and will drive immediately to a... to Springfield as soon as I land in Indianapolis at... at 2:00 p.m. I don't like to miss Session. I've tried very diligently over the years not to, but with airline tickets what they are today and as we all know most of them are

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

259th Legislative Day

5/1/2008

nonrefundable, and the a... importance of the date that I have in North Carolina involving my first grandchild, that is where I'll be. And I trust my absence will be excused and I trust it will be understood. I wish things could work out as they are scheduled in advance, because many of us make plans at this time of the year to spend time with family on weekends, particularly early in May or late in April, because we know May is often a very difficult month to get away at all. So, Mr. Speaker, I appreciate you giving us this information. I am confident that all of the necessary procedural and constitutional questions will be addressed and that the Senate will, in fact, send us something before the day is over. I regret that I will not be here, but a... I planned it around the schedule that we saw and that was reiterated two (2) weeks ago and a... I wish you all the very best over the weekend and I will enjoy a piece of my grandson's cake on Monday. He is a delightful young man, not that I... not that I don't enjoy your company, but I enjoy Ryan Scott Alexander's company even more than I enjoy yours."

Speaker Hannig: "We're going to now move to the Order of House Bills-Third Reading. Excuse me, Mr. Speaker, did you have a closing statement?"

Speaker Madigan: "I've been advised that the Senate just took up consideration of the Constitutional Amendment, so we may have a... we may have knowledge of a result very shortly. But just one more item, I talked about receiving a message in the House and simply because they pass a Resolution, doesn't mean that a Message arrives in the House. And we

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

259th Legislative Day

5/1/2008

would advise everyone to check your offices or check your Leadership office to ask did the Message arrive before you make plans to come down. Thank you."

Speaker Hannig: "Now on the Order of House Bills-Third Reading is House Bill 5148. Mr. Clerk, read the Bill."

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

Speaker Hannig: "Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Over the past couple of months, we have been a... a should I say over the last couple of months, there have been a number of news stories that have involved individuals who have been the unfortunate victims of dealing with issues of domestic violence. Some of them have resulted in an individual being killed or murdered as a result of a domestic violence situation. In lieu of some of those situations, Members on the other side of the aisle, led by Leader Cross, have introduced a series of Bills or a... to deal with issues of domestic violence, one of which have included that in the case where an order of protection has been instituted, the individual in which the order has been put against may even wear a monitoring bracelet to keep track of their whereabouts. And there are a number of other pieces of legislation that have been brought by the other side of the aisle in reference to orders of protection. Well, in... in line with some of those pieces of legislation, and at the request of a constituent, I have introduced House Bill 5148, which essentially says that... essentially says that this allows that after a

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

259th Legislative Day

5/1/2008

preliminary order of protection has been granted that if there is indeed good cause that that order of protection can be in re... or should I say reinstated or a... lost for word here, that an order of protection can be brought back, so to speak, and that order of protection can remain indefinitely against that individual. Again, this is... I feel yet another tool by which we can try to protect individuals who have been the unfortunate victims of domestic violence, and that is why I brought this piece of legislation. So I'll be more than 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 Brauer. Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative May, you have House Bill 4791. Read the Bill, Mr. Clerk. Representative May, I'm advised that there is an Amendment.

May: "Yes...I"

Speaker Hannig: "So do you wish us to return it to Second?"

May: "Yes, please."

Speaker Hannig: "Okay. So, Mr. Clerk, return this to the Order of Second Reading. Are there any Amendments?"

Clerk Mahoney: "On House Bill 4791, Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative May, has been approved for consideration. Floor Amendments

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

259th Legislative Day

5/1/2008

3 and 4 have been referred to the Rules Committee and forwarded to a committee."

Speaker Hannig: "So, on Amendment #3... 2, Amendment #2, Representative May."

May: "Yes, I only move the adoption of Amendment 2. It's technical. We've inserted the language, 'except for willful and wanton misconduct,' thereby tightening it up."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed... Excuse me, Representative Black."

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

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

Black: "Representative, who requested this technical Amendment?"

May: "You know I was thinking about that and I think it came from staff."

Black: "I don't think so."

May: "Okay. The original Amendment 1 was... was I believe the telecommunications carriers."

Black: "Did the Illinois Trial Lawyers develop Floor Amendment #2?"

May: "I thought it came from staff, but it could be."

Black: "Well, I have found over the years that any Amendment that creates an exception to liability generally is proposed by the Illinois Trial Lawyers Association. So, they didn't talk to you about that and staff didn't mark that on your a... analysis?"

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

259th Legislative Day

5/1/2008

May: "I... You know what, I'll have to look at the analysis. I can do that."

Black: "I would a... I would..."

May: "But the ori... the original Amendment was the do... a... if this is about the sale of tickets and..."

Black: "No. No. This is about a..."

May: "The underlying Bill, the underlying Bill. So, the telecommunications carriers wanted Amendment #1 and then this, making it just for willful and wanton, would indeed give them, if they did... had willful and wanton conduct."

Black: "What? Willful? Willful and wanton, right?"

May: "And wanton. Yes."

Black: "Wanton. What is wanton? Is that some kind of a soup?"

May: "A... No, I don't think it's menu item #2."

Black: "Oh. But we can... we can discuss that later."

May: "It's illegal..."

Black: "I appreciate your indulgence. Thank you."

Speaker Hannig: "Any further 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 have been approved for consideration; however, Floor Amendments 3 and 4 have been referred to committee."

Speaker Hannig: "We'll just move this to Third Reading. Representative Black."

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

Speaker Hannig: "State your inquiry."

Black: "Floor Amendment #4, the status of that Amendment?"

Speaker Hannig: "Mr. Clerk, what's the status of Amendment #4?"

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

259th Legislative Day

5/1/2008

Clerk Mahoney: "Floor Amendment #4 was referred to committee."

Black: "Referred to a substantive committee and... and never heard? The reason I ask, I thought it was adopted. Maybe I'm just not reading the synopsis correctly."

Speaker Hannig: "Representative May."

May: "Yes, if I could clarify. Amendments 3 and 4 were drafted by Representative Saviano, and he advised me that he wished not to attach them or to call them."

Black: "All right... We show that 3... never cleared the Rules Committee, but we do show Amendment #4 was assigned to the Judiciary-Criminal Law Committee. But evidently it was not acted on in that committee?"

May: "That's my understanding. Yes."

Black: "All right."

May: "And Representative Saviano said he wished not to pursue it at this time."

Black: "All right. Okay."

May: "Amendment 3 was drafted by staff and the staffer standing with you said it was just a mistake. They wanted to do 4. But a... we were cooperating on this because it was my original Bill and Representative Saviano, who's worked extensively on this, was trying to get an agreement on another Amendment, but they have at this point not... don't..."

Black: "Thank you, Representative."

May: "...want it considered."

Black: "And... And may I say truthfully, not pandering, not demagoging, that I appreciate your willingness to cooperate with us. Thank you very much."

May: "Thank you."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "So for the record, Mr. Clerk, put this on the Order of Third Reading. Representative Feigenholtz has House Bill 4623. Out of the record. Representative Flider on House Bill 4634. Representative Flider. Out of the record. Representative Flowers on House Bill 4441. We're advised, Representative Flowers, that there's an Amendment."

Flowers: "Yes."

Speaker Hannig: "And so let's move this back to the Order of Second Reading, Mr. Clerk, and are there any Amendments?"

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

Speaker Hannig: "Representative Fortner on the Amendment."

Fortner: "Thank you, Speaker. Floor Amendment 1 corrects a... a defect that I believe was in the underlying Bill that, as drafted, for those students who had not only attended preschool but also attended kindergarten, they would not be afforded the same age protection that the underlying Bill would have. I am open to any questions on the Amendment."

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: "Then Third Reading. Representative Hamos, you have House Bill 5703. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5703, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Hannig: "Representative Hamos."

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

259th Legislative Day

5/1/2008

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. The 5703 essentially incorporates three (3) different Bills. Two (2) of them repeal laws that are currently on the books with full concurrence of everyone. They have been on the books for some time at the Department of Aging, and they basically are not being implemented. One of them depends on a federal grant that is not coming. And as a result of that, the Department of Aging has received some negative Auditor General Reports, and we wanted to clear that up for them. But the most substantive part of 5703 has to do with the Department creating a fully integrated care coordination program. For those of us who went this morning to the family impact seminars, we learned about the aging population and what other states are doing in rebalancing the long-term care system to make sure that seniors receive a full range of adequate information to make choices. We already have a Comprehensive Case Coordination System. We implemented this a few years ago. This would put it into law, what is currently there by rule, and it also will provide importantly that as part of creating this a... a Care Coordination System that they will develop a rate structure in collaboration with the case coordination units and advocates that reflects the activities of the coordination provided. We are now requiring a comprehensive assessment. We want seniors to get this so they can receive, as I said, the information about the full range of choices. This basically puts all of that in statute."

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

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

259th Legislative Day

5/1/2008

opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Feigenholtz and Fritchey. Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no' and this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Harris, you have House Bill 4779. Out of the record. Representative Ramey on House Bill 5506. Out of the record. Representative Lang, Lou Lang, on House Bill 953. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 953, a Bill for an Act concerning insurance coverage. Third Reading of this House Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 953 would amend the Insurance Code to provide that services by a licensed marriage and family therapist would be covered just as other licensed clinical social workers. There's been an anomaly in the law that has allowed some providers of services to families to get to be able to make insurance claims and others not. All this would do would be to put marriage therapists on a par with others who are providing exactly the same service. There was limited or no discussion of this in committee or disagreement with this in committee. I would ask your support."

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?"

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

259th Legislative Day

5/1/2008

Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 7 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mendoza, you have House Bill 4981. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4981, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4981 amends the State Finance Act to create the Roadside Memorial Fund. Last year we unanimously passed out of this chamber a Bill that would create the roadside memorial which is a blue sign that gets erected at the site of fatality that is a result of a DUI accident. And the family members can petition the Department of Transportation to erect a roadside memorial sign that says, 'Please don't drink and drive,' the name of the victim, and a... that would serve as a reminder to people in a stark, you know, example of what happens when people get behind the wheel under the influence. Right now, without this Bill, the family members fill out an application and they go ahead, once they're approved by the Department, they pay a fee to have the whatever the cost is of the sign, to have that sign erected. And Representative Ramey had actually brought up a suggestion to me that we should make the Bill better by having those who are actually the people that are convicted of DUI's have an additional fee placed on them, which would be a fifty dollar (\$50) fee, which would then go into this new

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

259th Legislative Day

5/1/2008

Roadside Memorial Fund in order to have people that are actually committing these offenses be responsible for paying into the fund and erecting the signs once there's a tragedy, instead of having the family members of the victims be the ones responsible for paying that fee. So, I think it makes a lot of sense. And I want to thank the Representative for his suggestion and you know, on behalf of those families who unfortunately will be petitioning the state to erect these signs for their lost loved ones, I would certainly ask for your support and be happy to answer any questions."

Speaker Hannig: "And on that question, the Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Just one quick question. As... as we establish funds, I think as I read this this, is a protected fund from any sweep. Is that right?"

Mendoza: "Yes, it is. That was the Amendment that I added to make sure that it's not swept."

Eddy: "Okay. Thank you very much."

Mendoza: "Thank you, Representative."

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

Ramey: "Thank you, Mr. Speaker. And to the Bill, this is a great idea and we worked together to make it even a greater idea. Course I would've much rather have charged them more, but the Representative has worked well on this issue."

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

259th Legislative Day

5/1/2008

It's a good Bill and I encourage everyone to vote for it.
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 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Phelps, you have House Bill 5204. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5204, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5204, first off, I want to thank Representative Skip Saviano for his help on this. This just allows more competition in the salvage vehicle business that a... 37 other states do, and I just ask for its passage."

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? Mr. Clerk, take the record. On this question, there are 105 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Miller, you have House Bill 4380. Out of the record. Representative Molaro on House Bill

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

259th Legislative Day

5/1/2008

4857. Out of the record. Representative Rita on House Bill 5308. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5308, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5308 is an agreed Bill that was brought to me by the Health Care Council of Illinois. What it basically does is a... the Department of Aging will present one award annually for five (5) categories to case workers 55 years and older. It sets up the parameters, how them awards would be given and recognized. 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? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ryg, you have House Bill 5120. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5120, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Hannig: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker. This Bill amends the Teachers Retirement System Article to remove legal obstacles that prevent adult children with disabilities from receiving

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

259th Legislative Day

5/1/2008

benefits under those Articles. There's no opposition and the impact to the system was determined to be insignificant, so there is no opposition that I'm aware of, and I'm 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 Reis and Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Molaro, did you wish us to read House Bill 4857? 4857. Okay, out of the record. Representative Smith on House Bill 5077. Shall we read that Bill? Mr. Clerk, read the Bill. So, I'm advised Representative Smith, that there's an Amendment pending. It's been approved for consideration. So, Mr. Clerk, let's move the Bill back to the Order of Second Reading. Are there any Amendments?"

Clerk Bolin: "House Bill 5077, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Smith, has been approved for consideration."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker. This is just a technical Amendment that changes the effective date from the Amendatory Act to when it becomes law to January 1 of 2009. That's the only thing the Amendment does."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "Is there disc... 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 Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Turner, you have House Bill 2467. Out of the record. Representative Verschoore, you have House Bill 4919. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4919, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen. What this Bill does is a... it a... is going to be like a pilot program where the State of Illinois will pick two (2) buildings that either a leased or an owned building and do a real-time pricing on electrical use. And a... there it... won't go into effect until 2010. I'm hoping that one of the buildings that they pick when they do this, it would be a correctional institution because I think with a... with a correctional institution, there'd be places where they could do laundry and different things at off peak when the electricity is cheaper. And I'd ask for an 'aye' vote and I'd be glad... 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? Mr. Clerk, take the record. On this question, there are

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

259th Legislative Day

5/1/2008

107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Younge, you have House Bill 5205. Out of the record. We're going to go to Second Reading for a few moments and try to move some Bills. Representative Berrios, you have House Bill 5687. Out of the record. Representative John Bradley on House Bill 562. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 562, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative John Bradley, has been approved for consideration."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Thank you, Mr. Speaker. This is a Bill that we've been working on awhile. Basically, what it is, is trying to encourage the a... pension systems to the extent they came without jeopardizing the returns to a... to invest the taxpayer money from Illinois in Illinois and worked with the different pension systems including the a... firms that they used to invest the money. And we reached a consensus on this, and they actually helped me prepare this language, and so I removed all opposition to the Bill that I know of. I'd appreciate an 'aye' vote."

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

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

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

259th Legislative Day

5/1/2008

Speaker Hannig: "Third Reading. Representative Boland, you have Senate Bill 439. Representative Boland. Out of the record. Representative Coulson on House Bill 4417. Oh, there she is in the... in the rear. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4417, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Hannig: "Representative Coulson, you need to present Amendment #1."

Coulson: "Thank you, Mr. Speaker. Amendment #1 is essentially to take the opposition away on the Bill. We've removed the fire from the Bill and just include police, and I can answer any questions."

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

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

Speaker Hannig: "Third Reading. Representative Durkin, you have House Bill 5513. Out of the record. Representative Chapa LaVia, you have House Bill 4139. Shall we read this Bill? Representative Chapa LaVia? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4139, a Bill for an Act concerning criminal law. Second Reading of this House Bill."

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

259th Legislative Day

5/1/2008

Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Colvin on House Bill 6313. Out of the record. Representative Crespo on House Bill 5731. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5731, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendments 1, 2, 3, and 4 have been approved for consideration. Floor Amendment #1 is offered by Representative Crespo."

Speaker Hannig: "Representative Crespo on Amendment #1."

Crespo: "Yeah. Amendment #1, Speaker, removes reference to alternative methods to take the a... defensive driving class as specifies testing has an online course."

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

Clerk Bolin: "Floor Amendment #2, offered by Representative Crespo."

Speaker Hannig: "Representative Crespo on Amendment #2."

Crespo: "Yeah. I need to table Amendment 2 and 3 and actually adopt Amendment #4."

Speaker Hannig: "Mr. Clerk, we're going to withdraw Amendments 2 and withdraw Amendment #3 and let's move to Amendment #4. Representative Crespo."

Crespo: "Basically, Amendment #4 is a rulemaking Amendment, Speaker."

Speaker Hannig: "Is there any discussion? Representative Osmond."

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

259th Legislative Day

5/1/2008

Osmond: "Thank you, Mr. Speaker. I have a question of the Sponsor. It was our understanding that he was going to hold all Amendments until he spoke to the members of the Illinois Insurance Group. And it's my knowledge that there's been no discussion."

Speaker Hannig: "Representative Crespo."

Crespo: "Yeah, there has been actually several discussions, Speaker. The last one was... as a matter of fact, it took place yesterday. So we passed over discussions. One of these days we're... we're just going to have to agree to disagree."

Osmond: "Well, it was my understanding as the Sponsor, that you were going to hold it until an agreement was reached. Was that not accurate?"

Crespo: "No, Representative. The agreement was to take time, sit down with them, see if we could reach an agreement. And we've had several meetings with the insurance industry, and we just couldn't reach an agreement."

Osmond: "And you're saying your meeting was as late as yesterday?"

Crespo: "Correct."

Osmond: "Thank you."

Speaker Hannig: "Representative Stephens."

Stephens: "Question of the Sponsor."

Speaker Hannig: "Indicates he'll yield."

Stephens: "Who did you meet with yesterday in accordance with your agreement in committee?"

Crespo: "Beg your pardon?"

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

259th Legislative Day

5/1/2008

Stephens: "Who did you meet with yesterday in accordance with your commitment to hold the Bill."

Crespo: "We talked to Kevin a... can't remember Kevin's last name from the insurance industry. It was like the third or fourth time that I've talked to the gentleman."

Stephens: "And so they are in favor of the Bill?"

Crespo: "No, they're not."

Stephens: "Well, I was in that committee and I was pretty sure that you a... you said that you were going to hold the Bill until... unless... until there was an agreement."

Crespo: "No, Representative. What we talked at the committee was that we would sit down with them and see if we could reach some type of consensus or agreement, but we did not."

Stephens: "Representative, that's not the characterization you made in committee. The characterization was, you were going to hold the Bill until it... a deal was worked out. You can't come into committee and say, Oh yeah, I'll hold it. Well, you hold it for a day or two (2), have a meeting and there's no agreement, and then you want to call the Bill. You virtually gave us your word. Now your word's either good or it's not. You decide."

Crespo: "My agreement with the committee and the insurance folks was that we would sit down and look at the Bill and see if we could reach an agreement and we did not."

Stephens: "Well, you know what? That's just not the way to do business here, Representative. And I think you know that. We sat there in that committee. You said you had... we had an agreement. Well, we did. My vote's one of the votes that got the Bill out to work out an agreement. Now, until

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

259th Legislative Day

5/1/2008

the time... I've got Bills on Second Reading. I made agreements with the... with the Revenue Committee. I can't work out a deal. So I can't come out here and call my Bill. And you shouldn't either. Take the Bill out of the record."

Crespo: "This is what I'll do, Speak... a... Representative. Since there's some kind of dispute as to what the understanding was in the committee meeting, I'll... I'll move it off the record for now, and I'll go back and make sure that there's no misunderstanding."

Stephens: "Thank you, Representative."

Speaker Hannig: "So this is out of the record, at the request of the Sponsor. Representative Cross has House Bill 4874. Do you wish us to read that Bill? Out of the record. And how about on House Bill 5960? Out of the record. Representative Leitch, you have House Bill 4647. Shall we read that on Second? Representative Leitch, do you wish us to read this Bill? Out of the record. Representative Meyer, you have House Bill 4629. Out of the record. Representative Golar on House Bill 4913. Out of the record. Representative Hoffman on House Bill 5157. Out of the record. Representative Jefferson on House Bill 5739. Do you wish us to read this Bill? Out of the record. Representative Reboletti on House Bill 2916. Out of the record. Representative Rose, on House Bill 5912. Do you wish us to read this? Out of the record. Representative Saviano on House Bill 4762. Out of the record. Representative Turner on House Bill 2248. Representative Turner, shall we read this on Second? Second to Third.

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

259th Legislative Day

5/1/2008

Okay, out of the record. Representative Turner, earlier we passed over your House Bill 2467 Okay, out of the record. On the Order of Second Reading, Representative Acevedo, you have House Bill 5125. Out of the record. Representative Boland on Senate Bill 439, Representative Boland. Representative Bradley, John Bradley, on House Bill 4425. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4425, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Saviano, you have House Bill 4762. Do you wish us to read that Bill? So you want us to hold it? Okay. So we'll hold it. Representative Black, you have House Bill 628. Representative Black on House Bill 628.. on Second. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 628, a Bill for an Act concerning appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Brady, you have House Bill 4127, Representative Brady. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4127, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "Third Reading. And Representative Brady, you also have House Bill 4326. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4326, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Brauer on House Bill 5765. Representative Brauer. Representative Brauer on House Bill 5765. Do you wish us to read this? Out of the record. Representative Chapa LaVia on House Bill 4728. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4728, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Colvin on House Bill 2405. Out of the record. Representative Will Davis on House Bill 4888. Representative Davis. Out of the record. Representative Coulson on House Bill 6310. Representative Coulson? 6310? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6310, a Bill for an Act concerning appropriations. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Hannig: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Floor Amendment 1 adds to the Bill, of five hundred thousand dollars (\$500,000) for a health policy center. And I can answer any questions."

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

259th Legislative Day

5/1/2008

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

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

Speaker Hannig: "Third Reading. Representative Fortner, you have House Bill 5186... on Second. Out of the record. Representative Franks, Representative Franks, you have House Bill 2496. Out of the record. Representative Graham on House Bill 5750. Out of the record. Representative Mathias on House Bill 4755. Representative Mathias on 4755. Do you wish us to read this? Out of the record. Okay, there's been a Motion filed in writing by Representative Beaubien, pursuant to Rule 61 having voted on the prevailing side. Representative Beaubien moves to reconsider the vote by which House Bill 953 passed. So he's not out here, so we'll hold this for a later time. So we're going move back to Third Readings. Representative Flider, you have House Bill 5086. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5086, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5086 is a Bill that a... was a... is supported by AARP, and I know of no opposition to this Bill. But what this legislation would do, it would provide that during the summer that there would be a... a disconnection protection if the temperature is forecast to

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

259th Legislative Day

5/1/2008

reach 95 degrees or above, including any day proceeding a holiday or a weekend. I ask for your 'aye' vote."

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 Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 106 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flowers, you have House Bill 4442. Out of the record. Representative Ford, you have House Bill 475. Out of the record. Representative Fritchey on House Bill 5518. Out of the record. Representative Froehlich on House Bill 5691. Out of the record. Representative Flowers, do you wish us to read House Bill 4442? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4442, a Bill for an Act regarding schools. Third Reading of this House Bill."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4442 merely says that if a child is in a failing school and if the parent want to transfer that child that he or she would be able to do so in the school that they go to... cannot be on the failing list. And I'll be more than happy to answer any questions you have in regards to House Bill 4442."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "The Lady has moved for the passage of House Bill 4442. And on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, I thought this dealt only with the city schools, the Chicago Public Schools, but I think I'm wrong. It deals with any high school in the state, is that correct?"

Flowers: "No, if my memory serves me correctly, Representative, it is only applicable to Chicago. I had it amended a couple times. So, I'm looking now."

Black: "Yeah, that's what I thought and all of sudden I can't find it. Maybe between the two (2) of us, we can find that."

Flowers: "Well, maybe it's not there."

Black: "Yeah, Representative. Representative Eddy says it's in the School Code chapter that only impacts Chicago so..."

Flowers: "Yes."

Black: "Let me just ask you a quick question or two (2). It says that if... if I want to transfer my... my son or daughter... No, no, I'm sorry, that's wrong. If my son or daughter is in a school, a public elementary, middle school, or high school, enrolled and then the school counsel or the administrative staff tell me that, I'm sorry that school is a... we have too many people in this school. So your student, your child, will have to transfer to middle school B. Then this would give you, as I understand it, a right

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

259th Legislative Day

5/1/2008

to go in and say, excuse me, middle school B is on an academic watch list. And I prefer, in fact I will not send my child to a school that's on the academic watch list. So I assume then... how does this work? Can you pick a school that you would want your daughter to attend or do they give you two (2) or three (3) schools from which you choose or..."

Flowers: "Representative, in the City of Chicago there's certain areas in which children... certain schools that because of their address that they will be able to go to. Well, unfortunately, all of those schools may be on a failing list or on a watch list. As a parent, I should not have to send my child to a failing school. I should have the right to find another school in that district to send my child to. As a parent and as a taxpayer and that's all this Bill is saying. Do not force me to send my child to a failing school."

Black: "Now, in order to accomplish this, let's say that the nearest school not on a watch list of any kind, be it financial or academic, that the child may have to go five (5) miles to... to get to a school that would satisfy the parent and the child. Will the district be responsible for the transportation, then?"

Flowers: "No. Quite frankly, right now there's very few transportation for schools in various district... It will be up to the parents."

Black: "Okay."

Flowers: "But we do know that there is transportation reimbursement that parents are entitled to if they do send their child more than a mile to school."

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

259th Legislative Day

5/1/2008

Black: "Representative, if... if I might and believe me I am not trying to delay, nor... nor pull anything with your Bill, our staff... We don't have enough floor passes, so a lot of times our staff can't get up here to help us. But as I look at your Bill on a... the first page after the a... introductory, I see that it covers Section 5 in the School Code, specifically Chapter 34 and Chapter 10. Now that would, I believe, make this applicable to any school in the State of Illinois and I don't think that's your intent."

Flowers: "Oh, okay. Well, Representative, it has been brought to my attention that it's... it still is applicable to any school, but it was my intention to only make it applicable to the Chica..."

Speaker Hannig: "Representative Black, could you bring your remarks to a close, and Representative Flowers, finish answering the question."

Flowers: "And if you would allow it, I would be more than happy to have it amended in the Senate, because that was truly my intention."

Black: "All right. I think, certainly, your word is good with me. I would hope that the Senate Sponsor will in fact do that, because I think it is clearly your intent and I... I can see some real operational problems in a district like mine where the nearest school may be thirty (30) miles away."

Flowers: "But when..."

Black: "We only have one school."

Flowers: "But you... this is one thing you need to remember, Representative, even if it is, if it stays the way that it

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

259th Legislative Day

5/1/2008

is, it will be up to that parent to make that decision. And if that school is thirty (30) miles away, that will be the parents' choice and then the parent would be responsible."

Black: "Okay."

Flowers: "But it... again, it is my intention to have it amended in the Senate."

Black: "So... so it's your intent that when this comes back from the Senate, it will be applicable to the City of Chicago schools only?"

Flowers: "Yes."

Black: "Okay. Thank you."

Flowers: "Thank you."

Speaker Hannig: "Representative Eddy."

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

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

Eddy: "Representative, as I read the exact text, and thank you by the way for a... clearing up the confusion. I... I clearly remember in committee that it was Chicago only, but at a second glance the... the Chapter 10 of the School Code was still in there along with 34, and I appreciate the fact that you've pledged to... to make it Chicago only. There are some concerns that I would have for you to a... to consider as you move forward along with that Amendment. And one is, what happens when every school district or every building within a certain range because of the way No Child Left Behind will eventually affect dozens and dozens of more schools, there could come a day where there... there isn't a school to transfer to because of the very nature of No

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

259th Legislative Day

5/1/2008

Child Left Behind. Because right now a certain percentage of kids have to meet or exceed in math and reading and that ramps up. And that ramps up to a point where 100 percent of the kids in a school, a building, have to meet or exceed. And that's... that's not going to happen. All kids are not going to meet or exceed, that... that's a laudable goal, but eventually what your legislation would do would be to... to provide parents an option to transfer to schools that don't exist, because there would not be some that don't meet. Now, for a period of time, perhaps they... they would have an option, and I know that in your Bill it says they could be transferred from one attendance center to another within the school district because the attendance center and the student a... that they're currently attending is not meeting adequate yearly progress if the... the school they're going to doesn't exceed its attendance capacity. I know you've put that safeguard in there...

Flowers: "Right."

Eddy: "but I have a concern that pretty soon there won't be any place to transfer to because of the way the law is written."

Flowers: "Well, I'm glad you asked that question because I'm looking forward to us having a Democratic president, and both candidates have sworn to do away with Leave No Child Behind CSIC-No Child Left Behind, because that present legislation is leaving all of our children behind. And if this Bill is not only about meeting or exceeding the a... the reading level, but some schools are failing even worse than that, as far as the tools and the books and the lack of

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

259th Legislative Day

5/1/2008

labs and the lack of equipment. The other day we had some teachers to come before us to talk about how they had to go in their pockets to buy the lab and the art work and the other various things that they need in order to teach the children, which is part of the requirement."

Eddy: "My suggestion would be that you pick that point at which you feel the percentage of students that did not meet or exceed in math or reading, what... whatever year that was. And if it was a year that you know looks like a it... it was 50 percent, rather than 100, amend the Bill to find that year so that you really have something here that's workable, rather than something that's going to become obsolete. That's just a suggestion. There is a point at which you can make a case that if a school does not meet or exceed math and writing and... and reading standards as of the 1997 or 8 or 9, that percentage is 35 or 40 percent. Maybe that's the thing to do. Even for the City of Chicago so that... so that at least there's a standard that can be reached. And that's just a suggestion. I appreciate your candor and... and your pledge to amend this to make it the... applicable to Chicago only. Thank you."

Flowers: "And I agree with you 100 percent. It is the intent of this legislation is just because the school may have failed one test for one year, you know, I think it's a lot broader than that. There could've been a new principal, a turnover of teachers, it could've been a multitude of things. I don't think a parent will just arbitrarily take their child out of... out of that particular school for that reason. I'm talking about troubles, I'm talking about

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

259th Legislative Day

5/1/2008

gangs, and we need to do something to eradicate the problems that we are having in our schools. And if we know that there's a bunch of gang members over here, and if the board can't do anything about it, as a parent we need to do something about it."

Eddy: "I appreciate the concerns you have regarding those.. those issues and those problems that.. that relate to the school districts that you mentioned. And I'd like to see something done to give them that flexibility. It does need to be realistic and workable, though, and I think that's what you want. So I hope you would look at those suggestions and maybe change the Bill so that there's really a choice, because there won't be because of the way NCLB works, there won't be a place to go. But thank you."

Flowers: "I'll be more than happy to work with you, Sir. Thank you."

Speaker Hannig: "Representative Jerry Mitchell."

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

Speaker Hannig: "State your inquiry."

Mitchell, J.: "I.. I realize that.. that time is growing short. I'm not exactly positive what all the deadlines are. But is there, in fact, time to have this bill amended to reflect exactly what the Representative wants and.. and have it read again on Third Reading?"

Speaker Hannig: "Representative, I.. I think we'll be here next week, if that's your question, whether or not that's enough time."

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

259th Legislative Day

5/1/2008

Mitchell, J.: "I... I certainly repr... you know I trust the Representative to try to keep her word, but I don't really trust all of my Senate colleagues. There have been times when we've agreed to amend a Bill in the Senate. They totally ignore our request, run the Bill as is and then we don't get the Bill back to discuss again or change. Will the Sponsor yield?"

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

Mitchell, J.: "Representative, since there is time to amend this Bill here in the House and get it exactly the way you want it to go to the Senate, would you, in fact, pull the Bill from the record? Let's get that Amendment filed and let it fly out of here next week and go to the Senate, so that we don't have to worry about whether or not they will agree to your wishes and amend the Bill?"

Flowers: "Well, you know what, Representative, I'm so glad you brought that up. I'll be more than happy to do so, Sir, if you would join me as a Sponsor?"

Mitchell, J.: "I will pledge my vote to it. I won't... I won't agree to be a Sponsor, but I certainly will pledge my 'yes' vote to it if we amend the Bill."

Flowers: "Well, thank you so very much. I'll be more than happy to do it. A... Mr. Speaker, would you please take the Bill out of the record?"

Speaker Hannig: "Out of the record."

Flowers: "And would you move it..."

Speaker Hannig: "Do you want us to move it back to Second? Okay. So Mr. Clerk, let's move this back to the Order of Second Reading at the request of the Sponsor."

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

259th Legislative Day

5/1/2008

Representative Franks, you have House Bill 2496 on the Order of Second Reading. Did you wish us to move that? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2496, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Fritchey, you have House Bill 5518. Did you wish us to read that on Third? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5518, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Stephens, were you seeking recognition?"

Stephens: "Well, I was... I a... and if this is my fault, I apologize, but we a... we just passed a Bill to Third... to Third Reading... moved it to Third Reading; 2496, it's a shell Bill having to do with service occupation tax. We a... I mean come on. What are we doing here?"

Speaker Hannig: "Representative Franks, did you wish to answer the Gentleman's question? I think it was your Bill 2496, is that correct?"

Franks: "It's my understanding that there was an Amendment and that's what the analysis indicates, Mr. Speaker."

Speaker Hannig: "Let's ask the Clerk. Mr. Clerk, what is the status of House Bill 2496, as far as the Amendments?"

Clerk Bolin: "House Bill 2496 was moved to the Order of Third Reading today. No Amendments have been filed or adopted to the Bill."

Speaker Hannig: "Did you wish to move that back to Second?"

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

259th Legislative Day

5/1/2008

Franks: "Yeah. Thank you for pointing that out. We'll move it back to Second and I'd ask for the Amendment to be adopted."

Speaker Hannig: "Well, we'll have to wait for the Amendments to be approved, but..."

Franks: "Thank you, Mr. Stephens."

Stephens: "You're welcome."

Speaker Hannig: "Okay. Thank you, Representative Stephens. And back on the Order of Third Reading, Representative Fritchey on House Bill 5518. Have you read the Bill, Mr. Clerk? Read the Bill, please."

Clerk Bolin: "House Bill 5518, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you. Thank you, Speaker, Members of the Body. This Bill mirrors a Bill that was just passed out of the Senate a week or two (2) ago I think on a vote of 57-1. It has to do with licensure rights for images that are distributed by companies. So, for example, an individual would license a photograph off of a Web site to use. They would sign a document noting the restrictions of their rights on that... on that image, should they violate that licensure, they would be liable. But this simply makes sure that the company that properly licensed the image would not be held liable for any actions that they did not undertake. I request an 'aye' vote. Thank you."

Speaker Hannig: "Is there any discussion? The Gentleman from McLean, Representative Brady."

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

259th Legislative Day

5/1/2008

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

Speaker Hannig: "Indicates he'll yield."

Brady: "Representative, what's... what's the reason... I'm sorry, I couldn't hear when you were giving your opening remarks. What's the reasoning again behind the Bill?"

Fritchey: "You have a situation where a company will provide stock images for... for use for commercial purposes. Along with that image, they would provide a license that the end user would sign. And so if there's a violation of that license agreement by the end user, the end user would still be liable, but the company that provided the image and did not do anything to violate the terms of the license would not be liable."

Brady: "Okay. Where's... In my analogy, it has something along the lines of deceased individuals and what... what is that... Can you explain what that is?"

Fritchey: "That's..."

Brady: "I mean how does that enter into this?"

Fritchey: "That's talking about images of let's say celebrities or musician's or artists that may have passed away. So a Marilyn Monroe, a Jimi Hendrix, that type of thing."

Brady: "Okay. And also a... it looks in my analysis to be that there is at least at one time opposition from the Bar Association and maybe someone else, is that still the case or..."

Fritchey: "Yes."

Brady: "Okay. Thank you very much."

Fritchey: "Thank you."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "Is there any further discussion? Then, Representative Fritchey, to close."

Fritchey: "I simply request 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? Have all voted who wish? Representative Durkin, Golar, Holbrook, Schock, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 68 voting 'yes' and 37 voting 'no' and this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sacia, for what reason do you rise?"

Sacia: "Point of person privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Sacia: "Ladies and Gentlemen of the House, if I could call your attention to the gallery behind the Republican side of the aisle. Two (2) very long time dear friends and also some people of notoriety, Retired Commander of the Illinois State Police Don Norton. He's also a retired Army Colonel with his lovely wife, Paulette, who is retired out of the Chicago office of the FBI. Would you make them feel welcome."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you. Mr. Speaker, I wasn't... I don't know what we're going to do now. I heard some rumor about the Senate. I don't know what they did on that adjournment, and the problem is I know the Speaker spoke about our schedule, but it was so noisy in here when he was speaking,

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

259th Legislative Day

5/1/2008

I really didn't under... you know, I really didn't hear what he had to say. So if, in fact, it did fail, we don't come back 'til Tuesday. Was that the idea?"

Speaker Hannig: "I think that was the idea, Representative. Perhaps we'll get a clarification on that before we adjourn today. Representative Froehlich on House Bill 5691. Do you wish us to read that Bill? Read the Bill, Mr. Clerk. Excuse me, Representative Cross, were you seeking recognition?"

Cross: "Mr. Speaker, we started a... Representative Molaro started talking I think about the issue of this weekend, and I want to make sure that... There's a couple points: one, I want to clear up the Calendar. So we all know on our side, I think we're going to go to caucus, that from a scheduling standpoint we're going to be done in all likelihood 'til Tuesday? Is that correct? We get out of here. Is that the belief, Mr. Speaker?"

Speaker Hannig: "I... I was just simply repeating what I thought I had heard, Representative Cross..."

Cross: "Yeah. I mean it's not a trick question."

Speaker Hannig: "We will make a... we'll make an announcement before we adjourn for the day, clarifying exactly what it is, when it is we need to return, but I would anticipate it would be next Tuesday."

Cross: "I'd like to take a personal privilege moment. I guess I'm a little unsure about what's going on around here with respect to recall. And a lot of talk on your side of the aisle about how we need to give a lot of... we have to give opportunity to people in this state to do the right thing."

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

259th Legislative Day

5/1/2008

And we want to give people the opportunity in this state to vote, and that a Constitutional Amendment and a recall is the way to do it, and that we all care about good government, and this is the way to go, and we've got to return government back to the people. I heard a number of people on your side of the aisle articulate that point over the last couple of weeks; in fact, I've heard them talk about it for the last couple of months that we're for recall, we're for returning the government back to the people of the State of Illinois. And I'm really starting to wonder what game was played here over the last week or two where you claim to say you want recall as the Majority Party, as the Democrats. We're for recall. We are going to pass recall on the House and we're going to send it over to the Senate, and we're going to make sure that the people have an opportunity to vote on whether or not we want a recall. We're so passionate about it. But yet, what happened? It failed just a few minutes ago. And yet your party claims to be a Party that wants to get things done, and you wonder why people in this state are so cynical, and we just saw the classic example of why people are cynical. The old two-step got played here. One House passes it so Members in the House can have a vote. All the targets, we all know that game, can say they were running from the Governor and they voted for recall. And then we wink and we send it over to the Senate and their targets get a vote because they are for recall and returning the power to the people. And yet you say, well, that's just the way it works. We voted for it in the House, and they have every

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

259th Legislative Day

5/1/2008

right to kill it in the Senate. But what's really going on here, Mr. Speaker? It seems to me that when you want to get things done and you really want to get things done, you're able to get things done. You moved the primary date for a presidential candidate and had no trouble making that happen. Happened in the House, happened in the Senate, and the Governor signed it. You wanted a pay raise for Members of the House and the Senate. All the Democrats voted for that in the House; all the Democrats voted for it in the Senate. You got that done, 'cause you said you wanted it and you did it. And I guess we take you at your word on those two (2) issues. Wanted to solve the RTA problem, you came together on that in the House and in the Senate. You wanted to raise business taxes to the tune of three hundred million (300,000,000). You came together on that and said, we're for this. And you got it done. You raided the pension system to the tune of five billion dollars (\$5,000,000,000). I'm sorry, I don't want to exaggerate the number, three and half to four billion (3,500,000,000-4,000,000,000) dollars, so you can try to balance a pen... balance a budget on the backs of retirees in this state. You wanted to get those things done, and you were able to find so-called common ground in the Majority Parties and get it done. So it really begs the question; were you really for a recall Amendment or did we just do the old wink and a nod, the old two-step, the old one chamber passes it and one chamber kills it? Senate President didn't vote for it, the Speaker didn't vote for it, the Governor wasn't for it. So, were you really for a recall

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

259th Legislative Day

5/1/2008

Amendment? Or were you playing the game that the people of the State of Illinois have gotten sick and tired of hearing about and playing about it and the very reason we should've done recall because of the games we play here. The games we play here. You just gave us the classic example of the biggest scam on the people of the State of Illinois. When you really want something done, you find a way to get it done. When you don't want something done, you play the game. The oldest the game in the book, the oldest game in the State of Illinois, you killed it. You told people of the State of Illinois you were for it, but you killed it. And we set it up really nice, didn't we? Oh, we're going to come back this weekend. We're prepared in the House because we want to run as far away from the Governor as we can, because we voted for all those things that he wanted. We voted for his budgets, voted for the pension raid, we voted for the pension... the business taxes, but now... but now, we realized, man, maybe we shouldn't be with the Governor. We're going to say we're for recall. Heaven forbid, are we now going to be listening to another discussion in the next couple weeks because the recall maybe wasn't enough and we're going to talk... go down another line and say we're for impeachment, but play it game there? I'm not sure anymore what you're going to do, and I don't think the people of the State of Illinois know anymore what you're going to do, other than when you want something, you do it. When you want to play a game, you want to scam the people, you want to play the old two-step, the wink and the nod, you do it very effectively. And

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

259th Legislative Day

5/1/2008

you're going to claim today, well, we weren't talking to each other. But, you know what, Mr. Speaker, the President of the Senate, the Speaker of the House and the Governor have been in this business a long time. They're kind of like the quarterback and the tight end. They don't even have to talk. There can just be that wink and the nod. The wide receiver goes down twenty (20) yards and knows which way to turn and the quarterback will have the ball there. It's predictable. I don't believe.. and I don't know if the Speaker and the President of the Senate talked, but they don't need to. They've been here long enough. Now, when it comes to sports, it's a good thing. And a touchdown in scoring is a good thing, but when it comes to politics and government, that wink and a nod is not acceptable. And you, as a Party in control, failed the people of the State of Illinois today miserably, miserably. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. My learned colleague couldn't be any fur... couldn't be any further wrong than his last statements. This was a very sincere effort by the Members of the House of Representatives. To insinuate that the Speaker was some part of a wink and a nod conspiracy here is insulting and it's untrue and he... and he should be apologized to. The Speaker, to his great credit, told me that he was against this Bill for reasons that he learned while he was at the Constitutional Convention. But to his great credit, he allowed the Bill to be heard on the House Floor. He, and I believe every one of his Members of

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

259th Legislative Day

5/1/2008

Leadership, voted against it. The only people on the House Floor who spoke against it were Members of Speaker Madigan's Leadership team. They've been honest with us from the very beginning. And I have no qualms about what happened here in the House of Representatives. The people here acted honorably; they worked hard and they were very sincere. Now, if you have criticisms that need to be levied, they should be levied at the other chamber. I sat in and listened to the debate; they had eight (8) speakers. They had chang... They didn't even use our Bill; they took another Bill. Here's what happened. They took Senator Cronin's Bill; they amended it, and they made it much larger, which gave people cover not to vote for the Bill. However, there was a Motion and as a result it failed. And it shouldn't have failed, but it did. And as you know before an opponent of my Bill picked it up and hijacked it. That Bill is still in their Rules Committee. We had a whole hearing on it in the Executive Committee. We had the votes to get it out of the Executive Committee, and that Senator decided not to call it for a vote because he could count. And he knew that it would get to the Senate Floor. So after Cronin's Bill failed today, or the Amendment that was put on Cronin's Bill, the Senators made a Motion to have our Bill that we passed from the House dismissed from Rules and have a vote on it. Instead of even having a ruling on that Motion, the Senate instead adjourned. There was no shenanigans in the House. I talked to Members from the other side of the aisle. They were ready to come back here on Sunday and go back to work. This was not a

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

259th Legislative Day

5/1/2008

Democratic or Republican issue. It was a bipartisan issue and it was dealt with fairly here. I can't say the same about what happened in the Senate, 'cause I don't believe in... it was handled fairly. But I think we ought to hold our heads up high because we did everything we were supposed to do. Okay? Nothing's going to change the fact that you're going to hear more testimony of twenty-five thousand dollars (\$25,000) in cash wrapped in bags given to people as bribes. And we understand now that the Senate isn't coming back to hear our Bill because they don't want the people to decide. We still will have other opportunities. Okay. This isn't over, but don't blame the Speaker, Don't say this was scammed here. We have good working relationships. Those kind of statements inflame a situation. We have to keep working together for the benefit of the citizens of the State of Illinois, do our job, put the pressure on the people who aren't doing their jobs. But let's not point blame where no blame is necessary. I can't tell you how disappointed I am about what happened over there. When I was watching the debate, I tell you, my... I had a feeling in the pit of my stomach that I hadn't had in a long time. I went through every machination yester... I could not sleep last night thinking about what might happen and when it passed, what shenanigans they might pull, like they did to Senator Forby when he passed his Bill and then filed a Motion to reconsider, or I was worried they would pass, then they would hold it and not send it 'til Saturday. I always thought something could happen, but not allowing our Bill

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

259th Legislative Day

5/1/2008

to be heard I think was the ultimate travesty. But I really think that we have to keep our focus on the ball here. We have serious work to be done; hopefully, we'll be able to pass a budget and capital Bill and education, everything we need to be doing. This was a very important issue we lost today. We're going to have other opportunities, but I please ask you not to try to divide this Body. We need to keep working together for the benefit of the citizens of the State of Illinois, and I really appreciate the opportunity that the Speaker provided this Body, even though he personally didn't agree with the Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise on a point of personal privilege, responding to some of the things I just heard. Mr. Speaker and Ladies and Gentlemen, we heard from the Minority Leader about what he calls a wink and a nod. I think the Minority Leader was making a political speech. He's taking the opportunity to dump on the Majority Party for no reason whatsoever, simply because he has the forum and the opportunity to do so. I heard him insult the Speaker of the House, I heard him insult the Democratic side of the aisle, I heard him insult every Member of Leadership on this side of the aisle. I'm one of those Members. You know, I don't think anyone on this floor would ever say I'm a defender of, an apologist for, the Governor of the State of Illinois. I think I'm known as a harsh critic of that Governor. And yet, when this recall petition was... this recall Amendment first came forth

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

259th Legislative Day

5/1/2008

from my seatmate, I told him very clearly up-front I thought it was bad government. I don't think you change a Constitution over the actions of one person, because when you change the constitution you change it forever. And I heard the Minority Leader talk about Members of Leadership and some games that were played. In essence, he's accusing this side of the aisle of a conspiracy, of a conspiracy between ourselves, and of a conspiracy with the Democrats in the Senate to some how save the Governor embarrassment. Well, I'm not about saving the Governor embarrassment. Let's go. Let's start with the list of embarrassing things. I'm prepared to do that today. This isn't about saving the Governor. From my point of view, it was about protecting the Constitution of the State of Illinois from a bunch of stuff, garbage that doesn't belong in it. We have a remedy to deal with this Governor if we feel that he's abused the laws, the rules, the regulations, the statutes, and the Constitution of the State of Illinois. We don't need to change the Constitution to accomplish that. We have all we need on the books of the State of Illinois today. So, no, Mr. Leader, I was not involved in a conspiracy. I was against the recall from the beginning. I think if there was some grand conspiracy, Mr. Speaker, we would not have been in a situation where the Senate waited so long to do this, that if it had passed, it would've forced the House to remain in over the weekend. If there was a grand conspiracy, the Speaker of the House and the President of the Senate would've arranged to do this on a convenient day, so a hundred and eighteen (118) of us would

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

259th Legislative Day

5/1/2008

not have had to travel back to Springfield away from our families. There was no conspiracy. And while we're on the subject of running away from the Governor, Gentleman talked about running away from the Governor, I wonder why a Gentleman that talks about running away from the Governor at a time where none of us trust this Governor and at a time we can't get a capital Bill together or begin a budget process or move forward any of the work of the citizens of the State of Illinois because of this Governor, I wonder why the same Gentleman while he talks about running away from the Governor is planning an... an hour or two to go to a meeting with the Governor. The same Governor he wants to remove from office, the same Governor he thinks the people ought to recall, the same Governor who he thinks is incompetent, the same Governor who he thinks he's not prepared to work with because we can't accomplish anything with this Governor at the helm of the State of Illinois, and yet the same Governor... or the same Gentleman on the other side of the aisle, who believes that there's some grand conspiracy to help move the Governor's agenda along is very happy to leave his desk on the floor of the House and go negotiate with a Governor that can't get it done. And so I wonder about hypocrisy, never mind a wink and a nod. I wonder about a person who stands on the floor and makes a political speech and accuses the Majority Party of a wink and a nod, accuses the Majority Party of a conspiracy to defraud the people of the State of Illinois when he's prepared to stand up, go to the second floor of this building, and work with a Governor who he says he does

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

259th Legislative Day

5/1/2008

not trust and a Governor who for years has not been able to move anyone's agenda forward, his, ours, or the people of the State of Illinois. I don't need to have Rod Blagojevich be Governor of the State of Illinois. It's okay with me if he's not the Governor of the State of Illinois. But nothing that happened today and nothing that happened over the last couple of several weeks about this recall Amendment has anything whatsoever to do with this side of the aisle running from the Governor, with this side of the aisle being involved in a conspiracy to help the Governor. In fact, there are many of us on this side of the aisle prepared to do what the Chicago Tribune said to do at the end of their editorial today, endorsing the recall. Their last three words in that editorial, whatever it takes. Let's do whatever it takes and move past political rhetoric."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. To those on the other side of the aisle, my... my comments weren't designed to protect or highlight or cover the Governor. My observation was simply that... this move, whatever you want to call it, was designed to protect you, was designed to give you a vote so you could say you weren't in support of the Governor, based on the fact for the last three and a half, four years, you've voted with the Governor on a number of issues. My other point was very simple that when you want it... seemingly want to get things done with the other chamber, you do it. You find a way to get things done that are important to you. And I have listed them: pay raise, raiding the pension

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

259th Legislative Day

5/1/2008

system, taking care of the RTA, moving the primary date, things that you say were important and it seemingly were, you did. And you said this was important, but you didn't get it done. And the votes were there, not about the Governor, but to take care of you, to protect you in the next election. Somebody finally figured out, I think, that a recall vote on a Constitutional Amendment wasn't good for you. That people that were showing up to support a recall were there supporting it because they didn't like the Governor. And as a result to that, they probably wouldn't be voting for Democrats. It finally occurred to people. Is that a political statement? I don't know what it is; it's an observation. It's an observation. Take it however you want it. I don't mean if I... if someone thinks I got personal, I apologize. I'm trying to make observations here. And they simply were had it been when you want things done, it gets done. But when you say you want something, but we're not really sure you do, it doesn't get done. You can't have it both ways. And today was an example of something no one's really sure if you were serious or not, because it didn't happen. And the other point is, again it's an observation, take it how you want. People are cynical. Everybody in this place, in this state, and in this institution knows, people are sick and tired of Illinois Government. And with good reason-and this just perpetuates that cynicism, in the worst way. Oh wow, I think there's going to be a recall Amendment, makes some sense. Maybe I have an opportunity to vote on it. But yet at the end of the day, they don't have a vote on it,

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

259th Legislative Day

5/1/2008

'cause it didn't happen. You think that encourages people to get involved? That's what people want? No. It just... It just reinforces the attitude they have about this place. And one of the Representatives talked about me leaving down here to go wor... I don't agree with the Governor on 75, 89 percent of the stuff. But I've done my best and will continue to... to be above board and to have intellectual policy conversations with him on a variety of issues. Just because I disagree with him doesn't mean I can't continue to have those. That's this process in an above board nonpersonal way. And I will leave here and go down to talk about capital. That's one of the things that we need to do, a jobs bill and Infrastructure Bill. And because of the attitude and the atmosphere, it didn't happen. Adds further to the cynicism, sales tax on gas, sales tax holidays, whatever you want, we're not getting any of those things done. I don't like to make these observations. I want to get these things done. I think most of you want to get the things done that affect people's day-to-day lives. We don't have to raise the rhetoric around here. And again, I was trying to make points. If you thought I... raised the rhetoric too high, I'm sorry. But the points were legitimate; they were legitimate observations. If you want the cynicism in this process in the State of Illinois to end and to get people involved, reality and the ability to do what you say and what you mean has to happen. You can't have it both ways. Thank you."

Speaker Hannig: "Representative Stephens."

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

259th Legislative Day

5/1/2008

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

Speaker Hannig: "State your point."

Stephens: "The a... Leader Cross has come to the floor and on several occasions in the last few weeks and pointed out some serious problems that this Body has. And those bodies, in our opinion, those serious problems lie at your feet. And you can usually tell the effectiveness of his argument by the response. And obviously, his arguments struck a chord today. I think thou dost protest too much. But when I start to hear the... the ranting from the other side of the aisle, I know, uh oh, we really are onto something. That must have hurt. To say that Leader Cross is inflating the situation to a... to hear him... to hear him criticized for trying to find who's to blame here? Well, the people of Illinois are not stupid. A Democratic Party rules the roost. Every statewide elected official, the Speaker of the House, the President of the Senate, super majority over there, a huge majority here. When things fail to get done, we'll share our part of that blame. We're part of this Body. And if we let the people down, we'll be held accountable. But don't... Don't try to say there's no conspiracy. You know what... Maybe you need to wake up and smell the coffee. If you don't think this deal was done, you've either not been around here long enough or you just are not observant. I think you missed the point of Leader Cross's remarks. The fact is, it didn't get done. Other things that people want that didn't get done; little tax relief over the summer, a little break for their

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

259th Legislative Day

5/1/2008

wallet. You can't do that, but you can move a primary. You can move mountains when you want to. I believe the public response this fall is going to be huge, and it's going to reflect poorly on your side of the aisle."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you. Point of personal privilege."

Speaker Hannig: "State your point."

Molaro: "I'm gonna take one shot at this, and this is the only shot I'll do for the rest of the thirty (30) days. I... I came over to the House after ten (10) years in the Senate. I love the institution. I love the House of Representatives and I am a Member of the House of Representatives. And I just want to say this. This has nothing to do with the Leaders in the Senate or the Governor. I also absolutely enjoy and... and really believe in the absolute integrity of Mike Madigan and Tom Cross, the absolute integrity of those two (2) individuals. Now I always thought we got in this problem, that we have this historical footnote that the five Leaders gotta get together to solve the problems all the time, that us menions, us 112, I'm not a math major, what's ever left, we just sit back like sheep and we wait 'til the five (5) Leaders get together. That's all we do. When is there a meeting? When is there a meeting? Well, I don't know if anybody gets this, and I don't know if Leader Cross gets it or whoever doesn't. It doesn't look like that meeting is going to take place anytime soon. That's done; it's a historical footnote. And I say, good riddance. Good riddance with that. Here's what I say, we should do it

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

259th Legislative Day

5/1/2008

like they do in the United States Congress. Let's take two (2) men of integrity. Now again, this is nothing about the other three (3). Let's take two (2) men, like Tom Cross and Speaker Madigan. Let them get together, let their Leadership team get together, and let them come up with spending; a budget, revenue streams, gaming, a capital Bill. We should as a House of Representatives with the talent that we have in this room, we should come up with what we need to do to get it done for the State of Illinois. We don't have to sit with other Leaders. Sorry to say, but Emil Jones and Frank Watson passed a capital Bill. It might not be a good one, one we agreed to. It's our job now for our Leaders, not just the two (2) of them, for our Leaders and anybody else who wants to get involved, it's time for us to pass a budget, to pass whatever revenue streams we need, to pass a capital Bill. Now, the reason I'm saying this now is this; we are really getting close to driving off the cliff. Yes, the Republicans got up and said what they thought. Well, that's what I did for ten (10) years in the Senate when Pate was running. They have every right to get up and make how many political speeches they want. Do whatever they want to do, that's fine, they can do it. But it's getting awfully close to being too personal. I mean I don't know about you guys, but when Speaker Madigan got up there last week and started talking about getting... I mean we're all looking at each other saying WTF. I mean trying to figure out what's going on here. Now I don't want to make it worse. I don't want to have it where everyday the Leader's going to get up and say

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

259th Legislative Day

5/1/2008

something that we perceive as personal. Then the Speaker's got to come down from his office and go back and we're going to go back and forth for the next three (3) weeks. Why don't we just cool it and start right now and cool it and maybe the Leaders in the House can do what we're supposed to do and together we can craft a budget. Together we can pass a capital Bill. Now I know, and I'm almost done, that you'll say you tried. We called the Speaker twenty (20) times. The Speaker will tell me he tried, but you guys are running back and having your meetings with the Governor. Hey, it's now May 1st. Let's not bring up the past. Let's see if for the next few weeks we can get something done, but we have to do it with the House of Representatives. I don't care what the Senate's going to do. I don't care. When they passed their capital Bill and their gaming Bill, they didn't call us and ask us what we wanted in their Bill. We should pass what we want as a House and then maybe something will get done in this building."

Speaker Hannig: "There's a written Motion by Representative Beaubien to reconsider the vote by which House Bill 953 passed. Is that correct, Representative? Representative Beaubien."

Beaubien: "Yes, it is. That's correct."

Speaker Hannig: "So is there any discussion? Representative Lang, did you wish to speak to that Motion?"

Lang: "Well, I certainly object to the Motion, Mr. Speaker. And the Gentleman's within his rights to make the Motion, but I object to it. So if he wants to commence with his

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

259th Legislative Day

5/1/2008

Motion, I'll object and ask my side of the aisle to support me."

Speaker Hannig: "So the question is, 'Shall the House reconsider the vote by which House Bill 953 passed?' All in favor vote 'aye'; all opposed 'nay'. The voting is open. This requires 60 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Coulson, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 48 voting 'yes' and 57 voting 'no' and the Motion fails. Representative Mathias is recognized on House Joint Resolution 92. Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Joint Resolution 92 commemorates the 60th anniversary of the establishment of the State of Israel and extends our congratulations. I know it's late and everyone wants to go, but I think this is a very important Resolution and I'd actually like to read some parts of it. I've asked to carry this Resolution because I have two (2) children and over the last several years both of my children have lived in the State of Israel for a period together of over eleven (11) years. I a... my first granddaughter, whose birthday is tomorrow, will be two (2) years old, was born in the State of Israel. So, I just a... ask for your indulgence so I can a... read this Resolution.

In May of 1948, with recognition by the United Nations of the need for a Jewish homeland, the State of Israel was established as a sovereign and independent nation; and

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

259th Legislative Day

5/1/2008

WHEREAS, The new State of Israel was established in the ancient homeland of the Jewish people, the culmination of decades of efforts by the modern Zionist movement to resettle and reinvigorate the land; and

WHEREAS, The United States was one of the first nations to recognize Israel, only eleven minutes after its creation, which is probably a record for anything they've done; and

WHEREAS, The State of Illi... Israel provided a refuge to Jews who survived the horrors of the Holocaust and the evil acts committed by the Nazis; and

WHEREAS, Israel has provided the opportunity... Thank you, Mr. Speaker, for Jews from all over the world, including immigrants from Ethiopia, the former Soviet Union, and from the Arab lands to make new lives in their ancient homeland; and

WHEREAS, Israel is home to religious sites, sacred to Judaism, Christianity, and Islam, is committed to the protection of these sites and to freedom of worship; and

WHEREAS, The people of Israel have established a pluralistic democracy which protects the freedoms cherished by the people of the State of Israel... I'm sorry, by the people of the State of Illinois, including freedom of speech, freedom of religion, freedom of association, freedom of the press, an independent judiciary, and government by the consent of its citizens; and

WHEREAS, Israel continues, in a region generally bereft of such practices, to serve as a shining model of

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

259th Legislative Day

5/1/2008

democratic values maintaining gender equality, freedom of sexual orientation, and equal rights for all citizens; and

WHEREAS, Israel has a thriving culture and has made significant global contributions in the fields of science, medicine, and technology; and

WHEREAS, The State of Illinois and the State of Israel have developed mutually beneficial economic, cultural, educational, trade, and scientific partnerships; therefore be it

RESOLVED, by the House of Representatives of the 95th General Assembly of the State of Illinois, the Senate concurring herein, that we recognize the anniversary of the establishment of the State of Israel as a significant event in providing refuge and a national homeland for the Jewish people; and be it further

RESOLVED, That we commend the bipartisan commitment of all United States presidential administrations and United States Congresses since the establishment of the State of Israel in 1948 to stand by Israel and work for its security and well-being; and be it further

RESOLVED, That we extend our warmest congratulations and best wishes to the people of Israel as they celebrate the 60th anniversary of their nation's independence. And I ask for your 'aye' vote."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Motion say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. Mr. Clerk, what is the status of House Bill 4236? Representative Bassi, for what reason do you rise?"

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

259th Legislative Day

5/1/2008

Bassi: "Mr. Speaker, on House Bill 953, I inadvertently grabbed the wrong button, would like to be recorded as a 'no' vote."

Speaker Hannig: "The record will so reflect."

Bassi: "Thank you."

Speaker Hannig: "Mr. Clerk, what is the status of House Bill 4326?"

Clerk Bolin: "House Bill 4326 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. Representative Brauer, for what reason do you rise?"

Brauer: "Thank you, Mr. Speaker, personal privilege."

Speaker Hannig: "State your point."

Brauer: "If Ladies and Gentlemen, if you would help me welcome the Lincoln Christian College and Sally Litterly here with her civics class and give them that good Springfield welcome. Thank you."

Speaker Hannig: "And Representative Bill Mitchell, okay. On page 31 of the Calendar, Representative Stephens, you have House Joint Resolution 107. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This a... this Joint Resolution would name Route 173 in McHenry County as it passes through to that area after the 173rd Airborne. I want to first of all thank Representative Franks for his gentlemanly behavior. He was the original lead Sponsor on this. When he found out that I served in the 173rd Airborne some years ago in Vietnam, he was kind enough to allow me to be the Chief Sponsor, and I consider that quite

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

259th Legislative Day

5/1/2008

an honor. The 173rd Airborne was formed in Okinawa in the mid 60's. It was the first Army fighting unit to serve in Vietnam, made the only parachute jump in that country, a mass jump. They serve today in the a... in the foothills of northern... northern Italy. They've since... spent a tour in Iraq and are currently deployed to Afghanistan. I would be honored to add all Members as cosponsors and ask for your 'yes' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Resolution be adopted?' 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 106 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Eddy, you have House Joint Resolution 108."

Eddy: "Mr. Speaker, there's an Amendment to that Resolution that I need to have adopted prior to..."

Speaker Hannig: "Mr. Clerk, are there any Amendments?"

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

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. The Amendment to the Resolution simply clarifies the location the... the stretch of highway that would be appropriately named after Howard Cleff. In the original version, there was a mistake and I... I'd ask for the adoption of the Amendment a..."

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

259th Legislative Day

5/1/2008

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

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

Speaker Hannig: "Okay. Then on the Resolution, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. The Resolution is to name a portion of U.S. Route 50 around the north side of Lawrenceville, Illinois, as the Howard Cleff Memorial Highway. Howard Cleff was a state trooper who for many years patrolled that section of highway. He's known affectionately to the people of Lawrence County for his years of service to the State of Illinois and particularly that region. He retired from the Illinois State Police as a Master Trooper in September of 1973. And interestingly enough, Trooper Cleff was the gentleman who made the suggestion to the Department of Transportation that there be a white stripe placed on roads around the State of Illinois, so that as you look to the right and the shoulder that there would be a constraining line. A... That came up during the research on this. I wanted to mention that. And I would hope that the Body would join me in the 'yes' votes on this Resolution. Thank you."

Speaker Hannig: "Is there any discussion? This requires a Roll Call Vote. So 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 Mitchell, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 105 voting 'yes' and 0

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

259th Legislative Day

5/1/2008

voting 'no'. And the Resolution is adopted. On page 38 of the Calendar, under the Order of House Resolutions, is House Resolution 1188. Representative Franks."

Franks: "Thank you, Mr. Speaker. Oh, I was preparing 1190, but I'll start at 1188. 1188 is a House Resolution that would disapprove Executive Order #1, which purported to transfer about twenty (20) state agencies into three (3) super agencies in a shared service initiative. The Governor had done an Executive Order to do this, and we had a hearing in our State Government Administration Committee where I believe it was unanimous that we... I got to check the status. I believe it was unanimous that we voted to a... reject the Governor's Executive Order. Yeah, it was 13-0-0. And what's very peculiar during this hearing where we had learned that this administration had already spent seven (7) figures on this shared services initiative, over a million dollars (\$1,000,000), which had not been appropriated. And they couldn't tell us from which line item it came from. It had not been approved by the General Assembly, yet the Governor on his own initiative started forward on an Executive Order that had not been approved. Then reading the Executive Order, it indicates that the Governor was gonna have JCAR write the rules for these three (3) super agencies. This was after the Governor had already filed suit against the Secretary of State to say that JCAR had no rulemaking authority. It's Alice in Wonderland when it comes to the Governor's Office on how government's supposed to run. What I ask is that we reject this Executive Order, that there are severe problems with

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

259th Legislative Day

5/1/2008

this. They could not show savings. Labor was against it, and what I'm... concerned is if the Governor was allowed to do this, he would do much of what he did a few years ago with his so called efficiency initiatives and basically, have an elaborate money laundering scheme where he moves money around from line items, which then he controls and donors get state contracts. If you remember, Auditor General Holland's report, six (6) out of nine (9) contracts that he looked at from these efficiency initiatives went to entities that had given substantial amounts of money to the Governor. And in one instance, that entity did not even exist until after they got the contract. I think in order to protect the citizens of the State of Illinois, we need to reject a... the Executive Order #1, and I would ask that we have an 'aye' vote rejecting Executive Order #1."

Speaker Hannig: "And on the Resolution, the Gentleman from DuPage, Representative Ramey."

Ramey: "Thank you, Mr. Speaker, and I apologize to Representative Franks. Point of personal privilege."

Speaker Hannig: "State your point."

Ramey: "Thank you, Representative. Real quick, Ladies and Gentlemen, I would like to introduce the students from Fox Ridge Elementary School in St. Charles, Illinois. They're up in the gallery today visiting Springfield. One of their... students I asked one of their students, Jimmy Barrache, you know, what was the best part of today? He said actually seeing us in Session and working today. So I thank you very much, Jimmy."

Speaker Hannig: "Representative Sullivan."

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

259th Legislative Day

5/1/2008

Sullivan: "Thank you, Mr. Speaker. Will the speaker yield?"

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

Sullivan: "Representative, was there some action in the Senate in regard to this issue already taken... Has it taken place already?"

Franks: "I'm not... I think there might have been, but I'm not positive. I'm not sure they did a Resolution. I... I don't think they've done a Resolution rejecting..."

Sullivan: "And... this is inquiry. I'm just inquiring in nature more than anything else, 'cause it's my understanding that they have already acted on this, and you only need one chamber to act on a Resolution to... to make this issue go away in essence. So I was wondering why you're bringing it forth now if it's already taken place in the Senate?"

Franks: "I'm not sure they've done a Resolution rejecting. Ours is an affirmative rejection."

Sullivan: "Okay."

Franks: "I don't know... I think they might not have accepted the Executive Order, but if when you read the Constitution, I think you have to pass the Motion rejecting it. And I'm not sure what they did was... was correct. All right. Well, I'd rather be safe than sorry."

Sullivan: "Okay. That's all I was wondering. I'm certainly for your Resolution. I just was curious. Thanks."

Speaker Hannig: "Representative Pritchard."

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

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

Pritchard: "Mr. Franks, a... when the Governor's representatives came before us in committee, were they able to document any

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

259th Legislative Day

5/1/2008

savings from the two (2) current shared services consolidation in public safety and administration in regulatory?"

Franks: "No... Their whole argument was they were going to move the back office of the host agencies under one... one agency, but they said there'd be no reduction in staff. And they sort of spoke around that issue, but they could not point to any real savings, though they did claim there would be a hundred and twenty million dollar (\$120,000,000) savings but they didn't show us where."

Pritchard: "Doesn't it seem a little odd that when we can't even prove there's a savings in these two (2) agencies, that we move forward with additional consolidation?"

Franks: "That's what I thought, as well. And also what I thought was very odd and perhaps you remember, they did not have any provisions to protect any collective bargaining agreements as well."

Pritchard: "Well, and that was going to be my next thought. If the Governor is so concerned about improving the efficiency of State Government, were his representatives able to share any type of discussions that have been ongoing with departments and with employees to look for efficiencies?"

Franks: "None at all and nor could they tell us who they'd spoke to as well on these."

Pritchard: "It just seems a little bit odd. Mr. Speaker, to the Bill. That the Governor is moving forward with consolidations with no proven financial savings, plus the fact there have been no discussions with the workers who are going to be affected and thereby assuring that there

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

259th Legislative Day

5/1/2008

won't be the kind of cooperation and agreement that's going to be necessary to make something like this work. I support the Sponsor's Resolution and I think we ought to send a clear message that if the Governor is looking for efficiencies, the place to start is with our employees."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Seems to me that the whole point of Executive Order #1 is to consolidate more power within the Governor's Office to shield what those agencies are doing from our purview. It would be less transparency if this Executive Order happens. It would be less opportunity for the Members of the General Assembly to look inside this administration and see what they're doing. It would be less opportunity for us to do our due diligence, to do our investigation, to make determinations for ourselves as to whether these agencies are doing the work that they're suppose to be doing. We cannot allow, it seems to me as a General Assembly, the Governor to further insulate himself from our purview, from the purview of the media, from the purview of the General public. We just went through a long debate more than once on this recall situation, and there's a lot of people concerned about the actions of the Governor. And here we have a proposal by the Governor's Office to further encircle his power in a way that only he gets to look at it. Well, that can't be good government. It can't be good government just to simply say, well, we're going to make these agencies a little larger. We'll get rid of some employees. We'll have one-stop shopping for

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

259th Legislative Day

5/1/2008

everyone. Well, it's okay to say that and it's another thing to do that. I don't think any of us trusts much of what's coming out of the second floor of this building, and if you don't, you can't allow this Executive Order to stand because it will take us farther away from the process. Additionally... additionally, who are these agencies going to be beholding to? More and more power and less and less agencies means more and more interplay between the Governor's Office and the state agency directors without any involvement by us. And so it seems to me that especially since the Governor's Office could... had... there was no showing from the Governor's Office that there'd be any direct savings to taxpayers. Given all these things together, I don't know how we could allow this order to stand and I would strongly recommend an 'aye' vote."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Resolution. I would be in strong support of this Resolution, especially since I think that the DHS and HFS are so overwhelmed right now as mega agencies that to incorporate anything more underneath them, I think just shields from the activities that they're doing now. I think it looks like that you could save money financially, but I think DHS especially, the mega agency that it is, has so much going on it right now, I don't think it can handle anything more to be put underneath it. Right now, I think that agency itself should be separated so that there would be more access to money and to funds that are within those, such as the people that were here yesterday, four hundred (400) of them

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

259th Legislative Day

5/1/2008

in wheelchairs that cannot get any more money to be spent on the piec... disabilities. And yet money to be spent on other things that are provided by the administration are driven in full force. To be fifty-first (51st) in the nation in disabilities is something that we should be ashamed of. As a state, we need to divide up that DHS right now. When they were combined, putting DASA, Mental Health, DD, altogether some of those agencies have just been swallowed up in a mega agency. Therefore, I would support this Resolution and not have anything more merged into there. Thank you."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. You'll have to bear with me, I don't have much voice. I also stand in support of this Resolution. When I came to the General Assembly I didn't realize I don't represent the Speaker, I don't represent Leader Cross, I don't represent the Governor. I represent the people in my district and the people of Illinois. Combining these agencies is a bad move. We can't get information currently out of some of these agencies, particularly DHS. HFS currently has the largest... one of the largest single budgets and is already a mega agency that makes decisions that impact so many different issues that they can control prices as far as what we pay for insurance, what we pay hospital rates, anything that goes along with this. When I read this order several weeks ago, my feeling was that this Order is an implied threat. The threat kind of is, hey, if we don't get a budget done correctly on time, we're going to put the agencies together

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

259th Legislative Day

5/1/2008

and then we're going to start letting people go. I think this is a real problem. I doubt seriously whether any of us would want to do that. I think we need to demand that each of these agencies are accountable to both the General Assembly and to the people that we represent and combining them would be a mistake. So specifically, I would not want to see either Health Care and Family Services, Department of Veterans' Affairs, Department of Public Health, I don't want any of those combined together. I think this is a really bad move. I would urge a 'yes' vote on this Resolution to disapprove Executive Order 1."

Speaker Hannig: "Representative Eddy."

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

Speaker Hannig: "Indicates he'll yield."

Eddy: "Representative, my question is, what happens if this passes? Doesn't stop the Executive Order..."

Franks: "Yes."

Eddy: "...in its tracks? This is it, final action? Does it need to go to the Senate?"

Franks: "No."

Eddy: "So..."

Franks: "He might do another Executive Order."

Eddy: "Anytime... Pardon me?"

Franks: "He could do another Executive Order that we would have to reject then within sixty (60) days."

Eddy: "And... and it takes sixty (60) days then in order for that Executive Order to take effect. Nothing's happened yet, right?"

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

259th Legislative Day

5/1/2008

Franks: No. That's... that's what really gets me upset. Even though this Executive Order had not taken effect, the Governor had sent out news releases announcing the formation of the Environment and Economic Development Shared Service Center without our consent. And in committee, the Representatives had admitted that they had spent money on this, but they couldn't tell us which line item. And I said, well, how much? And they said, well, not much. And I said, well, seven (7) figures? And they said, yes. So they spent over a million dollars (\$1,000,000) on something that we have not approved. Just assuming that we were going to roll over and do their bidding. And I think... I think that is a very, very unsettling."

Eddy: "Was there any duty on behalf of the Governor's Office according to rule or statute that they had to wait sixty (60) days to give us that opportunity?"

Franks: "Well, it doesn't become effective until after sixty (60) days."

Eddy: "Okay, so that automatically gives us that sixty (60) days."

Franks: "Right."

Eddy: "So... so would you characterize the Governor's action as being illegal?"

Franks: "I... I think it would be unconstitutional. I... I think by taking that action, by using monies that weren't appropriated and not approved, then I think it could be an issue."

Eddy: "He violated the Constitution?"

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

259th Legislative Day

5/1/2008

Franks: "I would... in my opinion, yes."

Eddy: "So, the very fact that the Governor chose to ignore the sixty-day period of time is a clear and direct violation of the Constitution..."

Franks: "In my opinion."

Eddy: "...that he has sworn to uphold."

Franks: "Yeah, we'd have to get a lawyer's opinion. I'm telling you in my opinion I think it is."

Eddy: "Okay. The key part of my question had to do with the fact that this is it, and I think that's very, very important. If... if this is something we can do regarding these Executive Orders, perhaps we need to pay closer attention to anything that comes out of the second floor and be prepared to file this type of Resolution in the future as we continue to see the abuse of power, the malfeasance and the questionable behavior of a Governor who is clearly out of control. Thank you."

Franks: "Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the Resolution be adopted?' We're gonna have a Roll Call vote. So 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 101 voting 'yes' and 5 voting 'no'. And the Resolution is adopted. Representative Franks, you also have House Resolution 1190."

Franks: "Thank you, Mr. Speaker. This Resolution would direct the Auditor General to conduct a management audit of the

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

259th Legislative Day

5/1/2008

grant process involved in the one million dollar (\$1,000,000) state grant to the Loop Lab School. As you may recall a few years ago this Body allowed an audit on the purchase of the flu vaccines, which lost the state approximately 2.6 million dollars (\$2,600,000). We found at that time that the vaccines weren't necessary. The Governor at the time knew they weren't necessary, that there was no shortage. He knew that they would not be able to import them; yet, he obligated the state to 2.6 million dollars (\$2,600,000). And then he then donated them to Pakistan; however, they were already expired and we upset an ally. So it was... It couldn't of gotten worse, until you look at this one. And we had an issue where we brought the Governor's Office to our committee asking for answers on an admitted... an alleged mistake. The Governor said that there was a mistake by two (2) former employees that had worked on this grant and had given one million dollars (\$1,000,000) to the Loop Lab School where the Governor said he intended it to go to Pilgrim Baptist Church. We had a series of questions and the Governor's Deputy Governor Louanner Peters came to our committee and charitably couldn't answer our questions. To the... from the simplest questions on. We asked who the two employees who the Governor referred to publicly worked on the grant and she could not answer those questions. Now what we have here if you look... We got the grant documents from DCEO, and they were explicit on the grant documents that the Loop Lab School will be taking a million dollars (\$1,000,000) and buying a condominium property in downtown Chicago at 318

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

259th Legislative Day

5/1/2008

West Adams. And ultimately, we found out that the seller was a federal mole in the ongoing Rezko trial and had brokered a deal for Mr. Rezko a few years before. It gets more curious though, because the... the Governor's Office says it was a mistake, and they didn't know the money was going to buy a condominium miles away from the Pilgrim Baptist Church. If you look at... We looked at the a tax returns of this school, and their revenues had fallen over 80 percent in the prior three (3) years, and they were quickly going out of business. They had shown no assets. They showed no students. They showed no faculty, except for the administration. Yet somehow, this institution received a million dollars (\$1,000,000) to buy a condominium, and they still have not opened the school. It's still not in business. And what's more interesting and I'm... And really what's more upsetting is that there are so many people waiting to have pardons granted. So many deserving individuals, over a thousand individuals have been waiting to have their pardon heard by this Governor, and he hasn't heard it. There's a man, Randy Steidl. He was freed from prison in 2004 after se... after spending seventeen (17) years in jail for a crime he didn't commit. He still has not been pardoned. But the lady who was running this school filed for a pardon in August, had a hearing in October, and had her pardon granted in January. On her pardon application, it said that she needed a... she needed the pardon so she could accept the million dollars (\$1,000,000) to be able to... for the Loop Lab School so she could be an administrator 'cause with a felony conviction,

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

259th Legislative Day

5/1/2008

she was worried she couldn't be. So there's questions that have to be answered, and we asked Deputy Peters these questions in committee about the pardons. And the reason we asked her these questions is because she did a press conference on pardons, saying she knows for sure that this pardon had nothing to do with the one million dollars (\$1,000,000). So we asked her, well, what did it have to do with? But she had no idea; she was just sure it had nothing to do with the one million (1,000,000). We asked how many people have outstanding pardon requests that haven't been heard? She couldn't answer that either, though she was the Governor's expert on pardons. We were stonewalled completely by the administration; they showed utter contempt. We asked them repeatedly to answer the questions. We sent them letters; we asked for documents. They didn't give anything. Now they don't have that ability if the Auditor General asks for the documents, asks for the e-mail, asks for the phone records. They cannot turn the Auditor General down..."

Speaker Hannig: "Representative, your 5 minutes have expired. Could you bring your introduction to a close."

Franks: "It's stuff... But it's really good stuff. But if... But if the Auditor... If they turn down the Auditor General, and the Auditor General has the ability to go to law enforcement. It was obvious that they were not going to work with the General Assembly, that they were doing what they always do, business as usual, do whatever they want, and then ignore us. I'm asking for the second audit of a sitting Governor and to have this thoroughly investigated

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

259th Legislative Day

5/1/2008

by those with the power to make sure we get the answers.
I'd be glad to answer any questions."

Speaker Hannig: "Representative Eddy."

Eddy: "Representative Franks, has... has there been any action taken on the recovery of the one million dollars (\$1,000,000) that a... 'inadvertently' made its way to the Loop Lab School rather than to the intended purpose of a church that was burnt down?"

Franks: "They claimed in committee that this was some type of ongoing investigation, but the only thing we had seen that there was a letter and they hav... there's a process when you try to get money back that's been given as a mistake. It actually happened in my county. One of my social service agencies received a check that was supposed to have gone to someone else. They had to pay it back shortly thereafter with interest. There's been no demand that I'm aware of by this administration for that money back."

Eddy: "I just want to follow the money here. A million dollars (\$1,000,000) that was meant to replace a... a church school that had burnt down ends up with a Loop Lab School and later is used to purchase high-rise property. Did I follow the money there?"

Franks: "Yeah, but let me... I... I don't want to mislead you. This school, the Loop Lab School, was renting proper... was renting the administration building at the Pilgrim Baptist Church."

Eddy: "But was the intended purpose of any of this money to purchase high-rise property at the end of the day at the end of the chain?"

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

259th Legislative Day

5/1/2008

Franks: "If you look at their application..."

Eddy: "Yeah."

Franks: "That's exactly what it was intended to do."

Eddy: "So... so there's no question if someone would've looked at the application, like we have people scouring over applications for other money that the state... that someone could've clearly seen that..."

Franks: "It gets... I don't believe there was... now I want to be perfectly clear here. The Governor says there was a mistake. I don't believe there was any mistakes done here, whatsoever. I think it was a concentrated effort at the highest levels of the Governor's Office to get a million dollars (\$1,000,000) to the Loop Lab School so they could buy a condominium in downtown Chicago."

Eddy: "Thank you, Representative. I... I share your absolute disgust with a... what appears to be stonewalling to cover some pretty deep tracks, and I appreciate the fact that you will bring this to this Body. I'm not sure why the funds already have not been recovered. It makes no sense to me, but if it were 'a mistake' that there weren't actions taken immediately to try to rectify the mistake, the only thing I've heard that's happened is they are attempting to find another million dollars (\$1,000,000) for the same school and let... for the church because of what happened. And let's hope that they're not arrogant enough to try it a second time with the same situation, but I wouldn't put it past them."

Speaker Hannig: "Representative Lang."

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

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

259th Legislative Day

5/1/2008

Speaker Hannig: "Indicates he'll yield."

Lang: "Representative, as I recall the press accounts of this incident, the a... Governor's attorney, I believe, when asked if this was a... a purposeful act, denied that it was a purposeful act and said something like, at worst this was incompetence. Did he say something like that?"

Franks: "I believe so."

Lang: "And so the inference is that the Governor's Office either did something purposefully wrong or they were simply incompetent. Is that right?"

Franks: "I wouldn't say simply; I'd say horribly incompetent."

Lang: "Right. But do you... do you find any other... any other options, other than horribly incompetent or purposefully derelict or purposefully defrauding the taxpayers?"

Franks: "No, and... and... and to make... to clarify it, I really believe it was... It wasn't a mistake because if you look at the... What happened is that this organization filed three (3) years of tax returns on the same day. Someone had to tell them to do that, and they have been around for twenty (20) some years and they also filed as a charitable organization on that same day for the first time ever. And it wasn't as though this organization applied for a grant. It was the Governor's Office who'd called them to say, we want to give you a million bucks (\$1,000,000)."

Lang: "This is the same Governor's Office that wanted to give a whole bunch of millions of dollars to NIU to build a building that didn't need to be built after a tragedy?"

Franks: "Yes, it is."

Lang: "And they haven't seen any of that money, right?"

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

259th Legislative Day

5/1/2008

Franks: "I hope not."

Lang: "Right. And apparently, the right people didn't see the money at the church either, is that right?"

Franks: "Yeah, nor has most of our social service agencies, either."

Lang: "Thank you. Mr. Speaker, Ladies and Gentlemen, to the Resolution. This is an important Resolution. We need to get to the bottom of this. And... as... as sad and unfortunate as the entire situation is giving a million dollars (\$1,000,000) to the wrong people, and the preface to this, which is the Governor, without talking to any of us, deciding to give a million dollars (\$1,000,000) to a church who may have needed it, and we may have approved it, but never came to us. Subsequent to this, after the Governor's Office admits that, well, we didn't do anything purposefully wrong, but perhaps we were just incompetent. They then let this gap of time pass where they did no investigation, got no information, and were... came forth with no data. And so Representative Franks rightly calls them before his committee and asks them very pointed questions that any of us in our personal life would ask, any of us that run businesses would ask. Where did the money go? How did they get it? Who got it? Who's responsible for it? Who are the two (2) people that made the 'error' and what happened? And you think that when the Representative or the Governor's Office, who I believe is a Deputy Governor of the State of Illinois, appeared before Representative Franks committee, you'd think she'd have something valuable to say. Now, time... Enough time had

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

259th Legislative Day

5/1/2008

passed for them to track all of this down. And I don't think any of us really believe that they didn't track it down. I believe the inference is that they know exactly who did it, exactly what happened, exactly under what circumstances, and they just refuse to tell the truth. If they... If it isn't that, then it is the grossest level of incompetence I have ever seen out of any administration I've served under. Now the truth be told, we all make mistakes. The Governor's Office makes mistakes. Every constitutional officer makes mistakes. Own up to the mistake, fix it, and tell us what happened. And since they're unwilling to do that, this audit is essential. And their inability to have answers sounds to me like when these agency people come before our committees in the House, and they put in witness slips opposed to this Bill or that Bill or the other Bill, and you bring them forward and you say, why are you opposed? And they... they say, well, we can't afford it. And we say, well, who spends the money? You or the General Assembly? And they say, well, you do. I say, well, then I don't care what you think about that, but what do you think about the Bill? What about the Bill, the substance of the Bill? Oh, we don't know. We don't know. All we know is what we are told to come here and tell you. And so I think we have to assume that the Deputy Governor went to Representative Franks' committee and was only allowed to tell her, well, zero, nothing. And unless we demand this audit, that's what we'll continue to get, zero and nothing, from this administration. This Resolution, you must vote for."

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

259th Legislative Day

5/1/2008

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker. A... seeing as it's Jack Franks Day in the Illinois House, do you think Mr. Franks would yield for a question?"

Speaker Hannig: "I'm certain that he will."

Rose: "Thank you. Representative Franks, do you know who it was that was pardoned?"

Franks: "Oh, yes, it was Ms. Gill."

Rose: "That's Shandra Gill?"

Franks: "Yes, Sir."

Rose: "Do you know what she was pardoned for?"

Franks: "A... for an assault on a police officer, a few... like five (5) years before."

Rose: "Do you know what county?"

Franks: "I think it was Champaign County."

Rose: "It was Champaign County. It was actually an Urbana police officer Deanna Winmar and a... bottom line here is, Representative, I'm 100 percent behind this because anybody that pardons an assault on a police officer... to this day Officer Winmar is not able to do her duty as she did before she was injured. That was the very basis of the conviction. That Officer Winmar deserves justice. And Representative Franks, thank you for bringing this today."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the Resolution be adopted?' We're going to have a Roll Call vote. So 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

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

259th Legislative Day

5/1/2008

are 105 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Mr. Clerk, read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1252, offered by Representative Cole. House Resolution 1253, offered by Representative Granberg. House Resolution 1254, offered by Representative Lang. House Resolution 1255, offered by Representative Jefferies. House Resolution 1256, offered by Representative Osmond. House Resolutions 1257 and 1258, offered by Representative Cross."

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

Clerk Bolin: "Senate Joint Resolution #9 (sic-99), offered by Representative Currie.

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, May 01, 2008, the Senate stands adjourned until Wednesday, May 07, 2008, at 12:30 p.m.; and the House of Representatives stands adjourned until Monday, May 05, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, May 06, 2008."

Speaker Hannig: "Representative Lang moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Adjournment Resolution is adopted. Representative Eddy, for what reason do you rise?"

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

259th Legislative Day

5/1/2008

Eddy: "A purpose of clarification. Earlier today we heard a schedule that would return us to the original schedule that would have been Tuesday, Wednesday, Thursday, and Friday of next week."

Speaker Hannig: "That is correct, Representative."

Eddy: "And that's what the Adjournment Resolution states."

Speaker Hannig: "Yes. So, just to clarify to everyone that we will adjourn today and return to Springfield on Tuesday under the normal published schedule that had been previously filed."

Eddy: "The original schedule. Thank you very much."

Speaker Hannig: "The original schedule. So, Representative Lyons, you're recognized for an announcement."

Lyons: "Yes, Ladies and Gentlemen, so if we can end on a rather light side, but a very important side, Coach Harry Osterman and Coach Art Turner want to remind all of us Tuesday we will have softball practice for the House-Senate softball game scheduled for the 14th. So bring your bats, bring your balls, bring your a... cleats, whatever you need. We will have information. We will have information on Tuesday night for where we're going to have our softball practice. Thank you, Speaker."

Speaker Hannig: "Are there any other announcements? Then Representative Lang moves, that allowing perfunctory time for the Clerk, that the House adjourn until Tuesday, May 6, at the hour of 12:00 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Resolution is adopted and the House stands adjourned."

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

259th Legislative Day

5/1/2008

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 01, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' recommends be adopted and referred to the order of Resolutions is House... Senate Joint Resolution 91. Approved for consideration and referred to the Order of Second Reading: House Bill 2074, House Bill 2212, House Bill 2286, House Bill 2437, House Bill 2438, House Bill 3177, and House Bill 3262. Introduction-Reading of House Bills-First Reading. House Bill 6343, offered by Representative Fortner, a Bill for an Act concerning local government. Introduction and reading of Senate Bills-First Reading: Senate Bill 2342, offered by Representative Molaro, a Bill for an Act concerning revenue. Senate Bill 2531, offered by Representative Beiser, a Bill for an Act concerning public aid. Senate Bill 2632, offered by Representative Winters, a Bill for an Act concerning economic development. Senate Bill 2638, offered by Representative Winters, a Bill for an Act concerning education. And Senate Joint Resolution 11, offered by Representative Brady. There being no further business, the House Perfunctory Session will stand adjourned."