

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Good afternoon, everybody. The Illinois House of Representatives will come to order. Members are asked to please be at their desks. We'll be led in prayer today by Reverend Leslie Sanders who is the pastor of Hope Presbyterian Church in Chicago, Illinois. Reverend Sanders is the guest of Representative Golar. Members and guests are asked to please refrain from starting their laptops and to turn off all cell phones, pagers, and Members and guests are asked to also rise for the Pledge of Allegiance as well as the prayer. Reverend Sanders."

Reverend Sanders: "Thank you. Good afternoon. Let us pray. Almighty God, we thank Thee for this day. Each day represents another opportunity because Thou have given us to celebrate life and to serve You. As we gather in this place today, we remember in our prayers people who are suffering throughout the world: the earthquake victims in China; the cyclone victims in Burma; and the tornado victims in the Midwest and South. We also are praying for the men and women in our military that are fighting to keep this nation free and safe. We pray now for Speaker Madigan and the House of Representatives and they have been entrusted by You with the obligation to make law that affect the lives of the citizens of this great State of Illinois. We especially pray for my State Representative, Esther Golar, that You will continue to give her the will and the knowledge to represent the people of the 6th Legislative District with vision and integrity. We pray, Oh God, that the decisions made in this place today will empower and impact the citizens of the state in a positive

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

265th Legislative Day

5/13/2008

manner, enriching their lives and bringing unto us, a greater sense of unity and prosperity. And finally, we pray that all that is said and done today may be pleasing in Your sight. We pray, Amen."

Speaker Lyons: "We're led in the Pledge by Representative Bob Flider."

Flider - 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 Lyons: "Thank you Reverend. Thank you very much. Appreciate your wonderful prayer. Roll Call for Attendance. Leader Barbara Flynn Currie."

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

Speaker Lyons: "Thank you, Leader. Representative Michael Bost."

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

Speaker Lyons: "Thank you, Representative. Mr. Clerk, take the record. A hundred and nine Members (109) are responding, there is a quorum. We're prepared to do the business of the State of Illinois. The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia for the purpose of a personal privilege."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, one of our own sent his son to Afghanistan

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

265th Legislative Day

5/13/2008

yesterday. Don Moffitt... Don and Carol Moffitt's son, Justin, left for Afghanistan. Just like to ask all of us to remember them and him in our prayers with our other servicemen during his service there. Thank you."

Speaker Lyons: "The Chair recognizes Representative Sandy Pihos. For what purpose do you seek recognition, Representative?"

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

Speaker Lyons: "Please proceed."

Pihos: "Yes. I'd like you all today to look up in the balcony here over to my left, we have the Nursing Advocacy Council of Advocate Health Care. And that is a self-governed council composed entirely of frontline nurses that work to educate and empower the largest nursing audience in Illinois. Advocate's seven thousand (7,000) professional nurses... they have seven thousand (7,000) professional nurses. Advocate is the first health care provider in Illinois to provide this frontline nurses with this opportunity, thus giving them a stronger voice on legislative issues. So with us today are representatives from Advocate Bethany Hospital, Advocate Illinois Masonic Medical Center, Advocate Christ Medical Center, Advocate Trinity Hospital, Advocate Good Samaritan Hospital, Advocate Good Shepherd Hospital, Advocate Lutheran General Hospital, Advocate South Suburban Hospital, and Advocate Health Centers. Let's give them a warm Springfield welcome."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Welcome to Springfield. God bless you for the work you do. Enjoy your day. The Chair recognizes the Lady from Kane, Representative Linda Chapa LaVia. For what purpose do you rise, Representative?"

Chapa LaVia: "Thank you, Speaker. Point of personal privilege."

Speaker Lyons: "Please proceed."

Chapa LaVia: "I'd like everybody to wish my... my roommate, Mrs. Susana Mendoza, a happy birthday."

Speaker Lyons: "Happy birthday, Susie, and many more. The Chair recognizes the Gentleman from Mason (sic-Macon), Representative Bill Mitchell. For what purpose do you seek recognition, Representative?"

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

Speaker Lyons: "Please proceed."

Mitchell, B.: "In the balcony somewhere, I've got two (2) gentlemen that are representatives of the Macon County Farm Bureau. There they are standing up, a gentleman from South Wheatland Township and Pleasant View Township. So give them a big House welcome."

Speaker Lyons: "Welcome to Springfield. Representative Bob Flider, on page 18 of the Calendar, you have House Bill 4198. Out of the record. Representative Munson, on page 23 of the Calendar, you have House Bill 5956. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5956, a Bill for an Act making appropriations. Third Reading of this House Bill."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Ruth Munson."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5956 appropriates five hundred thousand dollars (\$500,000) from the General Revenue Fund to the State Board of Education for the purposes of helping school districts with infrastructure improvements so that they can have computer equipment in their classrooms. I'll answer any questions and ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5956 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Black. Mr. Clerk, take the record. On this Bill, there's 107 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Michael Bost, for what purpose do you seek recognition, Representative?"

Bost: "Thank you, Mr. Speaker. On the Republican side of the aisle, we'd like to add Representative Joe Dunn to the excused list."

Speaker Lyons: "Representative, the record will so reflect. Representative Pat Lindner, on page 22 of the Calendar, you have House Bill 5338. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5338, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Pat Lindner."

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

265th Legislative Day

5/13/2008

Lindner: "Thank you, Mr. Speaker. We all know how life threatening allergies can be, and so this... there are about ninety thousand (90,000) school children in Illinois who have severe allergies. And this Bill directs the Department of Public Health and the State Board of Education to make available guidelines to schools so schools can have a plan for food allergies."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Lady (sic-Gentleman) from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, initially, as the Bill was introduced, there was a good deal of opposition regarding the mandate because of the nature of the amount of necessary school cost. What exactly is the difference between the introduced version and the amended version, and is there still opposition?"

Lindner: "It was changed to a plan, to develop a plan and I don't know if there's still opposition. I haven't been contacted by anybody."

Eddy: "Okay. So, basically, my understanding of this would be that now school districts, instead of having a specific plan that has certain requirements that are kind of ISBE directed, they're allowed to develop a local policy that would address food allergies in a manner that in their district, it's the most flexible and that makes sense, but they would have some help and guidelines from some individual groups. But nobody's going to come in and

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

265th Legislative Day

5/13/2008

specifically tell them exactly what they have to do. They just have to have a policy that fits them."

Lindner: "That's correct. That the Board of Public Health... I mean, the Department of Public Health and the State Board are just developing guidelines."

Eddy: "So..."

Lindner: "So, each school will do their own plan."

Eddy: "So, if the school doesn't have a child with a food allergy at all, if they have no students enrolled, they still have to a policy, but that policy could simply be that if a student enrolls with a food allergy, that steps would be taken to implement a specific plan for that child so that their allergy can be handled or managed in a way in that school district that reflects some practice that's been identified as best practice by the Department of Human Services or ISBE."

Lindner: "That's correct."

Eddy: "Okay. Representative, I want to first... I want to thank you for the fact that you took the time to work with the School Management Alliance and the Department of Human Services on this issue to make sure that schools were not put in a position where, as introduced, the Bill would've probably been pretty difficult and in some cases, impractical to comply with and very costly to a piece of legislation that directs school districts toward public policy that's safe for children, specifically those with food allergies but doesn't overburden those schools with prescriptions along the way. Want to thank you for that... that approach."

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

265th Legislative Day

5/13/2008

Lindner: "Thank you, Representative."

Eddy: "Ladies and Gentlemen of the House, to the Bill. I think the Representative's done a good job of dealing with the objections and has before us a piece of public policy that's worked out that will serve districts well, but more importantly, it will serve the children of the state with food allergies well."

Speaker Lyons: "Seeing no further discussion, Representative Lindner to close."

Lindner: "I would just ask for a favorable vote."

Speaker Lyons: "The question is, 'Should House Bill 5338 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 106 Members voting 'yes', 0 voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hoffman, on page 23 of the Calendar, you have House Bill 6339. Jay. Representative Hoffman, 6339. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6339, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Madison, Representative Jay Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a supplemental that is necessary to deal with issues that are currently being faced by the Illinois Department of Transportation. As you know, this has been

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

265th Legislative Day

5/13/2008

an unprecedented difficult winter with records amount of ice, records amount of snowfall which has created the burden of having to have the people work the winter, work the roads out there much more than normal. In addition, there's been a huge increase in the cost of gasoline which has also driven up costs. This is a supplemental, this is not GRF. It just allows us to keep running the Illinois Department of Transportation."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative Hoffman, you said it was a supplemental not GRF. If isn't GRF, where's the money coming from?"

Hoffman: "The money is already in the Road Fund. The problem here is that... is that the... or as I understand it, the problem is is that they've used up all their transferability power and they can't transfer within line items, the 2 percent that they can transfer. This would allow them to essentially make sure that they have the payments so they can move forward with running the operations of the Department of Transportation. They're also because of the huge amount of money that it's cost in gasoline, they also have... it has also resulted in payments being delayed to some of the people who are providing services to the department."

Black: "So, in other words, would this be correctly classified as a diversion of Road Fund dollars into operating expenses?"

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

265th Legislative Day

5/13/2008

Hoffman: "No, the operate... Road Fund dollars currently provide for operating expenses of IDOT."

Black: "Okay. So..."

Hoffman: "So, it's no diversion."

Black: "So..."

Hoffman: "This is actually... this is actually... right now, there's no money to pay for gasoline to the IDOT vehicles, not because there isn't money that is available, when the transferability power is done and when they budget it, the per gallon cost I believe was at two dollars and seventy-seven cents (\$2.77) budget. It's obviously, much higher. In addition, they had record... a record winter record snowfall, more salt and more gas was burned as a result of the record snowfall."

Black: "Just to make sure I understand, Representative, we're not transferring bond dollars. We're transferring operational dollars to an operational account, correct?"

Hoffman: "Yes."

Black: "Okay. Do you anticipate this appropriation will get them... well, it should certainly get them through the end of the fiscal year, correct?"

Hoffman: "Yes, it will."

Black: "All right. And just so that I know what to tell people when I go home, this is not money that will be used for patch hole repair or to pick up deer... well, it might be used to pick up deer carcasses, if the trucks can go back on the road, but there's no patching or road maintenance in this supplemental, correct?"

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

265th Legislative Day

5/13/2008

Hoffman: "Well, what this will allow, is the cars to get back out there and begin the patching."

Black: "Okay."

Hoffman: "If they're patching it in-house. Now, sometimes, I understand, they'll contract that out."

Black: "Okay."

Hoffman: "I don't believe this has anything to do with that."

Black: "All right."

Hoffman: "But the day-to-day maintenance of the roads will be able to resume once... once this is passed."

Black: "Okay. Thank you very much, Representative. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, a very difficult Bill to vote against and I don't intend to do so; however, I would be remiss if I didn't take this opportunity once again on the floor, here is an important agency of State Government who literally has had to curtail, if not almost halt, its operations because they cannot afford to put gasoline or diesel fuel in their trucks. And I've set here for the past month and said we need to do the same thing to consumers. We need to at least have an honest debate on whether we should suspend the sales tax on gasoline. That's a stealth tax. The higher the price goes the more money we take in and the more money it costs our constituents. If our constituents think IDOT is in trouble and from this Bill they obviously are, fiscally, I don't know why we can't at least debate the issue of trying to get some relief from these record high prices, motor fuel and diesel, to the people who

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

265th Legislative Day

5/13/2008

represent. But having said that, I appreciate the Sponsor for bringing this forward."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you. Will the Sponsor yield for a quick question?"

Speaker Lyons: "Sponsor yields."

Rose: "Jay, a quick question for you. We've been told a couple of things, first of all, that maintenance has been basically told not to go out. The highway maintainers were told not to go out unless it's an emergency repair. I then have heard separately from mayors that because they do not have, I guess, inspectors available to inspect construction improvements, that the aggregate material that's being used, et cetera, that there's a jeopardy that the summer construction season will not be able to go forward either. My question is this, I want to make sure that this vote takes care of both of those problems. That is that the maintainers will be able to go out and do their business, the bridge inspectors will be able to go out and do their business, but also the construction related inspectors, the aggregate inspectors, to make sure that the summer construction season stays on track. Does this take care of all those issues?"

Hoffman: "Yes, it's my understanding this will take care of all the operational needs. Now this isn't... this isn't a capital Bill."

Rose: "I understand that."

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

265th Legislative Day

5/13/2008

Hoffman: "This is simply to take care of all the operational needs that had to be curtailed. And right now, I believe that the director of highways testified in committee that you're correct, that the only emergency-type situations are they going out. Right now, they're doing stuff in the yard that needs to be done, hoping that this will pass. It's work that has to be done, so they're not not working, they are working. But we want to get them out on the roads to correct some of the problems you're talking about."

Rose: "I understand it's not a capital Bill, but there are certain projects, bridge repairs and things, that are slated as normal operating costs and this will take care of those, right?"

Hoffman: "Yes. Yes."

Rose: "Okay. Thank you, Representative."

Speaker Lyons: "The Chair recognizes the Lady from Kankakee, Representative Lisa Dugan."

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

Speaker Lyons: "Sponsor yields."

Dugan: "Representative, we had kind of talked about this and I just want to make sure that... because of course, I just want to again reiterate with IDOT, and I understand what this is and certainly transferring some funds to make sure that IDOT can continue to operate. I just want to make sure... this is just coming from funds that are already in the Road Fund, that they then need the additional money to operate, correct?"

Hoffman: "Yes, it's all... it's no GRF, all Road Fund money that's already there."

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

265th Legislative Day

5/13/2008

Dugan: "Okay. And I just, again, and I think we've talked about this, but I just want to bring up again my concern or certainly, my... and I know that we're working on it, but from IDOT's end, also a fund that exists for downstate transit, as far as trying to get that money that's also in the fund transferred so that we can get our downstate transit districts fixed?"

Hoffman: "Yes. That's a totally separate fund. As a matter of fact, there's a meeting today at 4:00 that will..."

Dugan: "Okay. Yeah..."

Hoffman: "...try and do that."

Dugan: "And so I... and I appreciate it, I just wanted to make sure we didn't lose track of that IDOT issue, also. Thank you very much."

Hoffman: "Thank you, Representative."

Speaker Lyons: "Representative Hoffman to close."

Hoffman: "Yes. This is simply necessary to run the operation of IDOT and it is as a result of the historically difficult winter and the high cost of gasoline."

Speaker Lyons: "The question is, 'Should House Bill 6339 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there's 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hamos, I believe you're handling a Bill for Representative Washington, on page 9 of the Calendar. Mr. Clerk, what's that status of House Bill 4742?"

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

265th Legislative Day

5/13/2008

Clerk Mahoney: "House Bill 4742 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Washington, has been approved for consideration."

Speaker Lyons: "Running that Amendment is Representative Julie Hamos. Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. I'm handling this for Representative Washington. Amendment 2 becomes the Bill and it provides that for purposes of enrolling in the All Kids Program, that the department will work with physician provider groups to encourage physicians treating uninsured children to advise the parents about how to enroll and then secondly, it has the rulemaking Amendment. That's all the Bill does."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of adoption of Floor Amendment #2 to House Bill 4742 signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Hamos, you have House Bill 4988. What's the status of the Bill Mr. Clerk?"

Clerk Mahoney: "House Bill 4988, a Bill for an Act concerning juveniles. Second Reading of this House Bill. Amendment #1 and 2 were adopted in committee. Floor Amendment #6 has been approved for consideration."

Speaker Lyons: "Representative Hamos on Floor Amendment #6. Representative Hamos."

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

265th Legislative Day

5/13/2008

Hamos: "If you'll give me a minute, I believe I would like to table 1 and 2."

Speaker Lyons: "Representative Hamos, you have to file a Motion to Table Amendments 1 and 2."

Hamos: "Okay. So Floor Amendment 6 becomes the Bill, so I guess it can stay as is. Okay."

Speaker Lyons: "On Amendment 6."

Hamos: "Thank you. Ladies and Gentlemen, I'm sorry for that confusion. Can I proceed then, Mr. Speaker, on Floor Amendment 6. Okay, thank you. Floor Amendment #6 has to do... well, the Bill itself has to do with the Department of Juvenile Justice. And there are really just a couple of components to this Bill, one of which makes some small changes in the Department of Juvenile Justice Advisory Board which we've had a problem in getting appointed, but we now have some commitments that it will be appointed very shortly. And then, what we really are trying to do in this Bill is to give a new mission to the advisory board to create... to do a study and that study will take a systemic look at juveniles who are confined in Illinois. And confined means whether they're in county jails, pretrial or during trial or posttrial. And that's all this Bill does and I'll be glad to explain it on Third Reading."

Speaker Lyons: "On Amendment #6, there's... Representative Chapin Rose seeks recognition on the Amendment, Representative."

Rose: "Mr. Speaker, I have a... actually a technical procedural question of the Sponsor, if I... if she could yield."

Speaker Lyons: "Proceed, Representative."

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

265th Legislative Day

5/13/2008

Rose: "And it's also maybe the parliamentarian. But Representative Hamos, there's an Amendment 7 that was filed that came out of the Rules Committee that becomes the Bill. What is your intention with respect to Amendment 7?"

Hamos: "Thank you for asking. I do not plan to call or even assign Amendment 7 or to call it in committee. Amendment 6 is the final version of the Bill in this House."

Rose: "Okay. And this is what we had in committee last week?"

Hamos: "That's correct."

Rose: "Amendment 6. All right. Thank you. Thank you, Mr. Speaker."

Speaker Lyons: "On Amendment #6, the Chair recognizes the Lady from DuPage, Representative Patti Bellock."

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

Speaker Lyons: "She indicates she will."

Bellock: "Several of us served on the Juvenile Justice Task Force, so I just had a question about exactly since I don't serve on that committee any longer. How does this restructure the advisory board? Is that what this is really about?"

Hamos: "No. The original version of the Bill did, in fact, create a new task force. We took all that away. This keeps the original advisory board intact. We do advise the Governor to have one member of that advisory board be representative of the community in which most of these juveniles go back. But beyond that, the problem we've had, Representative Bellock, is that the advisory board has not been appointed. So, in the process of working on this

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

265th Legislative Day

5/13/2008

Bill, we've had to do some negotiations with the Governor's Office and DJJ and we have gotten a commitment that half of the advisory board will be appointed momentarily. But it is the same advisory board, pretty much."

Bellock: "So, what specifically does this Bill do if the advisory board is... it's... the advisory board needs to be appointed by the Governor, correct? It has not been appointed?"

Hamos: "Not yet, no."

Bellock: "Okay. So that was already in place under the original Act, right?"

Hamos: "Yes."

Bellock: "So, what does this do?"

Hamos: "Okay. And I'm... again, I... I can explain it, now we're on Third Reading, because it was just the Amendment."

Bellock: "Just the Amendment, right."

Hamos: "Yeah. This is just the Amendment. Representative Bellock, the original Bill, the underlying Bill, looked at the whole issue of how juveniles, especially very young juveniles, ten (10), nine (9), ten (10), eleven (11), twelve (12), are dealt with in the court system and even before they get to the court system, how they're dealt with in terms of confinement and postcourt system how they're dealt... how they're dealt with when they get assigned to the Department of Juvenile Justice. What... it doesn't do any of that. We resolved... the underlying Bill wanted to answer the question. The current Amendment before us asks the advisory board to look at that issue. How are we handling misdemeanants in the Department of Juvenile Justice, how

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

265th Legislative Day

5/13/2008

are we handling technical violations? Are the community services available to deter these kids from the system. I mean, it gives it a broader mission."

Bellock: "Okay. So we're not creating a new advisory board?"

Hamos: "No."

Bellock: "Okay. Thank you."

Speaker Lyons: "On Amendment #6, the Chair recognizes the Gentleman from Jasper, Representative David Reis."

Reis: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Lyons: "She yields."

Reis: "Representative Hamos, I'm trying to follow what you're doing here, and I guess my question with Amendment 6 and the reason I'm asking this now as opposed to on Third Reading is, why are we putting this into statute as opposed to just doing a Joint Resolution?"

Hamos: "Well, I mean, that's a interesting question. You know... we do have this advisory board with its mission already spelled out in statute. This was a part of creating the Department of Juvenile Justice. But the reason I feel firm about this now is, because in the past month of negotiating with the department on what seemed appropriate and also negotiating with the committee members, it seems clearer to me than ever that the department doesn't have the full scope in as their world view of how to handle juvenile cases. So for some reason, since thirteen-year-olds are the first group that can arrive at DJJ by law, they never looked at, what about the younger kids? This asks them to at least do that with their advisory board. Since they... there's an ongoing issue of how technical violators or

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

265th Legislative Day

5/13/2008

misdemeanors are handled, they never necessarily thought it was in their mission to look at that. This sets that out as a very specific goal for what we intended in the first place with this department."

Reis: "And I guess I get back to my original question, Representative, wouldn't it be wise to put this into a House Joint Resolution specifically spelling out what you want this advisory board to do as opposed to putting it into statute, and if you're... in fact, going to proceed forward with this, is there a sunset..."

Hamos: "Yes."

Reis: "...or will this just remain..."

Hamos: "Yes."

Reis: "...in statute..."

Hamos: "Yes. There is a..."

Reis: "Is there any money appropriated there or will there need to be any?"

Hamos: "No, no. I'm glad you asked. Again, this was what I thought the discussion would be on the floor... I mean on Third Reading. There is a time certain which is a year and a half by which the study has to be done. And then its... that's it."

Reis: "So then this language will automatically come out of statute. And getting back to that question, if we did a House Joint Resolution then you would spell out the goals of the task force or the advisory board and then it would just be gone when the task force ended, whereas with your Bill, you're putting these parameters into statute?"

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

265th Legislative Day

5/13/2008

Hamos: "Well again, Representative, I think you're making an interesting point. And really, if you and I had started working on that a couple of months ago, we might have gotten to that conclusion. Like anything else, we start with a Bill that sets out the policies we want to adopt and in the process of negotiating the Bill, we realize we're not ready for the policies but somebody ought to take on the study. So we decided to use the vehicle of the Bill to basically codify the negotiated agreement. And that's why it became a Bill, truthfully."

Reis: "And that's why I brought it up now in case you did want to go that direction as opposed to going ahead and moving this forward on Third Reading. And I don't doubt that there's a lot of advisory boards and a lot of things that go on in this Capitol Building that need a little more direction. So, be glad to follow your Bill if you choose to go that direction."

Hamos: "And... and just to be very... to make sure that I was clear, Representative, the advisory board does not go out of existence. The advisory board was created really because the Department of Corrections had always had an advisory board for juvenile cases. So that, basically, was inherited. The problem we've had is that it hasn't been fully appointed. The... this is an expanded mission which is a one... a short-term project that we want this ongoing advisory board to take on in the interest of developing some policies that we can then review later on."

Reis: "Just to the Bill to close. I understand what you're trying to do and it's frustrating that we spend so much of

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

265th Legislative Day

5/13/2008

our time trying to make people in agencies and administrations do what they're really supposed to be doing. I just feel that this would be a much better thing to do in a House Joint Resolution than an actual Bill. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker. My good friend Representative Reis, asked the question that I wanted to ask, I'm not sure he got an answer but at least he asked the question. Let me make an inquiry of the Chair, just on a technical matter. Could the Clerk tell us what Amendments are on the Bill and what Amendments, in fact, have been tabled or not added to the Bill?"

Speaker Lyons: "Mr. Clerk, on the request from Representative Black."

Clerk Mahoney: "Amendments 1 and 2 were adopted in committee. Floor Amendment #3 was referred to committee. Floor Amendment #4 was referred to the Rules Committee. Floor Amendment #5 was referred to committee. And Floor Amendments 6 and 7 have both been approved for consideration."

Black: "So, addressing my question to the Clerk, then I assume Floor Amendment #6 becomes the Bill so all other Amendments will expire if this Amendment is adopted, correct?"

Speaker Lyons: "Mr. Black, I believe after we do Amendment #6 we'll be withdrawing Amendment #7."

Black: "Oh, so we're going... we're going to do this and then withdraw?"

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Correct."

Black: "Okay, fine. Thank you very much."

Speaker Lyons: "Further discussion on Amendment #6? Seeing no further discussion on Amendment #6, all those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment... Amendment #6 is adopted. Mr. Clerk."

Clerk Mahoney: "Floor Amendment #7, offered by Representative Hamos, has been approved for consideration."

Speaker Lyons: "Representative Hamos on Amendment #7."

Hamos: "Thank you. Thank you, Speaker. I'd like to withdraw Amendment #7 for consideration."

Speaker Lyons: "Motion to withdraw Amendment #7. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And #7 is withdrawn. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative John Bradley, on page 13 of the Calendar, you have House Bill 5469. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5469, a Bill for an Act concerning criminal law has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative John Bradley, has been approved for consideration."

Speaker Lyons: "The Chair recognizes Representative John Bradley on Amendment #3. Amendment #3."

Bradley, J.: "Thank you, Mr. Speaker. This is an initiative of the Attorney General's Office. It's a comprehensive

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

265th Legislative Day

5/13/2008

omnibus crackdown on child pornography, particularly with regards to the Internet. It was unanimously approved by the Criminal Law Committee. And I'd ask it'd be approved here and moved on to Third Reading."

Speaker Lyons: "Is there any discussion on Amendment #3? Seeing none, all those in favor of the adoption of Amendment #3 to House Bill 5469 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments have been approved. No Motions filed."

Speaker Lyons: "Third Reading. The Chair recognizes the Lady from Cook, Representative Toni Berrios on a point of personal privilege."

Berrios: "Yes."

Speaker Lyons: "Please proceed, Representative."

Berrios: "I'd like everyone to help me welcome some students from my district from Calvin Park High School. They are here down in Springfield visiting for the day. Please help me welcome them. Thank you."

Speaker Lyons: "Welcome to Springfield, Calvin Park. Enjoy your day. Representative Biggins, on page 16 of the Calendar, you have House Bill 5801. Bob Biggins. Status of the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5801, a Bill for an Act concerning civil law. Second Reading of this House Bill. Floor Amendment #1, offered by Representative Biggins, has been approved for consideration."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Biggins on the Amendment."

Biggins: "Thank you, Mr. Speaker. I'd like to adopt Floor Amendment #1. I'm sorry. I would move that we adopt Floor Amendment #1."

Speaker Lyons: "On the Amendment, Representative."

Biggins: "Well... provides for the judges assigned to domestic violence cases to participate in domestic violence training, development, and administered through the administrative office of the Illinois courts. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion on Amendment #1? Seeing none, all those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Patti Bellock, on page 5 of the Calendar, you have House Bill 3203. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "House Bill 3203, a Bill for an Act concerning education. Second Reading of this House Bill. Floor Amendment... No Committee Amendments. Floor Amendment #2, offered by Representative Bellock, has been approved for consideration."

Speaker Lyons: "On the Amendment, the Lady from DuPage, Representative Patti Bellock on the Amendment."

Bellock: "Thank you very much, Mr. Speaker. I'd like to adopt Floor Amendment #2."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Any discussion... any points on the Amendment, Representative?"

Bellock: "This was the Amendment regarding the reimbursement by the state for the transportation for the Safe (sic-Routes) to School districts. And the schools just added that that be clarified better in that Amendment. As that the money... let's see... The money was to go back to the Safe (sic-Routes) to School areas in the grants."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy, on the Amendment."

Eddy: "We're just on the Amendment?"

Speaker Lyons: "Yes."

Eddy: "I'm sorry. I'll save my questions for Third Reading."

Speaker Lyons: "Okay."

Eddy: "Sorry."

Speaker Lyons: "Seeing no further discussion, all those in favor of the adoption of Amendment #2 to House Bill 3203 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments have been approved for consideration. No Motions filed."

Speaker Lyons: "Third Reading. Representative Burke, on page 5 of the Calendar, you have House Bill 2747. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 2747, a Bill for an Act concerning criminal law has been read a second time, previously. No Committee Amendments. Floor Amendments 2, 3, and 4,

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

265th Legislative Day

5/13/2008

offered by Representative Burke, have all been approved for consideration."

Speaker Lyons: "Representative Burke, on Floor Amendment #2."

Burke: "Thank you, Mr. Speaker. I would move to table Amendment #2."

Speaker Lyons: "Representative Burke, your Motion will be to withdraw Floor Amendment #2?"

Burke: "That is right."

Speaker Lyons: "Representative Burke withdraws Floor Amendment #2. On Amendment #3, Representative Burke."

Burke: "I would move to withdraw Amendment #3, as well."

Speaker Lyons: "Representative Burke wishes to withdraw Amendment #3. On Amendment #4, Representative Burke."

Burke: "Number four, I would ask for the adoption of."

Speaker Lyons: "Representative Burke moves for the adoption of Amendment #4. Any explanation on the Amendment, Representative?"

Burke: "Yes, Mr. Speaker. This is a matter... and actually Amendment #4 becomes the Bill. This is a piece of legislation that would permit immigration detainees to have access to religious workers. The language has been agreed to by the Sheriffs' Association of our state. And at this point I believe it's a fair and equitable solution to a dilemma that these individuals are confronted with. And I'd ask for the Body's favorable approval."

Speaker Lyons: "Any discussion on the Amendment? Seeing none, the question is, 'Should Amendment #4 be adopted to House Bill 2747?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the

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

265th Legislative Day

5/13/2008

'ayes' have it. And Amendment 4 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Arroyo, on page 9 of the Calendar, you have House Bill 4861. Out of the record. Representative George Scully, for what purpose do you seek recognition, Representative?"

Scully: "May I have a personal privilege, Mr. Speaker?"

Speaker Lyons: "Please proceed."

Scully: "Ladies and Gentlemen, I hope that you'll join me in wishing a happy birthday to my suitemate, Jack McGuire, who is celebrating his 75th birthday today. And some of the staff have brought some cake to Room 300. We hope that you'll join us in celebrating a great career and a great person. Thank you."

Speaker Lyons: "Thanks for that announcement. Representative Jack, happy birthday, many happy, healthy, more. Representative Dennis Reboletti, on page 5 of the Calendar, you have House Bill 2916. Out of the record. Representative Kathy Ryg, on page 14 of the Calendar, you have house Bill 5574. Not ready? Out of the record. Representative Chapin Rose, on page 17 of the Calendar, you have House Bill 5912. Representative Rose. 5912. Out of the record. Representative Lisa Hernandez, on page 12 of the Calendar, you have House Bill 5227. Out of the record. Representative Mary Flowers, on page 7 of the Calendar, you have House Bill 4443. What's the status of the Bill, Mr. Clerk?"

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

265th Legislative Day

5/13/2008

Clerk Mahoney: "House Bill 4443, a Bill for an Act concerning appropriations has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. If I might, a point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Black: "Ladies and Gentlemen of the Illinois House, I'd like you to welcome a Page that I'm privileged to have in the chamber today, Alyssa Cast. She's sixteen (16) years old. She's from Jamaica High School. She's over here taking a large order from Representative Ramey, and her mother Karen, and Ralph... the parents are Karen and Ralph and they're up in the gallery. Welcome to Springfield."

Speaker Lyons: "Representative Dan Brady, for what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed, Representative."

Brady: "Thank you very much. Ladies and Gentlemen of the House, if you would join me as well, a nice Springfield and Illinois General Assembly welcome. Up in the gallery to my left is the fourth grade classes from Holy Trinity Elementary School in Bloomington and my district. Welcome students from Holy Trinity fourth grade. And there's teachers as well as the individual chaperones for today's trip. Thank you very much and welcome to Springfield."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Welcome students. Enjoy your day. Representative Rich Brauer, on page 23 of the Calendar, on the Order of Third-Readings, you have House Bill 5621. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5621, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Menard, Representative Rich Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 5621 just encourages the implementation in school of the International Baccalaureate Program. It's subject to appropriation. It passed out of committee 19-0-0 and has no known opposition. I'll answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 5621? Seeing none, the question is, 'Should House Bill 5621 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McGuire. Mr. Clerk, take the record. On this Bill, there's 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative McAuliffe, on page 22 of the Calendar, you have House Bill 5370. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5370, a Bill for an Act concerning persons killed in the line of duty. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Michael McAuliffe."

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

265th Legislative Day

5/13/2008

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5370 would give anyone that was killed in action, two (2) years instead of one (1) year to claim their... their death benefit. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5370 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan. Representative Golar. Mr. Clerk, take the record. On this Bill, there's 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ron Wait, on page 23 of the Calendar, you have House Bill 5946. Read the Bill, Mr. Clerk."

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

Speaker Lyons: "The Gentleman from Boone County, Representative Ron Wait."

Wait: "Thank you, Mr. Speaker. House Bill 5946 simply sets up... allows grants for local community economic developments. Of course, this would all be subject to grants on our behalf and subject to appropriation. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

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

265th Legislative Day

5/13/2008

Franks: "Representative, could you please explain House Amendment #3? Has that been adopted?"

Wait: "Yes, I believe it has. And that had the language that you were requesting and I believe, and you looked at it and you approved it, I believe. Right?"

Franks: "And I appreciate you moving this back to Second, that was a very gentlemanly thing to do. I appreciate it. But I wanted to make sure that the Amendment has been adopted and I think you made the Bill much better. You made it much tighter, and I encourage everyone to vote 'aye'."

Wait: "Thank you for those suggestions. Thank you."

Franks: "Thanks."

Speaker Lyons: "No one seeking further recognition, the question is, 'Should House Bill 5946 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Sullivan. Mr. Clerk, take the record. On this Bill, 108 Members voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brady, for what reason do you seek recognition? On a point of personal privilege, Representative?"

Bradley, J.: "That would..."

Speaker Lyons: "Representative Brady."

Bradley, J.: "...be a point of personal privilege, Mr. Speaker. Thank you very much. Ladies and Gentlemen, if you would help me join another group from my legislative district, the second half of the class is the fourth graders from

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

265th Legislative Day

5/13/2008

Holy Trinity Elementary School in Bloomington. Welcome ladies and gentlemen and their teachers and chaperones to Springfield. How about a nice round of applause for the Holy Trinity fourth graders, up in the gallery."

Speaker Lyons: "Welcome to Springfield, students. Enjoy your day. Representative Jakobsson, on page 18 of the Calendar, you have House Bill 2518. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2518, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Champaign, Representative..."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2518 adds Champaign County to other counties in this statute on annexation agreements. That's simply all that it does. Where annexation agreement just.. jurisdiction is automatically effective within the one and a half miles of the municipality boundary. And I urge an 'aye' vote."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you... thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Lyons: "State your inquiry, Sir."

Black: "Has Floor Amendment #2 been adopted to the Bill?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2 was adopted by the House."

Black: "Fine. Thank you very much. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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

265th Legislative Day

5/13/2008

Black: "Representative, excuse me, I appreciate you adding Floor Amendment #2. I believe that was a promise that you had made in committee. I represent a portion of Champaign County and am very fortunate to have that privilege. I've not heard from anybody in the rural area of Champaign County that I have in my legislative district. Is this an agreed Bill or are there people in rural areas... I'm going to assume it's an agreed Bill because I haven't heard from anybody about this particular legislation."

Jakobsson: "Representative, I have not heard any opposition. The Champaign County Board which would, you know, members from the board would be in your district and nine (9) of the largest villages and cities in the Champaign County have passed resolutions..."

Black: "Okay."

Jakobsson: "...supporting this legislation."

Black: "All right. I don't have a copy of the Resolution. Do you know whether it passed unanimously or was there opposition?"

Jakobsson: "I haven't heard of any opposition."

Black: "Okay, fine. Thank you very much. I appreciate your indulgence."

Speaker Lyons: "The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

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

Speaker Lyons: "Sponsor yields."

Pritchard: "Representative, this Bill is very similar to one we passed in the House last year. Is that not correct?"

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

265th Legislative Day

5/13/2008

Jakobsson: "That's correct. This simply adds Champaign County to that statute."

Pritchard: "At the time we passed this legislation, the Illinois Municipal League had a strong concern that we not expand beyond the seven (7) counties in northern Illinois. Have they come on-board now and agree with your Amen.. your Amendment here?"

Jakobsson: "It's my understanding that the IML is supportive of the Bill now. Of this Bill."

Pritchard: "And the county board has come to you with this request?"

Jakobsson: "The... I've heard from the Champaign County Board as well as villages and the cities in Champaign County."

Pritchard: "The City of Champaign is in support of this?"

Jakobsson: "City of Champaign is in support of this."

Pritchard: "Ladies and Gentlemen of the House, when we passed this legislation before, we were trying to give more authority to the local community to deal with growth issues, not limiting what a municipality might be able to do in its mile and a half and giving the county authority to control development beyond that mile and a half. It's good local legislation. It's an area that my counties have supported and the experience we've had in the last two (2) years has been positive. I would support the Lady's Amendment."

Speaker Lyons: "Representative Jakobsson to close."

Jakobsson: "Thank you, Mr. Speaker. I urge an 'aye' vote for House Bill 2518."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "All those in favor of the passage of House Bill 2518 signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 62 Members voting 'yes', 42 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Winnebago, Representative Jefferson. For what purpose do you seek recognition, Representative?"

Jefferson: "Thank you, Mr. Speaker, Members of the House. I'd like a point of personal privilege, please."

Speaker Lyons: "Please proceed, Representative."

Jefferson: "I'd just like to introduce to the gallery, the people in the House, Sheri Glover from Rockford, Illinois, the great City of Rockford, second largest city in Illinois. She works with Carpenter's Place. Sheri, stand up and take a bow. Thank you."

Speaker Lyons: "Welcome to Springfield. Enjoy your day. Mr. Clerk, on page 19 of the Calendar, Representative Saviano has House Bill 40... 4249, we'll hold that. Representative Golar, you had your light on. For what purpose do you seek recognition?"

Golar: "Yes, thank you, Mr. Speaker. My button malfunctioned. I am a 'yes' on the last Bill, please. Let the record reflect that I am a 'yes'."

Speaker Lyons: "The Journal will reflect your wishes, Representative."

Golar: "Thank you."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Now, Representative Saviano, on page 19 of the Calendar, you have House Bill 4249. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4249, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 4249 simply extends the Environmental Health Practitioner License Act on their sunset from December 31 of this year to January 1, 2019. It makes no other changes and I would ask for its approval."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 4249 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there's 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Saviano has House Bill 4673. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4673, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 4673 pretty much codifies a practice that has been going on, but it wasn't allowed in surgery centers, and that's for podiatrists to administer anesthesia. They do

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

265th Legislative Day

5/13/2008

it currently in their offices and in a hospital setting. This just allows them to do it in an ambulatory surgical treatment center. And I would ask for its approval. Thank you."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I'm looking at our analysis and just out of curiosity, why is the Illinois Department of Financial and Professional Regulation opposed?"

Saviano: "Ours says it has no position."

Franks: "All right. 'Cause ours shows that's it's opposed."

Saviano: "No, they don't have no position. They don't take a position on those sort of things."

Franks: "Okay. Thank you."

Speaker Lyons: "No one further seeking discussion, the question is, 'Should House Bill 4673 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no' 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 Bill, there's 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Saviano, you have House Bill 4762. Read the Bill Mr. Clerk."

Clerk Mahoney: "House Bill 4762, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "Representative Saviano."

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

265th Legislative Day

5/13/2008

Saviano: "Thank... thank you, Mr. Speaker. House Bill 4762 is now an agreed Bill with the Amendment the department has offered. It... it... what it does is it alters the number of members needed for a quorum on the licensing board because we've been having a problem reaching a quorum. This will allow them to meet in a more timely fashion. And it also addresses... it also addresses the... the question about senior students in geology able to go ahead and practice under a certain permit issued by their institution. That's all it does and I would ask for its approval. Thank you."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4762 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there's 107 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Saviano, you have House Bill 4777. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4777, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 4777 addresses the concerns of the perfusionists here in Illinois. For those of you who don't know what a perfusionist is, is the person who administers oxygen in an operating room setting. Currently, there's a shortage of them and this Bill will allow new graduates to get into the

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

265th Legislative Day

5/13/2008

cycle sooner. The Department of Professional Regulation, I have not heard from. This also requires probably the department to mandate each licensee to complete thirty (30) hours of continuing ed during each two-year license renewal. That might be the basis of their opposition. But we'll address that in the Senate. I'm not concerned.. I would ask for its approval."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 4777 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell, Jerry. Mr. Clerk, take the record. On this Bill there's 108 Members voting 'yes', 0 voting 'no'. This Bill having received the Constitutional Majority, is hereby declared passed. Representative Don Moffitt, on page 22 of the Calendar, you have House Bill 4644. Out of the record. Representative Kevin Joyce, you have House Bill 5319. Out of the record. Representative Jil Tracy, you have House Bill 5901. You ready to move the Bill, Representative? Read the Bill, Mr. Clerk."

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

Speaker Lyons: "The Chair recognizes the Lady from Brown County, Representative Jil Tracy."

Tracy: "Thank you, Mr. Speaker. This Bill follows a pilot program that's previously been in place, which would track purchase of methamphetamine precursors and we want to extend that pilot program to three (3) other counties. And

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

265th Legislative Day

5/13/2008

it's been very successful at the counties it's been used in and the... we have the expense covered as far as the cost of implementation of the program. So, I would ask for an 'aye' vote on this."

Speaker Lyons: "Is there anyone seeking recognition on House Bill 5901? Seeing none, the question is, 'Should House Bill 5901 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 108 Members voting 'yes', 0 voting 'no'. The Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bob Molaro, on page 19 of the Calendar, you have House Bill 4342. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4342, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Bob Molaro."

Molaro: "This is the Bill that comes up every year. We passed it last year. The Senate didn't do anything with it. This is the health insurance Bill for the retirees of the City of Chicago Teachers Retirement System. And they don't have a TRIP program for their retired teachers like we do downstate. So they have to... they put aside a certain amount of money every year to cover the retirees' health insurance cost. And what they do is they... in statute, they put in there how much they can do every, like three (3), four (4) years. It started at twenty-five million

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

265th Legislative Day

5/13/2008

(25,000,000), now they're up to seventy-five million (75,000,000). It's their own money, it comes from their pension system and allows them to use up to seventy-five (75). I think this year they're going to use about sixty-eight (68,000,000) or sixty-nine million (69,000,000) and the statutory authority's only for sixty-five (65), so they're looking to go to seventy-five million (75,000,000). When it gets over to the Senate, if it does pass here, the City of Chicago is going to have to sit down with the Board of Education as well as the Pension Fund to see exactly how much is in the Trust Fund and where it goes and they're going to do that in negotiation over there, but we're up against the deadline, so we'd like to move it out of the House 'til those negotiations take place."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, you explained the fact that the Chicago Teachers Pension System doesn't operate like the Teachers Retirement Insurance Pension Health System. Could you... could you clarify the difference between the two (2) because the Teachers Retired Insurance Downstate System has various... the state puts money into it, the school district puts money into it, and the employee puts money into it. Can you educate us as to what the specific difference is?"

Molaro: "It's... well... it's all part of the same deal. It just depends on how you do it. The way they do it in Chicago teachers system, is they come up and the retired teacher... I

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

265th Legislative Day

5/13/2008

think they way it is now, pays about 50 percent and the board... the Retirement Board pays the other 50 percent. And that equals about... this year I'm being told it's about sixty-nine million (69,000,000). Now there's a sliding scale there. Now the City of Chicago pays nothing if that's your question. The City of Chicago, they put the money in through the tax levy and it's the taxpayers of the City of Chicago that winds up paying for the retirees and the retiree health insurance, unlike the State Teachers Pension System which gets paid for through the state."

Eddy: "So, specifically in this case, you're... this Bill would change the amount, the limit of the amount, that would be placed into the system to allow for an increase in funded liability so that it stays current with a percentage and right now that limit of sixty-five million (65,000,000) isn't enough and this... and this would specifically change it to seventy million (70,000,000). Is that...?"

Molaro: "That's... that's about right. I mean, I'm a little tired so I don't feel like picking at it, but which I normally would, but I'm a little tired. But that's sort of... that's sort of a fair statement, what you just said."

Eddy: "Now, as of '06, I think the Chicago Teachers Pension Fund was funded at about a 78 percent ratio."

Molaro: "That's about right."

Eddy: "And the projections as... as that fund moved forward without any increase with the state appropriation being sixty-five million dollars (\$65,000,000), shows that by 2012 the funded ratio will be at 79.1 percent. So, if we

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

265th Legislative Day

5/13/2008

don't do this, the funding ratio to the system isn't going to suffer."

Molaro: "Nothing of significance. I'm gettin' nervous. I don't know if you're trying to help me or try to hurt me here. Well, so far, you're right on what you just said."

Eddy: "Well, my concern is obvious. I mean..."

Molaro: "So, I'm a little leery, yeah."

Eddy: "...at the end of the day, bottom line here is, would you agree that there's a potential here for the State of Illinois to be responsible for an additional five million dollars (\$5,000,000) in funding to the Chicago Teachers Pension System?"

Molaro: "Well, if you use the word potential and you talk about over a number of years, I guess I have to say, yes."

Eddy: "Well, and my guess is that the reason this legislation is coming forward, there's a significant concern that the current amount of sixty-five million (65,000,000) isn't going to be enough. And my only issue with this is the obvious one, and that's that with the system that has a funded ratio of around 79 percent at the fiscal year '07, and will remain at 79 percent at 2012, at a time when we're having difficulty in the state finding money for other programs, that this would be the inappropriate time to lift that. Now, I understand that there's... how this works and that the state doesn't really fund this like they may the TRS system, but my objection to this is the fact that we just simply at this time don't need to do this because the funded ratio is not going to be negatively impacted in the future, and I think there's a better time for this type of

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

265th Legislative Day

5/13/2008

thing. You mentioned briefly that there were negotiations going on and that this might be worked on in the Senate. What..."

Molaro: "Well, yeah. Let me get to this point so I can be clear. The City of Chicago and Chicago Public Schools as we speak are not for this Bill. Very similar to what for some of the reasons you state, that it could possibly cost the city or the state money. But if we don't do this... let me tell you what the problem is. Unlike downstate teachers, who next..."

Speaker Lyons: "Excuse me, Representative Molaro. Representative Eddy, your time has expired, if you could bring your questions to a conclusion we would appreciate it in the next minute or so."

Eddy: "Well, I understand the issue pretty well. I'm just concerned... there are a lot of intricacies to this. Downstate Teachers Retirement Insurance Plan has a task force that meets and determines liability and they have had increases in the past to the members rates, the employers rates, and the state has kicked in as well. And I don't want to be unfair about it, but I want to make sure, obviously, that those are addressed the same way. I'm not sure that's been well thought out. And until there's more specifics, it's just something we need to wait on and I would oppose it for that position... for that reason. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Peoria, Representative David Leitch."

Leitch: "Will the Gentleman yield?"

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

265th Legislative Day

5/13/2008

Speaker Lyons: "The Sponsor yields."

Leitch: "Representative, all this does is increase the amount that the state contributes to the Chicago Teachers Pension System from sixty-five to seventy-five million ((65,000,000-75,000,000) a year, right?"

Molaro: "No, that... I would have to say unlike I said... I think what you just said is untrue. That's... that's not the fact."

Leitch: "Well, last year when there was no money going to Downstate Teacher Retirement Funds, the City of Chicago got sixty-five million bucks (65,000,000) for the Chicago Teachers Pension Fund."

Molaro: "That's correct. But this..."

Leitch: "Yeah, so..."

Molaro: "But this is..."

Leitch: "...I can't imagine why there would be a single downstate Member who would want to continue this... what some might consider an abuse of the pension system in and of itself. I mean all this does..."

Molaro: "See... I..."

Leitch: "...is shove more money off to the Chicago Teachers Pension System, when our other systems are not fully funded."

Molaro: "Well, all I can say to that... I don't mind the position you take, but we have to state the facts and after we state the facts, you can take the vote anyway you want. But one billion dollars (\$1,000,000,000) was taken from the General Revenue Fund and was sent to the Teachers Retirement System for downstate teachers. One billion dollars

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

265th Legislative Day

5/13/2008

all vote who wish? Representative May. Representative Crespo, Howard, Connie? Representative Golar. Mr. Clerk, take... Mr. Clerk, take the record. Representative Molaro."

Molaro: "Well, I'm going to ask that it be put on Postponed because I know everybody wants to hear this again next week. So, we'll put... if I would request that it be put on Postponed Consideration."

Speaker Lyons: "On request of the Sponsor, House Bill 4342 will be put on Postponed Consideration. Representative Mike Tryon, on page 20 of the Calendar, you have House Bill 4768. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4768, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from McHenry, Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker. House Bill 4768 is a Bill that allows two (2) municipalities the ability to share sales tax. If two (2) cities are next to one another and they have an area that needs to be developed and one city has sewer, they may be able to run sewer and service a commercial development and then be able to share the sales tax without an intergovernmental agreement that would expire in twenty (20) years. We have examples in some areas of the state where we've passed special legislation to do this, for instance, between Peoria and Peoria County. This would be good public policy for all municipalities and would help them grow in a very, I think, efficient manner, utilize sources from each village and share in the proceeds

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

265th Legislative Day

5/13/2008

and benefits of commercial development. I would be glad to answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 4768? Seeing none, the question is, 'Should House Bill 4768 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang. Mr. Clerk, take the record. On this Bill, there's 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Phelps, on page 21 of the Calendar, you have House Bill 4930. Out of the record. Representative Moffitt, on page 20 of the Calendar, you have House Bill 4678. Out of the record. Mr. Clerk, on page 33 of the Calendar, Representative Mitchell has House Resolution 1076. Representative Bill Mitchell, you have House Resolution 1076. The Chair recognizes the Gentleman from Macon, Representative Bill Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Once I get my stuff together. House Resolution 1076 directs the Auditor General to conduct an audit and to investigate state activities with respect to actions under the Illinois Coal and Development Bond Act. Basically, the background of this situation was in Decatur at the... right behind the Caterpillar plant, there was a grant that the Governor announced in about April of last year, I think it was 14.1 if my memory serves. That was a year ago, now the Governor's Office said there apparently is no money to be

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

265th Legislative Day

5/13/2008

had to award that grant. This is a... would be a big construction, not only for the jobs they generate in terms of the coal gasification. It would be a tremendous construction project, the biggest concrete job in Macon County in a long time. We know, and the State of Illinois, and indeed in central Illinois, that we need all the help we can get in terms of job creation. It's very disappointing when the Governor's... announces a grant, a year later says there is no money and then, of course, gives grants out to his pet project. This is an issue that we just want to find... get to the bottom of to see exactly what the Governor did with the Coal Fund that there is no money that he promised over a year ago to the people of Macon County. And I would urge a 'yes' vote and be delighted to take any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Macon, Representative Bob Flider."

Flider: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Resolution. I want to commend my colleague from Macon, Representative Mitchell, for introducing this Resolution. It's unfortunate that this measure should be introduced or even be needed. But I can tell you that when we learned that the funds for the downstate Coal Development Fund were virtually depleted and that this project could not go forward because there were no funds in this... in this fund and that those funds had been sent elsewhere in this state. You know, we began asking some questions, and one of the things I had done personally, is I had sent a letter to the Governor's Office

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

265th Legislative Day

5/13/2008

requesting information on why this fund had been depleted and why this project could not move forward. I have not received an answer from the Governor's Office nor anybody from the administration about that. And that in and of itself is disconcerting. So, what we're asking for is an audit. Ask the question of what happened to those funds. Our understanding is those funds were removed from the Coal Development Fund and they were moved to the Department of Transportation, which in turn moved those funds to the northern Illinois area for regional transportation and CTA projects. So, this is very important to downstate Illinois. We need these jobs and we need answers to the questions that we have. Thank you."

Speaker Lyons: "No one seeking further discussion, Representative Mitchell to close on the Resolution."

Mitchell, B.: "Thank you, Mr. Speaker. Representative Flider is exactly right. We've asked the Governor's Office, I've asked their legislative staff and sent a letter to the Governor Blagojevich as well. Received absolutely zero reply. Nothing. We just want to get to the bottom of it. We want this project. The Governor promised it. He promised it to these folks. They deserve it and I certainly would appreciate an 'aye' vote. Thank you."

Speaker Lyons: "Ladies and Gentlemen, this will be a Roll Call vote. All those in favor of the adoption of House Resolution 1076 vote 'aye'; those opposed vote 'no'. 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 Resolution, there's 106 Members voting

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

265th Legislative Day

5/13/2008

'yes', 2 Members voting 'no'. And House Resolution 1076 is adopted. Representative Turner, you have some Bills to run on Third Reading? You have House Bill... on page 18 of the Calendar, House Bill 2467. Out of the record. Art, you also have House Bill 5032, 5032. Out of the record. Representative Marlow Colvin, on page 18 of the Calendar, you have House Bill 2405. Out of the record. Representative Marlow Colvin, on page 2 of the Calendar on Second Readings, you have House Bill 838. Marlow. On Second Reading you have House Bill 838. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 838, a Bill for an Act concerning civil law has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Colvin, has been approved for consideration."

Speaker Lyons: "Representative Colvin, you want to run the Amendment or... Out of the record. Take that Bill out of the record, Mr. Clerk. Representative Rich Brauer, on page 17 of the Calendar, you have House Bill 5849. What's the status of the Bill Mr. Clerk?"

Clerk Mahoney: "House Bill 5849, a Bill for an Act concerning local government has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Brauer, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Menard on the Amendment, Representative Brauer."

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

265th Legislative Day

5/13/2008

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 just clarifies the difference between Title 10 and Title 32 service, the difference between federal and state and makes it a clarification for municipalities. I appreciate an 'aye' vote."

Speaker Lyons: "Is there any discussion on the Amendment? Seeing none, all those in favor of the adoption of Amendment #2 to House Bill 5849 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments have been approved for consideration. No Motions filed."

Speaker Lyons: "Third Reading. Mr. Clerk, Representative Colvin is ready on House Bill 838. What's the status of House Bill 838?"

Clerk Mahoney: "House Bill 838's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Colvin, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Marlow Colvin on Amendment #3."

Colvin: "Thank you, Mr. Speaker. House Bill 838, the Amendment #3 is an agreed Amendment among the financial community in the State of Illinois. In fairness, I would like to point out that the mortgage bankers of Illinois still remain in opposition. In committee.. we passed the Bill out of committee 12 votes to 1. We have worked overtime in an attempt to bring all the parties on-board with respect to

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

265th Legislative Day

5/13/2008

House Bill 838 and Amendment #3 reflects that effort. If it so pleases, I'd like to explain the Amendment on Third Reading. Which..."

Speaker Lyons: "Is there any discussion on the Amendment? All those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments have been approved for consideration. No Motions filed."

Speaker Lyons: "Third Reading. The Chair recognizes the Gentleman from DuPage, Representative Mike Fortner. For what purpose do you seek recognition, Representative?"

Fortner: "Mr. Speaker, I believe on House Bill 4762 I was recorded as a 'no'. I should have been recorded as a 'yes' vote on that."

Speaker Lyons: "The Journal will reflect your wishes, Representative. Representative Jim Meyer, on page 14 of the Calendar, you have House Bill 5669. Out of the record. Representative Brauer, on page 17 of the Calendar, you have House Bill 5849. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5849, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Menard, Representative Rich Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 5849, basically, clarifies the difference between Title 10 and Title 32 service. I had a gentleman in my district that served two (2) tours in Iraq. When he came

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

265th Legislative Day

5/13/2008

back, there is some confusion with the municipality of filing for a firefighter. This will simply clarify that language. It doesn't change anything. It's just clarification. I'll answer all the questions."

Speaker Lyons: "Is there anyone seeking recognition on House Bill 5849? Seeing not, the question is, 'Should House Bill 5849 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Coladipietro. Representative Younge. Mr. Clerk, take the record. On this Bill, there's 107 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bill Black, on page 18 of the Calendar, you have House Bill 628. Read the Bill Mr. Clerk."

Clerk Mahoney: "House Bill 628, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This got out of the Public Safety Appropriation Committee on a unanimous vote. It's something that I've been working on for the last dozen years and that is to create a cooperative high school in my district which would take three (3), possibly four (4) very small high schools and let them... consolidate isn't the word. It would be form a cooperative high school, in other words, we would have one high school rather than the current three (3)

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

265th Legislative Day

5/13/2008

possibly four (4). All it does is appropriate twenty-five million dollars (\$25,000,000) to the Capital Development Board for grants for architectural and engineering studies for the construction of a cooperative high school in Vermilion County involving Jamaica High School, Oakwood High School and Catlin High School. Be glad to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "The Gentleman yield for a question?"

Speaker Lyons: "The Gentleman yields."

Stephens: "Representative, one of the toughest issues when we consolidate schools is, what's the remaining mascot going to be?"

Black: "That's... you're absolutely correct. I've been... and I'm sure you have as well, been to many, many consolidation hearings where that's one of the first, if not the first questions answered or asked. This is a little different then a consolidated high school, they would make all those agreements prior to putting the cooperative high school measure on the ballot. And the beauty of this is that they all keep their elementary schools. The school board would be made up of appointees from all the current school boards. We think it has tremendous potential and all of those kinds of questions that have derailed many a consolidation would have to be answered before they go out to the ballot on building a cooperative high school."

Stephens: "Would you be willing to take your Bill out of the record so that we can add... add an Amendment? I believe

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

265th Legislative Day

5/13/2008

that we shouldn... the new mascot should be the Fighting Illini. Do you object to that? Do you object to the Chief, Representative?"

Black: "No, I... I would have no objection, but I'm not on the school board of the three (3) interested high schools that are involved in this and knowing the board members at Jamaica, Oakwood and Catlin, it would not surprise me at all if that in fact became their nickname, the Fighting Illini. But I have to check with Chapin Rose."

Stephens: "All right. Well, let's... we'll go through Chapin and we will contact the boards and I would be willing to sign a letter and along with... and add all my colleagues. I think it would be a most appropriate that the new mascot be the Fighting Illini."

Black: "I couldn't agree more."

Stephens: "Hearing no objection, so be it."

Speaker Lyons: "The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I know oftentimes when we hear appropriation Bills you get up and argue against them. What's different with this one?"

Black: "The only difference between this one and being as brutally honest as I can be, is that I'm carrying this one and other people carried the other ones."

Franks: "That's an honest, excellent answer. It's truthful, yeah, I agree. What you're looking for is fifteen million dollars (\$15,000,000). And the reason is because you've

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

265th Legislative Day

5/13/2008

got declining... declining population, declining students, correct?"

Black: "Absolutely."

Franks: "How many students have these three (3) districts lost together... altogether, these three (3) school districts? You know how many students they've lost?"

Black: "I... it would be my best estimated guess, I really don't know the figures. My guess is over the last five (5) to ten (10) years, they've lost a combined total of about three hundred (300) students. I may be... I may be over the amount and I may be under the amount by a few."

Franks: "Do you know how many students are left in these three (3) school districts?"

Black: "Each of them is currently in excess of a hundred and twenty-five (125), but I don't think any of them are above... either of the three (3), none of the three (3), are above three hundred (300)."

Franks: "Okay. So, we're trying to combine... and I understand why you're trying to do this, I think it's a great idea and frankly, I think there's too many school districts throughout the state, anyway. What I'm concerned about, though, is in your area where you're losing population, you also have a holdharmless agreement. And these schools have been getting at least the same amount as they had in previous years, though they had lost population, where schools in the collar counties have been getting a lot more students and the money hasn't been following them. So what would you say to the argument that we've already paid. If you've lost three hundred (300) students, yet you're still

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

265th Legislative Day

5/13/2008

getting the, you know, the five thousand dollar (\$5,000) per year student aid times three hundred (300) which would be what, a million five (1,500,000) times five (5) years or ten (10) years, you're between seven and a half and fifteen million dollars (\$7,500,000-\$15,000,000) already. Where's that money gone?"

Black: "I can't tell you exactly line by line where it's gone, but one of the reasons the superintendents came to the late Senator Woodyard and I, twelve, thirteen (12, 13) years ago, was... I don't think they fundamentally disagree with you. Rather than have a disproportionate share of scarce stateaid dollars go to very small schools, they wanted the ability to combine into one larger high school for... not only financial responsibility, but to be able to offer classes that they currently simply cannot ans... or offer. And quite frankly, all of them are in relatively old school buildings and each district doesn't have the bonding authority to build a new high school in their respective district. One might ask, well why don't they just consolidate? In a consolidation, which is very difficult to pass in my district, you could very well lose your grade school as well as your high school. So this was a very creative legislation and I think you helped us with this years ago, allowing this concept. And I remember a former colleague on my side of the aisle years ago came to me and was exorcised that at that time I had three (3) high schools under, each of them, under a hundred (100) students, and she just thought that was terrible. And I said, well, I don't... I can't philosophically disagree with

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

265th Legislative Day

5/13/2008

you, but we'll set up a meeting in each high school for you to speak at a public meeting. She declined and I understand why."

Franks: "I understand politically why, but you look at consolidation which certainly makes sense here, and I'm... and I'm con... where did you come up with the number fifteen million (15,000,000)? What is it based on?"

Black: "It has to do with their combined grant index."

Franks: "Okay."

Black: "That they would be eligible for individually."

Franks: "Have they..."

Black: "So they put it together."

Franks: "Have they looked at what the value of their properties would be? Would they be selling all of their properties from the three (3) different ones and then purchasing a new one or would they be using one of the properties and selling the remaining, or are they going to keep it in surplus?"

Black: "I can't speak for what the boards would do. In my opinion, they would almost have to buy new property, somewhere equidistant from the current high schools and then I don't know whether they would turn the high schools into a middle school or whether they would, in fact, try to sell it, rent it, or whatever. I... I mean, I can't speak for what those boards might have in mind."

Franks: "Would it be a cheaper alternative than giving a grant of fifteen million dollars (\$15,000,000), instead, to give funds for consolidation and to make up some of the loss..."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Representative Franks, your 5 minutes is expired. If you could bring your question to a conclusion we'd appreciate it."

Franks: "Thank you. This'll be a final question then. I'm... I'm wondering, would it be cheaper for the state, and we all want... we want this to happen, we want to help you. I'm just... I'm not sure this makes the most sense to give them fifteen million (15,000,000). Wouldn't it make more sense to look at the consolidation costs and reimburse them for that instead of doing something... 'cause we need to give them an incentive to consolidate which we'd all agree."

Black: "I... I understand that. And..."

Franks: "I just think it'd be cheaper to do that instead of giving somebody... giving three (3) separate school districts fifteen million dollars (\$15,000,000)."

Black: "And I... I think your question is legitimate, but the pragmatic reason as to why we're... we've been trying to do this for more than a decade is that we have a fairly good sense that the voters in these districts would not approve of a consolidation measure. And then the status quo remains, enrollment continues to decline, the buildings get older, the course offerings, they're struggling to meet the core curricula that the universities require. So, I know exactly where you're headed. At some point, those two lines are going to cross..."

Franks: "Right."

Black: "...and the hard decisions are going to have to be made. But knowing these three (3) high schools as well as I do and the districts in which they... what they serve, a

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

265th Legislative Day

5/13/2008

consolidation vote just would not pass probably for the next eight (8) to ten (10) years."

Franks: "Thank you. To the Bill. I'm going to stand in opposition, and I appreciate what the Gentleman's trying to do. I just don't think its sound policy for the State of Illinois to overpay because we... there's not a political resolution here. Obviously, this could be done if this was taken to the voters, but... and I... and I... and I appreciate the honesty of Representative Black by letting us know that it probably wouldn't pass for political reasons. But that's not our obligation then to spend fifteen million dollars (\$15,000,000) of the taxpayers' money because some school districts don't want to recognize reality and don't want to... and have to be pushed to the brink. If they were planning correctly, and I'm not... I don't want to single these folks out, because there are others like this. If they were planning correctly, they'd be moving towards consolidation and asking the state for help to make up the difference. But to give fifteen million dollars (\$15,000,000) because they can't pass a vote to do what they know is right, I think is sending a very, very wrong message and that we should vote 'no' on this."

Speaker Lyons: "The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative Black, I know you've brought this issue before and I certainly commend you for your persistence in looking at different ways to solve a serious

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

265th Legislative Day

5/13/2008

problem, thinking outside the envelope. For my own information and I've asked several others, do we have any cooperative high schools now like this would possibly create?"

Black: "We do not. The law allows it. The late Senator Woodyard and I passed that sometime ago. They are eligible for school construction grants. That law, with the help of many people in this chamber, was adopted a few years ago. We have a number of cooperative ventures in athletics.."

Moffitt: "Right."

Black: "...even in curricula. But we do not at the current time, as best I know, we do not have a cooperative high school as such operating in the State of Illinois. I have been told that there are maybe as many as a half a dozen waiting to see how this grant works out. And I certainly understand your concern and that of Representative Franks. It's... but we're trying to be proactive. We're trying to recognize the fact that in rural Illinois there are certain dynamics at work that aren't going to change in the immediate future and yet there are progressive proactive educators who are willing to look at other options and this happens to be one that most of the people in my district have settled on."

Moffitt: "Well, Representative, my question was really directed in the way of supporting this. I would have similar districts. This really would be something new and what we know now is that the options we have have not solved the problem, so it would be laying... if this works, it would be laying one more option, one more possibility out for school districts to consider. Is that correct?"

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

265th Legislative Day

5/13/2008

Black: "I... I think your question is right on target, Representative. It would be another option and I think it could result in certainly the diminishing of a number of smaller high schools. I... I think it's a sound idea. It's certainly not my idea. It was brought to me by several superintendents, school board members, parents, who think this is an option that they can turn into reality; whereas, a consolidation vote at the present time just doesn't seem like that could be a reality in the near future." `

Moffitt: "And if this were to be successful, the potential would be there for expanding it in other places I would assume. Would you agree with that?"

Black: "Oh, absolutely. I have been told that there is a... two (2) school districts in Edgar County, just south of me. I think Representative Eddy has both of those communities in his district and that if this would be successful they would be very interested in attempting to do the same thing."

Moffitt: "Thank you, Representative, and again, you're laying out one more option that might be available. We know that the options that we have on the table now have not solved the problem. We need to think outside the box to come up with some other options and this is just one of them. There might be more, but it would give the citizens of Illinois and various school districts more choices and I commend you for your persistence in keeping... exploring these options. Thank you."

Black: "Thank you very much."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "The Sponsor yields."

Eddy: "Representative, the scenario I see playing out with this, goes as follows. If there isn't the opportunity to build new space for students in a cooperative manner and there's a new capital construction program, chances are all three (3) of those districts would qualify to build their own new high school under that program."

Black: "There is absolutely no question about that. Oakwood Township High School has, in fact, looked at the necessity to add space particularly, and I know this isn't as... on a priority basis, maybe I'd like to see a chemistry lab or a physics classroom. But their students take P.E. and play winter sports in a gymnasium that dates back to the late 30s early 40s."

Eddy: "So Oakwood would likely qualify for and could build a new high school in Oakwood, probably Jamaica could build a separate high school and Catlin could build a separate high school."

Black: "Is there..."

Eddy: "So the end result of this is that we could be funding three (3) separate brand new buildings in communities that have less than a hundred and fifty (150) students in their high school. And instead of that, this opportunity provides us to build one school that would combine all those students and be much less money to the State of

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

265th Legislative Day

5/13/2008

Illinois in total dollars than building three (3) separate schools."

Black: "I think that is what makes the cooperative school concept so attractive. You're absolutely right. By spending maybe double the money, you still end up with three (3) relatively small high schools in relatively small communities that fifteen (15) years from now are going to be in the same boat. This puts all of them together. I think it makes more economic sense to try this."

Eddy: "Well, and I got to tell you, having been in this world and going through consolidation votes and I've seen the votes. People in those small communities, if a consolidation is the issue, are not concerned necessarily about losing their high school. They're concerned about losing their elementary. So if they consolidate, they lose the... potentially, they lose that building and they feel like their town could wither up and dry and go away, where if they can go into a cooperative school venture, they keep their K-8 building and they don't have to worry about whether or not that affects their town negatively. So, this is a great opportunity, and while the Bill has a price tag, it actually saves money, because what we've done in the past is we've qualified those small districts to build brand new high schools. And if you look at the last school construction grant program, and the number of high schools that were built in small communities, it costs ten, twelve, fifteen millions dollars (\$10,000,000; \$12,000,000; \$15,000,000) apiece as opposed to building one high school that serves students better. This is a much better

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

265th Legislative Day

5/13/2008

approach. And I... the other problem of course is, and I want to just quickly address the issue regarding hold harmless. I agree a 100 percent that hold harmless is something that needs to be looked at, but the foundation level drives hold harmless more than anything. If you fund the foundation level at the EFAB recommendation, hold harmless becomes something that doesn't need to be discussed. That's the reason for hold harmless. It really has to do with underfunding the foundation level. And finally, the important issue to those of us who live in rural areas is the simple fact that our assessed value of property doesn't allow us to have the property value to bond against in order to build this kind of building. It's just simply not possible. Now we can come to the General Assembly and ask that our limit, our bonding limit be raised from a small percentage to a high percentage so we can go into super debt. We can come and ask for that. Some districts have and some districts have been successful. But the bottom line is, this type of legislation, at the end of the day, leaves more money for schools to be built everywhere in the state because it combines those small high schools into one building rather than building multiple sites. It makes eminent good sense to spend money on the front side to save money on that program for all schools in the state. Good idea, and I hope everybody in here can see the big picture and support the concept."

Speaker Lyons: "The Chair recognizes the Lady from Kankakee, Representative Lisa Dugan."

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

265th Legislative Day

5/13/2008

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

Speaker Lyons: "Sponsor yields."

Dugan: "Yes, Representative, and I'm not real familiar with this, but I wanted... especially when we talked about money that would help the school do this. What's the difference between this and don't we as a state give incentives to schools that consolidate?"

Black: "That's in current statute. Yes, absolutely."

Dugan: "So, we all... and again, I haven't done this enough, but we already do something like that to encourage schools to come together and we actually give them financial backing to do that. And in this particular case, is it kind of... I'm just asking, is it kind of the same thing and so... but instead of an incentive to consolidate it's money to help bring them together as a cooperative?"

Black: "Yeah. You... you bring up an excellent point. And that's why we're pursuing this. We see it as a parallel path; consolidation, cooperative schools. The bottom line is, you end up with one larger school and you close three (3) smaller schools. But the difficulty with current consolidation law and this one, quite frankly, is that we do not give capital consideration when you're going to band together, consolidate, or form a cooperative to build the new school. And that's, I think, an inherent weakness in the Consolidation Law."

Dugan: "I agree with you."

Black: "And as in this one as well."

Dugan: "And I agree with you in that, because we're having the same thing. We're looking at some consolidation in my

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

265th Legislative Day

5/13/2008

district and I know that's come up. But from the end of the fact of a program and another alternative of bringing schools together and using resources, which in the end I believe will help save the state money. I ...it may not be completely perfect as to how it would work, but it's certainly another alternative. And I just wanted to make sure I understood it in my mind and certainly anything that we can do to really start to limit the amount of resources but in fact, provide the benefit for the students in the district, especially in rural areas like we represent, I certainly thank you for bringing the legislation. Thank you."

Black: "Thank you."

Speaker Lyons: "Representative Black to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House, and I appreciate the questions and debate. Let me, on a more serious matter, address something that my good friend, Representative Franks, brought up. I don't mean to be flippant, most of you who have served with me know I don't generally sponsor a number of appropriation Bills. However, when this budget year started, I did not envision how the appropriation process was going to work and it has not worked in the last two (2) years as to what I was used to. I could not get it in any appropriation Bills. I could not get it in the Governor's budget, and so I'm left with brining an appropriation Bill to the floor. The Gentleman brought up a good point. I think in the budget difficulties we're in, it's probably not the best idea, not the best way of doing business, but

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

265th Legislative Day

5/13/2008

it's what I'm faced with. And it isn't my idea. Parents, students, school superintendents, school board members have come to me for a number of years and said, if we can get some help in building a new high school, we think the voters will approve the concept of a cooperative high school. You have helped us in the past by letting cooperative high schools be included as recognized under the School Code. You've helped us in the past by letting cooperative high schools be included in school construction funds. Now, what we're seeking is some dollars that we can move forward. Hopefully, in two (2) years come back and show you that this was a good idea and it was money well spent. I'd appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 628 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Munson. Mr. Clerk, take the record. On this Bill, there are 84 Members voting 'yes', 23 people voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Patti Bellock, on page 20 of the Calendar, you have House Bill 4747. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4747, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from DuPage, Representative Patti Bellock."

Bellock: "Thank you very much, Mr. Speaker. House Bill 4747 allows the Illinois Housing Development Authority to make,

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

265th Legislative Day

5/13/2008

purchase, or participate in mortgage loans to parents of children with disabilities and mental health issues."

Speaker Lyons: "Is there any discussion? The question is, 'Should House Bill 4747 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. 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 Bill, there are 107 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bill Black, are you ready to go? We've got House Bill 4209. Representative Black. Read the Bill, Mr. Clerk."

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

Speaker Lyons: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, I need to check with staff and I appreciate you calling this Bill and I appreciate the help I've gotten from... received from many of the Members of this chamber. I am very concerned about Lincoln's Challenge Academy located on the former Chanute Air Force Base in Rantoul, Illinois. They do a wonderful job. They are a tremendous second-chance operation. However, we do have a question that we have not yet answered, and that is whether or not we can use general revenue dollars, and this Bill specifically goes to fix a boiler and a refrigeration system that is literally on its last leg, but I don't yet have a legal opinion as to whether we can spend state dollars on a building that we don't own. We lease it. And

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

265th Legislative Day

5/13/2008

so that means the boiler and the air conditioning system is not our property. And until I can get a legal opinion as to whether we can spend that money, I'd best not call the Bill. And I... but I appreciate you indulgence."

Speaker Lyons: "At the request of the speaker (sic-Sponsor) we'll take that Bill out of the record. Representative Sandy Pihos, on page 19 of the Calendar, you have House Bill 4320. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4320, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Lady from DuPage, Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Members of the House. House Bill 4320 provides that a condition of mandatory supervised release, probation, or supervision, a sex offender knowingly shall refrain from any computer that contains scrub software. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 4320? The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

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

Speaker Lyons: "Sponsor yields."

Fritchey: "How would it be established that had a knowledge that there was so-called scrub software on the computer?"

Pihos: "That's why we put the word 'knowingly' and we amended the Bill to do that, because they could be using someone else's computer and not know it had scrub software. They might know that about their own, however. So knowingly, I think, is the key word in this Amendment."

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

265th Legislative Day

5/13/2008

Fritchey: "Is it... has this definition ever been used before? Because when you're talking about a computer program or software that's designed to overwrite previously allocated disk space for the purpose of making it more difficult to salvage information... You know, one thing that most every computer has on it is the ability to either defragment a hard drive or some other things which will overwrite allocated portions on the drive not necessarily making it... not necessary for the purpose of making it more difficult, but it inherently makes it more difficult to find that previous information. So there could be an argument, though, that every computer as part of the operating system, at least every Windows computer, has a form of scrub software on it."

Pihos: "Representative, I'm not sure exactly how that would be defined. I guess... I guess you could say that, but we wouldn't necessarily have to implement it. If the scrub software was there, we wouldn't have to use it."

Fritchey: "But it's not a matter of using it if the software is on the computer, there'll be a potential violation of the Act. Again, the problem I have isn't with what you're trying to do, you got a definition of 'so-called scrub software' which isn't used in the industry as far as I know, and I'm not sure this is a definition that is narrow enough to get... what you're talking about is... well, there's two (2) different things. It's not only scrub software, there's also... not even software, but facets of certain computers where you can clear the browser, you can clear your history in your browser. That does the same thing."

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

265th Legislative Day

5/13/2008

It's not scrub software though. And every Internet... every... I shouldn't say every, but Internet Explorer, Firefox, Opera, all these browsers have something that allows you to clear your history. So is it your intention then that anything that allows you to clear the history of Web sites visited, et cetera, would fall under scrub software?"

Pihos: "No, it's not."

Fritchey: "So you're okay with them going and being able to eliminate whatever they did online, but it's solely over... what... what..."

Pihos: "I... I think it would be the programs that specifically take off child sex offender..."

Fritchey: "But that's not what this says. This says that if it's designed to overwrite previously allocated disk space. Computers inherently will overwrite previously allocated space if that space isn't being used."

Pihos: "Okay. I think we're talking about what would be erased from the hard drive?"

Fritchey: "Exactly."

Pihos: "Okay."

Fritchey: "And Representative, you know, I'm not doing this to make things difficult, but this is..."

Pihos: "I understand."

Fritchey: "...another situation where... I get what you're trying to do, but what you're trying to do and what this Bill says are two (2) different things. Representative, can I ask you... can I ask you a favor? I've worked with staff on some other issues before. Would you guys be amenable to just pulling this for a minute, so we can chat?"

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

265th Legislative Day

5/13/2008

Pihos: "Certainly."

Fritchey: "I appreciate that. Thank you."

Speaker Lyons: "On request of the Sponsor, we'll take this Bill out of the record. Mr. Clerk, Representative Tryon has House Bill 4769. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4769, a Bill for a Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from McHenry, Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker. House Bill 4769 amends the section of the Property Tax Code that deals with property tax sales. And what happened is in many real estate transactions there's a vacant lot and a duplex or an apartment building may be constructed on it, and when they close they have to divide the tax liability for the vacant lot. There was a property in my district that had this tax liability divided, but it wasn't played... paid at closing, inadvertently, when the title company cleared title. The property was then sold out to a tax purchaser, even though the buyer, when he got his tax sale notices, tried to pay the taxes at the county clerk's office three (3) times. So in Illinois's Tax Code it says that you can't obtain a tax deed through fraudulent means, you can't obtain a tax deed through... if you prove that you once paid the taxes. And in Cook County, it says that you can't obtain a tax deed if the clerk makes an error. So what we're doing in this Amendment is we're amending the Bill so that it... every county matches Cook County, and this would provide somebody an affirmative defense against a tax sale, if, in fact, the

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

265th Legislative Day

5/13/2008

country clerk made an error in... when they tried to pay their taxes. So I'd be glad to answer any questions if there are any. If not, I would urge an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4769 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Durkin. George Scully. Mr. Clerk, take the record. On this Bill, there's 107 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 27 of the Calendar, under House Joint Resolution 99. The Chair recognizes the Gentleman from Jasper, Representative David Reis."

Reis: "Thank you, Mr. Speaker. House Joint Resolution 99 comes as a suggestion from last year's Teacher of the Year, Joe Fathery, that was from my district. And that is... by some of his fellow winners of that award, is to rename the Teacher of the Year Award, the Willard Carl Widerberg Teacher of the Year Award in honor of the first Illinois Teacher of the Year back in 1954, who went on to win the National Teacher of the Year Award. And the thing that's really unique about Willard is that he has spent the rest of his career advocating the education of our children. It wasn't something that he just won and then slowly slipped away. He's been at the forefront of issues, both state and national, and some of the recent winners of this award felt

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

265th Legislative Day

5/13/2008

that it was appropriate to rename the award in his honor.
Love to have everyone's support."

Speaker Lyons: "Is there any discussion? The Chair recognizes
the Gentleman from DeKalb, Representative Bob Pritchard."

Pritchard: "To the Bill (sic-Resolution), Mr. Speaker."

Speaker Lyons: "The Resolution."

Pritchard: "Ladies and Gentlemen, Mr. Widerberg was a
individual that started out as teaching in my area, the
DeKalb Community Unit School District 428, and served as a
leader in that school system for a number of years. He
later went on to become a National Science Program
participant at Northern Illinois University, which teaches
new and existing elementary and high school teachers
nationwide the foundation of various existing elementary
and high school programs. He's certainly an outstanding
individual that has brought great pride and recognition to
the State of Illinois and to the teaching profession. I
think it's only appropriate that we name this highest honor
after an individual who has set the standard and set the
pace for excellence in teaching. I urge your support.
Thank you."

Speaker Lyons: "Representative Reis to close on the
Resolution."

Reis: "I thank Representative Pritchard for his kind words and
I'd encourage everyone to vote 'aye'. Thank you."

Speaker Lyons: "All those in favor of the adoption of House
Joint Resolution 99 signify by saying 'yes'; those opposed
say 'no'. In the opinion of the Chair, the 'ayes' have it.
And House Joint Resolution 99 is adopted. Representative

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

265th Legislative Day

5/13/2008

Bob Pritchard for an announcement. Representative Pritchard. Announcement."

Pritchard: "Yes, Mr. Speaker, thank you. Ladies and Gentlemen of the House, the Illinois Education Caucus is pleased to sponsor this afternoon another update for the Legislature on the progress that is being made in looking at the public agenda for public education and higher education. This afternoon at 4:00 we'll have an opportunity to get an update from Ames McGinnis who is one of the consultants working on this project. I think the thing that's most important to keep in mind that the task force has met a number of times and identified a number of consensus items; some six (6) themes that reflect educational and economic needs in Illinois and the attention that we need to be placing on high... on adult education. This group is also working on reaching improved educational and economic opportunities in Illinois. And it's important that we as Legislators understand the process as it's moving along, add our input and make sure that the report that will come out of this is something that we can support and implement in the House. This Session this afternoon starts at 4:00 in the CDB boardroom of the Stratton Office Building, Room #349C. I encourage you to join us for this update. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Elaine Nekritz. For what purpose do you rise, Representative?"

Nekritz: "Point of personal privilege."

Speaker Lyons: "Please proceed."

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

265th Legislative Day

5/13/2008

Nekritz: "Just want to make sure that the Members are aware that in the Rathskellar tomorrow morning from 8 to 10, there is going to be a group of folks talking about toxics policy and the most interesting thing is that there's going to be a XR... I think it's called a XRF gun there. If you bring down two (2) or three (3) products that might just be on your desk, you can have them tested to see what kind of chemicals that they might have in them. So I think it might be enlightening for folks. And again, that's from 8 to 10 in the Rathskellar."

Speaker Lyons: "Mr. Clerk, Rules Report."

Clerk Mahoney: "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 13, 2008, reported the same back with the following recommendations: 'approved for consideration', referred to the Order of Second Reading is House Bill 2089 and House Bill 2650."

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

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1283, offered by Representative D'Amico. House Resolution 1284, offered by Representative Osmond. House Resolution 1285, offered by Representative Osmond. House Resolution 1287, offered by Representative Howard. House Resolution 1288, offered by Representative Chapa LaVia. House Resolution 1289, offered by Representative Granberg. House Resolution 1291, offered by Representative Soto. House Resolution 1292, offered by Representative Cross and House Resolution 1294, offered by Representative Turner."

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

265th Legislative Day

5/13/2008

Speaker Lyons: "Representative Turner moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And the Resolutions are adopted. Mr. Clerk, committee announcements."

Clerk Mahoney: "During the 2 p.m. committee slot, the following committee has been canceled. The Environmental Health Committee that was to meet at 2 p.m. in Room 115 has been canceled. For committees tomorrow, two committees have had time changes. Judiciary-Civil Law has been changed to 9 a.m. Judiciary-Civil Law that was... is meeting in C-1 is meeting at 9 a.m. instead of 8 a.m. Elementary & Secondary Education for tomorrow morning is meeting at 9 a.m. instead of 8 a.m. in Room 114. Elementary & Secondary Education is meeting at 9 a.m. instead of 8 a.m."

Speaker Lyons: "And now, allowing perfunctory time for the Clerk, Representative Turner moves that the House stand adjourned 'til Wednesday, May 14, at the hour of 11 a.m. All those in favor of adjournment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned until the hour of 11:00, Wednesday, May 14. Have a great evening everybody."

Clerk Bolin: "The House Perfunctory Session for the regular Session will come to order. Committee Reports. Representative Colvin, Chairperson from the Committee on Consumer Protection, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'recommends be

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

265th Legislative Day

5/13/2008

adopted' is Floor Amendment #2 to House Bill 5789; 'do pass as amended Short Debate' for Senate Bill 2845; and 'do pass Short Debate' for Senate Bills 2422 and 2546. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'do pass Short Debate' for Senate Bills 2052, 2079, 2110, and 2313; 'do pass as amended Short Debate' for Senate Bills 2431, 2514, 2640; and 'recommends be adopted' Floor Amendment #3 to House Bill 2074. Representative Lang, Chairperson from the Committee on Gaming, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'do pass as amended Short Debate' for Senate Bills 2021 and 2210. Representative Yarbrough, Chairperson from the Committee on Housing & Urban Development, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #3 to House Bill 5788; 'do pass Short Debate' for Senate Bill 2287. Representative Collins, Chairperson from the Committee on Juvenile Justice Reform, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'do pass as amended Short Debate' for Senate Bill 2275; 'do pass Short Debate' for Senate Bill 2118. Representative Jefferies Chairperson from the Committee on Prison Reform, to which the following measures were referred, action taken on May

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

265th Legislative Day

5/13/2008

13, 2008, reported the same back with the following recommendations: 'do pass as amended Short Debate' for Senate Bill 2254. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'do pass Short Debate' for Senate Bill 2380; 'do pass as amended Short Debate' for Senate Bills 2461 and 2486. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'do pass as amended Short Debate' for Senate Bill 2906. Representative Moffitt, Chairperson from the Committee on Fire Protection, to which the following measures were referred, action taken on May 13, 2008, reported the same back with the following recommendations: 'do pass Short Debate' for Senate Bill 2748. Introduction of Resolutions. House Resolution 1286, offered by Representative Golar. House Resolution 1290, offered by Representative Flowers. And House Resolution 1293, offered by Representative Jerry Mitchell. These Resolutions are referred to the House Rules Committee. First Reading of Senate Bills. Senate Bill 2344, offered by Representative Mautino, a Bill for an Act concerning finance. Senate Bill 2691, offered by Representative Pritchard, a Bill for an Act concerning education. First Reading of these Senate Bills. Introduction and First Reading of House Bills. House Bill 6640, offered by Representative Sommer, a Bill

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

265th Legislative Day

5/13/2008

for an Act concerning finance. House Bill 6641, offered by Representative Molaro, a Bill for an Act concerning revenue. House Bill 6642, offered by Representative Molaro, a Bill for an Act concerning revenue. House Bill 6643, offered by Representative Pritchard, a Bill for an Act conc... a Bill for an Act making appropriations. First Reading of these House Bills. There being no further business, the House Perfunctory Session for the regular Session will stand adjourned and the House will reconvene in regular Session, Tuesday, May 14, at 11:00 a.m."