

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Good morning, Ladies and Gentlemen. The Illinois House of Representatives will come to order. Members are asked to please be at their desks. We shall be led in prayer today by Reverend David McHenry, who's the pastor of Cornerstone Community Fellowship Church in Shelbyville, Illinois. Reverend McHenry is the guest of Representative Stephens and Representative Eddy. Members and guests in the gallery are asked to please refrain from starting their laptops and to turn off all cell phones and pagers and all rise for the invocation and the Pledge of Allegiance. Reverend David McHenry."

Reverend McHenry: "Thank you. May we pray. Heavenly Father, we thank You and praise You for the privilege to live in a great nation and a great state. And Father, I ask You to bless those who have dedicated their lives to give guidance to all the rest of us, those who are in this room today, God, to make decisions that'll affect our lives. We ask a blessing upon each one. We thank You, again, for this wonderful nation, this wonderful privilege we have to live in freedom. And we thank You for those who are fighting right at today for that very freedom. We ask You, God, to bless us. We ask this in Your name, Amen."

Speaker Lyons, J.: "We'll be led in the Pledge by Representative Sandy Pihos."

Pihos - 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."

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Roll Call for Attendance. Leader Barbara Flynn Currie."

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

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

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Watson is excused on the Republican side of the aisle."

Speaker Lyons, J.: "Thank you, Leader. Mr. Clerk, take the record. There are 110 Members present, we have a quorum. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is Senate Bill 2302. Representative John Bradley, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 2298 and Senate Bill 2678; 'do pass as amended Short Debate' is Senate Bill 2227, Senate Bill 2474, Senate Bill 2643, and Senate Bill 2875. Representative Hamos, Chairperson from the Committee on Mass Transit, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'do pass Short

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

267th Legislative Day

5/15/2008

Debate' is Senate Bill 2536. Representative Burke, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 2520 and Senate Bill 2526; 'do pass as amended Short Debate' is Senate Bill 5011. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #7 to House Bill 1831; 'do pass as amended Short Debate' is Senate Bill 2135 and Senate Bill 2401; 'do pass Short Debate' is Senate Bill 1881, Senate Bill 2349, Senate Bill 2366, Senate Bill 2382, and Senate Bill 2426, Senate Bill 2476, Senate Bill 2509, Senate Bill 2657, and Senate Bill 2785. Representative Scully, Chairperson from the Committee on Electric Utility Oversight, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #3 to House Bill 5576. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is Senate Bill 2562. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or

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

267th Legislative Day

5/15/2008

Joint Action Motion were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration', referred to the order of House Bills-Second Reading is House Bill 2047; 'recommends be adopted' is Amendment #2 to House Bill 5739. Referred to the House Committee on Rules is House Resolution 1305, offered by Representative Feigenholtz. House Resolution 1307, offered by Representative John Bradley, and House Resolution 1308, offered by Representative Flider."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Greg Harris for a personal privilege."

Harris: "Yes, I rise for a point of personal privilege, Mr. Speaker. I'd like to welcome to the Capitol a group of students from Senn High School on the north side of the City of Chicago, sitting behind us in the Democrat side. Welcome to Springfield."

Speaker Lyons, J.: "Welcome, Senn High School. Enjoy your day. Mr. Clerk, on the Order of Second Reading, Representative Kathy Ryg, on page 13 of the Calendar, has House Bill 5574. Representative Ryg, it's a Second Reading Motion, if you want to move this Bill to Third. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "House Bill 5574, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #5, offered by Representative Ryg, has been approved for consideration."

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Representative Ryg on Floor Amendment... on Amendment #5."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is actually cleanup language that allows for implementation of a Bill that we passed last General Assembly that provides for increased information sharing and communications when it comes to persons being committed for involuntary psychiatric treatment. Be happy to answer any questions."

Speaker Lyons, J.: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

Mulligan: "Unfortunately, those of us over here could not hear a word of that, maybe she would just like go through and talk into the microphone so we could hear what the Bill does."

Speaker Lyons, J.: "All right, Representative Mulligan. There's been a request if we could lower the tone on the floor just ever so slightly. Representative Ryg, if you could repeat the Amendment... Amendment #5, so Representative Mulligan can hear you."

Ryg: "Sure. This is cleanup language to legislation that we passed last year regarding involuntary commitment. And it provides for increased information sharing and clarifies the procedures for implementation of the law which goes into effect June 1."

Speaker Lyons, J.: "Is there any discussion on Amendment #5? Seeing none, the question is, 'Should Amendment 5 be adopted?' All those in favor signify by saying 'yes';

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

267th Legislative Day

5/15/2008

those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment #5 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 7 of the Calendar, Representative David Reis has House Bill 4403. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House..."

Speaker Lyons, J.: "Mr. Clerk, take that Bill out of the record on request of the Sponsor. Representative Bob Biggins, on page 8 of the Calendar, on the Order of Second Reading, you have House Bill 4699. Status of the Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 4699, a Bill for an Act concerning public health has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #5, offered by Representative Biggins, has been approved for consideration."

Speaker Lyons, J.: "Representative Biggins on Amendment 5."

Biggins: "We on Second Reading now, Mr... Speaker?"

Speaker Lyons, J.: "It's on Second Reading, Bob."

Biggins: "We'd like to adopt..."

Speaker Lyons, J.: "We wanted to see if you want to move the Amendment."

Biggins: "We'd like to adopt the Amendment. Amendment #5 becomes the Bill, amends the EMS Systems Act. The Department of Public Health shall develop a working group to advise DPH on primary stroke center systems. This group shall submit a statewide stroke assessment tool to the

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

267th Legislative Day

5/15/2008

Department of Public Health. The copy shall be disseminated to all the EMS systems for adoption no later than January 15, 2010. And I would ask that the Amendment be adopted."

Speaker Lyons, J.: "Is there any discussion on Amendment #5 to House Bill 4699? 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 Amendment 5 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on the Order of Senate Bill-Third Readings, Representative Dan Beiser has Senate Bill 2052. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2052, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons, J.: "Chair recognizes Representative Dan Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2052 was brought to us and is needed because of the Federal Government following Hurricane Katrina directed Congress to review the nation's flood maps. And our area just happens to be one of the first areas designated to be reviewed and that review will be out in early June. So the necessity is there; the time is of the essence. FEMA, which is going to be reviewing the maps, will be possibly decertifying our five (5) levee systems. Not because of the height of the levee or anything like that, but because of a problem of under seepage of old pumps, old gates, and

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

267th Legislative Day

5/15/2008

old electrical panels. Now, this issue is... on the levee systems is two-fold: it's a public safety issue; it's an economic development issue. These levees protect over a hundred and fifty thousand (150,000) people in three (3) counties: Monroe, St. Clair, and Madison, and over four thousand (4,000) businesses. And if we do not do anything with these, those people that would be required to get flood insurance would be required to get flood insurance at a much higher rate, ten (10) times higher, and that is just going to be unsustainable. We've already lost one business that was going to bring three hundred (300) jobs to our area until this situation is rectified. Now, Senate Bill 2052 creates the Flood Prevention District or the creation of that, if designated by our county boards in the three (3) counties: Madison, St. Clair, and Monroe, only. It's only for this specific geographic area. And it would impose to pay for this one hundred and eighty million dollar (\$180,000,000) project, which is estimated by the engineers to cost one hundred and fifty to one hundred eighty million dollars (\$150,000,000 to \$180,000,000). To pay for that, we would impose a quarter per cent sales tax in those counties only, and it would not be on food or drugs or items that are titled with the State of Illinois. Now, the Federal Government, through our Congressmen on both sides of the aisle, have been working closely with us and there is a provision in this Bill that when federal funds are received it's a sixty-five (65) federal, thirty-five (35) local match. We're saying we need to do this upfront on the entire project locally. When these federal

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

267th Legislative Day

5/15/2008

funds for reimbursement are received, it must be repaid.. used to repay the early retirement of bonds. There is a sunset when these Flood Prevention Districts issue these bonds. There's a sunset clause of twenty-five (25) years or the earlier of retirement of the bonds. I would be happy to answer further questions. I know I have many cosponsors on both sides of the aisle, and I would ask for your careful and your consideration with an 'aye' vote."

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

Stephens: "Well, thank you, Mr. Speaker. It's not often that I stand on this floor and ask my colleagues to allow a sales tax increase. I not only ask for that today, I urge you to give the people of Monroe, Madison, and St. Clair County, where I don't live by the way, this opportunity. This is a huge responsibility. The... if we didn't learn anything from the breaking of the levee walls at Katrina, we did learn this lesson and that is, you can... you must always be diligent. We have found out through the Corps of Engineers that there's much work to be done in the Metro East area. Hundreds of thousands of jobs are at stake. This is the very heart of our industrial complex for the Metro East. And I urge my colleagues... I know some of you just can't see your way fit to vote for that quarter cent sales tax, and I understand that, but remember it's for our counties only. This is local people united to take care of a problem that is theirs and they want to fix it. So, I would urge my colleagues on both sides of the aisle to join us and pass this Bill out with a 'yes' vote."

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Ladies and Gentlemen, this Bill's on the Order of Short Debate, so we have quite a few people looking to respond. Next in line is Representative Tom Holbrook, the Gentleman from St. Clair."

Holbrook: "Thank you, Speaker. To the Bill. Immediate action's necessary here. It's not an option. We have to do it. We've already lost hundreds of millions of dollars on speculation of investment in our area over this issue that the Federal Government has mandated upon us. That's why in our area everyone is for this Bill. When it comes to the home builders, the AFL-CIO, the Chambers of Commerce, all of our development groups are for this Bill. Even our local Farm Bureaus in Madison, St. Clair, Monroe are for this Bill. Even our levee districts are for this... on this Bill. It is absolutely mandatory. Without it, the second largest metropolitan area in the state could die on the vine and all its economic development could go away. It would be mandated by the Federal Government. Again, we are responding to a very Draconian action by the Federal Government under a horrible timetable that was forced upon us. And we feel that this is the best action and it's absolutely mandatory we take action, 'cause without it the entire area will fail slowly but surely. I'd all urge you to give an 'aye' vote. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Randolph, Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. Again, to the Bill. As previous speakers have mentioned, this is very important for our area. This is an initiative of the county chairman

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

267th Legislative Day

5/15/2008

basically in Madison and St. Clair County. And it gives a viable option to respond to a problem that was visited on us by the Federal Government by the Corps of Engineers' decision to try and expedite this and try to decertify the levee system in that area. And this is a way for local entities to provide the funding to repair these levees, protect the homes and the farms and the businesses that are inside this levee system. So, we'd sure appreciate your help. Thank you."

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

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

Speaker Lyons, J.: "Sponsor yields."

Pritchard: "Representative, you indicate that there's urgency to this issue on repairing your locks... or excuse me, your levees. But isn't it true that you could already be working on this resolution if the county board would enter an intergovernmental agreement with the drainage district?"

Beiser: "No, that's not... that's not true. That's not correct."

Pritchard: "Well, there's a lot of people that are a part of that drainage district that says that is the case. And they're very concerned that we have a county board moving into an area that has traditionally been a drainage district germane with the agendas and a different kind of representation than what is typical in our drainage districts. We usually are concerned aren't we that drainage districts represent the property owners and those that have a vested interest in proper drainage in an area? And it would seem that in this particular case we're

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

267th Legislative Day

5/15/2008

diluting that authority. We're taking authority away from the drainage district and setting a dangerous precedent that the drainage district can't have jurisdiction over an area that they are vitally interested in. This particular area covers what... about five (5) drainage districts, is that correct?"

Beiser: "It's five (5) levee systems."

Pritchard: "And isn't it true that by doing the kind of change that you're proposing giving the flood prevention district jurisdiction, you're actually going to be covering some seventeen (17) drainage districts?"

Beiser: "I don't... no, that's... it's not the case. I mean, we have it from the geographic specific area that's listed in Section 5. We have identified the five (5) levee systems, the levee districts we have letters, are local districts. I understand you're citing the opposition by the levee districts association, but our local districts believe this is the best solution and that we have got letters of support from them."

Pritchard: "Well, it just seems, again, listening to some of the experts that are talking about this, that we're using a local situation to set a precedent that's going to cover our entire state, and that we ought to be looking at the bigger picture rather than just the smaller picture. And to the Bill, Mr. Speaker. It seems that we do have an avenue for that local district to deal with its immediate concern and do it in a much faster way, through an intergovernmental agreement. And I would encourage this Body to reject this Bill and to encourage local officials

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

267th Legislative Day

5/15/2008

to deal with the system that they have that will work and will address this situation. Thank you."

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

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

Speaker Lyons, J.: "Sponsor yields."

Rose: "Representative, I just want to make sure what counties this applies to and what counties it does not. I think you said them earlier, but could you repeat them for the record?"

Beiser: "Yes. It... it's in Section 5 of the Bill and that's Monroe, Madison, and St. Clair Counties."

Rose: "And it does not apply to any other counties in Illinois?"

Beiser: "No."

Rose: "Thank you, Representative."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Winnebago, Representative David Winters."

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

Speaker Lyons, J.: "Sponsor yields."

Winters: "Representative, one of the things that bothers me about this Bill, along with the issues that Representative Pritchard raised, is the fact that, at least as I understand it, there is no right of the public to reject the imposition of a sales tax; there's no front-door referendum and there is no backdoor referendum. Is that correct?"

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

267th Legislative Day

5/15/2008

Beiser: "That is correct. And the reason is... is 'cause of the timing factor. We do not have a time to do that. But to answer that and we did recognize that, and that's why we had the county board that has to authorize this. They are duly elected by their people in their counties. They answer to those people, so it isn't just simply... we didn't totally ignore that. We recognize that and that's how... why we crafted it the way we did."

Winters: "Well, I think it still sets a bad precedent. The timing would be if the county board approved it and there was a backdoor referendum, I would understand that the bonds could not be sold until that challenge was heard at referendum, but that could happen as early as November. Do you anticipate construction on these levees this summer, in this construction period?"

Beiser: "We... this will get started as soon as this is in place. This is going to start as soon as the... and I'm not a construction person by any means, but as soon as we possibly can get all the mechanisms in place, following the law as drafted."

Winters: "Well, I just want to hold the possibility that if the Governor has an Amendatory Veto on this Bill, we might not take that up until November. In which case, the lack of the public having a right to say 'yes' or 'no' on a referendum, even if backdoor, is not going to slow up the process. Do you have any assurances from the Governor's Office they in fact will support this and not do any form of Veto?"

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

267th Legislative Day

5/15/2008

Beiser: "Just... I mean, I've not asked that question directly of the Governor's Office, but I would cite that we've got widespread support and I do know that that... the urgency and the reason for doing this has been... I feel comfortable that has been transmitted and he understands the critical importance to our entire three-county area."

Speaker Lyons, J.: "The Chair recognizes the Gentleman..."

Winters: "Yeah, one other question. Could you go into a little bit the changes in Illinois's drainage law that were incorporated in this Bill?"

Beiser: "Do you have specific..."

Winters: "Well, there's concern from the statewide association that there's precedence here for the county to intervene in the operations of drainage district or levee districts."

Beiser: "Okay."

Winters: "That's my concern that this becomes a precedent for future activities in other counties that aren't directly affected, but that you are making changes in the Drainage Code."

Beiser: "Yeah, I... now, I know where you're going with it, Dave. And we did understand that, but we also put in provisions in the wording. I'll just say, it's in Section 75, 'nothing in this Bill shall preclude or prohibit a drainage district, levee district, or sanitary district from conducting or performing its normal operation and maintenance under their control.'"

Winters: "But does it give the county board additional power over the drainage districts that they do not currently have?"

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

267th Legislative Day

5/15/2008

Beiser: "I'm sorry, I couldn't hear you."

Winters: "Does it give the county boards any additional powers to intervene with the drainage districts that they currently do not have?"

Beiser: "No. As far as the normal operation, if the... if the... Let's just say the normal operations, and we've got to remember these levees were created fifty (50) and sixty (60) years ago by the Federal Government, so these levee boards and their normal operations is the mowing and the maintenance of those as far as grass cutting and just minor situations like that. There's nothing the county board could do to come in and say, you're mowing the grass wrong or you should be looking at this. Their normal operations will not be impacted."

Winters: "Well, I appreciate your answers. I still think that this may be a little bit of an overreach. And I always, if at all possible, I urge this Body to not support Bills that do not allow a backdoor referendum on tax imposition. Thank you very much."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Iroquois, Representative Shane Cultra."

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

Speaker Lyons, J.: "Sponsor yields."

Cultra: "Representative, I represent the section of the state completely on the opposite of you and my drainage districts have contacted me that they're concerned that this would set a precedent of county board taking over control of their drainage district. Now, I just want your legislative intent that by changing Sections 75 and 80 of the Illinois

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

267th Legislative Day

5/15/2008

Drainage Code that it isn't your intent that it would affect any other counties in the state ever, except for the three (3) you have listed."

Beiser: "Yes. Section 5 clearly designates the three (3) counties involved."

Cultra: "Thank you very much."

Speaker Lyons, J.: "Final question will come from Leader Barbara Flynn Currie. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. The Madison, St. Clair, and Monroe County levees are not in my neighborhood, but I think as a public policymaker for the State of Illinois, this is a Bill critical to the public safety of people not only in those areas but those of us who might be using the water system in Madison, St. Clair, and Monroe Counties. There's been a lot of fuss over whether drainage districts or county boards ought to be responsible here. There's no question in my mind that the job goes to the county board. Some drainage districts are appointed, some are elected, but all the county boards are elected and we're talking here about a countywide sales tax. The people who serve on those county boards will be responsible and accountable to the people at the next election. That seems to me fair. It seems to me to have the kind of transparency that we demand in our governmental decisions. But if we don't do this, remembering that the Army Corps of Engineers has turned its back on these structural needs to make sure that the levees are safe. They're not prepared to step up to the plate. It seems to me this is a reasonable proposition at the appropriate

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

267th Legislative Day

5/15/2008

level of local government to see to it that the job is done and that these levees are repaired and are able to sustain new development and to sustain the development that is already there. I think it would be unconscionable to vote any way but 'yes' on Senate Bill 2052."

Speaker Lyons, J.: "Representative Dan Beiser to close."

Beiser: "Yes, Mr. Speaker, thank you. Thank you for all the comments made. I just want to very briefly just say, this is a local problem with a local solution with the county boards, the levee districts, everyone in agreement that this is the right way to go about it. And I simply would ask for an 'aye' vote. Thank you."

Speaker Lyons, J.: "The question is, 'Should Senate Bill 2052 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? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 64 Members voting 'yes', 44 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar, Representative Connie Howard has House Bill 5516. Read the Bill, Mr. Clerk."

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

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Connie Howard."

Howard: "Thank you very much, Mr. Speaker. House Bill 5516 expands the State of Illinois's certificates of good conduct and relief from disability. This legislation

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

267th Legislative Day

5/15/2008

expands the eligibility pool of applicants to both certificates and strengthens the certificate of good conduct by providing an individual clemency review by the Prisoner Review Board to determine rehabilitation and expanding the eligibility pool but eliminating people who have to register on Illinois registry lists. That of course includes: sex offenders, arsonists, child murderers, et cetera, and first degree murderers for a certificate. The goal of this legislation is to provide more security to employers and their screening and hiring of people with criminal records, giving them an individualized rehabilitation determination. This will increase employment opportunities for people with records and will also provide hope for people with criminal records that, if they stay on course, there are avenues of recourse that allow them to have a second chance. I believe this legislation will help advocates work with employers to remove permanent bars that limit the hiring of people with records, and rather help employers by giving them additional protection and information in their hiring decisions. After individual review, if a person is found rehabilitated, the PRB will issue a certificate of good conduct. The CGC, the Certificate of Good Conduct, does not remove, seal, or hide a conviction record. Thank you."

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

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

Speaker Lyons, J.: "Sponsor yields."

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

267th Legislative Day

5/15/2008

Lindner: "Could we have a little order? Order in here, could people listen."

Speaker Lyons, J.: "Ladies and Gentlemen, the noise level on the floor, again, is very, very loud and it's hard for people to hear each other's questions. Members, could I ask you to please bring the tone down just a little bit, please."

Lindner: "Thank you, Mr. Speaker. To the Bill. I wanted people to listen because many people voted 'no' on this Bill last time. And it is a good Bill. The Representative has worked so hard on this issue and since I've been the Minority Spokesperson of the Jud II Committee which has been quite some time, we have been trying to find ways to help people who have paid their debt to society to actually come out and get jobs. This Bill really helps that. We're not creating anything new, we already passed the certificates of good conduct and the relief from disability. This has been the law since... what, 2003, I believe, but I'm not sure of that date. And this really does strengthen it and provide more transparency for employers. And that is the goal to give employers more tools to really look at somebody's record. It's done on a case-by-case basis. The Prisoner Review Board has to go through this and approve it with three (3) members of the Prisoner Review Board. And I think it's about time that we did something to help people enter back into society. It will decrease recidivism and I would ask for a favorable vote on this Bill."

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. To the Bill. Excuse me. I, too, stand in strong support of the Lady's legislation. The realty, Ladies and Gentlemen of the House, is right now we have thirty-three thousand (33,000) citizens in Illinois on parole, thirty-three thousand (33,000). People that struggle to find jobs. As an employer, the owner of a small business, I employ fourteen (14) people. I know how concerned my company is when we deal with hiring someone that has a background... has been involved and has had problems with the law. The Lady's legislation has done an excellent job and I think Representative Lindner said it very well, of providing transparency for employers. This is good legislation. I think it's something we should get together and support Representative Howard on. And I urge your 'aye' vote. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons, J.: "Sponsor yields."

Reboletti: "Representative, when you said that these individuals would be in front of the Parole Review Board... Prisoner Review Board to determine if they have been rehabilitated, that's a pretty subjective phrase. What does rehabilitated mean then?"

Howard: "I am not certain of the standard that they use for that."

Reboletti: "It's..."

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

267th Legislative Day

5/15/2008

Howard: "It perhaps is in the law, but I'm not certain of the standard."

Reboletti: "And I'm just saying it's very subjective as to what they have done while they were incarcerated, what they may have done while they were on parole, and how long that they have been out in the community beforehand. Because as I appreciate what you are trying to do here, I'm trying to figure out how many inmates this may or those who were formerly incarcerated... how many people will this really affect? How many of those have really worked towards rehabilitating themselves so they will be able to take advantage of this? What kind of population are you... do you see?"

Howard: "And neither do I know how many people will take advantage. We just know that it is a tool that can be used if those persons do seek to get a second chance, they then know that they must prove to the Prisoner Review Board that they have done some things that would indicate that they have turned their lives around. Whenever people come to me, I always suggest to them that they need to be involved in their communities helping to do good things. They need to be involved in their religious institutions. They need to have a family life. And so, I'm assuming... just a second. I've gotten some assistance for another part of your inquiry."

Reboletti: "Go ahead."

Howard: "But my point is that there are things that I suggest to people that they should do. They should get people to write them letters attesting to the fact that they have

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

267th Legislative Day

5/15/2008

done things that are good for the community and that have demonstrated that they now intend to become productive citizens. The information that I'm going to point to now says that there was a point that's... a study shows that there was a point that 93 percent of those who applied for the certificate were ineligible due to their... to having more than two (2) nonviolent offenses. So we're not talking about an awful a lot of people right now, but again, there are those who do fit this qualification. And if, in fact, they make a decision that they are going to want to become productive citizens, at least we have a manner in which to allow them to do that."

Reboletti: "I guess the other concern is, is that what factors are they going to be taking into consideration? There are those that are incarcerated who do absolutely nothing and there are those who take great measures to get education and counseling. So is that supposed to be taken into consideration as part of your Bill?"

Howard: "I would hope that that... it would be taken into consideration and I would imagine that it is going to be. Again, I cannot specifically tell you that the various criteria that are used or the standard that is used, but I would think that what you've done while you're inside of the facility and then what you have done since you have exited the facility are going to be major factors as to whether or not you, in fact, have an intention to become a productive citizen."

Reboletti: "Well, and I appreciate that. One last question, Representative, what additional protections are there for

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

267th Legislative Day

5/15/2008

businesses as they begin to employ these individuals if these certificates are indeed issued?"

Howard: "The employer does... has nothing to do except to... they will know that this person has gone through the prisoner review process. So they will not have any burdens placed on them. They will have to do nothing in order to be able to avail themselves of information about the individual that we're talking about, if they are prepared to offer a job."

Reboletti: "Representative, I appreciate your answers. I'm going to listen the rest of the debate; I just have some concerns about the subjectivity. But would.. I understand that it would be looking to help those who really have done something and not then confuse those individuals who have.. trying make... turn their life around with those that aren't that may take advantage of this particular part of relief, so I'll continue to listen. Thank you."

Howard: "Absolutely."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Debbie Graham."

Graham: "Thank you, Mr. Speaker. To the Bill."

Speaker Lyons, J.: "To the Bill."

Graham: "I stand in complete support of this piece of legislation. I also like to commend my colleague on her hard work. Since I've been here Representative Howard has worked diligently on behalf of our constituents in this area. And we know that anyone who has participated in this program that all they want to do is be productive members of society and to find their way back on the road to

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

267th Legislative Day

5/15/2008

success. And I want to thank you for just putting your hard-earned... your time into this and just keep on plugging away at it. Thank you and I urge an 'aye' vote."

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

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

Speaker Lyons, J.: "Sponsor yields."

Black: "Representative, on page 5 of Amendment #3, I believe it is, no, excuse me, it's Amendment #2 which becomes the Bill. On line 6, it starts out, 'a certificate of good conduct may be granted as provided in this section to relieve an eligible offender of any employment bar as defined in Section 5-5.5-5 of this code.' Let me... I just have a question about that. What exactly does that mean, eliminate... or, no, excuse me, 'relieve an eligible offender of any employment bar'? Does that mean that the individual does not have to put down on the application that he or she has in fact been convicted of a felony?"

Howard: "No. This has... this Bill does not cover anything that has to do with hiding a record or anything of that sort. This is... as I understand it, that means that the Prisoner Review Board has done the work necessary for the employer to have some confidence that they are considering a person who has in fact turned their life around."

Black: "Okay. So, when we say, 'may be granted under this section to relieve an eligible offender of any employment bar', that does not mean since the word 'may' appears... it

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

267th Legislative Day

5/15/2008

does not mean the employer is under any obligation to hire the individual. Correct?"

Howard: "Absolutely."

Black: "And the..."

Howard: "Again, this is giving that employer some assistance."

Black: "Okay."

Howard: "Oftentimes, people come and say, I'm here, I'm ready to be hired. That employer perhaps is in a quandary. This process is going to help them because there have been some things done..."

Black: "Right."

Howard: "...like a prescreening, for the lack of a better term."

Black: "And then to help eliminate what so often happens the employers don't want to take a chance, then the ex-offender would have a letter, as I understand it, of good conduct that he or she could present to the employer at that time."

Howard: "Yes, a certificate. That's correct. That's correct."

Black: "All right. I appreciate your forthright answers as always and certainly appreciate the comments of my colleagues Representative Lindner and Representative Sacia. And I, too, congratulate you on your work. Thank you."

Howard: "Thank you."

Speaker Lyons, J.: "Representative Connie Howard to close."

Howard: "I am certainly hopeful that the second time is a... is good fortune for me. And I ask all of my colleagues to give me 'green' votes. Thank you."

Speaker Lyons, J.: "The question is, 'Should House Bill 5516 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who

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

267th Legislative Day

5/15/2008

wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers, Soto. Mr. Clerk, take the record. On this issue, there are 78 Members voting 'yes', 32 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar, Representative Dan Brady has House Bill... Mr. Brady, we'll hold off one second. Representative Flider, for what purpose do you seek recognition?"

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

Speaker Lyons, J.: "Please proceed, Representative."

Flider: "Yes, thank you, Mr. Speaker. I'd like to welcome to the House of Representatives today some constituents from my district, Linda Plank from Arthur and Suzanne Otto of Sullivan. And they are here lobbying with the Illinois Midwifery Coalition. I'd like you to please welcome them. They're to the... to my right. Please welcome them to Springfield."

Speaker Lyons, J.: "Welcome to Springfield. Thank you, Representative Brady. Mr. Clerk, Representative Brady has House Bill 5752 on page 21 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5752, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from McLean, Representative Dan Brady."

Brady: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. Is my sound okay now? Thank you."

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

267th Legislative Day

5/15/2008

House Bill 5752 amends the Unemployment Insurance Act and would allow the director of the Unemployment Security Offices to release to local law enforcement when the law enforcement agency is seeking to enforce a individual who is a sex offender and has not reported on the sex offender registry as they are supposed to under Illinois law. This would allow the law enforcement agency to be able to receive information as to where benefit checks may be going to this individual so they can find them and make sure that they become in compliance with the law. I'd be happy answer any questions."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Ken Dunkin."

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

Speaker Lyons, J.: "Sponsor yields."

Dunkin: "Representative, I'm just curious as of how is it that the Department of Employment Security are connected with the county or the municipal law or... at least... an enforcement agency as it relates to sex offenders?"

Brady: "Well, actually they're not. The statute presently reads, Representative, that the State Police could be given this information for whatever type of investigation they may be doing. In other words, information about where the most recent unemployment was, where benefit checks may being sent to. This particular legislation came to me from my local... one of my local law enforcement agencies in my district to where they had an investigation going as to a convicted sex offender who was supposed to be registering on the sex offender registry and was not doing that. In

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

267th Legislative Day

5/15/2008

the course of their investigation, one of the areas they went to trying to track this individual down was the Unemployment Security Office. The information that was told to them was that we can only release this to the Illinois State Police. The Illinois State Police were not investigating this particular investigation as many sheriffs' departments and municipality law enforcement have different investigations going on. What they wanted to have the ability was, not only to know maybe where the last place was that the individual worked, but if the individual is receiving unemployment checks from the state and is a convicted sex offender and is not following the law and registering, they want to be able to find out where the individual's living and calling home."

Dunkin: "So, this is only one particular situation or issue or is this happen all across the state?"

Brady: "I don't have the stats on all across the state."

Dunkin: "Right."

Brady: "I'm speaking from a specific incident within my legislative district. It was thought through the municipal police officers or law enforcement agencies that there have been other similar circumstances throughout the state."

Dunkin: "So, can this be administered technically? Because I'm thinking that there can be other scenarios where.. maybe a private corporation or municipality or county government could issue checks as well. Let's say, someone is a registered sex offender after they've been employed at a local or county agency, how would that affect them in their administering of a check?"

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

267th Legislative Day

5/15/2008

Brady: "Well, under this... under this legislation it would not affect them. It would only simply affect the fact that if the individual is a convicted sex offender, and is supposed to be registering and does not do that and receiving benefits... unemployment benefits from the state, that it would allow the law enforcement agency investigating, other than just the State Police, to go ahead and receive this information."

Dunkin: "Is there a cost associated with this?"

Brady: "None that I'm aware of, no."

Dunkin: "Okay. Is there a reason why the AFL-CIO is opposed to this, according to my analysis?"

Brady: "I don't know, Representative, I've not had any conversations with the AFL-CIO regarding this."

Dunkin: "Okay. Thank you."

Brady: "Thank you."

Speaker Lyons, J.: "Representative Brady to close."

Brady: "Thank you very much, Ladies and Gentlemen of the House. Would simply just ask for your 'yes' vote on House Bill 5752."

Speaker Lyons, J.: "The question is, 'Should House Bill 5752 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 109 Members voting 'yes', 2 people voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, on page 21 of the Calendar, Representative John Bradley has House Bill 2332."

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

267th Legislative Day

5/15/2008

Representative Bradley, House Bill 2332. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2332, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Williamson, Representative John Bradley."

Bradley, J.: "This is a TIF extensive for the City of West Frankfort. I would ask for an 'aye' vote."

Speaker Lyons, J.: "Is that the full explanation of the Bill, Representative?"

Bradley, J.: "Yes, Sir."

Speaker Lyons, J.: "Any questions? Seeing none, the question is, 'Should House Bill 2332 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 Munson. Representative John D'Amico. Mr. Clerk, take the record. On this Bill, there's 109 Members voting 'yes', 2 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Bill Black has House Bill 5152. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5152, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5152, this is the second bite of the apple on this Bill. Let me tell you

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

267th Legislative Day

5/15/2008

what the Bill does and then I'll be glad to answer any questions. It is intended to establish transparency and equity in the allocation of IDOT highway funds. It tries to establish that no highway district falls more than 5 percentage points behind the statewide average of roads in acceptable condition. This Bill was suggested by the Transportation for Illinois Coalition with the goal of making sure that road improvements are made throughout all areas of the state. The Illinois Chamber of Commerce, the county engineers and the labor unions are all in support of this legislation. The formula does not change, it simply codifies, what the typical practice has been of IDOT for any number of years. For example, District 1 is scheduled to receive 43 percent of the total funds FY08 through FY13. In House Bill 5152 says that they should be provided 45 percent of the funds and the remainder would be allocated to Districts 2 through 9. We've tried to address the concerns of IDOT. It does allow for the transference of funds in the event of a major disaster: a bridge collapse, et cetera. And it also allows a 33 percent variance in the ability of IDOT to move funds from district to district. That's all the Bill does. It does not, and I would like to repeat this, it's not designed to take money from any district to any district. And there is no reference in here whatsoever to mass transit funding. I'll be glad to answer any questions."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Kevin McCarthy."

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

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Sponsor yields."

McCarthy: "Representative, is IDOT's opposition to this on the rulemaking Amendment or were they opposed to the original idea?"

Black: "In all honesty, Representative, I don't think they like the Bill. I did meet with Director Sees and Bryce Sheriff, if I'm pronouncing his name correctly, about seven (7) or eight (8) days ago. I asked them to get back to me with specific concerns, if they had any and I have not heard from them. I am not going to portray... in my... my perception is that they don't like the Bill."

McCarthy: "Okay."

Black: "They don't like the rulemaking and I don't think they like the Bill."

McCarthy: "And this rationale, as far as the percent that goes to each district, is that done on an annual basis, like on a fiscal year basis, or... how often is that done?"

Black: "We would like to see the figures on an annual basis, but it's also in the one in five-year plan. And that's what they have been doing."

McCarthy: "Okay. Because it seems somewhat confining to me if it's on an annual basis, because, you know, some of these road projects are so large that maybe District 4 would get more in one year but then not as much the next year."

Black: "And I don't think this Bill would do anything to prevent that. They can move 33 percent of the money around."

McCarthy: "Okay."

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

267th Legislative Day

5/15/2008

Black: "Which would've taken care of, for example, the Dan Ryan, which was a very expensive project. I don't... it's not my intent, and I know the law of unintended consequences often comes up after the fact, certainly not my intent to hamper IDOT's ability to address specific projects: the bridge, for example, between Metro East and St. Louis, which is now in the works. I don't see this as hampering that in any way shape or form."

McCarthy: "Okay. And if the report came out that one district got more one year than others, but the report showed that it was a gigantic project in that district that maybe they wouldn't get for the next two (2) or three (3) years, in your view that wouldn't be a negative report?"

Black: "And I would think that any Legislator that would get those figures, as we do, would be able to call the department and very quickly discover why that discrepancy has occurred. And I think most of us are reasonable enough to understand that an eight-lane highway is going to cost more to resurface than a two-lane highway in my district."

McCarthy: "Yeah. Well, I don't think that knowledge is help... hurtful in any way. And the last thing is what group or organization is responsible for coming out with the report?"

Black: "IDOT. You mean the report of where the money goes?"

McCarthy: "Yes."

Black: "IDOT would do that."

McCarthy: "Okay. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Elaine Nekritz."

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

267th Legislative Day

5/15/2008

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

Speaker Lyons, J.: "Sponsor yields."

Nekritz: "Representative, one of the first things I did when I first got elected was go to a forum out in former Senator Rauschenberger's area. And he... this was the first I'd ever heard that there was this... sort of historic... or this 45 percent, 55 percent split. Do you know the justification for that?"

Black: "The only justification that I've ever been told is District 1 is where the bulk of the population lives. I think there's probably as many highway miles in that district as any, if not more than any other district in the state. The traffic count is probably heavier and thus, they would need that 55 percent of the total allocation. And I, as a downstater, I must tell you I've never had a problem with that unless we get into a situation where the Dan Ryan was a much greater cost than we had anticipated. They explained that. I didn't like the cost overruns that..."

Nekritz: "Well, except, Representative, I... I mean, I thought you just said that that area gets 55 percent... I thought we got 40..."

Black: "I'm sorry."

Nekritz: "We're 45 percent."

Black: "I'm sorry. Forty-five (45), I'm sorry."

Nekritz: "So, 66 percent of the population receives 45 percent of the funds?"

Black: "And IDOT has always said that that is and as far as I know, the mayor of Chicago has never indicated that that is

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

267th Legislative Day

5/15/2008

not an equitable division of funds. And I would certainly think that if it wasn't we would've heard by now."

Nekritz: "So, have we done any studies on that? Have we looked at whether that is in fact an equitable distribution of funds or we're just accepting that because that's the way it's been for decades that's the way it's going to continue to be?"

Black: "I'm not aware that any study has ever been done. I would assume that it must have some basic efficacy or I'm sure we would've heard something from those engineers and building contractors that reside in District 1."

Nekritz: "Okay. I find that still to be a puzzling and troubling distribution. And I have to say that I... you know, I've never been one to... like pound the table and get agitated about this particular issue, but now that we're memorializing it and putting it into statute, it is, you know, I am bothered by that. Thank you."

Black: "And I can understand that. And if the population trends continue to move north, as I'm sure they will, I'm certainly not adverse, and I don't think the majority of the Body in the future would be adverse to changing it even though it might be in statute. Remember, this does not deal with capital. It does not tie up capital dollars, only Road Fund maintenance dollars. It has nothing to do with capital. And I would also say to you that IDOT still can move thirty-three and a third percent of the money around if they find it necessary to do so. And in the case of a catastrophic failure, they have an escape clause in this legislation where they could transfer and go

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

267th Legislative Day

5/15/2008

completely off that percentage, if they had a catastrophic problem in another area of the state. This allows them to do that and it allows up to a thirty-three and a third percent transfer as well, under any circumstance."

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

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Susie Bassi."

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

Speaker Lyons, J.: "Sponsor yields."

Bassi: "Representative, I'm going back to what the previous Representative was just talking about. If I'm not mistaken we've got 66 percent of the population in District 1. And we are putting into statute that we would receive 45 percent of the funding, which means that 44 percent of the population gets 55 percent of the money and we're making that a statutory remar... situation. Is that correct?"

Black: "That's correct."

Bassi: "I'm also very troubled by that. I think that is an unequal distribution of funding and that it puts it at great risk for those of us who live in District 1 where we not only have 66 percent of the population, but the bulk of the traffic as well. And that for me... that's very problematic. So, I would have to stand in opposition to the Bill."

Black: "Well, Representative, let me... let me try to answer your question. It's not designed to do anything to harm anybody in District 1. By the transfer provisions that are written into the law, I think you're more than adequately taken care of. What you have to remember is that District 1 has

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

267th Legislative Day

5/15/2008

more mass transit than all the other districts combined.
So..."

Bassi: "But we have more truck traffic as well."

Black: "Well, I'm not sure of that. I think we might be able
to show you some studies that would not..."

Bassi: "Statistically I think we do."

Black: "...agree with your figures. But I think you also have to
remember is that we have more miles of road in downstate
Illinois than you do in District 1. The distances from
point 'A' to point 'B' are considerably longer, say from
Danville to Carbondale for example, than anywhere you would
go in District 1."

Bassi: "Well, I'm remembering when Representative... former
Representative Cal Skinner had done some studies on where
the funding was and the allocation of mileage, the amount
of traffic and everything else that was there. And
according to him, the distri... the 45/55 distribution was
eminently unfair to District 1, and consequently should not
ever be put into statute."

Black: "Well, all I can tell you is this Bill was drafted by
transportation experts, not me, and they think that this is
not only fair, but it is time that we do it so that all of
us will know where those dollars are going. And they feel
there is adequate protection. And when I say they, I'm
talking about Jim Reilly of the RTA. I'm talking about
people who make their living studying and reacting and
building highways, and they have no objection to this. And
organized labor has no objection to this Bill. And I don't
for a minute think that the Allied Construction trades

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

267th Legislative Day

5/15/2008

would sign on to anything that would stop necessary road construction in District 1. I just don't think they'd do that if they thought it was in any way unfair."

Bassi: "Again, I'm troubled by putting it into statute when the bulk of the traffic and the bulk of the population resides in District 1. So, with all due respect, I will not be in favor. Thank you."

Black: "I understand."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Winnebago, Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. I rise in support of this Bill and to answer some of the allegations made by a couple of previous speakers from the Chicagoland area, I think if you look at the gas tax that's generated by District 1, that you will find that in fact it is not even close to two-thirds of the statewide total of gas tax. And that is probably the best measure of saying, where are the needs for highways. Sure, if you have two-thirds of the population, you'll probably have two-thirds of the cars, but I would venture to say that the cars that are driven in the metropolitan area in northeastern Illinois do not even close... come close to the mileage that cars in the rest of the state rack up each year. We generate many more dollars of gas tax per person downstate than you do in the Chicagoland area. And that the current formula, 55 percent for downstate, again, has not been protested by the construction industry, by the labor unions, by the professionals that work in the transportation industry. Don't forget, also, that in mass transit money, which is

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

267th Legislative Day

5/15/2008

coming from General Revenue, is also preponderantly, hugely, enormously, preponderantly in the metropolitan areas and not downstate, even though we do pay into the General Revenue Fund. I applaud the Sponsor on the idea of actually trying to scientifically break out with numbers that could be verified. We can look at the number of lane miles, the number of vehicle miles, the number of bridges that we have in each district, then allocate them in a fair manner instead of a willy-nilly approach, which the Department of Transportation I feel has sometimes done. Whoever squeaks the loudest, who has the squeakiest wheel may get more funding. Let's actually look at the road conditions. This Bill sets up that mechanism; it allows for annual review, for further adjustment. It does leave some discretion in the hands of the Department of Transportation, but then holds them accountable over time that the condition of highways in each district should approach the statewide median instead of the current system. If you are powerful, if you have a great district engineer, you may get a preponderant share of the state road moneys and your roads end up in much better condition than other parts of the state. I think this systematic, scientific approach is one that's long been needed, and I urge the support of this entire Body for this Bill. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Debbie Graham."

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

Speaker Lyons, J.: "Sponsor yields."

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

267th Legislative Day

5/15/2008

Graham: "Representative, due to the enormous amount of noise in the room, I was unable to hear a lot of your explanation to this piece of legislation. So can you explain to me what this Bill does, again?"

Black: "Well, I can't remember the verbatim explanation I've given. But let me just say, this Bill supported by the AFL-CIO, the laborers, and most everyone in the state that I'm aware of. The only opposition is IDOT and I'm not sure whether it's because of the rulemaking Amendment or a fundamental disagreeing with the Bill. But trying to.. let me see if I can boil this down. What this Bill is intended to do is to establish a fair method of allocating funds for local road maintenance projects. The prescribed methods would ensure that the funding for highway Districts 2 through 9 is in proportion to the number of miles and bridges in each district. And obviously, District 1 will get 45 percent of that money and the other eight (8) districts in the state will divide up 55 percent of the money with some very important escape clauses. If there is a catastrophic failure of an expressway in Chicago that would require hundreds of millions to fix, IDOT has the escape clause to do that. And they also have the ability to transfer 33 percent of the money, period, on any given project."

Graham: "So you're saying District 1, which is the largest district, will get 45 percent of the money and the other eight (8) districts will have to split the remaining amount. Is that what you're saying?"

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

267th Legislative Day

5/15/2008

Black: "Yes, Representative. And in fact, this Bill will give District 1, 2 percent more money than they had under the last five-year plan."

Graham: "Well, I have a little bit of a hard time digesting a little bit of what you're saying. I understand the importance of our roads and that sort of thing 'cause the goods and services and the people who will visit our state have to get to us by way of our roads, so I understand the importance there so I'm not trying to downplay what you're trying to do here. But I do have a concern with kind of understanding how that money would be distributed and the lasting impacts. And just to not derail what we're talking about here, but for instance, when we passed that moment of silence legislation and nobody seemed to have any issue with it, but once it was passed the whole state began to get into an uproar about what the heck did we just do, that's my concern for this legislation. It seems like you're saying that everything is Kumbaya, but the moment that legislation gets passed then they're going to come back to us and say, what did you guys do in Springfield to codify us getting this amount of money?"

Black: "Yeah. And Representative, I can appreciate your concern. And let me just say this is not new. This has been the practice of IDOT for as long as I can remember. It precedes my service in this chamber. It has always been that 45/55 split. The last five-year plan District 1 received 43 percent. So... but it's always been fairly close to that, so we're not... it's certainly not my intent to enhance the other eight (8) districts at the expense of

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

267th Legislative Day

5/15/2008

District 1. A healthy metro Chicago is good for the State of Illinois. And if you get the Olympics, and I hope you do in 2016, if we need to revise this, and I'm still here, I will come over and help you make whatever revision we need."

Graham: "Representative, I appreciate that. But given some of the tension in terms of this Body sometimes feeling that District 1 or the Chicago area receives more of whatever, I can't help but feel kind of this legislation plays to taking something from our area, if I'm making myself clear."

Black: "I understand... Yes."

Graham: "On other occasions, you know, you guys beat that drum over there, forty... going off about it..."

Black: "Absolutely."

Graham: "...you guys get all the stuff. You know, you always go home with that. I can't feel that a little bit of that is taking place in this piece of legislation."

Black: "I understand your concerns, Representative. And this Bill does not take away anything than what the formula has traditionally and historically given District 1. It's not my intent. It's not the Illinois Transportation Alliance's intent to take anything away from District 1. You are the most populous region and this Bill is not intended to be any kind of gotcha or ha, ha, ha, we get more money. This has been the historic split and I think we've bent over backwards to make sure IDOT..."

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Representative, your 5 minutes is up. Did you want to finish answering that question, Representative Black."

Black: "I'll be glad to."

Speaker Lyons, J.: "And we'll have one final speaker. Representative David Leitch is the only other one that was seeking recognition; he'll be the last speaker. And his sign is off. So, after this, Representative Black to close."

Black: "Thank you very much, Mr. Speaker. Let me answer Representative Graham's question. I think it is... I understand it completely. We all must be very provincial about the districts we represent. And I know exactly what you're saying. If the Tribune were to run a big article on this, if it becomes law and that's a long way from the fact yet, would this put you in a bad situation with your constituents? I don't think so, because it is the traditional split that we've always had. If it does put you in a bad situation, I make you an offer. I'll come up and try to explain it and protect you as much as possible. I'll come up and campaign for you or against you, whatever you think will help you the most."

Speaker Lyons, J.: "Representative Black to close."

Black: "Thank you very much, Mr. Speaker. I appreciate the comments and the debate we've had. I wish we could do this on most Bills. We've had an open and fair and honest debate, but I can assure you this Bill has no known opponents other than IDOT. I think it's a good Bill. It protects all parts of the state. It puts transparency in

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

267th Legislative Day

5/15/2008

the appropriation process with adequate safeguards that IDOT can still move maintenance money around if they need to do so. I would request and appreciate an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 5152 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 81 Members voting 'yes', 25 Members voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Arroyo, for what purpose do you seek recognition?"

Arroyo: "I want to make a 'yes' vote on that last vote. I want to be recorded as 'yes' vote."

Speaker Lyons, J.: "The Journal will so reflect, Representative."

Arroyo: "Thank you."

Speaker Lyons, J.: "Representative Black, do you seek recognition?"

Black: "Mr. Speaker, may I rise to a point of personal privilege?"

Speaker Lyons, J.: "Proceed, Representative."

Black: "Ladies and Gentlemen of the House, if you could give me your attention. Behind my desk on the... up in the gallery is a very special group with us here today. It's the Jacksonville Area Chamber of Commerce leadership group. That is in Sergeant Jim Watson's district. We know where Jim is today and we wish him Godspeed. But we're just very pleased to have the Jacksonville, Illinois, Area Chamber of

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

267th Legislative Day

5/15/2008

Commerce and their leadership group here. And thank you for coming to Springfield and thank you for sending us Jim Watson."

Speaker Lyons, J.: "Welcome to Springfield, Chamber. We're all proud of your State Representative. Representative Hernandez, for what purpose do you seek recognition?"

Hernandez: "Yes, Speaker, can you... I was not recording as voting 'yes' on the last Bill. Can you put me down?"

Speaker Lyons, J.: "The Journal will so reflect your wishes. Mr. Clerk, Representative Joyce has House Resolution 1282. Read the Resolution, Mr. Clerk."

Clerk Mahoney: "House Resolution 1282, offered by Representative Joyce, congratulates Denise McCormick on the occasion of receiving the Paramedic Medal of Valor."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Kevin Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This morning over at the Howlett Building, the 15th Annual Illinois Fallen Firefighters Memorial and Firefighter Medal of Honor awards ceremony took place. I have the distinct honor to have someone in every category. Actually, in one category it's quite sad. The Death Gold Badge Award was given to the family of fallen firefighters, one of whom was William Grant. So, Sharon Grant and her sisters and brothers... Billy's sisters and brothers were there. But on the positive side, the Medal of Honor Award which is the highest honor given to any firefighter in the State of Illinois was received by one of my constituents, Ray Rosania. And the Medal of Valor Award, was... which is

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

267th Legislative Day

5/15/2008

addressed in this Resolution, 1282, was given to another constituent of mine, Denise McCormick. And I remember the day, the weekend afternoon, and I was at Kennedy Park with my kids and you heard a huge bam, crash and people started running to 111th and Tallman to where a fire... to where an ambulance was struck by a car next to a gas station, busy intersection in our neighborhood. And Denise was driving that ambulance; she was actually transporting someone to Christ Hospital. In the back, her partner was there with the patient and when the car... when the ambulance flipped into the gas station, she had the presence of mind despite her own injuries to get out along with a resident to help rescue her coworker and the patient. And Denise is here with us today along with her daughter, Mora, is up there. I'm not sure if the twins, Connor and Aidan, are up there. But I would just like the House to recognize Denise McCormick, one of our everyday heroes of Chicago Fire Department. Denise, please rise. Mr. Speaker, at the appropriate time I move the adoption of the Resolution."

Speaker Lyons, J.: "Representative Joyce moves for the adoption of House Resolution 1282. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Congratulations, Representative, on the beautiful recognition of our firefighters in the State of Illinois and on Ms. McCormick in particular. Mr. Clerk, on the Order of Third Reading, Representative John Bradley has Senate Bill 2488. Read the Bill, Mr. Clerk."

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

267th Legislative Day

5/15/2008

Clerk Mahoney: "Senate Bill 2488, a Bill for an Act concerning transportation, which may be referred to as the James 'Shib' Miller and William Grant's Law. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Williamson, Representative John Bradley."

Bradley, J.: "Thank you, Mr. Speaker, Members of the General Assembly. I have up in the gallery to my left and behind me the family and friends and community of Sesser and the family and friends of James 'Shib' Miller. I'm going to rise at this time and I would ask you to recognize them and the sacrifice they've made. 'Shib' Miller was a friend of mine. He was a friend of the community. He was a firefighter that was killed last year tragically on the interstate, responding to a rescue call. And after that horrible tragedy occurred, the family came to me and they came to Senator Forby and they said we don't want this ever to happen to anyone else again. As a result of that conversations and petition drives that were accompanied by Sherry Miller, her family, and all the folks that are up there today, we got to the point we're now here on Third Reading on Senate Bill 2488. We have the opportunity to give firefighters the ability to close lanes of traffic, when up to this point they haven't had that opportunity. And so really this piece of legislation if passed here today is a culmination, it's a finality of a work that's been the work of a community and the work of a family and the work of a fire department. And so as we reflect on this Bill and we debate it and we ultimately vote on it, at

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

267th Legislative Day

5/15/2008

this time I would hope that you would join me and stand and give this family and community a round of applause for not only caring about their own 'Shib' Miller, but also wanting to make sure that no other families have to stand up here in this gallery and be in this situation because fire departments didn't have the right to close the lane of traffic. My grandfather... you're welcome to remain standing or have a seat, whatever you'd like to do. My Grandfather Bradley, told me before he passed away, he said, 'Son, what you do for yourself dies when you die and what you do for others lives on and on and on.' And hopefully, after today 'Shib's' Law, William Grant's Law will live on and on and on. So I would ask for an 'aye' vote."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

Bost: "Thank you, Mr. Speaker. When this Bill first came up, I kind of questioned because as a firefighter we all know that... the firefighters themselves know that whoever is the commander of the scene... that is the one situation that we can take total control of the scene and we actually stop people from coming and going. But that was unfortunately only in a situation of a home or a fire in a residence; it was not along the highway. The highway has always been kind of left to the State Police. This reality is is that as a first responder hits the scene along one of the major interstates or along any major highway, they need to be in control of that scene. As a firefighter, I know how important that is. This is a sensible Bill; it is something that probably needed to be done and had it been

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

267th Legislative Day

5/15/2008

realized before that it was not the case, that it wasn't like the scene at a home or a residence or a building where the chief or the person in command has total control of the scene, we wouldn't had to move forward with this legislation. But this is the positive and right thing to do and I stand in support of the Bill."

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

Moffitt: "Thank you, Mr. Speaker. To the Bill. First, to the family, our condolences for your losses over at that ceremony. It did... makes you stop and think we... all of us take for granted too much our emergency responders, our firefighters, our police, our EMS. We're reminded today with Representative Watson's group here that we take for granted our soldiers serving, too, but we're here to thank you for that service and our condolences. I want to commend the Sponsor; this was not easy to get to this point. It took a lot of negotiating, but with persistence we've got to the right point and the Representative simply would not let this drop. He continued until there was an agreement. It took a lot of work to get to this point. But with the passage of this Bill, and it's... unfortunate it takes a tragedy sometimes to get to this point. But the bottom line is we will be safer. Our firefighters will be safer. The motoring public will be safer. Guidelines are set on when and how a lane of traffic can be closed. But fortunately, we're at least giving them the authority to protect their fellow firefighters and equipment. I just applaud the Representative for his efforts continuing to do

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

267th Legislative Day

5/15/2008

this. And again, we thank the family and its... in honor of the fallen firefighter that this Bill's being passed. Thank you. Urge a 'yes' vote."

Speaker Lyons, J.: "Representative John Bradley to close. Representative Bradley, if you could wait a second. Representative Black, final speaker and then Representative Bradley."

Black: "I'm sorry. I just have an inquiry of the Chair."

Speaker Lyons, J.: "State your inquiry."

Black: "I just read the Bill. There's no rulemaking Amendment on the Bill. Is that by design or by accident?"

Speaker Lyons, J.: "Mr. Black, it appears there was no request for any rulemaking on this Bill. Is that the question?"

Black: "My inquiry... and I mean this in no disrespect to anybody. It was my understanding that no Bill could move to final passage in this chamber without the rulemaking Amendment. That was... that was... as far as I know, that was determined by Speaker Madigan."

Speaker Lyons, J.: "Representative Black, I've been advised that there was no..."

Black: "Mr. Speaker, let me make it very clear. I have absolutely no problem with this Bill and I fully intend to vote for it and would hope that Mr. Bradley would add me as a cosponsor. I just want to make sure we've all operated under the parliamentary and rulemaking authority of this Body as designated by the presiding officer that no Bill upon final passage would leave this chamber without an Amendment that would prohibit the ability of the Executive Branch to make rules as to what this Bill may be. This

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

267th Legislative Day

5/15/2008

Bill may come back with an Amendatory Veto that it could only be enforceable in Cook County and only on even numbered days. I have no idea what this might end up as and I'm just curious as to why it doesn't have Speaker Madigan's Amendment about the rulemaking process."

Speaker Lyons, J.: "Representative, I've been advised by the parliamentarian that in this case, Representative Black, that there is no need for the rulemaking... for the Madigan Amendment that's been adopted to most of these issues to be adopted on this Bill."

Black: "So rules... in the opinion of the Chair, rules could not be promulgated to water down this Bill. Would that be the opinion of the Chair?"

Speaker Lyons, J.: "The rules are for the Illinois agencies, not for this..."

Black: "Okay. That... that... Mr. Speaker, believe me, that's all I wanted to have clarified. This is a good Bill and I don't want to see it watered down by any rulemaking process that would do so. This is a good Bill; I just don't want to see it come back to us with any specific changes done by administrative rule. And I think with your clarification, we don't have to worry about that and I appreciate your time."

Speaker Lyons, J.: "Thank you, Mr. Black. Representative John Bradley to close on Senate Bill 2488."

Bradley, J.: "Again, my heart goes out to the family, to the community, to the people that are here with us today. I want to thank Representative Moffitt. I want to thank the Department of Transportation and the State Police and the

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

267th Legislative Day

5/15/2008

Firefighters Association and the chiefs of the firefighters for working together on this. We weren't sure we would get to this point, but as a result of all this hard work, we have. And now, as I said earlier, we're on the verge of memorializing in honor of a friend an important and lifesaving piece of legislation, the James 'Shib' Miller Law to protect firefighters."

Speaker Lyons, J.: "All those in favor of the passage of Senate Bill 2488 should vote '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 Riley. Mr. Clerk, take the record. On this Bill, there are 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Congratulations and God love you. Mr. Clerk, on page 20 of the Calendar, Representative Linda Chapa LaVia has House Bill 4927. Read the Bill, Mr. Clerk. Mr. Clerk, hold before you read the Bill. Representative Golar had her light on for personal privilege, Representative?"

Golar: "Yes. Thank you, Mr. Speaker. A point of personal privilege, please."

Speaker Lyons, J.: "Please proceed."

Golar: "Thank you. Ladies and Gentlemen of the House, we have some very special guests that have traveled a very long way today. Actually, they live in my district and they're working on issues. It is an organization called SWOP, Southwest Organizing Project. They represent twenty-nine (29) institutions which represents thirty-five thousand (35,000) families. The leaders today are Betty Gutierrez,

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

267th Legislative Day

5/15/2008

Jeff Bartow, Rami Nashashibi, Rafi Peterson, Harry Meyer, and clergy and they are to my left. If you would give them a good Springfield welcome, I'd appreciate it. Thank you."

Speaker Lyons, J.: "Welcome to Springfield, enjoy your day. Mr. Clerk, we're back to House Bill 4927, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. I did an identical Bill this morning in Jud II; it's the identical version of House Bill 4927 and the Senate Bill is 2401. And what this Bill does is it amends the Children and Family Service Act and Juvenile Court Act to provide additional bias of terminating parental rights. The Bill allows DCFS to petition for termination of parent... parental rights when a parent has been convicted of aggravated participation in methamphetamine manufacturing, and the person's child resides or was present where the methamphetamine was manufactured or was endangered by the manufacturing of the substance. The child... however, the child must be found to be a abused minor, or DCFS must be able to provide that the parent was unfit before it could petition for termination of parental rights. We worked with a lot of groups; we've amended it. And I see no opposition on this and I could seek your support."

Speaker Lyons, J.: "Representative Chapa LaVia, we failed to read the Bill a third time. So, Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4927, a Bill for an Act concerning courts. Third Reading of this House Bill."

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Okay. We're doing it in a little reverse order here, but we're within parliamentary rules and seeking recognition is Representative John Fritchey."

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

Speaker Lyons, J.: "Sponsor yields."

Fritchey: "Representative, just so we understand this. Would this..."

Chapa LaVia: "The judge has the ability also to deny..."

Fritchey: "Would this... excuse me."

Chapa LaVia: "The judge has the ability to take it upon themselves to give the bias on whether to deny termination or not."

Fritchey: "No, no... I just have a more fundamental question, so I understand what we're doing. Would this authorize the termination of the rights of both parents, if one parent was convicted of a crime... of the relevant crime?"

Chapa LaVia: "It's just... well, if they're married and they're doing it in the same household, yes. But like I said, there's a review process before it even gets to the court system on who are the abusers, so it's on an individual basis. So, it's not a..."

Fritchey: "So, I guess... So, let's... if you have a situation where a child is living with the mother and father and the father is convicted of one of the specified offenses, are both parents at risk of losing the..."

Chapa LaVia: "No. No, well, it would found by the courts. So it depends on..."

Fritchey: "Okay. So, what would happen then if they just stripped the father of parental rights, but then the couple

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

267th Legislative Day

5/15/2008

is still married... and Linda, all I'm trying to do is just understand..."

Chapa LaVia: "Right, right, right, right."

Fritchey: "...how this would work in the real world."

Chapa LaVia: "Let me check on it real quick. Hold on. Because it's in the... within the household in which the child lives, it's more of the welfare of the child. So the child removed from the premise and there would be an investigation on exactly what transpired and seeing if the kid's... the child is being abused. But there could be a likelihood if both parents are producing it, there could a likelihood of that actually possibly happen."

Fritchey: "So you... so this would provide for an innocent parent being stripped of parental rights because of the act of the spouse?"

Chapa LaVia: "Repeat the question, I'm sorry."

Fritchey: "Is an innocent... under this law, would an innocent parent be at risk of losing parental rights because of the illegal acts of a spouse? If the child is going to be removed from the household even though the innocent parent had no knowledge of the activity, they would essentially be penalized for the wrongdoing of a spouse even if they were not involved."

Chapa LaVia: "Right. Well, I mean, there would definitely be discretion. I mean, the initial movement would be to move the child out of the house. Period."

Fritchey: "Okay. So..."

Chapa LaVia: "And that child would be either..."

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

267th Legislative Day

5/15/2008

Fritchey: "Well... Okay. But let's say that part then. The... and again, let's just use the example, the husband is convicted of the activity. Does the activity have to take place in the household?"

Chapa LaVia: "It has to take place in where the child resides or was present where the methamphetamine was manufactured or was endangered by the manufacturing of it, like explosions in either the house..."

Fritchey: "So, even... so, in the theory that this was being done in a garage, in a basement, or something and even without a showing that the spouse had any knowledge, that child could be pulled... And I understand, look here, what you're trying to do laudably is take kids out of an illegal, dangerous, unhealthy environment. I guess my concern, though, is that the child could be removed from the household and from a loving parent..."

Chapa LaVia: "Right... right."

Fritchey: "...by virtue of the acts of the spouse without that... without that..."

Chapa LaVia: "Right. Well, if you go to... through other legislation, I mean, that loving parent is still aiding and abiding (sic-abetting). How could you not know that manufact... you know, somebody in your household's manufacturing methamphetamine? I mean, this equipment is pretty obvious and the smell and the odors that come from it. So, I respect your addition to the argument, but I think you're focusing on a very, very narrow scope of..."

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

267th Legislative Day

5/15/2008

Fritchey: "Understood. But, you know, one of the things that we need to always be mindful of when we pass legislation is what does it really say and what door could we be opening?"

Chapa LaVia: "Right."

Fritchey: "We know the doors that we want to open."

Chapa LaVia: "Right. Right. And I worked with the ACLU on certain issues of that aspect of the drasticness of removing a child from, as far as parental rights. And there's an Amendment in here that they were happier with because the judge would review the whole circumstance of the issue of, you know, where it's being produced, who was involved, are there priors, you know, all those other applicants that that get held in there."

Fritchey: "Okay. I appreciate it. Thank you."

Chapa LaVia: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Debbie Graham."

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

Speaker Lyons, J.: "Sponsor yields."

Graham: "Representative, I was taking lunch and I saw this Bill posted, so can you please explain to me what this piece of legislation does?"

Chapa LaVia: "The legislation... what it does... it was brought to me by a Senate Sponsor and we were doing the same thing coming over. But what it does is it amends the Child and Family Services Act, so when a juvenile is in the presence of a parent... so there's a bias of or a basis for terminating parental rights, but if... when they are in the presence of a parent that actually has been convicted of

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

267th Legislative Day

5/15/2008

aggravated participation, convicted is the word, of participation in methamphetamine manufacturing and the person's child resides or was present where the methamphetamine was manufactured or was endangered by the manufacturing of it, that the courts, which they would have to go through DCFS first to provide that the parent was unfit, to petition to terminate parental rights. So they have to find that there was abuse in the case. But what it does... by the parent... What it does it starts the proceedings of whether this parent is fit or not to have this child in the cases if they are convicted of either of those three (3) things."

Graham: "So, Representative, if the parent had been convicted of producing methamphetamine, so you terminate the rights... parental rights of the parent?"

Chapa LaVia: "No, it's a two-step process. First, you have to find abuse of the child by the parent and... and they were also manufacturing."

Graham: "Who's the Senate Sponsor on that piece of legislation?"

Chapa LaVia: "Representative... I mean, Senator Holmes."

Graham: "Okay. All right. So is it anywhere in your Bill that talks about any counseling or rehabilitation of the parent? 'Cause it seems as though they go straight to conviction and stripping of parental rights."

Chapa LaVia: "No. No. And in all past legislation we've been pretty strict with this... with the Attorney General Lisa Madigan running in a lot of stuff with methamphetamine. So..."

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

267th Legislative Day

5/15/2008

Graham: "I know we can be... I know that we can be pretty strict and hard on things, but we do know that substance abuse is real and some people slip into traps that they have no idea that they're going down that path. And I'm sure that none of them want to abuse their children."

Chapa LaVia: "Right. Right."

Graham: "I am not by any means... hold on a second. I'm not by any means saying that we should give them a pass..."

Chapa LaVia: "Right."

Graham: "...you know, treat them with kid gloves, but I do know that sometimes we can go down a road and create some dire consequences. Now does this piece of legislation indicate that they should go to a family member or is the child going to be placed into a facility or are they, you know, are there going to any family ties continue to be there or what's just happening?"

Chapa LaVia: "It would be suitable, adoptable parents and that can include family members, grandparents, and that's usually on the top of the list on where the state looks first to place kids. In earlier your comment, Representative Graham, also, I think that Attorney General Lisa Madigan felt that especially 'cause producing methamphetamine is so highly dangerous as far as the volatility of explosions and stuff, she felt this was... and I understand, you know, your points and sometimes we do... we do things too big, if you ask me. But in this case, especially the explosions and stuff, we need the kid out of this system. And in fact, I think some of our environmental people are actually working on the elements

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

267th Legislative Day

5/15/2008

that stay within the houses and whether we should tell people if there was stuff..."

Graham: "Representative, I understand the potential harm and the explosion piece. My problem is that there is no place where it talks about getting help for the parent, not even taking a parent through a process of getting better, no guidelines for the parent to seek treatment, we just simply saying take them out of the house."

Chapa LaVia: "Right."

Graham: "You know, they were... we're dealing with a bad chemical..."

Chapa LaVia: "Right."

Graham: "...and you know."

Chapa LaVia: "Right."

Graham: "I understand that, but... and I am definitely don't want our children in that environment, but to go straight to the point of just taking our... taking the children, I don't know if that's the right... if this is the right step."

Chapa LaVia: "Right. Kid, and I understand your concerns. And like I said, there's a two-step process that gets reviewed. There's not an ultimate. But and I know in Cook County... I know we have in Kane County, we have drug court. And with drug court it's a little bit less strict and we give the options of getting it..."

Speaker Lyons, J.: "Representative Graham, your 5 minutes are up. So, you want to complete your answer, Representative Chapa LaVia, to Representative Graham on this question and we'll wrap it up. Representative Graham, did you..."

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

267th Legislative Day

5/15/2008

Representative Chapa LaVia, did you finish answering Representative Graham?"

Graham: "Can I close?"

Speaker Lyons, J.: "One last question, 1 minute, please."

Graham: "Thank you, Mr. Speaker. I am really concerned about this piece of legislation. I am not advocating that we give our people who are involved with this a complete pass, but I am definitely not advocating taking their children without having some sort of road map and some sort of securities that we just don't take kids and put them some place that there are no family ties and there's no help for the parent. And how long are those ties severed? Is the parent able to gain parental rights back? This piece of legislation doesn't spell that out. So I would urge a 'no' vote."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons, J.: "Sponsor yields."

Reboletti: "Representative, have you ever had an occasion to see how these meth labs are dealt with, maybe through the Aurora Police Department or in the MEG units? Have you ever seen how they have to deal with these before?"

Chapa LaVia: "I haven't. I've heard, but I haven't seen them firsthand."

Reboletti: "Well, to the... For yourself and the others in the Body, the units that have to go out and deal with these actually have to put HAZMAT suits on. You have to deal with it and it's a very explosive, volatile situations."

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

267th Legislative Day

5/15/2008

It's deadly consequences to officers, to firefighters, to paramedics that have to deal with this. You're only looking to protect the interests of the child at first. Correct?"

Chapa LaVia: "Correct. And in committee that we discussed, I mean, there is judicial review first. So this is the last resort. We don't want to rip children away from their parents in this state. That's the last thing we need to do, but when they're in that kind of environment, that's extreme... it's like putting a kid in a fire. You know, so..."

Reboletti: "I'm assuming that the person's been convicted, either they're serving their prison sentence or they're on probation, so they're probably getting some type of treatment. But the first thing the interest should be is the actual protection of a child. And to the Bill. These meth houses are extremely dangerous places. Meth addicts have about a 6 percent recovery rate compared to those of other substances, which are about 50 percent of long-term treatment. These children are placed in very dire consequences. They need to be removed from those homes so that they have an opportunity to thrive. Let the parent worry about that... getting their children back after they've completed their sentence, after they've completed counseling, and they've shown a good faith effort that they can actually be a good parent. So, I would urge an 'aye' vote."

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

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

267th Legislative Day

5/15/2008

Rose: "Thank you, Mr. Speaker. Will the Lady yield for some questions?"

Speaker Lyons, J.: "Sponsor yields."

Rose: "Representative, I think you know I've sponsored a number of meth Bills. In fact, I did the discretionary doubling where a child was present and it was being manufactured. There are some grammar problems here. And we're dealing with the loss of a parental right, in other words, the loss of a child that's being taken by the state. I'm extremely uneasy about taking away the parental right when you're missing a comma and a couple other things here. And if I can, let me just tell you, because listen to this sentence. 'Where the child was the child who resided.' What does that mean? More importantly, 'or was present at the place where the methamphetamine was manufactured.' That's past tense. It should be, 'or was present when the methamphetamine was being manufactured.' Because otherwise, what you're talking about is if somebody was a meth addict, got clean, fathered a child and that kid was then present in their house, DCFS shall file a petition to terminate their custodial rights, even though they are now clean. And I know what you're trying to do and I support what you're trying to do, but we're dealing with the termination of parental rights. This is not something we should take lightly. And if we can add a comma and change a 'where' to a 'when' through a pretty easy Amendment, I'd like do that, here."

Chapa LaVia: "Yeah, that's no problem. That's no problem."

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

267th Legislative Day

5/15/2008

Rose: "Okay. So, you'll pull this and we'll add the Amendment?"

Chapa LaVia: "Yeah."

Rose: "Thank you, Representative."

Chapa LaVia: "No problem. I'm going to pull it, but I want to make one comment, is that these individuals that are parents, so let's call them parents, have issues. I mean, I don't know how many of you have seen all the commercials and what have you and the individuals that are on methamphetamines, but they have serious health issues. They have serious health issues. They have serious addictions. And some of these individuals should not be parents at that time that they're going through all those things. So, I'm going to pull it off record; we're going to do some of the corrections because I want to get it right. I want an 'A' paper, so thanks, Chapin. But let's... let's look at that situation because the kids are very important to us. We would... you wouldn't want children in your neighborhood growing up that way. So, thanks for the debate and I'll bring it back next week. Thank you."

Speaker Lyons, J.: "Mr. Clerk, on the request of the Sponsor, pull that Bill out of the record. Mr. Clerk, on page 18 of the Calendar, Representative Jefferies has House Bill 4513. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4513, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Elga Jefferies."

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

267th Legislative Day

5/15/2008

Jefferies: "Thank you, Mr. Speaker and Members of the House. This is House Bill 4513 which provides for a 15 percent increase in TANF grants beginning in July of '08. As many of you know, the Temporary Assistance for Needy Families provides for temporary assistance for women who are expecting and families with one or more children. It also provides for financial assistance to pay for food, shelter, utilities, and expenses other than medical. As you know the state and the country now is facing difficult times for those who have become unemployed. At this point, I would urge you to give me an 'aye' vote on this Bill. Thank you."

Speaker Lyons, J.: "Is there any discussion on House Bill 4513? Seeing none, the question is, 'Should House Bill 4513 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... Jerry Mitchell. Take the record. On this Bill, there are 101 Members voting 'yes', 10 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Karen May has House Bill 4999. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4999, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Lake, Representative Karen May."

May: "Thank you. House Bill 4999 strengthens the prohibition against junk faxes and gives additional remedies, a civil

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

267th Legislative Day

5/15/2008

remedy. I think I've just heard from tons of constituents who say that when they try to remove their number from these junk faxes, it just seems to encourage people to continue and a lot of them are coming right within the state. This would cover the law within the state, while there is a Federal Law. So I think it's good consumer legislation."

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

Fritchey: "Representative, I want to thank you for the time that you took with me over the last couple of days. I want to make sure that people understand what they are or aren't voting for here. We're not creating a new state penalty; that already exists from a criminal standpoint, correct?"

May: "There is a five hundred dollar (\$500) penalty, we're increasing it."

Fritchey: "And there's a Federal Law that applies, also correct?"

May: "There is, yes."

Fritchey: "What this would allow is Illinois companies who send faxes to Illinois's residents would be now open to civil suits brought by a recipient of that fax."

May: "By individuals, yes."

Fritchey: "All right."

May: "Yes. Yes, and..."

Fritchey: "So, I just... I just... I want to make sure that people... this isn't creating a do not fax list; it's not trying to overrule Federal Law or anything else."

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

267th Legislative Day

5/15/2008

May: "No."

Fritchey: "It's simply now it says if you're sufficiently mad that you received an unsolicited fax, you can now go to court and sue that person for damages."

May: "That's correct. I think that the FCC, you know, quite frankly, the FCC and others just haven't... just haven't had the wherewithal to go after these..."

Fritchey: "Oh, no, no, no, it's not the FCC. You are only talking about inter... intrastate."

May: "Yes. You are correct."

Fritchey: "So, this is only Illinois companies..."

May: "You are correct."

Fritchey: "...to Illinois residents. So, you're either talking about the state's attorney or the Attorney General."

May: "Yes."

Fritchey: "So, who are you saying isn't doing their job?"

May: "We are talking about... we are talking about within the state."

Fritchey: "So, is there an enforcement problem here?"

May: "Pardon?"

Fritchey: "But nothing. But I just... I want to make clear... and like I said... I told you I'm going to support this. You spent a lot of time with me and I appreciate it. This is not going to do anything for enforcement, though. Correct? For enforcement against this?"

May: "No. No."

Fritchey: "It's simply... it's going to allow private individuals to file a lawsuit."

May: "That's right. That's correct."

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

267th Legislative Day

5/15/2008

Fritchey: "Okay."

Speaker Lyons, J.: "Representative May to close."

May: "Yes. A good consumer Bill, I hear from tons of people who are awakened at night. Everyone has a fax at home these days. They come in at 11 or 12:00 and many of them are coming from area codes right within the state. So, I think that this is a way to protect the consumers who are mad as heck and they just don't want to take it anymore."

Speaker Lyons, J.: "The question is, 'Should House Bill 4999 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 Howard. Jerry Mitchell. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 5739?"

Clerk Mahoney: "House Bill 5739 is on the Order of House Bills-Third Reading."

Speaker Lyons, J.: "Move that Bill back to Second Reading for the purpose of an Amendment. Status of the Bill?"

Clerk Mahoney: "Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jefferson, has been approved for consideration."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Winnebago, Representative Chuck Jefferson on the Amendment."

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

267th Legislative Day

5/15/2008

Jefferson: "Thank you, Mr. Speaker, Members of the House. What I'd like to do is the fourth Amendment... just move it to Second Reading."

Speaker Lyons, J.: "Mr. Clerk, once again, what's the status on the Amendments on this Bill?"

Clerk Mahoney: "Amendment #1 was adopted in committee. Floor Amendment #2 has recommend be adopted and approved for consideration. Floor Amendment #3 was referred to the Rules Committee. Floor Amendment #4 was adopted to the Bill."

Jefferson: "Mr. Speaker, question of the Chair. There was a previous Amendment 4, does that need to be tabled or no?"

Speaker Lyons, J.: "It's been adopted, Mr. Jefferson. It's been adopted."

Jefferson: "Well, if it needs to be tabled, I would move to table Amendment #4 in order to adopt Amendment number..."

Speaker Lyons, J.: "Representative Jefferson, we're going to take that Bill out of the record for a moment. We'll leave it on Second Reading so we can get this coordinated between the Clerk and the parliamentarian. We'll take that..."

Jefferson: "Thank you, Mr. Speaker."

Speaker Lyons, J.: "...that Bill on Second Reading. Mr. Clerk, Representative Bob Flider, on page 19 of the Calendar, has House Bill 4634. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4634 is on the Order of House Bills-Third Reading."

Speaker Lyons, J.: "The Gentleman from Macon, Representative Bob Flider."

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

267th Legislative Day

5/15/2008

Flider: "Yes, thank you, Mr. Speaker. I was wondering if we could bring this back to Second Reading for an Amendment."

Speaker Lyons, J.: "Mr. Speaker (sic-Clerk), move that Bill back to Second Reading for the purpose of an Amendment. Status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Amendment #1 was adopted in committee on House Bill 4634. And Floor Amendment #2, offered by Representative Flider, has been approved for consideration."

Speaker Lyons, J.: "Representative Flider on the Amendment."

Flider: "Thank you, Mr. Speaker. House Amendment #2 replaces everything in the Bill and it's an agreement of the Department of Healthcare and Family Services, American Cancer Society, and the Macon County Health Department and others who are interested in working with men who would be diagnosed with prostate cancer. So, this replaces the original language, but the intent is the same. And it is to ensure that those men who would have a need for treatment of prostate cancer would be able to receive that treatment, those particularly who are underinsured or don't have insurance."

Speaker Lyons, J.: "Any discussion on the Amendment? Seeing none, all those in favor of the adoption 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. No Motions filed."

Speaker Lyons, J.: "Third Reading. Clerk, on page 17 of the Calendar, Representative Patti Bellock has House Bill 3203."

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

267th Legislative Day

5/15/2008

Out of the record. Mr. Clerk, on page 18 of the Calendar, Representative Beth Coulson has House Bill 4416. Representative Coulson. Beth. House Bill 4416. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4416, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Beth Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 4416 amends the State Officials and Employees Ethics Act. It prohibits a constitutional officer or Legislator from attaching their name or image to a billboard or electronic message board that displays a public service announcement regarding a state administered program. This was an issue brought to me by one of my constituents who was very concerned when there were lots of constitutional officer and Legislators utilizing state administered programs to advertise. And I can answer any questions."

Speaker Lyons, J.: "Is there any discussion on House Bill 4416? The Chair recognizes the Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons, J.: "Sponsor yields."

Durkin: "Representative Coulson, does this have a retroactive application?"

Coulson: "No, it does not."

Durkin: "Don't you... What do you think about that? I mean, if the problem is with something that is currently that we're seeing on the highways, instead of making it prospective,

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

267th Legislative Day

5/15/2008

why don't we make it retroactive and we can have these things eliminated?"

Coulson: "You're... and you know, you're the attorney. I'm not sure it's something that we can do."

Durkin: "Well, I think you certainly can, 'cause in these types of situations we can clearly do this type of action retroactively. The only thing you can't do retroactively is things with Criminal Code in the midst of trial."

Coulson: "Okay."

Durkin: "But I would suggest if we really want to address that particular situation, we still got some time, but would you consider attaching an Amendment that will allow for the retroactive application of this ban?"

Coulson: "There are two (2) ways we could do that. We could pass this out right now and then as we find a Sponsor in the Senate have them request to do that. I would be happy to do that."

Durkin: "Thank you very much."

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

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

Speaker Lyons, J.: "Sponsor yields."

Franks: "Representative, I appreciate you putting me on as a principal cosponsor; I think this is a great Bill. Following up on the previous speaker, I guess I want to ask the intent of the drafting in this Bill because our summary indicates that the public service announcements on behalf of a state administered program that contains a name, image, or voice of a Executive Branch Constitutional

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

267th Legislative Day

5/15/2008

Officer or Member of the General Assembly cannot be broadcast. And I want to stop right there. I know whenever you call the state agencies to talk about a program it's always, you know, Governor Blagojevich's, you know, child care program or Governor Blagojevich's 'X' program or 'Y' program or it's always Governor Blagojevich's program, not the State of Illinois's program. Would this Bill prohibit that continued action by the state agencies on their message machines or when you're waiting on call... you know when you're calling in? Would that prohibit them from saying this is, you know, the Governor's program instead of, you know, you're calling the State of Illinois Department of Aging, for instance?"

Coulson: "Well, the actual wording in the Bill... and we already have a prohibition against broadcast or aired radio, or television. That's already in our Ethics Law. What we've added in here is displayed on a billboard or electronic message board. I would believe that some of what you've just described may not be included in this, but we are trying to make it so that anything that's out in the public electronically and/or on a billboard would not be allowed to be able to utilize any constitutional officer or Legislator's name in the advertising of it."

Franks: "Now, on the billboard aspect, following up what Representative Durkin had talked about, we saw it at great cost to the State of Illinois the Governor putting his name on the Toll Highway Authority in all of these places where you're paying the toll. It's always Governor Blagojevich's Toll Highway, Open Tolling Program. Would this Bill going

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

267th Legislative Day

5/15/2008

forward require that those billboards come down? Would that be your intent, because I believe that would be our intention that one would not be able to advertise that way?"

Coulson: "And I... that would be the intent. That's exactly what brought this Bill to my attention. Several of my constituents called me up and said, why every time I drive down the tollway and I have to pay those tolls do I have to then read a specific name on the billboard? So that is the intent of the Bill."

Franks: "So, our intent would be, should this pass and pass the Senate, that those billboards would come down?"

Coulson: "And especially if we can get the retroactive nature in, yes."

Franks: "Thank you. I think it's a great Bill and I encourage an 'aye' vote."

Coulson: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Ken Dunkin."

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

Speaker Lyons, J.: "Sponsor yields."

Dunkin: "Representative, what prompted this piece of legislation?"

Coulson: "Well, as I mentioned, I've had several constituents who've been very, very concerned, the tollway happens to run right straight on the west side of my district. And so, many of us use that and have watched a lot of dollars on the tollway be used to advertise particular consti... constitutional officers, but then there's also been issues

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

267th Legislative Day

5/15/2008

in other places. And so, they requested that I look at the whole issues of billboards."

Dunkin: "I'm just curious. I mean, some of us have been here for five (5) years. How long have you been here, Representative?"

Coulson: "I've been here twelve (12) years."

Dunkin: "Twelve (12) years. So you started when there were probably several Governors, several Attorney Generals, and constitutional officers of sort?"

Coulson: "Yes."

Dunkin: "Why wasn't this a concern twelve (12) years ago, nine (9) years ago? Just out of curiosity."

Coulson: "Well, I'll tell you, because no one else have.. as I mentioned, there's an underlying Ethics Law. We dealt with radio broadcast and television. We dealt with commercial newspaper and commercial magazines, but no one else had ever utilized billboards to advertise their name while they were advertising a state program. It had always in the past been the state program being advertised, not a particular officer's name. So, it's really been the more current abuses that have caused my constituents to be very concerned about this."

Dunkin: "Did you say abuse?"

Coulson: "Abuse of, I believe, state dollars to advertise any Legislator and/or constitutional officer's name."

Dunkin: "Do you have any numbers to support your statement of abuse of public dollars?"

Coulson: "Well, no one.. as I mentioned in the past, no one has utilized billboards to have their name up there when they

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

267th Legislative Day

5/15/2008

were talking about a state program in the past, that I know of."

Dunkin: "You know, it's... I'm trying to get to the point of, you know, the Secretary of State Office has great programs, the Treasurer's Office, incredible programs, the Attorney General's Office offers some wonderful programs as well, especially to a number of victims, just public information. How and why is that a concern or a problem for us to know exactly where it's coming from and who's leading it given that our reality that we do have elected constitutional officers and it's important, I think, for citizens to know who is doing what and how they're doing it and explaining in plain English what's going on. What's wrong with that?"

Coulson: "And I guess I beg to differ that the name of the Attorney General or the name of the Governor or the name of the Legislator needs to be advertised with state dollars about a program. If we're advertising a program that the Treasurer's Office..."

Dunkin: "But don't they do that in the program?"

Coulson: "Excuse me, may I finish? If the Treasurer's Office has a wonderful program, then let's advertise that program not a particular person's name. And that... those programs are ongoing programs and elected officials come and go, as you well know."

Dunkin: "Absolutely. And... but isn't it important to know... for citizens to know of what elected official is making them pay those tolls, for example? Tolls have gone up since you've been here for twelve (12) years. Correct?"

Coulson: "Actually, not really."

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

267th Legislative Day

5/15/2008

Dunkin: "Tolls have not gone up?"

Coulson: "There are a few that have gone up and a few that have gone down in my district area."

Dunkin: "Well, that's a good thing. To the Bill. Ladies and Gentlemen, this, I guess, is another part of this sort of... this macro approach or sort of affront towards what's going on today. And I think what is... what we need to be conscious of is at some point us, as Legislators, constitutional officers, we won't be here. And there are some programs that constitutional officers, all of them, Attorney General, Treasurer's Office, Secretary of State, maybe the Governor's Office, as well, provide that are noteworthy programs. And because many of those elected officials, including us, talk about what it is that we want to do or get accomplished and how it is that we can work with Members of this chamber and the other chamber, I see no major problem with highlighting some of those positives. Now, if we're responding to maybe press releases or one or two (2) individuals who have certain perspectives on public officials, so be it. But I think this is, you know, somewhat of a small attempt to really get at the issue. If we have issue..."

Speaker Lyons, J.: "Representative Dunkin, your 5 minutes are up. If you could conclude your remarks, we'd appreciate it."

Dunkin: "I think we need to really start getting into some of the major issues that people sent us down here to deal with, such as: school reform, issues of health care, our State Police, for example, need new vehicles. I think we

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

267th Legislative Day

5/15/2008

need to really look at some of those bread and butter issues and focus our attention and our efforts legislatively in that regard. I would encourage a 'no' vote and look for better alternatives to us being Legislators and dealing with issues that affect people day-to-day and not just a small few. Thank you."

Speaker Lyons, J.: "The Chair recognizes the Lady from Cook, Representative Debbie Graham."

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

Speaker Lyons, J.: "Sponsor yields."

Graham: "Representative, where did this piece of legislation come from?"

Coulson: "I believe I've answered that question a couple times; it's from constituents in my district. It's also, just so you know, been a Bill that we passed unanimously out of this chamber last year. And it's an extension of the Ethics Act that we worked on over many years. This is not a new small piece of legislation; this is an addition to a very hard fought ethics Bill that we passed several years ago."

Graham: "Would this piece... would this exclude if I had a piece... if I had something I wanted to promote on behalf of the state and wanted to promote it to my district? And if I paid for it, could I in fact put my name on that documentation promoting that particular program?"

Coulson: "The underlying Ethics Law that we all have then we have an ethics officer will give you that specific detail of what you can and can't do in your office. All this Bill does is to add billboards and electronic message boards to

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

267th Legislative Day

5/15/2008

that underlying prohibition against using taxpayer dollars to promote a candidate or an officer's name."

Graham: "Okay. Just wanted some clarity. Thank you, Representative."

Coulson: "Thank you."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

Fritchey: "Thank you, Speaker. The Sponsor made it really clear. Folks, this doesn't do that much, but what it does do is very important. We're not breaking new ground here; we're simply reestablishing a little bit of common sense and reacting to things that have happened. As one of the previous speakers had said, this isn't, you know, we are going to have different constitutional officers one day. This isn't aimed at anybody. This is good policy, that's why the Secretary of State supports it, that's why Campaign for Political Reform supports it. All we're simply saying is when we passed the Bill the first time we covered radio and T.V., we covered prints, advertisements, et cetera; we're simply extending it to other mediums that may be used. My guess is we may probably come back sooner rather than later and add a couple of more things that aren't even in this Bill. And that's not taking anything away from this, but I think the Sponsor recognizes that there's a couple of other things that may go in here. I'm somewhat stunned that there's been this much debate on this. It is very simply an enhancement of the law that's already on the books and doesn't deserve anything but support, sure as heck not this much debate and discussion. Thank you."

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

267th Legislative Day

5/15/2008

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

Dugan: "Will the Sponsor yield?"

Speaker Lyons, J.: "Sponsor yields."

Dugan: "Representative, I just wanted to check. This just has to do with like state dollars being used for these types of things. Correct? This is not if... if an individual... official wanted to pay for a billboard or something like that, that doesn't affect that. This is strictly state..."

Coulson: "This is state tax dollars for state adver... state programs that are advertised by the state tax dollars."

Dugan: "Okay. I just wanted to clear that up. Thank you."

Coulson: "Thank you."

Speaker Lyons, J.: "Representative Beth Coulson to close."

Coulson: "Thank you very much, Mr. Speaker. And I'll just remind you. This is a step in the direction of making sure that our state tax dollars are not used for any reason other than to advertise the state program that's appropriately in there. We did pass this unanimously last spring. We are expanding the current definition of what would be prohibited under our Ethics Law. And I would encourage an 'aye' vote so that taxpayers' dollars are utilized appropriately. Thank you very much."

Speaker Lyons, J.: "The question is, 'Should House Bill 4416 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? Boland. McGuire. Mr. Clerk, take the record. On this Bill, there are 109 Members voting 'yes', 1 Member voting

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

267th Legislative Day

5/15/2008

'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jefferson, we're going to get back to your Bill. Mr. Clerk, what is the status of House Bill 5739?"

Clerk Mahoney: "House Bill 5739 is on the Order of House Bills-Second Reading. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Jefferson, has been approved for consideration. And Floor Amendment #4 was adopted to the Bill."

Speaker Lyons, J.: "Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the committee. First move to table Amendment #4."

Speaker Lyons, J.: "Representative Jefferson moves to table Amendment #4 to House Bill 5739. All those in favor of removing... of withdrawing... of tabling the Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, Amendment #4 is tabled. Representative Jefferson."

Jefferson: "Move to adopt Amendment #2. Floor Amendment #2, Motion to adopt."

Speaker Lyons, J.: "Is there information on that? Do you want to speak to that Amendment, Representative?"

Jefferson: "Yes. Amendment #2... what Amendment #2 does is takes the Bill back to the point where we're in agreement with the State Police to say that anytime there's an emergency stop with their lights on, they have to have the video camera on."

Speaker Lyons, J.: "Is there any discussion on the Amendment? All those in favor of the adoption of Floor Amendment #2

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

267th Legislative Day

5/15/2008

signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 18 of the Calendar, Representative Saviano has House Bill 4128. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4128, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Saviano: "Thank you, Mr. Speaker. I would like to move this back down to Second. I filed an Amendment to address some of the Secretary of State's concerns and I need that to get attached, please."

Speaker Lyons, J.: "Mr. Clerk, on the request of the Sponsor, move House Bill 4128 to the Order of Second Reading. Mr. Clerk, on page 19 of the Calendar, Representative Saviano has House Bill 4845. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4845, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Saviano: "Thank you, Mr. Speaker and Members of the House. HB4845 simply cleaned up some language to coincide with Federal Law. It's... it removes the grandfather clauses which were put in the Act at the time of the creation of

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

267th Legislative Day

5/15/2008

the Act. There is no opposition to this. And I would ask for its approval."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4845 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 110 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Saviano has House Bill 5061. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5061, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 5061 is, again, another cleanup which is suggested by the Illinois Chiropractic Society and the department. Just replaces certain phrases, which we are doing across the board with many of our licensures. And I would ask for its approval. Thank you."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5061 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, 111 Members voted 'yes', 0 voted 'no'. This Bill, having received the Constitutional

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

267th Legislative Day

5/15/2008

Majority, is hereby declared passed. Mr. Clerk, Representative Lang has House Bill 5356. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5356, a Bill for an Act concerning regulation. Third Reading... Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, on page 15 of the Calendar, Representative Esther Golar has House Bill 5788. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "House Bill 5788, a Bill for an Act concerning foreclosure has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Golar, has been approved for consideration."

Speaker Lyons, J.: "On Amendment #3, the Chair recognizes the Lady from Cook, Representative Esther Golar."

Golar: "Thank you, Mr. Speaker and Members of the House. House Bill 5788... it is a Bill that actually failed on the floor. And there was some recommendations that was put forth on this Bill. The original Bill... the Amendment now adds a provision to the Bill that states, neither the Governor... well, I won't read that. It changes the distribution of the Bill. There were three (3) recommendations. One recommendation by my colleagues was that I remove the fee-for-service by the mortgage brokers; that presently has been removed. Another one of my colleagues stated that there should be some sweep language in the Bill, that language has been put into the Bill. And the third part of

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

267th Legislative Day

5/15/2008

the Bill was the distribution of funds for the Foreclosure Prevention (sic-Counseling) Fund and that is 25 percent of those funds would be allocated for the City of Chicago and the remaining 75 percent would be allocated by IHDA based on the need of foreclosures in the State of Illinois. I will be happy to take any questions at this time."

Speaker Lyons, J.: "Is there any discussion on Amendment #3? Seeing none, all those in favor of the adoption of Floor Amendment #3 indicate 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 furthers Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Representative Raymond Poe, you have House Bill 4758. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4758, a Bill for an Act concerning gaming. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Sangamon, Representative Raymond Poe."

Poe: "Yeah. Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4758 creates a State Fairgrounds Racing Track Authority Bill or an Act. The authority duties is to promote, operate, and maintain horseracing operations at the Illinois Fairgrounds. And this will be done through a contractor which is contracted through the board. There will be seven (7) members on the board: two (2) from the Sangamon County Board Chairman will appoint, two (2) from the mayor of Springfield, and one (1) from the Emergency 911 System in Springfield and two (2) from the Department

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

267th Legislative Day

5/15/2008

of ag. Net profits from the State Fairgrounds Infrastructure Improvement Fund: two-thirds of that will stay on the fairgrounds, it will go to infrastructure and maintenance, one-third goes to the City of Springfield and Sangamon County for their Dispatch Fund for the 911. Also, we amended the Bill that there wouldn't be any OTBs within thirty (30) miles of the State Fairgrounds and that protects Fairmount's OTB here in Springfield. And for legislative intent, we'd like to say that the horseracing won't interfere with the current motorcycle races and the other functions of the Illinois State Fair. I'd ask for a favorable vote."

Speaker Lyons, J.: "Thank you, Representative. Any discussion? The Chair recognizes the Gentleman from Cook, Representative Paul Froehlich."

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

Poe: "Yes."

Speaker Lyons, J.: "Sponsor yields."

Froehlich: "Okay. So, Representative Poe, would this... how much additional harness racing would this permit at the fairgrounds?"

Poe: "You know, that's something that'll be determined by the Illinois Racing Board, the authority will apply for racing dates. I'd like to point out right now that there's plenty of dates available. Fairmount does not race harness horseracing now. The Quad City Downs also doesn't have any. So those dates are open right now and those would be available to apply for at the Illinois State Fairgrounds."

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

267th Legislative Day

5/15/2008

Froehlich: "So would... would they... would the fairgrounds have this potentially the same number of dates as any operating racetrack?"

Poe: "Projection being anywhere from three (3) months to nine (9) months a year."

Froehlich: "Okay. Also, would your Bill have anything to do with allowing for additional off-track betting?"

Poe: "This Bill is set up so that the license would be like any other license that a racetrack in the State of Illinois. Every racetrack in the State of Illinois has an option to run six (6) OTBs, that's really not the main focus here. The main focus is horseracing at the Illinois Fairgrounds."

Froehlich: "Okay. But so, they could have up to six (6) additional off-track betting parlors in the county."

Poe: "Every... every racetrack in the State of Illinois has that option."

Froehlich: "Right. Right. If we someday allow racetracks to have slot machines, would the fairgrounds then get the slot machines as well?"

Poe: "You're speculating on something that I've been hearing around here about fourteen (14) years, that there's always going to be this large racing/gaming Bill and there's going to do certain things. I think what you're doing now is speculating what the future's going to bring. And if something happens in the future, that would have to be the Illinois State Fairgrounds Racetrack Authority would make those decisions. Today we're not talking about that."

Froehlich: "Okay. Well, but it is clear we're talking about an expansion of gambling in Sangamon County. Now, in 1994 you

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

267th Legislative Day

5/15/2008

supported the advisory referendum that asked voters if they wanted the county to first put to referendum any expansion of gambling in Sangamon County. Is that correct that you supported that in 1994?"

Poe: "Absolutely. And in 1996, I run for another election. In 1998, I run for another election. Every two (2) years, I put my own record and I'm a referendum of running. Fourteen (14) years ago gasoline was less than a dollar a gallon. Our property taxes has went up. Our heating bills have went up. All the dynamics of my district have changed and not unlike the rest of the districts here in Springfield. So, I think it's a question, do you want to have a self-imposed tax or do you want me to work to raise those other taxes on you?"

Froehlich: "Well, 90 percent of the voters said 'yes' they wanted the right to vote."

Poe: "What year was that?"

Froehlich: "1994."

Poe: "Okay."

Froehlich: "Now... but you haven't had a subsequent referendum asking them if they've changed their mind. It seems to me you're making a presumption that what was 90 percent to 10 percent has changed dramatically, yet you haven't had another referendum asking voters that. Is it so unreasonable to ask them if they have changed their mind rather than you just asking us to overrule their wishes?"

Poe: "I assume... are you suggesting that we ought to have a statewide referendum on gaming?"

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

267th Legislative Day

5/15/2008

Froehlich: "I'm not the one who supported this referendum in 1994, you are, Representative."

Poe: "Have you... have you ever changed your mind in the years you have served in the Legislature?"

Froehlich: "Yes, I have."

Poe: "Have you ever changed your mind in switching Parties?"

Froehlich: "Yes, I have. Yes, I have. Yes, I have. But please... why not go back and ask the voters if you think if they have changed their opinion about a major expansion of gambling?"

Poe: "Mr. Froehlich, we're not doing one thing that doesn't happen in Sangamon County. If you've got the urge to bet on a horse, you get in my car in 10 minutes I'll have you on Wabash Avenue betting on any horse you want to bet in the United States. We're not expanding one thing that does not happen in the State of Illinois and it happens in Sangamon County at this point. We have pari-mutuel betting at the State Fair five (5) to ten (10) days a year, every year and it's already happening. And what we're doing is providing an entertainment value that the OTB does not."

Froehlich: "Well, but you're creating a full-fledged racetrack with off-track betting at potentially six (6) sites that don't exist right..."

Speaker Lyons, J.: "Representative Froehlich, you've concluded your remarks and I think you're finished anyway. So, thank you very much. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Well, well, thank you very much, Mr. Speaker, what an enlightening debate that was. I don't know which one was

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

267th Legislative Day

5/15/2008

Seabiscuit and which one was Secretariat, but I've got a hunch. I think the one on the rail was Shady Lady. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. If the previous Representative has a problem with what the Gentleman from Sangamon County wants to do, then move to Sangamon County and become active in Sangamon County politics. I thought that... that wasn't a debate on the merits of the Bill, that was trying to embarrass Representative Poe. What does that have to do with the Bill? Representative Poe is well known in this area as an outstanding Legislator who represents his constituents. And if he's changed his mind on an issue since 1994, I'm sure Raymond Poe will go anywhere at anytime and speak to anybody about this issue. And he'll run on his record and that's all... that's what we all do. I thought your remark, Representative, about never changing your mind was one of the best I've ever heard on this House Floor. Ladies and Gentlemen of the House, what are rural Representatives supposed to do? Are we supposed to just sit back while the Governor takes one hundred and fifty (150) jobs from IDOT and moves them to Marion, Illinois and has the audacity to say that's economic development? Transferring of jobs isn't economic development. It's too expensive to rent the building. They've been trying to buy it for four (4) years. There's space in Springfield to accommodate the traffic safety people. So what are we supposed to do? Just let the Governor do whatever he wants to do to the Capital City? This is the Capital of Illinois. If you don't like that, drop in a Bill and change it. I think

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

267th Legislative Day

5/15/2008

economic development would be to move the executive mansion to Marion. At least Senator Forby'd have a place to stay or we could rent it out as a bed and breakfast. All of us are here to represent our districts. You can bet on the horses at the State Fair in Springfield for a long, long time. And I daresay, and Representative Poe can address this, I don't think the criminal element moves in during the State Fair and has a field day because horses race at the State Fair. County Fairs can have horseracing and can do pari-mutuel. This is not an expansion of gambling in the true, strict sense of the word. They're picking up racing dates that are available on the calendar. I don't know what the mayor of Springfield, who's a Democrat and the Representatives of this area are supposed to do when the current administration lays people off, moves jobs for no apparent, sound, economic reason and we're just supposed to sit here and not worry about creating job opportunities, creating tax revenue for the City of Springfield. The mayor said in some months ago in the paper that almost every dollar of his General Revenue Property Tax Fund has to go to meet his pension debt. So, when all is said and done, I don't think you have to impugn the character of Representative Raymond Poe. And if you do, then don't eat any more of his chicken. When all is said and done, Representative Poe will represent his district to the very best of his ability. He'll answer to his constituents. If you're opposed to gambling, if you're opposed to pari-mutuel at the State Fair, even though it's been going on for a number of years, if you're opposed to pari-mutuel

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

267th Legislative Day

5/15/2008

racing at County Fair horse tracks, fine. Fine. Vote against the Bill. But I hope nobody else feels compelled to get up and impugn the integrity of a man that I've come to know, respect, and admire, who does his job, does it very well and the people of this district have put their faith in him for a good number of years. I intend to vote 'aye' for this Bill for the benefit of the Capital City of Springfield and to support a good and decent Legislator in Representative Poe. Vote 'aye'."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. I, also, believe that the moving of jobs out of Springfield and the way the Governor has done it is unconscionable and I would agree with Mr. Black in that regard. But will the Sponsor yield, please? I presume he will. Are you there, Representative? Hi. We'll do this ourselves. Okay."

Poe: "Okay."

Lang: "So, Representative, I think you know that I support your concept, we've discussed this before. Doesn't... We already have horseracing at the fairgrounds, whether it's two (2) weeks a year or two (2) months a year or ten (10) months a year; it's still horseracing at the fairgrounds. No one here would take the horseracing we have at the fairgrounds. We also have other racetracks in Illinois. So, one issue I want to bring up with you is something that's been raised with me and that deals with livestock. And so some have said we don't have enough horses in the State of Illinois to run the meets we have now. Can you address that issue?"

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

267th Legislative Day

5/15/2008

Poe: "Yeah. There's two (2) or three (3) things I'd like to address. And a lot of that as many of us know, the fuel cost that's going on in Illinois right now, most of these trucks that pull these horses around the state are diesel. Diesel's up to four thirty-nine (\$4.39). So we've got a lot of people staying home for that one reason. But currently at the State Fairgrounds there's around six hundred (600) stalls at that fairgrounds now. About three-fifty (350), four hundred (400) horses are stalled there all the time. The race is harness racing. Right now, those owners have to pull those horses all the way to Chicago. And another... a big problem that I'm dealing with harness horsemen, anywhere in the southeast of here, they're pulling actually into Kentucky because it's shorter on their distance in the fuel mileage and those kind of things. So, we're actually losing those horse races to another state."

Lang: "All right. So, you don't think we'll have any problem having enough horses."

Poe: "Like I said, there's close to four hundred (400) horses..."

Lang: "All right."

Poe: "...just at the fairgrounds plus there's some large horse farms around Sangamon County."

Lang: "I have two other issues; I'll try to address them briefly. The issue of where the money goes. So, there've been a couple of Members on this side of the aisle that have expressed some interest in how the money's split up and why it's done that way and what, if anything, does GRF get?"

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

267th Legislative Day

5/15/2008

Poe: "Okay. What happens, the profits from the racetrack... 66 percent of that profits will stay on the Illinois State Fairgrounds: for infrastructure, building costs, new buildings. And I think what we're doing there we're actually taking a liability away from the State of Illinois because it'll make it more self-sufficient. So, that's how we'll address that problem. One-third of the money will go to the host county of Sangamon and the City of Springfield. That money will go to public safety which will fund the 911 programs here in Sangamon County."

Lang: "And so, there's no money to GRF..."

Poe: "No."

Lang: "The state portion would actually go back into the racetrack for improvements at the fairgrounds."

Poe: "Absolutely."

Lang: "All right. Now, what about simulcasting as happens from other racetracks, will there be simulcasting from the fairgrounds and to the fairgrounds?"

Poe: "Yes."

Lang: "It's a good quick answer. All right. One other issue. You create an authority..."

Poe: "Yes."

Lang: "...to run this operation. Now, as you know, today the Illinois Racing Board has some ethical standards. What ethical standards have you put in place for this authority?"

Poe: "We're assuming those will be the same ethical standards that the Illinois Racing Board would have. That would be the intent."

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

267th Legislative Day

5/15/2008

Lang: "But does the Bill say that?"

Poe: "Okay. He said it is an error. It's subject to the rules that are laid down by the Illinois Racing Board."

Lang: "All right. So, you asked the Illinois Racing Board to set up the ethical standards for the authority. Is that correct?"

Poe: "Right. Yes."

Lang: "All right. I would make one small suggestion after the Bill goes to the Senate and that is to add... as you know, we're working on what could be a larger gaming Bill and in that Bill, as it's drafted today, there are significantly new and improved and better ethical standards for the Racing Board as well as the Gaming Board. I would just ask that you put in this Bill in the Senate that any ethical standards adopted by the Racing Board will include any other global standards created by the General Assembly that might be new standards for the Racing Board. Am I... is that clear?"

Poe: "We'll take the note of that and we'll work with the Senate Sponsor and have him add that to the Bill."

Lang: "Thank you, Representative. I support your Bill."

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

Molaro: "I'll be quick and speak right to the Bill. Representative Poe, you're doing a good thing here. And let me tell you what's going on and why this state is absolutely ridiculous in my opinion. We... you know, we have this horseracing that's about three (3) days... three (3) weeks out of the year, two (2) or three (3) weeks, and what

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

267th Legislative Day

5/15/2008

Representative Black said is right. What are we supposed to do in rural areas? Here's what we have and what's going on in neighboring states. Minnesota... Minnesota... rural Minnesota just opened up a racetrack. Now, they open up, they're trying to attract horses. They go to their General Assembly. Do you know what the General Assembly says, anybody? To keep our people working, to put more people to work for economic development in this area, what do we have to help you, racetrack? Well, we could use slots at tracks 'cause that's what Indiana did. That's what Iowa did. That's what all the neighboring states... Okay, how many slots you need... They passed it, almost unanimously. The state also gave them a grant to give them money while the slots are being there to help horseracing and help their areas. Iowa has given slots and... to their dog tracks and it's all to help their industry, help putting people to work. And all I got to tell you is this, were their Legislators who are against gaming? No question about it. Up against the lottery, no question about it. But everybody else banded together to say, hey listen, Illinois is so screwed up. Why don't we get together and pass laws so we can actually make it noncompetitive in Illinois and all the horses and all the excite... and all but twenty, thirty thousand (20,000-30,000) people in the industry could leave Illinois and come to our states. This is one Bill that will keep people working in our state, that'll keep the state flourishing, and I commend you for bringing a great Bill. Thank you."

Speaker Lyons, J.: "Representative Raymond Poe to close."

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

267th Legislative Day

5/15/2008

Poe: "Mr. Speaker, Ladies and Gentlemen of the House. I just think this is an opportunity that we have in the State of Illinois to... as you know, we've had very many problems at the Illinois State Fair the last few months. And we know this isn't a quick fix, but we hope within the next five (5) to ten (10) years this will be a mechanism that we can pay for all those maintenance fees at the Illinois fairgrounds and it takes the tax burden off the rest of the state budget. So, I'd ask for a 'yes' vote. Thank you."

Speaker Lyons, J.: "The question is, 'Should House Bill 4758 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 Ryg. Representative Sommer. Mr. Clerk, take the record. On this Bill, there's 83 Members voting 'yes' and 28 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Shane Cultra, for what purpose do you seek recognition, Representative?"

Cultra: "Point of personal privilege."

Speaker Lyons, J.: "Please proceed."

Cultra: "Like to welcome the fifth grade students from Nash Grade School from Iroquois County here in the Capitol. Welcome."

Speaker Lyons, J.: "Welcome to Springfield, students. Enjoy your day. Clerk, on page 20 of the Calendar, Representative Mike Smith has House Bill 2170. Read the Bill, Mr. Clerk."

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

267th Legislative Day

5/15/2008

Clerk Mahoney: "House Bill 2170, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Fulton, Representative Mike Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. As I indicated yesterday when we adopted the Amendment, the Amendment becomes the Bill and it makes a number of technical changes to the Drycleaner Environmental Response Trust Fund Act. This is legislation... really was landmark legislation in the country when we established it about ten (10) years ago. It is a successful program where the industry came to the Legislature and said we recognize we have certain environmental problems with our industry and we want to clean them up. We want to raise the money to do it ourselves without having the government, the EPA, either at the state or federal level come in and tell us we have to do it. The program has had a few little hurdles over the ten-year time, but it is well established. There are a number of sites now that are signed up for remediation and those sites are being remediated. This legislation encompasses a number of recommendations from the Department of Revenue that were made to the council that oversees this program. And I know of no opposition to them; they are pretty minor technical changes. And I'd be happy to answer any questions."

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

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

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

267th Legislative Day

5/15/2008

Speaker Lyons, J.: "Sponsor yields."

Black: "Representative, I was intrigued yesterday by the remarks of one of your Democrat colleagues that this might be perceived as an antibusiness Bill. When I got up off the floor, after falling out of my chair, I thought, you know, we're making progress when a Democrat Legislator would say that this might be an antibusiness Bill. Now, I understand that the original Act was in response to serious environmental concerns that the drycleaning industry has, but I'm also concerned, this cleanup Bill does not, no pun intended, does not appear to have come from the industry. It appears to have come from the regulatory agency. Am I wrong?"

Smith: "Yeah, I... as I stated, Representative Black, these are changes that the Department of Revenue has recommended to the Drycleaner Environmental Response Trust Fund Council and they have asked that we implement those. They're administrative changes to the law."

Black: "The Trust Council consists of seven (7) members, all appointed by the Governor. Do you know... are there any drycleaners on that council at the present time?"

Smith: "Yes, there are. The original law required that there be... I believe the... actually the majority of the members are drycleaners. There's one from the solvent industry, one from a business finance background, and I believe there are three (3) or four (4) who are required to be drycleaners."

Black: "Do you know... and I'm not trying to be cute with this, Representative. I have no idea. Are any of those council

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

267th Legislative Day

5/15/2008

members from, what you and I would consider, southern Illinois?"

Smith: "Yes, actually, the chairman of the... I'm sorry, the drycleaners?"

Black: "Yes."

Smith: "Yes, they are."

Black: "Okay."

Smith: "Yes. And the chairman of the council is actually from Peoria."

Black: "Okay. What caught my eye yesterday is the tax imposed under the current law: three dollars and fifty cent (\$3.50) per gallon of chlorinated solvent, thirty-five cents (\$.35) per gallon of petroleum-based solvent, and a dollar seventy-five (\$1.75) per gallon of green solvent. Those are pretty stiff taxes and I think they're out of whack. Why isn't the green solvent tax ten cents (\$.10) a gallon? Why a dollar seventy-five (\$1.75)?"

Smith: "Well, you know..."

Black: "And to encourage its use, that's what I... the point I'm trying to make."

Smith: "Right. Representative Black, and again, you know, this legislation doesn't affect..."

Black: "I understand that."

Smith: "...those fees or those taxes."

Black: "And I will... you're absolutely right."

Smith: "And I would just point out to you that, you know, this whole program came from the industry. Now, there may be some individual drycleaners who don't support it."

Black: "I understand."

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

267th Legislative Day

5/15/2008

Smith: "But it was the two (2) major organizations that represent drycleaners who came to us and said, we want to do this because we recognize we have a problem. And I'm sure you've had maybe abandoned drycleaner sites or current drycleaner operating sites in your district, they can be very difficult. It can be similar to the dreaded LUST Fund situation and that's really what the drycleaners wanted to avoid. Now, there is, I think, in the ten (10) years that we've had the legislation there's been a trend to some more of the green uses and I think that's encouraged. But at the same time, I think the industry feels that everybody's got to pay something into the trust fund in order to get to that point where there would be no contaminated sites in the state."

Black: "Is the... does the trust fund work similar to the Leaking Underground Storage Tank Fund, it helps to clean up those sites?"

Smith: "Yes. Yes, it does."

Black: "Okay. Fine. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House. The speaker is right, there are no new fees, no new taxes in this Bill and I certainly didn't mean to imply that there were. And I think the Bill is just a regulatory cleanup. But like so many things we do, when we pass this I don't know why I missed the level of taxation that's in this Bill. And all I can scratch my head about, I haven't heard from any drycleaners in my area, but I know that a large drycleaning firm has gone out of business in Champaign. The drycleaner that I used to patronize has gone out of business in my

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

267th Legislative Day

5/15/2008

hometown of Danville and others have gone out as well. And I think all of us have asked on some occasion, drycleaning is no longer a cheap process, not that it ever was cheap, but it's a... it can be very expensive. To get the suit that I'm wearing today cleaned and after twelve (12) months I always get them cleaned whether they need it or not, I think it's ten bucks (\$10). And then you look at this Bill and you understand..."

Speaker Lyons, J.: "Mr. Black, your 5 minutes have concluded. Please conclude your remarks."

Black: "I'll do that. I was trying so hard to get in under the line. I now begin to have a better appreciation and understanding of why some of the fees that we pay to have our suits drycleaned and other apparel has gone up in price so much. Maybe... maybe that's our fault. But I think the Sponsor's well intended. It is a regulatory cleanup. But I... you know, every once in a while rather than do a regulatory cleanup, no pun is intended of any kind, I'd rather do a regulatory rewrite and see if we shouldn't, in fact, lower some of these taxes and lower some of the fees. Thank you very much, Mr. Speaker."

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

Leitch: "Thank you. Would the Gentleman yield?"

Speaker Lyons, J.: "Sponsor yields."

Leitch: "Who is the head of this council from Peoria?"

Smith: "The chairman, Representatives Leitch, is John Polak."

Leitch: "And which cleaners is he from?"

Smith: "He's not a cleaner; he's in the insurance industry."

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

267th Legislative Day

5/15/2008

Leitch: "How much will these fees increase the cost of cleaning... drycleaning?"

Smith: "Again... again, there are no fees in this legislation. These are regulatory changes recommended by the Department of Revenue."

Leitch: "Thank you."

Speaker Lyons, J.: "Representative Mike Smith to close."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. I would just again state there are no fees in this legislation. This is simply administrative cleanup to help an industry help itself. And I'd ask for an 'aye' vote."

Speaker Lyons, J.: "The question is, 'Should House Bill 2170 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 76 Members voting 'yes', 30 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar, Representative Sandy Pihos has House Bill 5969. Representative Pihos. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5969, a Bill for an Act concerning public aid. Third Reading of this House Bill."

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

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Today I present to you 5969, which is actually something that we are already doing, but it's never been codified into law. And I think it's such a wonderful

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

267th Legislative Day

5/15/2008

program that I would like to take this opportunity to put it into law to extend it into the future."

Speaker Lyons, J.: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5969 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? Roger Eddy. Mr. Clerk, take the record. On this Bill, there are 111 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 5011, 5011, Supplemental Calendar #1?"

Clerk Mahoney: "House Bill 5011, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1306, offered by Representative Dugan and House Resolution 1309, offered by Representative Flider."

Speaker Lyons, J.: "Representative Lang moves the adoption of the Agreed Resolutions. All those in favor signify by voting... saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "Senate Joint Resolution 100."

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

267th Legislative Day

5/15/2008

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, May 15, 2008, the Senate stands adjourned until Tuesday, May 20, 2008 at 12:00 noon; and the House of Representatives stands adjourned until Friday, May 16, 2008, and when it adjourns on that day, it stands adjourned until Monday, May 19, 2008 at 4:00 p.m."

Speaker Lyons, J.: "Mr. Clerk, want to review the committee announcements? Everyone was handed a green sheet. On the Adjournment Resolution. All those in favor of it signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. And now the committee announcements, Mr. Clerk."

Clerk Mahoney: "Committee announcements for today. Immediately following Session: the Gaming Committee will meet in Room 114. The Gaming Committee in Room 114. Registration & Regulation in Room 118. Registration & Regulation in Room 118. Electric Utility Oversight has been recessed and will meet in Room 122B immediately following Session. And State Government Administration will meet in Room 115 immediately following Session."

Speaker Lyons, J.: "And now, allowing perfunctory time for the Clerk, Representative Lang moves that the House stand adjourned 'til Friday, May 16, at the hour of 9 a.m. The House will stand adjourned until tomorrow at 9 a.m. Have a safe and enjoyable evening everyone."

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

267th Legislative Day

5/15/2008

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 2558, a Bill for an Act concerning public employee benefits, offered by Representative Tracy. Committee Reports. Representative Lang, Chairperson from the Committee on Gaming, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2651. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 4863. Representative Scully, Chairperson from the Committee on Electric Utility Oversight, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 5257. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 3177 and Floor Amendment #4 to House Bill 4612. There being no further business, the House Perfunctory Session will stand adjourned."