

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

282nd Legislative Day

8/13/2008

Speaker Madigan: "The regular Session shall come to order. Is there leave to use the Attendance Roll Call of the Twenty-fourth Special Session for the purpose of the Attendance Roll Call for the regular Session? Leave is granted. Mr. Brady. Mr. Brady. Mr. Brady."

Brady: "Thank you, Mr. Speaker. The Republicans would like to call an immediate caucus in Room 118. The Republicans will caucus in Room 118."

Speaker Madigan: "Do you have any idea how long it would be?"

Brady: "I do not, no."

Speaker Madigan: "Could we talk in terms of a half an hour, 5:45?"

Brady: "I'm always open to discussion of any type and we'll certainly adhere to that as close as I possibly can and we can."

Speaker Madigan: "Okay. We'll plan to be back at 5:45. Mr. Schmitz, are you seeking recognition?"

Schmitz: "Speaker, I just had one question due to the noise in the chamber. I was curious. Did you say we're in regular Session?"

Speaker Madigan: "Yes."

Schmitz: "I guess I was confused at the regular Session. Did we post a regular Session for today or I heard the Special Session proclamation, then we moved on to the next..."

Speaker Madigan: "Yeah."

Schmitz: "...so we're... Did we adjourn the Special Session and we moved to regular Session?"

Speaker Madigan: "Yes. We adjourned two (2) Special Sessions."

Schmitz: "Number Twenty..."

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

282nd Legislative Day

8/13/2008

Speaker Madigan: "Twenty-three and Twenty-four."

Schmitz: "Twenty-three and Twenty-four and we moved to regular Session..."

Speaker Madigan: "Yes."

Schmitz: "...which we will be in when we come back at 5:45."

Speaker Madigan: "Yes. Correct."

Schmitz: "The Adjournment Resolution that we read some time ago did have us coming back in November."

Speaker Madigan: "Yeah, you're correct in your statement, but at the same time why the House can be called into Session by the Ch... by the Speaker."

Schmitz: "Okay. Speaker, thank you."

Speaker Madigan: "Yeah. Thank you. Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Thanks for the opportunity. I just want to say hello to Dr. Darreyl Gibson from Percy L. Julian High School and I want to thank her wonderful band, the marching band, who played for us earlier. Can we give them a warm welcome to Springfield. Percy L. Julian Marching Band and the principal, thank you very much."

Speaker Madigan: "So, Mr. Brady, could you lead your troops to your powwow."

Brady: "Onward Christian Soldiers, yes."

Speaker Madigan: "Sounds good. The Clerk. The Chair recognizes the Clerk."

Clerk Mahoney: "For an announcement. The Rules Committee will meet immediately in the Speaker's Conference Room. The

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

282nd Legislative Day

8/13/2008

Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Mr. Clerk, is there a Rules Report?"

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on August 13, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' is House Bill 1831, 'approved for consideration' and referred to Consideration Postponed; House Bill 4888, 'approved for consideration' and referred to the Order of Second Reading; Senate Bill 1460 'approved for consideration' and referred to the Order of Second Reading. On Amendatory Veto Motions, a Motion to accept, 'recommends be adopted' on House Bill 5285."

Speaker Madigan: "On page 2 of the Calendar, on the Order of Amendatory Veto Motions, there appears House Bill 5285. Mr. Jefferson. Mr. Jefferson, on House Bill 5285."

Jefferson: "Thank you, Mr. Speaker, Members of the General Assembly. After careful consideration, I would vote to accept the specific recommendations of the Governor's language as it relates to House Bill 5285. I recommend..."

Speaker Madigan: "You've all heard the... Mr. Jefferson. Mr. Jefferson."

Jefferson: "I would make a recomation... a recommendation to be adopted."

Speaker Madigan: "You've all heard the Gentleman's Motion. The Chair recognizes Representative Osmond."

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

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

282nd Legislative Day

8/13/2008

Jefferson: "I guess."

Osmond: "In this... in this Bill it was in health care accessibility (sic-Health Care Availability & Access), my committee, and we talked several issues over and over again, trying to get it resolved and I thought we sent over a decent Bill to the Governor. Why are you accepting what he... his rewrite of this legislation that you worked so hard on?"

Jefferson: "Well, you know, we oftentimes talk here in the General Assembly about how important education is in relation to our children. This just gives them a better opportunity to receive that education if, in fact, they become ill. This gives them the ability to stay in that comfort zone, if you will, as far as being insured to be able to stay in school and do the things they need to do to get the education they need to compete in this society."

Osmond: "But Representative Jefferson, this is not talking about the education, it's talking about insurance coverage after they've come out of education, is it not?"

Jefferson: "It gives them the ability to stay in that situation, if in fact they are in school, up to twenty-six (26) years of age."

Osmond: "No. No. No. I'm misinterpreting this. I mean, maybe my side is... It says that the... I'm sorry, one second. I'm sorry. Okay. The underlying Bill had the educational requirement."

Jefferson: "Yes."

Osmond: "The Amendatory Veto does not have that in there. It's allowing a person under the age of twenty-six (26) to sta..."

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

282nd Legislative Day

8/13/2008

any Illinois resident under the age of thirty (30) to stay...
I'm sorry, the veterans to stay on the parent's policy."

Jefferson: "You are... you're correct in the fact that if they
are dependant it gives them the ability to stay, if they
are in school, but also beyond that, if in fact they're at
home, it allows them to stay on their insurance policy up
to twenty-six (26) years of age. So, you are correct."

Osmond: "Whether they're in school or not."

Jefferson: "Yes."

Osmond: "Okay. Then I guess I'm... I'm... I would think that this
would need to come back to committee and talk a little bit
more about this, because that was not what the intention of
this Bill was. It was to... to help with that gap from when
they come out of school and can stay on their parent's
policy for a short period of time and now we're extending
it. Does the Illinois Chamber of Commerce agree with
this?"

Jefferson: "Well, I'm not sure where their position is on this
at this point."

Osmond: "Does the..."

Jefferson: "What we're trying to do is make sure that we're
giving kids an opportunity to succeed and get them to the
point they need to be to compete in this world. We know
it's not easy out here, so we want to make sure that
they're comfortable until they get where they need to be,
as it relates to not having to worry about certain things."

Osmond: "Representative, does this Bill allow... if my son came
out of college and he is twenty-four (24) years old, he can

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

282nd Legislative Day

8/13/2008

stay on my policy for two (2) years. According to what this is worded."

Jefferson: "That's the language. Yes."

Osmond: "Okay. Does that.. my son have to reside with me?"

Jefferson: "He just has to be a dependant."

Osmond: "So, does he have to be recorded on my income tax returns as a dependant?"

Jefferson: "He has to be recorded on your insurance as a dependant."

Osmond: "How do you de... how do you determine a dependant?"

Jefferson: "I'm sorry. I didn't hear the question, Representative."

Osmond: "How... how is it interpreted as... an individual as a dependant?"

Jefferson: "The Governor didn't really define the dependant's role in his language."

Osmond: "Does it change the requirement for a dependant under the two (2) Acts that it's amending?"

Jefferson: "No."

Osmond: "Thank you."

Jefferson: "Thank you."

Speaker Madigan: "Mr. Fritchey. Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, a coup... just a couple quick questions. Is there any cost that will be borne by the state as a result of this?"

Jefferson: "Absolutely not."

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

282nd Legislative Day

8/13/2008

Fritchey: "So this would simply be an additional mandate on the insurance carriers. Correct?"

Jefferson: "That's correct."

Fritchey: "You did not approach the Governor about making this revision, did you?"

Jefferson: "No."

Fritchey: "Do you know if any... do you know if any interested parties or groups had approached him about this or this solely came out of his office?"

Jefferson: "This came out of his office."

Fritchey: "I've been... There's a lot I want to ask you and there's a lot of responsibility to be borne for the fact that we're in this situation right now, but none of that responsibility is yours, Chuck. In light of that, I won't make an issue of this now. I think it's a unfortunate situation that you and this Body's been put into as a result of the Governor's actions. You know, I respect you doing what you think is best in order to keep moving your underlying Bill. Thank you."

Jefferson: "Thank you."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, before I... I've got a couple of minor technical questions, but let me ask you this one first because I... Do you consider the Governor's action on your Bill to be a minor technical change to the underlying Bill?"

Jefferson: "It's an enhancement to the Bill."

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

282nd Legislative Day

8/13/2008

Eddy: "Well, I guess... I guess my understanding of this process was that the purpose of the Governor's Amendatory Veto power is to make technical changes to legislation that really doesn't change what the underlying Bill's intentions were, but simply... call it enhancing, but I guess from your standpoint as the original Sponsor of the underlying Bill, do you consider this to be a minor technical change to the Bill that you introduced and shepherded through the committee process?"

Jefferson: "I consider it to be a major technical change, but we oftentimes in the General Assembly speak about health care for everyone. So, this is an expansion on that health care, starting with our children, who are our most valued commodity at this point. So, starting there and moving on, hopefully, we'll eventually have universal health care. I think this is germane to the issue."

Eddy: "Well, Representative, I... I... you know, I think we have to be real careful here, because there's a process of government that deserves our respect. And that process, I would think, includes, you know, if you are in favor of this type of universal health care, if you are in favor of this type of Bill as the Sponsor of the Bill and it's introduced and it goes through the committee process like, but... but this seems to go beyond what we might all consider to be the process that allows a Governor to make technical changes. And it concerns me a great deal because we're... we're going to go down this path. My understanding, this may just be the beginning of the number of Bills that we're going to look at where we're expanding... we're expanding

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

282nd Legislative Day

8/13/2008

that perceived power and I'm just kind of concerned about it and I wanted to get your perception as to whether or not you felt this was minor. I do have one question about the Bill, though, that... that I'd like you to answer. I have a twenty-one (21) and a twenty-four-year-old daughter. If... if they are listed on my health insurance through the State of Illinois as an employee... I... I don't think you were trying to mislead, but isn't it possible that the cost to the state because of the employees that get state-sponsored health insurance, that cost could increase if we put, or any state employee that has that sponsored insurance puts those folks on the... those dependants on our policies."

Jefferson: "Are they listed as an employee or dependant, Representative?"

Eddy: "As a dependant. If we... if we add dependants and the state is paying a portion of our cost, isn't there a possible cost to the state?"

Jefferson: "From that perspective, you might be right."

Eddy: "And is there a... Obviously, we wouldn't be able to calculate that."

Jefferson: "No."

Eddy: "But... but there could be a cost. The other thing is, what if my twenty-four-year-old daughter is not a dependant on my tax return, she may not even be living in my house and she may have a job that at her employment she could take health insurance. Does... does this only apply if they cannot get other insurance or would..."

Jefferson: "No."

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

282nd Legislative Day

8/13/2008

Eddy: "...she be able to shop between those two (2) and decide whether the... the cost of adding her to this premium or the premium cost at this employment would be cheaper than another? I mean, does she get to choose or does she have to take it from her employer if she's employed?"

Jefferson: "Well, I think you as a parent would have to make that determination. If, in fact, she's working and she's out of your house, whether or not you're going to take her off of your insurance policy. That's what keeps her in this mode if she's still on your insurance policy, then yes, you would be... she would be obligated to that... I mean she would granted that insurance. But if, in fact, you take her off of your policy, then that no longer occurs."

Eddy: "So, if a business has fifteen (15) employees and some of them are young and to get a group size large enough to continue to offer health insurance to that small business pool, if those employees decide that the cost is too high there and they begin to drop off of those plans, couldn't it at the end of the day cause people to lose the possibility of coverage because you would dilute the pools because people would be putting them on their parents in those cases where it's cheaper to do that? I mean, have we thought all of these possibilities through? That's what we do in committees. That's why we have people come in and we get questions answered and we get to the bottom of these things and that's my concern. I don't know if you have answers to those, Representative, but I think we have to be really careful. The process is the process for a reason and this type of action really begins to take us down a

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

282nd Legislative Day

8/13/2008

path where we could have some tremendous unintended consequences. I appreciate your answers. I have a lot of concerns about what we're doing here."

Jefferson: "Thank you, Representative."

Speaker Madigan: "Mr. Sacia."

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

Speaker Madigan: "Sponsor yields."

Sacia: "Representative Jefferson, and I know the previous speaker alluded to some of this, but one of the things that truly does concern me, our analysis very briefly says, the Veto adds to the Bill, but effectively guts and replaces House Bill 5285. Has the parliamentarian or would she make an... a ruling as to whether something that effectively guts and replaces, but does not go through the committee process? And again, I recognize that the previous speaker mentioned the committee process, but it seems that this is highly significant and merits committee discussion."

Jefferson: "Well, first of all, it just adds language; it doesn't gut and replace the Bill. But as you know, Representative, we've got a Rules Committee in place and they look at every Bill that goes through this chamber. If in fact, there was a constitutional challenge I'm sure they would have red flagged me to say this is not the right way to go with this Bill. They view every Bill as it comes to the floor or leaves the House, and the Rules Committee has said this is okay."

Sacia: "Well, you... you know, I certainly agree with you on that, but you also would agree with me that every Bill that goes through the Rules Committee leaves Rules Committee and

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

282nd Legislative Day

8/13/2008

is assigned to agriculture or one of the appropriate committees. Obviously, this is not the case here, it's just coming right back at us."

Jefferson: "Yes. The Rules Committee has the ability to kick those Bills to the floor."

Sacia: "Could you tell me... Two (2) questions, Representative Jefferson. The effective date of this and how many votes does it take to pass it today?"

Jefferson: "There isn't an effective date and it takes 60 votes, I believe, to pass this."

Sacia: "You say there is no effective date or... or I'm sorry, I didn't understand that answer."

Jefferson: "It would be January, if we would abide by law..."

Sacia: "All right, Sir."

Jefferson: "...from what I'm told. I'm sorry, it would be June 1 of '09."

Sacia: "June 1 of '09."

Jefferson: "Yes."

Sacia: "Representative Jefferson, if this does reach the requisite number of votes, I... I would ask for verification, Mr. Speaker. I have no further questions, but I have grave concerns over the... over the committee process and again, I guess maybe I don't understand thoroughly, is it because it's the Governor's Amendatory Veto? And I know you've... you've pointed out that it has to come out of... it's come out of Rules Committee twice. But I still have a real problem grasping the fact that such an effective or such a significant change could just go

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

282nd Legislative Day

8/13/2008

straight to the floor without further discussion. Thank you for your comments."

Jefferson: "Thank you."

Speaker Madigan: "Mr. Winters."

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

Speaker Madigan: "Sponsor yields."

Winters: "Representative, I have a question on the second part of this, where it says, 'any Illinois resident under the age of thirty (30) who has served in the military qualifies for this extended health care benefit.' My question is, do they have to be enrolled... because I think the original language was that it had to have been a student who was in the university studies who was injured or ill and this would extend medical coverage, insurance coverage, up to the age of twenty-six (26), twenty-five (25) or twenty-six (26), the original Bill. Now, if you are a military veteran is there any requirement that they also have been enrolled in college when the insurance was in effect or is this simply you are a dependant and a military veteran?"

Jefferson: "The Governor's language doesn't require education to be part of that process. It just extends that age out to twenty-six (26) years of age or thirty (30) if you're a veteran."

Winters: "Okay. So that... that seems to be a reach from what was discussed in the committee and I would like to echo what some of the other arguments are. There is a purpose to this Legislative Body and that is to gather input from people around the state that are concerned about the statutes that we all live under. Now, when they are not

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

282nd Legislative Day

8/13/2008

afforded the opportunity to look at legislation and give their opinions, their rights have been violated. The people who testified for and against this Bill in committee knew what the Bill contained. They did not testify on what the Governor in his wildest dreams would like to add on here. Their constitutional rights to being heard were abrogated by your acceptance of this Amendatory Veto. They had no right to say 'yes' or 'no'. Now, maybe they would have supported it, maybe they would have said this really isn't that much of an impact on us, but they didn't have the right to have their voice heard. Last week, at a Chamber of Commerce event in Rockford, you stated that you would not be accepting this Veto by the Governor. What changed your mind in the intervening time?"

Jefferson: "I think I said, Representative, I planned to override the Veto. Plans do change sometimes."

Winters: "Any reasons why they changed?"

Jefferson: "Because this is an expansion of health care and that's what we seek to do in this General Assembly and hopefully, at one... some point we'll have universal health care, but this is a step in the right direction."

Winters: "Well, if... if we follow your argument to it's fullest I would compare this process that we've just witnessed as the leader of a South American country who says, you know, I've got a great idea, I'm going to put that language in a Bill that maybe the General Assembly of that country has adopted, has nothing to do with what that Bill does and that Assembly is simply a rubber stamp. That the leader of their country can do what he wants, puts it into language

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

282nd Legislative Day

8/13/2008

and he knows that his assembly is going to adopt it like a rubber stamp. I submit that's what this General Assembly is doing, giving in to a Governor who has his own ideas of what the legislative process is. It's not in the Constitution. If you've got legislation, put it before the committee, adopt it in both Houses when we have the right to debate it. You may have the best idea in the world, but if you go about it the wrong way, and this is the wrong way to do it, it should not pass. And if we do defeat this Motion you can come back and override the Governor, put the original language that's had the proper hearings into place. That is the correct way to do it. There have been at least ten (10) Bills to expand dependant coverage based on... on age introduced. Only two (2) made it to... out of committee. Why are we allowing this without even having a committee hearing? Why are the Members of this General Assembly, of this House, taking this drastic step without proper public influence and the chance to debate this issue? Why are we simply rubber-stamping what sounds like a good idea, but nobody has had a chance to debate it? I urge a 'no' vote."

Speaker Madigan: "Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker. Parlimen... parliamentary inquiry. Has the Rules Committee determined that this is within the Governor's authority to put this content in his Amendatory authority... in his Amendatory Veto?"

Speaker Madigan: "Well, Mr. Leitch, all I can tell you is that the Rules Committee voted to send this matter to the floor."

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

282nd Legislative Day

8/13/2008

I'm not sure why the Members of the committee voted the way they voted, but they voted to put this matter to the floor."

Leitch: "In doing so, did they agree with the Governor that he was within his constitutional authority to expand the Bill to this drastic level and that that was appropriate for the Executive branch to do?"

Speaker Madigan: "Again, Mr. Leitch, I don't know why they voted the way they voted and I'm just not in the position to offer an opinion as to why they voted the way they voted in the committee."

Leitch: "Well, I would like to appeal the ruling of the Chair because I think were this measure to succeed, were this Amendatory Veto to be accepted, it would put the Legislative branch in great peril down the road and violate the constitutional separation of powers and so I would ask that the Speaker that we have a vote to appeal the ruling on the Chair and that this Bill should be taken out of the record and not even considered at this point."

Speaker Madigan: "Mr. Leitch, there was no ruling of the Chair. There was a vote through the Rules Committee, but there was no ruling of the Chair. I would simply... I would respectfully suggest that... that at this point your... your recourse is to vote 'no'."

Leitch: "Given the constitutional import of a Bill of this nature and given the very, very strenuous efforts which we have applauded, many of us by the Speaker to... to protect and respect the powers between the Legislative and Executive branches of government, I find it absolutely

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

282nd Legislative Day

8/13/2008

appalling for those reasons that this measure's even before us. And I would strongly urge that you take whatever action you can take to have this Bill withdrawn and to not put the Legislative branch and its powers in jeopardy by virtue of considering this ill-advised and greatly, greatly over expanded Amendatory Veto. Thank you."

Speaker Madigan: "Represent... Representative Currie."

Currie: "Thank you Speaker, and Members of the House. The scope of the Governor's Amendatory Veto power has long been a point of contention between the Legislative and Executive branches. The Judicial branch has come out on various sides of that question. The first... the first consideration of an Amendatory Veto during which the Governor essentially rewrote the Bill, the Illinois Supreme Court said was beyond the Amendatory Veto authority provided by the 1970 Constitution. Later rulings have not been as clear-cut as was that first. I myself have long been a defender of the Legislative prerogative and have viewed the Governor's excessive use of an Amendatory Veto as perhaps being beyond the constitutional authority that he or she may have been granted. But I think that the lack of clarity from the court decisions may mean that it's time for a second crack from the Judicial branch. Maybe we ought to invite the question before the courts whether this particular Amendatory Veto, for example, does go beyond the scope of that authority provided in the Constitution. So, for that reason, I would suggest that an 'aye' vote may help us answer this question that has been so contentious between the two (2) branches ever since 1971. Thank you."

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

282nd Legislative Day

8/13/2008

Speaker Madigan: "Representative Flowers."

Flowers: "Thank you Mr. Speaker, and Ladies and Gentlemen of the House. Will the Gentleman yield?"

Speaker Madigan: "Sponsor yields."

Flowers: "Representative, a point of clarification 'cause I've heard you and other Members speak in reference to universal health care. Does this Bill have anything to do with universal health care?"

Jefferson: "No. Not at this point."

Flowers: "Okay. And another point of clarification, because one have access to insurance does that necessarily mean they will have access to health care?"

Jefferson: "If you are on your health plan through your family, yes, you will have access to health care."

Flowers: "Does it necessar... is the... Can the insurance delay or deny you health care, despite the fact you have insurance, can they still delay and deny you the access to the health care in which you are paying for?"

Jefferson: "This doesn't change the current requirements as it relates to the insurance company."

Flowers: "So, my question is, despite the fact that you do have health insurance, you can still be denied and delayed the access to the health care you need, despite the fact you do have insurance and you're paying for the insurance."

Jefferson: "Yes."

Flowers: "I just wanted to make that point. Thank you."

Jefferson: "Thank you."

Speaker Madigan: "Mr. Cultra."

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

282nd Legislative Day

8/13/2008

Cultra: "To the Bill, please. In deference with my colleagues, I do have a problem with the process, but I think what the Governor's trying to do, and I don't agree with the Governor very long... or very often. I do think this is a good idea. The age group that we're expanding coverage to here are normally very healthy, but yet, they don't have... reached their earning capacity and they have a hard time affording insurance. And unlike universal health care, where we... how we don't know how we're going to pay for it, the parents are footing the bill in this case. So, I do have a problem with the process, but I think it is a good idea and I'm going to be voting for it. Thank you."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. I'm not sure where to direct my inquiries. First of all, perhaps to the Chair, I don't know if it's the parliamentarian or you. What is the procedure from today forward with respect to the reading of these actions by the Governor into the record? It's our understanding that once they're read, we have fifteen (15) days to take action. Who knows whether we'll be back here after... after today, I certainly hope not, 'til after the election, but what will be the policy of... of your office, with respect to reading Amendatory Vetoes or Vetoes. And I ask that, Mr. Speaker, in the context of... recent history has shown that as a general rule all of these are held until November."

Speaker Madigan: "Mr. Cross, let me tell you how I understand this and I may be wrong, but the way I understand it is that the Governor takes his actions on Bills. If we are

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

282nd Legislative Day

8/13/2008

not in regular Session, his actions are filed with the Secretary of State."

Cross: "Okay."

Speaker Madigan: "If we go into regular Session, then as I understand the Constitution, we're required to take the messages from the Secretary of State and then the fifteen-day clock starts to run. And so we came into regular Session today. There were three (3) Governor's actions with the Secretary of State. We took them. We plan to call them today. Again, my understanding is that now starting today, the fifteen-day clock runs, which means that the Senate has today plus fourteen (14) to take up consideration of these matters. Okay. I'm corrected. After... Mr. Cross, after we take action and they... and they receive the message, they have fifteen (15) days."

Cross: "All right."

Speaker Madigan: "Mr. Cross."

Cross: "What if then... and more... these are more from an informational standpoint so we know, so people's Bills aren't read when we're not going to be here. What authority do we have as a Body to go into regular Session, like we did tonight?"

Speaker Madigan: "House Rules."

Cross: "House Rules."

Speaker Madigan: "House Rules."

Cross: "Okay. But going back to the other issue, unless we are in regular Session, and I'm trying to understand this, in all likelihood, action by the Governor will not be read

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

282nd Legislative Day

8/13/2008

into the record here. It'll stay with the Secretary of State until we're in regular Session."

Speaker Madigan: "That's correct."

Cross: "So, depending on what happens over the next few months, we may or may not have some of these read into the House... record."

Speaker Madigan: "That's correct."

Cross: "Okay."

Speaker Madigan: "Mr. Cross, another aspect to this. The Governor has the ability to call a Special Session and identify the Governor's actions as part of the Special Session. And so, as we respond to the Governor's call for a Special Session, it would be in the call. And we'd be required to call it up."

Cross: "And I'm not... at this point arguing. I'm just trying to make sure we all know, kind of the ground rules. Now... now, one question I have either to you or just in response to Representative Currie. 'Cause I share completely the belief of Representative Leitch that we have seen an action here by the Governor that completely exceeds his authority and goes well beyond his authority. Representative Currie talked about the need to test this in the courts. Is there a plan or a movement to do that that we're not aware of on this particular issue? Representative Currie, maybe you can answer it. 'Cause we may actually agree on something here. Representative Currie. You had mentioned earlier, Representative Currie, that this issue of the Governor exceeding his authority, which we believe he has on this Bill, I don't want to talk about the merits of what he did,

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

282nd Legislative Day

8/13/2008

but... but the process, as others have talked about. When you mentioned the need to test a case or to look to the judicial system, what did you mean by that?"

Speaker Madigan: "Turn on Representative Currie. Representative Currie."

Currie: "Thank you. I'm not quite sure how this colloquy develops, but my point only is that there has been a lot of different uses of Amendatory Veto powers over the last thirty some years. The courts initially, it seemed to me, were fairly... fairly limiting in their willingness to accept the expansive use of an Amendatory Veto power. I think that has been less true in more recent cases and it may be... I'm speaking just for myself, Representative, because I have long been an advocate for a curtailed interpretation of the Governor's ability to use the Amendatory Veto, but I am suggesting that it may be... that it's time to get more clarity from the court. It's a fight between the Legislature and the Executive, but the ultimate determination is often made by the Judicial branch."

Cross: "So what is the rationale or thought process, as chair of the Rules Committee, of allowing... what's the determining factor to allow a Motion to accept, for instance in this case, the Amendatory Veto, given your position on wanting to curtail the Governor's authority?"

Currie: "Well, and as I say, it's unclear who's right and who's wrong in this circumstance. My only suggestion was that perhaps we would be well-advised to let the courts weigh in."

Cross: "That may be and..."

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

282nd Legislative Day

8/13/2008

Currie: "And you don't have to agree with me."

Cross: "No, no."

Currie: "I'm not asking anybody in the chamber to agree with my particular interpretation. Other people would say this is not an expansive use. The Governor obviously thinks it's okay or I assume he wouldn't have done it."

Cross: "I think you and I actually a... sounds like agree and especially in this particular case. My question is, who determines which Bill, you know, are you allowed to move forward on and accept an AV in which wer... when do you decide that he's gone beyond his authority? Or are you saying you really don't know because the courts have... really need to give us a decision so we're going to test it on this particular Bill."

Currie: "From my perspective, that's one way to go. Other people may see it very differently."

Cross: "Okay."

Currie: "And obviously, some people are going to want to vote on this measure on the merits..."

Cross: "All right."

Currie: "...people who want to expand health care coverage for Illinoisans. Others may look at it quite differently."

Cross: "How about for future AVs it sounds like you're... the Governor may do this some more. Will we have the same type of opportunity to vote or are we going to curtail that in the rules process?"

Currie: "We... we will see. The Rules Committee meets on a continuing basis. There are five (5) Members of the Rules Committee. There was another vote on an Amendatory Veto."

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

282nd Legislative Day

8/13/2008

Cross: "Right."

Currie: "It was unanimous in the Rules Committee this very afternoon."

Cross: "All right. Thank you very much."

Speaker Madigan: "The last speaker will be Mr. Reis. Mr. Reis."

Reis: "Thank you, Mr. Speaker. I have a... a parliamentary inquiry. It's our understanding, and I'll let you rule, is there any way we can file fiscal notes on this? Is that in statute or is that in rules?"

Speaker Madigan: "The notes are authorized pursuant to statute."

Reis: "So, what's the ruling..."

Speaker Madigan: "And... and must be filed on Second Reading."

Reis: "But here's our reason, Mr. Speaker, and I know deep down you've defended this before. They... they significantly changed the underlying Bill. We don't know how much it's going to cost the State of Illinois. We've told 'no' to people with disabilities. We've told 'no' to people with substance abuse programs. Why can't we have an opportunity to find out how much this is going to cost the taxpayers of the State of Illinois and we can't do that without a fiscal note."

Speaker Madigan: "Mr. Reis, my answer would be the earlier answer. I'm just explaining that fiscal notes are authorized pursuant to statute and they must be filed when the matter is on the Order of Second Reading."

Reis: "I think this lends to our credence that we are destroying the process in this state. We've upheld not

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

282nd Legislative Day

8/13/2008

allowing significant changes to Bills before, except for some reason we're moving this one forward. But I think a lot of us have concerns and because of the process we can't find out exactly how much this is going to cost. It's a shame that this is happening this way. Thank you."

Speaker Madigan: "Mr. Jefferson, to close."

Jefferson: "Thank you, Mr. Speaker, Members of the General Assembly. I certainly want to apr... thank you and appreciate all your attention to this Bill, your spirited debate. This is a good Bill. This is expansion of health insurance as it relates to our young people. I think when it's all said and done this is germane to the original intent of the Bill. So, I think this is a good situation. Oftentimes we see parents that are struggling to send their children to school and not able to pay their insurance... continue to pay their children's insurance. This gives them the ability to keep them on their policy, if in fact, they are in school. So, I would ask that you would look at this as something good for our young people, because our job as Legislators are to support the young folks and give them every opportunity that we can give them to make sure that they're able to compete in this society. We know it's not easy out here, so you need every opportunity you can to be able to get out here in this vicious circle and be able to compete for the jobs that are out here. So, again, I appreciate the spirited debate and I would ask for an 'aye' vote as it relates to the acceptance of the Governor's Amendatory language. Thank you."

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

282nd Legislative Day

8/13/2008

Speaker Madigan: "Mr. Jefferson moves to accept the Governor's specific recommendations for change, relative to House Bill 5285. The question is, 'Shall the House accept the Governor's specific recommendations for change as to House Bill 5285?' This Motion requires 60 votes. Those in favor vote 'yes'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 70 'ayes', and 21 'noes'. Mr. Sacia, do you persist in your request for a verification? The Gentleman withdraws his request. The Motion, having received the required vote prevails, and the House accepts the Governor's specific recommendations for change. House Bill 4201, Representative Sommer. Mr. Sommer."

Sommer: "Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Sommer, one second, please. Mr. Clerk, Rules Report."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on August 13, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendatory Veto Motion and Motion 'recommends be adopted' to accept the Amendatory Veto on House Bill 4201."

Speaker Madigan: "This matter is on the Order of Supplemental Calendar #1. The Chair recognizes Mr. Sommer."

Sommer: "Thank you, Mr. Speaker. First of all, let me tell the Body that the original legislation was a simple TIF

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

282nd Legislative Day

8/13/2008

extension for the Village of Downs. The Governor, through his Amendatory Veto, has, as I'm sure you all know, has extended a tax exemption on real property to disabled veterans who have a 50 percent disability service oriented or greater. Though there's no means test in the Governor's message, I have to tell you that the disabled veterans I know don't have much. They live simply. They're the people that call our offices and call around our communities begging for rides to veterans' facilities throughout our state. They have served and they've suffered and they continue to do so. Hopefully, this Amendment will allow our veterans to... many of our disabled veterans to remain in their homes, to enjoy their independence and to fully enjoy those freedoms they so hard fought for."

Speaker Madigan: "The Gentleman moves to accept the Governor's specific recommendations for change. The Chair recognizes Mr. Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, again, echoing my comments on the previous Motion. You know, the situation that we're in right now is not through your doing. If you could refresh the recollection of the Body, the underlying Bill was a extension of the life of a TIF district, correct?"

Sommer: "That's correct."

Fritchey: "Without generalizing, you and your colleagues, though, on that side of the aisle, have taken what I think is an appropriately limited view of the Governor's ability

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

282nd Legislative Day

8/13/2008

and wherewithal to use Amendatory Veto powers. Ironically, about eight (8) months ago I actually filed a Constitutional Amendment that would remove his ability to use the Amendatory Veto, because of the way that he's wielded it in the past and now presently, as well. Can you tell me your understanding on how the Governor's modification of your legislation is in anyway related to your underlying Bill?"

Sommer: "I can just say that the original Bill affected taxes assessed within a community and the amended version also speaks to property taxes."

Fritchey: "Well, I would submit that the test for whether or not something is germane is a different one than whether it's a proper use of Amendatory Veto authority. I don't think this passes under either one of those tests and I won't put you on the spot, but I'd be hard-pressed to believe that you do either. Whenever we give an exemption for property taxes to any group, no matter how qualified or how sympathetic we may be to that group, property taxes are a zero sum game. So, we are, in effect, raising the property taxes for other people within that taxing district. Is that correct?"

Sommer: "Well, I think it may differ, depending on whether or not there are tax caps in a taxing area or not. There may be several answers to that question."

Fritchey: "Well, but in this situation if there's a tax levy and you now have an expanded category of individuals that are exempted from the tax, that levy gets made up from the remaining individuals."

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

282nd Legislative Day

8/13/2008

Sommer: "I'm sorry. I didn't hear... I didn't hear the extent of your question."

Fritchey: "Let me rephrase it. A tax exemption for this one group results in a tax increase on those not in that group, correct?"

Sommer: "The tax liability will be assumed somewhere, I'm sure."

Fritchey: "Oh, it... it gets spread out around... among everybody else. And it may well be understandable. It's obviously been deemed to be politically desirable and from a media standpoint for the Governor, to try to find a way to help the men and women that deserve anything we can do for them, but to do it through this mechanism and to put us in this position, to take what was an extension of a TIF district for a specific community and now somehow transform that into an up or down vote... You know, some of your colleagues earlier talked about the process. They talked about Bills going through committee or not going through committee. This would have been a controversial piece of legislation on its own, yet, it has never been vetted by committee other than Rules Committee on the underlying Motion and here we are being forced to vote on this. I... I think... I cannot say that either a 'yes' or a 'no' vote is appropriate on this, maybe a 'present' vote. But the fact that legislation that you tried to pursue gets mired and held hostage in a way, through no actions of your own, is a troubling one. I can't see how this Bill, should it be challenged, I don't know that it would be challenged, but I cannot understand how based on past court rulings that this

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

282nd Legislative Day

8/13/2008

Amendatory Veto action can possibly stand a court test. Representative, again, it's not your doing, but Ladies and Gentlemen, this is a bad precedent that we're setting for ourselves, both procedurally as well as the notion of the underlying Motion. Excuse me?"

Sommer: "I understand and the..."

Fritchey: "And I made the same comments about the last Bill, Representative. I... I think that Motion was a questionable one, as well. Anyway, thank you for hearing me out."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. A question of the Sponsor."

Speaker Madigan: "Sponsor yields."

Mautino: "Keith, can I... if we're... in looking at the Bill itself, the current qualifying veteran receives a reduction of twenty-five hundred (\$2500) or five thousand dollars (\$5,000) on his home's EAV. And I... this would move the... move the numbers in the amounts of the exemptions up to a million dollars (\$1,000,000)."

Sommer: "Well..."

Mautino: "Do you know based..."

Sommer: "...from my understanding, that... that is the correct interpretation."

Mautino: "Will that impact the... Right now we have an exemption, just went into place, for the veterans and it's under tax year 2007. And will that be available for... is that going to make any change to those tax years now that they're currently or will be filing for 2007, do you know?"

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

282nd Legislative Day

8/13/2008

Sommer: "The time frame I really can't speak to, Representative, when this might kick in. There's a process that, I think, county government has to go through in offering this to our disabled veterans. So, I must admit I'm not sure when this will kick in."

Mautino: "So, if we're looking at basically the property tax on a house with a value of three million dollars (\$3,000,000) or excuse me, a tax bill liability of a million dollars (\$1,000,000) that would be exempted, everything underneath that. Is there a possibility that the bill can be reduced below zero under this, 'cause I don't see it within the language?"

Sommer: "I don't follow you..."

Mautino: "Does Frank know?"

Sommer: "...I don't follow your question there."

Mautino: "Is there a possibility that the... the veteran's liability can be reduced for property tax bills to less than zero?"

Sommer: "I'm advised that a liability can be reduced to zero, but never less than zero."

Mautino: "Well, it's... the Bill was kind of silent on that and I appreciate... Frank, he's pretty well an expert on these areas. So, I appreciate that help. So, under the... under the structure here, what are we looking at as... as potentially, how many veterans will qualify with the 50 percent disability? Currently, it's... it's those with 100 percent disability or 75 percent above, get a five thousand dollar (\$5,000) exemption under the Bills that were just passed."

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

282nd Legislative Day

8/13/2008

Sommer: "According to statements from the Governor's Office, the information they provided was, I believe, the range of sixteen thousand (16,000) veterans... disabled veterans would benefit from this."

Mautino: "And would they receive the homestead exemption, similar to senior citizens and those of modest means that they receive now, or would be a complete abatement of taxes up to a million dollars (\$1,000,000)?"

Sommer: "Well, they would be eligible for all these other exemptions, but they could not use them because this would... this total exemption would..."

Mautino: "It zeroes out the tax bill."

Sommer: "...take their... zero out their liability."

Mautino: "Okay. Do you have an idea on what the impact would... this carries no state impact, but it would carry a local government, school hits, and a change within the structure of their... their tax collection. Do you know what it's going to be?"

Sommer: "Without having gone through a long discussion or hearings on it, information I have received is that we're talking maybe thirty-five to forty million dollars (\$35,000,000 to \$40,000,000)."

Mautino: "So, forty million dollars (\$40,000,000) local... would be the local impact?"

Sommer: "Local government, that's correct."

Mautino: "Okay. Thank you."

Speaker Madigan: "Representative Gordon."

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

Speaker Madigan: "Sponsor yields."

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

282nd Legislative Day

8/13/2008

Gordon: "Representative Sommer, I see that the exemption is also expanded to cooperatives and life care facilities. Is that correct?"

Sommer: "I don't... Well, it does... it does include multifamily housing in which one of these qualified members occupies a unit, so it does apply to that type of property..."

Gordon: "Okay. So..."

Sommer: "...but only the pro rata share."

Gordon: "Okay. And then is that included in the sixteen thousand (16,000) number that you just gave to Representative Mautino?"

Sommer: "Yes."

Gordon: "I'm sorry. Did you say yes?"

Sommer: "Yes."

Gordon: "Okay. And then I guess... we just voted recently to raise the exemption... we talked about that... between twenty-five hundred to five thousand dollars (\$2500 to \$5,000) depending on the level of disability for a tax year of 2007. Is that right?"

Sommer: "That is correct."

Gordon: "Okay. And so, does this... does the exemption that we currently have for tax year 2007, will that remain available for qualifying veterans in the taxable year 2007 or does this kick in, 'cause... it's very unclear. The message is unclear, the language is unclear. So, do we know what we have right now?"

Sommer: "I'm advised that this Amendatory Veto would wipe out that previous action which would allow those other exemptions."

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

282nd Legislative Day

8/13/2008

Gordon: "What... And does it say that in there somewhere?"

Sommer: "It specifically says so."

Gordon: "Okay. And then, with the thirty-five to forty million dollars (\$35,000,000 to \$40,000,000), I know you said you don't have a breakdown specifically around the state of where that money's going to be missed, but obviously, our local municipalities, our schools, our... everyone is going to say, well, where's this money going to be made up? Has there been any indication from the administration where that local money for our schools, for our townships, for our libraries is going to come from the... to be made up? And like I said, our disabled veterans, you know, deserve every break they can possibly get. They've put their lives on the line, but... but where this loss of revenue's going to come from? Has there been an answer from the Governor's Office on that?"

Sommer: "Just in very brief answers. I have not heard any statement from the Governor's Office regarding how local government can address this shortfall."

Gordon: "Is that no, then? Does that... Does that mean no?"

Sommer: "Well, I have not heard of any statements from the Governor's Office."

Gordon: "Okay. Thank you, Representative. Thank you."

Speaker Madigan: "Representative Monique Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, M.: "Representative, currently disabled veterans get what, in reference to property tax reductions?"

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

282nd Legislative Day

8/13/2008

Sommer: "Through legislation we recently passed, I believe it was the last General Assembly or last year, of those who are 75 percent disabled get a five thousand dollar (\$5,000) exemption; those who are 25 percent or greater through 74 percent get a... an exemption of twenty-five hundred (2500)."

Davis, M.: "And if we have a disabled veteran who is a nonproperty owner, what does he get?"

Sommer: "Their... This Bill... this Amendment does nothing to address that, nor does the previous legislation we passed providing those exemptions. It does not address the nonproperty owner."

Davis, M.: "Do you think that's fair? You know what, I mean. You could be..."

Sommer: "A personal comment, if we're talk..."

Davis, M.: "...you know, you could be a veteran with three (3) or four (4) children and you really..."

Sommer: "Well, I..."

Davis, M.: "...you can't even maybe afford to buy and then here are people who already own property are getting another break and you're not getting anything. Is that fair?"

Sommer: "Representative, I understand what you're saying. Not all disabled veterans own their own property, many do not. What we're being offered here is addressing those who do. Perhaps we can jointly urge the Governor to address those who are in situations where they rent and do not own their property."

Davis, M.: "What about a disabled veteran who's in, say, a home that takes care of disabled people, do they get any reduction in anything?"

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

282nd Legislative Day

8/13/2008

Sommer: "Under this proposal, the Governor... the exemption would continue if a spouse remains in the home."

Davis, M.: "And you do accept the Governor's added language to your legislation."

Sommer: "I have accepted it. As we've had previous discussion here this evening, I think we would have benefitted by a more thorough discussion in our own legislative process, but this is what's offered to us today and in this short time frame. So, that's what I'm recommending."

Davis, M.: "Have you heard from any of the mayors from local governments who will lose?"

Sommer: "I have heard from one mayor, the mayor of the Village of Downs whose legislation was affected by the Amendment."

Davis, M.: "And what did he say?"

Sommer: "Well, he wants his legislation to pass, obviously. He has a..."

Davis, M.: "But he's the only mayor you've heard from?"

Sommer: "...he has a sewer project he wants to get done."

Davis, M.: "Do you know in which areas perhaps the majority of disabled veterans may reside?"

Sommer: "Well, disabled veterans are all over the state. I've not seen a breakdown of where they live, what districts they live in, what counties they live in. Maybe that's something that the Governor's Office can provide us."

Davis, M.: "To the Bill, Mr. Speaker. I do believe that disabled veterans deserve a property tax break, but I also think that those who are unable to purchase property or who perhaps have recently lost their property, they also deserve some consideration. It appears that we are

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

282nd Legislative Day

8/13/2008

discriminating and being given favoritism to those who own property, with very little regard for those who are unable to perhaps buy property, who are unable perhaps to pay rent in a place they would like to live. So, we're giving something to people perhaps who have more than those who are also disabled but they just don't happen to own property. We certainly cannot vote against the veterans, but we should give strong consideration to pieces of legislation where words are tacked on and a great deal of unfairness, let's say, is happening to a group of people. And I'm speaking for those veterans who are renting, who are staying in one-room apartments, and cannot afford anything better. Thank you."

Speaker Madigan: "The last speaker will be Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, I want to make sure on a couple of things related to the levy process and what would happen if this reduction took place regarding money for schools. Really, if the school district is not capped, it's in a county that's not capped, the levy that the school district makes will likely be the same that they would have made and it simply would cost other taxpayers to make up for the amount in the reduction for the disabled veterans. Is that..."

Sommer: "That's correct."

Eddy: "It's basically. So, the loss in money to school districts could come if a county is capped. In capped counties, they wouldn't be able to recover that because the

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

282nd Legislative Day

8/13/2008

cap would limit their ability to spread the remaining levy liability among the remaining taxpayers."

Sommer: "I've been advised they cannot recover that immediately, but over a several-year period that can be done or try to be done."

Eddy: "You can try if there's enough money there to do that and that that... they can try to do it over a several-year period, but that's the loss. That's really the amount. And again, I just want to make sure folks understand that that loss and what it does in the shift to other taxpayers. If they're capped counties, school districts could lose a significant amount of money. If they're not capped, other taxpayers will pay for it. Thank you."

Speaker Madigan: "Mr. Sommer to close."

Sommer: "What'd he say?"

Speaker Madigan: "To close."

Sommer: "This is an opportunity to thank the disabled veteran. You know, quite often we're reminded we don't thank our veterans enough. Through this measure we can, in more than one way, thank them for their service to our country. And I'd appreciate your 'aye' vote."

Speaker Madigan: "Representative Sommer moves to accept the Governor's specific recommendations for change as to House Bill 4201. The question is, 'Shall the House accept the Governor's specific recommendations for change as to House Bill 4201?' This Motion requires 71 votes. Those in favor vote 'yes'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 78 people voting

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

282nd Legislative Day

8/13/2008

'yes', 12 people voting 'no'. This Motion, having received the required vote prevails, and the House accepts the Governor's specific recommendations for change. On the Order of Total Vetoes, there appears House Bill 4189, Mr. Pritchard. Mr. Pritchard."

Pritchard: "Yes. Mr. Speaker, I would ask that this Body override the Governor's Veto on 4189. And if you want me to proceed with some justification for that request, would that be in order?"

Speaker Madigan: "You might just briefly explain what the Bill does."

Pritchard: "House Bill 4189 deals with clarifying the fact that community colleges are units of local government rather than part of the state agencies. Everywhere else in our state codes we list community colleges as units of local government, but in the particular section dealing with our Ethics Act the writers of that Act in a form of shortcut simply listed community colleges as a part of the public universities and they could have enumerated all of the public universities, but they chose to just list public universities or public colleges. So, there is some discrepancy and the question came before our Attorney General and she noted this discrepancy and the need for clarity. And in essence, in her giving her ruling, calling the community colleges state agencies, she was calling on this Body to clarify the Act. That's what this Act does, 4189 clarifies that they're units of local government. Our Ethics Act has two (2) sections: one deals with state agencies, the other deals with units of local government.

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

282nd Legislative Day

8/13/2008

So, we're simply clarifying that community colleges are part of the local government section, not the state section. It does not remove them from the Ethics Act. There are still very strong requirements that they have to comply by and in fact, they have requirements that their boards of trustees set rules of ethical conduct and they are also reviewed in the recertification process by the regional university groups that they have to be ethical and that there isn't any misappropriation of funds. So, this simply clarifies our law and I would ask that you would support an override and implement this Bill."

Speaker Madigan: "Mr. Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, if you would, just quickly clarify for everybody. The underlying Bill would have exempted community colleges out of the Ethics Act."

Pritchard: "It does not exempt them from the Ethics Acts, no. It clarifies that they are under the local government section rather than the State Government section."

Fritchey: "The effect of the Veto would do what as a practical matter?"

Pritchard: "The effect of the Veto would be to put them under the state section. So, this... the ethics compliance would be the only area in state statute that calls community colleges a state agency and it would raise questions about other areas of community college operation. So, to clarify the situation we propose that we are consistent and call them a unit of local government."

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

282nd Legislative Day

8/13/2008

Fritchey: "Mr. Speaker, I don't want to take up the Body's time. Thank you."

Speaker Madigan: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. And it's been a while since we dealt with this and I obviously haven't had a chance to check back with the community colleges about the import of this, but I believe that the Sponsor is correct in indicating that this is a clarification. And it isn't just about where this... where the community colleges fall within the Ethics Act, whether it's under the state agency provisions or the local units of local government provision. By raising the question as to whether community colleges are state agen... are considered state agencies, there's a whole bunch of other ramifications that might occur as a result of that. And I think that those are... those are problems that this Body does not intend. So, I would urge your support for the override."

Speaker Madigan: "Mr. Pritchard to close."

Pritchard: "We passed this on a 91 to 11 vote the first time. The Senate voted 58 to 0. It is a good Bill and I know it's been some time since you have thought about this issue and perhaps talked to your community colleges, but I would simply ask you to ratify your earlier vote and to vote to override."

Speaker Madigan: "Representative Pritchard moves that House Bill 4189 do pass, notwithstanding the Veto of the Governor. The question is, 'Shall House Bill 4189 do pass, notwithstanding the Veto of the Governor?' This Motion

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

282nd Legislative Day

8/13/2008

requires 71 votes. All those in favor vote 'yes'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 78 people voting 'yes', 12 people voting 'no'. This Motion, having received the required Three-fifths Majority, prevails and House Bill 4189 is declared passed, notwithstanding the Veto of the Governor. On the Order of Senate Bills-Second Reading, there appears Senate Bill 1480, Mr. Hannig. 1460. Senate Bill 1460, Mr. Hannig. Mr. Clerk, what is the status of Senate Bill 1460?"

Clerk Mahoney: "Senate Bill 1460, a Bill for an Act concerning finance has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Turner, has been approved for consideration."

Speaker Madigan: "Mr. Turner on the Amendment. Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker. I just ask that the Amendment be adopted and then debate it on Third Reading."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 1460, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hannig."

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

282nd Legislative Day

8/13/2008

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. The Governor actually called us down here today to deal with the issue of capital and this Bill would deal with the federal earmarks and that part of the capital Bill that we have debated. Now, this Bill would... would provide for an additional two hundred and forty million dollars (\$240,000,000) of bonding authority from the Road Fund for the purposes of matching the federal earmarks that are now known and that our Congressional delegation has worked so hard to provide. It would also recognize the traditional match that has existed with mass transit and it would authorize an additional one hundred and twenty million dollars (\$120,000,000) from GRF for those purposes. So, for those of you who feel that it's important that we try to proceed and move forward with funding the federal earmarks, even as we continue to debate, discuss and try to craft a capital Bill, I would suggest that this is something that we could do today, that we could move forward with today. And while I would be the first to say that this is not the total solution, this is simply a beginning. I think it's a good beginning and it's something that we need to do that... do today. And so, I would ask for your 'yes' vote."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Yes. Thank you, Speaker, Ladies and Gentlemen of the House. I would just like to briefly express my opposition to the Bill. I understand and I respect the Sponsor's intent in an attempt to not lose federal money, but unfortunately, the way this legislation is drafted it

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

282nd Legislative Day

8/13/2008

provides an appropriation for matching funds that have been earmarked for specific projects. That's all this does. And what it doesn't do is it doesn't fund the entire project, so what our director or Secretary of Transportation indicates to me is by not funding the entire projects we're not going to be accessing the federal funds. So, what we're talking about the ear... when their earmarked amount, let's just say, it's a hundred million dollar (\$100,000,000) project. Well, our Congressional delegation, although they work very hard, they may only provide like ten million dollars (\$10,000,000) for a hundred million dollar (\$100,000,000) project. That would mean that this earmark would provide two million dollars (\$2,000,000) or 20 percent. That would still make us significantly, significantly short on many of these projects. There's projects that... such as the new Mississippi River bridge, U.S. 45-Milbourne overpass, construct and expand northwestern Illinois U.S. Route 20, 29, Yorkville, others that and we won't be providing for a Bloomington-Normal eastside highway corridor because we're not providing for the entire capital Bill or the entire amount. If you don't provide for the entire amount, it's my understanding you won't access the federal money anyway. The Federal Government makes you show that you're going to do the project. If you're not showing you're going to do the project, you're not going to fund the project, this doesn't provide enough money to do it. I respect the intent, but it doesn't do it. The Speaker indicated today in some of the comments that he made that he's interested

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

282nd Legislative Day

8/13/2008

in looking at a lease of the lottery. A lease of the lottery, many of us have indicated, could be used for a capital program. I think we should be debating the bigger Bill, a Bill that passed the Senate and this is just a half measure that really isn't going to do anything and we're going to be sending out press releases and we're not going to be accessing the federal money that we want to access. So, I'm going to be voting 'no' as a result of it."

Speaker Madigan: "Mr. Winters."

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

Speaker Madigan: "Sponsor yields."

Winters: "Representative Hannig, following the last comments, do you have a detailed list of the federal programs in front of us that would show what you're trying to match? That's been one of the complaints of the capital program brought forward to date."

Hannig: "Well, Representative, I think we know what the federal earmarks are. So, we can add those up."

Winters: "And do we... do we cover all of the earmarks?"

Hannig: "Yes. In this..."

Winters: "Okay."

Hannig: "...in this bonding authority, we would."

Winters: "Now, is it true that the Federal Government will set aside this money and that's my understanding after talking to the TIPIK folks that they actually almost set up a lockbox and set the money aside to be drawn down, but you cannot actually spend the federal money until the project, the specific road project that is, has the federal earmark, has all of the funding. In other words, they don't let you

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

282nd Legislative Day

8/13/2008

go ahead and spend the money for land acquisition for engineering if there is no foreseeable paying for the rest of that project. Is that a fair..."

Hannig: "Well, Rep..."

Winters: "...way to characterize?"

Hannig: "Representative, the way I look at it is what we're trying to do is, number one, show good faith to the citizens of the state, but also to our Congressional delegation that we're making the best effort that we can to try to earmark... I'm sorry... to match the earmarks that they've already provided. Now, I'm not aware that we've ever lost an earmark and we certainly don't want to begin doing that, but for some of these big projects, for example, as I'm sure you're aware, you have to do a feasibility study, you know, you have to do some engineering, there may be some land acquisition and by simply providing this amount of bonding I think that especially in those early phases we can begin..."

Winters: "Well..."

Hannig: "...doing those projects. Now, I'm... I agree with what Representative Hoffman said earlier. I'd like to see the bigger proposal passed, but I think in the short run, today, we can pass this Bill."

Winters: "Well, I think you're holding out false hope to the Illinois public when you pass a Bill that is supposedly to pull down the federal earmarks, which everybody knows is to go to specific projects and yet, we don't have the funding to do the project. Yes, we may be able to buy some land; we might be able to do engineering, but that is not putting

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

282nd Legislative Day

8/13/2008

concrete on the ground and it's not putting rebar in place; it's not adding capacity one square foot of concrete is going to be poured under this proposal, because we don't have the funding for any of these projects."

Hannig: "But you couldn't do it... I mean, you have to move forward even if we pass the big Bill. You still have to move through these phases before you can get to pouring concrete. At least this begins the process of moving through the phases and it shows our Congressional delegation that we intend to do this, that we're looking for ever method possible to do it. And I'm... and I agree that in the end, if we can work out this program with the sale of the lottery, that will solve the problem, but I think this is a good way that we can begin to show some good faith, some unity, and some opportunity to work together by passing this."

Winters: "I will repeat that this is offering false hope to the Illinois public. We do not have a capital program in place that will actually get us any roads, any mass transit, any school construction. All this does is some planning work and it may be the planning work that was done in 1965 in Rockford, where the state went out, I believe they had a federal earmark, they bought the land and it's never been built on. We have about ten (10) miles of a state highway that has the right-of-way set aside for a four-lane highway; it's still a two-lane highway; it's cracking up. That was forty-odd years ago and we never managed to finish the project. Suspending some federal earmarks for planning and land acquisition gets you no place. We need the larger

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

282nd Legislative Day

8/13/2008

capital plan to put people to work; this Bill does not put people to work. It does a little bit of land acquisition; that's not people working. The engineering is IDOT engineers doing the work and they already have a job. It does not help the state economy in one iota. This is a Bill that is reaching too far for itself. It is not going to help the Illinois public. Thank you."

Unknown: "Thank you."

Speaker Madigan: "Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hamos: "Well, Mr. Hannig, so in the first paragraph you have increased our bonding authority by three billion dollars (\$3,000,000,000). Is that right?"

Hannig: "This proposal would increase it by two hundred and forty million (240,000,000) by GRF and one twenty (120,000,000) for..."

Hamos: "Well, I'm looking..."

Hannig: "Yeah. So, two forty (240,000,000) and one twenty (120,000,000). So, three sixty (360,000,000) would be the total, Representative."

Hamos: "Well, I'm looking at the very first paragraph, Section 2, authorization for bonds. And okay, I haven't exactly... I'm trying to do this..."

Hannig: "The increase is three hundred and sixty million (360,000,000)."

Hamos: "Okay. So, where'd... Okay. So, where did you get the numbers for the specific increases?"

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

282nd Legislative Day

8/13/2008

Hannig: "Well, Representative, we know what the federal earmarks are so we can add them up and then we know what percentage the match is so we can do a calculation. And so, we took that amount from the appropriation hearings that we gathered and we put a little bit... little bit extra in because sometimes these things run a bit high and rounded it off. And so we have two hundred and forty million dollars (\$240,000,000), what we need on the road side and we know that there's a match that generally works with the mass transit side of 2 to 1, so we put the one twenty (120,000,000) in on the mass transit."

Hamos: "And where is the money coming from?"

Hannig: "Well, this would be from the general obligation bonds. We would authorize the State of Illinois to sell bonds in the amount of three hundred and sixty million (360,000,000)."

Hamos: "And do we have the revenues to support that right now?"

Hannig: "What we've had, Representative, is we hear... you've heard the complaint that we haven't had a bond program authorization for what, nine (9) years, but for nine (9) years we've been paying off bonds. We've been reducing the amount of obligations that we have outstanding. And so, there is some room that's out there that we can bond simply with our existing revenue stream. If we're going to do a huge bonding authority of twenty-five (25,000,000,000) or thirty-four billion (34,000,000,000), yes, we need new revenues, but for this I think we can do it with existing revenues."

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

282nd Legislative Day

8/13/2008

Hamos: "And so, does this make the earmarked proj... the federally earmarked projects first in a queue for a capital plan?"

Hannig: "Well, Representative, we're trying to... we're trying to address the complaint that this federal dollar... that these federal dollars are on the table, that our delegation in Washington has worked so hard to get them and we need to provide the match so that we can show here in Illinois that we're doing everything that we can to make those projects happen. Now, no one's suggesting that if we pass this Bill and if this becomes law that that's where we end. I think that we would all say that there other needs out there that need to be addressed. We would all say that we need to do a capital Bill that would deal with our... our school construction, that would deal with higher education, that would deal with some of the other issues beyond roads and I would say, let's continue to try to do that. But in the short run, we're here today, we don't know when we'll come back. Let's try to show some good will; let's try to show some ability to work together, and let's try to show that we can address at least some of these items that are on the table and let's begin, let's begin, to do something in capital and let's pass the Bill."

Hamos: "Well, I think that, you know, we're trying to understand this because obviously none of us had... have had even 5 minutes to digest this. I'm trying to listen to the comments from some of the other speakers and I think one concern is that it does hold out a false hope, but I think the second concern, that I would state, is that it takes

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

282nd Legislative Day

8/13/2008

the complete pressure off of us to do anything that's more substantive, that's larger, that really does take the needs of the... the entire state in mind. I think that the federal earmarks are just one part of the whole problem, but actually if you look at the federal earmark, I don't even think we would agree that we should fund those as our top priority items just because they're federal earmarked. So, I think that if we pass this now, I don't know it's... you're saying it shows good will and I'm saying that it allows us to say to, you know, the unions and to the Congressional delegation and to others that we've done a capital Bill. What's to prevent you and the Leadership from saying that?"

Hannig: "Well, Representative, I mean, I'm saying that we know we're here today. We have a chance to vote on this Bill. The Governor may call a Special Session next week or the week after, but I don't know that. I don't know when we'll have another chance to do something on the bigger issue, but this is a Bill that we had in committee earlier. It came out of committee on a unanimous vote and I think it's a good faith effort to try to at least access those federal dollars that are on the table. And I would... and I think all of us would say, yes, we do need to go beyond that, but this is a start."

Hamos: "Well, I think... I... let me just make one other... state one other concern that I would have. You were the chief negotiator for a budget this year that passed two billion dollars (\$2,000,000,000) out of balance is my memory and we have no problem somehow in voting for that kind of budget without adding any new revenues to the budget picture. And

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

282nd Legislative Day

8/13/2008

here we are again with a capital plan that pretends and it somehow keeps open, keeps alive the fiction that we don't need new revenues to support capital projects. I mean, if we could have done this piecemeal like this, with little amounts, I'm not sure why we went through all the... sort of the anxiety of trying to even do this with a capital earmarks, but it does raise the same kind of issue that we had just a few months ago in passing a budget that we can't really sustain, that we can't really support and I'm not sure where all of a sudden this money's come from. You're saying, well, we sell bonds, it's there and I don't know... it's hard to really understand that when we were just told that... the same problem that we could aff... the Governor somehow is going to find new revenues with the budget, too, and obviously, that didn't happen."

Hannig: "Is that a question?"

Hamos: "Yes. Where are the new revenues, I think is my question?"

Hannig: "Well, Representative..."

Hamos: "And you're saying we don't need new revenues and I'm trying to really put my arms around that because it sounds great..."

Hannig: "So, the point I'm... the point I'm trying to make, Representative, is..."

Hamos: "...and that's the easiest way to pass a Bill down here. You know, let's spend and not raise any revenues, but is that real?"

Hannig: "So, Representative, first of all, the debt service maxes out... the debt service maxes out in about year fifteen

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

282nd Legislative Day

8/13/2008

(15) at twenty million dollars (\$20,000,000) in the Road Fund and I think ten million dollars (\$10,000,000) in GRF. So, you're looking at a thirty million dollar (\$30,000,000) max to... to those funds. So, we're not talking about a lot of money to sustain this and that's my point is that each year we've been paying off bonds, we just simply haven't been issuing any new ones and this would take into that account. Now, even the Governor's plan would say that we ought to cash flow a significant number of projects in the early years. This does a much smaller effort, so I think no one... I think this is sustainable and certainly possible. We used to do these almost every year in small amounts."

Speaker Madigan: "The last speaker will be Mr. Mautino."

Mautino: "Thank you. Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Mautino: "On the Bill itself, the numbers that became... that were brought into the Bill itself, the three hundred and sixty million (360,000,000), is that the number that was given us by... in the November meeting that we had on capital down here, the Appropriation Committee, by..."

Hannig: "Yes."

Mautino: "...Mr. Sees?"

Hannig: "Yes, that's correct."

Mautino: "I believe the number was three hundred and forty million (340,000,000) and the question was, if things all went wrong and there couldn't be an agreement on the capital Bill, then what do you need to protect every federal earmark? And then the answer from Miss Rhodes and Mr. Sees was..."

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

282nd Legislative Day

8/13/2008

Hannig: "It was two forty (240) for the Road Fund, a little bit less, but two forty (240)."

Mautino: "Okay. I just wanted to make sure, because I've heard conflicting stories and when you go back and listen to the tape, it's kind of clear that the total cost would be the three forty (340), I believe, to cover all earmarks that were contemplated in this year and meet that 20 percent obligation and then from there, I believe, the Bill's three sixty (360)."

Hannig: "So..."

Mautino: "So, we've had some conflicting stories. I just wanted to find out where that number came from and I believe you're correct."

Speaker Madigan: "Mr. Hannig to close."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. We've had a lot of debate about capital now for a number of years and we've made some progress, but we certainly aren't there. Now, it seems to me that this is an opportunity for us to take a step in the right direction. We know what these earmarks are. The Department of Transportation has a record; we've calculated it. We know what... we know what our match is. We know that we can issue these bonds and that the debt service is small enough that it can be sustained with existing revenues. So, it seems to me that today that when we are supposed to gather and talk about capital that we ought to try to do something positive. We ought to try to do something we haven't done in this chamber for a long time; we ought to try to agree that we want to get the federal dollars that have been earmarked

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

282nd Legislative Day

8/13/2008

for Illinois and that we want to make sure that those dollars stay here in Illinois and are spent here in Illinois. This Bill is our best effort to do that. We want to go beyond that at a further time, but today, at this time, let's do something for capital. Let's move forward on capital and let's vote 'yes' and access this money. Vote 'yes'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Bill shall require 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 76 people voting 'yes', 11 people voting 'no'. This Bill, having received a Supermajority vote, is hereby declared passed. Mr. Cross."

Cross: "Inquiry of the Chair. Assuming for the moment that this passes both chambers and the Governor amendatorally vetoes this Bill and puts it in his capital Bill, what will be the ruling of the Chair with respect to whether or not he's exceeded his authority? May be a bit premature, but I'm just curious."

Speaker Madigan: "Mr. Cross, I know you're a very accomplished attorney and there was a rule in law school where courts don't render, what's the term, advisory opinions? Is that it?"

Cross: "Well, this, as we know, is not the court system, it's even better, it's the General Assembly. And anything's possible in this state now and it's just possible he takes

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

282nd Legislative Day

8/13/2008

this Bill and perhaps changes it. I withdraw the question."

Speaker Madigan: "I think that... I think that would be just too extreme for this Governor. On the Order of Second Reading... on the Order of Senate Bills-Second Reading, there appears Senate Bill 1116. Mr. Hannig. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1116, a Bill for an Act concerning appropriations has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Madigan: "Mr. Hannig on the Amendment."

Hannig: "This simply appropriates the money. I'd ask that we adopt the Amendment."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 1116, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. This is actually the easy side of the eques... of the equation. We just passed a capital Bill that authorize three hundred and sixty million dollars (\$360,000,000) and

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

282nd Legislative Day

8/13/2008

this appropriates the money so the projects can... so the money can be spent and the projects can be built. So, I'd ask for your 'yes' vote."

Speaker Madigan: "You've all heard the Gentleman's Motion. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? McCarthy. The Clerk shall take the record. On this question, there are 78 people voting 'yes', 9 people voting 'no'. This Bill, having received a Supermajority vote, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1438, offered by Representative Krause. House Resolution 1439, offered by Representative Cole. House Resolution 1440, offered by Representative Cole. House Resolution 1441, offered by Representative John Bradley. House Resolution 1442, offered by Representative Miller. House Resolution 1444, offered by Representative John Bradley. House Resolution 1445, offered by Representative Bill Mitchell. House Resolution 1446, offered by Representative Crespo. House Resolution 1448, offered by Representative Howard. House Resolution 1449, offered by Representative Granberg. House Resolution 1450, offered by Representative D'Amico. House Resolution 1451, offered by Representative D'Amico. House Resolution 1452, offered by Representative D'Amico. House Resolution 1453, offered by Representative D'Amico. House Resolution 1454, offered by Representative D'Amico. House Resolution 1455, offered by Representative Phelps. House Resolution 1456, offered by

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

282nd Legislative Day

8/13/2008

Representative D'Amico. House Resolution 1457, offered by Representative Granberg. House Resolution 1458, offered by Representative Flider. House Resolution 1459, offered by Representative Chapa LaVia. House Resolution 1460, offered by Representative Kosel. House Resolution 1461, offered by Representative Rose. House Resolution 1462, offered by Representative Sullivan. House Resolution 1463, offered by Representative Biggins. House Resolution 1464, offered by Representative Turner. House Resolution 1467, offered by Representative Pihos. House Resolution 1468, offered by Representative Madigan. House Resolution 1469, offered by Representative Madigan. House Resolution 1470, offered by Representative Turner. House Resolution 1471, offered by Representative Biggins. And House Resolution 1472, offered by Representative Turner. And House Resolution 1473, offered by Representative Bill Mitchell."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. The Chair is prepared to adjourn. The Chair recognizes Mr. Hannig."

Hannig: "Thank you, Mr. Speaker. I move that we... I make a Motion to adjourn in accordance with Senate Joint Resolution 105 or the call of the Chair."

Speaker Madigan: "Before we proceed to that Motion, the Chair recognizes Representative Tracy."

Tracy: "Thank you, Mr. Speaker. I just wanted to let Mr. Mapes know that we have a mice infestation. You might want to

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

282nd Legislative Day

8/13/2008

check your drawers, everybody. They like my gum and breath mints really well, but they've been everywhere. So, just an FYI."

Speaker Madigan: "All right. Mr. Hannig's Motion is that the House stand adjourned pursuant to SJR105 or the call of the Chair. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House stands adjourned pursuant to SJR105 or the call of the Chair."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction of House Bills--First Reading. House Bill 6667, offered by Representative Fritchey, a Bill for an Act concerning criminal law. House Bill 6668, offered by Representative Miller, a Bill for an Act concerning appropriations. House Bill 6669, offered by Representative Froehlich, a Bill for an Act concerning local government. House Bill 6670, offered by Representative Hassert, a Bill for an Act concerning revenue. House Bill 6671, offered by Representative McAuliffe, a Bill for an Act concerning revenue. House Bill 6672, offered by Representative Black, a Bill for an Act concerning State Government. House Bill 6673, offered by Representative Reis, a Bill for an Act concerning revenue. House Bill 6674, offered by Representative Munson, a Bill for an Act concerning finance. House Bill 6675, offered by Representative Mulligan, a Bill for an Act concerning finance. House Bill 6676, offered by Representative Coladipietro, a Bill for an Act concerning finance. House Bill 6677, offered by Representative Reboletti, a Bill for an Act concerning criminal law. House Bill 6678, offered by Representative

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

282nd Legislative Day

8/13/2008

Hassert, a Bill for an Act concerning finance. House Bill 6679, offered by Representative Froehlich, a Bill for an Act concerning revenue. House Bill 6680, offered by Representative Froehlich, a Bill for an Act concerning revenue. House Bill 6681, offered by Representative Rose, a Bill for an Act concerning appropriations. House Bill 6682, offered by Representative Cross, a Bill for an Act concerning State Government, which may be referred to as Lilly's Law. House Bill 6683, offered by Representative Wait, a Bill for an Act concerning transportation, which may be referred to as Bachman's Law. House Bill 6684, offered by Representative Bill Mitchell, a Bill for an Act concerning local government. House Bill 6685, offered by Representative Poe, a Bill for an Act concerning business. House Bill 6686, offered by Representative Pritchard, a Bill for an Act concerning regulation. House Bill 6687, offered by Representative Bill Mitchell, a Bill for an Act concerning appropriations. House Bill 6688, offered by Representative Bill Mitchell, a Bill for an Act concerning State Government. House Bill 6689, offered by Representative Chapa LaVia, a Bill for an Act concerning regulation. And House Bill 6690, offered by Representative Chapa LaVia, a Bill for an Act concerning regulation. This has been the First Reading and introduction of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."