

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

8th Legislative Day

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Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee on Rules is Senate Joint Resolution 1, offered by Representative Madigan."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers. And we ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in today...in prayer today by Lee Crawford, the pastor of the Cathedral of Praise Christian Center in Springfield."

Pastor Crawford: "Let us pray. Most gracious and most kind God, You are the Creator of us all. It is from You from which all of our blessings doth flow. I pray, awesome God, this day that You will look up on us... this august Assembly that's been gathered and assembled here, I pray that with Your favor that You would direct us in all of our actions. I pray that You would grant to us vigilant hearts, that You would give us minds to know You. Grant us a diligence to seek You. Grant us wisdom to find You. I pray that You will sanctify and cleanse us with Your awesome presence. Bless us this day with Your great might, assist us with Your awesome counsel that this day all of our endeavors that they may begin with You, but throughout this day that they may end with You that we may rejoice in Your precious companionship. This we pray in Your Son's name, Amen."

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

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

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

Currie: "Thank you, Speaker. Please let... Please let the record show that there are no excused absences among House Democrats today."

Speaker Madigan: "Representative Currie. Representative Currie. Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker Madigan: "The Clerk shall take the record. On this question, there are 117 Members responding to the Attendance Roll Call. There is a quorum present. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, chairperson of the Committee on Rules to which the following legislative measures and or joint action motions were referred, action taken on February 5, 2009, reported the same back with the following recommendations: 'approved for floor consideration' is Senate Joint Resolution #1. Referred to the House Committee on Rules is House Resolution 47, offered by Representative Beiser. House Resolution 50, offered by Representative Miller. House Resolution 51, offered by Representative Mulligan. House Resolution 53, offered by Representative Jefferson. House Joint Resolution 6, offered by Representative Nekritz.

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House Joint Resolution 7, offered by Representative Stephens."

Speaker Madigan: "Mr. Dunkin."

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

Speaker Madigan: "State your point."

Dunkin: "Today marks the second day for our Session, at least, for Black History Month here in Springfield. And I'd like to share with you one of the great inventors of our time here in the 20th and 21st century where we're still benefiting. And so, I'd like to talk about today, Granville T. Woods, who was born in Columbus, Ohio on April, 23 in 1856, where he overcame hardships and hard work to become one of America's greatest inventors. With over 60 patents to his credit, Woods had an immeasurable impact on modern transportation. His patents range from the egg incubator and furnaces to the very elevated railroads that span Chicago's skyline. In addition to founding his own company, Woods sold many of his designs to fledgling companies that would later become American icons, such as AT&T, General Electric, and Westinghouse. Attending school in Columbus at the age of 10, Woods served as an apprentice in a machine shop and learned the trades of both the machinist and a blacksmith. During his youth, he also went to night school and took private lessons. In 1872, he obtained a job as a fireman and... on the Danville and Southern railroads in Missouri, eventually becoming an engineer. In 1874, Woods moved to Springfield, Illinois and working in a rolling mill. In 1878, he became an engineer aboard the Ironsides, a British steamer, and

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within two years became chief engineer of the steamer. By 1880, he had established his own storefront..."

Speaker Madigan: "Mr... Mr. Dunkin"

Dunkin: "...in Cincinnati, Ohio."

Speaker Madigan: "Let me get you some attention. Ladies and Gentlemen, would you please take your seats. Discontinue the conversations. Give your attention to Mr. Dunkin. Thank you."

Dunkin: "Mr. Granville T. Woods overcame hardship and hard work to become one of America's greatest inventors. His inventions included the incubator, furnaces, and airbrakes. Most importantly, he would become the father of the modern railroad. By the late nineteenth century, train accidents and collisions had become a great concern for railroads and the public. In 1887, Woods patented the Synchronous Multiplex Railway Telegraph, which allowed communication between the train stations and moving trains. Further, the invention made it possible for trains' locations to be tracked at all times. Countless accidents and collisions were prevented, thanks to Woods invention. And in 1888, Granville Woods developed and patented a system for overhead electric conducting lines for railroads, which aided in the development of the elevated railroad systems found in contemporary metropolitan cities such as Chicago and New York. In 1892, a complete electric railroad system opened in... at Coney Island, New York. The railway system had no exposed wires, secondary batteries, or slotted causeways, all previously necessary for electric railroads. Before his death on January 30, 1910, Granville T. Woods

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obtained great fame as an electrician, inventor, and a man. And between 1888 and 1907, he received over 60 patents for his inventions, greatly advancing the areas of communication and science. He will forever be remembered as an ingenious American and a prolific inventor. Thank you."

Speaker Madigan: "Ladies and Gentlemen, if we could have your attention again. Please take your seats. We have a very special guest today and if the staff could please retire to the rear of the chamber. Would the staff retire to the rear of the chamber. Will the Members please take their seats. We have a special guest and he is a personal friend of mine. Henry Bienen has served as the president of Northwestern University for several years. He is about ready to retire from the university and during his years at the university, why, great things have happened at Northwestern. Great things have happened for the State of Illinois in terms of capital investments at the university, improvement in teaching and technology, and the development of numerous scientific developments. And so I asked Henry to come here today to spend some time with us talking about his years at the university, in light of the fact that after a very successful tenure he's now prepared to leave the school, but not leave productive life. Is that correct Henry? Let me give you Henry Bienen."

Henry Bienen: "Thank you, thank you very much. Thank you. Appreciate it. Thank you. I thank Speaker Madigan very much for his kind and generous remarks. I'm honored to be here and as I look out I see many friends and people who

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have been devoted to Northwestern and who I have personally enjoyed being with and meeting over the years. I've appreciated working, over those years, with the Leadership of the General Assembly and I applaud the General Assembly for your partnership with institutions of higher education in our state. The institutions may be public or private, small or large, research institutions or not, they're all important to the people of the State of Illinois. The General Assembly has helped Northwestern University construct research buildings, strengthen clinical care, provide financial aid for students from Illinois. Northwestern in turn has strongly believed that we owe the people of Illinois our best efforts to educate our citizens, provide health care, create jobs through research and innovation. We've established new companies from our research, many of which have stayed here in Illinois. We've invented medical devices, found new pharmaceutical products to make citizens' lives better. Indeed, all of us here, together, hope to serve the people by making lives better in Illinois, that we all have in common. I thank you for your partnership with us, it's been my deep honor to serve, and I thank Speaker Madigan very much for his personal friendship and for asking me to be here today. Thank you, Mr. Speaker."

Speaker Madigan: "Henry's going to be available down in the well for those of you that wish to extend personal greetings. Here's your first customer, Representative Soto. On page 2 of the Calendar, on the Order of House

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Bills-Second Reading, there appears House Bill 308. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 308 has been read a second time, previously. Amendment #1 was adopted in committee."

Speaker Madigan: "Are there any other Amendments?"

Clerk Mahoney: "No other Amendments pending."

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

Clerk Mahoney: "House Bill 308, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Madigan: "Chair recognizes Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. In a normal year, in February, we'd be preparing for the Governor to present us with his budget address. But as we all know this is not a normal year. And so, this Bill would provide that Governor Quinn would have until March to present us with a state budget for this year only. Next year we would go back to the normal February date for the presentation of a state budget. So, that's what the Bill does. It also deletes some old language talking about the 2004 capital budget, it has an immediate effective date. I think it's only fair that we allow the new Governor a reasonable amount of time to present a budget to us. I'd be happy to ask... answer any questions and I'd ask for 'yes' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by 'no'. Have all

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voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bill-Second Reading, there appears House Bill 398. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 398, a Bill for an Act concerning government has been ready second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "House Bill 398, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. For our new Members there's a legislative agency called the Joint Committee on Administrative Rules. And the Purpose of JCAR, as we call it, is to review the rules that the Executive Branch has proposed and to insure that they're consistent with the statutes that we, in this House and in the Senate, have enacted. So, there's some dispute now between the Executive Branch and the Legislative Branch as to exactly what is the role of the Joint Committee on Administrative Rules. This Bill would make it clear that Executive Branch agencies have the power to make rules from the statutes, but also they have to be in compliance with and work with the Joint Committee on Administrative Rules. So, this would clarify and I think, codify forever, what

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the Joint Committee on Administrative Rules was intended to do. It was created during the Thompson administration, it's worked very well. It's a good check on the Executive Branch of government and I think that this Bill will help end the differences that exist today or at least in the past that existed between the Executive Branch and the Legislative Branch. So, I'd be happy to answer any questions and I'd ask for your 'yes' vote."

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

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

Speaker Madigan: "Sponsor yields."

Black: "Representative Hannig, we talked about this in committee yesterday, just very briefly, I didn't get a definitive answer. Has... and I have great respect for JCAR and particularly the director, Vicki Thomas, has... has Ms. Thomas had an opportunity to look at this Bill? And I would assume is either in support or... or I'm just concerned about her reaction to this Bill. It was my understanding that as of... of as... of yesterday afternoon she was not aware of this particular Bill and what was in it."

Hannig: "I... I think it is fair to say, Representative Black, that JCAR has not yet taken a position on this Bill. JCAR, though, is a Legislative Branch agency, we are the Legislative Branch. I think we have the authority to enact this law."

Black: "And... and I don't question that at all. But I think you would agree if it's to be implemented the way the Bill says it should be, obviously, Ms. Thomas and her staff are... are

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key to the implementation of the Bill. And I would just be... I think we'd be remiss if we hadn't at least... somebody hadn't at least asked her if this is imminently doable or create any problems for her or her staff or whatever."

Hannig: "Well, Representative, we're trying to get off to a new start with our new Governor and we're trying to settle, I think, what was an old difference that existed in the past. And we're also trying to... we're also trying to ensure that JCAR, as we know it, continues and has the power to check the Executive Branch of government in those small cases where we think they've gone beyond their scope. So, it's really up to us in the Legislative Branch and... and to us as Legislators to make this proposal. If JCAR wishes to weigh in, if that is the members of JCAR wish to weigh in, they certainly can do that if the Bill moves along. Remember, this is just a House Bill in the House."

Black: "Well... I... I... as always, Representative, I appreciate your answer. It gave me a chance to talk to our staff and I agree with you that we want to get off to a new start, but I would also think that we... that we would want to communicate more effectively with... with staff people. Ms. Thomas has done an excellent job and I think we should have at least had her at committee yesterday. The staff assures me that she has had an opportunity to look at it, thinks it's workable. But in starting this new process, again, and I know you try to do this as I do. Hopefully, we'll... we won't be in such a hurry that we forget to talk to staff people who play such an integral part in making anything

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that we do work. I rise in support of... of your legislation and I appreciate your answers."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Bill. Those of us who sit on JCAR know and those of us who were paying attention during the recent impeachment hearings are aware of the difficulties between the Executive Branch of government and the Legislative Branch of government, and nowhere is this more obvious than in JCAR. This agency exists as our link between the legislation we file and the Executive Branch of government. Gubernatorial excesses were an important part of the impeachment proceeding and it's perhaps the case that if this Bill were made law previously we wouldn't of had these issues. The separation of powers in our Constitution is an important part of our government. The establishment that the General Assembly as a coequal branch of government with the Governor is important. Therefore, this is a critical piece of legislation moving forward, particularly, as we have a new Governor so that we can establish right now at the beginning of the Session, with the new Governor, the guidelines under which JCAR will do its work and the guidelines under which the Executive Branch of government must work in its effort to create rules through state agencies to interpret the legislation that we pass. I, frankly, still think it's a good idea not to leave too much to rule. Many of us keep our legislation far too wide open leaving it far too open for interpretation by the Executive Branch. I would still recommend to all of you that you

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close up these loopholes and leave little to interpretation, but when we do leave these items open to interpretation, we've got to give JCAR the tools it needs. We have to keep the separation of powers uppermost in our mind and I would recommend 'aye' votes."

Speaker Madigan: "Mr. Reis. Ladies and Gentlemen, please give your attention to Mr. Reis. Mr. Reis."

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

Speaker Madigan: "He yields."

Reis: "Representative... just a couple brief questions on the makeup of JCAR. JCAR is a bipartisan commission where there's equal numbers of Members from both chambers and both Parties on it, correct?"

Hannig: "That's correct."

Reis: "And this... this legislation will shore that up to make JCAR's presence here in the Capitol much more laid out, much more spelled out and in fact, the last two words are 'is unauthorized'. So the supreme ruling of JCAR will be what it is. They will have final ruling, right?"

Hannig: "It... it reaffirms what we've always believed JCAR to be."

Reis: "And... and I think it's a... a great commission. I wanted to point out, though, that it is a bipartisan commission and we're putting a lot of trust and faith in JCAR to overrule some bad things that have happened in the past. And I just wanted to make it a point that it's... it's coequal and bipartisan and I rise in support of your Bill. Thank you."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "Sponsor yields."

Bost: "Representative, now, there is a case pending right now, is that true, in the courts?"

Hannig: "There... there's a court case pending."

Bost: "Ok, and basically, what... what are the arguments? And it is, was that being done by the former Governor? Or who was bringing that forward?"

Hannig: "The former... the former Governor filed a lawsuit and he argues in the courts that JCAR is advisory."

Bost: "Okay. All right. So this is basically to clear that up completely."

Hannig: "That's correct."

Bost: "And... and so kinda... I... and first off, let me tell you that I am supporting your Bill. I think it's a shame that we've had to go down this path where there was no question before by any statewide elected official or any Member of this chamber or the other chambers in all the years that JCAR has been in existence of what their importance is. But if we need to clarify it because of this one person... it's kind of like we also never had memorandums of understanding with... with any Governor before, but we'll continue down this path, you know, this is always given us an opportunity to set new things and go places we've never had to go before. So, thank you for the legislation, I do support it."

Speaker Madigan: "Representative Mulligan. Mulligan."

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

Speaker Madigan: "Sponsor yields."

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Mulligan: "Representative Hannig, would you give me what your vision then of JCAR would be after this Bill."

Hannig: "I'm sorry, could you repeat the question."

Mulligan: "Would you give me your thoughts on what you think will be left of JCAR after this Bill."

Hannig: "I think JCAR will be exactly as we've always seen JCAR. It will be a bipartisan commission that's created for the purposes of reviewing rules that are proposed Executive Branch agencies. In those few times where a extraordinary amount of JCAR Members feels that the state Executive Branch has exceeded the statutes that we've passed, they will have an opportunity to do the work that they're supposed to do, which is to suspend the rules and give all of us an opportunity to consider. So, I would say that this just reaffirms what JCAR is."

Mulligan: "All right. So JCAR meets year-round for the purpose of making rules of legislation that has been passed or under agencies where they need to change things like fees or other things that happen that you can't always do legislatively."

Hannig: "Right. So, JCAR reviews the rules. The Executive Branch has the power to propose a rule, but it isn't final until JCAR takes a look at it. Most cases, JCAR says everything is just fine, in a few cases a majority.. an extraordinary majority of JCAR members might say, no, that is beyond the scope of what the Legislature intended, and then and only then they can suspend the rule for a period of time."

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Mulligan: "Right, because basically what we're doing is we're carrying out what needs to be done to impact laws that we have passed here, previously."

Hannig: "Right."

Mulligan: "Part of what was happening, I think, is some of the Bills that we've passed, and I certainly argued against their passage to begin with, were left too open with not enough direction so that Governor felt that he could come in and wheel and deal and whatever he wanted. And my feeling was that was his intention to begin with and that's why it was passed with very little in it. So, I think we need to be cautious about what we're passing and I think if this gives us the authority to say, this is too broad, you have to take it back to the Legislature to narrow the scope before the agency can make the rules. Would this Bill make that so or more than what it currently is? Currently, if you pass a Bill such as... the first KidCare Bill was very specific and everything that Department of Public Aid could do with that time. And they did not like that when they came to pass All Kids. What they wanted was an open Bill that they could do anything or a Bill like they're negotiating the hospital tax, And... and they may get it done when we're not here in the General Assembly. So you're giving them latitude to come back to JCAR. Don't you think sometimes that latitude has been too broad and we should not have passed legislation in the form that it was passed? Because then it gives an opportunity for directors who are over enamored with their authority, let's put it, or Governors who think that they can do whatever they want

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around the Legislature, the ability to come in and try and make rules, where as if we had passed the legislation in a better form to begin with, they wouldn't have been able to do that."

Hannig: "Well, Representative, it's... it's up to us as Legislators and Sponsors of our own Bills to, I guess, decide how much latitude we want to give to an agency, but... but clearly in most cases as Members of the Legislature we're better served to give the agency less rules than to try to spell out the specifics. But we also recognize there is a need for agencies to make rules and that there is a flexibility that they need to have and they can do that through the rulemaking process. But this simply... JCAR has served very well, I think, as a check on the executive agencies to ensure the rules that they... that they propose don't go beyond the scope of our Legislative Body. So, so we retain through JCAR that one last check on the Executive Branch to ensure that the rules that they're proposing are consistent with the law that we passed."

Mulligan: "So, the way that you're changing this, this will eliminate, say, what the Speaker was amending on every Bill, which is really hard to do because you can't do that with every Bill, and it will tighten up JCAR's authority to be more specific when something exceeds the power of the law when we go to make the rule. Is that correct?"

Hannig: "Yes, so, I think in the past we had this dispute between the Executive Branch and the Legislative Branch as to whether what were the powers of JCAR. And as a result, we sometimes would find... we would sometimes find Amendments

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on our Bill that tried to clarify that the... the executive powers were limited. But I think that this Bill spells out that JCAR has the power and the final say. And consequently, with this Bill in place, if this becomes law, when this becomes law, than I don't think we have to deal with those other limitations and Amendments.."

Mulligan: "All right."

Hannig: "...that we saw."

Mulligan: "So, we'll still be... the Members of JCAR which is pretty balanced because it's even in a bipartisan fashion from both Bodies, the Senate and the House. We still will take a look at the rules, but by doing this Bill we won't be able to legislate or change the intent of a law nor will the Executive Branch. Correct? We will just be ruling on what has passed already and if the rules are appropriate for what legislation has already been passed or in areas where we have to change fees and things according to what's coming out the Federal Government for such things as Medicaid."

Hannig: "So, the statutes should always govern and the Executive Branch should never go beyond what the statutes allow. And what JCAR has always done is to be the watchdog to ensure that the Executive Branch of government and the agencies in the Executive Branch remain consistent and true to the underlying laws that we pass."

Mulligan: "All right. And part of what we do is, we do that in the off-season when the Legislature is not in Session, because normally what you could do..."

Hannig: "Right."

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Mulligan: "...is say, no, you can't do that come back. But if we go home in May and we're not back until October, you have all that time where rules are being made where you can't go back to the General Assembly, but we still... the JCAR Members..."

Hannig: "Right."

Mulligan: "...would still have the authority to say no that exceeds the intent of the original law."

Hannig: "That's... that's correct, Representative."

Mulligan: "And this Bill would only reinforce that. So, then we don't have to add it in every Bill. Is that correct?"

Hannig: "That's correct."

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

Speaker Madigan: "Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker, and to the Bill. I would like very much to complement the Sponsor for bringing this critical legislation forward. Whether you recognize it or not, especially the newer Members, this is one of the most important Bills that we will ever have come before us. For at least 30 years, since the days of the late Senator Prescott Bloom, there's been constitutional tension between the Executive and the Legislative Branches. This Bill clarifies a long-standing issue of... of that contention and establishes without any question or confusion the rights of this Legislative Body to prohibit rulemaking by the Executive Branch that does not comport with the legislative intent of measures that have been passed here in this General Assembly. So, I know while there is a lot of conversation going on here and a few people are paying

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attention, this is a very, very significant measure and I would hope that it would enjoy a unanimous vote. Thank you."

Speaker Madigan: "Mr. Reboletti."

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

Speaker Madigan: "Sponsor yields."

Reboletti: "Representative Hannig, has anyone from your side of the aisle had a conversation with Governor Quinn with respect to those lawsuits that you mentioned earlier, that the former governor filed, were they going to withdraw those lawsuits affecting the constitutionality of JCAR?"

Hannig: "Well, Representative, we're trying to get off to a good start with our new Governor. We just passed a Bill before this where we're going to give him some extra time to do his budget address. I think he did a good thing yesterday when he signed the supplemental appropriation that we had passed earlier. He signed it intact, no Vetoes, no reductions. So, this is also, I think, an opportunity for the Legislative Branch and the Executive Branch to settle something that was in dispute, previously, but something that we believe had existed since the Thompson administration. And it's simply our authority, as the Legislative Branch, to make the law. And so, I can't say that the Governor will sign this Bill, but I am hopeful that he will merits in it and that he will."

Reboletti: "I agree with you, Representative. I hope he sees the merits also, and I would hope he would withdraw those lawsuits filed by the former administration. Thank you."

Speaker Madigan: "Mr. Hannig to close."

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Hannig: "Well, yes, thank you, Mr. Speaker and Members of the House. And I think Representative Leitch was correct when he said that this is one of the most important Bills that we'll deal with in this Legislative Session. This dealt with the very essence of the Legislative Branch. We have the authority under the Constitution to create laws. The Executive Branch has no authority to make laws. They have the authority though to enforce the laws, which they often do through rules and regulation. What JCAR simply does is to ensure those rules and regulations are consistent with the laws that we pass. This ensures that JCAR will continue in existence; it will continue to be the watchdog that many of us have known it to be over the years. And it will ensure that we, in the Legislature, will continue to be the sole branch of government that can write laws. So, it's an important Bill. I'd ask for your 'yes' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass'. Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Resolutions there appears SJR 1 on Supplemental Calendar #1. Mr. Hannig in the Chair."

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

Black: "Mr. Speaker, a point of personal privilege, if I could."

Speaker Hannig: "State your point."

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Black: "Thank you very much. Ladies and Gentlemen of the House, We on the Republican side want to welcome the three Democrats who are now sitting on our side of the aisle, down here in the front row. We've given them the very best seats that we have. We look forward to working with them. And under the new rules of the House that you approved yesterday, we will be reassigning them to new committees sometime today or tomorrow. And it's... you know, this is not a bad trade, it's better than the Cubs have done. We give you Representative Froehlich and we get three, three in return. Two, two proven major leaders and the young rookie that we have high hopes for, so we welcome you to the Republican side of the aisle."

Speaker Hannig: "Speaker Madigan on the Resolution."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House. The matter before us is SJR 1, which would create a Joint House Senate Committee on the Reform of State Government. The purpose of this committee would be to receive all proposals to reform the operations of the State Government, areas such as procurement, operations of the pension systems, questions such as revolving door, and also questions relating to the release of reports by the... the... Inspector General for the executive department of government. Our plan is to schedule a timeline for work of this committee over several weeks and to schedule the consideration of the committee according to subject matter and we will post a certain subject matter. We will invite all Illinoisans to come forward and tell us how they think that government operations of the State in Illinois ought to be reformed,

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how they ought to be changed. So that at least the law will be drafted in such a way that we can avoid the scandals of the past. The Resolution provides that I would appoint five Members, Mr. Cross would appoint three, Senator Cullerton would appoint five, and Repre... Senator Radogno would appoint three. That split is relatively consistent with the split on all of the House Committees. And I would recommend the adoption of the Resolution."

Speaker Hannig: "The Gentleman moves for the adoption of Senate Joint Resolution #1. And on that question, the Gentleman from Vermillion, Representative Black."

Black: "Excuse me, Mr. Speaker, something just fell off my microphone. Oh, it's this little thing right here. I'm sorry. We spend millions on the re... on the redoing of the chamber and the microphone doesn't work. Anyway, will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Thank you. Mr. Speaker, I certainly have no questions about the reasons and rationale for this Senate Joint Resolution, but it is establishing a joint committee, correct? Is that correct?"

Madigan: "That's correct."

Black: "If I remember our discussion yesterday in the House Rules, this committee or commission or whatever it's eventually... formally called will hear testimony and make recommendations, will not have the authority of a standing committee to have Bills presented to it, recommend do pass and send it to either chamber. Is that what I recall from yesterday?"

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Madigan: "That's somewhat incorrect. Number one, this will be a committee not a commission. This will be a joint committee of the Legislature and this joint committee will be in a position to receive referral of Bills from the House Rules Committee or from Senate Committee on assignment. And this committee will be in a position to recommend back to either chamber or both that certain Bills be considered by both chambers."

Black: "How would that work in practice, rather than theory? If you... if a Senate Bill is assigned to this committee, I assume then that it would be recommended to the Senate and a House Bill then would be recommended to the House, correct?"

Madigan: "That's correct."

Black: "All right. Let me just ask you, and again, I have no quarrel with what we're attempting to do here. And it's obviously necessary. We've all... if we haven't learned that by now, then shame on all of us. However, given the fact that I think we all would like to start anew, and you did... you did make the reference that the committee is structured similar to the committees structured in the... in the House and the Senate. But on a question as important as ethics in a state that has been ethically challenged, not my perception, I think it's clear to anybody who reads a newspaper or blogs on the Internet or watches late night TV, the State of Illinois has been and somehow continues to be ethically challenged. I... I... my question is why... did you any consideration to joint chairs, Republican and Democrat, and an equal number of Members to make it a true bipartisan

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effort to clean our House, not speaking of this chamber, but to clean the house of the State of Illinois."

Madigan: "Mr. Black, it was my judgment to structure this joint committee along partisan lines to provide that I would appoint five and Mr. Cross would appoint three. It was simply my judgment that I would like to proceed on this question as all of the other committees will proceed through this Session of the General Assembly. And let me add that this argument or this point was raised when we created the impeachment committee, you may recall."

Black: "Yes, I do recall that."

Madigan: "Your side of the aisle wanted to have an equally divided committee on impeachment."

Black: "And there... and there was precedent for that."

Madigan: "And... there was and I resisted that at the time. And at that time, again, it was judgment to do it on a partisan basis and I think that Mr. Durkin, who is your lead spokesman on that committee, would say that the operations of that committee were done very, very well, and there was complete consultation with Mr. Durkin and others in terms of how we should proceed. For my part, State Government ought to be reformed. I was the person who was responsible in 2005 for the passage from the House to the Senate of major reforms in the operations of the pension systems, changes in the Procurement Code, changes in the revolving door, changes in the compensation review board, those matters were never considered in the Senate; they remained in the Senate Rules Committee. In 2007, again, I was the reason why the same thing happened, and again, the Senate

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declined to consider those Bills. So, at the beginning of the work of this committee the first thing we're going to do is go to the Bills that were passed by the House in '05 and '07. And so I just offer that as a statement that my record is real clear, I've been about the business of reforming the operations of the State Government for several years now and that's what I'm going to continue to do. And as I said in my opening remarks, all Illinoisans are welcome to come forward and tell us how we should change the law. Here in the Legislature we're not able to change the personalities that are appointed to the agencies to implement these laws, but in terms of what we're able to do, I think we ought to just go ahead and do it."

Black: "And... I... I don't find fault with that at all. And I certainly agree with you, we can do what we can, but as a constituent told me three or four weeks ago, 'there's no way we can regulate stupid'. If someone is bound and determined to violate the rules, violate the oath of office, take liberties with ethical and/or legal rules, there's not much we can do. But... and... and I'm familiar with what you've done, but I'm also familiar with, because of politics within your own Party what you championed, as you mentioned, was never taken up by the Senate, which was also controlled by the Democrat Party. And... and... I would certainly be the first to say that our spokesman on the Impeachment Investigation Committee, Mr. Durkin, did a phenomenal job, but I would also remind you that we didn't vote for the rules because we were not treated equally. And I mean... I'm talking about the Special Investigative

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Committee Rules, we did not vote for those because we weren't treated equally on that committee. We could not issue subpoenas... now I sound like the Governor, former Governor. We could not issue subpoenas unless it would be approved by you. That, I think, if we're really going to make ethics a fundamental cornerstone of what we all know needs to be done, I would have hoped we could have done so in a true bipartisan manner. Obviously, I've been here long enough to know and to be able to count, that isn't going to happen. This Bill will pass. I... I... I wish that it could have been handled or would've been or you would've considered handling it differently. You have made your decision. I, speaking for myself and I think for most Republicans, although I will leave that to the House Republican Leader, we certainly will cooperate with you in any way possible. But at some point on something this important, I... I wish we could be treated as equals and not constantly as a minority to be accommodated. But having said that, the Bill is before us, I don't think anyone would question the necessity and the rationale and the importance of what you're bringing forward. I would be remiss if I didn't say on the record, I think it could and should have been handled differently. Could have been handled in a true bipartisan way, it could have had four Cochairs: the House Republican Leader, the Speaker, the President of the Senate, and the Senate Republican Leader. That's not the way it's going to be constituted. I would hope that our views and our Members will be accommodated and that we all can truly work together on something that

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the public, I think, has finally told us, in no uncertain terms that enough is enough. We expect you to clean up this operation. We all are embarrassed, we all have been splashed with the mud and the laughter and embarrassment that this most recent case has caused. I will listen to any other comments. Obviously, I don't think it would behoove me to oppose your Bill, but I would be remiss if I did not tell you and say so publicly. I think and I had hoped and I wish it could've been handled differently and could've been handled in a true bipartisan manner. This is too important to make it a committee controlled, simply, by one Party. Both Parties have had their problems. Both Parties need to be a complete and equal partner in finding the solution."

Speaker Hannig: "The Gentleman from Bond, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Hannig: "Indicates he'll yield."

Stephens: "Speaker, we... some of this I just want to echo Representative Black's remarks. The... if ever there is a time in Illinois history that we want to show the people that we are absolutely committed to a new way of doing business, now is that time. Governor Quinn said it to our caucus this week. I heard him on the radio in St. Louis as I was driving back this morning. The gentleman seems to be absolutely committed and I really wish you would reconsider. And to that point, should Governor Quinn amendatoraly veto this Bill and suggest on his part that we should have a... an absolutely bipartisan representation on

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this committee, would you move to accept that recommendation?"

Madigan: "Mr. Stephens, this is a Resolution which will never get to the Governor's desk."

Stephens: "Oh, I apologize. If... Mr. Speaker, if you receive a memo or message from the Governor imploring you to make this a purely bipartisan commission or committee, would you... how would you feel about that?"

Madigan: "I would respectfully tell the Governor 'no'."

Stephens: "Well... Mr. Speaker, to the Bill. To the Resolution, excuse me. I think the Speaker's made it clear. When in the history of Illinois we have the most serious fiscal issues in front of us, when we are a nationally and indeed on a worldwide basis, have been embarrassed by the last Governor. I would just remind that I had no part of reelecting that last Governor. I was not part of his committee and indeed I was not his... the chair of his reelection committee with that cloud of a federal investigation over his head. But while all the world is watching, today, it's business as usual. Party politics, here we go again. Let's not take the risk. What risk is there? The risk is that maybe something that this committee comes up with isn't endorsed by the political attitude of the Democratic Party. And so because of that, you have to load the committee to make sure that it's done according to the dictates of the Democratic Party. Neither Party should be in that position. We should come together and express for all of Illinois to see that we are serious

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about reform and it's not just the same old way of doing business. Unfortunately, we can't say that today."

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

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

Speaker Hannig: "Indicates he'll yield."

Bost: "Speaker, my... my problem... my concern is just so that I know the procedure. When you explained the procedure that it goes to this committee if... if a Bill goes through this committee that it would... each chamber has their own committees. So then, once we pass it out of this chamber would it then go back to that same committee? So, they pass twice out of that committee? I'm just trying to understand the procedure."

Madigan: "That'd be a decision for each chamber. And so in the case of the House, the rules that we adopted yesterday provide that a matter could be referred from this joint committee to the House Rules Committee. And since the matter had been before a committee, the Rules Committee could simply send the matter to the floor."

Bost: "Okay."

Madigan: "Or the Rules Committee could send the matter to another standing committee."

Bost: "Then it could go to the other chamber and then not have to go to before a committee at all?"

Madigan: "Well, once it goes to the other chamber is the decision for that chamber is to how they wish to treat the Bill."

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Bost: "Okay. All right. So... so if we send it to the Senate first, though, we could... we could still make a choice to send it to committee if it got here or just go directly to the floor."

Madigan: "Oh, sure. You mean it was passed out of the Senate..."

Bost: "It passed out of the Senate..."

Madigan: "...comes here..."

Bost: "...comes back here... I mean we have rules..."

Madigan: "and I presume this particular matter had been before the joint committee."

Bost: "Right. Correct."

Madigan: "Well, our House Rules Committee would be in a position to say well it's been before a committee already and it can go right to the floor or it can go to a House standing committee."

Bost: "Okay."

Madigan: "So... so again, it's a matter that's been before a joint committee. In your case, why this thing had been approved by the Senate now it's here in the second chamber. And House Rules Committee would decide maybe it could go to the floor or maybe it would go to a standing committee."

Bost: "Okay. I just wanted to be clear on it. We... we've never had a committee like this since I've been here. And..."

Madigan: "Not in recent times."

Bost: "Okay. It... it... do we know of anytime in history that we've had had?"

Madigan: "Back when Abe Lincoln and I were setting this thing up, yes. Right."

Bost: "Thank you."

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Speaker Hannig: "The Gentleman from McLean, Representative Brady."

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

Speaker Hannig: "Indicates he'll yield."

Brady: "Mr. Speaker, just a quick question. We still have the Inspector General's Office in this state, correct?"

Madigan: "Say that again, please."

Brady: "We still have the Inspector General's Office in this state for the Executive Branch and for the different caucuses? Is that correct?"

Madigan: "Well, there's two Inspector Generals. There's the Executive Inspector General..."

Brady: "Correct."

Madigan: "Let me... let me... amend that. There are multiple Executive Inspector Generals. There's one for the agencies under the Governor and then each of the Constitutional offices has an Inspector General. And then there's an Inspector General for the Legislature, Mr. Homer."

Brady: "And all those Inspector Generals Offices are still operating within the State of Illinois, correct?"

Madigan: "To the best of my knowledge, yes."

Brady: "Thank you."

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

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

Speaker Hannig: "Indicates he'll yield."

Mulligan: "There are... are there several ways that you're going to look at the ethics? One would be Bills that are introduced and then our analysis said that you're going to review current statutes, also."

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Madigan: "That's correct. As I said, I am issuing an open invitation to all Illinoisans, whether they're part of State Government or not, come forward and tell us how they think we ought to change the statutes to reform State Government."

Mulligan: "So, someone could come before the committee and suggest that a public person would come before the committee, a nonlegislative person, and say I don't think this is working well, so you could look at it or a Legislator, either in the Senate or the House could introduce a Bill. And then would it depend on the Rules Committee in those Bodies to forward it to that joint committee?"

Madigan: "Yes."

Mulligan: "So, it could be rejected. You're not going to automatically forward all Bills, I assume."

Madigan: "That's correct."

Mulligan: "All right. And then someone would make a determination, and maybe that's what I would like to know, who is this someone that would make the determination that says, we need to review x, y, and z statutes."

Madigan: "Well, I've been involved in that process already in 2005 and in 2007 and in the last few days. And I welcome all of you to say to us look here's another statute, here's another agency or function of the State Government that ought to be reviewed. I don't think it's operating correctly and I think we ought to change the statute to bring about a change in operations. Let's take an example: the state pension systems. There may be people here in

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this Body who know of deficiencies in the operation of the state pension systems. Maybe they disagree with how they select the consultants. Maybe they feel that the systems don't have adequate safeguards so that the consultants are not functioning on a conflict of interest. Maybe they would feel that the statute ought to put on the consultants a fiduciary relationship between the consultant and the system. These are all things that were contained in that '05 and '07 legislation that was never considered in the Senate."

Mulligan: "So, if I had a Bill or an idea as opposed to a Bill that I did not think would come out of Rules or a constituent of mine did, we could schedule, when you have hearings, to come before your committee and testify and ask that you take up that matter?"

Madigan: "The answer is yes and our... our plan is to develop a schedule by subject matter. And on a particular day, with a particular subject matter, we'll put before the committee, and all of Illinois, a proposed change, a beginning point. So, as a comment, do you think this helps, do you not? Whatever it may be. And we'll invite in all interested parties. Obviously, again, going back to the example of the pension systems, we would ask the people from the pension systems, the executive director or members of the board, come in and testify on this and tell us how you feel this would work."

Mulligan: "All right. So, you have all these different ways of getting legislation or ideas for legislation before the committee. Would the committee then sometimes come

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together with a Bill that would create a legislative initiative from the committee's report on certain issues? So, you've looked at a certain issue and you decide we need legislation and the committee might come together and form a Bill that might be sponsored by someone on that committee."

Madigan: "Correct. That could happen."

Mulligan: "What about taking up... there's a whole lot confusion about the Governor's Executive Order on the ethics Bill, which is certainly confusing as to where we stand now in the future on fundraising and other things. Do you think that would be an issue that would be discussed, because the Governor came out with that and rather I would consider a punitive way as opposed to the former Governor, let's be real specific, in a punitive way as opposed to a well thought out Executive Order or Amendatory Veto, whatever how you want to look at it."

Madigan: "That matter, that issue could come before the joint committee. However, it's an Executive Order and there's really nothing the Legislature can do about an Executive Order issued by a Governor. It's up..."

Mulligan: "Well, you could legislate around it."

Madigan: "Well, I... I don't know that you can do that. My view is that an Executive Order by a Governor is in place until it's repealed by a later Governor. So, in this case, Governor Quinn would be in a position to withdraw that Executive Order. I don't know what his view of this particular issue is. It gets..."

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Mulligan: "Who would staff this committee? Say in JCAR we have a nonpartisan staff which consists of a director and lawyers and people that anybody can go to, as opposed to a Republican staff or Democrat staff. How would you envision this committee would be staffed?"

Madigan: "Staffing would come from the staff on the Democratic side and your staff. And as I said, we're issuing an open invitation today to all Illinoisans to come in, tell us what you think. We're open to ideas."

Mulligan: "All right. Let's go back one more time to the makeup of the committee. Do you feel that Republicans are going to be any less ethical than Democrats would be or that the Democrats have something to prove because, quite frankly, they just have gover... you have a Governor that... or ex-Governor, so that you need more Democrats and that a balanced committee would not come up with the same result as we seem to be very fearful of ever voting against anything because of the merit of the issue, if it says ethics on it we vote for it sometimes when it's not even a very good measure because you're worried about the political ramifications would be for people who don't understand it or political mail. So, I would think that you would think that we would be equally concerned number-wise considering that we don't have a corner on the market of potential Governors that may be in jail or ex-Governors. So, just because this is the way it is right now, do you feel the need to be that controlling when we all are worried about ethics and how we look that you couldn't make it an even number?"

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Madigan: "I presume that every member of the Legislature is concerned about ethics and wishes that this Session of the General Assembly takes action to reform State Government. My plan for this joint committee is to proceed just as we did with the impeachment committee. And you may recall there was full consultation with the Republican Members of the impeachment committee and there were disagreements and there internal disagreements that were resolved sometimes through mutual agreement, other times where the Democrats in consulting with me, would make a judgment and we would inform your side of the aisle, this is our judgment and we're going forward. Let me say it this way. This is a huge problem, I'm prepared to take the responsibility with the partisan division on the committee to make sure that we move legislation that truly does reform State Government. I'll take on that responsibility and I'll take the credit or I'll take the blame."

Mulligan: "To the Resolution. I think there are certain parts of the Resolution that are definitely commendable and it's a... it's a good idea, but there are two suggestions that I would like to see changed, which I doubt will happen and I doubt we'll all vote for it. Because... I mean, we're all going to vote because everybody will be worried that someone will say we weren't for ethics if we don't vote for it. But I think you should have a nonpartisan staff that would allow people to come to you individually without worrying about what's going to be a partisan issue. And the other thing is I think the Members should be equal. It's always nice when you're in the Majority to remember

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that you have control, but at some point, at some future date maybe you won't be. I don't know if that's going to ever happen again, but we'll see. Anyway, I do think it would be quite easy to have it equal, because I think both Bodies, both sides of the aisle in each Body are equally concerned over ethics and where we're going and the more people that you have involved the better ideas you may get to solve a situation that's a little difficult and come up with some really interesting ideas. We do represent quite a few people in Illinois, even though we're in the Minority. And I think this is the type of committee that begs to be equal Members. Thank you."

Speaker Hannig: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Would the Sponsor yield for a couple of questions and clarifications?"

Speaker Hannig: "Indicates he'll yield."

Eddy: "Speaker Madigan, you mention, well in the... in the Resolution it talks about meeting at the call of the Speaker. How often do you envision this commission or committee meeting?"

Madigan: "Again, it's a committee. Many times, many times, maybe twice a week sometimes, because there is a very ambitious agenda that's been passed by this chamber already and never considered by the Senate in through its Rules Committee. So, we will need a lot of time, especially given our open invitation to all Illinoisans to come forward with ideas and comment on what we put on the table."

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Eddy: "And I think that open invitation to all Illinoisan brings up my next question. Location of the meetings, as you know, the state is... is very geographically challenged for some folks to travel to Chicago. And while we look at Kankakee sometimes as downstate or... or Springfield, downstate's a long way from even Springfield. Has there been any thought to how geographically, perhaps, those meetings could help some of those folks?"

Madigan: "My current plan is to do those hearings right here in the Capitol Building."

Eddy: "Okay. So, we could expect hearings to take place on a fairly regular basis. How long do you envision the process to take before this begins to yield to some results?"

Madigan: "Well, my hope clearly is to move legislation before the end of the Session, ideally, before the middle of May. In my office, why we've given a lot of thought to many of these issues already. So, we have language ready. We're not saying we're going to move that immediately. We want to subject that to public comments and review. And again, there is an open invitation to all Illinoisans. I think there will be a heavy work load before this committee. I think there's much to be done. And I've set out certain areas where I've already been involved, but to me all of Illinois government is open to change, every agency and everything that we do."

Eddy: "Have you given thought to the possibility of establishing some use of technology and taking comments from folks in an electronic format for this a... maybe a... a

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website or some link to the site where people can send in comments regarding those reforms and proposals?"

Madigan: "That was suggested to me just last night and I think it's a good idea."

Eddy: "Okay. Now, I want to just get back to the overarching purpose of this committee. It would seem to me, and I... I don't want to put words in your mouth, but the purpose is to really promote public policy that will begin at least to deal with some of the flaws that have allowed some of the practices that... that we're currently seeing and maybe others. The... the overarching purpose is to clean that up, to... to promote better public policy?"

Madigan: "Well, again, we're all familiar with deficiencies in the functioning of State Government over several years."

Eddy: "Yes."

Madigan: "We're all familiar with them. I mentioned the pension systems for one. There are others. And that's where we begin. Having begun there, there are 50 state agencies where there may be need for change. And that's my point that we're open to all ideas and that's why I expect that there's going to be a relatively heavy workload before this committee."

Eddy: "So... so I think I... I have a pretty decent grasp of the purpose then to... to take in all... all come talk... take in all ideas. How does the construct of a 5-3 which becomes 10-6 serve the purpose of what this committee's going to do? How does that control serve the overarching purpose of what we're trying to do here?"

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Madigan: "Mr. Eddy, as I've said previously, it was my judgment to proceed on a partisan basis and I'm prepared to take the credit or the blame, whatever it may be. I'm prepared to take on the responsibility for it. Again, it's my judgment. That was my judgment on the impeachment committee. I think everybody agreed that came out okay. I think that your people on the impeachment committee thought that the work was done very professionally and very efficiently and.. and we got a result. And so, that's our intent for this particular committee."

Eddy: "Well, I... I... my concern isn't really for anything except the perception. I think it's very, very important to the perception of the people of the State of Illinois that this very important work does not contain a partisan overtone, so they begin to question whether or not this committee is working under some type of control that is unrelated to its purpose. That's a concern I have and I... I think it would be worthwhile to consider for a second how the people of the State of Illinois will view that particular part of... of the way this is constructed, because it's important what they think. It's probably more important what they think than what anybody in here, and with all due respect to you, Mr. Speaker, it's more important what they think than what you think or I think. And that concerns me."

Madigan: "Well, I think that the people of Illinois will render their judgment when they see the report or reports of the committee, when they see the votes in the committee or the absence thereof. I think that most Illinoisans have a understanding of the process in the Legislature and they

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understand that we're not going to rush the judgment. Then they'll wait for a report or for votes, then they'll render a judgment, whether it's good or whether it's bad. My plan is to suggest some pretty dramatic changes at the pension systems in terms of conflict of interest, fiduciary responsibilities, and I would hope that the people of Illinois will approve these ideas, or maybe they won't, maybe they think that it's a bad idea. We'll wait and see."

Eddy: "Well, I... I appreciate your comments, especially regarding the fact that whatever that perception is there is a responsibility for that perception and you're willing to take on that responsibility. And... and that... that comes with the job and the territory I'm certain and... and I appreciate that. I... I do think that there is a better way to do this. That's my personal opinion. I think we, at this time in our history and for this issue, could... could really serve that perception better by throwing any hint of partisanship or control out of this and just make it totally open. That being said, I... I respect the fact that you're willing to take the responsibility for this. I wish you would reconsider, reconsider that as this moves forward because there... there is a flaw that I think the people are going to see. Thank you."

Speaker Hannig: "Speaker Madigan to close."

Madigan: "And again, Ladies and Gentlemen, our purpose is to be very inclusive and to repeat the invitation to all Illinoisans to come here to the Capitol Building and

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participate with us in our effort to reform Illinois government. I request and 'aye' vote, Mr. Speaker."

Speaker Hannig: "This requires 60 votes. The question is, 'Shall the Senate Joint Resolution 1 be adopted?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... okay. Mr. Clerk, take the record. On this ques... excuse me, on this question, there are 117 voting 'yes' and 0 voting 'no', and the Resolution is adopted. Representative Currie, you're recognized on a Motion."

Currie: "Thank you Speaker. This is a Motion to suspend the posting requirements. The Bills would be heard next Monday, February 9 in the afternoon. So the Motion to suspend posting would apply to House Bills 26, 36, 78, 229, and 232 to be heard in House Agriculture. House Bill 15, House Appropriations Elementary and Secondary Education. House Bills 14 and 159 in Cities and Villages. 140... I'm sorry, 44, 181, and 339 in Consumer Protection; 7, 85, 87, 267, 268, 292 in Elections; 341 in Financial Institutions; 34, 38, and 297 in Fire Protection; 9, 28, 29, 152, 213, 342, and House Resolution 6 in Health Care Availability; 64, 68, 149, and 226 in Health Care Licenses; 244, 274 in House Insurance; 45 in Prison Reform; 270 and 353 in Transportation Regulation Roads and Bridges; 43, 71, 72, 73, 156, 160, 166, 275, 349 in Vehicle Safety Committee."

Speaker Hannig: "You heard the Lady's Motion, is there any discussion? There being no objections, the Lady's Motion

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to suspend the rule is adopted. Representative Fortner, for what reason do you rise?"

Fortner: "For point of personal privilege."

Speaker Hannig: "State your point."

Fortner: "Members of the House, I'd like to welcome four very talented young people to our gallery behind me. Their names are Kelly Nottingham, Anna Lane, Michelle Memoli, and Samantha San Miguel and they were this fall's champions at The Stock Market Game. I know many of you also participate by sponsoring teams and among the 14,000 students who participated this fall, they were the champions. Now, one of things I think is really impressive about the work they did, we all kind of know what happened to the stock market last fall and it wasn't very pretty. However, they start out with \$100,000 in the game and they ended with a net gain, making money during that fall. They actually beat the S&P 500 average by 30 percent or so in a time that I daresay even the experts were hard pressed to make those kind of gains. So certainly, I... I think we need recognize their achievement and I certainly want to take this opportunity to thank them for coming to be so recognized by the House."

Speaker Hannig: "Representative Fortner, do you wish us to... do you wish us to adopt this Resolution now? Do you want us to adopt it right now?"

Fortner: "Yes. Yes, please."

Speaker Hannig: "Okay. So, why don't we just adopt the Resolution while the ladies are in the chamber. Representative Fortner moves for the adoption of House

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Resolution 54. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, the Resolution is adopted. Representative Black, for what reason do you rise?"

Black: "Well, thank you very much, Mr. Speaker. I just wanted to express my strong support for Representative Fortner's Resolution and any team that could win first place in the 2008 stock market competition, I would ask Governor Quinn to consider appointing them to his board of economic advisors."

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

Scully: "Mr. Speaker, I rise on a matter of personal privilege."

Speaker Hannig: "State your point."

Scully: "Mr. Speaker, I was just informed that earlier this morning the Illinois Supreme Court entered an order appointing me as a judge of the Circuit Court of Cook County. The appointment is effective February 27. I will be submitting my resignation effective that date. Thank you very much."

Speaker Hannig: "Congratulations. Mr. Clerk, read the Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 46, offered by Representative Flowers. House Resolution 48, offered by Representative Bellock. House Resolution 49, offered by Representative Bellock. And House Resolution 52, offered by Representative Reboletti."

Speaker Hannig: "Rep... Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say

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'aye'; opposed 'nay'. The 'ayes' have it and the Agreed Resolutions are adopted. Representative Lang, for what reason do you rise?"

Lang: "Thank you. I... I just want to extend to Mr. Scully my congratulations. I'm sure all of us join in that and speaking for the lawyers from Cook County on the floor, I... I'm going to lead a procession to have all of my cases assigned to Mr. Scully's courtroom. Thank you."

Speaker Hannig: "Mr. Clerk, will you read the Adjournment Resolution."

Clerk Mahoney: "Senate Joint Resolution 11, offered by Representative Currie resolved by the Senate of the 96th General Assembly of the State of Illinois, the House of Representatives concurring herein that when the two Houses adjourn on Thursday February 5, 2009, the Senate stands adjourned until Friday, February 6, 2009, in Perfunctory Session and when it adjourns on that day it stands adjourned until Tuesday, February 10, 2009, at 12:00 noon. And the House of Representatives stands adjourned until Friday, February 6, 2009, in Perfunctory Session and when it adjourns on that day it stands adjourned until Monday, February 9, 2009, at 2 p.m."

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

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Mathias: "Now that Representative Scully is leaving us, I was wondering if I could get my old seat back. Okay, I guess I'll have to wait 2 years, sorry."

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

Black: "Mr. Speaker I have a parliamentary inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Black: "Before we adjourn. We're operating under the new rules of the House, are we not?"

Speaker Hannig: "Correct."

Black: "Pursuant to Rule 59e, I would ask the Chair to rule that it takes the unanimous consent of this Body to allow Mr. Scully to accept this appointment. Or is that not the right rule?"

Speaker Hannig: "We'll have to take that under advisement, Representative."

Black: "And I would also ask that you give consideration. We had a three for one trade and now it's down to two to one. So, somebody else will have to sit there. And we will give you our recommendation shortly."

Speaker Hannig: "Representative Golar, for what reason do you rise? Representative Golar. Representative Golar, are you seeking recognition?"

Golar: "Thank you, Mr. Speaker. Just wanted to make an announcement to the House Black Caucus Members. We will be meeting immediately following Session in one.. Room 122B. Thank you."

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Speaker Hannig: "The Chair is prepared to adjourn. Are there any other announcements? Then Representative Currie would move that, allowing Perfunctory time for the Clerk, that the House stand adjourned until Monday February 9, at the hour of 2 p.m. Monday, February 9, at the hour of 2 p.m. All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "Just for clarification, the House will reconvene at 2 p.m. on Monday, 2 p.m. on Monday."