

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

17th Legislative Day

2/25/2009

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. 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 prayer today by the Reverend Herbert Johnson, Jr., who is the pastor of the Liberty Baptist Church in Rockford, Illinois. Reverend Johnson is the guest of Representative Jefferson."

Pastor Johnson: "Let us pray. Heavenly Father, we come before You today to say thank You for Your Son, Jesus Christ, who sacrificed His life for our liberty. Lord, we ask You for forgiveness, and we seek Your direction and guidance. Loving God, guide us all with Your wisdom and love to live a life with dignity and to bring Your light to the minds and souls of the people who strive for justice and peace. By Your grace, enlighten our path that we may learn the duties entrusted to us for the well-being of the people for whom we are called to serve. We pray, dear Lord, that You delight the hearts of all of Your public servants and reveal to us Your great purpose. Grant us the ability to follow Your commandments and abide in Your law. Bless us, Oh, God, all of Your public servants who serve the State of Illinois and their mission, and grant them all the strength of faith so that they will spend and be spent in the service of the people of the State of Illinois. Help us, Oh, God, as we serve Your people and give us strength to serve You more each passing day. Guide our steps by the light of Your knowledge and cheer our hearts by Your love.

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You are our helper and our Lord. All the glory belong to You, who is able to do exceeding, abundantly all that we ask or think according to the power that work within us. Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, in earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever and ever, Amen."

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

Ford, 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 the record show that we have no excused absences among the House Democrats to report today."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "The Clerk shall take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

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Clerk Mahoney: "Committee Reports: Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or joint action motions were referred, action taken on February 25, 2009, report the same back with the following recommendations: approved for floor consideration is House Resolution 108 and House Resolution 114. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measures were referred, action taken on February 25, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 392, House Bill 475, House Bill 548, House Bill 613, House Bill 955, House Bill 972, House Bill 999, House Bill 1035, House Bill 1107, House Bill 1108, and House Bill 1197; do pass as amended Short Debate is House Bill 19, House Bill 326, House Bill 645, and House Bill 944. Representative Monique Davis, Chairperson from the Committee on Insurance, to which the following measures were referred, action taken on February 24, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 927. Representative Phelps, Chairperson from the Committee on Agriculture & Conservation, to which the following measures were referred, action taken on February 24, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 182, House Bill 367, House Bill 562, House Bill 583, House Bill 764, and House Bill 1087. Representative Beiser, Chairperson from the Committee on Transportation, Regulation, Roads & Bridges, to which the

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following measures were referred, action taken on February 24, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 476, House Bill 1037, House Bill 1181; recommends be adopted is House Joint Resolution 2. Representative Collins, Chairperson from the Committee on Public Utilities, to which the following measures were referred, action taken on February 24, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 860. Representative Flowers, Chairperson from the Committee on Healthcare Availability and Access, to which the following measures were referred, action taken on February 24, 2009, reported the same back with the following recommendations: recommends be adopted is House Resolution 6. Representative Froehlich, Chairperson from the Committee on Cities and Villages, to which the following measures were referred, action taken on February 24, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 159, House Bill 441, House Bill 466, House Bill 719, House Bill 849, and House Bill 1003. Representative Colvin, Chairperson from the Committee on Consumer Protection, to which the following measures were referred, action taken on February 24, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 964. Representative Bradley, Chairperson from the Committee on Judiciary Civil I - Law, to which the following measures were referred, action taken on February 25, 2009, reported the same back with the following

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recommendations: do pass as amended Short Debate is House Bill 151, House Bill 265, House Bill 1065; do pass Short Debate is House Bill 497, 759 and 1142. Representative Jakobsson, Chairperson from the Committee Human Services, to which the following measures were referred, action taken on February 25, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 607, House Bill 917, House Bill 1112, House Bill 1143; do pass as amended Short Debate is House Bill 277, House Bill 399 and House Bill 766. Representative Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on February 25, 2009, reported the same back with the following recommendations: recommends be adopted as amended is House Resolution 42; do pass as amended Short Debate is House Bill 48, House Bill 386, House Bill 444, House Bill 503, House Bill 542, House Bill 543, House Bill 565, House Bill 614, House Bill 651, House Bill 662, House Bill 664, House Bill 666, House Bill 749, and House Bill 921. Representative D'Amico, Chairperson from the Committee on Vehicles & Safety, to which the following measures were referred, action taken on February 25, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 160, House Bill 253, House Bill 707, House Bill 914, and House Bill 931. Representative Reitz, Chairperson from the Committee on Health Care Licenses, to which the following measures were referred, action taken on February 25, 2009, reported the same back with the following recommendations: do pass as amended

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Short Debate is House Bill 1175; do pass Short Debate is House Bill 1014, House Bill 1119, and House Bill 1150. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measures were referred, action taken on February 25, 2009, reported the same back with the following recommendations: do pass Short Debate is House Bill 392, House Bill 475, House Bill 548, House Bill 613, House Bill 955, House Bill 972, House Bill 999, House Bill 1035, House Bill 1107, House Bill 1108, House Bill 1197; do pass as amended Short Debate is House Bill 19, House Bill 326, House Bill 645 and 944. Reported from the House Committee on Rules is House Resolution 117, offered by Representative Dunkin; House Resolution 118, offered by Representative Bellock; House Joint Resolution 19, offered by Representative Reis."

Speaker Hannig: "Representative Hannig is in the Chair. Representative Howard, you're recognized for an announcement."

Howard: "Yes, thank you very much, Mr. Speaker. I rise today on a personal privilege point to talk about the National Pan-Hellenic Council as a part of African-American History Month. Now, this organization is not to be confused with National Panhellenic Conference. The National Pan-Hellenic Council is a collaborative organization of nine historically African-American international Greek lettered fraternities and sororities. The nine NPHC organizations are sometimes collectively referred to as the Divine Nine, although the member organizations have not formally adopted nor recommended the use of this term to describe their

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collaborative grouping. The NPHC was formed as a permanent organization on May 10, 1930, on the campus of Howard University in Washington, D.C. NPHC was incorporated under the laws of the State of Illinois in 1937. The Council promotes interaction through forums, meetings and other media for the exchange of information and engages in cooperative programming and initiatives through various activities and functions. Each constituent member organization determines its own strategic direction and program agenda. Today, the primary purpose and focus of member organizations remains camaraderie and academic excellence for its members and service to the communities. Each promotes community awareness and action through educational, economic and cultural service activities. The National Pan-Hellenic Council was established in an age when racial segregation and disenfranchisement plagued African Americans. The rise of each of the black fraternities and sororities that make up the NPHC bore witness to the fact that despite hardships, African Americans refuse to accede to a status of inferiority. The organization's stated purpose and mission in 1930 was the unanimity of thought and action as far as possible in the conduct of Greek letter collegiate fraternities and sororities and to consider problems of mutual interest to its member organizations. In 1992, the first permanent national office of NPHC was established in Bloomington, Indiana, on the campus of Indiana University through the joint cooperation of Indiana University and the National Board of Directors. Fraternity affiliates are Alpha Phi

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Alpha, Kappa Alpha Psi, Omega Psi Phi, Phi Beta Sigma, and Iota Phi Theta. Sororities are Alpha Kappa Alpha, Delta Sigma Theta, Sigma Gamma Rho, and Zeta Phi Beta. Each organization has adopted and executes its own bevy of unique and signature programs. From time to time, there's unanimous collaboration on special programs and projects when adopted and directed by the Council of Presidents. An example of this collaboration is the Dr. Martin Luther King Monument that is being erected in Washington, D.C. Currently, 25 members... I'm sorry, that's 15 members of these sororities and fraternities serve in the Illinois General Assembly. They are Representatives Burns, Collins, Colvin, Will Davis, Dunkin, Graham, Howard, Miller, and Riley. Also, Senators Clayborne, Hunter, Hutchinson, Lightford, Raoul, and Trotter. For nearly 65 years, the National Pan-Hellenic Council through its member organizations has played a significant role in improving the quality of life for African Americans throughout the world and has positively impacted the educational and professional careers of hundreds of thousands of persons. I know I speak for my colleagues in the Legislature when I say, the best is yet to come. Thank you."

Speaker Hannig: "Thank you, Representative Howard. On Page 11 of the Calendar, Motions in writing, Representative Bost has a Motion to Table House Bill 700, and Representative Verschoore has a Motion to Table House Bill 1092. We'll take those two together. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and House Bill 700 and House Bill 1092 are tabled. We're going

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to go to the Order of House Bills-Third Reading. House Bills-Third Reading, we're going to start on page 6 of the Calendar and just work our way through. So, Representative Franks, you have House Bill 5. Do you wish us to read the Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. I appreciate the opportunity to present this Bill. This is a Bill, it's a simple Bill, but I think it's an important Bill. It's a Bill that will prohibit a person who's required to register under the Lobbyist Registration Act from lobbying for state agencies. I think in our last administration, we got far away from what should have been happening in our State Government, and I think it's wrong that state agencies would be able to hire lobbyists to come work against Representatives' Bills and Senators' Bills. This would prohibit that action. I think it will make the lines more open and accessible, and I think it's a much... we'll have a much better government as a result. I'd be glad to answer any questions."

Speaker Hannig: "This is on Short Debate and in response, the Gentleman from Cook, Representative Lang."

Lang: "Thank you. Will the Sponsor yield?"

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

Lang: "Representative, I understand the underlying Bill and why it's important and I don't dispute that, but would there not be some times that a state agency might want to lobby another government? Does this prohibit that? Does this

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prohibit a state agency hiring a private lobbyist to go lobby Cook County Government or lobby some municipal government?"

Franks: "Yes, it would."

Lang: "And so, can we just discuss... 'cause I haven't thought it through completely, can we discuss whether that's prudent?"

Franks: "Well, the... it doesn't apply to... if they want to have one of their own employees go and actually do the lobbying. So, I think they can. They can go forward and they can make those phone calls or they can have one of their employees. But what I find particularly insidious is when state agencies are lobbying against regulations, for instance, where the General Assembly should exercise its right of oversight. And probably the most egregious example would be on the federal level where you saw, you know, Freddie Mac and Fannie Mae hiring lobbyists against oversight regulations, and we've seen what the result's been. I think it's important and I think if they want to have someone lobby on a particular Bill they ought to do it themselves and they ought not use any additional state resources. And they... I know that they have liaisons already who... that's part of their job description and they're able to lobby, and I think that gives them plenty of procedural cover in order for them to get their point across."

Lang: "So, you would take the position that they should hire and train their own employees to do this work, not that they shouldn't lobby other governments, not that they shouldn't have a position, but, simply, that they shouldn't

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spend taxpayer money doing it when they have their own employees. Is that correct?"

Franks: "Exactly. Plus, I think it's better that they engage in the process instead of hire... hiding behind hired guns."

Lang: "Thank you."

Speaker Hannig: "We're going to put this on Standard Debate so that our Members can debate the Bill a bit more, and we're running the clock. And Representative Durkin, you're recognized for five minutes."

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

Speaker Hannig: "Indicates he'll yield."

Durkin: "Representative Franks, does Governor Quinn support what you're doing?"

Franks: "Yes, he does."

Durkin: "Can Governor Quinn just do this unilaterally without having to go through the legislative process?"

Franks: "Yeah, I think he could do it by an Executive Order. But another Governor could then rescind that Executive Order, as you know. The General Assembly can override an Executive Order like we did last year. I think it's much safer to have the Legislature codify this into law."

Durkin: "You've carved out some exceptions. Could you explain to me what different agencies are now the exceptions under your prohibition?"

Franks: "Well, the ones that we've all included are the ones under Section 5-15, of the Civil Administrative Code, and those are mostly all the ones that the Governor has direct control over, you know, Aging and Agriculture, CMS,

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Children and Family Services, DCEO, Corrections, et cetera."

Durkin: "How about Illinois Finance Authority, Sports Facility Authority, Toll Highway Authority, Housing Development Authority?"

Franks: "Well, no they're not..."

Durkin: "...it's indicated and I've told that they are exempt from your prohibition."

Franks: "Yes, right now. And I'm open to have this amended and possibly in the Senate, but I wanted to at least start with all the state agencies directly under the Governor's control. As you know, for instance, the Illinois Toll Highway Authority recently chose, I believe, a new director and the Governor read about it in the paper. So, there is some autonomy there much like they have at the university systems as well, that aren't directly accountable to the Governor. So, I wanted to start exactly with all of those agencies that are direct... who are directly accountable to the Governor."

Durkin: "Do you know how much the state... these state agencies have paid to lobbyists over this past fiscal year and a ballpark figure, what has been expended by the agencies?"

Franks: "I don't. I don't."

Durkin: "All right. Are state universities... you may have mentioned, are they prohibited from hiring lobbyists under your Bill?"

Franks: "No."

Durkin: "No. So, there is a couple very important issues that are related to state universities that are on the plate.

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And I'm just kind of curious why these... I understand what you're saying, but I'm not quite sure I understand the reason behind... you exempted some of these different agencies authorities out of your Bill."

Franks: "Well, some of, as I said, are autonomous and that's why I wanted just... I wanted to start with the ones directly under the Governor's control and then we can build from there."

Durkin: "All right. All right, thank you."

Speaker Hannig: "So we've had one in support and two in response and Representative Miller, you're recognized next for five minutes. Are you in support or response?"

Miller: "I support the man."

Speaker Hannig: "Okay."

Miller: "I just have some questions."

Speaker Hannig: "So, you have five... you have five minutes, Representative."

Miller: "Just real brief, a couple things. One is, Jack, does the... does this affect local county agencies? I think there was an issue with the Cook County Recorder of Deeds hiring individuals to lobby against a Bill I guess we were trying to enact down here."

Franks: "This just deals with those entities that would receive compensation from a state agency. So, since it would be a county that you're referring to, it would not deal with a county issue. I think that's up to local control if the individual counties would like to ban or prohibit that type of action, that would be up to them."

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Miller: "And just for clarity, you talked about sort of vagueness in terms of a problem this is addressing. You talked on a federal... In fact I think... I think Sallie Mae is private. I think a private entity."

Franks: "It's quasi-judicial. It's quasi..."

Miller: "Okay."

Franks: "But that was probably the most glaring example. But I just know in the last administration and I don't believe it will happen in this administration, because I think there'll be a lot more openness, but I would know oftentimes we wouldn't hear about a problem with a potential Bill that we had or that a Bill that we had until committee, when we heard about it from a lobbyist. And it just... it fried me, really infuriated me, that the state agency or the liaison or the director couldn't pick up the phone and talk to us or... and also spending state tax dollars on lobbyists to lobby against something a Legislator was trying to do. I just think it's... it's wrong on so many levels."

Miller: "Well, I don't think... I mean, because we've got... and I think this has to be clear, we've got Bills that come up all the time where state agencies are fundamentally against whatever we're trying to do."

Franks: "Right."

Miller: "Whether it's a Practice Act or whatever. So, how is this differentiated between lobbying... or hiring somebody to lobby..."

Franks: "They can be against..."

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Miller: "...that opposes the Bill that you're trying to present?
I don't think you're arguing that an agency shouldn't
oppose something they feel may be harmful..."

Franks: "No, oh absolutely. And we need to have free discourse
and we need to have an exchange of ideas, but I think
that's something under the agency's purview that if they
disagree that they should be the ones to articulate that.
I don't believe it's in their purview to go hire outside
contract lobbyists to do the work that they ought to be
doing in their own agency."

Miller: "Okay, and that's exclusively the problem that you're
trying to deal with, not the fact that an agency could have
opposition, not the fact that this just deals with state
agencies. Is that correct?"

Franks: "Correct."

Miller: "Okay, thank you."

Speaker Hannig: "We've had two in favor and two in response. So
we're going to recognize one more, potentially, on each
side. Representative Flider, you're next. Five minutes."

Flider: "Thank you, Mr. Speaker. Just a couple of questions
about the Bill and its scope and what it would accomplish.
A couple of years ago, I guess it was, the previous
administration... and I think it was through DCEO, perhaps
other agencies, they retained what they... what we would
call, others would call lobbyists, to go to Washington to
help us get FutureGen and try and bring that project back
to Illinois. Would this affect that kind of hiring?"

Franks: "How the Bill reads is it would not allow compensation
from a state agency for the purpose of lobbying legislative

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action. It depends whether that would be legislative or not. I just... I guess I should get back to the real premise here, is I want to make sure that our state agencies are not hiring lobbyists. I don't want them hiring friends of the Governor. I don't want them currying favor with our tax dollars. I think that if they want to have a position on any issue, they certainly should do that because it makes us... makes the process work better, cause oftentimes they bring very good ideas. But they have to be their ideas, and they have people in their agencies who are able to articulate those and work on that. They're getting paid to do that, they should do that. And I think it's a real... it's an economic issue, but it's more than that as well, obviously."

Flider: "Right. And my question... and I'm not really judg... being judgmental on it, because I don't know whether the people who were hired to lobby in Congress in Washington on our behalf for FutureGen. I have no idea whether they were effective or not. I'm sure they'd try and make the case that FutureGen, at that point, would not have been located in Illinois were it not for their efforts. I don't know whether or not that would be the case, but I was just curious it would apply, you know, to those kinds of individuals, because they may fall actually into the category of types of people that you're worried about and concerned about. I mean, in fact, that would be sort of a freebie for somebody who was a friend of the administration. Hey, hire me. I'll lobby for you in Washington, and a good way for them to throw state money at

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them. So, that's why I was concerned about that. The other question has to do with... recently, the previous Governor, who had retained an attorney, I assume privately, although I don't know this to be a fact, had contacted an individual and asked him if he wanted to be a U.S. Senator. And that person was not a state employee. The person, the go-between was... the attorney was not a state employee, but he was an attorney, and presumably, he was an attorney who was in private practice. But then we... but we have the issue of special government agents and what... whether they're... and they're kind of running around behind the scenes doing things, making suggestions for appointments and things like that, and in my mind, we need to find a way to shed some light on that. And I guess my question is, are you addressing at all that type of an arrangement as it pertains to, you know, activities that say you'd expect a Governor to have his employees and administration make contacts, but they hire an attorney to do that for whatever reason?"

Franks: "I'm not sure the scenario which you just described... I don't think it would fit into this, because I believe that Mr. Adams was hired... Adams, Jr. was hired by the Governor in his capacity as a criminal attorney, personally and I think he was paid personally, out of the Governor's campaign fund, which is House Bill 7, which hopefully we'll be talking about pretty soon as well, which I had filed. But I don't think that would fall into this category here since the Governor had hired him to be a personal emissary,

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it appears. And he was paid for it out of campaign, not state funds."

Flider: "Okay. I didn't think so, but I wanted to touch on that because I've got a piece of legislation that would... that actually would affect that and try and improve that situation and look forward to working with you on, you know, any similar measures. Thank you."

Franks: "Thank you."

Speaker Hannig: "We have room for one more in support. Representative Phelps, are you in support? You have five minutes."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Franks, I just have one question. Or will the Sponsor yield?"

Franks: "Sure."

Speaker Hannig: "Indicates he'll yield."

Phelps: "Just one question and I know it's hard to hear in here so I apologize. Are universities... universities and pension agencies in this Bill or are they exempt?"

Franks: "No."

Phelps: "So, they're out?"

Franks: "They're out."

Phelps: "So, they're out. So, they can still retain lobbying services. Okay. Thank you very much."

Speaker Hannig: "Representative Dunkin, we're going to give you an exception to the rule. You have one minute."

Dunkin: "Thank you, Mr. Speaker, thanks for the exception. Representative, can you enumerate the amount of abuse in

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financial terms that state agencies encumbered or have experienced because they've hire lobbyists?"

Franks: "I don't know if I have a direct number. As you know, the previous administration wasn't forthcoming with figures. I know that when Governor Quinn took over, one of the reasons why we waited a month... we gave him an extra month to do the budget is because he didn't know the full extent of our... of our issues. I'm sure that the numbers are substantial on how much they've spent. We've had hearings in our State Government Committee where we'd seen that the agencies had hired lobbyists and lawyers, if that's the answer to your question. I don't have a specific dollar amount, if that's your question."

Dunkin: "It's important to know because where..."

Speaker Hannig: "Representative, your time has expired. Would you bring your remarks to a close?"

Dunkin: "Okay."

Speaker Hannig: "We've already had six speakers on this Bill."

Dunkin: "Okay. Thank you, Mr. Speaker. Again, if there is no... I think this is possibly, really unnecessary legislation, especially if we can't identify levels of abuse or we can't even put dollar figure with it, I really don't see the necessity of it. I mean there are instances where you're going to need extra support possibly for major initiatives to help educate people at the local level, at the county level and likewise here with us. Unless you can identify abuse monetarily or personnel-wise, I don't think this is necessary legislation. I think it's a part of this sort of... sort of this... this old phenom that we're really trying

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to move away from of the previous administration. I just think it is... it may be a step in the direction of overreacting, and I don't think, again, it is necessary to date especially with this new administration, they may want an opportunity to exercise this as an option. So, I would give this current administration and the next administration possibly an opportunity to review this on their own merits, other than us, again, being reactive compared to last... the previous administration. So, I'm going to vote 'no'. Thank you."

Speaker Hannig: "Representative Franks to close."

Franks: "Thank you. Thank you, Mr. Speaker. I believe this is commonsense legislation. I don't know about you, but I'm really tired of the influence that lobbyists have in our State Government. And I think this is one way to help curb the influence that these individuals have. Certainly, there is a position for lobbyists in how our system works, but I also think it's obvious that there's no place for paid lobbyists working for state agencies, who have the ability to do this work themselves. I think this is a step, quite frankly, to start driving the moneychangers out of the temple of democracy. And I think this is important to do, and I'd ask for your support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 2 voting 'no'."

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And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Farnham, for what reason do you rise?"

Farnham: "Thank you, Mr. Speaker. I rise for a point of personal preference... privilege."

Speaker Hannig: "State your point."

Farnham: "I want to let the Members of the House know that Elgin Community College - School of Culinary Arts graduate and owner of In the Neighborhood Deli, one of Elgin's finest delis, Jeff Turner, will be preparing our lunch tomorrow for Elgin Day. Lunches will be delivered to your offices and are provided, compliments of Elgin Community College in recognition of its 60th anniversary. I hope you enjoy the lunch and thank you very much."

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

Bost: "I was just going to ask if it was the Gentleman's first point of personal privilege. So..."

Speaker Hannig: "Representative Franks, you also have House Bill 22. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 22, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. This is a Bill that was brought to me by then the Lieutenant Governor, and all Members... all Members of the Veterans Affairs Committee had signed on as cosponsors. It's unfortunate that we had to bring this Bill forward, but what we found is that many of the brave men and women from our great state who had fought

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for our freedoms in keeping our democracy who had been killed in action, we had made a contract, we had made a pact with their families that they would get monetary compensation for the ultimate sacrifice. What we found in many cases is that the Court of Claims was not fulfilling our obligation. As a result, we had a hearing on December 9 on this in Chicago and learned that 74 families had not received their compensation. Some had been waiting as long as four years. Since that hearing, 37, or half the backlog, had been cured, yet still, not all of those families had received those funds. And we found quite frankly, that the Department of... that the Court of Claims was using procedural shenanigans in order to shortchange those families. It was embarrassing. It's a black eye on the State of Illinois and this Resolu... this Bill, actually, will not allow those abuses to continue, and it will require real accountability and that these families receive the funds they're promised. I'd be happy to answer any questions."

Speaker Hannig: "Now, this is on the Order of Short Debate. Does anyone stand in response? Then, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman and Beiser, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed.

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Representative Flowers, you have House Bill 33. Out of the record. Representative Reitz, you have House Bill 36. Shall we read it on Third? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 36, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 36 corrects some of the concerns that we had with some of the sweeps within some of the conservation transfers that we had in DNR. This will prohibit sweeps in a few of the pheasant... the pheasant fund and some of the other wildlife funds that are out there. All of these that we have had letters from the Federal Government that we are jeopardizing federal funds if we sweep this. This should clean this up. I'm hopeful that we'll be able to include all of the funds somewhere in the Senate, if possible, to take care of any concerns that we have that we don't jeopardize federal funds. And I'd be happy to answer any questions."

Speaker Hannig: "This is on Short Debate and in response the Gentleman from Jasper, Representative Reis. Okay, does not wish to speak. So, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wait, Saviano, McAuliffe, and Hoffman, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Representative Arroyo, do you wish us to read House Bill 43? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 43, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Arroyo."

Arroyo: "Thank you, Mr. Speaker, Members of the House. House Bill 43 is a pedestrian safety Bill. Illinois law currently requires drivers to yield for pedestrians in a crosswalk, stop unnecessarily. This law is confusing to drivers, pedestrians, and police officers. It isn't clear exactly when drivers must stop. House Bill 43 will require drivers to stop for pedestrians in the crosswalk. This bright line test will ease enforcement of the law and provide clear standards for safety of pedestrians. More than 170 pedestrians are killed in each year on Illinois roads and more than thousands more are injured. The pedestrian safety Bill would improve the safety of our streets and roads. The pedestrian safety Bill is supported by AARP and the Illinois Association of Chiefs of Police. I know of no opposition, and this Bill was brought to me by Active Transportation Alliance. I welcome any questions and ask for a 'yes' vote."

Speaker Hannig: "This is on the Order of Short Debate and in response, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, I notice you didn't enhance the penalty. Was there a particular reason you chose not to do that? You left the penalty the same as it currently exists in law, and that's a... I think, up to a \$300 fine. It's a petty offense. And that's just for failure to slow down. Now, you're making them come to a complete stop. It would seem to me that the penalty should be increased if they fail to come to a complete stop."

Arroyo: "Well, according to the support we have, Mr. Black, I didn't think that was necessary. But I think the penalty will be the same as a ticket, a moving violation, \$75. I don't know if..."

Black: "Well, I think you're significantly changing the existing law. And if you're not significantly changing the punishment, I'm not sure what you think you're going to gain. But I'll leave that to the Senate or a future Amendment. But let me ask you this question. This is a significant change in current Illinois law. I take this to mean that in any crossing, any marked pedestrian crossing, you must, if there is somebody, and this is unclear in your Bill, if I'm standing on the curb at a marked crossing and I began to walk where there is no traffic signal, I interpret this to mean that automobile must immediately come to a stop because I am in the crosswalk. Is that your intent?"

Arroyo: "If he is crossing the street. If he's just standing there he shouldn't stop, but if he is about to cross... if

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he's in the street, Mr. Black, he should have an immediate stop."

Black: "That's the way I interpret it. And that would mean traffic in both directions, correct?"

Arroyo: "Only on the one side where he's... only on the side of the vehicle that he's crossing."

Black: "Does it say that specifically in the law.. in the language?"

Arroyo: "It doesn't say it on the Bill, but it implies it."

Black: "Well, I don't know that I could go to court and say the implication of the law was I only had to stop in the lane closest to the pedestrian. If I'm on the other side of the road and I don't stop and all of a sudden this pedestrian darts in front of me and I hit the pedestrian, are you going to arrest me and fine me because I didn't follow the implied language in your Bill?"

Arroyo: "Well, right now, what the law says that you have to yield the right-of-way, Mr. Black, so we're just trying to have a full stop on the same side of the street. And since we don't have too much of opposition on it..."

Black: "Did you model this after the California law, because they have an absolute pedestrian right-of-way law in California, and the penalty is quite severe if you refuse to... if you do not follow that. You have to absolutely come to a stop and the pedestrian has an absolute right-of-way."

Arroyo: "Well, currently we're not asking for no penalties other than a ticket, than a regular ticket. I don't know what the law says in California."

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Black: "Well, it just gives the pedestrian the absolute right-of-way. No questions asked. I'm not even sure that they have the crosswalk. I think it's if you're in the roadway they have the absolute right-of-way. But, anyway, this takes place statewide, municipalities, correct?"

Arroyo: "Yes."

Black: "Does it preempt Home Rule?"

Arroyo: "Excuse me?"

Black: "Does it preempt Home Rule?"

Arroyo: "Not that I'm aware of, Mr. Black."

Black: "Let me make an inquiry of the Chair. As we read the... as we read this law, this would mean the City of Chicago and any other Home Rule city would have to adopt this standard in the Vehicle Code. Now, I don't..."

Speaker Hannig: "Representative, could you bring your remarks to a close please?"

Black: "Well, it wasn't remarks, Mr. Speaker, it's an inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Black: "We interpret this law to preempt Home Rule, that any city in the state would have to initiate this right-of-way procedure that an automobile must come to a complete stop, not yield the right-of-way. And I would just like the Chair to enlighten us if that indeed preempts Home Rule, and if it does, what's the vote requirement for the Bill?"

Speaker Hannig: "So, we'll get back with you, Representative Black. And what we're going to do is Representative Bost is seeking recognition, so we're going to give Representative Bost five minutes."

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

Speaker Hannig: "Indicates he'll yield."

Bost: "Right now, which particular incident is this coming from? What's the genesis of this Bill that you feel we need to change it? I mean, has there been a tremendous amount of issues in your district with this?"

Arroyo: "Yes, there's been a lot of accidents around school districts where the schools are, and there's been 172 pedestrians that were killed and 1,000 people that were injured. We have a record that says that, it's in the synopsis of the Bill."

Bost: "Well, I have a little problem with... and I really think that the existing language would still protect those... would protect those pedestrians. I don't believe that those pedestrians are being hit and killed based on this law. I think what you're doing is... I think you're changing something that really doesn't need to be changed. Maybe this law needs to be enforced correctly around those existing pedestrian crosswalks by more policing possibly. But all you're going to do here is... is cause to criminals... or make criminals or traffic violations out of people who have no intent of doing that."

Arroyo: "Well, we just wanted... we think that by making a complete stop, we'll be able to save more lives and have less accidents than to yield the right-of-way."

Bost: "Okay, I have a tendency to disagree. I think if people would read... and I wish that Members of the General Assembly here would open up the text and see what we're changing. Okay? Read the actual language that we're changing. Now,

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all of a sudden, we're going to take it away from the driver and say... and there's no clear definition of what a person... when a person is in the crosswalk. There's... So, now all of a sudden, we're going to up to every crosswalk and automatically stop because if you don't, if you don't, then the danger is that you could possibly violate this law. However, what about traffic flow? What about in our communities quite often we might have a crosswalk and that traffic flow is allowed to go at a normal pace unless someone would come in and this doesn't clarify that. It just said you're going to stop, automatic."

Arroyo: "All we're trying to do is just have a complete stop. And it makes it easier to a police officer to identify... to enforce the law."

Bost: "Okay. I just disagree with the Bill. Thank you."

Speaker Hannig: "So, we're moving this to Standard Debate. We've had one speak in favor; two in response. And Representative Fortner you're recognized for five minutes."

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

Speaker Hannig: "Indicates he'll yield."

Fortner: "One question I see in this, in switching the language, which right now says you want to yield and stop if necessary, to stop in all cases. In the Bill right now, how far away from the intersection would you be required to stop? I don't see anything in the language. So, let's imagine that a car is a quarter mile away, sees a pedestrian in their part of the crosswalk. Now, as they're approaching the intersection, as I read your Bill, it looks like I'd have to stop even if while I've slowed to move

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towards it, the pedestrian has cleared the intersection.
Is there a language that addresses that?"

Arroyo: "No, there isn't. But the police will determine that.
We don't... we're not going to be the ones determining how
far or how close the police..."

Fortner: "I think that's a real problem because under the
current language the police can make that determination,
because it says stop if necessary. The police are required
to make that determination, because it says stop if
necessary and if the police have determined that it was
necessary to stop and the motorist did not, they would be
subject to a ticket or some other action by the officer.
But in this case, there'd be a mandate to stop even if the
person... cause they had good visibility of the intersection,
the pedestrian easily could have cleared that crosswalk.
And certainly it indicates, I would think, that this Bill
should have some kind of language in there to clarify that
and I would certainly urge you to consider amending it
before we take final action to clarify that issue of
visibility at a crosswalk. So, would you consider that?"

Arroyo: "Not at this present moment, no."

Fortner: "Well, I think that's a real serious fault in the
Bill. Thank you."

Speaker Hannig: "Representative Black, the parliamentarian has
advised me that the Bill does not preempt Home Rule, and
therefore, it only requires 60 votes. Representative
Black."

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Black: "Then a follow-up question if I could, Mr. Speaker. That would mean that any Home Rule city does not have to follow this law. Correct?"

Speaker Hannig: "It would not... it would not preempt Home Rule, Representative."

Black: "All right. So, my home town of Danville is Home Rule, then I would suggest, unless Mr. Ellis could enlighten me, that the Danville Police Department will be told we're not enforcing this. This is not... this does not apply to us. We will keep the existing yield language. We will not... we will not do this. And that would include Chicago and about 30 other cities."

Speaker Hannig: "I don't think, Representative, we give legal advice on what your city might wish to do. All I can tell you is that the parliamentarian has looked at the Bill and he has determined that it... does not preempt Home Rule."

Black: "All right. Mr. Speaker, may I make one comment with the..."

Speaker Hannig: "Yes."

Black: "To the Sponsor. Many of us have no real problem with this concept. What we have is what Representative Fortner just said. With a simple Amendment, this Bill, I think, could easily pass and will probably pass anyway, but when you tell me you're giving the police the full authority to determine whether you should have stopped or whether you didn't have to stop. There are some people on both sides of the aisle who get very nervous when you let the police do anything of that nature. Let the police officer decide whether you violated the law; whether you were too close or

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not close enough. Representative, in all due respect to you, a simple Amendment, I think, can make this a unanimous Bill. And I'm sure you could pass the Bill, but there are some real enforcement and judgment problems, not to mention talking with some of the lawyers on the floor, some potential legal... It might be the full employment for lawyers Bill, if you're not careful. I think a simple Amendment, if you're staff would help you with that, could eliminate any objection whatsoever to the Bill. But, obviously, it's your call and you said you don't want an Amendment and I respect your view. But I really think this Bill is so vague that it will create as many problems as you hope to solve."

Speaker Hannig: "Okay, so, we've had one speak in favor and three in response. Now, Representative Tracy, do you wish to speak in favor of the Bill? So, we granted Representative Dunkin an opportunity for an extra time, so why don't we grant you the same opportunity. So, you're recognized for one minute, okay? One minute."

Tracy: "Thank you, Mr. Speaker. Representative Arroyo, I remember this Bill in committee and I had some questions, but I think a lot of the problem has been highlighted of my initial concerns, and I wish I had addressed them further in committee. I think that a lot of crosswalks are on... in small communities that are state highways. And I think that a lot of vehicles are going to be taken by surprise, and I think that there is, unless this is quantified by a footage increment as to how far you have to stop ahead of the crosswalk, and that type of arrangement. And I tend to

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agree with Representative Black that certainly it could... we agree totally in your concept, and I think that's why there weren't questions in committee. But in thinking through the process of how this will be implemented, I do think there is a great deal of concern there as to whether we..."

Speaker Hannig: "Please bring your remarks to a close. You can bring your remarks to a close, Representative."

Tracy: "...create a lot more problems than what we're trying to solve or at least compound them."

Speaker Hannig: "So, we've had one in favor, three in response. The rules will provide for an additional two in favor. Representative Monique Davis, do you wish to speak in favor of the Bill? Representative Monique Davis."

Davis, M.: "Mr. Speaker, I just want to ask a couple of questions. Representative, if you are driving and you come to a complete stop, then you start to move, you know, you're going to go on and then the person jumps out at the same time, are you saying the driver is liable?"

Arroyo: "No, I never said that, Monique. Representative, no, the Bicycle Federation's saying there's more safety rather than with the law..."

Davis, M.: "Mr. Speaker. Mr. Speaker, could we please have a little order so I could hear this Gentleman? Thank you."

Arroyo: "We're just asking for a complete stop, that's it."

Davis, M.: "So, if you're at a stop sign... I mean, you make a complete stop. Well, it's already..."

Arroyo: "Right. Right."

Davis, M.: "It's illegal... it's illegal now to not stop."

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Arroyo: "Absolutely. But when there isn't a stop sign and a person is crossing, we're asking them to make a complete stop so the person could cross... so the pedestrian could cross."

Davis, M.: "You're saying even if there is no stop sign?"

Arroyo: "Yes, if somebody is crossing at a crosswalk and somebody's going across the street, especially and around a school, they should make a full stop before... not just..."

Davis, M.: "Does your Bill say around a school?"

Arroyo: "Yes, it does."

Davis, M.: "It says specifically..."

Arroyo: "It has a separate provision for schools. It's in the synopsis of the Bill, Monique."

Davis, M.: "It's everywhere as well as schools. And then the determination will be made by the policeman whether you stopped in a timely manner?"

Arroyo: "Yes."

Davis, M.: "And what is the penalty? Representative, what's the penalty?"

Speaker Hannig: "Representative Arroyo, did you hear the question? Did you hear Monique Davis' question?"

Arroyo: "Yes, I thought I answered the ques... I didn't hear her. Monique."

Davis, M.: "Mr... You know what, I'm going to ask you to take this out of the record. I think you got a little more work to do on this Bill. We have a number of traffic laws on the books that are... there are attempts to adhere to those laws. Hold on. There are new issues coming before the city to fine people, of course, if they don't. But I

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really am afraid to let pedestrians or students know that you could drag across the street and hope nobody hits you. That puts that pedestrian in an extremely dangerous situation. Surely, all of us, any of us who drive in Illinois, we want the pedestrian to always have the right-of-way, right? The pedestrian always has the right-of-way. However, however, if we make this a special provision..."

Speaker Hannig: "Representative, could you bring your remarks to a close, please?"

Davis, M.: "Make a special provision for you to stop when there's no stop sign, and you decide to go and some child who's not paying any attention to the law or the cars, he runs across, and right away you're in serious trouble no matter what. I know your intentions are noble. Ladies and Gentlemen, let's let this Gentleman work a little harder on this Bill. I think you deserve a 'no' vote. Sorry."

Speaker Hannig: "Representative McCarthy."

McCarthy: "Thank you, Mr. Chairman (sic-Speaker). I move the previous question."

Speaker Hannig: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the main question is put, and Representative Arroyo to close."

Arroyo: "I thank everybody but I would prefer for an 'aye' vote'."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Representative Hoffman, Gordon, do you wish to be recorded? Last call, have all voted who wish? Mr. Clerk, take the record. On this question, there are 60 voting 'yes' and 54 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative D'Amico, you have House Bill 71. Representative D'Amico, House Bill 71? Out of the record. Representative Cole, you have House Bill 78. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 78, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Hannig: "Representative Cole."

Cole: "Thank you, Mr. Speaker. House Bill 78 creates the Farm Fresh Schools Program Act. It provides that the Illinois Department of Agriculture in cooperation with the Illinois State Board of Education and the Department of Public Health shall create the Farm Fresh Schools Programs. It creates the Farm Fresh School Program Fund, and it also provides that the Department of AG., the State Board of Education shall jointly administer a process by which these grants can be reviewed. This Bill is subject to appropriation. Studies by the Yale University School of Public Health have found that, due to obesity and related diseases, the current generation of young people may be the first in American history whose life expectancy is projected to be less than their parents. The Farm to School Program links schools with local and regional farms in order to produce schools with fresh and minimally processed fruits and vegetables for inclusion in the school

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lunch programs, vending machines, salad bars, and classroom snacks. I'd be happy to answer any questions."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lyons, Hoffman, Boland, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 80."

Clerk Mahoney: "House Bill 80, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Bill that's very much like a Bill we passed last Session with almost 90 votes, I think it has stronger support now, a bipartisan piece of legislation to reform the State Board of Education. As we all have discussed on more than one occasion, we have always expected the State Board of Education to be a body that forcefully and aggressively advocates for the education of our children. And yet, in my 22 years in the Illinois House, we haven't seen much of that. I have never seen a member of the State Board of Education come to my office to lobby for children, to lobby for education. I have never seen or heard a member of the State Board of Education step to a microphone and complain in loud terms that we're not properly funding public

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schools and that we need to do better. So, this Bill would reform the State Board by taking it farther away from the political system. You all recall that some years ago, Governor Blagojevich had a Draconian plan to put all of education under his wing, and we eventually passed legislation that was less than that to make sure that Governor Blagojevich didn't get everything he wanted. That didn't work too well in terms of improving the process. This Bill will reform the State Board by changing its membership over time to be chosen by the Governor, not at his whim, not at random out of 13 million people, but out of a vetted group of candidates, people who have knowledge about education, people that know about how schools work. Those would be people who'd be on the nomination panel and would also be the people that the Governor would have to choose from so that over a period of time we would have on the State Board people who are prepared to aggressively advocate for our children, people who know about how schools work, former superintendents, former teachers and the like. This Bill would also require that the State Board provide to us its documentation, the underpinnings of how it does its budgeting each year, how it does its recommended budget to the Governor about how schools should be run but would also require that they provide their wish list for schools to us. It's easy to say well, we have 'x' dollars available for schools, and this is how we're going to spend it. That's of course their job. But this Bill would require that they say forget that, forget what we have available to us, this is the amount we need to fund

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schools, this is what we ought to spend for special ed, this is what we ought to spend to hire new science teachers and on down the line, so that at some point we, as a General Assembly, would have a much better handle on what we ought to be spending for schools and how much we're shortchanging our kids. We all know that we are. We should have a State Board that lays it out in front of us on an annual basis. The Bill does more but I think you've all read about it, you've all heard about it. This is a Bill that passed unanimously out of the Elementary and Secondary Education Committee, and I would very much appreciate your support."

Speaker Hannig: "Put this on Standard Debate so we can debate it. Representative Currie, you're recognized for five minutes."

Currie: "Thank you, Speaker and Members of the House. I'm reluctant to oppose a legislative measure from my esteemed colleague, Representative Lang, but I do strenuously oppose this Bill. I think he would reform the State Board of Education by tying it in knots and I don't think that that is good public policy. I don't think we should participate. We have a brand new Governor in the State of Illinois. I appreciate that many were frustrated with the activities of his predecessor, particularly when it came to some decisions to involve himself, perhaps more strenuously than he ought, in the workings of the State Board of Education. But in the years that I have served in this position under many Governors and including the members of the current Board of... the Illinois State Board of

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Education, the people that I know are competent, able people and to say that these folks must go, I don't think makes good sense. To then create specified slots for various people along the way, that doesn't work. It doesn't work well. It may mean that you don't get the best people for the job if today you're filling a slot reserved for a former elementary school teacher. I don't think it helps us make good decisions when we confine ourselves to this kind of grouping, and I think the nomination panels can cause nothing but grief. We have a new chap at the helm. I am confident that he can make good decisions about who would serve on the State Board of Education, and I think we ought to spend more of our energies making sure that our P-20 Council is offering good guidance to the members and the staff of the State Board and to our local school districts to help us improve the quality of public education in the state. That is our mission and I do not for a minute think that passage of this Bill would help us accomplish that very important task. I urge your 'no' vote."

Speaker Hannig: "The Gentleman from DeKalb, Representative Pritchard."

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

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

Pritchard: "Representative, in this Bill it looks like you're setting up a nominating panel to field a list of candidates that the Governor might choose from. How is this panel comprised?"

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Lang: "The nomination panel would be chosen by members of the Executive Branch of government. The Governor, the Secretary of State and the Attorney General would recommend folks for this nomination panel. And not just the Board members have to fit into certain boxes in terms of their expertise in the area of education, so do the members of the nomination panel. It would require two former district superintendents, an elementary school teacher, a secondary school teacher, two former State Legislators who have extensive experience on legislative committees dealing with education and education appropriations, and one member with at least five years experience at an education advocacy organization."

Pritchard: "Have you had... You indicated that the Board hasn't been aggressive as it would like. Are there specific situations where this Board has let down your impression of what ought to be the responsibility of the Board?"

Lang: "I don't have any problems with these Board members, and I think Representative Currie may not have read the Amendment. The original Bill ended the terms of these current Board members, but the Bill as it sits before you today does not. These current Board members will serve out their terms. So, I have no problems with these folks. I know some of them personally. They're wonderful people, doing the best they can. But it's been my view that gubernatorial involvement in the State Board of Education has kept it from aggressively doing its mission. I'm sure they're doing all the things they have to do under the law, but if I'm here 22 years and never has a member of the

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State Board of Education visited my office, then there's something wrong. There's not enough movement, there's not enough action, there's not enough noise, and the children of our state need a State Board of Education with expertise about kids, expertise about education, and in fact, a working knowledge about how this Body works so that we can work hand in hand with them to improve education in Illinois."

Pritchard: "As you have observed the Board over the last six years, we've only had one superintendent of schools. But do you have concerns about the process and independence of the board electing its own leadership and staff?"

Lang: "Well, in fact, I have no problem with that. But what this Bill does, it takes out of the Governor's hands the current state of affairs which allows the Governor to basically suggest to the State Board of Education who they ought to hire as the superintendent. This Bill says the Governor will no longer do that. It seems to me, Representative, that we should have educators dealing with education, not politicians. Obviously, we have to pass laws dealing with that, but over the last several years, the long arm of the Governor has reached into the State Board of Education. Here's the best example I can come up with. On the day the current state superintendent was appointed, and I have no problem with him personally, but on the day he was appointed he was speaking to the press. And the press asked him if he thought we needed more money for schools and his answer was well, the Governor says we're not going to have anymore money for schools, so I

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guess there's nothing to talk about. We need someone who does not care what the Governor thinks. We need someone who's at the helm who's chosen by a board, who only cares about education, and that's what I'm trying to go after in this Bill."

Pritchard: "Well, I applaud your objectives, but I would just throw out the caution that we need advocates, but we also need realists who are willing to compromise and to look at what's doable. So, I would hope in this reform that we not lose that practical sense of achieving our objective rather than blindly charging forward."

Lang: "If I may, Representative, just in quick response. That's exactly why in the section of the Bill about budgeting I have suggested that the State Board give us their budget based on what they think are available resources, but then they give us what we ought to be doing. I think we ought to know from the State Board what the gap is. I don't mean EFAB numbers and numbers put together, cobbled together, no matter how they're done. I mean, real educators with real studies coming to us and saying this is what we ought to be doing to educate our kids. That would help us figure out how to close that gap."

Speaker Hannig: "Thank you. And the Gentleman from Vermilion, Representative Black, you're recognized for five minutes. Would you like to be a proponent or in response? How should I mark you down?"

Black: "I... Inquiry of the Chair."

Speaker Hannig: "Yes, Sir."

Black: "What's the definition of proponent?"

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Speaker Hannig: "Someone who's in favor of the Bill."

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

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

Black: "I stand as a proponent, Mr. Speaker. Representative Lang, with the exception of having to go out and talk to somebody who sent in a card, I haven't heard all of the debate so excuse me if I'm going over something you've already covered. But from just what I've heard here in the last few minutes, have the people who opposed this Bill, do they understand that you have a Committee Amendment that becomes the Bill?"

Lang: "I believe that not everyone has read it. The Bill that I passed out of this House last year and the Bill as originally introduced would have ended the terms of the current State Board members, and after long discussions with people and thinking about it I said, let's just transition out of this. There is nothing wrong with the current members of the Board. I have no problem with them. I have no problem with Mr. Ruiz, no problem specifically with the superintendent. I just want a transition to a Board that's all educators. These Board members can apply to be reappointed as their terms end. In fact, these Board members, having served on this board, will have a knowledge base that could be helpful to the next Board. I just want to get to a point where this Board is no longer beholden to the Governor in any way, shape, or form."

Black: "I... and I appreciate that and, Representative, I thank you for the work you've done on this Bill. Mr. Speaker, to

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the Bill. I would hope everybody... The beauty about these laptops, if you'll just follow along, staff works very hard to put an analysis on your laptop, and rather than solitaire or the Drudge Report or the Fox News or following spring training, click on the analysis and look at this. The Committee Amendment becomes the Bill, and in this, Representative Lang has tried very hard, and I think has succeeded, in addressing any and mo... if not all, certainly most of the concerns that people had expressed last year. I think the Gentleman raises a good point about how visible Board members have been in the past. I'm lucky, I have a past chairman of the Illinois State Board of Education who lives in my district and is a frequent visitor to my office. And I... the last time I talked with him he thought this Bill was a positive step. And I don't think he would say that if he hadn't read the Bill, because he has served more than 10 years as a member of the State Board of Education and two terms as chair of that Board. So, I think Representative Lang is on the right track. I hope you'll pay attention to the Amendment that becomes the Bill. I think many of your concerns will then be answered, and I would urge an 'aye' vote on this Bill."

Speaker Hannig: "We've had two in favor and two in response. And, Representative Eddy, you're recognized for five minutes. Which side should I put you down on? Okay. Representative Eddy."

Eddy: "Yeah, I think since I'm going to... the second Sponsor I'll go ahead and be in favor. Representative Lang, I just have a couple of quick observations and maybe a question.

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The... the obvious intent of the nominating panel is to bring some recommendation to the... to the Governor's Office of individuals who have background knowledge in a wide arena that are affected by education. And I think that's a... I think that's a very good change to public policy. This is the kind of approach I think we've seen in other pieces of legislation that have been introduced lately. And maybe giving... given the past administration, that's something that we're going to look at more in public policy, not just in the State Board of Education, but as we look at the separation of powers and try to guarantee that more. I think that's what you're trying to get at with that nominating panel. Is that right?"

Lang: "Well, I thank you for the question. Yes, we're trying to make sure that people on the State Board have a background in education, know what they're doing, have an interest in moving forward and, indeed, keeping them separate from the Governor's Office. So, under today's law, the Governor, meaning no disrespect to our new Governor, but the Governor, whoever that Governor is, has the ability to pick any people at random from the State of Illinois and put them on the State Board. And I just don't think that's an appropriate thing to do when we've got the kinds of problems in public school education that we have today. We need some people with some background, with some ideas and with some practical experience in education. Now, the current Board members may have gained that practical experience even those that don't have backgrounds in education, and I wouldn't eliminate them from the pool

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of potential candidates. I think they ought to be included in fact."

Eddy: "Yeah, that's an important distinction regarding this version of the Bill as they don't end. Those terms don't end. And I think that was one of the improvements. The other improvement, I think, is the original Bill had some ex parte communication issues that made it very difficult maybe for people to communicate and that wasn't your intent. You worked hard on fixing all of that. And I think what we have here is compilation of some very well-thought-out ideas that will improve. Now, whether or not you believe the Governor's Office should have the kind of control that the former... well, the current law has, that's a philosophical issue. I agree with you that that control should not be there. The State Board of Education should be an independent advocate for the education of our children in the best manner, and it shouldn't have anything to do with some of the pressures that might come from the Executive Branch, no matter who that Governor is. So, I think that... that's important that we reestablish that. I think it's also important that we point out that the geographic representation of the State Board of Education under this Bill remains the same. There is not a change. The way the state is represented now, the 13 million People in Illinois and the over two million school children are represented the same way. We're not changing any of that."

Lang: "That's correct."

Eddy: "Thank you. Mr. Speaker, very quickly to the Bill. I think the Representative's worked hard on this. I know

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there was a lot of objection to some of the language and a lot of that has been fixed. This is an improvement in public policy. This not only returns the State Board to a more independent agency, but it also makes improvement over the original makeup of the State Board of Education prior to the switch we made several years ago. I would urge everyone in here to support this measure and return the State Board of Education to the advocacy level it was as an independent agency for our children. Thank you."

Speaker Hannig: "So, we've had three in support and two in response. The rules would provide for one additional speaker in response. Representative Dunkin, do you wish to speak in response? Representative Dunkin, do you wish to speak in response? The rules provide for one additional speaker in response. Do you wish to speak in response? No? Why don't we let Representative Mitchell finish the debate? Representative Mitchell, you have five minutes."

Mitchell, J.: "Thank you, Mr. Speaker. Representative Lang, I know that when you began working on this Bill it was out of a certain amount of frustration and even a certain amount of anger. You made the statement that this... state basically takes this out of the hands of the Governor's Office, and you wanted him not to have the kind of influence that he's had in the past. But it doesn't necessarily separate completely the Governor's Office from the Board of Education. Would you one... one more time go over the process by which the Governor's involved in the selection of the Board members for me?"

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Lang: "Yes. First, if it was up to me and I could do it constitutionally, I would just create a separate independent, completely independent agency and come up with some mechanism. But I don't think the Constitution allows me to do that. In the same way that we've had legislation to reappoint gaming board members through a nomination panel, and you're going to see legislation sometime in the next couple of weeks to nominate members of the Health Facilities Planning Board through a nomination process, taking that out of the hands of the Governor in some way. The idea here is this, Representative, some issues are too important to leave to the whims of a politician. I know that's heresy, but it's true. And while I have no doubt that the current Governor, when given a chance to make appointments to any commission or any board, is going to do it the right way, the fact is that we need to have a regulatory scheme here, a statutory scheme that works today and into the future to make sure that whatever board or commission we're talking about, especially where it's the most valuable, our children, is completely above politics. And so, the goal here was to separate out this process, and since I couldn't take it completely away from the Governor, we used the scheme basically that we used... that we proposed last year for the changeover in the gaming board, which is create a nomination panel of experts to put together three... a pool of nominees, but that pool would be a total of three for each available opening, so that, in the end, the Governor would have three times as many people to choose from as he needed or she needed, and these people would all

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be vetted by education experts and they would be education experts, so that no matter who the Governor chose, there would be no risk that the person chosen would have no idea what the heck they were doing when they got to the State Board of Education."

Mitchell, J.: "So, basically, the Governor still has a hand in the process, he just doesn't have any say-so in the vetting process when the pool of candidates is selected?"

Lang: "Right. Now, the Governor's Office would be one of the three offices along with the Secretary of State and Attorney General who would choose the nominators, and then the Governor would come back into the process when the pool of candidates was created, and he or she would pick one of the... one candidate... or pick the number of candidate... the number of openings out of a pool."

Mitchell, J.: "All right. If you remember correctly, Representative Lang, a lot of us worked very hard with Speaker Madigan to change the process from what it was. There were many, many, many on this House Floor and I would venture to say you was... you were one of them that felt that the Board of Education and the superintendent of schools was so autonomous that they didn't listen to anyone, that they didn't feel like they had to answer to the people, to the Legislators or to the Governor's Office. So, I think you've tried to reach a happy medium here, if I'm not mistaken. Out of frustration, we changed it not knowing the type of Governor we wound up with, and that really changed the perception, I think, of just about everyone on this House Floor. Had we known at that time that he was

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not, not only going to accept the responsibility for the education of kids, he was going to use that as a power force to try to get us to do various things that were his bidding. That destroyed the process that we envisioned when we changed the process years ago. I can remember a time when the superintendent of schools wouldn't even come on this House Floor because he was so anti things that we had suggested to him that he would not show up here. He would send in a card like a lobbyist. We don't want to go back to that. But at the same point, at least now there will be some autonomy. I think we can expect a budget that's created for kids and not for a Governor. So, in that respect I think you're on the right track. We may have to tweak this down the road a few times to get it exactly right, but to me it looks like it's good legislation. Thank you, Sir."

Lang: "Thank you, Representative. I want..."

Speaker Hannig: "So, your time is expired, and you'll get to close, Representative. We've had three speak in favor and three in response and Representative Lang to close."

Lang: "Thank you. I appreciate the debate and a quick response to something Representative Mitchell just said. I've already met with the Governor's Office on this. There are some changes they would like to propose, and I've committed to meet with them when the Bill goes to the Senate to talk about those changes. Ladies and Gentlemen, I have nothing against the current Board. I have nothing against any of the Boards that I've served in conjunction with over the 22 years here, but we don't see any advocacy for kids. Many

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of the comments would indicate that people agree with me. Certainly, the comments in the Elementary Education Committee were all on the side that we need to go in a different direction. And Representative Mitchell was right about this as well, that many of us have been trying for years to get education out of the Governor's Office, out of politics, and then Governor Blagojevich came in and tried to move it exactly the other way, he wanted to control everything in education. And so, what we ended up with was the best we could do at the time, but it is not the best we can do today. The best we can do today is do something to help the school children of Illinois today and into the future, to make sure we have a State Board who is expert in education, a state superintendent of schools that's expert in education and is willing to come to this House Floor and to a microphone and to press conferences and to Boards of Education and to advocacy groups all over this state and fight loudly and aggressively for the future of education in Illinois. This Bill will take a step in that direction. I would urge your 'aye' votes."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joyce? Okay. Mr. Clerk, take the record. On this question, there are 91 voting 'yes' and 24 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang, you have House Bill 84. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 84, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 84 would provide a \$200,000 appropriation to the Illinois Secretary of State as a state librarian to fund a partnership between the Citizens Library of Illinois and Health-E Illinois. This is a statewide database that people can go to which has been very, very successful, but because of budget cuts, has gone underfunded and unfunded. This was actually in our last budget and Governor Blagojevich cut it. Why anyone would cut money for libraries in the State of Illinois is beyond me. I would ask your support."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell, Gordon, Flider, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 96 voting 'yes' and 19 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 88."

Clerk Mahoney: "House Bill 88, a Bill for an Act concerning state government. Third Reading of this House Bill."

Speaker Hannig: "Excuse me. Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. Just a point of personal privilege."

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Speaker Hannig: "State your point."

Mitchell, J.: "Mr. Speaker, I just got a call from the Oregon Chamber of Commerce telling me that they had just heard that the Governor at 10:30 tomorrow morning in the Stratton Building is going to announce the dates for the reopening of all the parks in the State of Illinois. Nothing on the historic sites yet. I think he's taking it slow as he goes, but he believes that he can get all the parks open and get them open before the summer season... tourist season. Thank you, Mr. Speaker."

Speaker Hannig: "Thank you, Representative Mitchell. Now the Clerk has read the Bill. Representative Stephens, do you wish... are you seeking recognition?"

Stephens: "A point of personal privilege."

Speaker Hanning: "State your point."

Stephens: "I would like to admonish the last speaker. The job of making announcements on behalf of Pat Quinn belongs to Don Moffitt."

Speaker Hannig: "All right. On page 6 of the Calendar is House Bill 88. The Clerk has read the Bill, and Representative Lang, you're recognized to explain the Bill."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is a pretty simple Bill. We've got two sets of lobbyist fees in our Act relative to 501(c) corporations. Some pay \$300 to the state, some pay \$150 to the state. There's no reason for this distinction. All not-for-profit corporations in the state who have to pay to hire a lobbyist to come and lobby us or when they register to lobby us shouldn't have to pay different amounts. So, this

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Bill would level it off at \$150. I had no opposition to this proposal in committee and ask for your support."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish. Have all voted who wish? Representative Winters, Mr... Representative Sommer, Representative Cultra, do you wish to be recorded? Last call. Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 4 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Miller, you have House Bill 150. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 150, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 150 creates the 21st Century Scholars Act. This is an initiative that passed this Body last year. Essentially, what it does is try to deal with the disparities of income levels of students who attend college and do not attend college. It's one of the things that... that is an issue when we talk about graduation rates and also trying to provide opportunities for students who may not traditionally attend college. What it does is make a commitment between the student at a eighth grade level, the school and also their parents to try to provide guidance and mentoring through... through their years through high school, and at the end of the day, we provide a tuition and

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a college opportunity for them. This is a program which is due to funding, subject to appropriation, but I do believe it gets us in a right state as we try to deal with our issues in higher education. I would ask for a favorable vote."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wait, Sommer, McAuliffe, Cultra. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ford, do you wish us to read House Bill 153? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 153, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. House Bill 153 is, in my opinion, a simple Bill, but it helps neighborhoods during this time of foreclosures. And it's requiring that when deeds are recorded with the Recorder of Deeds that the Recorder of Deeds receives the name and contact information, the street address, and mailing address and a telephone number of the new person that's the owner of the property and that would be of the banks. So, I ask for a favorable vote. This Bill is agreed and there is no opposition at this time."

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Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Coulson on House Bill 168. Representative Coulson, do you... Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 168, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Excuse me. House Bill 168 amends the Higher Education Student Assistance Act. It is subject to appropriation, and it requires ISAC to award grants to eligible students who are participating in the Clinical Center Achieve Program at Southern Illinois University. It provides that the grants would be awarded to students based on a needs-based formula and awarded on the amount of the fees that are charged. The... this helps people with a variety of different disabilities to achieve a college degree, and I would appreciate an 'aye' vote."

Speaker Hannig: "This is on Short Debate, and in response, the Gentleman from McHenry, Representative Franks."

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

Speaker Hannig: "The Lady will yield."

Franks: "Are there other universities that have similar grant programs?"

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Coulson: "This... not for this exact type of student. This is a program that is over 30 years old down at SIU for disabled students who need additional help to get through college programs. I don't know of any other ones in this state."

Franks: "I'm not against the idea. I was just wondering if it's good for SIU, it would probably be good for all of our other universities, as well. And I was just wondering if you may be amiable to amending the Bill to have grants available to all of our universities, instead of just SIU?"

Coulson: "And I'm happy to do that if there are programs that focus on assisting students in getting through their academic work like this program. I'm happy to look at that. I have not had any of the other universities come to me, because I don't believe they have those programs, so..."

Franks: "Okay. Perhaps we can do when... I presume we'll send it over to the Senate. If you can ask your Senate Sponsor to check into that..."

Coulson: "I will be happy to do that."

Franks: "Thank you very much."

Speaker Hannig: "Representative Joyce."

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

Speaker Hannig: "Indicates she'll yield."

Joyce: "Representative Coulson, I just wondered, do you know how many students participate in this?"

Coulson: "I'm sorry."

Joyce: "Do you know how many students at SIU participate in this program, approximately?"

Coulson: "There are right... Well, let's put it this way. Currently, there are students who are having to pay for

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this out of their pocket and as many students as they can bring in and have the money to be able to get this program. The problem right now is there's lots of students who don't have the money, who can't access the program. So, what we're trying to do is set up a fund for grants, obviously subject to appropriation, and then depending on that appropriation will depend on how many more students could be in the program."

Joyce: "Well, how many do you think are involved in it currently?"

Coulson: "I will have to... I do not have that number. I'll have to get back to you."

Joyce: "And what is the request from the university?"

Coulson: "Oop, I do have that number, I'm sorry. There are about 130 students in the achieve program each semester."

Joyce: "And so that would be the maximum amount of money that would be funded from ISAC to SIU would be for 130 or..."

Coulson: "No."

Joyce: "...is there another bunch that are not even in the program that would like to be in the program but they can't be in the program unless ISAC funds it?"

Coulson: "Again, this would be set up by rules by the commission that would decide on needs-base. So, some of the students... I'll give you an example. My constituent came in, her son has been in the program for four years. She could afford the program and she paid for it, but she wanted to have... and we wanted to make sure that there were students who did not have the money who could access this very unique, excellent program from across the state. And

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so, that's why we thought of setting up a grant program.
So, that program would..."

Joyce: "And what's the total..."

Coulson: "...be set up by appropriate academicians and needs-based. So, we wouldn't be funding all 130, we would be funding those who could not afford to pay for it themselves."

Joyce: "And what's the cost of the program per student?"

Coulson: "The cost is 83,000 to 114... Oh, no, I'm sorry. That's... The cost is about 78,000 a fiscal year. I'm trying to get the individual costs here. About \$2,800 per student, per year. Per semester, excuse me."

Joyce: "Per semester?"

Coulson: "Per semester."

Joyce: "All right, thank you."

Speaker Hannig: "Representative Will Davis."

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

Speaker Hannig: "Indicates she'll yield."

Davis, W.: "I want to kind of go off what the former speaker was talking about in terms of the cost, because according to our analysis, it says that the amount of the grant... with the amount of the grant equal to the amount of fees charged to the student as a participant of the program. So, we're not talking about standard university fees, we're talking about the fees of the program. And what did you say that cost was?"

Coulson: "I believe it's about \$2,800. There are per semester for full time. So, if a student's part-time or does it for the full year it's more than that. There's also a one-time

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\$50 application fee and a one-time \$1,000 diagnostic fee, for diagnostic services that would tell what special services a student might need to be able to achieve... to be able to graduate."

Davis, W.: "So, these monies would help to cover some of those additional fees associated with being accepted into this program, correct?"

Coulson: "Yes, correct."

Davis, W.: "Do you have any idea what the... what the ethnic breakdown of students participating in the program is currently or from last year, something like that?"

Coulson: "I may need to get back to you on that. I have so much paper here. I don't believe I have an ethnic breakdown, I just have a breakdown of the number of stu... total students in the fall and the spring."

Davis, W.: "Okay. Well, let's stick a pin in that, and if you could give me that information..."

Coulson: "I will."

Davis, W.: "...I'd appreciate it. So when you talk about based on a needs... have a needs-based formula, this is different than a student applying for standard financial aid and being determined by that needs formula."

Coulson: "Right."

Davis, W.: "This is different and so, how does this needs formula work?"

Coulson: "I think the key thing about this program is that it's set up for students who might be dyslexic or might have other learning disabilities who may have already received a grant to go to college, but need a little additional

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assistance to get through the courses and, that's what this program does so well. And as I said, it is unique in the state. As far as I know, there's very few in the country that actually provide enough additional assistance to students to be able to get through the coursework. So, for example, if they need extra time doing a test or they need assistance in reading a textbook, they will get that assistance through this program, which all universities are supposed to do. But this is for really more severely disabled kids who need even more help, and it's an Act... it's a program that's very cost effective because they're able to pull all the resources together for 130 students. So, it's on top of their tuition and room and board, and that's one of the reasons my constituent and I think we should be able to try, if and when there are monies available, to provide grants to assist with this."

Davis, W.: "I want to... Again, I'm just curious about the whole needs-based formula and how they ultimately determine, so, to the Bill. Ladies and Gentlemen, some of you may or may not know that I actually used to be an admissions counselor for Southern Illinois University and had served in that capacity from 1990 to '96. And certainly that was one of the programs that we advocated for for those students of course, had some issues, some learning difficulties. This was a program made available where students could apply for that program, which provide them a way of getting into the university and also providing them with the additional support services that were necessary to support a student that did have some learning disabilities as well. So, I do

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encourage all to support the legislation, because I think it's a good thing that we're trying to do and help, because there were some additional costs that were above and beyond regular tuition fees that some families could not afford. But I also just want to make sure, Representative, that whatever your needs-based formula is and that it's not, you know, making some decisions that minority students may or may not be able to get into the program because they don't meet that formula and will not have access to this additional resource that you're providing. So, I do encourage everyone to vote for the Bill. I think it's a great Bill, but that is, indeed, my concern. Thank you."

Speaker Hannig: "Representative Coulson to close."

Coulson: "Thank you, Mr. Speaker and I will assure you that our intent is to allow for all students to be able, based on need, to receive these grants. And I'd be happy to continue working on that and we'll get you all that information, Representative. I'd encourage an 'aye' vote. I think this is... it's very important for students in this market and this economy to be able to achieve a college degree, and I think this will help many students who have not yet been able to have access to higher education, and I'd appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. House Bill 208, Representative Jakobsson. Are you handling this Bill today? Representative Jakobsson, do you wish us to read this Bill? Out of the record. Mr. Clerk, read House Bill 210."

Clerk Mahoney: "House Bill 210, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This... this legislation has been put forward on behalf of the court reporters, and it is the supplemental appropriation. This Bill had passed over last year. It was agreed, stalled in the Senate. It has had 117 votes to 0. I know of no opposition and would ask for your support."

Speaker Hannig: "And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I want to make sure I understood you. This is a supplemental appropriation for the current fiscal year, correct?"

Mautino: "Correct. It's necessary because of the funds that have run short. They've had to actually cut down the days that court reporters are in."

Black: "Okay."

Mautino: "It's causing backlogs within the court system."

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Black: "Backlogs of... I don't understand. What's... What backlogs would a lack of money create? Oh, that's right, this is Illinois. I'm sorry. Why did they run out of money? Did we fail to appropriate enough money for '09?"

Mautino: "The... We've went through and we appropriated the money. It was then vetoed."

Black: "Oh, vetoed?"

Mautino: "Yes, by Governor Blagojevich."

Black: "My goodness. Why... did he give any reason for that in his Veto Message? Well, obviously, I can think of one reason. Court reporters... Oh, well, let's not go there. Have you identified any source of money for the supplemental? The only reason I ask, Representative, I don't want us to pass it when we may not know or we've come out of six years where we did this. Oh, yeah, sure, knowing that they'd never see the money. I mean do we have a source of funds to actually make good on this promise?"

Mautino: "General Revenue funds."

Black: "Do you have any indication, and I'm really happy to be able to say this after six years, do you have any indication that the Governor supports or will lend his support to... to this supplemental? I knew the answer for the past six years."

Mautino: "I haven't had that conversation with the Governor's Office yet, but I have been talking with the Senate and it looks like the Senate is in agreement or the new Senate Leadership is in agreement with what we're trying to do here."

Black: "Okay."

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Mautino: "So, I think it has a good chance of moving forward."

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

Speaker Hannig: "Representative Mautino to close."

Mautino: "Thank you. I know of no opposition and would appreciate... would appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Reitz, Phelps, Flider, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 470."

Clerk Mahoney: "House Bill 470, a Bill for an Act concerning liquor. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Graham, you're recognized for an announcement."

Graham: "Thank you, Mr. Speaker. For a point of personal privilege, for another touch in black history, The Brownie (sic-Brownies')Books to children with eager looks scan vainly library shelves and nooks for history or a song or a story that told colored people's glory, we dedicated The Brownies' (sic-Brownies')Book. By the early 20th century black migration to the North and increasingly, though still very limited, opportunities for education and careers for African-Americans have produced the black middle class, which supported various black enterprises, often paralleled

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to white-owned and explicitly and overtly racist businesses, such as white newspapers, rarely reported or covered African-American communities and tended to be dismissive of black accomplishments. The major leagues did not allow black players until Jackie Robinson joined the Brooklyn Dodgers in 1947. When children looked at children's books that were available on the general market, they found themselves looking at a mirror that was extremely distorted. Violet Harris called the depiction of black people in the general literature stereotyped and inauthentic. Best known African-American figures in literatures were characters beginning with the Little Black Sambo, a story that actually sets in India but features a little boy clearly identified as black and given a name that had already become common and derogatory... a common derogatory reference to African Americans. Other cruel characters included the golliwog created in 1895 by Florence Kate Upton and widely popular. One can still find a golliwog doll for sale in Britain. Most popular magazines for children at the turn of the 20th century was the St. Nicholas Magazine, which, like other adult joiners, rarely showed children of color except in the most stereotypical ways. W.E.B. DuBois in The Souls of Black Folks on general depiction of... like he commended them on the general depiction of the Negro in the American world. Quoted, 'It yields him no true consciousness, but only lets him see himself through the revelation of the other world. In it's a particular sensation, this double-consciousness, this sense of always looking at one's self through the eyes

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of others, of measuring one souls by the tape of a world that looks on in amused and contempt and pity.' To combat these cultural images, a group of distinguished African-American writers and editors, including W.E.B. DuBois, Augustus Granville Dill, Jessie Redmon Fauset, created a new children's book magazine that would represent another side of the black experience. In 1919, the year before The Brownies' Book... Brownies' Book displayed, W.E.B DuBois wrote on the crisis, 'To educate our children in the human hatred is more disastrous than them to hate, but to see them raised in the ignorance of their racial identity and precarious situation is inadvisable, impossible.' It helped his readers primarily, though not exclusively African-American children, to gain a sense of their own history and heritage. The Brownies' Book included poems, stories, folklores, sketches of important Africans and African-Americans through history a selection of which appeared in The Norton Anthology of Children's Literature. The Brownies' Book only appeared from 1920 to 1921. Its circulation peaked at about 4,000, causing the publication to cease for financial reasons. The Brownies' Book had seven goals,: to make children... to make colored children realize that being colored is a normal beautiful thing, to inform them of the achievements of our race, to teach them a code of honor, to entertain them, to provide them with a model of interacting with whites, to instill pride in home and family and to aspire... to inspire them and racially uplift them. Here, we see again the double impulse to instruct and entertain that we have noted in our children's

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literature generally. The Brownies' Book was in... I stumbled across this and I thought it was very important, and it piqued my curiosity, so I wanted to share it with you guys. Thank you, Mr. Speaker."

Speaker Hannig: "Mr. Clerk, read the Agreed Resolutions. There are no Agreed Resolutions so... so, we'll skip that today, and an important announcement. In case you haven't read the schedule, the bulletin that was passed out earlier, Session on Friday has been canceled. And so, the Clerk is going to announce the committees for tomorrow as well. Mr. Clerk."

Clerk Mahoney: "There's one change for committees today at 4:00 p.m. There's a cancelation of International Trade & Commerce. International Trade & Commerce has been canceled. For tomorrow, on Thursday, the 12:00 noon committees have been moved to 1:00 p.m. That would be Aging in Room 114; Computer Technology in C-1; Personnel and Pensions in Room 122B; Health & Healthcare Disparities in 118; Renewable Energy in 115; and, Environmental Health in D-1 will all be at 1:00 p.m. Session will still be at 2:00 p.m. tomorrow."

Speaker Hannig: "Are there any other announcements? Representative Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans will caucus at 12:00 tomorrow in 118."

Speaker Hannig: "Are there any other announcements? Then, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until tomorrow, Thursday, February 26, at the hour of 2:00 p.m., 2:00 p.m."

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All in favor say 'aye'; opposed 'nay'. The 'ayes' have it.
The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order.
Introduction and Reading of House Bills - First Reading.
House Bill 3695, offered by Representative Stephens, a Bill for an Act concerning criminal law. House Bill 3696, offered by Representative Mathias, a Bill for an Act concerning citizens and disabled persons. House Bill 3697, offered by Representative Froehlich, a Bill for an Act concerning the Secretary of State. House Bill 3698, offered by Representative Fortner, a Bill for an Act concerning State Government. House Bill 3699, offered by Representative Fortner, a Bill for an Act concerning business development. House Bill 3700, offered by Representative Tracy, a Bill for an Act concerning regulation. House Bill 3701, offered by Representative Dugan, a Bill for an Act concerning transportation. House Bill 3702, offered by Representative Hannig, a Bill for an Act concerning State Government. House Bill 3703, offered by Representative Osterman, a Bill for an Act concerning business. House Bill 3704, offered by Representative Osterman, a Bill for an Act concerning revenue. House Bill 3705, offered by Representative Jakobsson, a Bill for an Act concerning transportation. House Bill 3706, offered by Representative Flowers, a Bill for an Act concerning courts. House Bill 3707, offered by Representative Flowers, a Bill for an Act concerning regulation. House Bill 3708, offered by Representative Rose, a Bill for an Act concerning State Government. House Bill 3709, offered

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by Representative Rose, a Bill for an Act concerning wildlife. House Bill 3710, offered by Representative Watson, a Bill for an Act concerning the Crane Operator License Act. House Bill 3711, offered by Representative Myers, a Bill for an Act making appropriations. House Bill 3712, offered by Representative D'Amico, a Bill for an Act concerning transportation. House Bill 3713, offered by Representative Dunkin, a Bill for an Act concerning transportation. House Bill 3714, offered by Representative Rose, a Bill for an Act concerning domestic violence (sic-criminal law). House Bill 3715, offered by Representative Rose, a Bill for an Act concerning transportation. House Bill 3716, offered by Representative Rose (sic-Sullivan), a Bill for an Act concerning State Government. House Bill 3717, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 3718, offered by Representative Kosel, a Bill for an Act concerning local government. House Bill 3719, offered by Representative Kosel, a Bill for an Act concerning civil law. House Bill 3720, offered by Representative Kosel, a Bill for an Act concerning regulation. House Bill 3721, offered by Representative Kosel, a Bill for an Act concerning transportation. House Bill 3722, offered by Representative Burns, a Bill for an Act concerning public employee benefits. House Bill 3723, offered by Representative Kosel, a Bill for an Act concerning transportation. House Bill 3724, offered by Representative Mathias, a Bill for an Act concerning revenue. House Bill 3725, offered by Representative Mathias, a Bill for an Act concerning

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business. House Bill 3726, offered by Representative Mathias, a Bill for an Act concerning civil law. House Bill 3727, offered by Representative Mathias, a Bill for an Act concerning business. House Bill 3728, offered by Representative Mathias, a Bill for an Act concerning civil law. House Bill 3729, offered by Representative Mathias, a Bill for an Act concerning local government. House Bill 3730, offered by Representative Mathias, a Bill for an Act concerning transportation. House Bill 3731, offered by Representative Mathias, a Bill for an Act concerning education. House Bill 3732, offered by Representative Mathias, a Bill for an Act concerning aging. House Bill 3733, offered by Representative Mathias, a Bill for an Act concerning transportation. House Bill 3734, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 3735, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 3736, offered by Representative Holbrook, a Bill for an Act concerning safety. House Bill 3737, offered by Representative John Bradley, a Bill for an Act concerning employment. House Bill 3738, offered by Representative Holbrook, a Bill for an Act concerning revenue. House Bill 3739, offered by Representative Mautino, a Bill for an Act concerning public employee benefits. House Bill 3740, offered by Representative Turner, a Bill for an Act concerning appropriations. House Bill 3741, offered by Representative Zalewski, a Bill for an Act concerning debt collection. House Bill 3742, offered by Representative Chapa LaVia, a Bill for an Act concerning safety. House

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Bill 3743, offered by Representative Chapa LaVia, a Bill for an Act concerning education. House Bill 3744, offered by Representative Chapa LaVia, a Bill for an Act concerning local government. House Bill 3745, offered by Representative Brauer, a Bill for an Act concerning revenue. House Bill 3746, offered by Representative Leitch, a Bill for an Act concerning local government. House Bill 3747, offered by Representative Tryon, a Bill for an Act concerning State Government. House Bill 3748, offered by Representative Flowers, a Bill for an Act concerning insurance. House Bill 3749, offered by Representative Flowers, a Bill for an Act concerning insurance. House Bill 3750, offered by Representative Gordon, Careen (sic-Jehan), a Bill for an Act concerning criminal law. House Bill 3751, offered by Representative Gordon, Careen (sic-Jehan), a Bill for an Act concerning employment. House Bill 3752, offered by Representative Gordon, Craeen (sic-Jehan), a Bill for an Act concerning financial regulation. House Bill 3753, offered by Representative May, a Bill for an Act concerning employment. House Bill 3754, offered by Representative May, a Bill for an Act concerning insurance. House Bill 3755, offered by Representative Jakobsson, a Bill for an Act concerning local government. House Bill 3756, offered by Representative Joyce, a Bill for an Act concerning safety. House Bill 3757, offered by Representative Joyce, a Bill for an Act concerning liquor. House Bill 3758, offered by Representative Pritchard, a Bill for an Act concerning local government. House Bill 3759, offered by

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Representative Berrios, a Bill for an Act concerning professional regulation. House Bill 3760, offered by Representative McAuliffe, a Bill for an Act concerning public employee benefits. House Bill 3761, offered by Representative Walker, a Bill for an Act concerning jobs. House Bill 3762, offered by Representative Walker, a Bill for an Act concerning civil law. House Bill 3763, offered by Representative Walker, a Bill for an Act concerning revenue. House Bill 3764, offered by Representative Graham, a Bill for an Act concerning health. House Bill 3765, offered by Representative Coulson, a Bill for an Act concerning education. House Bill 3766, offered by Representative Coulson, a Bill for an Act concerning State Government. House Bill 3767, offered by Representative Coulson, a Bill for an Act concerning public health. House Bill 3768, offered by Representative Mautino, a Bill for an Act concerning public employee benefits. House Bill 3769, offered by Representative Mautino, a Bill for an Act concerning regulation. House Bill 3770, offered by Representative Crespo, a Bill for an Act concerning revenue. House Bill 3771, offered by Representative Crespo, a Bill for an Act concerning education. House Bill 3772, offered by Representative Reitz, a Bill for an Act concerning State Government. House Bill 3773, offered by Representative Bellock, a Bill for an Act concerning insurance. House Bill 3774, offered by Representative Acevedo, a Bill for an Act concerning revenue. House Bill 3775, offered by Representative Acevedo, a Bill for an Act concerning education. House Bill 3776, offered by

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Representative Farnham, a Bill for an Act concerning financial regulation. House Bill 3777, offered by Representative Lyons, a Bill for an Act concerning transportation. House Bill 3778, offered by Representative Farnham, a Bill for an Act concerning revenue. House Bill 3779, offered by Representative Flider, a Bill for an Act concerning regulation. House Bill 3780, offered by Representative Cole, a Bill for an Act concerning business. House Bill 3781, offered by Representative Durkin, a Bill for an Act concerning finance. House Bill 3782, offered by Representative Ryg, a Bill for an Act concerning movable soccer goals. House Bill 3783, offered by Representative Ryg, a Bill for an Act concerning plumbing. House Bill 3784, offered by Representative Ryg, a Bill for an Act concerning criminal law. House Bill 3785, offered by Representative Tryon, a Bill for an Act concerning local government. House Bill 3786, offered by Representative Tryon, a Bill for an Act concerning regulation. House Bill 3787, offered by Representative Tryon, a Bill for an Act concerning transportation. House Bill 3788, offered by Representative Davis, William, a Bill for an Act concerning public aid. House Bill 3789, offered by Representative Davis, William, a Bill for an Act concerning health. House Bill 3790, offered by Representative Davis, William, a Bill for an Act concerning appropriations. House Bill 3791, offered by Representative Hernandez, a Bill for an Act concerning criminal law. House Bill 3792, offered by Representative Nekritz, a Bill for an Act concerning safety. House Bill 3793, offered by Representative Hamos,

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a Bill for an Act concerning elections. House Bill 3794, offered by Representative Hamos, a Bill for an Act concerning civil law. House Bill 3795, offered by Representative Collins, a Bill for an Act concerning criminal law. House Bill 3796, offered by Representative Yarbrough, a Bill for an Act concerning insurance. House Bill 3797, offered by Representative McCarthy, a Bill for an Act concerning education. House Bill 3798, offered by Representative McCarthy, a Bill for an Act concerning public employee benefits. House Bill 3799, offered by Representative Dugan, a Bill for an Act concerning education. House Bill 3800, offered by Representative Senger, a Bill for an Act concerning criminal law. House Bill 3801, offered by Representative Froehlich, a Bill for an Act concerning appropriations. House Bill 3802, offered by Representative Froehlich, a Bill for an Act concerning government. House Bill 3803, offered by Representative Reitz, a Bill for an Act concerning environmental safety. House Bill 3804, offered by Representative Hoffman, a Bill for an Act concerning employment. House Bill 3805, offered by Representative Coulson, a Bill for an Act concerning State Government. House Bill 3806, offered by Representative Colvin, a Bill for an Act concerning civil law. House Bill 3807, offered by Representative Colvin, a Bill for an Act making appropriations. House Bill 3808, offered by Representative Colvin, a Bill for an Act making appropriations. House Bill 3809, offered by Representative Colvin, a Bill for an Act concerning public employee benefits. House Bill 3810, offered by Representative

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Colvin, a Bill for an Act concerning education. House Bill 3811, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 3812, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 3813, offered by Representative Howard, a Bill for an Act concerning criminal law. House Bill 3814, offered by Representative Davis, Monique, a Bill for an Act concerning public health. House Bill 3815, offered by Representative Osterman, a Bill for an Act concerning State buildings. House Bill 3816, offered by Representative Watson, a Bill for an Act concerning public employee benefits. House Bill 3817, offered by Representative Ryg, a Bill for an Act concerning safety. House Bill 3818, offered by Representative Burns, a Bill for an Act concerning State Government. House Bill 3819, offered by Representative Brady, a Bill for an Act concerning government. House Bill 3820, offered by Representative Brady (sic-Froehlich), a Bill for an Act concerning revenue. House Bill 3821, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 3822, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 3823, offered by Representative Mautino, a Bill for an Act concerning insurance. House Bill 3824, offered by Representative Mautino, a Bill for an Act concerning regulation. House Bill 3825, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 3826, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 3827, offered by

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Representative Bellock, a Bill for an Act concerning fish. House Bill 3828, offered by Representative Bellock, a Bill for an Act concerning conservation. House Bill 3829, offered by Representative Bellock, a Bill for an Act concerning conservation. House Bill 3830, offered by Representative Reitz, a Bill for an Act concerning safety. House Bill 3831, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 3832, offered by Representative Mautino, a Bill for an Act concerning transportation. House Bill 3833, offered by Representative Beiser, a Bill for an Act concerning finance. House Bill 3834, offered by Representative Hamos, a Bill for an Act concerning regulation. House Bill 3835, offered by Representative Hamos, a Bill for an Act concerning regulation. House Bill 3836, offered by Representative Cultra, a Bill for an Act concerning wildlife. House Bill 3837, offered by Representative Watson, a Bill for an Act concerning mentoring leave. House Bill 3838, offered by Representative Watson, a Bill for an Act concerning children. House Bill 3839, offered by Representative Jakobsson, a Bill for an Act concerning elections. House Bill 3840, offered by Representative Rose, a Bill for an Act concerning public employee benefits. House Bill 3841, offered by Representative Leitch, a Bill for an Act concerning appropriations. House Bill 3842, offered by Representative Watson, a Bill for an Act concerning revenue. House Bill 3843, offered by Representative Lang, a Bill for an Act concerning civil law. House Bill 3844, offered by Representative Lang, a Bill for an Act

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concerning State Government. House Bill 3845, offered by Representative Harris, a Bill for an Act concerning professional regulation."

Clerk Bolin: "First Reading of House Joint Resolution Constitutional Amendment #22, offered by Representative Froehlich.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article XIV of the Illinois Constitution by adding Section 5 as follows:

ARTICLE XIV

CONSTITUTIONAL REVISION

SECTION 5. CONSTITUTIONAL INITIATIVE FOR ETHICAL STANDARDS

Amendments to Section 2 of Article XIII of this Constitution may be proposed by a petition signed by a number of electors equal to at least 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election. Amendments shall be limited to subjects that establish and enforce ethical standards for candidates for or holders of office in units of local government, in school districts, or in the legislative, executive, or judicial branch of State Government. A petition shall contain the text of the proposed amendment and the date of the general election at which the proposed amendment is to be submitted, shall have been signed by the

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petitioning electors not more than 24 months preceding that general election, and shall be filed with the State Board of Elections at least 6 months before that general election. The procedure for determining the validity and sufficiency of a petition shall be provided by law. If the petition is valid and sufficient, the proposed amendment shall be submitted to the electors at the general election and shall be adopted if approved by either three-fifths of those voting on the question or a majority of those voting in the election.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the First Reading of House Joint Resolution Constitutional Amendment #22. First Reading of House Joint Resolution Constitutional Amendment #23, offered by Representative Franks.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 9 to Article XIII of the Illinois Constitution as follows:

SECTION 9. COMPENSATION FOR CERTAIN STATE OFFICIALS

(a) There is created the Compensation Review Board as an independent commission within the legislative branch of State Government.

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The Board shall consist of 12 members, appointed 3 each by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. Members shall be adults and be residents of Illinois. Members may not be members or employees or former members or employees of the judicial, executive, or legislative branches of State Government; nor may members be persons required to be registered under the Lobbyist Registration Act or any successor Act. Any member may be reappointed for a consecutive term. The respective appointing legislative leader may remove any such appointed member prior to the expiration of his or her term on the Board for official misconduct, incompetence, or neglect of duty.

Members shall serve without compensation but shall receive an allowance for living expenses incurred in the performance of their official duties in an amount per day equal to the amount permitted to be deducted for such expenses by members of the General Assembly under the federal Internal Revenue Code, as now or hereafter amended. The rate for reimbursement of mileage expenses shall be equal to the amount established from time to time for members of the General Assembly.

The Board may, notwithstanding any other provision of this Constitution, employ and fix the compensation or remuneration of employees and contract for personal and professional services as it considers necessary or desirable. The General Assembly shall appropriate to the Commission on Government Forecasting and Accountability the

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funds necessary to operate the Board, and the Commission shall prepare and submit vouchers on behalf of the Board and provide other fiscal services to the Board as the Board requests and directs; but the Commission shall not exercise any authority or control over the Board or its employees or contractors.

(b) As soon as possible after this Amendment is adopted, the Speaker of the House of Representatives, the Minority Leader thereof, the President of the Senate, and the Minority Leader thereof, shall each appoint to the Board one member to serve a term not exceeding one year, one member to serve a term not exceeding 2 years, and one member to serve a term not exceeding 3 years, with each initial appointed member's term expiring on June 30 of the appropriate year. Each successive term shall be 3 years, expiring on June 30 of the appropriate year. Initial and subsequent members shall serve until their successors are appointed and qualified. A vacancy shall be filled by the respective legislative leader by appointment for the unexpired portion of the term. Members shall select one of their number as chairman, who shall serve as chairman for 2 years.

(c) The Board shall meet as often as may be necessary and shall determine, upon a vote requiring at least 7 affirmative votes, the compensation for members of the General Assembly, judges, other than the county supplement, State's attorneys, other than the county supplement, other elected constitutional officers of State Government, and certain appointed officers of State Government.

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In determining the compensation for each office, the Compensation Review Board shall consider the following factors:

- (i) the skill required,
- (ii) the time required,
- (iii) the opportunity for other earned income,
- (iv) the value of public services as performed in comparable states,
- (v) the value of such services as performed in the private sector in Illinois and comparable states base on the responsibility and discretion required in the office,
- (vi) the average consumer prices commonly know as the cost of living,
- (vii) the overall compensation presently received by the public officials and all other benefits received,
- (viii) the interests and welfare of the public and the financial ability of the State to meet these costs,
- (ix) such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of such compensation.

The Board shall conduct public hearings prior to filing its report. At the public hearings, the Board shall allow interested persons to present their views and comments. The Board may prescribe reasonable rules for the conduct of public hearings, to prevent undue repetition.

The Board shall file an initial report with the House of Representatives, the Senate, the Comptroller, and the Secretary of State. Subsequent reports shall be filed therewith before April 1 in each even-numbered year

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thereafter, stating the annual salary for members of the General Assembly, other elected State constitutional officers, and certain appointed State officers, compensated State employees, and members of certain State departments, agencies, boards, and commissions whose terms begin in the next calendar year; the annual salary for State's attorneys; and the annual salary for the Auditor General and for Supreme Court, Appellate Court, Circuit Court, and Associate judges.

(d) The salary recommendations of the Compensation Review Board shall take effect in whole or proportionately only by adoption of a resolution by a record vote of a majority of members elected in each house of the General Assembly. The salary recommendations of the Compensation Review Board may not take effect unless each house of the General Assembly approves the recommendations, in whole or proportionately, within 30 days after receiving them. The General Assembly may not establish any statutory mechanism of any kind whereby the modification of the compensation of any elected official of State Government takes effect without the approval of both houses of the General Assembly in the form of a record vote of a majority of members elected in each house. If the recommendations are not so approved, or if the Board fails to recommend a change in salary, the salary for the new term shall be the same as the salary in effect when the previous term ended.

(e) No modification of the salaries of any official to whom these provisions apply shall take effect until and unless

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an election at which members of the House of Representatives are elected shall have occurred.

(f) The General Assembly shall appropriate the funds necessary to pay the salaries set by the Board.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the First Reading of House Joint Resolution Constitutional Amendment #23. There being no further business, the House Perfunctory Session stands adjourned."