

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

25th Legislative Day

3/12/2009

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 Tom Corum, who is the pastor of the Grace United Methodist Church in Salem, Illinois. Reverend Corum is the guest of Representative Cavaletto."

Reverend Corum: "Let us pray. Great and eternal God, we are grateful today for the gift of life and for another day of meaningful work. We give You thanks for the opportunity to allow the gifts of heart and intellect to collide together for the sake of the people of the State of Illinois and the individual regions we serve. Today, we lift before You those persons as they go about their daily routines of work and leisure. They are the reason we are here, Oh God. On this ordinary day, Oh God, make us extraordinarily sharp of mind, compassionate in heart, and robust in spirit. Help us to look deeper than our familiar routines and the often cumbersome details of the tasks that are ever before us. Refresh us, energize us, grant us the wisdom and discernment and creativity we need to keep our balance in all things, from the least to the greatest. And at the end of the day, Oh God, make us thankful that we belong to You. All of this we pray in Your great and holy name, Amen."

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

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Durkin - 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. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Gordon is excused today."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Graham, Chairperson from the Committee on Renewable Energy, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3746, House Bill 4030, House Bill 4321, House Bill 3646; 'do pass as amended Short Debate' is House Bill 4245. Representative McCarthy, Chairperson from the Committee on Personnel Pensions, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 1041, House Bill 2557, House Bill 2602, House Bill 2655, House Bill 3856, House Bill 3661, House Bill 3672, House Bill 3840, House Bill 3900,

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and House Bill 4015; 'do pass as amended Short Debate' is House Bill 1098, House Bill 3606, House Bill 3652, House Bill 3798, and House Bill 3870. Representative Bellock, Chairperson from the Committee on Medicaid Reform, Family & Children Services, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 2691 and House Bill 2694. Representative Will Davis, Chairperson from the Committee on Healthcare... Health & Healthcare Disparities, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 528. Representative Feigenholtz, Chairperson from the Committee on Adoption Reform, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3881, House Bill 4055; 'do pass as amended Short Debate' is House Bill 4054 and House Bill 4220. Representative Hamos, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 547, House Bill 617, House Bill 1312, House Bill 1313, House Bill 1314, House Bill 1316, House Bill 1318, House Bill 3834, and House Bill 4170; 'do pass as amended Short Debate' is House Bill 184. Representative McAuliffe, Chairperson from the Committee on Veterans'

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Affairs, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 412, House Bill 3970, House Bill 4197, House Bill 4211, House Bill 4215, and House Bill 4236. Representative May, Chairperson from the Committee on Environmental Health, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 2429; 'do pass Short Debate' is House Bill 2437 and House Bill 3792 and House Bill 3817. Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 800, House Bill 935, House Bill 1319, House Bill 1348, House Bill 2281, House Bill 2332, House Bill 2353, House Bill 2393, House Bill 2610, House Bill 2716, House Bill 3795, House Bill 3885, House Bill 3897, House Bill 3903, House Bill 3908, House Bill 3909, House Bill 3911, and House Bill 3934, as well as House Bills 2669, House Bill 2670, House Bill 2671, House Bill 2672, House Bill 2680, House Bill 3715, House Bill 3961, House Bill 3962, House Bill 4066, House Bill 4081, House Bill 4169, and House Bill 4173; 'do pass Standard Debate' is House Bills 3714 and House Bill 3791; 'do pass as amended Short Debate' is House Bill 594, House Bill 881, House Bill 1032, and House Bill 3677; 'recommends be adopted as amended' is House Joint

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Resolution 18. Representative Washington, Chairperson from the Committee on Aging, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 2388, House Bill 239... House Bill 3967. Representative Nekritz, Chairperson from the Committee on Railroad Industry, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3730 and House Bill 4046. Representative Collins, Chairperson from the Committee on Juvenile Justice Reform, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 2678; 'do pass Short Debate' is House Bill 1126. Representative Froehlich, Chairperson from the Committee on Cities & Villages, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass as amended Standard Debate' is House Bill 967. Representative Arroyo, Chairperson from the Committee on Infrastructure, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3637 and House Bill 3987. Representative Flider, Chairperson from the Committee on Electric Generation & Commerce, to which the following measure/s was/were referred, action taken on March 12,

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2009, reported the same back with the following recommendation/s: 'do pass as amended Standard Debate' is House Bill 2. Representative Bradley, Chairperson from the Committee on Revenue & Finance, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 1, House Bill 75, House Bill 174, House Bill 212, House Bill 217, House Bill 220, House Bill 238, House Bill 241, House Bill 250, House Bill 255, House Bill 471, House Bill 472, House Bill 493, House Bill 870, House Bill 1004, House Bill 1086, House Bill 1124, House Bill 1137, House Bill 2277, House Bill 2278, House Bill 354, House Bill 2470, House Bill 2502, House Bill 3659, House Bill 3664, House Bill 2549, House Bill 2616, House Bill 2363, House Bill 3738, House Bill 3822, House Bill 3831, House Bill 3635, and House Bill 3636; 'do pass as amended Short Debate' is House Bill 242, House Bill 303, House Bill 366, House Bill 681, House Bill 2263, House Bill 2319, House Bill 2394, House Bill 3666, House Bill 3682, House Bill 3872, and House Bill and 4120. Representative Verschoore, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3675, House Bill 3779, House Bill 3950, and House Bill 4114; 'do pass as amended Short Debate' is House Bill 705, House Bill 1202, House Bill 2409, House Bill 2516, House Bill 3630, House Bill 3718; 'recommends be adopted' is

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House Bill Floor Amendment #1 to House Bill 442. Representative Harris, Chairperson from the Committee on Youth and Family, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 520; 'do pass Standard Debate' is House Bill 2485; 'do pass Short Debate' is House Bill 2365 and House Bill 3974. Representative Feigenholtz, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on March 12, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 660, House Bill 1063, House Bill 3841, House Bill 3928, House Bill 3953, and House Bill 4216. Representative Franks, Chairperson from the Committee on Government... Committee on State Government Administration, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 37, House Bill 379, House Bill 796, House Bill 2377, House Bill 2400, House Bill 2406, House Bill 2490, House Bill 2574, House Bill 4160, and House Bill 4190; 'recommends be adopted' is Floor Amendment #1 to House Bill 1002, and Floor Amendment #1 to House Bill 1370; 'do pass Short Debate' is House Bill 177, House Bill 276, House Bill 492, House Bill 1042, House Bill 2302, House Bill 2369, House Bill 2376, House Bill 2428, House Bill 2651, House Bill 2632, House Bill 2647, correction, House Bill 3647, House Bill 3653, House Bill

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3663, House Bill 3670, House Bill 3687, House Bill 3688, House Bill 3691, House Bill 3815, House Bill 3833, House Bill 3919, House Bill 4012, House Bill 4027, House Bill 4035, House Bill 4078, House Bill 4096, House Bill 4098, House Bill 4099, House Bill 4101, House Bill 4109, House Bill 4165, House Bill 4199, House Bill 4205, House Bill 4206, House Bill 4208, House Bill 3702, House Bill 3722, House Bill 3802, House Bill 4213, House Bill 4230, House Bill 4242, and House Bill 4320. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 16 and House Bill 1190; 'do pass Short Debate' is House Bill 2386, House Bill 2675, House Bill 2676, House Bill 4038, House Bill 4039, and House Bill 4117. Representative Phelps, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 2257 and House Bill 3990. Representative Monique Davis, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 2238; 'do pass Standard Debate' is House Bill 3639 and House Bill 3796; 'do pass as amended Short Debate' is House Bill 631. Representative Boland, Chairperson from the

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Committee on Higher Education, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 2686, House Bill 3999, House Bill 4094, and House Bill 4209; 'do pass as amended Short Debate' is House Bill 738 and House Bill 4122; 'do pass as amended Standard Debate' is House Bill 79. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 976; 'do pass as amended Standard Debate' is House Bill 3923. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 266, House Bill 789, House Bill 878, House Bill 2264, House Bill 2434, House Bill 3828, and House Bill 3873; 'do pass Short Debate' is House Bill 170, House Bill 696, House Bill 2491, House Bill 3830, House Bill 3859, House Bill 4021, and House Bill 4249. Representative Osterman, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 374, House Bill 2375, House Bill 3631, House Bill 3753, House Bill 3856, House Bill 3860, House Bill

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4186; 'do pass as amended Short Debate' is House Bill 762, House Bill 2688, House Bill 3634, and House Bill 4251. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 3698 and House Bill 3971. Representative Ryg, Chairperson from the Committee on Disability Services, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 2446 and House Bill 4154. Representative Mendoza, Chairperson from the Committee on Tollway Oversight, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' to House Bill 1075; 'do pass Short Debate' to House Bill 2435 and House Bill 3723. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 486 and House Bill 2322; 'do pass Short Debate' is House Bill 198, House Bill 575, House Bill 940, House Bill 2337, House Bill 2473, House Bill 2477, House Bill 2478, House Bill 2479, House Bill 2480, House Bill 3995, House Bill 4011, and House Bill 4050. Representative Burke, Chairperson from the Committee on Executive, to which the

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following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 365 and House Bill 2503. Representative Moffitt, Chairperson from the Committee on Fire Protection, to which the following measure/s was/were referred, action taken on March 11, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 297. Referred to the House Committee on Rules is House Resolution 172, offered by Representative Colvin. House Resolution 175, offered by Representative Ramey. House Resolution 176, offered by Representative Ramey. And House Resolution 177, offered by Representative Dan Brady."

Speaker Madigan: "On Supplemental Calendar #1 there appears House Bill 365, Mr. Franks. Mr. Franks."

Franks: "Thank you, Mr. Speaker. I make a Motion pursuant to Rule 58(a) to discharge the Committee on Executive from further consideration of House Bill 365, and have that Bill go directly to the floor. And I don't make the Motion to Discharge lightly, but the situation demands the attention of the entire House. Everywhere I go in my district this is a major topic and I'm sure it is in everyone else's districts too about whether we're going to have a Special Election for the United States Senate seat. That's why I'm taking this effort. When I go home this weekend, I want to be able to tell my constituents and let my children know that I've taken every step possible to restore our democracy. The citizens of the State of Illinois have been abused by their public officials. There is a crisis of

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confidence. The citizens have lost faith in their government and deservedly so. The last few months have been a sort of political hell for our citizens. We have become a national disgrace. We have become a punch line. There are more federal agents in Illinois investigating corruption by public officials than in any other state. None of us want the citizens of Illinois to have to go through this again. We, the Legislature, we created the problem by not stripping the former Governor of his power to appoint when we had the chance. It's now incumbent upon us to clean up our own mess. It is clear that when Mr. Burris came to our committee he misled the Legislature and he misled the public. Every week it seems that more and more information trickles out. I sat on that special investigative committee and I heard the questions and I heard Mr. Burris's response. It is clear that he was not forthcoming and he was seated in the United States Senate under false pretenses. Now, I harbor no illusions that the United States Senate will discipline one of their own. The last time a Member was expelled was in 1862. If they didn't throw out Stevens and Packwood, they certainly aren't going to dismiss Mr. Burris. Therefore, we must address this issue. Each one of us must have our own voice heard. Our constituents expect us to weigh in on this issue and vote. Whether you vote 'yes' or whether you vote 'no' is up to you. At the very least we must be allowed to vote and that's why I ask that this Motion carry and that the Bill be discharged directly to the floor."

Speaker Madigan: "Mr. Clerk, what is the status of this Bill?"

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Clerk Mahoney: "House Bill 365 was reported out of Executive Committee 'do not pass as amended Short Debate'."

Speaker Madigan: "The Chair recognizes the parliamentarian on behalf of the Speaker."

Parliamentarian Ellis: "Representative Franks, on behalf of the Speaker in response to your Motion, under House Rule 58 a Bill that has been reported back unfavorably cannot be discharged from committee. So, Sir, your Motion is out of order."

Speaker Madigan: "Mr. Franks."

Franks: "Mr. Speaker, in all due respect, I understand your position, but I respectfully would ask that the Chair be overridden. This is a difficult position to put my colleagues in, especially those Members of my own Party, but I think it's an easy Motion to make because it's the right one. We were elected to do a job and to stand up for what's right. We're supposed to be independent voices for our constituents. This Motion, Ladies and Gentlemen, that I've asked that you override the Speaker, requires not loyalty to a Party but rather a loyalty to our state as a whole. The only way to get past the problems of the past is to rise above partisan politics. If that means that we risk our positions, so be it. It is better to risk our seats than to lose the confidence of the people of the State of Illinois. This extraordinary circumstance requires all of us to rise up and to do what's right, not what's politically expedient. I ask my colleagues, respectfully, to vote to override the Chair and allow this Body to vote on this Special Election Bill. Let's take our government

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back here and right now for the benefit of the people that we pledged to fight for. Please 'yes'... vote 'yes' to override the Chair. And I'd ask for a Roll Call vote, Mr. Speaker."

Speaker Madigan: "The Gentleman's Motion is to overrule the ruling of the Chair. And on this question, the question for the Members shall be 'Shall the Chair be sustained?' The Chair recognizes Mr. Durkin."

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

Speaker Madigan: "Sponsor yields."

Durkin: "What exactly kind of stunt are you pulling right now, Mr. Franks? I was in this committee yesterday. You, well, had this orchestrated vote set up to make sure it failed not only our Bill but also yours. What exactly are you trying to get done today? This is absolutely hysterical."

Franks: "It's not funny..."

Durkin: "No, it is funny. You are..."

Franks: "...and I really resent the implication."

Durkin: "Actually, this is the phoniest exhibition I've witnessed in my lifetime, though."

Franks: "You know, Durkin, I filed a Bill in December to strip the Governor from making that appointment and you didn't get on the Bill. I tried to get the Bill passed. You had no... you had no reason to help, because you guys wanted a political chit. That's all it was about. Now, I've been consistent from the very beginning to have a vote and to have a Special Election. There's no game playing here. I'm doing everything I need to, to get this vote. I wish

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you would have joined us instead of playing those political games that you're so fond of."

Durkin: "The political games which I... And I recall January 8 was probably the first time you were silent in your career with Mr. Burris."

Franks: "I was and do you want to know why?"

Durkin: "Strangely, the most silent person in that committee."

Franks: "You want to know why I was silent, because I believed his answers and I was listening to your questions and I listened to Jil Tracy's questions. And when he told me that the only person that he spoke with was Lon Monk in July, I figured there was no follow-up necessary. Now, if he would have said I spoke with John Wyma, the person who set the listening devices in the former Governor's office, I guarantee you I would have asked questions. But when he told me he talked to somebody in June or July, there was no reason to follow up. And as you know, I was one of the most vocal Members, but when he answered those questions, I think we were all duped. And I told.. as soon as I found out I felt betrayed and I went after him. So, don't say I'm playing games. I've been straight from the beginning. I don't know what your angle is, though."

Durkin: "Mr. Franks, we've had enough of your charade, as have I."

Speaker Madigan: "Mr. Reboletti."

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

Speaker Madigan: "Sponsor yields."

Reboletti: "Representative, numerous times the House Republicans have tried to get election Bills out and not

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sustain the Chair. Did you vote with us every time, cause I don't the numbers bore that out?"

Franks: "I can tell you how I voted each time. I had House Bill 365 already in Executive Committee. Since we already had that Bill, we didn't need another one. So, that's why I voted 'no' on that."

Reboletti: "If this is a nonpartisan issue and we're trying to get good government, it shouldn't matter, Representative. You should have joined us to get a Bill out so the people of Illinois could have good, clean elections but let the best person win."

Franks: "Here's your opportunity now."

Speaker Madigan: "The question is, 'Shall the Chair be sustained?' Those supporting the Chair shall vote 'yes'... Mr. Black. The question is, 'Shall the Chair be sustained?' Those supporting the Chair will be vote 'yes'; those voting against the Chair will vote 'no'. The Clerk shall take the record. The Clerk shall take the record. On this question, there are 54 people voting 'yes', 62 people voting 'no'. The Motion fails. Black... Mr. Black."

Black: "Thank you very much, Mr. Speaker, point of order. Pursuant to Rule 58 there is a suspension clause that that rule could be suspended and we could revisit this issue if we need to. And I would ask the parliamentarian to look at the suspension article in Rule 48 (sic-58), to suspend that entire rule which if necessary would let Mr. Franks make a Motion to again release that Bill, and would not be then held accountable under the failure to have a positive Motion in the committee. I make my Motion in good faith."

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I do tend to agree with Representative Franks, I don't see any humor in this situation at all. The fact is, a Special Election should be held, should have been held, and if at all possible should, in fact, be held in the future. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Stephens."

Stephens: "Well, this won't surprise some of you, but I'm a little confused, Mr. Speaker. You made a ruling and then there was a Motion to override your ruling. And unless I misread, you voted 'yes'. You didn't sustain your own Motion, your own decision. Now, I know that yesterday when Knute Rockne came..."

Speaker Madigan: "Just one second, Mr. Stephens."

Stephens: "Oh, okay. I was going to get in the Knute Rockne speech."

Speaker Madigan: "I clearly stated... I clearly stated that for those that supported the Chair, sustained the Chair, they should vote 'yes'. And if you do not sustain the Chair, you should vote 'no'. That was my statement. Proceed."

Stephens: "Thank you, Mr. Speaker. How did you vote?"

Speaker Madigan: "Okay, Mr. Stephens, you got me. Good job."

Stephens: "I think I'll stop... I think I'll stop now."

Speaker Madigan: "Yeah, you should stop right there."

Stephens: "I'll stop right here."

Speaker Madigan: "Mr. Black, did you want to move to discharge the committee on 636, House 636?"

Black: "Not at this time, Mr. Speaker. I may come back and do that. I am in the process of contacting the chair of the committee. It was my fault, quite frankly, that I didn't

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ask that the Bill be moved to the Personnel & Pensions Committee, and I will try to handle it through normal procedures before I ask that the Bill be discharged. Thank you."

Speaker Turner: "Representative Turner in the Chair. We're starting on Page 36 of the Calendar under the Order of Third Readings. We left off yesterday at House Bill 605, Representative Yarbrough. I'm sorry, Representative, hold on. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you, Mr. Speaker. I have a point of order pending. We would like a response to that prior to the resumption of normal business. I have moved under Rule 58. It has a suspension clause under the applicable rule, that that rule being used to deny Mr. Franks' Motion to Discharge was denied based on the fact that the Bill in question did not get an affirmative vote in committee. All I'm asking in my point of order, under Rule 58 you can suspend that rule which would then let Mr. Franks have another attempt, in my opinion, to discharge the committee because the rule then would not stand in his way for a Motion to Discharge since the rule saying he didn't get a... an affirmative vote would be suspended by a vote of 71 Members of the House. And I would ask the Chair to so rule before we move on to the resumption of normal business. And I... Mr. Speaker, it's not... this is getaway day. I don't enjoy doing this. I'd like to get home as all of us would as well, but I really do think that this is a very important issue. Sixty-two people voted to have some vote

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or hearing or debate on a Special Election. Sixty-two people, that's more than a majority. So I, again, I would make my point of order about the suspension of the rule."

Speaker Turner: "Representative Black, the parliamentarian will give you his ruling."

Parliamentarian Ellis: "Representative Black, on behalf of the Speaker, in response to your inquiry. Sir, Rule 58 is the mechanism by which you can move to discharge. If you suspend the rule you don't have a mechanism for discharge in the first instance."

Black: "You are telling me that the suspension, that entire rule cannot be... I would assume that it would be divisible. The only thing I'm asking that we suspend, under the suspension reference, would be the applicable rule under Rule 58 that he has to have an affirmative vote to discharge. I would think, under a suspension point of order, that that applicable rule could be suspended and that Mr. Franks, in fact, then could move to discharge that Bill from committee. I will defer to your expertise. I've seen these things happen before and all I can say, Mr. Speaker, is 62 people voted to overrule the Chair. That is more than a majority. I don't know why we can't move to the order of the election, and I think the rule could be suspended in a divisible fashion and let Mr. Franks renew his Motion."

Speaker Turner: "Representative, a ruling has been made."

Black: "Can I... can I disagree with the Motion? Let the record reflect I disagree with the... with the response. I understand that the hour grows late and people have a long

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way to drive. I will not pursue an over... try to overrule the Chair, but I think the message is clear, Mr. Speaker, more than a majority voted to overrule the Chair. I know it takes 71 votes to overrule the Chair, but a clear majority voted with the Representative to have a vote or a debate on an election Bill. I... I always stand in confusion when the majority, a majority of the Members of this House, will find their wishes ignored. Yes, you all have a Roll Call and some of you can hide behind that, but I think people are much more sophisticated today; they ask us what were the results, not how we voted. And I think the result clearly shows of the 62 voting in the affirmative, that we should debate a Special Election Bill. I will accept the ruling of the parliamentarian. I want the record to reflect I certainly don't agree with it and I'm disappointed that we cannot, in an open and fair fashion, debate a Special Election Bill."

Speaker Turner: "The Gentleman from Kendall, Representative Cross, for what reason do you rise?"

Cross: "I think we're through, for all practical purposes, with the previous speaker, but I have filed now, Mr. Speaker, under... House Rule 61, a Motion to ask that my Bill, House Bill 2503, be taken off the table... be taken off the table where it is, brought back here and immediately sent to the floor for a vote. Obviously, as Representative Black said, 62 people at least on paper are going to try to allege that they are for a Special Election. That's what we... let's not kid ourselves, that's what the vote was all about, to give people some cover so they can say, I voted for a Special

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Election, look at the Roll Call. Let's get the real Bill, our Bill, 2503, and quite frankly, I don't care if it's my Bill or Representative Franks', if he really is sincere about this, out here. Take it off the table, have it discharged immediately to the floor. We all know what the issue is, it's whether or not we ought to set an election and have a Special Election. So, I would move, as I said, repeat my Motion to take 2503 from the table and have it immediately discharged to the floor for a vote on whether or not we should have a Special Election in the State of Illinois."

Speaker Turner: "The parliamentarian will give an answer to your request."

Parliamentarian Ellis: "Leader Cross, on behalf of the Speaker, in response to your inquiry a... the result of a Motion to take from the table, if one carried, would be not to return it to the floor, but to where it originally came from, which is the Executive Committee where it has been unfavorably reported, Sir. So, there is no mechanism to move to discharge as we previously ruled, because it's been reported unfavorably."

Cross: "Well..."

Parliamentarian Ellis: "There's no mechanism to use a Motion to Table to deliver that Bill directly to the floor. It would go back to the Executive Committee, Sir."

Cross: "Well, I know as Representative Black said, it's late, it's Thursday afternoon, but if this is the last week to get Bills out of committee, 62 of us say we support Special Election. I would ask the Chair to convene... waive the

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posting, convene the Executive Committee. Let's go back down there, have a vote, get it back on the floor, have a vote today on whether or not there really are 62 of us that support House Bill 2503 or the alternative, Representative Franks's Bill and vote on it this afternoon. We are either for Special Election, 62 of us, or we're not. So, I would ask that you suspend the posting and convene the Executive Committee this afternoon. I would hope that Representative Franks... Representative Franks, I know you... I assume you're supporting us on this. You are very anxious to get your Bill called. It doesn't have to be me; it can be your Bill, Jack. We'll take you at your word that you're for this. You've got a number of colleagues over there that have said they were... moved to override the Chair. I hope you can get them to support us on the waiving of the posting and let's go back down to Executive, get it out of Exec, come back up here and vote on it this afternoon. I hope you can rally your Members and let's see if... how sincere people really are. We're ready to go. Maybe you can get substituted in. Are you going... I assume you're going to sit here and support me on this before the Body and with the Chair."

Speaker Turner: "Representative... Representative, before he supports you, let me tell you the..."

Cross: "Well, let's see if he's going to."

Speaker Turner: "Well, it doesn't make any difference. The Executive Committee has met for this week. It's not scheduled to meet again until Wednesday at the hour of 8:30. So, that would be the earliest that we could even consider this issue, but it will not meet again today."

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Cross: "All right. Well, let's back up. You denied my Motion under House Rule 61 to take it off the table. I move to override the Chair on that Motion. And, apparently, this would be a... in my opinion, you are with us if you are for Special Elections, you're not with us if you're not, and I move to override the Chair."

Speaker Turner: "So, the question is... the Gentleman has made a Motion to override the Chair. The question is, 'Shall the Chair be sustained?' If you're with me, you will vote 'yes'; if you're not, you will vote 'no'. The Clerk shall take the... the Roll Call is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there's 67 voting 'aye', 49 voting 'no'. And the Chair is sustained. The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "To ask for an immediate, an immediate investigation into the electronics and the control thereof, because obviously, there is something wrong. Now, we had 62 people that were with us. Now, either there was some flip-flopping, but I don't think that happens... I don't think flip-flopping happens in Illinois. I believe that there's an electronic override on some of the switches on your side of the aisle. I think it needs to be corrected today. I don't think we should... I don't care if it's getaway day or not, let's fix this problem."

Speaker Turner: "Representative, your point is well-taken and we're going to have the electrician check after we adjourn. Okay. Now, let's do a little work today. On the Order of Third Readings, page 36 of the Calendar, we have

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Representative Yarbrough on House Bill 605. Read the Bill,
Mr. Clerk."

Clerk Mahoney: "House Bill 605, a Bill for an Act concerning
education. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the House.
House Bill 605 amends the School Code. It requires that
the Ensuring Success in School Task Force to submit a
report to the General Assembly before December 1, 2009
instead of January 1, 2009. The task force has completed
its work; however, we need more time to present the report.
I ask for a favorable vote."

Speaker Turner: "The Gentleman from Vermilion, Representative
Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker, a point of order."

Speaker Turner: "State your point."

Black: "All right. You just said let's see if we can get a
little work done. Do you mean we're going to try to get a
lot of work done or just a little work done?"

Speaker Turner: "A lot of work."

Black: "All right, I'll join you. Let's go."

Speaker Turner: "Seeing no questions, the question is, 'Shall
the House pass House Bill 605?' All those in favor should
vote 'aye'; all those opposed vote 'no'. The voting is now
open. Have all voted who wish? Have all voted who wish?
The Clerk shall take the record. On this question, there
are 116 voting 'aye', 0 'noes', 0 'presents'. And this
Bill, having received the Constitutional Majority, is

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hereby declared passed. The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

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

Speaker Turner: "State your point."

Sacia: "Ladies and Gentlemen in the Body, we have with us, in the gallery today, two distinguished folks from Galena, Illinois, Gary and Gale Appel. They are some tremendous supporters and observers of the constitutional process. Would you make them feel welcome."

Speaker Turner: "Welcome to Springfield. Representative McCaskey. McAsey, I'm sorry, the Lady from Will."

McAsey: "Thank you. I also rise for a point of personal privilege, if I may. I would hope that the House will join me in welcoming members from all of our districts who are down here for Lupus Advocacy Day. They are in the gallery and if you would help me welcoming them this afternoon. Thank you."

Speaker Turner: "Welcome to Springfield. The Gentleman from DuPage, Representative Coladipietro."

Coladipietro: "Thank you, Mr. Speaker. We have a birthday on our side of the aisle today, so I'd ask all the House Members to join me in wishing Mike Connelly a very happy birthday today."

Speaker Turner: "Mike, happy birthday, Mike. Still shooting 3's... 33 and still shooting 3's. The Gentleman from Lake, Representative Sullivan, for what reason do you rise?"

Sullivan: "Thank you, Mr. Speaker. I want to stay on the same theme of personal privilege."

Speaker Turner: "State your point."

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Sullivan: "As we know, Tuesday is St. Patrick's Day and there are a few people that are Irish in this chamber. A few of you have asked me about the annual fundraiser that we do in Springfield in regard to the Sullivan Caucus. We will start Irish Week on St. Paddy's Day and end Irish week on the 24th, which is also a Tuesday, with our annual fundraiser that will be held downtown at Sammy's Sports Bar & Grill. I do believe, Mr. Speaker, that Representative Lyons has further comment on Irish Week that starts on Tuesday. He was just there when I started speaking."

Speaker Turner: "He'll be back."

Sullivan: "Oh, here he comes."

Speaker Turner: "Representative Joe Lyons, you have some additional information regarding St. Patrick's Week?"

Lyons: "Yes, Mr. Speaker, I know we're dying for some good news and some levity in this distinguished chamber, so I'll give it to you. I'm wearing green, of course, to put you all on notice that next Tuesday when we return it is the beginning of St. Patrick's Week, which is a continuation of St. Patrick's Month. So, on that happy note, I will be bringing down some of my wife's homemade Irish soda bread for next Tuesday, St. Patrick's Day. And on the 24th, as we've done for the last 11 years, I will be bringing down Harrington's corned beef sandwiches on the 24th. So, what we need around here, Mr. Speaker, is a little more good news, so I'll let the Sullivan Caucus continue, if they haven't done so already."

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Speaker Turner: "We thank the Irish. On page 36 of the Calendar, Representative Yarbrough, we have House Bill 606. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 606, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. I have for your consideration House Bill 606 which amends the Addison Creek Restoration Commission Act. It extends the repeal date from January 1, 2010 to January 1, 2015. The extension of this Act is to allow more time and proper funding to finish this ongoing project. The Addison Creek project is aimed at implementing flood control solutions to seven communities in western Cook County. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is 'Shall the House pass House Bill...' I'm sorry. I'm sorry. The Gentleman from Lake, Representative Sullivan The Gentleman from Morgan, Representative Watson, for what reason do you rise?"

Watson: "Will Sponsor yield?"

Speaker Turner: "Indicates she will."

Watson: "Thank you, Mr. Speaker. Representative, does this entity have taxing authority?"

Yarbrough: "I'm sorry?"

Watson: "Does Addison Creek Restoration Commission, do they have taxing authority?"

Yarbrough: "I don't know. Hold on a moment. I'll have to get back with you... well, with that, 'cause I don't know."

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Watson: "Okay. Thank you."

Speaker Turner: "The Gentleman from Lake, Representative Sullivan, for what reason do you rise?"

Sullivan: "Thank you. Would the Speaker... Sponsor yield?"

Speaker Turner: "She indicates she will."

Sullivan: "Representative, the previous speaker on our side of the aisle asked this question and I know you promised to get back to us and I know you will. This is kind of an important issue, because on our side we're looking at our analysis that says that the commission does have taxing authority of the amount of taxes levied for the corporate... general corporate purposes for a fiscal year may not exceed the rate of .1 percent of value of the equalized assessed value. So, that would indicate that there is indeed property taxes associated with this... with this program."

Yarbrough: "Okay."

Sullivan: "I'm just... Obviously, what we're trying to do..."

Yarbrough: "Well, I didn't want to ans..."

Sullivan: "...is we're trying to extend this. Do you know, was this established under a referendum or was this established by the General Assembly?"

Yarbrough: "It was established by the General Assembly."

Sullivan: "And so there was never a referendum to have a property tax applied?"

Yarbrough: "Not to my knowledge."

Sullivan: "Okay. Do you know how long this has been in existence?"

Yarbrough: "No, I don't."

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Sullivan: "Okay. So, actually, I'm reading my analysis that says 2004 the Addison Creek Restoration Commission was created by action of the State Legislature. And I apologize. I'm looking at this real time just like you are. Okay. So, to the Bill. Ladies and Gentlemen, I just wanted to point out the fact that this was, indeed, created by the Legislature. There was no... it's looking like there was no referendum to create this taxing district and what we are now asked to do is extend this taxing district without referendum. So I point that out for the Members and you can choose to vote or not vote on your districts. Thank you."

Speaker Turner: "The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Will the Lady yield?"

Speaker Turner: "She indicates she will."

Stephens: "Representative, do you have an answer to our question yet, Representative Watson's question? Do we have an answer yet? Has your staff been able to..."

Yarbrough: "I believe it was already answered that it's..."

Stephens: "And that's..."

Yarbrough: "Yes."

Stephens: "And the answer is?"

Yarbrough: "The answer's, yes."

Stephens: "Thank you. I would urge that Members on our side of the aisle then oppose the legislation."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 6... 60...' I'm sorry. The

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Gentleman from McHenry, Representative Franks, for what reason do you rise?"

Franks: "Thank you. I apologize for being tardy. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Franks: "Representative, is there a property tax component in this Bill?"

Yarbrough: "No, not to my knowledge."

Franks: "How is this funded?"

Yarbrough: "This was funded through an appropriation, a \$400 thousand appropriation a few years ago."

Franks: "So, this is just a... they haven't probably spent all the money and you just want some more time to spend all the money?"

Yarbrough: "Yes, that's correct."

Franks: "And was the appropriation from the General Assembly?"

Yarbrough: "Yes."

Franks: "Thank you very much."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "Mr. Speaker, I'm sitting here a little confused 'cause I've had two different answers to relatively the same question regarding whether or not there's taxing authority. It appears as if the extension of this would continue a levy authority for this taxing body. And if there was an appropriation at the beginning of this, there might have been, but I think when you just answered Representative Franks's question, there might have been some confusion as to whether or not there is taxing authority. And I think

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the answer to that is yes, that there is and will remain and extend taxing authority. And this really... this really, for those people who watch these types of votes, as Representative Stephens points out, you need to be aware that this extends the levy authority. Is that right?"

Yarbrough: "Yes."

Eddy: "Okay. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black for... Okay. Seeing no further questions, the question is, 'Shall the House pass House Bill 606?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there's 61 voting 'aye', 52 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Yarbrough, we have House Bill 607. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 607, a Bill for An Act concerning State Government. Third Reading of this House Bill."

Yarbrough: "Okay. So, House Bill 607 amends the Department of Commerce and Economic Opportunity Law of the Civil Administration (sic-Administrative) Code. It requires the department, subject to appropriation, to develop and administer three pilot programs that use work therapy to assist homeless adults transitioning into employment. The whole idea of work therapy as a up and coming way of helping people who have kind of got... been down on their luck, people who are homeless and especially, veterans who

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are coming back from the war, to help them to transition into jobs and into society. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is... The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Thank you. Will the Lady yield?"

Speaker Turner: "She indicates she will."

Stephens: "Why do you say especially veterans?"

Yarbrough: "I said that this program has been very successful with veterans."

Stephens: "I'm sorry. I thought you pointed out especially veterans and I just didn't..."

Yarbrough: "No, no, no, no."

Stephens: "I didn't know if there was a..."

Yarbrough: "No. No."

Stephens: "...what the derivation of that was. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Black: "Representative, when you say it's been successful, has there been an audited evaluation of the program?"

Yarbrough: "Yes, there has. If you go on the Web site and you look up work therapy programs you'll see that it has been especially helpful and especially with veterans who have had substance abuse problems. And when they come back from the war they are able to help them with some of their

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psychological problems and needs and also to focus their attention on soft skills to help them to transition back to the community."

Black: "Now, I'm confused. Conceptual plan, are you talking about the plan that you want to develop in Chicago or are you talking about a plan that has been utilized in other areas? Because I..."

Yarbrough: "This is a plan that's been used across the country."

Black: "Okay."

Yarbrough: "Work therapy is a plan that's been used across the country."

Black: "All right, but..."

Yarbrough: "It..."

Black: "...as far as Illinois, there's never been an appropriation, so we're not sure whether this has worked well in Illinois or not."

Yarbrough: "Well, we're hoping... we're looking at the evidence that we've seen already and how it's been successful already. And we want to bring this to Illinois to implement it in Illinois."

Black: "You have filed then, I assume, a separate appropriation Bill?"

Yarbrough: "Yes."

Black: "Okay. And what are you asking for, a little less than a million?"

Yarbrough: "Yes."

Black: "Okay. I assume that you've seen this career advancement net work?"

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Yarbrough: "Yes, I have."

Black: "Okay. I'm a little concerned that the cost per participant was \$6,400, and yet it doesn't give me any audi... audited evidence of what happened to these participants. For \$6,400, how many were moved from the ranks of homeless into some kind of shelter and how many were, in fact, we're able to transition into a work... a work setting?"

Yarbrough: "What we're asking for today, is to implement the program. The numbers that you have, we'll be looking at a separate Bill, appropriation Bill, for 950 thousand to administer the work. The pilot program for homeless adults, this is about 150 people at about 6400 per person. We have not done this program in this state yet. The program..."

Black: "Right. That..."

Yarbrough: "...the program curriculum though has the model; stabilizes people in supportive housing. It gives them intensified job readiness training, it places them, you know, finally in unsubsidized job and job retention counseling. We think it's a good model and we'd like to try it in Illinois with the homeless population."

Black: "And I think the key, what I was after, we've not done this in Illinois. So it's your... it's your plan to replicate this plan that has been used in other states, but we haven't done it in Illinois as of this time. Correct?"

Yarbrough: "They have... they do have a program in Chicago that... I visited the group there, and so they've implemented a type of this program. We want to implement this program,

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especially with... working with the west suburban PADS, south suburban PADS and possibly another group. We're looking to pilot three different programs."

Black: "How would those groups be selected? Will that be up to the Department of Commerce and Economic..."

Yarbrough: "Yes. Yes, it will."

Black: "Okay. The last question. It's for anyone who is homeless. It is not necessarily aimed at veterans, young adults."

Yarbrough: "No."

Black: "There's no age group. It's just aimed at..."

Yarbrough: "Not at all."

Black: "...homeless."

Yarbrough: "Yes."

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

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House... pass House Bill 607?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brady? Winters? The Clerk shall take the record. On this question, there are 103 voting 'aye', 12 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Will, Representative McAsey, for what reason do you rise?"

McAsey: "Thank you. I rise to exercise a point of personal privilege. I hope that Members of the House will join me in welcoming from Lockport, from my district, teacher Jason Ozbolt and five students: Dan Howard, Margaret Knowles,

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Ashley Donahue, David Inczauskis, and Sal Cirrincione. They're here in the Capitol to participate in the Capitol Forum on America's Issues (sic-Future) here in Springfield tomorrow. Please join me in welcoming them and wishing them luck tomorrow. Thank you."

Speaker Turner: "Welcome to Springfield. Under the order of Representative Yarbrough, we have House Bill 608. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 608, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Turner: "Take it out of the record. Under the order of Yarbrough, we have House Bill 610. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 610, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Yarbrough: "Thank you, Mr. Speaker. House Bill 610 has been around for the last few years and finally we've pared it back and gotten it exactly the way we want it. What it does is it amends the Code of Corrections by requiring any county sheriff to forward to the Department of Corrections any governmental issue, identification documents of a person who was committed to the department. It requires the department to retain these documents and then forward them to any institution in which the person is transferred and then make them available to the offender upon release. The purpose of this Bill is to ensure that an incarcerated individual's personal belongings are kept in the place the person is held. Upon the release, the individual would be able to immediately collect their belongings instead of

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waiting for them to be forwarded. The whole idea behind this Bill is to help people to transition back into society by providing their identification at the time that they're released. I'd be happy to answer any questions."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

Reboletti: "Thank you, Speaker. Will the Sponsor yield? Representative Yarbrough, I have a question for you. I know we talked about this Bill last year. What happened to this Bill? I know we passed it out of here, what happened?"

Yarbrough: "Well... well, let me tell you. Last year, Cook County wanted me to add keys of prescription drugs. I didn't quite think that was a good idea, but they thought it would be helpful. That didn't work out, so we stripped it back. We're dealing with strictly with identification, like Social Security cards, driver's license and identification, cause that's what I'm trying to get at."

Reboletti: "So... I've had this concern. Some other Member's on this side of the aisle have raised the concern about an expired license. It would only be used then to make sure that they could get a new license if they we're..."

Yarbrough: "Yes."

Reboletti: "...eligible to get one, but if it was expired they would have to turn that back in because were concerned about..."

Yarbrough: "But if it had expired, they could take it to the Secretary of State's Office and have it renewed with the proper fee."

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Reboletti: "The only other question I have is that if it becomes revoked for whatever reason, that's where I have some concern about them possessing a revoked driver's license. But I'm sure you could work that out maybe over in the Senate."

Yarbrough: "Well, for the most... for the most part the... well, the largest, you know, sheriff's office, of course, is Cook County and he's supportive of this Bill. They don't see... they don't see it being a problem."

Reboletti: "All right. Thank you, Representative."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 610?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino in the Chair."

Speaker Mautino: "The Chair recognizes Representative Harold Murphy. On House Bill 612, Representative Chapa LaVia. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 612, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Mautino: "The Chair recognizes Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This would appropriate for FY10 budget 2.6 million from GRF to the Department of Public Health for the Illinois Poison Center. I'll take any questions."

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Speaker Mautino: "And on that question, Representative Roger Eddy."

Eddy: "Mr. Speaker, is this your first Bill?"

Speaker Mautino: "Yes, it is."

Eddy: "Would the Sponsor yield?"

Speaker Mautino: "Indicates she will."

Eddy: "Representative, the first question I have is where... where's the poison center located?"

Chapa LaVia: "The actual entity of the headquarters is in Chicago, but it helps out in everybody's district throughout the state. In fact, it was in education committee, Elementary & Secondary Ed when Scott Ziomek came in and explained all the saves they've done, especially with three to five, as far as children throughout the state. So they serve the entire state."

Eddy: "Okay. Have you had a chance... You know, next week we're supposed to be hearing from the Governor regarding the budget and there's a lot concern. Have you heard yet from the Governor as to what the appropriation line item for this poison center is being recommended by... by his budget?"

Chapa LaVia: "No, I don't. This is a small increase in what they asked for in the last budget; however, I'm willing to cooperate with whatever number they come through on this, Representative."

Eddy: "So, you don't know... you don't know what the Governor is going to recommend in the budget for this line item, but you're willing..."

Chapa LaVia: "No. No."

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Eddy: "...you're willing to cooperate with the Governor. By the way, that's very nice of you."

Chapa LaVia: "Yeah."

Eddy: "That's very nice of you to do that. Don't you think this would be more timely as an appropriation Bill, if we waited until we heard what the Governor had in mind for this appropriation?"

Chapa LaVia: "Well, I would, but I was requested to go ahead and push it forward. So, if there was any dissent from the Governor's staff they would have let me know."

Eddy: "You're confident that they..."

Chapa LaVia: "Yeah, I'm pretty confident, Representative."

Eddy: "So you expect things to be much different with the notification regarding issues related to the budget from now on?"

Chapa LaVia: "I'm sorry, clarify?"

Eddy: "What gives you that great confidence?"

Chapa LaVia: "Well, I would... I would have heard from them."

Eddy: "Okay. This is general revenue?"

Chapa LaVia: "This is general revenue."

Eddy: "Representative, in all seriousness, I think we're getting ahead of ourselves a little bit with an appropriation when the Governor's going to be addressing us next week. We have serious fiscal issues facing the state and to begin to pass appropriations Bill at this time seems just a little bit premature. I think we'd be much better off."

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Chapa LaVia: "Right and I also felt that way also, but I had... had put requests in and I didn't get any response back not to hold this so..."

Eddy: "Are you trying to jump ahead because next week we have priority lists?"

Chapa LaVia: "No, I'm not."

Eddy: "All right. Representative, thanks for the answers."

Chapa LaVia: "Thanks."

Eddy: "I caution the Body to be careful with this kind of procedure, e though, until we know what the Governor says about this line item. We really don't know what his office wants. I do think maybe they would have contacted the Representative, but we really need to be careful with these appropriations."

Speaker Mautino: "The Chair recognizes the Gentleman from Morgan, Representative Watson."

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

Speaker Mautino: "Indicates she will."

Watson: "Representative, in committee this morning you made a pretty strong point about wanting to know where the funds for a small program came from regarding veterans' affairs, and my question to you is, where you getting this money?"

Chapa LaVia: "Well, this has always been appropriated, Representative Watson, in the past and the amount of money that the state actually saves from individuals in the state being able to call the poison center is we save the state alone \$28 million from this program, otherwise it would have been affected where the child would have gone to the hospital and things like that. So, there's diagnosis by

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physicians that help out parents when they don't... don't know what to do with the child, so they call the poison center first. So, it's something that is a cost savings. Now, you're..."

Watson: "Well, I understand, but where is the 2.6 million not going to go?"

Chapa LaVia: "I'm sorry?"

Watson: "Where is the 2.6 million coming from?"

Chapa LaVia: "From the general state fund."

Watson: "And what was the appropriation last year?"

Chapa LaVia: "The appropriation last year, they went from... they went from 14.8 cents capita level to 20 cents per capita level. So, I think it increased... I don't have the proper documentation to tell you 100 percent how much it was increased from last year. Hold on one second. We're checking, Representative Watson."

Watson: "Thank you."

Chapa LaVia: "While we're looking for that, I just want to clarify some stuff. The IPC Center served over a hundred thousand poison-related cases throughout the state last... last year and last budget, fiscal budget we appropriated \$1.8 million for them. And another 500 thousand was appropriated to them on top of that, but our last Governor vetoed it."

Watson: "Okay. Representative, I think... I think this... I think you know where I'm coming from. The struggle is, let's be consistent on both sides of the aisle, but also I think Representative Eddy did have a good point, how do we know where this fits into the entire scheme... to the entire mix

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if somebody from the second floor didn't come and talk to you. Maybe that's their fault. I'm not saying so, but how do we know..."

Chapa LaVia: "And I explained..."

Watson: "...this isn't going to be an \$800 thousand increase that will not be available for a veterans program."

Chapa LaVia: "And I had said to you, if we need to change the appropriation based on what the Governor's staff wants to do, I have no problem with amending this. I'm more than happy to. We've let an appropriation, a couple of appropriation Bills out of here from... in the beginning. But I understand your issue, this is not a... it's not a new program, it's been in existence for quite a bit of time, so... Yeah, and it still has to go through the Senate for verification, too."

Watson: "Sure."

Chapa LaVia: "So there is... there's a couple more checks and balances before it actually gets to the Governor's desk, but I appreciate your questioning."

Watson: "I would just... again, as Representative Eddy said, I would just caution us to trickle these out before we see the whole picture. I think we may end up in a situation where we do have to come back and why... why cover the same ground twice if we could do it... you know..."

Chapa LaVia: "Well, it's a Bill that needs to be amended. That's fine. It'll come back to us."

Speaker Mautino: "Further questions? The Gentleman from Bond, Representative Stephens."

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Stephens: "Well, Mr. Speaker, to the Bill. The... as I understand it, this is about a 25 percent increase then, in what was appropriated and spent last year or in the current fiscal year. At that rate, I think what you're... we're talking about is about a \$7 billion increase in expenditures for our budget in a state that's already nine or ten or eleven or some hundred billion, I don't know. The numbers are getting so big we can't get... I can't get my small mind around them. The... Why are we doing this? Speaker, this is your first time in the Chair and you're trying to spin this into doomsday. I don't get it. Why don't we go to a different order? There's no deadline on this Bill. Why don't we wait and see what the Governor has to say. Maybe he's got one of those quick fixes from the last six years that worked so well. Never can tell. There's no deadline here. There's no reason to be doing appropriations, not a new program. But it does infer at least that people on your side of the aisle and maybe even a few others are in favor of a 25 percent increase in spending that we can't... already can't afford."

Speaker Mautino: "Thank you. Thank you, Representative. And the Chair is attempting to run all the Bills as the Members wish and we look forward to the response from the Governor when he makes his address next Wednesday. Representative Stephens."

Stephens: "Well, I appreciate that spirit of cooperation. With that in mind, we would like to discharge from the Rules Committee that Bill about special elections."

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Speaker Mautino: "The Chair will take that under advisement as we seek some discussion with Representative Black."

Stephens: "You're a gentleman and a scholar."

Speaker Mautino: "Thank you, Sir. The Gentleman from Vermilion is seeking recognition."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, I'm just a little bit confused. The... we used to have a regional poison control center in my area of the state but I believe it closed, I'm going to say three or four years ago, I could be wrong, because there was not funding. Where is this poison control center that you're seeking an appropriation for?"

Chapa LaVia: "Well, the poison control center, the headquarters is actually in Chicago."

Black: "Noooo."

Chapa LaVia: "And I want to go back... this is a hotline..."

Black: "Chicago."

Chapa LaVia: "...so it's throughout the whole entire state. It's an 800 hotline."

Black: "Ah, yes."

Chapa LaVia: "And it's 1-800-222-1222, in fact. But I want to correct a Representative earlier. I said earlier we had appropriated 2.4 million in last budget for the poison control center. This... the Governor vetoed 500 thousand of it. So, it's not a 25 percent increase from last year."

Black: "No."

Chapa LaVia: "I want to be clear on that. How..."

Black: "It's closer to 30."

Chapa LaVia: "No, it was 200 thousand that was..."

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Black: "Oh."

Chapa LaVia: "...200... 200 thousand difference from this year."

Black: "Let's not quibble over a half a million or whatever."

Chapa LaVia: "But the poison control center is manned by nurses and physicians and anybody in the state can call in and ask, and ask, and ask, and ask for help. Seriously, with children..."

Black: "Well, if you have to ask three times I think you're in trouble."

Chapa LaVia: "...you know, swallowing poisons, older gentlemen that are married to wonderful people, swallowing something, maybe needing help. You know, things happen. But in all ser... all seriousness, I mean, lives... people that die and they have the ability to get an answer quickly from a physician or a nurse."

Black: "Yeah. No, and I... it... forgive me, I don't mean to make light of this. It is a serious topic, no question about that. I had a son... when my son was very, very young, he swallowed several aspirin. So we did use the poison control center. But I'm just... because of the closure in my immediate area I'm not familiar. Do they advertise what the number is..."

Chapa LaVia: "Yes."

Black: "...publicly or do medical professionals have the number?"

Chapa LaVia: "No, they do it publicly. And most of the offices, the representative Scott Ziomek has tried to visit and give the magnets and pamphlets on how to get a hold of them and what have you and you know, the... the IPC operation is a toll-free hotline, 24 hours, 7 days a week. So, what

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it's done is taken it out of a base where someone goes to a place as opposed to just a call center to help them with immediate questions about poison."

Black: "Is this a stand-alone center or is it domiciled in a hospital or some other facility? What I'm trying to get at, Representative, the cost factor. I'm trying to figure out why they need the money."

Chapa LaVia: "Right."

Black: "I mean, that's a dumb question, I know why they need the money. But I'm trying to get at what is the expense. Are they domiciled at a hospital?"

Chapa LaVia: "Well, it's the... those physicians and nurses aren't... aren't volunteer, they're paid."

Black: "Okay. So, they're paid."

Chapa LaVia: "They're paid. So, 24 hours, 7 days a week and it's a call center that... that is operational where if you called 9-1-1 or 4-1-1 you'd get answered by somebody immediately. You wouldn't get put on hold or a voicemail or things like that."

Black: "So are they... are they located in a stand-alone facility?"

Chapa LaVia: "They're located in the Metropolitan Chicago Healthcare Council building at 20... 222 South River (sic-Riverside) Plaza Street, 19th floor."

Black: "Is that the high rent district? I'm not familiar with River Plaza."

Chapa LaVia: "Yeah, I want to say it's by the train station downtown."

Black: "Okay."

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Chapa LaVia: "By the Aetna Health Building, the tall building.
It's down there by them."

Black: "I was familiar with the river precincts many years ago.
But that's a whole other story. That goes back to the '62
election. So, it operates 24/7, 365 days a year?"

Chapa LaVia: "Yes."

Black: "Are they in imminent danger of closure or cutbacks
without this appropriation?"

Chapa LaVia: "I'm not thinking; however, you know, just putting
them against other national averages, which is about 22
percent per capita, like New York, Florida, Texas,
California. Their poison centers receive 40... 24 cents per
capita and they haven't asked for an increase for a while.
But they do a really good job. Can we micromanage it a
little bit more? I'm sure we could. But speaking to the
individual that goes around the state and tries to give as
much literature to many people in their districts, he
doesn't sit there and not do work. I've seen him
throughout the communities."

Black: "All right. All right, thank you very much,
Representative."

Chapa LaVia: "Thank you."

Speaker Mautino: "Thank you. This Bill is on Short Debate. We
have had two Members speak in response. Representative
Tracy, the Lady from Brown, why are you seeking
recognition?"

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

Speaker Mautino: "The Sponsor indicates she will."

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Tracy: "Is this affiliated with the national poison center? I thought the national poison center was actually in Atlanta, Georgia."

Chapa LaVia: "No. Well, what they do is if Illinois, if it los, this center would lose its national accreditation poison center."

Tracy: "Okay. So, it's not the, the national?"

Chapa LaVia: "So, no. So, without the appropriated funds IPC would not be able to meet the American Association of Poison Control Center's criteria for certification and as a result, not meet Illinois codes."

Tracy: "Does every state have one?"

Chapa LaVia: "I can't... I can't speak to that 100 percent. I know the states I listed earlier do. But I would assume, but I can't be 100 percent sure on that question."

Tracy: "Do you know how it makes the public aware that this center exists, because this is the first time, I guess, I realized we had one other than the national, which this isn't the actual national poison center."

Chapa LaVia: "Right. The toll-free number is in all phonebooks throughout the state. However..."

Tracy: "But is that... is that for the state one or the national one?"

Chapa LaVia: "The state one. The poison help... it has a little pill with a little x of the skeleton on it."

Tracy: "Well, I've called that one and they say they're in Atlanta, Georgia."

Chapa LaVia: "The 1-800 number?"

Tracy: "Well, the one that's in my phonebook."

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Chapa LaVia: "Okay. Well, I have no problem with getting it coordinated and make sure that... to make sure how many people he has visited with boxes. But he... when he goes around, when Scott Ziomek goes around to everybody's individual districts he wants to talk to the Representative or the Senator. So if they're not there he doesn't leave the stuff, 'cause he takes upon himself serious to get it to you and let you know all about the center. So, I have no problem with contacting him after this debate and making sure that that's done."

Tracy: "Well, to the Bill. I was not aware the state had a poison control center. I know we have a national control center and it seems to me that we might be duplicating what can be accomplished already through the national center. I've called the national center, having raised four children and dogs that eat crazy things all the time, more than one occasion and never had any trouble getting to... get a qualified person. I just think in these tight financial times we have to analyze and look at everything and so, I don't know why, I mean, I just can't support this Bill at this point in time, not knowing if it's duplicative and if we could save the entire expense."

Speaker Mautino: "Representative Chapa LaVia."

Chapa LaVia: "Part of it also, Representative Tracy, is the IPC is a key component within Illinois disaster and emergency response infrastructure. So, it's part of the department's response... first responders, if you will. It's integrated with the public health and the first responder agencies to provide surge capacity. So, if there's something that

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fails in there they have overflow of the other agencies as well as far as disaster. So, they just don't cover poison, they cover a couple of other elements. But it's actually within their infrastructure of the Illinois disaster and emergency response, also. So, I understand your issue. But I don't know why you didn't hear about it and you've been using services... I will talk to the gentleman and see what's going on in the area down where you live."

Tracy: "Well... oh, thank you. And I... from my analysis I didn't see anything about the emergency disaster and I don't know what the breakdown is. So, there again, I just can't support this Bill at this time."

Chapa LaVia: "That's fine."

Tracy: "I think the theory is great."

Chapa LaVia: "After this I'll go over there and I'll give you the paperwork so you can contact them if you want to, so you can hear from the center and have them come and give you a briefing."

Tracy: "Okay. I would just prefer to wait to vote on this, as has been previously mentioned, until we get a better handle on the whole budget."

Chapa LaVia: "Thank you."

Tracy: "Thank you."

Speaker Mautino: "No other Members seeking recognition on House Bill 612, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hamos, Tryon. Mr. Clerk, take the record. On this question there, are 75

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voting 'yes', 33 voting 'no' and 6 voting 'present'. This Bill, shall be declared passed. Mr. Clerk, what is the status on House Bill 772?"

Clerk Mahoney: "House Bill 772 is on the Order of House Bills-Third Reading."

Speaker Mautino: "At the request of the Sponsor, please bring that back to Second. Adjournment Resolution."

Clerk Mahoney: "Senate Joint Resolution 50.

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, March 12, 2009, they stand adjourned until Tuesday, March 17, 2009, at 12:00 noon."

Speaker Mautino: "Representative Currie now moves the adoption of the Adjournment Resolution. All those in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 178, offered by Representative Chapa LaVia, and House Resolution 179, offered by Representative Davis, W."

Speaker Mautino: "Representative Currie now moves the adoption of Agreed Resolutions. All in favor signify by 'aye'; opposed same sign. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements."

Clerk Mahoney: "Committee announcements. The recessed committees will meet immediately following Session. Juvenile Justice Reform is meeting in 118 immediately following Session. Judiciary-Criminal Law is meeting in

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Room 114 immediately following Session. These are recessed committees that will meet after Session. On Monday at 3 p.m., the Joint Committee on Government Reform will be meeting in Room 114. On Monday, March 16 at 3 p.m., the Joint Committee on Government Reform is meeting in 114."

Speaker Mautino: "And now, allowing perfunctory time for the Clerk, Representative Currie moves the House stand adjourned until Tuesday, March 17 at 12 noon. All... the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 2016, offered by Representative Madigan, a Bill for an Act concerning the Olympic Games. First Reading of this Senate Bill. House Perfunctory Session will come to order. Committee... House Perfunctory Session will come to order. Committee Reports. Representative Howard, Chairperson from the Committee on Judiciary-Criminal Law, to which the following measures were referred, action taken on March 12, 2009, reported the same back with the following recommendations: 'do pass Short Debate' is House Bill 625, House Bill 2641, House Bill 2650, House Bill 3676, House Bill 3680, House Bill 3681, House Bill 3717, House Bill 3960, House Bill 4013, House Bill 4049, House Bill 4124, House Bill 4212; 'do pass as amended Short Debate' is House Bill 327, House Bill 524, House Bill 1116. Representative Collins, Chairperson from the Committee on Juvenile Justice Reform, to which the following measures were referred, action taken on March 12, 2009, reported the same back with the following recommendations: 'do pass

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Short Debate' is House Bill 1129, House Bill 2298, House Bill 2463, House Bill 2627; 'do pass as amended Short Debate' is House Bill 882. There being no further business, the House Perfunctory Session will stand adjourned."