

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "Good morning, Illinois. The Illinois House of Representatives will come to order. Members are asked to please be at their desks. We shall be led in prayer today by Reverend Lloyd E. Jackson, Sr., who is the pastor of the Shiloh Missionary Baptist Church in Decatur, Illinois. Reverend Jackson is the guest of Representative Bob Flider. Members and guests are asked to please refrain from starting their laptops and to turn off all cell phones and pagers and our guests are also asked to please rise for the invocation and the Pledge of Allegiance. Reverend Jackson."

Reverend Jackson: "A very wise and successful ancient statesman said long ago, 'in all thy ways acknowledge Him and He will... shall direct thy paths.' Let us pray. Our God, we ask You to give our state Leaders true humility, which includes having the servant's heart and spirit, being teachable, even admitting mistakes, being willing to receive positive criticism and certainly a reliance on You. We ask for Leaders functioning according to Your agenda and not their own. Our prayer is that our Leaders will be sensitive to the voices: Your voice and to the voice of those that they lead. We pray that they will have Your priorities. We pray, Oh God, that our Leaders will be patient with themselves and with others and interact with difficult people whom they will lead. It is also, Lord God, our prayer that our State Representatives will have love, joy, peace, kindness, goodness, faithfulness, gentleness, and self-control. Our Leaders, Lord God, we pray that You would give them good health and safety as

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

32nd Legislative Day

3/25/2009

they travel through this our state, this nation and the world. It's our prayer that, Lord God, that they will be praying men and women, that their daily priorities will be wrapped in Your priorities. It's our prayer, Oh Lord God, that... that You will lead them against the enemies of this world, our nation and certainly, the State of Illinois. We pray finally, Oh Lord God, that thou would give them protection from the lust of the flesh, the lust of the eyes and the pride of life stripping them that they may move forward and carry the State of Illinois to simply the spiritual level... physical level that You would have us to be. This prayer we ask in the name of Him whom we believe, Jesus Christ, our Lord, Amen."

Speaker Lyons: "We'll be led in the Pledge of Allegiance by Representative Anthony DeLuca."

DeLuca - 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 Lyons: "Roll Call for Attendance, Mr. Clerk. Majority Leader Barbara Flynn Currie."

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

Speaker Lyons: "Thank you, Representative. Michael Bost, GOP."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Black, Coladipietro, and Rose are excused on the Republican side of the aisle today. Thank you."

Speaker Lyons: "Thank you, Representative. Mr. Clerk, take the record. Mr. Clerk. 114 Members are present, we have a

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

32nd Legislative Day

3/25/2009

quorum. We're prepared to do the work of the people of the State of Illinois. Committee Reports, Mr. Clerk."

Clerk Mahoney: "Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on March 25, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 101, House Resolution 118, House Joint Resolution 33. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on March 25, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 825, Floor Amendment #1 to House Bill 1966, Floor Amendment #1 to House Bill 2620; 'do pass Short Debate' is House Bill 3735; 'do pass as amended Short Debate' is House Bill 2498 and House Bill 4239. Referred to the House Committee on Rules is House Resolution 212, offered by Representative Jakobsson."

Speaker Lyons: "All right, Ladies and Gentlemen, we have our lists for the Republicans and the Democrats whose Bills are in alphabetical order. Most of them are on Third Reading, a few of them are on Second. If the Amendments are ready, we'll proceed with them. I'm looking on the House Floor to see what Member is available. The first Order of Business will be on page 54 of the Calendar. Representative Bob Biggins, you have House Bill 4099. Read the Bill, Mr. Clerk."

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

32nd Legislative Day

3/25/2009

Clerk Mahoney: "House Bill 4099, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record on the request of the Sponsor. Mr. Clerk, on page 43 of the Calendar, Representative Frank Mautino has House Bill 212. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 212, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 212 is an initiative of the Illinois Tax Purchasers. And in order to redeem property right now, a property owner has to deposit a certain amount of money with the county clerk. What this Bill says is when the tax purchasers go to redeem a property they... within their petition for redemption, they can include the cost of any title searches or fees. I'm joined on this Bill with Representative Sullivan. There is no opposition. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 212? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, can you explain how the tax sales are done now and how this Bill will change how they're done?"

Mautino: "Sure. Right now Illinois authorizes counties to hold tax sales and this is a method that is used for the

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

32nd Legislative Day

3/25/2009

collection of delinquent property taxes. Before they can be sold, the county has to give notice of the sale and receive authorization from the court to conduct this sale. And if the taxes are purchased, the property owner then has the period of time of which they can go in and redeem the taxes or pay those taxes which were done.. which were not paid. Now, if that period of time passes without redemption, the tax purchaser can seek a deed on that property and when he does that, there are certain costs which are allowed to be included to it. It would include the taxes, the penalties, the costs incurred by the person who bought and redeemed those.. bought those taxes and then this would also allow in any fees that were paid for a title search. That's the change to the existing law."

Franks: "So, this would more accurately reflect the costs incurred by the tax sale purchaser because before you're telling us that the title search costs were not included."

Mautino: "That's correct and I know that you're very well versed in this area of law, so I would.. I would agree with you."

Franks: "It makes sense, so it's a good Bill. Thank you for bringing it."

Mautino: "Thank you."

Speaker Lyons: "No one seeking further discussion, Representative Mautino to close."

Mautino: "Thank you. Appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 212 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish?"

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

32nd Legislative Day

3/25/2009

Have all voted who wish? Have all voted who wish?
Representative Mulligan. Mr. Clerk, take the record. On
this Bill, there's 114 Members voting 'yes', 0 voting 'no'.
This Bill, having received the Constitutional Majority, is
hereby declared passed. Representative Michael Smith, for
what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed."

Smith: "I'd like to ask the Body to join me in welcoming
members of the Fulton County Farm Bureau who are here today
observing the House in Session. Please welcome them to
Springfield."

Speaker Lyons: "Welcome Fulton County, enjoy your day. Mr.
Clerk, on page 40 of the Calendar, Representative Mike
Connelly has House Bill 883. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 883, a Bill for an Act concerning
local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage,
Representative Mike Connelly."

Connelly: "Thank you, Mr. Speaker, and Members of the House.
House Bill 883 amends the County Code to allow a county
board to utilize Section 2.02 of the Open Meetings Act for...
to comply with notice provisions of the... for special called
meetings. This is a permissive Bill; it's not mandatory
for all counties. It passed unanimously in committee. And
I ask for a 'yes' vote."

Speaker Lyons: "You've heard the Gentleman's explanation on
House Bill 883. Is there any discussion? Seeing none, the

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

32nd Legislative Day

3/25/2009

question is, 'Should House Bill 883 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Verschoore, Turner, Ryg, Jefferson, to be recorded? Mr. Clerk, take the record. On this Bill, there are 97 Members voting 'yes', 17 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 54 of the Calendar, Representative John D'Amico has House Bill 3982. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3982, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 3982, what it wants to do is do away with these 11 to 15 passenger vans that have been ruled unsafe by the National Highway Traffic Safety Administration. Currently, the schools are not allowed to use them to transport students during the day. We want to make sure that this loophole gets closed and they're not allowed to use this van to transport students for extra curriculum activity, as well. This is an initiative of the State Board of Education. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

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

32nd Legislative Day

3/25/2009

Eddy: "Representative, in a lot of school districts vans are used to transport small numbers of students to academic quiz bowls. They're used for taking students to various small types of athletic events. Do you think that this will cause a hardship for some districts that will now have to put those students on some larger form of transportation?"

D'Amico: "No, not at all because they.. they can use smaller vans; they can use buses as well. These 11 to 15 passenger vans, right now, they cannot buy them or lease them anymore. This was stopped some years ago because they've been ruled so unsafe. What they were originally made to do was transport cargo, transport equipment and then they decided to put seats in there and now.. and they've made these vans totally unsafe. So, the last thing that we want to do is try to be transporting students in them because when you get the 11 to 15 passengers the rollover rate is incredibly high."

Eddy: "So, if school districts have purchased these vans and a lot of school districts owned vans prior to the.. the time when they could no longer purchase those, this legislation then would prohibit them from using the vans that they've already purchased or would the.. the vans that districts have be grandfathered under this legislation?"

D'Amico: "They.. they can use them for the transport of cargo. They can use them for transporting other things except students. They currently cannot use it to transport students anyways during the day. There was a loophole;

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

32nd Legislative Day

3/25/2009

they just didn't go far enough to make the... the law reach into extra curriculum activity."

Eddy: "Well, as you know, these vans have several seats."

D'Amico: "Yes."

Eddy: "So, what many school districts have done is they have removed the backseats; therefore, making these vans less than 11-passenger by making them 9 or fewer. Would districts be able to use those vans if there's less than 11 seats in by removing the backseats?"

D'Amico: "No. The National Highway Safety Council has ruled that these vans are totally unsafe. Most of these vans that they do have are very old. So I mean, they're ready for the junkyard anyway. So, that's why they just want to do away with it, close this loophole, and make sure that this van's not around anymore."

Eddy: "What the effective date? Representative, what's the effective date of this Bill?"

D'Amico: "July 1, 2010."

Eddy: "July 1 of 2010. So, districts would have the opportunity for... and for the '09-'10 school year to make adjustments or arrangements to phase any use of these vans that they currently have. They have a year to do that."

D'Amico: "Absolutely. And... and the thing about this, I mean, too, when you at this I think this is a commonsense Bill because if they're not allowed to use the van to transport students during the day, why should they be allowed to use it to transport students at night?"

Eddy: "Well, transporting students during the day usually includes stops which requires stop arms, flashing lights

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

32nd Legislative Day

3/25/2009

and other safety features. After school, usually you're going from one point to another point and there aren't those multiple stops and that's kind of been the rationale. You can use these for those kind of trips, eliminate the use of a large bus. I'm just concerned about... right now, and I understand, really, the issue related to the safety. I'm concerned with school districts that... that are facing a lot of difficult financial issues. You know, we haven't even... we haven't even provided districts with their second quarter payments for transportation now and this could cause districts a hardship. I do appreciate the fact that the date is a year away and schools can kind of plan for this, but all of this is difficult for schools to endure when they're not receiving mandated categorical money from the state at this time. I... I know that's not your problem necessarily, but it is for the schools and I think we need to be careful."

D'Amico: "And I... I agree with you on that. And once again, they can use vans, just not these particular vans, and they can use buses and cars to transport the students."

Speaker Lyons: "Representative Eddy, your time limit has expired. Let... we'll let... let John answer the last question and you can conclude your remarks."

Eddy: "Well, I'll just simply close. I appreciate what he's trying to do and I understand the safety concerns that he has, I just think it's a difficult time to pass costly mandates on to schools, but I'm going to listen to the rest of the debate. And I appreciate the deadline, maybe even

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

32nd Legislative Day

3/25/2009

be looked at to make it even further as you get this Bill in the Senate. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

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

Speaker Lyons: "Sponsor yields."

Mitchell, J.: "Representative, do you have any facts or figures concerning the number of accidents with these 11 to 15 passenger vans traveling probably to ball games, or other activities other than school itself during the day?"

D'Amico: "I don't... I don't have any... I don't know of any facts whether they... you know, they have been going to a ball game or going to school, but I do know that once they reach the 11 to 15 passenger rate, the turn... the turnover rate is increased by almost 70 percent."

Mitchell, J.: "The turnover rate?"

D'Amico: "The rollover rate, when they have an accident. And that's... and that's why the National Highway Traffic Safety Administration has ruled these vans unsafe. And they just want... they just want to make the roads as safe as possible when they're transporting these students."

Mitchell, J.: "So, what you're... what you're saying is that school districts should buy the smaller version of the school bus, which has the same safety features of the larger buses?"

D'Amico: "Cor... correct. You're right on with that."

Mitchell, J.: "But at this point we haven't set up any kind of a fund to help those cash-strapped districts to make that

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

32nd Legislative Day

3/25/2009

kind of conversion. So, there's really no grant or anything to help them with the situation that they're in. Am I correct?"

D'Amico: "There's nothing currently in place that I know of that's there to help them, but you have to realize that most of these vans that we're talking about in this Bill are very old. So, I mean, you're not going to be strapping that many districts. Most of the places, they don't even have... most of the school districts don't even have these vans anyway. So, we're talking about a select few."

Mitchell, J.: "And this becomes effective, when?"

D'Amico: "2010, July 1."

Mitchell, J.: "July 1, 2010?"

D'Amico: "Yes."

Mitchell, J.: "So, you are allowing some time for school districts to make that conversion?"

D'Amico: "Yes, we are."

Mitchell, J.: "Okay. Thank you."

D'Amico: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Lee... from Lake, Representative Eddie Washington."

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

Speaker Lyons: "Sponsor yields."

Washington: "Representative, I was reading the analysis of House Bill 3982; I've got a question. Now, so, your Bill is targeting smaller units of transportation, correct?"

D'Amico: "No, no. It's just targeting this particular van that has... carries passengers from 11 to 15 passengers."

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

32nd Legislative Day

3/25/2009

Washington: "Okay. But you're... you're talking about that particular van as it's being used by the sanctioned school district. Are you with this Bill jeopardize those who are independent contractors that may be commuting students to smaller units of education sources? How will that affect..."

D'Amico: "No."

Washington: "...the independent contractor if any?"

D'Amico: "I don't think this affects the independent contractor. What we're talking about are schools themselves that have these vans. You know, once again, the National Highway Traffic Safety Administration has issued a warning nationwide that they want to do away with these vans because of the high rollover rate. Now, an independent contractor, if they want to use these vans, that's their prerogative."

Washington: "Okay. And Representative, I'm not trying to be difficult because I know your intentions is clear, but I need this clarity because I do know two or three individuals who are independent contractors that have contracted out with the parents who are either working more than one job or either have transportation problems and they have resolved the problem by contractors who probably use this type of vehicle. When we speak of rollovers, I think any vehicle is potential for rollovers, some more so than others, but a lot of the safety factors depend on the alertness of the driver not necessarily the vehicle."

D'Amico: "The rollover rate in this vehicle, though, is extremely high."

Washington: "It is extremely high."

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

32nd Legislative Day

3/25/2009

D'Amico: "And there is a reason why they want to do away with it and that's because of... because of all the accidents they've had and this vehicle has wound up upside down."

Washington: "Well, basically, I guess, I'm looking for you to soothe my curiosity to make sure that this is not going to hinder or halt any independent contractor that has contracted out with parents of lower and modest income mean to transport the children back and forth to different schools. If you can address that specifically and emphatically, I would.. I would appreciate it."

D'Amico: "It'd apply only... it applies only to the school districts, like I said. It is not going to apply to a independent contractor."

Washington: "So, this is... this... these are vehicles that have been contracted out by the individual school districts that are in use or..."

D'Amico: "These were... yeah, these were vans that were leased or bought by the school district. Okay. And that's what we want to do away with. And if you have an independent contractor that's using these vans, I would suggest that you even notify the parents about the high rollover rate on them, 'cause they might not want to put their kids on them vans."

Washington: "Okay. But the... but the bottom line, you are addressing the individual vehicles that are used by the individual school districts."

D'Amico: "Yes."

Washington: "Thank you, Representative."

D'Amico: "Thank you."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "Representative D'Amico to close."

D'Amico: "I... I'd just appreciate an 'aye' vote. This is... this is a good Bill that is going to just make our roads a little safer for our kids in school. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 3982 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 96 Members voting 'yes', 19 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from Cook, for the purpose of personal privilege, Representative Connie Howard."

Howard: "Thank you very much, Mr. Speaker. It was 11 years ago when Alpha Kappa Alpha Sorority women first came to the State of Illinois General Assembly. They came to meet their lawmakers in order to learn more about the legislative process, and again, it's been 11 years. Alpha Kappa Alpha, as you probably all know by now, is an international organization with over 200,000 undergraduate and alumni members. And whereas, Alpha Kappa Alpha Sorority is an organization with a commitment to promoting education, healthy minds and bodies, family unity, economic development, political empowerment, cultural heritage and the arts, I ask that all of you help me to greet the pink and green ladies of Alpha Kappa Alpha Sorority who are with us today. Please stand sor..."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "Representative Howard, you have House Resolution 114 which honors Alpha Kappa Alpha. At this time would you like it adopted?"

Howard: "Yes, please."

Speaker Lyons: "Read the Resolution, Mr. Clerk."

Clerk Mahoney: "HR 114 proclaims Wednesday, March 25, 2009 as the eleventh annual Alpha Kappa Alpha Day throughout the State of Illinois."

Speaker Lyons: "The Lady moves for the adoption of House Resolution 114. All those in favor signify by voting 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' unanimously have it. Congratulations on the adoption of House Resolution 114. Again, Alpha Kappa Alpha, enjoy your day in Springfield and thanks for coming down. Mr. Clerk, on the Order of Third Readings on page 49 of the Calendar, Representative Paul Froehlich has House Bill 1075. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1075, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Paul Froehlich."

Froehlich: "Thank you, Mr. Speaker. House Bill 1075, as amended, the Amendment became the Bill, provides a mechanism... a formal mechanism for public outcry to be channeled before the Tollway Authority Board. And I know of no opposition to the Bill as amended. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Jasper, Representative David Reis."

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

32nd Legislative Day

3/25/2009

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

Speaker Lyons: "Sponsor yields."

Reis: "What changes, Representative, does your Bill do? Just give us a little more details on what your legislation does."

Froehlich: "Sure. It's really... it's one sentence. And it says that if the Tollway Authority Board receives a petition signed by at least a thousand residents of one of the counties that a tollway runs through asking for some change in tollway policy, then the board must, within 60 days, put that item on its agenda to debate it and vote on it."

Reis: "What kind of changes would... this is difficult to follow, Representative. I'm just trying for my own benefit to figure out what it does. So, if a tollway runs through a particular community and they get a thousand signatures together to petition a change, then they have to meet and address the change?"

Froehlich: "They must... Yeah. The board then must, at one of its regular meetings, within 60 days debate it and vote on it."

Reis: "What's the genesis for this change?"

Froehlich: "The... I originally had... my original Bill, and you can see in the title, had to do with the toll violations."

Reis: "Right."

Froehlich: "And the tollways agreed to address that problem by rule through JCAR and I have reason to believe they're going to follow through on that. So, I thought, well, there's still frustration, there's... with, you know, the public can have with the Toll Authority Board. It's had a

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

32nd Legislative Day

3/25/2009

reputation for not being the most responsive to the public, you know, opinion. They're not elected; they're appointed. So, I was looking for some way to try and give the public some input where what they're interested in has to be at least debated by the board."

Reis: "And I agree with your assessment on that. It's just that I'm not quite sure... say, a tollway just catches a... butts right up against a particular community that wants some changes, but the tollway doesn't actually go through their community. Would they be able to do this as well?"

Froehlich: "Sure, as long as somewhere in their county they have a tollway."

Reis: "But I guess my question is, is why would we limit it to only signatures within the city limits of a particular community?"

Froehlich: "Well, it's the county..."

Reis: "Why can't we somehow..."

Froehlich: "...it's within the county limits rather than city limits. Any..."

Reis: "So, the tollway going through DuPage County, they would only have to find a thousand signatures from DuPage County to force them to make decisions?"

Froehlich: "Or from any of the counties. It's not limited to any one county, that a thousand signatures of residents of any of the counties, one or more counties that has a tollway."

Reis: "So, I have a bunch of angry constituents in Jasper County, could they sign this petition as well and it would count towards the thousand?"

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

32nd Legislative Day

3/25/2009

Froehlich: "No, not under this... not under this, because you guys don't have any tollways anywhere nearby."

Reis: "But my constituents are getting tickets that aren't real, all sorts of problems that are going on. How can we make this work all encompassing to where..."

Froehlich: "Well..."

Reis: "...more citizens can sign this petition?"

Froehlich: "Now, I know Representative Rose and you have a Bill... I'm also cosponsoring that one... but... and I've talked to Representative Rose about it and it looks like that issue may be addressed in another way. And that's why I, you know, changed my Bill, too."

Reis: "Okay. To the Bill. Thank you, Representative. Ladies and Gentlemen, we have a problem with this. We're hoping that some of our legislative proposals enact or help us enact some changes to this. We need to clean this... this up. We can't be getting tickets for two years ago, three years ago, out-of-state license plates that are confused for Illinois, glare pictures that are taken that you can't..."

Speaker Lyons: "Representative Reis, your time has expired. If you could bring your closing remarks to a close, we'd appreciate it."

Reis: "So, I'm going to support your Bill today. I hope that we can make some meaningful changes to this. Them writing thousands of tickets every day that they're not even sure about is just causing frustration and wrecking havoc on a lot of people. So, thank you."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Jim Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Durkin: "Representative, is there anything in this legislation which allows the tollway to challenge the authenticity of the signatures?"

Froehlich: "No."

Durkin: "Any reason why that's not in that legislation?"

Froehlich: "Well, I... You know, it's not a matter of trying to put a... a question on the ballot or qualify a candidate for the ballot, so I didn't want to try and get the Board of Elections involved here with objections and having to go before an election board. I thought it'd just make it a little simpler than that."

Durkin: "But we're forcing a policy question to be placed before the tollway board and..."

Froehlich: "That's right."

Durkin: "...I am concerned about the just general problems that we see with people who do pass petitions and that there's no safeguards nor... nor any ability on behalf of the tollway to say that this is an absolute fraud what has been presented to us through roundtabling. We've seen this, Paul, I mean, we know what happens. And there's nothing that states that somebody can't sit in front of a computer and sign the names of a number of individuals and maybe they would be subject to some type of forgery at some point in the future, but I think that you should at least have some type of safeguards in this. And maybe you can do it

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

32nd Legislative Day

3/25/2009

after you get it out of here. I will support it to say that, you know, there has to be some type of mechanism that says that... gives the authority... the ability to challenge some of the... the authenticity of some of these signatures, 'cause you could run into a lot of situations where there's going to be a prevalence of fraud in a number of these, but... questions that are posed."

Froehlich: "Well, it's a point well-taken. I'd be willing to certainly state my legislative intent that should the authorities see a petition that's obviously a... forged that they have a right to disregard that."

Durkin: "Well, the courts have pretty much said they don't care about our intent and that was said a few years ago. So, in all due respect, that that really doesn't work. But I would hope that when you pass this out, think about how we can at least ensure that this is not going to be manipulated..."

Froehlich: "Right."

Durkin: "...by different groups or individuals who are going to try to force a question on the tollway board through this process which you're creating."

Froehlich: "Well, I'd be happy to talk to you and try and figure out how. I'm just hesitant to try and get election boards involved."

Durkin: "Well, but we are... but again, we're forcing a question to be posed by a very large state agency that is... oversees billions of dollars of state assets. So, I think, you've got to be very careful about allowing this type of process

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

32nd Legislative Day

3/25/2009

to control the policies on the tollway board and please keep that in mind."

Froehlich: "Thank you."

Speaker Lyons: "The Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Lyons: "State your inquiry, Representative."

Black: "Yeah, what's the status of Committee Amendment #1?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Amendment #1 was adopted to this Bill."

Black: "All right. Thank you very much. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Black: "Representative, I assume you filed Committee Amendment #1, correct?"

Froehlich: "Yes."

Black: "And Committee Amendment #1 becomes the Bill."

Froehlich: "That's correct."

Black: "So, there's no longer any of the language in the Bill that would get at the tollway alleged violations that they send out to people with the cameras and..."

Froehlich: "That's right."

Black: "All right. That's too bad. I like the idea... I liked where the original Bill was headed. I think as you know many of us around the state are dealing with some very angry constituents who have been notified that they were in violation three, four, five years ago. The pictures in many of these instances are very fuzzy. In fact, I just had one, and I will congratulate and thank the tollway,

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

32nd Legislative Day

3/25/2009

they were very... very good to work with. I had a constituent whose... I don't know how they get these license numbers... but the license number was clearly on a tow truck and my constituent drives a Chevrolet. So, they did clear... they did clear that up, but... so, unfortunately, maybe we can deal with that later. As I understand your Bill, it simply says that if a thousand people file a petition for a policy change, it is put on the agenda at the next meeting of the Tollway Board of Directors."

Froehlich: "That's it."

Black: "But the Tollway Board of Directors don't have to li... well, they should listen... but they don't have to do anything. They can otherwise ignore the petition."

Froehlich: "Well, they... It has to go on their agenda as an item for them to discuss and vote on."

Black: "But they aren't bound by what the petition is asking for?"

Froehlich: "No, no."

Black: "Okay."

Froehlich: "This doesn't require them to approve whatever the change is."

Black: "Does it... I didn't see this in the Amendment. Does it actually require them to vote on the agenda item?"

Froehlich: "Yes."

Black: "Okay."

Froehlich: "I... it specifically says to discuss and vote."

Black: "Okay. All right. Thank you very much, Representative."

Froehlich: "You're welcome."

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

32nd Legislative Day

3/25/2009

Black: "Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. As the original Bill started through the process, I think many of us were interested in where the Bill might... might end up, in what form it might end up. The form that it's in now with Committee Amendment #1 is somewhat, I think, innocuous. I think Representative Durkin raised the point about the petition process, how and if it could be challenged. We all know that there's been problems with petitions in the past with roundtabling, et cetera. But in reality, and in all due respect to the Sponsor, this Bill doesn't really do anything. I think it builds false hope. It allows people to fill out a petition. According to the Sponsor, the Tollway Board must then put that issue on the agenda and can vote on it, but they're certainly not bound to vote for the petition... what's asking them to do and they're certainly not bound to even listen very easily, as I understand the Amendment. So, I... I don't know. Those of you who live in the tollway area, this may be important to you, but I know downstate and in nontollway areas, our constituents are demanding that we take some action about the rather high-handedness of the tollway in giving out their photo alleged violations. This Bill doesn't do that. Although the title may make you think it does; as amended, it simply sets up a petition process that the board must put on the agenda, but the board is under no obligation to follow the wishes of the petition question. So, I just question whether this Bill is really effective, whether it really does..."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "Mr. Black, if you could conclude your remarks, please."

Black: "Thank you very much. I... I think the Bill is rather innocuous, but I don't think it gets to some of the issues that many of us were concerned about and it's for that reason, I intend to vote 'no'. I don't... That might not be a wise choice for me because I'm not in a tollway area, but I had hoped we could address, before this Session is over, the issue of these cameras, tickets and the fact that they're sending some of them out two and three and four years after the alleged violation. I intend to vote 'no'."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative Kathy Ryg."

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

Speaker Lyons: "Sponsor yields."

Ryg: "Thank you. I'm sorry, Representative, could you explain the genesis of this Bill, again?"

Froehlich: "Well, it started out to address the big backlog that the tollway had in its ticket enforcement, the 13-month backlog. And the tollway, you know, now under new leadership, I spoke with the acting director, Mr. King, more than once and I've been assured that they're willing to address the ticketing problems and I'm also cosponsoring the Rose Bill that would address the ticketing problem. So, I don't think we have to go through the statutory process, when I've been assured by the tollway they will, by their own rule going through JCAR, improve their ticketing problem."

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

32nd Legislative Day

3/25/2009

Ryg: "So, this Bill then, it doesn't... isn't needed for your original purpose. I guess, I'm just confused..."

Froehlich: "That's right."

Ryg: "If this Bill should pass, and a constituent would come to us and say, I disagree with the policy of the tollway. How would they go about implementing this?"

Froehlich: "They'd simply start a... draft a petition and circulate it and if they can get a thousand or more people to sign it, they'd then present it to the tollway board. And it's just a formal way to get a issue on the board agenda for the board to debate and vote on."

Ryg: "So, the signers of the petition don't have to be from the... the same area as the originator of the petition?"

Froehlich: "That's right."

Ryg: "So, given that the tollway covers a varied area, an issue, say, in my region of Lake County could be completely different from DuPage County, but the tollway would have to consider that because the thousand people..."

Froehlich: "That's right."

Ryg: "Yeah. Okay. So, I guess I'm... I'm not quite getting the need for this given... Is the tollway not subject to the Open Meetings Act?"

Froehlich: "I believe it is."

Ryg: "And would they then not be required to have an area on their agenda where citizens could address the board and raise whatever their policy concerns would be?"

Froehlich: "Yes. Yes, they do. However, while people can attend their meetings and raise an issue, that doesn't mean the board will even discuss or vote on whatever the issue

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

32nd Legislative Day

3/25/2009

is that people raise at their meetings. So, I wanted to give people a little more... another avenue to pursue, especially if it's an issue that... of interest to hundreds and hundreds of people, maybe thousands of people, to assure their issue would be voted on."

Ryg: "So, your Bill requires the tollway to take a vote on an issue that they... they can't just respond to questions from the concerned citizens who... who... you know, want to know or recommend a change to a policy?"

Froehlich: "Well, they can still do that. To the extent they're doing it now, they can... they're still free to do that. But under this petition process, it gives people yet another avenue and I think because the tollway board is appointed, not elected, that's one reason it's had a reputation somewhat over the years as not being all that responsive to public opinion."

Ryg: "But their vote could still be construed as being nonresponsive?"

Froehlich: "Well, they... they may... they're free to disagree with whatever the proposal is. That's right."

Ryg: "Well, to the Bill. This... this legislation really concerns me in light of the fact that the... the tollway has policies in place that require consistency in their application so as to have the basis for the criteria for whatever changes they're proposing. So, for example, on the issue of sound walls, which is a huge issue in my district, there's a policy that states, based on engineering facts, sound walls are not effective for all neighborhoods adjacent to the tollway. My concern would be

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

32nd Legislative Day

3/25/2009

that residents who don't believe that would be empowered to go to all this effort of collecting signatures, raising expectations that they can make a change in a policy that actually should not be changed. And in... in the situation that my constituents have found themselves in..."

Speaker Lyons: "Representative Ryg, your time has expired. If you could bring your conclusion, we'd appreciate it."

Ryg: "They went to the open meetings, were heard and got their issues addressed with the information they needed. So, I... I suggest that this is an overreach in terms of the policies that the tollway has and they do have a process by which to take public input. Thank you."

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

Stephens: "Thank you, Mr. Speaker and good morning."

Speaker Lyons: "Good morning."

Stephens: "Will the Gentleman yield for a question?"

Speaker Lyons: "He's ready for questions, Mr. Stephens."

Stephens: "Outstanding. Representative, as I understand it, you... this will allow the public to be heard from. Is that right? I mean, significant issues should be voted on by the appropriate body, shouldn't they?"

Froehlich: "It's another avenue, yes. In addition to what already exists, I'm providing another formal mechanism."

Stephens: "So, you agree with me, that significant issues should... should not be squelched by this board or any other elected body."

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

32nd Legislative Day

3/25/2009

Froehlich: "Well, I'm certainly addressing the Tollway Authority Board in this Bill. I'm not trying to cure all the problems of, you know, elected boards.."

Stephens: "Well, it sounds to me like you want this tollway board to... to hear significant issues, as you say, maybe hundreds even thousands of people might be being ignored because of the arrogance of this Tollway Authority and I understand why you'd want to do that. What I don't understand is why you feel that way about this issue, but when we bring other issues before you, such as a special election, you don't seem to agree with me that we ought to be able to debate that issue here. And my question to you is, if I get a thousand signatures, will you change your mind and let us have votes on issues like that and many others that have come before this Body where you and your Leadership continue to squelch honest debate?"

Froehlich: "Representative, the last time that question came up, I voted to not uphold the ruling of the Chair on the special elections."

Stephens: "Oh, oh, so, you were for it before you were against it or were you against it before you were for it?"

Froehlich: "I think..."

Stephens: "It's kind of... it's kind of like following, you know, Representative Bost suggested I say something that I'm not going to say. So, maybe you want to recognize the Gentleman from Jackson, again, I don't know. Representative, I don't understand. You've got a thousand people who sign a petition and you're going to develop these rules that will... the question will be on the

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

32nd Legislative Day

3/25/2009

petition. A question, 'Do you want to raise the Tollway Authority's salary or do you want to lower it?' It's questions like that. Will those... will that have to be on the petition, the exact question want you voted on?"

Froehlich: "Yes. Whatever the policy change is that the residents purpose."

Stephens: "So, if you're trying to raise taxes, you've got to say that on the petition."

Froehlich: "Well, it wouldn't... the Toll Highway Authority doesn't have any power to raise taxes."

Stephens: "Well, but... but under your Bill, you would be able to allow them to say, 'we want to establish a tax in the Tollway Authority.' A tax of people that walk over the highways, for instance. You would be able to do that, wouldn't you? You said that if a thousand people signed a petition and you have the question and it's a policy question, we want the Tollway Authority to create a new tax, a tax on people downstate who don't even use our tollways that happen to get tickets from us, for instance. You could do that, couldn't you?"

Froehlich: "Well, I suppose people could purpose whatever policy they want."

Stephens: "Exactly..."

Froehlich: "However, they cannot give authority that doesn't exist to a board that has no taxing authority."

Stephens: "Oh, so there are limits to what you want them to do? That's... that's not necessarily a bad thing. Ladies and Gentlemen of the Assembly, I... I think this has trophy written all over it. Thank you."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "We have two more speakers. This Bill is on Short Debate. Representative Franks and Representative Reboletti and then Representative Froehlich to close. The Chair recognizes the Representative from McHenry, Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. I wasn't going to get up and talk 'til I heard some of the... the diatribe. I'd like to ask the Sponsor if he could answer a few questions."

Speaker Lyons: "The Sponsor's ready for your questions, Representative."

Franks: "How is the board for the Illinois Tollway chosen? Are they elected?"

Froehlich: "No. It's an appointed board and therefore, they don't have the same incentive as an elected board to be responsive to public opinion."

Franks: "Who appoints them?"

Froehlich: "I think it's the Governor."

Franks: "I think that might be a surprise to the new Governor when he came in and there was some changes made that he said he read about in and, I think, it was the Daily Herald. Do you recall that?"

Froehlich: "Yes."

Franks: "How many executive directors at the tollway have we had in the last six months?"

Froehlich: "Three or four, I think."

Franks: "It might save some money if we just put a revolving door in the front, huh?"

Froehlich: "Yeah. Could be."

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

32nd Legislative Day

3/25/2009

Franks: "So, what you're trying to do is to have some accountability to an unelected board who seems not to answer to anybody. Is that... is that the goal here?"

Froehlich: "That is right, yes."

Franks: "That's about time and I think we certainly have to bring in this agency. Now, the agency's come a long way from where it used to be, but it has been, historically, a repository for patronage employees of however the Governor wanted to park there to increase their salary so they could have a nice fat pension. Would you agree?"

Froehlich: "Yes, I would."

Franks: "Frankly, I'd like to see the Toll Highway Authority be abolished and be taken up with the Department of Transportation. I think we're far away from that. I think we can get there, but I certainly think until we get to that point that we need to have accountability and I applaud your efforts. And I'm going to ask to be a Sponsor of this Bill."

Froehlich: "Thank you."

Franks: "Thank you."

Speaker Lyons: "Representative Reboletti and then Representative Froehlich to close."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, would somebody be able to put on... on the... for this policy, that they wanted to reduce tolls? They don't like paying 40 cents. They don't like paying the additional they have to drive through the cash box."

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

32nd Legislative Day

3/25/2009

Would that be something they will be able to put on the agenda?"

Froehlich: "Sure."

Reboletti: "What about abolishing the tollway? Would that be something that they could put on the agenda that at least the toll folks would have to discuss during their... their meeting?"

Froehlich: "I think somebody could put that on the agenda, but that is, again, like raising a tax beyond the authority of the Toll Highway Board."

Reboletti: "So, only counties that have tollways, those residents would be the ones that would be able to be part of this petition?"

Froehlich: "That's right."

Reboletti: "Why would that be, considering that... that people from Bond County may use the tollways. They may not like the policies. They may not like tolls in general. Why would they be cut out of the process?"

Froehlich: "I did that because the... the tollway's statistics show that users of the tollway are predominantly people who live in the... the suburban area, in the Chicago area. That when you get, say, to southern Illinois, it's a very small percentage of residents there that use the Illinois tollways."

Reboletti: "What's the process right now if a resident has concerns with the tollway for them to go to a meeting and talk. Is there a public comment that they could ask that something be discussed?"

Froehlich: "Yes, people are free to do that, yes."

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

32nd Legislative Day

3/25/2009

Reboletti: "Isn't this... Basically, so you're trying to make the tollway a town hall meeting and the townships will be having those pretty soon where people can change the... the agendas or they can move things all over the place. Is that basically what you're suggesting for this authority?"

Froehlich: "I'm just... I want to just provide another avenue, a formal one, so the public can have some input and... on an issue and we can get the board to least address it. They can't just ignore it if people go through this process."

Reboletti: "Well, if you're concerned about accountability, why don't we make the Toll Authority... why don't we make those elected positions and put it out to the people and give those folks four-year terms or six-year terms so they would have some accountability? Is that something that you would be amenable to?"

Froehlich: "You know, if you propose that Bill, I might be willing to support it with you."

Reboletti: "Well, I do have concerns about people... a thousand people from my county or your county to be able to bring something, if of the board that they can already attend and then change the entire agenda. There are a lot of issues with the tollway. My district is surrounded by 355 and 294, so I hear complaints constantly. I'm not particularly sure this is... is the way to go, but I think maybe if you want accountability, maybe those should be elected positions. Thank you."

Speaker Lyons: "Representative Froehlich to close."

Froehlich: "Thank you, Mr. Speaker. I appreciate all the comments and suggestions and this would only infrequently

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

32nd Legislative Day

3/25/2009

add one agenda... one item to an agenda. I don't think it will clog up the... the tollway board's agenda, given the... the signature requirement. It's double the requirement that we have to get on the ballot. And so, I would ask for an 'aye' vote."

Speaker Lyons: "After a... just a long floor debate, we've discussed House Bill 1075, Ladies and Gentlemen. The question is, 'Should House Bill 1075 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 66 'yes', 44 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from McDonough, for the point of personal privilege, Representative Rich Myers."

Myers: "Thank you, Mr. Speaker. Will the Clerk please read House Resolution 208."

Speaker Lyons: "Mr. Clerk, House Resolution 208."

Clerk Bolin: "House Resolution 208, offered by Representative Myers, congratulates the 2008 Illinois High School Association Class 3A State Football Champions, the Illini West Chargers."

Speaker Lyons: "Representative Myers."

Myers: "Thank you, Mr. Speaker. Up in the gallery behind me and over behind the Republican side are the State Football Champions for 3A State Football for 19... or for 2008 the Illini West Chargers. For those of you who follow

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

32nd Legislative Day

3/25/2009

athletics in the State of Illinois, you know that the western side of the state has always had a powerhouse in football. Previously, it was Carthage and now it is Illini West that is a combination of Carthage, La Harpe, and Dallas City. These gentlemen play hard football. This year's record was 14 and 0 on their way to winning the 3A State Champion. Join me in congratulating the 3A State Champions."

Speaker Lyons: "Congratulations, State Champions. Thanks for coming down. The question is, 'Should we adopt House Resolution 208?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 208 is unanimously passed. Again, congratulations, champions. Mr. Clerk, on the Order of Third Reading, Representative Will Davis has, on page 43 of the Calendar, House Bill 267. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 267, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 267 is an effort to amend the Election Code as it relates to grace period registration. Currently, registration closes on the twenty-seventh day prior to an election and two days after that election. Grace period allows a person to register and vote until the fourteenth day before the election. House Bill 267 simply extends to the seventh day... extends

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

32nd Legislative Day

3/25/2009

that grace period to the seventh day before an election. Statistics have shown that voter turnout has increased substantially with grace period voting. I think the numbers are approximately 20 or 25 thousand people that were allowed to vote in the last election cycle. And we certainly think that by extending this grace period certainly will increase those rolls. I would like to think that as elected officials one of our primary objectives should be encouraging individuals to register to vote. Grace period voting allows individuals to register and to vote essentially at the same time. I'd be more than happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you, Speaker. Inquiry of the Chair."

Speaker Lyons: "State your inquiry, Representative."

Eddy: "Was there an Amendment... has there been an Amendment to this Bill added to this?"

Speaker Lyons: "Mr. Clerk."

Clerk Bolin: "Amendment #1 was adopted in committee."

Eddy: "Okay. Thank you. Representative, is there... does there continue to be opposition to this Bill with the Amendment?"

Davis, W.: "Well, actually, I think the Amendment cleared up the opposition. I should have mentioned in my opening remarks that this is an agreed Bill between the county clerks as well as the clerk of Cook County on the Amendment."

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

32nd Legislative Day

3/25/2009

Eddy: "Okay. Because our analysis shows that the Illinois Association of County Clerks and Recorders are opposed to the legislation."

Davis, W.: "They were opposed to the original Bill, but the Amendment should have cleared up their opposition to it."

Eddy: "Can you tell us what the Amendment did to... to change their stance on the Bill? What was their opposition and how did it remove it?"

Davis, W.: "Well, the original Bill actually extended the grace period to election day. Currently... currently, it's 14 days. The original Bill extended the grace period to election day, so the Amendment just found a happy medium and extended it to the seventh day."

Eddy: "Okay. So, at this point, the clerks and recorders are satisfied that that's workable?"

Davis, W.: "Correct."

Eddy: "There was also the Metro counties had opposed the legislation and the School Management Alliance had opposed the legislation. Was their opposition similar and was it removed with the Amendment?"

Davis, W.: "Well, again, what we think is that their opposition was on the original Bill and we feel that the Amendment... we believe the Amendment has cleared up their opposition."

Eddy: "Okay. Your purpose then for this legislation... if you could just very quickly articulate that purpose again for the Body. How will this help?"

Davis, W.: "How does this help?"

Eddy: "Why is this necessary?"

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

32nd Legislative Day

3/25/2009

Davis, W.: "Well, let me... let me read something to you in our analysis very quickly. It says according to The State Journal-Register, which is our local paper, over 20 thousand citizens registered in voting during grace period in 2008. So, again, as an elected official, I think one of my priorities is to encourage individuals, A) who aren't registered to register and to give them that opportunity to vote. So, this is simply extending that grace period and we think by extending that grace period, more individuals be... will be allowed to register and subsequently vote in upcoming elections."

Eddy: "Okay. People, though, that registered during the grace period have to vote either at the election authority or where they are registered. Is that correct? You haven't changed any of that."

Davis, W.: "I believe so."

Eddy: "Okay. I guess the election authority could allow them to vote by absentee voting, as well. You haven't changed any of that. You're just changing the number of days and that's all this does."

Davis, W.: "Correct."

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

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan. Rosemary, your light was on. Do you wish to ask some questions?"

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield? Actually, Representative Mendoza was lobbying me on something and I wasn't paying attention."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "Well, the Sponsor yields and is ready for your questions."

Mulligan: "Representative, the main problem I see with these things is making sure that in the precincts people know who actually can vote or has voted. So, in your negotiation with the clerks, what was the selling point or what was the actual negotiation?"

Davis, W.: "Well, Representative, again, that's why the compromise was made to move it to the seventh day to allow those records to be adequately updated so that folks do know who is eligible to vote. And again, people, when they register at their clerks' offices, they have the opportunity vote at that time, as well."

Mulligan: "So, they can vote if they register that... is that in your Bill or was that..."

Davis, W.: "Well, as I'm... as I'm being told, Representative, one of the things about grace period voting is that you must vote at that time. You don't have the option of going back to the precinct and voting. So, that should clear up your question about at the precinct understanding who is or is not eligible to vote."

Mulligan: "Well, that's just a step towards having registration and voting at the same time. So, if you got that concession at this point, then what's to stop you from moving to the next one of doing it on election day in the precincts?"

Davis, W.: "Well, Representative, if somebody wants to do that, obviously, they can file a Bill to do that. Again, even though that was my original intent, after talking to the

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

32nd Legislative Day

3/25/2009

county clerk's association, they suggested and we all compromised that it should be the seventh day. So, that is my Bill currently to have it on the seventh day. I'm not asking for same day... or excuse me... same day registration and then voting on election day. I'm not trying to extend the grace period beyond that seventh day."

Mulligan: "All right. So, what happens if the person votes at college, comes home, votes again at home, votes at their old address, votes at their new address, are you leaving enough time for anyone to check if that's a possibility or if it's accomplished or are you just opening the door to voter fraud?"

Davis, W.: "Well, if you're talking about what somebody can currently do, Representative, that has nothing to do with this Bill. This is just simply extending the grace period."

Mulligan: "All right. So, they're making you vote right there and they have the record and then will they cross-check to see if that person's already voted somewhere else and what happens if they find out that's the case?"

Davis, W.: "Well, apparently you cannot vote on election day. You can't... you can't vote on election day."

Mulligan: "And will that give them enough time to get that record to the precincts?"

Davis, W.: "Well, according to the county clerks, if they compromised and said that the seven day is acceptable, then I'm taking their word that there is enough time for that to happen."

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

32nd Legislative Day

3/25/2009

Mulligan: "They've been having a hard time getting everything done with all the early voting. I am surprised that everyone agreed with you that they would have the time to get this done and particularly in smaller counties where they don't have as many employees."

Davis, W.: "Well, Representative, that's why they compromised on the seventh day. So, now you're asking me to... to speak on their behalf in that respect and that's something I can't do. Again, this was an Amendment from the original Bill. So, if there was that concern, then they would have probably just opposed any change to the Bill, but they were willing to compromise and allow up to the seventh day."

Mulligan: "Is there any backup in your Bill to say... to get a report within a year or two to see how this has actually worked and if they've had a problem with it?"

Davis, W.: "Are you asking if there is a... if we have to find... Are you asking for a report to tell us how many people..."

Mulligan: "Right. So, after the first election cycle goes through, are you... is there someway that you will be able to check with the different clerks' office to see if this actually worked or if there was any attempted voter fraud or what happened with it?"

Davis, W.: "Well, apparently, Representative, the state board does... the State Board of Election does compile that data and so we will know the answer to your question after the election. So, it's not something that has to be a part of this legislation; it's something that will automatically happen by way of the state board."

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

32nd Legislative Day

3/25/2009

Mulligan: "I don't necessarily think you'll know about it unless it hits the newspaper because normally people don't come back to us and always tell us what's going on in something like this unless we make a request."

Davis, W.: "Well, obviously that's your choice, Representative. If you're that concerned about the numbers, you can make that request."

Mulligan: "I would make that request. I think it would be an interesting thing to check. We keep getting requests for more and more expansion of voting rights and yet we're not sure exactly how they always work and what the ultimate outcome is. I can see why you'd want to do this, but with all the different new things that we have, I think we've put quite an impact on clerks' offices and the taxpayer dollars to increase their staffs."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. This is... and in all due respect to the Sponsor, some of my frustration, I don't want to take it out on him. I do want to take it out on the process and the actual legislation. All this Bill really does is to move to election day registration, which a committee studying this has already said they are not ready to do that. They do not have the resources to go to election day registration, same day registration, but this allows you to take it down to seven days before the Primary or General Election. Depending on the resources of your county and your election authorities, you may have a

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

32nd Legislative Day

3/25/2009

database in which you can easily check to see whether or not they have voted absentee, whether or not... and by the way, the inability of the State of Illinois to come up with a centralized voter registration database is a concern that we should all have. You know, we know what's going on in this state. I know college students that vote at their college address, and then they vote absentee at their parents' address, been going on for years. There's no real effective way to do that because we don't have... or to check that because we don't have a statewide voter database to see who, in fact, has already voted. The county clerks are not enamored of this. I think they agreed to the... to the Amendment, but it really is just a simple procedure to move to election day registration and voting, same day registration and voting. The committee studying that said, as I've indicated, they didn't have the resources to implement that. They will continue to study that issue. I... I just find it extremely frustrating and I'm not... I don't want to take this out on the Sponsor; it isn't his fault or his problem. When the Majority Party wants to ease election rules or registration rules, they do so and they find it very easy to do so. When I came down here in the middle of December, called here by the Democrat Leadership of the House and Senate, I was told I was coming down here, 10 days before Christmas, to vote on a special election to fill the vacant Senate seat as Senator Obama moved to the Presidency of the United States. The Democrat Party Leaders changed their mind and what transpired this morning, and I wish I would have been here to let my views

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

32nd Legislative Day

3/25/2009

be known on an Amendment that happened in Executive Committee, I just... I just find it completely mind-boggling and frustrating and a prostitution of the process that whatever you want to do, you do. When you change your mind, as you did on December 15, any attempt by the Minority Party to carry out the wishes for which we were called here, no, that's absolutely forbidden. We're not going to discuss it. We're not going to debate it. We're not going to vote on the actual Bill. I don't know. The special election Bill may very well have failed, but your Party will not take any chances on that. Your rights are violated; my rights are violated. And the only... the only way that I can sometimes ease my frustration is just to take a Bill like this, that is well-intended and the Sponsor is serious, is just to say I'm not going to vote for this. I'm just simply sick and tired of being dictated to by the Majority Party on what we will vote for and what we will vote on and what we will not. And then if we complain about it, you call us whiners; you hijack one of my Bills without even the common courtesy of letting me know what you're going to do. I'm not a freshman here. I've paid my dues. And I don't deserve that kind of treatment, particularly by someone I consider to be a friend. I'm not going to participate in these sham exercises where you want to hold up the banner of what's good for the people and what's good for the voter, but when you had an opportunity to let the voters actually decide what they wanted to do, you changed your mind because of national party politics and you said, no, we're not going

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

32nd Legislative Day

3/25/2009

to do that. We're not going to let you vote on it because, for God's sake, it might... I've had enough. It might be a good Bill. The commission didn't indicate that we should move toward same-day registration and voting. One of the few ways that I can calm my ulcer and let me sleep at night is sometimes just get up and say, no, I'm not going to be part of this process that you turn around and use for your benefit or your magnificence of supporting the rights of the people when just a few weeks ago you absolutely slammed, stepped on, and squashed the rights of the people to decide and then you try to cover it up with things like this and the Amendment that was done in the Executive Committee today. Shame on you. You all know better; I know better. I'm not going to participate in this kind of stuff. I intend to vote 'no'."

Speaker Lyons: "The Gentleman from Chi... from Cook, Representative Harry Osterman."

Osterman: "To the Bill. Let's focus, if we can, on what the Bill does. And a couple years ago we put in a provision for people to have the ability with a grace period to register to vote. People that got an interest later in the campaign; that's a good thing that everybody should embrace. There's a study that says that the clerks are not yet ready to go to election day... same-day registration on election day. Ultimately, that is going to happen in Illinois as it does in Iowa and other states. And quite frankly, that's a good thing, but to the Bill. What the Bill will do is enable more people to register to vote, vote right then and there. I think if there are cases

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

32nd Legislative Day

3/25/2009

where people have committed fraud, those should... you know, when we move this registration up, that should be looked at as well. But this will help more people get involved in this process and it's something that people on both sides of this aisle should embrace. And with that I'd like to be added to cosponsoring and I think that people should support the Bill."

Speaker Lyons: "The Lady from Cook, Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. As a member of the Election Day Registration Committee that looked at this, it was pretty clear during those discussions that... that while there was dispute over whether election day registration was affordable, there was no dispute as to whether or not the grace... the extension of grace period voting would be acceptable to the election authorities and even welcomed by the election authorities. During that... during the process with the Election Day Registration Commission, they testified to that effect and in the Elections Committee when we had a subject matter hearing on what's going on in Illinois on elections, what are the trends, what's going right, what's going wrong, the Clerks' Association as well as individual clerks, testified that while they did not support election day registration at this time, they absolutely supported the extension of the grace period voting as a way of getting those voters who might... might have missed the registration deadline to... to come out and vote. So, the election authorities are fine with this. And I'm sorry for the Gentleman's ulcer, but I think this

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

32nd Legislative Day

3/25/2009

is not a way to address it. And I urge your support for the Bill."

Speaker Lyons: "Representative Will Davis to close."

Davis, W.: "Thank you very much, Mr. Speaker. And I will certainly be brief. I appreciate the comments from the other speaker. And apparently, his comments are not directed at me necessarily and that's fine 'cause I know he often talks about the process in a very broad way. But nevertheless, as was stated before, this is a compromise amongst the county clerks. Whether or not we ultimately get to same-day registration, certainly, who knows, and... but I guess what troubles me about some of the comments and others is that, again, I think as elected officials we should be encouraging people to participate in the process and giving them opportunity to do so. So, when I hear a comments about fraud and other things, those things currently exist and I'm willing to work with anybody to try to curb the num... the amount of fraud that exists in the elec... in the electoral process. I would love to have that opportunity to work with you in that process. But this is not about fraud, this is simply trying to encourage more people to participate in the process. It often makes me wonder, for those who wouldn't support such a Bill to encourage more people, what are they scared of, what's the problem? I don't know. But nevertheless, again, this is simply extending the grace period an additional seven days to allow grace period voting to go seven days before an upcoming election. Numbers have shown over 20 thousand people in 2008, possibly even more in the upcoming

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

32nd Legislative Day

3/25/2009

election, this is what we should be doing allowing individuals to participate in the process and encouraging voters to participate in the process. I ask for an 'aye' vote."

Speaker Lyons: "After thorough debate, the question is, 'Should House Bill 267 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 70 Members voting 'yes', 45 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Members, Representative Art Turner in the Chair."

Speaker Turner: "Representative Turner in the Chair. Good afternoon. The Gentleman from Cook, Representative Davis, for what reason do you rise?"

Davis, W.: "A point of personal privilege."

Speaker Turner: "State your point. You're on a roll."

Davis, W.: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, I'd like you to join me in welcoming, to my right above the Republican side in the back, the men of Kappa Alpha Psi Fraternity, Incorporated, who are visiting today along with the ladies of Alpha Kappa Alpha. This is an outstanding organization, one of our African-American fraternities, founded on the ideals of achievement, a group of college-educated young men getting together to do what they can to impact their community. I'm pleased to be joined in the House chamber by other members of the Kappa

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

32nd Legislative Day

3/25/2009

Alpha Psi Fraternity, including our newest Representative, Representative Eddie Jackson, Sr., as well as, also our newest Representative, Representative Will Burns. Would you please stand and give the men of Kappa Alpha Psi Fraternity a great round of applause on their lobby day today."

Speaker Turner: "Welcome, Kappa Alpha Psi. Welcome to Springfield. Representative Biggins, on the Order of Third Readings on page 54 of the Calendar, we have House Bill 4099. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4099, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Yes, Sir. Thank you, Mr. Speaker. This... House Bill 4099 requires that the Comptroller publish each comprehensive annual financial reports within six months after the end of the fiscal year to which the report relates. It requires that the Comptroller gives notice of a publication delay to the Governor and Legislative Leaders and on the Comptroller's official Web site. The Comptroller, of course, supports the Bill. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4099?' 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? Lyons. The Clerk shall take the record. On this question, there are 116 voting 'aye', 0

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

32nd Legislative Day

3/25/2009

'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Monique Davis on House Bill 648. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 648, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Davis, M.: "Thank you, Mr. Speaker. Illinois House Bill 648 is a Traffic Stops Statistical Study Act. It requires all police officers in Illinois to document all of their traffic stops. It also requires all police departments in the state to report the data to the Illinois Department of Transportation and IDOT is to... required to report this on an annual basis. The Act originated with Senate Bill 30 in the 93rd General Assembly and it passed by an overwhelming bipartisan majority. The Sponsor in the other chamber was then State Senator Barack Obama. The original Act had a four-year sunset date of December 2007. We extended that in the 94th General Assembly. We're asking that we extend the collection of this data and that we're asking that we have bipartisan support. The reason for the extension is we were supposed to have a task force appointed by our Governor. He did not appoint all 15 members and they did not meet as scheduled by the law that passed in 2005. Mr. Chairman, I ask that I have bipartisan support and a 'yes' Bill on the Statistical Study Act and I have lots of cosponsors. Thank you."

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

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

32nd Legislative Day

3/25/2009

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

Speaker Turner: "Indicates she will."

Reboletti: "Representative, it's my understanding and looking at the transcripts of then Senate... Senator Obama that this was only going to be a one-time four-year program and that was it. And that's why the Illinois Chiefs of Police and other law enforcement were supportive of the program because it wasn't going to be sunsetted out into, as your Bill is now 10 years, but you want... I know, previously, you wanted it to be forever. Isn't that going against the agreement that Senator Obama wanted and that the Chiefs of Police agreed to at the time?"

Davis, M.: "First, this was my original Bill and Obama took it in the Senate, but it was my original Bill. What we decided was that it was really important that a report be issued to the General Assembly and that a task force analyze the data from Northwestern University. The task force, because the Governor didn't appoint all 15 members, they only met twice. Therefore, we were not able to complete our work. We have talked to some Chiefs of Police who do support the continuation of the collection of the data in order that we can... what would you call it, make an... make a thorough report on what is happening in racial profiling across our state and hopefully, help to end such a practice."

Reboletti: "Isn't the reason that you want to go 10 years is because there's 800 thousand dollars in unspent federal money and this program needs about 80 thousand dollars a

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

32nd Legislative Day

3/25/2009

year to implement? Is that where you get your 10 years from?"

Davis, M.: "Well, the Federal Government did provide dollars for states that were putting forth legislation to prevent racial profiling. Our state received, I would guess, almost a million. We have spent 125 thousand, I believe. We have about 800 thousand dollars left in that federal pot of money."

Reboletti: "I guess... we talked about this in committee at great length. Didn't the study show... now I'm not going to say that every officer doesn't stop somebody 'cause they're... because of their background. I can't make that representation and nor would I. However, didn't the studies at the end of the day show that there wasn't so much an issue with racial profiling, the issue is actually with consent searches in that officers ask people of color more often to search their vehicle than Caucasians. At the end of the day there's actually more contraband found with Caucasians drivers than there is with people of color."

Davis, M.: "Well, actually, the study shows that African American and Hispanics are two and a half times more likely to be stopped in general. Now, the study does show that even though African American and Latino drivers are more likely to be stopped, contraband is more frequently found in Caucasian drivers, the reason for continued legal activity."

Reboletti: "What do you think that an additional 10 years of study will show that the last 4 years have already shown

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

32nd Legislative Day

3/25/2009

us? I mean, is there an additional fact that you think we'll find now?"

Davis, M.: "Well, one of the things we've found, Representative Reboletti, is that originally in the Illinois House of Representatives we were told that racial profiling was an urban myth; that it didn't occur that it really was not a fact. So, we have, of course, proven that it is a fact, it is not an urban myth, and in order to do the work that is proposed by the task force or the commission, they would need a constant update data collection for this to be able to do their work. They couldn't do their work based on past data; it would have to be current."

Reboletti: "Well, I guess the point of it is... is we have our numbers. We need to have somebody crunch those numbers and give us recommendations. And I haven't seen any of that and so that's why I suggested to you in committee maybe two more years as a potential compromise, so that people could meet, a task force would actually sit down, give us, the General..."

Speaker Turner: "Bring your remarks to a close."

Reboletti: "Give the General Assembly an opportunity to take a look at those recommendations, but... but to the Bill. And I appreciate what the Sponsor is trying to do. I think racial profiling is despicable. Will this... it's important that we focus on what we can do to make sure that when a traffic stop occurs there's probable cause. I would submit to the Body that the issue is, at this point in time, consent searches and that we need to have this task force meet, look at where the data is at and formulate what we

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

32nd Legislative Day

3/25/2009

should do from there. I would also suggest that video cameras in all squad cars would help to alleviate much of the concern for protecting the public and protecting those that are stopped in traffic stops or under arrest. So, with all due respect, I appreciate your position, but I would urge a 'no' vote."

Speaker Turner: "This Bill is on Standard Debate. We will... We've just heard one opponent. We will hear two more opponents and one more proponent. The next speaker will be Representative Mulligan, the Lady from Cook, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Mulligan: "Representative, Representative Reboletti just said that there's 800 thousand dollars left of federal funds for this study."

Davis, M.: "That's correct."

Mulligan: "The commission members, are they paid?"

Davis, M.: "They are not paid and they do not get any money for meetings or anything. It's totally voluntary."

Mulligan: "And how much money of the federal dollars has to be indicated for solutions as opposed to just doing the study?"

Davis, M.: "Well, the purpose of the study, of course, was to find solutions and that was going to be the role of the task force. The former Governor failed to appoint 15 members as called for in the legislation. The members that were appointed were only invited to two meetings which did not allow them to do their work. Now, in committee,

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

32nd Legislative Day

3/25/2009

Representative, the police wanted a deadline date on the study. At first, see, we didn't have a deadline. We amended the Bill and now we do have a deadline date of 10 years and then that is the deadline date. The cost of the study so far, I think it was 125 thousand to Northwestern University for putting the data together and I think everybody in here receives a copy of that data. And it's also on the Internet and the purpose, of course, of the continued study is to give the commission updated material to work with."

Mulligan: "Is the 800 thousand dollars that are left, would that require a pass-through Illinois to be allocated for the rest of the study or does it go directly to the university or how is that allocated?"

Davis, M.: "Representative, it's already available to us."

Mulligan: "So..."

Davis, M.: "It's been... It's in the IDOT budget for that purpose."

Mulligan: "And is it a line item that cannot be moved and that it has to be used for that?"

Davis, M.: "It's specifically used for racial profiling prevention, yeah, data, yeah."

Mulligan: "All right. So, at some point the commission hopefully the members will... the rest of the commission will be appointed and there will be some solutions suggested that will generate legislation. My concern is that we have all this money here. Wouldn't it be better spent towards helping local law enforcements do training or things that

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

32nd Legislative Day

3/25/2009

would try and help the situation as opposed to just to continue the study?"

Davis, M.: "Well, we... I don't think that money can be used for training."

Mulligan: "It cannot apply to..."

Davis, M.: "The study would help in training purposes because the study would indicate where the training was needed, where greater sensitivity training was needed and without the study, we would probably be just like throwing balls up in the air. So, that is another purpose of the study and also, the commission or task force would determine what kind of training perhaps would be needed."

Mulligan: "So, what's the anticipation, and maybe you testified to this in committee, of how much longer this should take? You're extending it for another 10 years past the original deadline which was..."

Davis, M.: "For 2010."

Mulligan: "I intended to support this Bill and I had said that I would. The problem I have is the original negotiation that said it would be one study done at a certain time and then we'd move forward with some kind of..."

Davis, M.: "Solution."

Mulligan: "Solution, right. And so, when you give us your word now that that's where we're going, I would like some assurances that that's where we are going because we've already gone by that once and you're doing it again. And I would like to see more of an idea of solution as opposed to just continuing studying."

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

32nd Legislative Day

3/25/2009

Davis, M.: "You're right, Representative, and I would like for the... the study to continue in order that we can have a working task force that is actually going to find solutions to prevent racial profiling as it occurs today."

Mulligan: "Do you have any..."

Davis, M.: "That is the absolute purpose of the Bill and that is the absolute purpose of the commission. There would be absolutely no reason to continue it once this task force is in place doing its work."

Mulligan: "Have you had any support from the current Governor's Office that they will appoint the members to this?"

Davis, M.: "Well, I have... the State Police is neutral on the legislation and I have not heard from the Governor's Office, but I'm almost positive that he will appoint... and as you know all of our Leaders also have the authority to appoint, the Leader from the Minority side of both the House and the Senate and the Leader in the Democratic side of the aisle... those are the people who appoint and then I think the Governor also has an opportunity to..."

Speaker Turner: "Bring your remarks to a close."

Mulligan: "I'm done."

Speaker Turner: "She's through? The Gentleman from Jasper, Representative Reis, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Reis: "Representative, I didn't hear and maybe you didn't answer, where does the 800 thousand dollars go? How does that help implement your proposal?"

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

32nd Legislative Day

3/25/2009

Davis, M.: "The 800 thousand that remains from a federal appropriation will be used to pay the university, Northwestern University, for its compiling of the data as it is submitted."

Reis: "Okay. Well, you know, I think four years ago had I been... or five years ago when you passed this Bill, I would have been in support of it in concept then, but here's where my concerns are coming from now, and I've had a chance to hear from my county police or county sheriffs and police officers, is that you don't have a threshold in your Bill where counties that have very, very, very small minorities are having to go through and do all this paperwork when we have less than 1 percent minorities. And we're just wondering if you would be amenable to amend your Bill using the prior four years' worth of data, if we could exempt some of our smaller counties that just don't have the numbers and they're spending their valuable time and resources on filling out paperwork when it really... they could be using it for meth and stealing anhydrous and our local issues."

Davis, M.: "Representative..."

Reis: "So, we're just wondering if you could make it more specific for areas where it would be more applicable in getting your data."

Davis, M.: "In reply... in reply, may I say that there are some communities in which no ma... I mean, African American and Hispanics don't drive through your community, but this..."

Reis: "No, it's not driving. It's where they live."

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

32nd Legislative Day

3/25/2009

Davis, M.: "This... this... the document only takes a second to fill out. It isn't that they've got some long, you know, some writing, some narrative; they don't have to do a long narrative. They merely check off and they already are required to do that. So, the most they have to do is submit this to, I guess, Northwestern University. That is the greatest... they submit it to IDOT and IDOT submits it. That is the greatest portion of work they have to do and we have a number of small police districts, you know, I think we have about 96 in the state."

Reis: "But they have brought this to me over the last two years. I didn't ma... you know, make this up. They're coming to me and saying, David, we don't have any minorities, very few, and this is really... we could put our efforts and valuable resources to better use than filling out this. I know it doesn't take long, but you're talking about every time someone gets pulled over. So, there are a lot of forms that need to be filled out and..."

Davis, M.: "So..."

Reis: "...and I'm bringing this to you from my nine county sheriffs, my multiple police... city police people, saying, we just need a reprieve from this. We did it for our four years; we've should you our data. It's probably not going to do you any good because the numbers are skewed the other way. Can we please be exempted from this?"

Davis, M.: "Well, at this point, Representative, we don't have any exemptions. And in order to, I would say, have a complete picture of the State of Illinois, we would really prefer not to have exemptions. And if there are very few

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

32nd Legislative Day

3/25/2009

minorities, I would suggest that there would be very few, what shall I say, variances from what should happen in police work. And I would urge you to get a copy of Chicago... what's the name of this magazine... oh, there's a magazine printed in Chicago and it's... it's called the Chicago Reporter and the entire April issue has documentation and information regarding racial profiling. They talk about what happens; the pain that it causes. They talk about the Latinos who are very low in population, who are very high in stops and this magazine... it's a very notable magazine nationwide and it does show that racial profiling is still an issue and that we do need to continue the study and the task force should be given an opportunity to complete its work."

Reis: "A couple of final questions. Has your Amendment removed the opposition from the State Police and have the Illinois Sheriffs' Association weighed in on your Bill?"

Davis, M.: "The State Police are neutral on the Bill. I have..."

Reis: "Because of the Amendment?"

Davis, M.: "Oh, yes. Yes, it has, yes."

Reis: "We don't have that in our analysis, in fact, we show the opposite."

Davis, M.: "Well, that was probably prior to the Amendment. You know, they were concerned in committee about there not being a deadline date. They wanted an end date. So, the Amendment... Amendment #1..."

Speaker Turner: "Bring your remarks to a close."

Reis: "Thank you, Mr. Speaker. To the Bill. It is our understanding that the State Police wanted this to end."

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

32nd Legislative Day

3/25/2009

They participated in it for the four years. Just because the Amendment was added, that provided a sunset date, did not remove their opposition to this Bill. So, Representative, I would like to see some Amendments for our counties that this... are not providing good data for your... your study. And I intend to vote 'no'. Thank you."

Speaker Turner: "The next speaker will be the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in very strong support of House Bill 648. The data we have from the four-year study that's already in place shows that there are significant racial disparities in stopping motorists and in consent searches. So, African-American drivers are three times more likely to be involved in these consent searches than white drivers. For Hispanics, it's almost two and a half times as many as with white drivers. And yet the reality is that if... if the Caucasian drivers, who are twice as likely to be carrying contraband, in that automobile. I agree with the point earlier made that it isn't enough just to do a study; you want to be able to find out how you resolve the disparities that are out there, how we reform the system so that driving while black, driving while brown is no longer going to subject people to these kinds of harassments. The reality is that there is an oversight board, unfortunately, it never got appointed. Let's go forward with an oversight board that's able to make the recommendation, able to suggest the reforms that will help solve the underlying problem. But until we do that, until those reforms are in place, they

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

32nd Legislative Day

3/25/2009

won't be able to know if they're having an affect unless we continue to collect the data. There is money to pay for the study. It would be unconscionable for us, as a General Assembly, to say never mind, racial harassment is going on on our highways and we've decided not to do a thing about it. The only vote of conscience on this Bill is a 'yes' vote and I hope you will join me in pushing green."

Speaker Turner: "We've heard from three opponents and two proponents. With that we're prepared to take a vote. So, the question is, 'Shall the House pass House Bill 648?' 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 75 voting 'aye', 41 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 999. Representative Eddy. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 999, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Eddy: "Thank you, Mr. Speaker. House Bill 999 is a Bill that would allow school districts the flexibility of borrowing not only on property tax anticipation but also on anticipation of general state aid and other revenue from the state. This time districts that have some property wealth have a... have a pretty good avenue to take care of short-term borrowing needs to make payroll, while we

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

32nd Legislative Day

3/25/2009

haven't extended that authority to general state aid and other types of revenue. And this Bill simply would help districts, maybe, especially this year, get through the fourth quarter if they need to short-term borrow. And I would appreciate an 'aye' vote and would answer any questions."

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

Lang: "Thank you. I rise in support of the Gentleman's Bill. Financial issues are paramount right now at schools, in fact, in many schools they overshadow educating our kids. The Gentleman has a good Bill that he drafted in conjunction with many parties in an effort to provide an avenue for local school districts to find additional cash to operate so that they can spend more time educating kids and less time trying to find cash. So, I would recommend that all Members of the House support the Gentleman's Bill."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 999?' 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? Sullivan. The Clerk shall take the record. On this question, there are 113 voting 'aye', 1 voting 'no', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Kosel, we'll have House Bill 4050. Read the Bill, Mr. Clerk."

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

32nd Legislative Day

3/25/2009

Clerk Mahoney: "House Bill 4050, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "The Lady from Will, Representative Kosel."

Kosel: "Thank you very much, Ladies and Gentlemen of the House. This Bill amends the Taxi Safety Act of 2007. It adds minimum, very minimum, standards for taxi drivers throughout the State of Illinois. It requires that they must have valid driver's licenses not only while they're driving but for the previous three years, must be 21 years of age, must not have been... been in violation of a whole bunch of things, including drunk driving and so forth for the free... previous three years. This was brought to me by a constituent who had a daughter killed in the taxi cab accident and since then have taken on taxi cab safety as one of their main concerns. And I would ask for your approval, please."

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

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

Speaker Turner: "Indicates she will."

Lang: "Representative, does this Bill have any impact on Home Rule?"

Kosel: "It would exempt Home Rule only if they dropped below these very basic minimum standards. So, yes, under those circumstances it would."

Lang: "So, parliamentary inquiry, Mr. Speaker. Will this Bill require 71 votes?"

Speaker Turner: "The parliamentarian is going to check and we will make a ruling shortly."

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

32nd Legislative Day

3/25/2009

Lang: "Thank you. I would ask that we not vote on this Bill until we have an answer to that question. Representative, is the City of Chicago still opposed to your Bill?"

Kosel: "The City of Chicago is opposed to my Bill. We worked with this... This is the second year I've had this Bill. We worked with them very, very hard last year and actually, this Bill reflects several changes that they requested. And the only reason that they still are, and stated so in committee, was because they wanted to have the ability to drop below these very minimum standards. And I will tell you that I would hope that they would never, ever drop below these standards for taxi cab safety."

Lang: "Who created these standards?"

Kosel: "I actually worked with the Secretary of State's Office. We used the same standards that we use for church bus drivers and senior citizen drivers that we have now in the State Law and in the... in the statutes. You know, there's a special license that must be issued if you're going to drive a church... a church vehicle carrying people or senior citizens. And so, that's where these standards came from."

Lang: "Can you tell me what authority the Secretary of State and yourself used in the process of determining what these standards ought to be or did you just simply refer to other statutes we have passed on these other issues?"

Kosel: "That's what we did."

Lang: "All right. And so there was no independent research as to taxi cab drivers to... For instance, did you check other states to see if they have minimal requirements for taxi cab drivers?"

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

32nd Legislative Day

3/25/2009

Kosel: "We did some research over the summer, in fact, I had an intern that worked on that and we were not very successful in finding out what they did. We used NTSL and several other people. As I said, we've been working on this for two years and it was very hard to get through. We found minimal things, all of which were at least as stringent as this or more stringent."

Lang: "And so, how many other states regulate the minimal requirements for taxi cab drivers?"

Kosel: "I don't... I don't have that information with me."

Lang: "Are there some?"

Kosel: "Yes, there were some."

Lang: "Do you know if it's more or less than 10?"

Kosel: "We never got to all the states, so I can't say whether it would be more or less than 10. I think we had 3 or 4 that we looked at and then stopped looking at it after that for the lack of time and the loss of an intern."

Lang: "Would this not have been a better Bill, Representative, instead of... instead of preempting Home Rule, even in what you would describe to be a minimalistic way, if you just required each community to have standards rather than us providing the standards to local communities?"

Kosel: "Actually, with the advent of hopefully getting the Olympics in Illinois, I wanted to say that there were some minimum standards throughout the state and if we ask for each municipality to do it, it would then would be a quilted pattern and we would not have minimal standards that we can point to, to say, look, at when you get a cab..."

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

32nd Legislative Day

3/25/2009

in a cab in the State of Illinois, you can expect to have at least these standards."

Lang: "You know, in England you can't get a taxi license unless you've taken an actual test about how to get around. In London, they have a very extensive test for taxi drivers and they will put inspectors in the car and they'll tell them to go to some way-out exotic places and if they can't get there, they don't get their license. Do you want to include that in the Bill?"

Kosel: "No. But you know, the City of Chicago does have a written test of what they do within the City of Chicago. The City of Chicago goes way over these standards. That's why I couldn't understand why they were objecting to it. I mean, they are much, much, much more restrictive than what this Bill is. So, no, I did.. obviously, if I wanted to put that in there, it would be in there; it's not."

Lang: "Well, I just... my last comment would be that my concern about your Bill is another erosion of local control. We hear a lot, mostly from your side of the aisle, about local control, local control, local control, local control and yet any time we don't want local control, we say, well, to heck with local control. We'll do it a different way. What's that all about?"

Kosel: "Thank... thank you for your comments. I would hope that local control would never allow someone who had a DUI within the past three years to drive a taxi cab, someone who had done race... street racing to drive a taxi cab, just to mention a few of the things that are listed in this Bill that we say should not be a taxi cab driver. So, where

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

32nd Legislative Day

3/25/2009

this Act sets an absolute minimum floor, I would hope that no community would ever go under it."

Lang: "Well, to the Bill, Mr. Speaker. I... I understand certainly what the Representative's trying to do, but I think we've got to do something about this picking away at the ability of our local governments to do the work their elected officials are hired to do. And so, I would stand in opposition to the Lady's Bill."

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

Black: "Thank you very much, Mr. Speaker. Has the... Inquiry of the Chair. Has the parliamentarian..."

Speaker Turner: "State your inquiry."

Black: "...prepared to make a ruling?"

Speaker Turner: "The parliamentarian's... just one minute."

Black: "All right. Can I... Mr. Speaker, can I wait until the parliamentarian is ready to make his dissertation?"

Parliamentarian Ellis: "Representative Lang, on behalf of the Speaker in response to your inquiry, this Bill, House Bill 4050, does not preempt Home Rule. There is no language in this Bill preempting Home Rule; therefore, it's a 60 vote requirement."

Speaker Turner: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and parliamentarian. Let me speak to the Bill, if I could. I certainly agree with the parliamentarian's view on this one. I think it would have a preemption of Home Rule if it were setting a ceiling that everybody had to meet. This Bill simply sets

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

32nd Legislative Day

3/25/2009

a floor, a minimum floor, if you will, that communities should have. I don't think it bothers local control and there are thousands of villages in the state who will not be impacted by this at all. Most villages and towns in my district don't have taxi cabs. There are only a handful of cities that do in my... in my area of the state. If you know the genesis of the Bill, the Sponsor is trying to carry out the desires of constituents of hers who had a family member killed by a taxi driver. This clearly pointed out the lack of any consistent rule or regulation statewide on who could or should be driving a taxi and under what conditions. So, you know, it doesn't... I don't know why the City of Chicago opposes this. I have no idea. Their standards are much higher than this Bill. So, in effect, this Bill doesn't bother the City of Chicago in any way, shape, or form, but it does set up some minimal standards for someone to be able to drive a taxi. If any of you in this chamber have never had the experience of being in a taxi, where you are in abject fear of your safety, or you simply question whether the taxi driver had any possible clue as to where you wanted to go and where the taxi driver was attempting to take you, you've been lucky. So, I don't know that there's any... should be any controversy about this Bill whatsoever. There's no fiscal impact to the state; there's no fiscal impact to a local government who doesn't have a... a minimum standard who probably should, then that's all this does. It does not inhibit local control. You can make standards much more stringent than this Bill. It simply gives, as the Sponsor said in her remarks, some

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

32nd Legislative Day

3/25/2009

measure of confidence that no matter where you are, if you're in a city that has a taxi service, there's some minimum requirement that the driver must meet under the law. Any city is free to make it much more stringent and many of them already do. So, I can't imagine that people would actually be opposed to the Bill. It's commonsense attempt to do something that has just probably been overlooked, but in the Sponsor's case, she had a constituent's family that suffered a tragic loss because of a taxi driver perhaps, allegedly, driving under the influence. Is that taxi driver still driving? Should he or she still be driving? This is the kind of legislation that most of us like to sponsor. A problem that is brought to us by a constituent, we do our research and we find out, for whatever the reason, that there is no law. There is no statute that addresses this family's concern. So, the Sponsor is simply responding to a constituent concern and I thought that's what, in most cases, we were here to do. I commend the Sponsor. I intend to vote 'aye' for the Bill. And I think if you look at this carefully, all of us should vote 'aye' on this Bill which is simply commonsense legislation, does not preempt Home Rule and certainly does not usurp any powers that local governments could choose to exercise on the matter of taxi cab drivers. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4050?' 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? Sullivan. The Clerk shall take the record. On this

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

32nd Legislative Day

3/25/2009

question, there are 114 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Flowers... Representative McAuliffe on House Bill 2540. Out of the record. How about 4197? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4197, a Bill for an Act concerning veterans. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4197 would provide that the Department of Veteran Affairs could spend up to 30 thousand dollars per fiscal year for the purpose of advertising employees for open positions at various veterans' medical facilities throughout the whole state. And I'd be happy to answer any questions and ask for a 'yes' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4197?' 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 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Golar, House Bill 2653. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2653, a Bill for an Act concerning housing. Third Reading of this House Bill."

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

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

32nd Legislative Day

3/25/2009

Golar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2653 is the Homeless Prevention Act. And thanks to Representative Hamos for her leadership all these years for the programs that are so vital to the citizens of Illinois. She was one of the front runners for this particular Bill. The Homeless Prevention Act, the plan started in 1999, this is the 10th anniversary. The request from homeowners started late 2007 and the number of calls increased 2008. The fiscal moneys are in... is a budget line item and it is a total of 11 million dollars. The three different agencies that make up this line item is TANF, Affordable Housing Trust Fund, and GRF. The General Assembly has given an 86 percent approval rating for this program. It started out as renters and now, this Bill will apply it since 2008 when they started receiving so many calls, it will help homeowners. This homeless prevention fund has helped over 12 thousand families and 65 percent of those households have children. The fund will not pay more than 90 days of rental and mortgage arrearage. The Homeless Assistance Program contracts with 66 different agencies. This application process, the homeowners must demonstrate their ability to pay. Eligibility requirements, there are none. Homeowners and renters can apply on a first-come/first-serve basis. The turnaround time is five days. A copy of a lease, mortgage info, income statements, or paycheck... Payments are made to the landlord, the mortgage lender. The utilities are paid based on a visit to LIHEAP. The annual report will be done yearly following an internal audit. Presently, the

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

32nd Legislative Day

3/25/2009

auditors request a annual report every six months to the day. This Bill will make it yearly. I'll be happy to take any questions and I urge an 'aye' vote."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 2653?' 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 113 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Flowers, for what reason do you rise?"

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

Speaker Turner: "State your point."

Flowers: "I would like the Members of the House to recognize Guggenheim Grammar School. They're in the gallery. Would you please stand and give them a hand, a warm hand. Thank you."

Speaker Turner: "Welcome to Springfield, Guggenheim, welcome. Representative Joyce on House Bill 1148. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1148, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1148 would allow for teachers that

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

32nd Legislative Day

3/25/2009

taught at private schools to enter the TRS... get two years of credit into the TRS system after they go on to public schools. They will pay the actuarial amount plus the interest and there is no impact to the fund. I know of no opposition. And I'd be happy to answer any questions."

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

Tryon: "Thank you, Mr. Speaker. If the Sponsor would yield, I'd like to ask him a couple questions."

Speaker Turner: "Indicates he will."

Tryon: "Representative Joyce, what type of impact to the pension system is this? I mean, there has to be some kind of impact because, if you have people coming in to a system for years of service that they didn't pay into the system, there could be no actuarial reconciliation for the pension system. So, how... how do you... how do you account for that reconciliation, even if they're paying the cost?"

Joyce: "Well, first of all, they're allowed to buy two years of... of that service that they gave. They're already a member of TRS now, so they're currently a public school teacher. And they're playing..."

Tryon: "Then... then at what cost? Are they paying just..."

Joyce: "...they're... they're... they're paying the employer and the employee cost, at actuarial plus interest."

Tryon: "But what about the state's cost, the actuarial cost to the pension system that would be serviced over time through the interest that the pension system would actually have made had they had that money in there?"

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

32nd Legislative Day

3/25/2009

Joyce: "So, whatever the ra... the rate was that the funds assume... whatever the rate that the funds assume is the interest rate that they are paying. And it... and it's currently at eight and a half percent."

Tryon: "So, you're saying that for 73 billion dollars in pension deficit and that equates to 8 percent a year on any pension contribution?"

Joyce: "Eight and a half percent."

Tryon: "Well, I... I just... I just don't see how you do that? I don't see how you merge people into a system that have never participated into the system and give them credit."

Joyce: "No, they're in the... they're in the system."

Tryon: "I know. They're in the system, but you're giving them credit for something that never grew in the system and you're... we're coming up with... with a variable..."

Joyce: "They're paying that..."

Tryon: "...that's a fixed variable..."

Joyce: "...they're paying that growth. It's not a fixed variable."

Tryon: "...when in fact, the deficit isn't fixed. The amount... I mean, there's no actuarial calculation that I know of that you could possibly do that on. So..."

Joyce: "So, my... Representative Tryon, this... this could go back 20 years. So, they're paying the interest from the date of the service to the time that they buy into it. So, you know, if someone had been in the system for 25 years and they bought two years... and obviously... and also there's a window that they can get this done by, I should say, at

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

32nd Legislative Day

3/25/2009

least 2013. And they would buy... they would pay the interest for every year up to that point."

Tryon: "Okay."

Joyce: "And... and every... every single agency's that looked in it including the fund has said there is minimal fiscal impact to the fund."

Tryon: "I have no further questions."

Joyce: "Thank you."

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

Eddy: "Thank you... excuse me... thank you, Mr. Speaker. Just, very quickly, to the Bill. This isn't different than we do for a number of service credit purchases. If someone has stayed home, for example, to raise children and have some intervening years where they weren't teaching, they can purchase... but the key word is 'purchase' that service. The amount that they pay will cover... well, is intended to cover... the amount of any cost. There used to be this provision and I think it sunsetted, and now you're bringing it back to allow those who taught in private schools to purchase... purchase up to two years of service credit. So, this is truly one of those revenue neutral Bills. This does not add any cost to the system because the individuals are required to pay the actuarial cost and that's what the, I think, the Amendment was specific to that actuarial cost. And you're doing a three-year window, so folks in private schools will have three years in order to take advantage of this and then it'll sunset. I think it's a great opportunity for those folks who have worked in private

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

32nd Legislative Day

3/25/2009

schools to be able to transfer, at least some of that, to the system that they're going to retire under. And I would urge an 'aye' vote."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 1148?' 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? Reitz. 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 Crespo on House Bill 650. Read the Bill, Mr. Clerk. 658? I'm sorry. That's House Bill 656."

Clerk Bolin: "House Bill 656, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative Crespo."

Crespo: "Thank you, Speaker, Members of the House. House Bill 656 allows Harper Community College to offer two bachelor degree programs on a pilot basis: a bachelor degree in public safety administration/homeland security and a bachelor degree in technology management. A couple of important points to make on this Bill, Speaker, is that a first, no state or local property tax money is being requested, the pilot program will be paid for by tuition and corporate donations. Secondly, nearby public four-year universities would have the right of first refusal to offer the programs on the Harper campus. Third, the pilot program has a sunset clause after four years. The State

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

32nd Legislative Day

3/25/2009

Legislature would have to authorize extending the program after the pi... program has ended. Fourth, the pilot program would have no impact on state funding for public four-year universities. And finally, if the Bill passes, Harper will not become a four-year college, but will remain a community college that will offer two bachelor degree programs in addition to current programs. I'll be happy to entertain any questions."

Speaker Turner: "The Lady from Cook, Representative Bassi, for what reason do you rise?"

Bassi: "Thank you, Mr. Speaker. To the Bill. This is an issue I've been working on for a number of years and this is about access to education and it is about being able to approach a community college to get a four-year degree. It's a pilot program. And I strongly urge a 'yes' vote. Thank you."

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

Fortner: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Fortner: "Representative, I understand what you're trying to do with this Bill. We heard a lot of testimony in committee, but I think there were some questions that I asked in committee that I never got a good answer to and I'm hoping that maybe we can pin some of those down. In one case, it seems to me that one of the populations that would be served would be what would be termed 'nonstandard students', people who would be perhaps working. That's one

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

32nd Legislative Day

3/25/2009

reason why the college was looking to offer the program that's in this Bill. Is that your understanding, as well?"

Crespo: "That's correct, Representative. They did conduct a survey and the committee, as well, that indicated... indicated that."

Fortner: "And you're aware that the population of nonstandard students in particular is a population that is prone to not being able to complete a degree program in four years. There's a lot of data that shows that it often takes nonstandard students five, six, sometimes longer periods to complete their program. Would you agree?"

Crespo: "Yeah. And I understand part of the way the Bill's been designed, they're going in after they have their associates degree. So, they actually have two years to complete and the last two years of the program, Representative, they're only accepting seniors."

Fortner: "So, you're saying they would only accept students who already have an associates degree."

Crespo: "Correct."

Fortner: "So, they would not need more than 60 hours of continuing program..."

Crespo: "Right."

Fortner: "...at that point. Even with that, I would still expect that for nonstandard students we would see some fraction of students who, quite reasonably, might only be able to do one course per semester; it would not be unusual for a population that's trying to work at the same time. In that case, what's going to happen at the end of four years? Because I'm concerned that, saying it's a four-year pilot,

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

32nd Legislative Day

3/25/2009

the nature of students in these programs are such that they will often not be able to go for... to complete the four years. What happens to the program at that point? I have a hard time believing we want to leave these students out there dangling at the end of four years."

Crespo: "Well, and I agree that is a legitimate concern, but keep in mind, again, as your coming in they have to understand this is: number 1) a pilot program. Counselors will be working with these students, as well. And again, they're coming in, they have four years to complete the last two years. Especially, the last... the biggest concern that we had at one time was folks coming in the last two years and then time runs out and that's why they're accepting seniors. The pilot will tell us if that's going to work or not. That's one of the things that we'll be testing, as well."

Fortner: "One of the other questions that I raised that also the testimony acknowledged was there... it was a concern and... but they didn't have an answer at the time, I'm hoping there might be an answer now is, how would this program be able to articulate? If you'll be bringing in students who've gone through the first two years, we have a well-defined, a national model program of articulation between two-year and four-year schools. And I just wonder if you'd be able to find out any information since our committee meeting on that?"

Crespo: "Well, it... What I know is as far as the IAI, the Illinois Articulation Initiative, Representative, and as you know it's 110 participating two- and four-year

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

32nd Legislative Day

3/25/2009

universities that work in conjunction. It's a... as I understand it, an advisory committee and you know, they should... according to this group, they're equal partners and that's basically what many colleges are saying. We're equal partners and we're going to try this."

Fortner: "I understand what you're saying. To the Bill. The articulation is not nearly advisory to some of our two-year schools. It's actually a mandate that their trustees impose upon them. We have a model of articulation in Illinois that is actually a nationally recog..."

Speaker Turner: "Bring your remarks to a close."

Fortner: "I'll do so."

Speaker Turner: "Go ahead."

Fortner: "...a nationally recognized program of how to connect two-year and four-year schools. I know there are other states that have done the type of program that is being suggested here; however, those are not states that have the kind of strong and clear guidelines of articulation that we have here in Illinois. Starting this process would, in fact, take away one of the strongest aspects of our program of higher education in Illinois. And I would urge a 'no' vote."

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

Pritchard: "Thank you, Mr. Chairman. Would the speaker..."

Speaker Turner: "Indicates he will."

Pritchard: "...yield? Representative, this is an issue, obviously, that has significance for the community college board as well as the Board of Higher Education. Do you..."

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

32nd Legislative Day

3/25/2009

are you aware of where this... where these two boards stand on this particular issue?"

Crespo: "The ICCB, I'm not sure they're neutral. I know they're not proponents of the Bill."

Pritchard: "So, did you receive a letter from Judy Erwin, the executive director of the Board of Higher Ed?"

Crespo: "I'm sorry, from whom?"

Pritchard: "Did you receive a letter from the executive director of the Board of Higher Education, Judy Erwin?"

Crespo: "Yes. The Illinois Board of... Are you talking about Judy Erwin, the executive director? Yes, we received the letter."

Pritchard: "And the tone of that letter?"

Crespo: "Well, it's a little bit... I'll tell you, there were parts of the letter that I read, Representative, that I thought they were actually supporting the concept. It's obviously to me another attempt to derail this initiative like we've had others from four-year institutions, but if you look at the letter, it is a legal opinion, although it really doesn't... it's more of a policy issue, but they make statements, Representative. For example, on that letter dated March 10 by Judy Erwin, that... where they recognize that the key is that... give me one second... community colleges serve a disproportionate population of adult students and citizens from diverse and ethnic, income backgrounds. That's what they do. These are the folks that obviously can avail themselves to this program because the four-year institutions have not been able to do that in some cases. They also mention that there are other two

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

32nd Legislative Day

3/25/2009

commu... two of, I believe, public universities in the vicinity. I only know of one. I know NIU. So, they're referring to UIC, which is the closest one after that. Representative, that's almost an hour away from Harper College. It does not meet the needs of that local community. So, there's some aspects of that letter that I think are very weak and if anything, conceptually, I believe, they're making a case why we should try this."

Pritchard: "So, Mr. Speaker, to the Bill. Ladies and Gentlemen, this issue has been debated before and I think, if you actually look at the intent of the letter that Judy Erwin sent us, it's very clear that this is contrary to the purpose and objectives of our community colleges and it's contrary to what is already the track record at Harper College and the four-year institutions that are serving Harper College. Northern Illinois University is covering Harper College's needs; it is providing courses on campus and it is working with the college to provide for all of the career and technical types of education that those students might need. But it seems that this community college has an idea that they want to become a four-year institution and they're trying to change the nature of how our four-year institutions operate and how our community colleges operate. This is listed as a pilot project and yet, it's a four-year pilot project. So, a student simply gets through the system and then the program is over. There's no indication of how funding is going to be acquired for this program beyond the first year, which has been pledged by their alumni. That's not a sustainable

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

32nd Legislative Day

3/25/2009

model. That's not something that we ought be looking for in a pilot program when we try to look at something that can be expanded beyond just this area. Ladies and Gentlemen, I think we need to spend.. send a clear message to Harper College that they have a responsibility to serve their student needs and when it's beyond the capacity of a two-year institution, they need to work collaboratively with four-year institutions. There are many four-year institutions that are willing to do that. I think we need to encourage them to look at that model rather than starting a new program that this state can't afford. Thank you."

Speaker Turner: "The Gentleman from Rock Island, Representative Boland, for what reason do you rise?"

Boland: "Thank you, Mr.. thank you, Mr. Speaker. I rise in strong support of the Gentleman's Bill. I had the great pleasure of going up to Harper College to see for myself, as the chairman of the House Higher Ed Committee, to actually see what they were doing and if it was justified and so on and I found that there were several good reasons why this is necessary. One, it meets the local needs of that community and the region around there. I noticed that all of the... or several anyway... police departments, fire departments and the Illinois Fire Chiefs Association, all support this program. You know, we're supposed to be about increasing access to higher education and what this does is allow many nontraditional students, not the 18-, 19-year-olds who go to most of our colleges, but those may be older individuals, maybe they're changing jobs, they want to get

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

32nd Legislative Day

3/25/2009

involved in homeland security or they want to get into technology management, these type of things. So, also, I was assured by the folks there, they're not trying to become a four-year school; they're not trying to compete with any nearby public university, you know, and this is not going to take any state money. So, that's crucial... a crucial point. They're not... they're not taking money away from any other college or university. It's not even going to require any property tax revenue from their local folks there, so that along with the fact that other nearby universities can actually come in and establish those programs, if they wish on the Harper campus, shows that there's a need there that's not being... not being fulfilled. And I think if we look at the story of Southern Illinois University, there's a book out about a great man, Delyte Morris, who built the Southern Illinois University from a very backwater, little teacher's college, received the la... the least public funds to the great world class university that it is today by meeting the need for more access to higher education. This Bill does that. It helps those folks who might be able to travel off to a big university somewhere else. They maybe have to... they have families and jobs; they want to upgrade their education. This is an excellent way to do it. I would hope that the Body supports this Bill. Thank you."

Speaker Turner: "Representative Mautino in the Chair."

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

Bost: "Thank you..."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "This Bill is on Short Debate. Two have spoken in response and one in support. Mr. Bost."

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

Speaker Mautino: "He indicates he will."

Bost: "Representative, do you believe in the committee process of this House?"

Crespo: "Do I believe in the committee process? I... of course, we do. I do, yes."

Bost: "Do you believe that then those Bills that should have be assigned to those committees should be assigned based on the merit and based on the fact that they should be present in certain committees based on what their... their subject matter would be?"

Crespo: "Yeah. Well, sure and I think there might be a difference of opinion what the merits are, but I do believe they should be germane to... to the issue."

Bost: "All right. Would you say this is a Higher Education Bill?"

Crespo: "No."

Bost: "Okay. Let me see. This takes a school of higher learning, takes it from a two-year school to a four-year school, pilot or nonpilot. For six years we have heard this Bill in Higher Ed and it has fell to defeat every time. So, how do we handle it in this wonderful House? We put it in Cities & Villages because, you know, we're not dealing with a Higher Ed issue here. Obviously, we're dealing with something that should be handled in Cities & Villages. I think we're kind of circavat... circumventing the system. If it came before the Higher Ed Committee,

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

32nd Legislative Day

3/25/2009

regardless of what the spokesman of that comm... chairman of that committee said at this time, because former chairmen were adamantly opposed to this, it would have failed again. But instead, it went into Cities & Villages and now we see it on the floor. Ladies and Gentlemen, our schools, our universities are opposed. You want to hear a shocker? Our community colleges do not support this Bill. There's one group that supports this Bill, one group. Folks, it has always been the system in place that our community college provide for those two-year degrees. It has also been in place that if they need help with those four-year degrees, we will actually put outposts at those schools from our universities and work together to provide that. That has been offered. But once again, that's just not enough for somebody in that legislative district and they've got to come back and they push for it again and again and again. At a time when educa... higher education has been short-changed for six years, we're going to step forward with a program in one of our community colleges that bypasses everything that we've ever put in place for higher education here in the State of Illinois. Ladies and Gentlemen, I have worked on the Higher Education Committee since I have been in this chamber. There is one issue... this is one issue that I know and understand. This Bill should have never made it to the floor. I ask you, as Members, that if you send a clear message that this is not the way we need to go to force this community college to deal with the universities to work in a process to provide this service and they will do that regardless of what the

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

32nd Legislative Day

3/25/2009

arguments have been. Force them back to the table. This is not the way to handle this. The committee process has been circumvented. I am adamantly opposed to this. I know that kind of shocks you; it didn't sound like it, did it? But I am; I'm adamantly opposed to this Bill. This is not the direction which we should go. Talk to your own community colleges, see what they think. Talk to your universities. The only reason this is out here is because it wasn't brought to Higher Ed. I'd appreciate your 'no' vote."

Speaker Mautino: "Further questions? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, this Bill has been before this Body before and it passed this House with a substantial majority in the 95th General Assembly. If my memory is right, it did go to the Higher Education Committee on that occasion, did it not?"

Crespo: "No, it went Local Government. It's..."

Black: "Local Government. I stand... I stand corrected."

Crespo: "And if I... if I may interject something there, Representative. I don't know what happened six years ago, I wasn't here. This is, to me, a local issue."

Black: "Right."

Crespo: "This is one community college of all the other community colleges saying, we're going to try this. These are valid points and issues, don't get me wrong, but they are really issues and points we should be discussing four

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

32nd Legislative Day

3/25/2009

or five years from now after the pilot, it has to come back to us."

Black: "Yeah. Thank you, Representative. Mr. Speaker, if you would adjust your timer, I don't think I only have 45 seconds left. Oh, I have... I have 2 minutes, 5 minutes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. Let us not say what this Bill... you know, change doesn't come easy. But to stand on the floor of the House and say that Harper College wants to become the University of Harper, that's not right and you know that's not right. Look at your... look at your analysis. There are more safeguards on this baccalaureate program than anybody in the State of Illinois has ever had placed on it, and it's a pilot program at an auditable standard and if it doesn't meet that audit standard, it goes away. And... and the Board of Higher Education... position is in direct opposition of the Higher Learning Commission which accredits all public and most private colleges and universities in Illinois and throughout the Midwest. The Higher Learning Commission has accredited community college bachelor degree programs in four Midwestern states: Indiana, my neighboring state, Minnesota, New Mexico, and North Dakota. I understand there are turf battles here; I understand there are all kinds of side issues. Harper or any other community college in Illinois does not want to become the University of Whatever. There are unmet workforce needs in our districts that the university system is not uniquely able to address. I have people in my district in their mid to

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

32nd Legislative Day

3/25/2009

late forties or their early fifties who have lost two and three factory jobs that paid well that need to go back to school. And when they do and they find they can be successful, the employer who might be interested in their technological skills, such as fiber optics, wants them to go back to get a baccalaureate degree. Have you taken your 50-year-old uncle or brother or cousin to a four-year university in this state? Do they embrace these people with children? They don't know what to do with them. That's not their model. They want 19- and 20-year-olds who live on campus, who get in the dormitory, who enjoy college life. That's not the target group we're after here. We want to meet unmet workforce needs in community college districts. They are affordable, they are accessible, and they are the light cavalry of higher education. They can move quickly. They can get into fields and they can get out of fields. It doesn't denigrate the University of Illinois or Eastern, and by the way, Eastern's probably one of the best outreach schools in the state. It doesn't denigrate what they do at all. Things have changed. The demographics have changed. The needs of people have changed. It's not easy when you're 52 years old and trying to support a family to go back to the University of Illinois full-time. You want to live in a dormitory when you're 52 years old? I don't think so. This is commonsense legislation that has been done, and successfully done, in 12 other states. We aren't... we aren't plowing new ground here. This will be offered in very specific, narrow fields. Not every baccalaureate

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

32nd Legislative Day

3/25/2009

degree will be offered. They don't want to do that; they couldn't afford to do that. Narrowly defined, a pilot program that must withstand an audit and if it doesn't pass the audit, the pilot program will go away. I just read a column in the Sun-Times the other day written by the Reverend Jesse Jackson and the gist of the column... the gist of Jesse Jackson's column was that it is very, very expensive and difficult to go to a four-year college or university today and that's true. Community colleges, on the other hand, are affordable. Not as affordable as they once were because, as the previous said, we have starved higher education for the last six years. I might add that community colleges enroll more students in higher education than all of our universities and colleges put together in the State of Illinois and they get the least amount of money. This isn't a power grab; it isn't a turf battle. This is a battle that you and I fight all the time in our district. How can we help people who have been displaced by technology, by plant closures, by the economy? They need to avail themselves of higher education and that's what the community college system was designed to do. There have been tremendous changes since Joliet Junior College started at the turn of the last century, the oldest community college in the State of Illinois. Many changes have taken place, many will con..."

Speaker Mautino: "The Gentleman bring his remarks to a close."

Black: "I... I will do so. Thank you, Mr. Speaker."

Speaker Mautino: "Thank you, Sir."

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

32nd Legislative Day

3/25/2009

Black: "Change is inevitable. Community colleges have changed since they were called junior colleges years ago. Those changes will continue to take place. I don't know of any community college in the State of Illinois that wants to become an unlimited baccalaureate granting degree institution. They don't. But in the Harper case, they have a particular baccalaureate program in applied science that would meet unmet work needs in their district if... and the universities closest to them have the right of first refusal. If they want to come in and do a cooperative program and then do outreach and have classes on that campus at Harper, they can... they can do so. They have the right of first refusal. This isn't something that Harper's going to do to shut everybody out. Just like the program we passed a year ago... two years ago on the nursing program, once it passed the House, ooh, suddenly universities were very interested in a cooperative nursing program. I would submit this may take place on this one. It's inevitable that this is going to happen, if not now, someday in specifically, narrowly defined ways. This isn't about turf..."

Speaker Mautino: "Thank you. Further questions?
Representative Mathias."

Mathias: "Thank you, Mr. Speaker. I stand in strong support of House Bill 656. You know, probably around 20 years ago, I remember my son, who I... as a proud father I'll admit, was very bright and when he was in elementary school in seventh and eighth grade, they actually didn't at the time have math programs that would help him. So, basically, we

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

32nd Legislative Day

3/25/2009

finally came to the conclusion, after talking to his teachers and the principal, that he should go... take a course actually in high school. And I think that wasn't a unique situation; I think that happens a lot. And we went to the high schools. They didn't say, well, you know, we're a four-year high school and therefore, your child belongs in grammar school until he's in eighth grade. They basically said, we welcome you; we want to do what's best for the student. And I think that's all that Harper College is trying to do. It's trying to do what is best for the student in accordance with the needs of the community. And today... today in the economic times that we have here where people are losing jobs and we need to find a place for people to get a further education in a small limited arena, I think Harper's... the fact that they're offering this is a very bold attempt in trying to meet the needs of the community. This is a pilot program. It expires in four years. If it works... if it doesn't work, you know, we're not going to be back. If it does work, I bet there won't be opposition to it when we show that it was successful. It doesn't cost the taxpayers any money. They're not asking for state funding in a year where everybody's asking for more state funding and we can't afford to give it. And I think the key, as Representative Black just said, is that the neighboring universities, who I think have made this into a turf battle, have a right of first refusal and it worked last time. The Bill was called last year; there were other subjects. The other universities didn't come to the plate until a Bill was

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

32nd Legislative Day

3/25/2009

filed, until Harper came to the forefront and said, if nobody else wants to offer this, why can't we? And then they said, okay, we'll offer it. This is still in the Bill. If every... if the universities offer this to our... to our residents, there won't be any programs for them to do at Harper; there won't be any need, but the need is there. And so I ask you, it's a pilot program. We're not setting anything into stone. If it works, that's great; if it doesn't work, no one's going to come back to ask for more. So, I urge you to please think about this. Do you want to think out of the box, do you want to do something innovative instead of just doing the same old thing year after year, but think of the students. Forget about the universities, forget about Harper, forget about all the four-year colleges, think of the students. That's the bottom line why we're here to help the students. So, I ask for your 'aye' vote."

Speaker Mautino: "Thank you. This was... Ladies and Gentlemen, this Bill is on Short Debate. Three have spoken in support; three have spoken in opposition. Mr. Crespo to close."

Crespo: "Thank you, Speaker, Members of the House. I want to thank Representative Mathias and Black for taking all my talking points for my closing here. Here's a couple of points I definitely want to make. Again, the goal of this pilot is twofold: number one, help local businesses meet their workforce needs. And secondly, helping working adults who can't attend traditional universities obtain a bachelor's degree. I've heard arguments and I'm sensitive

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

32nd Legislative Day

3/25/2009

to those arguments, but Ladies and Gentlemen, it does not apply to this pilot. As Representative Mathias said, after this pilot goes through, it'll probably take five and a half years, we have a year, year and a half to get accredited and four years of the pilot, then we come back. If it doesn't work, it's a moot point. We'll never have the discussion. But Ladies and Gentlemen, if we come back and say, boy, look, this is really a good program. I think we should have that discussion then, but it will come back here. It will come back here. You know, there's a lot of issues, you go back and forth. I... we've dealt with some of the four-year institutions. My alma mater, Loyola University, college that I love, met my wife there, my daughter's a sophomore there, sends me a letter saying, hey, they have similar programs and they mean well and they mention something in that letter. And they say, all of Loyola courses are taught in person and they go ahead and say, facilitated in an optimal learning environment. In committee in the Senate last year, Ladies and Gentlemen, NIU told the Senators, Ladies and Gentlemen, and I quote, 'we're committed to meeting Harper's needs any time, anywhere and any format.' And then we sit down, we've talked to them and they're like, ah well, we want to do video conferencing. Well, that's not what they said. And we lost that in the committee. And I also understand, at the end of the day, as the Representative said, it really is about protecting turf at the expense of doing what's right for the people that we represent. I don't know about you, folks, but at the end of the day, I want to do what's

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

32nd Legislative Day

3/25/2009

right for the people that we represent. So, I urge and I encourage you to do the same and vote 'yes' on this Bill. Thank you."

Speaker Mautino: "The Gentleman has moved passage on House Bill 656. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This Bill, having received 69 voting 'yes', 47 voting 'no', 0 voting 'present', is declared passed. The Lady from Cook, Representative Hamos is seeking recognition."

Hamos: "Thank you, Speaker and Ladies and Gentlemen on a point of personal privilege. Representative Washington and I would like to welcome the Tamms (sic-Year) Ten Coalition. The Tamms (sic-Year) Ten Coalition is here today, a group of very active and concerned citizens, who are paying attention to one of our prisons and some of the problems there. Please welcome the TAMMS TEN Coalition."

Speaker Mautino: "Welcome to Springfield. Mr. Clerk, on page 48 of the Calendar appears House Bill 921. Representative Burke. Out of the record. Mr. Clerk, what's the status of House Bill 13 on page 2 of the Calendar?"

Clerk Bolin: "House Bill 13 is on the Order of House Bills-Second Reading."

Speaker Mautino: "Are there any Amendments or Motions filed?"

Clerk Bolin: "House Bill 13, a Bill for an Act concerning appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. And no Motions are filed."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "Third Reading. On page 48 of the Calendar appears House Bill 991. Representative Berrios. Read the Bill."

Clerk Bolin: "House Bill 991, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Mautino: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 991 appropriates 500 thousand dollars from the GRF to the Department of Healthcare and Family Services for Gilead Outreach and Referral Center. It is the exact same amount that they request every single year. They know of the budget crunch and did not want to ask for any more money. Gilead Center allows... they link uninsured people throughout the Chicago metropolitan area with programs and services that they are eligible from the state and county offices. I'd like your support on it."

Speaker Mautino: "On the... The Lady moves passage of House Bill 991. On that Bill, Representative Roger Eddy."

Eddy: "Thank you. Will the Sponsor yield? Representative, this line item, a 500 thousand dollars appropriation that you're... you're seeking passage of, is this in the Governor's proposed budget?"

Berrios: "It is not in the proposed budget."

Eddy: "So, what did the Governor do with this line item in his budget that he's proposing to the House?"

Berrios: "He crossed it off."

Eddy: "So, he zeroed this out..."

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

32nd Legislative Day

3/25/2009

Berrios: "He did zero it out, but I know the Governor's budget is usually a work in progress and I was requesting this amount be added in there."

Eddy: "Okay. So, your intent is to show support of the House for this line item in lieu of that support being shown by the Governor?"

Berrios: "Yes."

Eddy: "Did... did you talk with the Governor's Office regarding the rationale for the appropriation not being included?"

Berrios: "Not yet. I am waiting to schedule a meeting with the Governor to talk about different items that I would like included in the budget."

Eddy: "Okay. So, this appropriation would add to a budget that already seems to be in difficult shape because of the state of the fiscal house of Illinois, but it's something that obviously you think is important enough to try to add. I just wonder where we're going to go with type of thing if... if we have a process where we have dozens of appropriation Bills adding to a budget before we... we really have the opportunity to nail down revenue, because as you know the Governor's budget also proposed several revenue sources."

Berrios: "Yes."

Eddy: "Without those revenue sources how do we pay for this type of a program?"

Berrios: "It's definitely something we're all looking into because of the sources that he suggested, but with Gilead Center this is something that they ask for every year and they have gotten it in the past. And so, we were just trying to get it back for them this year in the budget."

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

32nd Legislative Day

3/25/2009

Eddy: "Okay. Thank you, Representative, for your remarks. Just to caution the Body that we're... we're looking at an appropriations Bill here in a budget that is already strained. And we need to be very, very careful going down this road. Thank you."

Speaker Mautino: "The Lady moves passage of House Bill 991. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Would Mr. McGuire like to be recorded on this legislation? Mr. Clerk, take the record. 76 voting 'yes', 40 voting 'no', 0 voting 'present'. House Bill 991 is declared passed. Mr. Clerk, on page 43 of the Calendar appears House Bill 2278. Read the Bill."

Clerk Bolin: "House Bill 2278, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Mautino: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2278 would extend the 5 hundred dollar tax stipend that is now paid for to certain assessing officials to a wider group of persons who have obtained the distinction of being certified assessing officials. Currently, the status does not cover any person at all in the Cook County Board of Review even though it covers the Cook County assessor's office. In addition, there are many persons who could qualify not only in the 101 Board of Reviews outside of Cook County, but also in the state Property Tax Appeal Board that are not currently eligible."

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

32nd Legislative Day

3/25/2009

This will correct the oversight. I'd be happy to answer any questions."

Speaker Mautino: "On House Bill 2278, seeing no one is seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, 63 voting 'yes', 52 voting 'no', 1 voting 'present'. House Bill 2278 is declared passed. Mr. Clerk, on page 21 of the Calendar appears House Bill 22... excuse me... 2330. Representative Black. Read the Bill."

Clerk Bolin: "House Bill 2330, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2330 is an initiative of the Illinois Community College Trustees Association in response to calls from some of smaller community colleges. Where you don't have a large student body some of the smaller community colleges are finding that student trustees want to succeed themselves and can currently do so. Since these students are only generally at a community college for two or three years, the trustees thought you should enable more people to serve as a student trustee at the community college level. So, they wanted language to specify that that term for a community college student trustee would be for one year. Be glad to answer any questions that you have."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "The Gentleman has moved passage of House Bill 2330. On that, Representative Franks."

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

Black: "Sure."

Franks: "Looks like he will."

Black: "Sure."

Franks: "Representative, how are student trustees chosen now?"

Black: "They're elected by the student body."

Franks: "So, what you're asking for is a term limit for an elected official by a student body?"

Black: "I hadn't thought of it in that term, but I... I guess you could call it that, yes."

Franks: "'Cause I... this is the first I've seen the Bill and I thought they might have been appointed by the rest of the trustees. But you're telling me... I got... and I have a philosophical problem with that. I'm not sure if you've looked at it that way, as well. If you're saying there ought to be term limits for a student trustee, why shouldn't there be term limits for a regular trustee?"

Black: "Nobody has approached me with any indication that that is a particular problem, but they did approach me on this saying that at the smaller community colleges, they wanted to encourage people to seek election to the board of trustees and they thought one way to do that would be to make sure that a student trustee would serve one year."

Franks: "Well, don't they have elections every year?"

Black: "Yes, they do."

Franks: "So, what's to stop people from encouraging people from running?"

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

32nd Legislative Day

3/25/2009

Black: "Nothing."

Franks: "Then I'm not sure why we have this Bill except I think it..."

Black: "Well, Representative, you know, in all due respect to you, I don't think there's any possible way when you get on one of these tangents that I could answer any of your questions. Now..."

Franks: "Did you need a break?"

Black: "...I don't... I don't want to get... I don't want to get into a diatribe with you. This is a simple Bill. When you've got a community college of 3 thousand students who would range in age from 18 to 65 or 70, if you think that the biggest number of those students should be able to run... It's kind of like the General Assembly. You know the longer you're here sometimes the easier it is to come back. Now, I don't want to get into a term limits philosophical debate about my seat or your seat, although in your seat I could weigh in, I think, but..."

Franks: "And you have."

Black: "Yeah. You know, well, on occasion. But it's just a simple Bill. It's... it's primarily a college where the student body turns over rather quickly, the trustees and I might add, some of the student governments who have contacted me, thought this was a reasonable way to try and let more people have the experience of being a student trustee. No ulterior motives, no trying to come in the backdoor with term limits. I am philosophically opposed to term limits. I don't see that in this case. I... I don't think term limits in the case of a community college

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

32nd Legislative Day

3/25/2009

trustee is the same thing as limiting your term or my term. It's... I think it's a commonsense piece of legislation trying to let more students see what is involved in serving on the board of trustees. If you agree, I hope you vote 'yes' and if you disagree, you're certainly free to vote 'no' and I will respect that."

Franks: "To the Bill. I respect Mr. Black and I agree with him much of the time. I believe in this case we'll agree to disagree. I believe this Bill is a term limit for no reason at all. They have elections every year. If someone wants to be trustee, they ought to run for it. To artificially limit this one individual class because they happen to be a student, I'm not even sure would be constitutionally correct because all the folks can run for trustee if they wish and to single out one class, I think, is shortsighted, mean-spirited, and unconstitutional. And I'd ask everyone to vote 'no'."

Speaker Mautino: "Further questions on House Bill 2330? Representative Bost, the Gentleman from Jackson."

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

Black: "Absolutely."

Speaker Mautino: "He indicates he will."

Bost: "Yeah. You know, I know the person. I knew... out of committee, this was carried by a very good Legislator that understood the Bill very well and I supported in committee and glad to get this to the floor. It's not your intention or any intention of this to stop these student trustees from at a future date running for full trustee, is it?"

Black: "Absolute... absolutely not."

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

32nd Legislative Day

3/25/2009

Bost: "So... so, we're not really taking any rights away from them. All we're saying is the actual title of student trustee position is actually given then to another opportunity for another student and if that student chose to be a trustee, they could run like any other trustee, correct?"

Black: "Absolutely."

Bost: "Pretty simple Bill. I think an 'aye' vote is appropriate."

Speaker Mautino: "Further discussion? Representative Reitz."

Reitz: "Thank you, Mr. Speaker. I'm just getting up to defend Representative Black. I hate it when someone gets up and throws a tangent on someone else's Bill. Thank you."

Speaker Mautino: "The Gentleman from Lake, Representative Washington."

Washington: "Will the speaker yield?"

Speaker Mautino: "He indicates he will."

Washington: "Representative Black, being that I've served as a trustee before, student trustee, at one of our universities, I have a question. So, this Bill wants to put a ceiling and set a one-term for the student member of the trustee body of a community college. Is that correct?"

Black: "That's correct."

Washington: "Okay. To the Bill. Representative Black, I just want to say and I got to go back to what my colleague, Representative Franks, alluded to. And I remember when I first ran, I was the first black to ever serve as a trustee... a student trustee of a major university. And I know how elated I was in achieving that, not just for

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

32nd Legislative Day

3/25/2009

myself, but for individuals who probably looked at that the same way people looked at Barack being the President. That it could never happen until it happened. But I think being that he makes the point that it is generally a opportunity for students who are interested in politics or government and if the person takes the one term and is really good at representing the students, that they should have, he or she should have, the right to run again and if they win again, of course, that's the process in which we in this Body go through that same process. We run again on the merits of what we do. Others can run against us, but hopefully, the voters will like what we've done and what we represent to give us another term. So, having said that, I think to put a ceiling on student participation like that I think it takes away the competitiveness that I had to experience and other experience in trying to maintain the office. And I'm going to, on that ground, have to possibly not vote for this legislation. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 2330. Representative Black to close."

Black: "Thank you very much, Mr. Speaker. To Representative Reitz, touché. There's nothing in this Bill that would have denied Representative Washington his ability to serve as trustee that he says that he did. Many of you may not have spent much time on a community college campus. I was privileged to work at Danville Area Community College for 10 years. There were times when we literally couldn't get anybody to run because the community college student, particularly at small community colleges, the demographic

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

32nd Legislative Day

3/25/2009

of the student body, as I alluded to in Representative Crespo's Bill, is different. These aren't, for the most part, young, idealistic men and women who want to get involved. The bulk of the students on the community college that I worked on were displaced workers, housewives who had lost their job either through technology or closure or offshore. They didn't have the time nor the desire to get involved in student government. That's not what they were there for. You don't live on campus, so you don't see everybody every day. This simply... this Bill simply reflects the unique makeup of a community college. Now, if you're taking an... an associate's degree and working part-time, you could be a student there for four or five years. And I suppose, one could make the argument that if you could get elected, you should be the student trustee for four or five years, but then other people and you know... you all... we all know the value of incumbency here. We all tend to benefit from it. All the community colleges want to do is to let this be available to as many students as possible, recognizing the unique demographic makeup of a community college campus, particularly those that are the smaller colleges. I've not heard from any student trustee who has any difficulty with this Bill. I've not heard of any student government group that has any difficulty with this Bill. I wish that the desire to be a community college trustee was so strong by members or by students at a community college that the Bill would be rendered meaningless and we wouldn't have to have it. Unfortunately, that's not the case. I think the last

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

32nd Legislative Day

3/25/2009

election at this... that the community college where I was employed... I think the last student election for trustee attracted about 90 voters. So, you see what the advantage of incumbency could be in that situation. It's a clear, commonsense issue. There's no hidden agenda, no hidden motive. I think it speaks for itself and I would urge an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of 2330. No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. House Bill 2330, 103 have voted 'yes', 13 'no', 0 voting 'present'. The Bill is declared passed. Mr. Clerk, on the page... on page 50 of the Calendar... excuse me... 53 of the Calendar appears House Bill 3630. Representative Gordon. Read the Bill."

Clerk Bolin: "House Bill 3630, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "Representative Gordon."

Gordon, J.: "House Bill 3630 amends the County Care for Persons with Developmental Disabilities Act and would allow any county board for the care and treatment of persons with a developmental disability to increase in size from three to five members. The presiding officer of any county that has established a three-member board must... would be allowed to appoint two additional members within 60 days after the effective date of this legislation. These additional appointments would be for three-year terms initially

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

32nd Legislative Day

3/25/2009

staggered, effective immediately. I'd like to add that House Bill 3630 was carried in the 95th General Assembly by Representative David Leitch as House Bill 976 and that Bill did pass unanimously out of the House. And I would ask for an 'aye' vote."

Speaker Mautino: "The Lady moves passage of House Bill 3630. And on that, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "She indicates she will."

Black: "Representative, how many counties have a county care for persons with developmental disabilities? I ask you that because I served 10 years on a county board and I don't recall ever having seen this kind of an entity. Is it... does every county have one?"

Gordon, J.: "You know, I'm not sure if every county has one. That was an issue before and that is why we added an Amendment to this Bill that would make it permissive. So, if your county saw the need to enact upon this, they would have the ability and if they did not need to, then they did not have to."

Black: "What... what Amendment was that? I don't see it on my system... oh, I'm sorry... Committee Amendment #1?"

Gordon, J.: "Yes."

Black: "All right. Are these members, members of the county board or are they appointees that serve extraneous to the county board?"

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

32nd Legislative Day

3/25/2009

Gordon, J.: "These are voluntary members to the care and treatment board."

Black: "All right. So, who would appoint them?"

Gordon, J.: "This was a recommendation from the Peoria County Board."

Black: "Well, I certainly have nothing against the county board. But who recommended it, the board as an entity?"

Gordon, J.: "Yes. The Peoria County Board recommended this."

Black: "The... the entire county board got together and recommended this to you?"

Gordon, J.: "No, they didn't recommend it to me. Actually, they recommended to the 95th General Assembly..."

Black: "Well, that's gone."

Gordon, J.: "...and Representative... and Representative Leitch carried this Bill last year."

Black: "Well, that's... Representative, I'm not here to live in the past. What's passed is past; this is the future; this is the present."

Gordon, J.: "I agree."

Black: "It might be the future, I don't know. After... after my last attempt to pass a Bill, I may not have any future, I don't know. Was there a particular person on the Peoria County Board that brought this to your attention?"

Gordon, J.: "Actually, what the Peoria County Board does is they get all of their... all of their Legislators together each year..."

Black: "All of their... excuse me... older Legislators?"

Gordon, J.: "No, not older, all, a-1-1."

Black: "Oh, all."

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

32nd Legislative Day

3/25/2009

Gordon, J.: "Yes. They get all of their Legislators together, so myself, Representative Leitch, Senator Koehler. They get us together and we go over legislation that would be important to the Peoria County Board. And this was one of the issues that was a priority to them because it is a volunteer board and when we're dealing with issues as it relates to people with developmental disabilities..."

Black: "Okay. All right."

Gordon, J.: "...when they have only two people come..."

Black: "Yeah."

Gordon, J.: "...they don't have a quorum in order to get some of the business done."

Black: "So, the Peoria County Board currently has this committee with three members, correct?"

Gordon, J.: "Yes."

Black: "They have three?"

Gordon, J.: "Yes."

Black: "And why do they want to go to five?"

Gordon, J.: "The reason why they would like to go from three to five is because it's... it's oftentimes difficult to get a quorum of members. So, if two people show up, one person votes 'yes', one person vote 'no', you have no action."

Black: "So, they said it was difficult to get a quorum and they only have three members?"

Gordon, J.: "Yes."

Black: "Two members would be a quorum, right?"

Gordon, J.: "Well, the problem is, if one person votes 'yes' and the other votes 'no', you have no action."

Black: "That's democracy, is it not?"

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

32nd Legislative Day

3/25/2009

Gordon, J.: "Well..."

Black: "Didn't pass. Would... Is there any hint that maybe the Open Meetings Act was too easily violated, if you only had two members of the quorum?"

Gordon, J.: "No, I don't... that was... that is not the intent of the legislation."

Black: "So, they want to go to five?"

Gordon, J.: "Yes."

Black: "Are they paid?"

Gordon, J.: "No, volunteer."

Black: "They're not paid."

Gordon, J.: "These are people that are taking time out of the goodness of their own hearts to serve their community and serve people of their community with developmental disabilities."

Black: "All right. I... Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. It seems to me, not wanting to go down... not wanting to go off on a tangent, seems to me that the Open Meetings Act is having a lot to do with this Bill. With a three-member committee, two members are the quorum and if you get two members together, well, who knows what they could discuss. And then if they get together and vote and one votes 'yes' and one votes 'no', ah hah, that is grassroots democracy at its finest. Now, we're going to expand it to five and that way there can never be a tie vote and sometimes a tie vote can be good. I... I appreciate what the young lady is attempting to do here, but I always get nervous when somebody can't tell me who brought the Bill to their attention. When you tell me the county board

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

32nd Legislative Day

3/25/2009

brought the Bill to your attention, that would make me think it must have been a resolution passed by the county board, but she didn't reference any resolution number. My antenna is up on this Bill. It seems to me that this might be a backdoor attempt to circumvent perhaps the Open Meetings Act and I don't know if Representative Leitch was at this meeting or not, but this Bill passed a year ago and it was amendatorally vetoed and nobody ever asked that the amendatorally Veto be overridden. Something is not right here, Ladies and Gentlemen. I would take a long look at this Bill and ask yourself, what is the real intent, what is the Representative really trying to do? There's more to this than meets the eye. I might recommend a 'no' vote."

Speaker Mautino: "Further questions? Representative Leitch, the Gentleman from Peoria."

Leitch: "I'm very curious, Representative, why you would select this, one of my Bills, to steal for your first Bill?"

Speaker Mautino: "And on that question..."

Gordon, J.: "Interestingly enough, when I asked you to be a cosponsor to the Bill, you didn't ask that question, but..."

Leitch: "Now, I... I told you that I was never going to sponsor this again in my entire whatever future career I have because the alleged lobbyist for the Bill last year forgot to do what he promised to do and then we had to go through the Senate and then we had to have the Governor veto it, then that didn't succeed. So, I'm so sick of this subject I can barely stand it. So, I am grateful that you would steal this Bill. I'm just curious as to what appealed to you about a care and treatment board and whether you could

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

32nd Legislative Day

3/25/2009

possibly find any reasons why anyone in the state would.. could even care less about whether they'd have three or five members that you would come to spend so much time lobbying everyone in the chamber on, you know, this frankly ridiculous Bill."

Gordon, J.: "Well, I don't think I stole the Bill because as you just stated you would never carry the Bill again, but I found it in my heart to, you know, want to work with county board of Peoria and the people that sit on the care and treatment board to give them the opportunity to actually have a quorum, so that when they meet on issues as it relates to people in, not only my community, but your community with developmental disabilities, they'd have the opportunity to have the action that they need."

Leitch: "I believe you had at one point proposed to give 10 thousand dollar stipends to members of the care board. Has that Amend... did you file that Amendment?"

Gordon, J.: "Will you repeat the question? I didn't hear you."

Leitch: "At one point you thought about 10 thousand dollar stipends, I believe without a referendum, to attach for the remuneration of members of the care board. Is that in the Bill?"

Gordon, J.: "No, it's not."

Leitch: "Can you tell me why you decided to not pursue that?"

Gordon, J.: "I was never... I never pursued that."

Leitch: "So, this was just a story I read in Capitol Fax?"

Gordon, J.: "I don't know what you read in Capitol Fax, but that was never the intent of the legislation that I'm carrying."

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

32nd Legislative Day

3/25/2009

Leitch: "Well, I'm very, very grateful... very grateful to know that that was not ever true. And so, I look forward to hearing the rest of this debate to determine whether I should support this Bill that I've already passed here about five times. Thank you."

Speaker Mautino: "Further question on the Lady's first Bill? The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates she will."

Eddy: "Representative, have you... have you done a Roll Call on the Bill?"

Gordon, J.: "No."

Eddy: "Have you... have you worked the Bill? Have you walked around to all of the Members with a sheet and requested support for the Bill? Mr. Speaker, I..."

Gordon, J.: "I have not."

Eddy: "You have not. So, you figured you'd just waltz right in here, steal a Bill from Representative Leitch and not work the Bill, not talk to any Members of this Body, stand up in that red jacket and expect the jacket to pass the Bill for you?"

Gordon, J.: "No, Representative Eddy. As a matter of fact, you voted for this Bill and then everyone in your cham... everyone on your side of the aisle voted for this Bill last year exactly as it is right now."

Eddy: "I don't know about that. You think so?"

Gordon, J.: "So, unless you change your mind and you flip-flopped..."

Eddy: "I'm not sure."

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

32nd Legislative Day

3/25/2009

Gordon, J.: "...I thought that you'd vote for this Bill again."

Eddy: "Now hold on, hold on. Rep... No, Representative, I got to tell you, you need to check the math on this because the vote on this Bill last year was 107 to 0, so that means that 11 people in this Body did not vote for this Bill and I could have been one of those. And for you to assume, you know what happens when you assume, don't you? For you to assume that I voted for this, that's a stretch. Well, let me ask you another question, though. You know, in the unlikely event that this Bill passes, have you checked, because this Bill was amendatorally vetoed last year, the Governor vetoed this Bill, have you checked with the Governor?"

Gordon, J.: "I have not checked with the past Governor, have you?"

Eddy: "Well, it's not my Bill. I don't need to."

Gordon, J.: "Well, as a matter of fact..."

Eddy: "But the question... my question, would you like to..."

Gordon, J.: "...the Amendatory Veto that the Governor put on to the Bill during the 95th General Assembly, we have accepted that language to the Bill as it currently sits."

Eddy: "Well, here's what I would recommend and you do what you want to do. But we can wait here for a few minutes while you run downstairs... I understand the Governor is... is around nowadays... it's unlike... A year ago we couldn't do this. We couldn't have you go look 'cause you would have had to... he wouldn't be in the building, but I think you could go downstairs, we could wait, you could check with the Governor to see if he's going to veto it and save yourself

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

32nd Legislative Day

3/25/2009

a lot of time. Would you... would you want to do that just to make sure?"

Gordon, J.: "I appreciate all of your wisdom, Representative Eddy..."

Eddy: "You don't want your first Bill vetoed?"

Gordon, J.: "...but we're going to continue to move forward."

Eddy: "I think... I think for your own good, you'd want to do that. Now, one quick thing about the Bill that I noticed. You were here for the Governor's budget address last week."

Gordon, J.: "I was."

Eddy: "And you understand that the state is in a fiscal crisis. We're having... and we're having trouble with paying our bills."

Gordon, J.: "I do."

Eddy: "Do you think it's really wise then for your first Bill to propose a 40 percent increase in the size of a board? This is a 40 percent increase. This is a..."

Gordon, J.: "A volunteer board, Representative Eddy."

Eddy: "A 40 percent increase. If we had a 40 percent increase on everything we did here, we wouldn't be able to afford anything. I think that fiscal prudence and just plain reasonableness and sanity would require us to vote 'no'. Unless you want to take the Bill out of the record, run downstairs, have the Governor approve the Bill before it gets vetoed."

Gordon, J.: "Representative Eddy, I'm just following in Representative Leitch's footsteps."

Eddy: "Well, that if he..."

Gordon, J.: "As... as a matter of fact, you voted for this Bill."

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

32nd Legislative Day

3/25/2009

Eddy: "Oh, you do have a Roll Call?"

Gordon, J.: "I do and you voted for it."

Eddy: "That's very good. Who didn't vote for it?"

Gordon, J.: "Excuse me?"

Eddy: "Who didn't vote for it? Would somebody want to help her read the Roll Call."

Gordon, J.: "I don't need any help. Does it matter?"

Eddy: "Yes."

Gordon, J.: "That... that's the real question."

Eddy: "Yes, it does."

Gordon, J.: "Does it matter?"

Eddy: "It certainly does."

Gordon, J.: "Well, you know what, I bet your Internet on your work..."

Eddy: "Did... did Representative Leitch vote for it?"

Gordon, J.: "Your Internet on your computer works, you can pull it up."

Eddy: "Did Representative Leitch vote for the Bill?"

Gordon, J.: "Yes, he did."

Eddy: "Okay. Ladies and Gentlemen of the House, to the Bill, very quickly. This is a 40 percent increase in the size of a board. No one can afford a 40 percent increase in this day and age. We're in a fiscal crisis. In the State of Illinois a 40 percent increase... can you imagine what this would do to our budget? We got to vote 'no'; we got to stop this... this type of increase. This is the time, this is the place, vote 'no'."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Lang."

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

32nd Legislative Day

3/25/2009

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

Speaker Mautino: "She indicates she will."

Lang: "Right. So, your first Bill, right?"

Gordon, J.: "My first Bill."

Lang: "All right. So, let's talk about a few matters of decorum, Representative, before we go on to other things. First of all, I noticed you pointing at Representative Eddy, pointing at him. And... and while those of us who have been here a long time get to do that, we don't think freshmen ought to do that. So, I think you'll want to watch the pointing. Secondly, I have stolen Bills from Representative Leitch in the past, but I usually steal them to kill them. I don't usually steal them to pass them. So, I don't know why you did that."

Gordon, J.: "I think... I think the word 'steal' is being used very loosely because as Representative... as Representative Leitch has already stated, he said he had no desire to ever carry this Bill again and the people of our community, even though Representative Leitch is on the other side of the aisle, we represent a community that is very bipartisan. So, they came to both of us and asked us if we would carry this Bill. Representative Leitch said no, I happened to have said yes."

Lang: "Well, I'm thinking you, Representative, are bi... bipartisan community, but I've known Representative Leitch for a long time, he doesn't represent the bipartisan part of that community. So, and... so, let me ask you one additional housekeeping question. Is Representative Ramey

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

32nd Legislative Day

3/25/2009

aware that you're wearing his jacket? So, did you have an answer to that, Representative?"

Gordon, J.: "We shop at the same store."

Lang: "You shop at the same store. I'm sure that's true. So, can you... Let's... let's move on to your Bill 'cause I'm sure that's much more interesting. So, what is a county care.. county board for care and treatment of persons with a developmental disability? What is that?"

Gordon, J.: "The county care in... for people with developmental disabilities, the people of our community from ages 0 to 3 and 21 years of age and older, the county care and... the county care and treatment board oftentimes receive funds from DHS and then service agencies within our community make... they make our fees available so that services... excuse me... so that human service agencies within our community have the ability to provide the services that they do year in and year out."

Lang: "And you're satisfied with that answer you gave to me just now?"

Gordon, J.: "The question is, are you satisfied?"

Lang: "Well, I'm probably satisfied enough not to vote for your Bill, Representative, even though it got a substantial vote last time around. I think you've done a very good job defending your Bill, even though you're pointing at people and stealing their Bills and borrowing their clothing, but I appreciate your effort and I thank the Sponsor. But before I sit down, Representative Eddy, during debate, Sir, you indicated that this was a 40 percent increase and I know you're a school superintendent, but when you add two

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

32nd Legislative Day

3/25/2009

to three, you're adding a sixty-six and two-thirds percent increase. I'm sure that the math part of that will go over well in your district, Sir. Thank you, Mr. Speaker."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy has spoken in debate. For what reason do you rise?"

Eddy: "Well, my name was just used and.. and you just revealed.. Representative Lang, you have revealed the test, the assessment, I, as an educator, was trying to provide to the Bill Sponsor. It was her job to correct the math as part of the test. She failed the test. You helped her by providing her the answer. I.. I think she was the one that was supposed to have.. have done that, but once again you've.. yeah. Thank you."

Speaker Mautino: "The Gentleman from Cook, Representative McCarthy is seeking recognition. For what reason do you rise, Sir?"

McCarthy: "Thank you, Mr. Speaker. I move the previous question."

Speaker Mautino: "The Gentleman has moved the previous question. The question is, 'Shall this Bill pass?' All in favor voting.. vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 3630 is declared passed. Congratulations, on your first Bill. The Gentleman from Cook, Representative Lang is seeking recognition."

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

32nd Legislative Day

3/25/2009

Lang: "Mr. Speaker, I filed a written Motion with the Clerk moving that we reconsider the vote by which House Bill 2278 passed. I did vote on the prevailing side."

Speaker Mautino: "Mr. Clerk, would you return that to... that Bill to the board and read the Bill."

Clerk Bolin: "House Bill 2278, the Bill's been read a third time, previously. A Motion to reconsider the vote has been filed by Representative Lang."

Speaker Mautino: "There's been a request for a Roll Call vote on the Motion. And all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. House Bill 2278, having received 64 'yeses', 50 'no'... Oh, excuse me. The Motion... the Motion reconsti... to reconsider House Bill 2278 is declared passed, having received 64 'yes', 50 'no', 2 voting 'present'. Clerk, move the Bill back to Third. Representative Acevedo, 2278."

Acevedo: "Mr. Speaker, Ladies and Gentlemen of the House. I previously explained the legislation and I ask for an 'aye' vote."

Speaker Mautino: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker. I previously explained the legislation and I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 2278. Any discussion on this Bill, the Gentleman from Crawford, Representative Eddy."

Eddy: "Mr. Speaker, a question of the Sponsor. Representative, earlier there wasn't a lot of discussion regarding the cost

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

32nd Legislative Day

3/25/2009

involved with the expansion. You're... you're providing a stipend of 5 hundred dollars for certified assessing officers for Cook County. You're expanding the pool?"

Acevedo: "Yes, Representative."

Eddy: "And how many... how many additional officers will be receiving a 5 hundred dollar stipend?"

Acevedo: "Well, I'm not sure about the number, Representative, because the Bill states that anybody who's certified as an Illinois assessing official."

Eddy: "Okay. This is... this is money paid to assess... assessors assessing officials in Cook County?"

Acevedo: "Yes."

Eddy: "And the stipend would come from General Revenue from the state?"

Acevedo: "Yes."

Eddy: "Is there any reason that the assessment... the stipend isn't being paid by Cook County for their assessors or is this something that is paid throughout the state by General Revenue to the other assessors?"

Acevedo: "Yes, it's paid throughout the state from the other ex... to other assessors."

Eddy: "Okay. You don't know the cost involved, but the fiscal impact of this on GRF?"

Acevedo: "The fiscal note would probably be about 19 thousand dollars."

Eddy: "About 19 thousand dollars..."

Acevedo: "Yes."

Eddy: "...to add... addition. Okay. Ladies and Gentlemen of the House, I would pay particular attention to the debate on

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

32nd Legislative Day

3/25/2009

this... on this side to make sure that we know exactly the intention here regarding the... the reconsideration and what this could mean to GRF. Thank you."

Speaker Mautino: "Further questions on House Bill 2278? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I don't know if there's any other lights on, but since we debated this previously, I would move the previous question."

Speaker Mautino: "The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed say 'no'. The 'ayes' have it. And the question is put. And Representative Acevedo to close."

Acevedo: "Mr. Speaker, we debated the Bill. I just hope I have your support."

Speaker Mautino: "The Gentleman has moved passage of 2278. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? The Gentleman from Cook is seeking recognition."

Acevedo: "Can I put it on Postponed Consideration?"

Speaker Mautino: "Yes. On that question... Mr. Clerk, take the record. On House Bill 2278, 52 voting 'yes', 60 voting 'no', 4 voting 'present'. This Bill is declared lost. Correction of the record. The Sponsor has requested Postponed Consideration and the matter shall be put on this order. Mr. Clerk, on page 46 of the Calendar appears House Bill 2322. Representative Brauer. 2321. Clerk, read the Bill."

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

32nd Legislative Day

3/25/2009

Clerk Bolin: "House Bill 2321, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Mautino: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, 2321 is the same Bill that passed through the House two years ago for Rochester School Districts. Rochester is number one on the school priority construction grant and they are a fast-growth community and because they haven't received that money from the state, they've passed their own referendums and were forced to because their schools are full. This will just allow them to continue to be responsible. It is no fiscal impact to the state and it will be... the impact will be at the local level and owe only after voter approval. I'll answer all questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 2321. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 81 voting 'yes', 35 voting 'no', 0 voting 'present'. This Bill is declared passed. For what reason does the Gentleman from St. Clair, Mr. Holbrook, rise?"

Holbrook: "Thank you, Speaker. Today we're joined by the students from Southern Illinois University of Edwardsville in their lobby day. They're right behind me in the gallery. We'd like to give them a good welcome to Springfield."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "Welcome to Springfield. For what reason does the Gentleman from DuPage, Representative Ramey, rise?"

Ramey: "A point of personal privilege, Mr. Speaker."

Speaker Mautino: "State your point."

Ramey: "My name was used in debate a few debates ago in reference to a red jacket. I would just like to point out to the Body here that yesterday not only did I have a red jacket on, there was two other Representatives with red jackets on. Today we have had a gallery of people with 30... 30 men or so with red jackets on. We have a red shirt here, a red hat there, red ja... I think red is growing in the State of Illinois. So, any other references to the red jacket should be addressed directly to me. Thank you very much."

Speaker Mautino: "The record will so reflect your concerns and statements. Mr. Clerk, on page... on the Calendar appears House Bill 3794. Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3794, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Cook, Representative Hamos."

Hamos: "Thank you. Ladies and Gentlemen, House Bill 3794 extends the rape shield law for criminal cases that we've had in existence for many, many years... many decades, to civil cases. So, it extends it from criminal to civil and this change will ensure rape victims' sexual history and reputation are not admitted in civil cases unless specific criteria are met. I want to tell you that in 1994, some years ago, Congress extended the existing rape shield

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

32nd Legislative Day

3/25/2009

provision for criminal cases in the federal rule of evidence to civil. At least 12 states have followed suit and this makes a lot of sense. Many rape victims now are pursuing civil lawsuits to seek justice. We made this available as a form of redress and this is a way that they can pursue those... their rights under civil law without having prejudicial and unrelated facts come into evidence. And I'll be glad to answer any questions."

Speaker Mautino: "The Lady has moved passage of House Bill 3794. And no Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black, do you wish to be recorded? Mr. Clerk, take the record. This Bill... 116 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 3794 is declared passed. Mr. Clerk, on page 54 of the Calendar appears House Bill 3967. Representative Hernandez. Out of the record. On page 46 of the Calendar appears House Bill 762. Representative Howard. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 762, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Cook, Representative Howard."

Howard: "Thank you, Mr. Speaker. House Bill 76... 762, as amended, requires that persons convicted of a certain crimes must obtain from the Illinois Department of Public Health a waiver in order to be employed as a health care worker. The department only grants a waiver where an

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

32nd Legislative Day

3/25/2009

applicant demonstrates rehabilitation and that he or she would not be a risk to patients. In 2007, the statute was amended to provide that the waiver cannot be issued where the applicant has an outstanding fine or restitution obligation relating to the conviction which requires a waiver. Often persons owing a fine are simply unable to pay the full fine in a single payment. This Bill would provide that the Illinois Department of Public Health could grant a waiver where the applicant has worked out a payment plan with the court and is current with that payment plan. The Department of Public Health supports the Amendment and recommended the wording so that the statute would be consistent with its proposed rules. I move for passage of the Bill."

Speaker Mautino: "The Lady has moved passage of House Bill 762. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Mitchell, wish to be recorded on this Bill? Mr. Clerk, take the record. House Bill 762, having received 89 voting 'yes', 27 voting 'no', 0 voting 'present', is declared passed. Mr. Clerk, on page 44 of the Calendar appears House Bill 898. Representative Jakobsson. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 898, a Bill for an Act concerning higher education. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Champaign, Representative Jakobsson."

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

32nd Legislative Day

3/25/2009

Jakobsson: "Thank you, Mr. Speaker. House Bill 898 amends various Acts of... relating to the governance of public universities and college... community colleges in the State of Illinois. It allows faculty and staff members of public institutions of higher education to express their views on any matter of public or private concern to any member of government, federal or state, without prior approval of the public institution where they're employed. The faculty or staff is allowed to do this so long as they don't represent that they're speaking on behalf of the institution."

Speaker Mautino: "The Lady has moved passage of House Bill 898. No Members seeking recognition, the question is, 'Shall this Bill pass?' House Bill 898 vote... those in favor vote 'yes'; opposed vote 'no'. The voting is open. Mr. Clerk... Have all voted who wish? Have all voted who wish? Have all voted who wish? Does Representative Mitchell wish to be recorded on this Bill? Representative Dugan. Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 1 voting 'present'. House Bill 898 is declared passed. Mr. Clerk, what is the status of House Bill 537?"

Clerk Mahoney: "House Bill 537, a Bill for an Act concerning financial regulation. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Mautino: "Representative Jefferson. Read the Bill. Excuse me. Move this Bill to Third Reading and read the Bill. Mr. Clerk, leave that Bill on Third Reading. Mr. Clerk, on page 51 of the Calendar appears House Bill 2400. Representative Lang. Read the Bill."

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

32nd Legislative Day

3/25/2009

Clerk Mahoney: "House Bill 2400, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Mautino: "Representative Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is a Bill that has many cosponsors. This would amend the Prompt Payment Act to include DD facilities, treatment services, places that will serve the mentally ill, alcohol and substance abuse, would add all these people to the Prompt Payment Act. We all know that there are many community providers that are forced to borrow money and extend lines of credit just to stay open to provide these services. And as we know in our... each of our communities we all have people that are coming to us saying, they have no more room on their line of credit. And many of them can't get new credit because of the economy. We must make sure these people are paid by the State of Illinois in a prompt fashion and this Bill will accomplish that. I appreciate your support."

Speaker Mautino: "The Gentleman has moved passage of House Bill 2400. On that Bill, no Members seeking discussion, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 2400 is declared passed. Mr. Clerk, on page 46 of the Calendar appears House Bill 771. Representative Brauer. Out of the record. On page 43 of the Calendar appears

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

32nd Legislative Day

3/25/2009

House Bill 342. Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 342, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Mautino: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. House Bill 342 creates a Legislative Oversight Council on Cost Feasibility for Health Care Plan Implementation. Seeks to provide legislative oversight in a continuing effort to expand access to health care. If this Bill seems familiar, that's because I've passed it several times. Actually, you were one of the two Sponsors one of the times and it would go back to expanding the outcome of the adequate health care task force with a group that would take a look at cost feasibility for any proposal, so that we could possibly move forward with access to health care with a more diverse group of people on that group that would come up with ideas on how we could actually fund it."

Speaker Mautino: "The Lady has moved passage of House Bill 342. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. This Bill... receiving 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And House Bill 342 is declared passed. Mr. Clerk, on page 53 of the Calendar appears House Bill 3795. Representative Collins. Representative Collins, do you wish to call House Bill... Out of the record. Mr. Clerk, on page 41 of the Calendar

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

32nd Legislative Day

3/25/2009

appears House Bill 16. Representative Flowers. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 16, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 16 would allow students who have attended a preschool through the State Board of Education and any type of federally-funded state board preschool program and a national educational program, any student... preschool student that have attended any of those programs for a full year should be able to start school at the... if they're going to be five within that school year. And I know of no opposition to the Bill."

Speaker Mautino: "The Lady has moved passage of House Bill 16. On that, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates she will."

Eddy: "Representative, you may have said this in your opening remarks, but this applies only to Chicago Public Schools?"

Flowers: "Yes."

Eddy: "Okay. So, the other thing that was brought up in committee that I think we need to make sure... that's understood, you mean that they may go... the school district still has the opportunity and option to have some type of assessment. You're not saying they have to. You're saying that they may."

Flowers: "They may."

Eddy: "This is totally optional."

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

32nd Legislative Day

3/25/2009

Flowers: "Absolutely."

Eddy: "The school district makes the final decision based on the readiness of the student, but right now, your feeling is that there's no avenue for them to be able to go."

Flowers: "Ab... absolutely, Sir."

Eddy: "Okay."

Flowers: "There's a possibility that these schools may do the same preschool program for two or three years. And they are ready for full-day kindergarten and they should be able to attend."

Eddy: "And so if they've gone to a pre-K program, you're just trying to make it possible if they are prepared and ready that they can go at that age and right now, that doesn't seem to be possible even because of the way the current Code is written."

Flowers: "That is correct."

Eddy: "Okay. I appreciate the work you've done on this and I understand the issue and hopefully, there will be some opportunities for those students now, those young children, to be able to attend at that age. Now they can, good work. Thank you."

Flowers: "Thank you."

Speaker Mautino: "Further questions? The Gentleman from Vermilion, Representative Black."

Black: "I'm sorry, Mr. Speaker, I was distracted by numerous staff telling me what to ask and I appreciate their help. Will the Sponsor yield?"

Speaker Mautino: "She indicates she will."

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

32nd Legislative Day

3/25/2009

Black: "Representative, the only question that has come up... I have a very, very good Head Start program in my district, but I think... and they were concerned about the impact on federal funding. But if I understand your Amendment correctly, it wouldn't impact a Head Start program outside of the City of Chicago. Is that correct?"

Flowers: "No, it would not. This is only..."

Black: "All right. So, this is strictly limited to the City of Chicago.?"

Flowers: "You're correct."

Black: "Okay. Have you heard from the Head Start program there about whether this could jeopardize federal funding by changing the age limit?"

Flowers: "No, and quite frankly, Representative, the statute says now that it... that a child 'may' start. There is..."

Black: "Okay."

Flowers: "The statute that was written still leave it up to the school district as this Bill does, but prior to us having all day preschool, starting at the age of three, a lot of these students were not attending school, but as a result of having all day preschool, we will have students being in preschool two and three years and it will become boring to the student. So, the statute says now if a child is deemed ready, they may start. This Bill is merely saying basically the same thing and if that child is going to be five in that school year... in that school year, the school may allow that child..."

Black: "Okay."

Flowers: "...to enter into kindergarten."

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

32nd Legislative Day

3/25/2009

Black: "All right. So, it's completely permissive?"

Flowers: "Absolutely."

Black: "Well, I appreciate your indulgence as always and I'm shocked at some of these young children could be bored with three years of preschool. The best years of my life were the five years that I spent in preschool."

Flowers: "I can imagine, Sir, and it shows."

Black: "So, all right. Thank you."

Flowers: "Thank you."

Speaker Mautino: "No other Members seeking recognition, the Lady moves passage of House Bill 16. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Does Mr. Beaubien wish to be recorded? Mr. Clerk, take the record. With 94 voting 'yes', 22 voting 'no', 0 voting 'present', House Bill 16 is declared passed. Mr. Clerk, what's the status of House Bill 1143?"

Clerk Mahoney: "House Bill 1143 is on the Order of House Bills-Third Reading."

Speaker Mautino: "Representative Coulson. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1143, a Bill for an Act concerning education. Third Reading of this House Bill."

Coulson: "Thank you, Mr. Speaker."

Speaker Mautino: "The Lady from Cook, Representative Coulson."

Coulson: "House Bill 1143 provides for scholarship assistance to encourage mental health professionals to attain graduate degrees in counseling or social work or psychology and to

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

32nd Legislative Day

3/25/2009

work in designated shortage areas. This Bill is patterned on the nursing scholarship Bills that we've done before and the fees would be paid for by the fees in the licensure fund so that there is no need for GRF. And I would appreciate an 'aye' vote and I can answer any questions."

Speaker Mautino: "The Lady moves passage of House Bill 1143. No Members seeking questions, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', the House Bill 1143 is declared passed. Mr. Clerk, House Bill 640 appears on the Calendar. Take that Bill out of the record. Mr. Clerk, on page 54 of the Calendar appears... The Gentleman from Vermilion, Representative Black is seeking recognition."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Mautino: "State your inquiry."

Black: "Regarding House Bill 640 that you called and then quickly took out of the record. The Sponsor didn't ask you to take it out of the record. What... what was the procedure there?"

Speaker Mautino: "The Speaker asked that I take the Bill out of the record."

Black: "The Speaker?"

Speaker Mautino: "Yes, Sir."

Black: "You are the Speaker, Sir. You are in the Chair. You're in charge."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "Yes, and I've been going..."

Black: "You mean... you mean the real Speaker?"

Speaker Mautino: "The real Speaker, yes."

Black: "Well, he isn't even here."

Speaker Mautino: "I believe the Gentleman has joined us."

Black: "Oh, I didn't see him back there. He's obviously
shrunk."

Speaker Mautino: "There's... there's an object in front of him."

Black: "Well, let me just say that that's what serving here 55
years will do to you. I can remember when he was 6'3".
Look at him, you can just barely see him back there. Is
the... is the Speaker just wanting to... you know, like the
Gallo wine commercial... it isn't quite time for 640?"

Speaker Mautino: "That sounds about right."

Black: "Okay. But it's aging gracefully and will be called at
some point..."

Speaker Mautino: "It's... it's on the list and actually I've
been..."

Black: "...in the near future. Okay."

Speaker Mautino: "Yes, that is correct."

Black: "All right. 'Cause I..."

Speaker Mautino: "I've been going back and forth
alphabetically."

Black: "...I... I don't want anybody to think that anybody in
charge of this chamber would be trying to coddle those who
commit the act of rape. So, we'll see House Bill 640 in
due time, I'm sure. Thank you."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "We will see that Bill in due time. Thank you, Sir. On 54... page 54 of the Calendar appears House Bill 3957. Representative Sacia. Read the Bill."

Clerk Mahoney: "House Bill 3957, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Mautino: "Out of the record at the request of the Sponsor. On page 55 of the Calendar appears House Bill 4198. Representative Stephens. Read the Bill."

Clerk Mahoney: "House Bill 4198, a Bill for an Act concerning firearms. Third Reading of this House Bill."

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

Stephens: "Thank you, Mr. Speaker. The Bill simply provides an exemption from the 10 dollar FOID card application fee for active duty members of the United States Armed Forces, Reserves and National Guard. Be glad to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4198. And on that Bill, the Gentleman from Cook, Representative Fritchey is seeking recognition."

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

Speaker Mautino: "He indicates he will."

Fritchey: "Yeah. I'm still not used to you being over there; I keep looking for you over here. Just a quick question. Why are the State Police opposed to this?"

Stephens: "You know, that's a very good question for their new director. And as a prior service member, he.. I would just bet you that he's probably going to agree with their position anyway because he's a go-along/get-along guy."

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

32nd Legislative Day

3/25/2009

I'm... I understand that their opposition is based on fiscal impact. It's a 10 dollar fee that we are... are going to exempt. There aren't but a couple of thousand members of the military that would qualify for this in the entire state. I would doubt that that number is over 3 thousand. So, I don't... I don't think there's much fiscal impact and I... but I think that's the basis of their opposition."

Fritchey: "Okay. I appreciate it, thanks."

Speaker Mautino: "The Gentleman has moved passage of 4198. No other Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 4198 is declared passed. On page 53 of the Calendar appears House Bill 3681. Representative McAsey. Read the Bill."

Clerk Mahoney: "House Bill 3681, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Will, Representative McAsey."

McAsey: "Thank you, Mr. Speaker and Members of the House. I come before you today with House Bill 3681. This would be an Amendment to the Illinois Vehicle Code and the language of the Bill is very simple. The language of the Bill explains exactly what this Bill intends to do. It is regarding erroneous appearance dates. If there is any case alleging a violation of Section 11-501, the DUI statute, that if there is an error in setting the first appearance date by an arresting officer or the clerk of the court,

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

32nd Legislative Day

3/25/2009

that that would be... not be grounds to dismiss the case. So, this is an attempt to hold violators of that statute accountable. And I would ask for an 'aye' vote."

Speaker Mautino: "The Lady has moved passage of House Bill 3681. No Member is seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Osterman, Mr. Davis, Mr. Burns. Mr. Clerk, take the record. This Bill, having received 116 voting 'yes', 0 voting 'no', 0 voting 'present', is declared passed. Mr. Clerk, on page 46 of the Calendar appears House Bill 756. Representative Feigenholtz. Read the Bill."

Clerk Mahoney: "House Bill 756, a Bill for an Act concerning adoption. Third Reading of this House Bill."

Speaker Mautino: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. House Bill 756 is a piece of legislation we passed last year; it was House Bill 4571. It was an init... it was an initiative of the Chicago Bar Association that amends the Adoption Prohibition and Compensation Act and enables prospective adoptive parents to give gifts to birth parents. I'd be glad to answer any questions."

Speaker Mautino: "The Lady has moved passage of House Bill 756. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. House Bill 756, having received 116

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

32nd Legislative Day

3/25/2009

voting 'yes', 0 voting 'no', 0 voting 'present', is declared passed. Mr. Clerk, on page 48 of the Calendar appears House Bill 895. Representative McGuire. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 895, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Will, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 895 is a pension Bill for a disabled Joliet policeman. We had this Bill last year and it went as far as the Senate and then never got out of the Senate. So, I'm trying to help this young man, again. He was injured on the job; he's not getting the pension that he feels that he's supposed to be entitled to and I'm trying to help him out. And I would certainly appreciate your vote. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 895. And on this legislation, the Gentleman from Vermilion, Representative Black is seeking recognition."

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

Speaker Mautino: "He indicates he will."

Black: "Representative, do you have any idea how many police officers this might impact, a hundred, five hundred, ten? How many are there on the line of duty disability pension? Do you have that figure?"

McGuire: "No, I don't think I do have that, but what I'd like to say is that when a young fellow is hired to the police force, fire department, he or she is told that we're going

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

32nd Legislative Day

3/25/2009

to pay you X dollars. You're going to have a good job here. You're going to have health care. You're going to have a pension. You're going to have everything under the sun. So, you go to work for the City of Joliet and then when you get hurt, the... nobody's there to help you. And this young man has been hurt a couple times on the job and for some reason he can't get the pension that he feels that he deserves. So, I can't tell you how many would... how many would be in a similar situation, but I don't think that's the... I don't think that's the important thing. I realize that there are people down the road five, ten years from now who may be in the same situation, but I'm talking about a fellow who's in that situation right now and who got hurt on the job and I think that's the important thing. And I feel sorry for anybody who gets hurt on the job in the next few years, ten years and has a problem with his pension. But that's the... that's their situation and I have a situation with this fellow now and he has this situation and I think he deserves all the attention and interest and help that he can get. So, I really don't know how it affects the pensions in the future, but I know how it will affect the young man..."

Black: "All right."

McGuire: "...in the future himself."

Black: "Representative, I didn't ask you that question. I just asked you if you knew how many disabled police officers this would affect. Now, you mentioned something that I don't see in my analysis. Forgive me, you're doing this

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

32nd Legislative Day

3/25/2009

for somebody who did not get a line of duty pension? Is that what the... the genesis of the Bill?"

McGuire: "Yeah, that's... that's correct. I'm sorry."

Black: "Well, what happened? I mean..."

McGuire: "He got the line... he got the pension for the line of duty injury, but he's not getting his COLA that I think he's entitled to."

Black: "Well, was that because the COLA had not passed at the time of his or her injury?"

McGuire: "Yes. See, he filed in time and so, I think... Oh, he did not file in time. I'm sorry. He did not file in time. So, evidently, he is at fault a little bit there, but I'd still like to go back to the fact that he got injured on the job and that's... that's what the pension is for."

Black: "Well, I don't think that's in question here. He is receiving a line of duty pension, correct?"

McGuire: "Yes."

Black: "So, what are we trying to correct?"

McGuire: "The COLA."

Black: "All right."

McGuire: "He's not getting the COLA..."

Black: "All right. What..."

McGuire: "...that goes with the pension."

Black: "So, this makes the cost of living retroactive to the date that this particular person was injured?"

McGuire: "Yes."

Black: "Okay. The police and fire pension article is funded through local property taxes. Is that... that's... if my

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

32nd Legislative Day

3/25/2009

memory serves me, isn't that how that's funded, not... not state funds?"

McGuire: "Yes. I would agree with that."

Black: "Okay. Did the Municipal League or anybody talk to you about what the potential impact of this Bill might be?"

McGuire: "I believe they did. I believe they did, but I also talked to the City of Joliet and the City of Joliet said they will not oppose the situation, but they couldn't be of any help."

Black: "Okay. Just one additional question. I know Representative Moffitt has a Bill very similar to this on firefighters who retired before the compounding and there's not very many. I think there are probably fewer than a hundred people... a hundred firefighters who would qualify and I can't remember... maybe Representative Moffitt can enlighten me... we're having trouble getting that Bill out and I think the two Bills are very, very similar. So, we... we might have to come to you for some assistance, if that'd be the case later on. Thank you, Representative. Mr. Speaker, Ladies and Gentlemen, to the Bill. You all have to take a look at this. I think you're aware of the impact of pension legislation as it's impacting all forms of government in the State of Illinois. The State of Illinois certainly isn't immune; we're... we're billions of dollars underfunded. And your local units of government, many of them are woefully underfunded and I know many communities this year, because of the loss of investment income by IMRF and it wasn't their fault; it's the market and the economy, have had to considerably raise their property tax levy to

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

32nd Legislative Day

3/25/2009

meet their required pension payment. So, I think you just need to know what you're voting for and if you think that a police officer injured in the line of duty should, in fact, be fully compensated by a retro active COLA, then obviously vote 'yes'. If you have some concerns about a property tax impact, you may want to vote 'present'. I realize these are very difficult Bills to vote against and I appreciate the Gentleman for his answers to my questions."

Speaker Mautino: "Further questions? The Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, did you... was there a fiscal note from the Commission on Government Forecasting and Accountability on this? Do we know how much this is... anticipated to cost?"

McGuire: "We're only aware of one, Representative. As I mentioned..."

Nekritz: "I'm sorry. I couldn't hear you."

McGuire: "There's no physical impact... fiscal impact worked up on this at the present time."

Nekritz: "I... I'm sorry? I just can't hear you."

McGuire: "There's no fiscal impact note."

Nekritz: "So... so, the Commission on Government Forecasting and Accountability said there was no fiscal impact of this. Is that..."

McGuire: "No. It's not..."

Nekritz: "Minimal."

McGuire: "They cannot determine that. They cannot determine that at this point. See, this is a situation that I'm trying to impress upon you folks with the..."

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

32nd Legislative Day

3/25/2009

Nekritz: "Right, for just one person right now, I understand."

McGuire: "This gentleman was hurt on the job."

Nekritz: "I understand that, Representative. I'm just... and I thought that the prior speaker's question was that, you know, it appears that this is really targeted to help one person. So, okay. Thank you."

Speaker Mautino: "Thank you. The Gentleman from Knox is seeking recognition, Representative Moffitt."

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

Speaker Mautino: "Indicates he will."

Moffitt: "And I'm... my name was used in debate. I just... the House Bill that has some similarities is 1041, dealing with firefighters. And what it does is allow the oldest of the retirees to be able to get the compounding that current firefighters would. Now, yours is where... hasn't this police officer... did he fail to sign up for something or what... why did he get left out of the group that you're trying to get here?"

McGuire: "Would you repeat that, Don?"

Moffitt: "The person or persons that you're wanting to cover with your Bill, did they fail to sign up for something or did they not meet a deadline or is it a whole category that didn't qualify for something?"

McGuire: "Yeah. I guess the situation is the window was closed. He did... he did fail to file in time."

Moffitt: "Had he filed he would have been eligible, is that what you're saying?"

McGuire: "It's unknown, but if he was eligible, he would have received the COLA."

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

32nd Legislative Day

3/25/2009

Moffitt: "And this gives him the same benefits that retirees today would get based on their..."

McGuire: "I believe so. I believe so."

Moffitt: "Okay. That... that's an important distinction. My Bill's trying to correct something from the past where a group got left out; there's less than a hundred of them."

McGuire: "Yeah."

Moffitt: "We'll talk about that Bill when it comes up, but it is on the floor and we believe we are going to get a vote on my Bill. There are some similarities. All we're trying to do is be fair. I think that's what you're trying to do..."

McGuire: "That's exactly right."

Moffitt: "...with House Bill 895, bring some fairness. Not that you're trying to give anyone anything extra or special, but just treat them with fairness and certainly intend to support your Bill."

McGuire: "Thank you."

Speaker Mautino: "The Gentleman moves passage of House Bill 895. No other Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Winters, do you wish to be recorded? Mr. Clerk, take the record. 74 voting 'yes', 41 voting 'no', 1 voting 'present', House Bill 895 is declared passed. On page 51 of the Calendar appears House Bill 2450. Representative Miller. Read the Bill."

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

32nd Legislative Day

3/25/2009

Clerk Mahoney: "House Bill 2450, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Mautino: "Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2450 will make a... it a Class III felony with a fine up to 100,000 for distribution of legend drugs which legend drugs are considered habit-forming, toxic, and having potential for harm. And ask for a favorable vote."

Speaker Mautino: "The Gentleman is seeking passage of House Bill 2450. With no Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. House Bill 2450, having received 115 voting 'yes', 0 voting 'no', 1 voting 'present', is declared passed. On page 47 of the Calendar appears House Bill 795. Representative Wait. Read the Bill."

Clerk Mahoney: "House Bill 795, an Act... a Bill for an Act concerning transportation, which may be referred to as Bachman's Law. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yes, House Bill 795 comes out of a tragedy that happened in my area. Unfortunately, there was a law enforcement officer was traveling 103 miles an hour, did not have his lights or siren on, ran into a car... a family,

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

32nd Legislative Day

3/25/2009

killed two... two of the sons; one was 82nd Airborne soldier, a paratrooper, and killed both the boys and the daughter ended up to be basically brain dead. And so, this is simply to say that, yes, if the policemen travel at excess speed to a call, fine, but simply turn your lights and siren on. It protects not only the public, but the police officers as well. I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 795. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "He indicates he will."

Black: "Representative, today is Sheriffs Lobby Day and I've talked to two or three sheriffs about this Bill. They are concerned about the standard of proof if they're involved in an accident on their way to a vehicle... or excuse me... on their way to an emergency call, but not at Code 3, where they... where they do not have their lights and sirens on, where they may be within two or three blocks of the alleged incident, robbery or what have you. The standard of proof would seem to say, due regard. The courts have generally held willful and wanton negligence as the standard for a civil suit. Why is your Bill saying, due regard? That's... that's less of a... of a legal standard than I'm held to when I'm just driving period. Why did we take away willful and wanton negligence as a cause of action?"

Wait: "Well, we do have an exception in here for what they call covert exception, what you were talking about, where if

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

32nd Legislative Day

3/25/2009

there's a kidnapping, a bank robbery, or something like that, so with that then they would not have to have their lights and siren on because we certainly would not want to endanger a hostage or something like that, so that would not even apply then. There is this covert exception in the Bill."

Black: "But... excuse me... but the standard to bring a suit would seem to center on the wording of 'due regard'. What is 'due regard'? If I'm on my way to a call and I'm going 45 miles an hour in a 30 mile an hour zone, what is the standard of 'due regard'?"

Wait: "Well, the due regard is the current language in the Bill. We have not changed that part of the Bill. That's the current language and we have not changed that. That's under current legislation."

Black: "I... I think some police officers that I've talked to out at the rail have a different interpretation of what the standard would be if it's due regard. They feel that the current statute says that... you can sue for anything, but a standard of proof would be that you would have to be able to prove that the officer had willful and wanton knowledge that his or her actions were detrimental to public safety. And it would seem to me that the point they made with me is that if you say due regard, it could mean literally, well, I forgot to look left and I didn't see somebody coming through the intersection. It wasn't willful or wanton; it's just that I didn't exercise due regard. So, is that, in fact, lowering the standard for action against the... the police officer?"

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

32nd Legislative Day

3/25/2009

Wait: "Well, like I say here, Representative, the Section I believe you're referring to, the foregoing propusion... 'foregoing provision do not relieve the driver of an authoritative... authorized emergency vehicle from duty of driving with due regard for the safety of all persons.' That language, we have not touched that language. That is the current language in the Bill. So, we have not touched it."

Black: "Well..."

Wait: "So, we're not changing one way or the other."

Black: "I don't... I don't mind... can you tell me what page it's on, Representative?"

Wait: "That is on... well, it's page 3 of the Bill itself. It's Section (e)."

Black: "Okay. Section (e)."

Wait: "Down at the bottom."

Black: "All right. Do not relieve the driver of an authorized emergency... All right. Okay. Well..."

Wait: "See, that is not underlined, so that would mean..."

Black: "Okay. Right."

Wait: "...that it hadn't been changed."

Black: "Right. So, it isn't your intent to hold an emergency responder to a standard any less strict than an ordinary driver would have in a similar situation then, correct?"

Wait: "That is correct."

Black: "Okay. Fine. Thank you very much."

Wait: "Thank you."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Lang."

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

32nd Legislative Day

3/25/2009

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

Speaker Mautino: "He indicates he will."

Lang: "Representative, you may have covered this with other questions that were asked of you, so if you did, I'm sorry. My analysis shows the City of Chicago, the County of Cook and the Troopers are all opposed to your Bill. Have you dealt with those problems that they've raised in any way?"

Wait: "Yes. We had a meeting with them and I believe the chairman of the Vehicle & Safety Committee, Representative D'Amico, is going to mention to that he had concern too, of course, he's from Chicago. But then the testimony, we put an Amendment on it and then the State Police, they were neutral when they testified in committee. So, they went neutral. I'm not sure what happened to the other ones, if they were still against it or not, but we did put an Amendment on and the State Police, at the meeting, said they were neutral now on the Bill."

Lang: "Well, so, thank you, but I didn't ask you about the State Police. I asked you about the City of Chicago and the County of Cook."

Wait: "Yes. They were not there to testify against the Bill, so I'm not sure where they stand now on the Bill."

Lang: "So, you have not spoken to them in the process of why they might..."

Wait: "No, we met with the State Police, the sheriffs, Chief of Police, State Police, everyone we met with, yes."

Lang: "So, you did meet with the City of Chicago and the County of Cook?"

Wait: "Right."

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

32nd Legislative Day

3/25/2009

Lang: "And what was their objection to the Bill?"

Wait: "Well, of course, they didn't want any changes in the Bill itself, although I'll tell you this, because there was also another bad accident in southern Illinois where the State Police was involved and the State Police, by rules and regulation, have already gone a lot further than what I would do in this Bill."

Lang: "So, did you satisfy their concerns?"

Wait: "We discussed things and made changes and like I say, they did not show up at and testify against the Bill at the hearing."

Lang: "All right. Thank you."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

D'Amico: "I just want to commend Representative Wait for bringing this Bill forward. I rise in support of this legislation. This Bill was in front of my committee and he had... he had the Bachman family there to testify. I think this is a good, commonsense Bill and it's going to save lives along the way and also, protect the police officers that are serving for us at that time, as well. Thank you."

Speaker Mautino: "The Gentleman from DuPage, Representative Reboletti is seeking recognition."

Reboletti: "Thank you, Speaker. To the Bill. As Representative D'Amico mentioned, the Bachman family was there. It was a very moving situation when the lone survivor of the accident, who now has permanent brain

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

32nd Legislative Day

3/25/2009

injury, and as the accounts of that day were testified to she began to experience the feeling as if it had just happened recently to relive that. She needs basically 24/7 care and this is something that could have been avoided by that law enforcement agent. It's my understanding he was responding to a speeder. There was no reason to be traveling at almost terminal velocity, at over a hundred miles an hour, to try to catch somebody who's speeding. So, I commend Representative Wait for bringing this legislation. I think it's common sense. It does provide some avenues for the police when there are covert operations and there are times we don't want lights and sirens on when maybe responding to a burglary in progress, but I think in these other situations, more due care needs to be exercised and this would have at least given the Bachman family an opportunity to react to that police officer. So, I commend your legislation, Representative."

Speaker Mautino: "The Gentleman has moved passage of House Bill 795. No other Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Mr. Clerk, take the record. Mr. Clerk. Have all voted who wish? Mr. Clerk, the Chair called the vote in error, too quickly. I would ask leave of the House to dump the Roll Call and reta... and retake the vote. All in favor signfy by 'aye'; opposed same sign. The 'ayes' have it. In the opinion of the Chair, the 'ayes' have it. Mr. Clerk. The quest... and the question is, 'Shall House Bill 795 pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Mr.

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

32nd Legislative Day

3/25/2009

Clerk, have all voted who wish? Have all voted who wish? Have all voted who wish? On this Bill, 109 voting 'yes'... Mr. Clerk, take the record. 109 voting 'yes', 7 voting 'no', 0 voting 'present', this Bill is declared passed. That felt like my first Bill. The Gentleman from McHenry, Representative Tryon..."

Tryon: "Thank you, Mr. Speaker."

Speaker Mautino: "...is seeking recognition."

Tryon: "On... on House Bill 895, I think you called the vote too fast. And I would like to have my vote recorded as a 'no'."

Speaker Mautino: "The record shall so reflect."

Tryon: "Thank you."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black is seeking recognition."

Black: "Thank you, Mr. Speaker. You present such a target rich environment, I cannot help myself."

Speaker Mautino: "Thank you, Sir."

Black: "Which roll... which Roll Call are we using? 'Cause on the one Roll Call I didn't vote at all and the other I voted 'no', so that gives me a little wiggle room. So, which Roll Call are we using? If you'd do it... if you would do it a third time, then I could be like Larry Wennlund onetime and said he had voted 'present' on a Bill, 'yes' on a Bill and 'no' on a Bill and he was out of options. So, maybe we should just vote a third time."

Speaker Mautino: "Actually, I believe, on the fourth Roll Call there he asked to be voted as... as 'not present'."

Black: "I think you're right, as I recall."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "And he voted 'absent' on that."

Black: "Mr. Speaker..."

Speaker Mautino: "It will actually be the last Roll Call that we had taken..."

Black: "I see."

Speaker Mautino: "...and I appreciate the indulgence of the Body."

Black: "Well, and I appreciate your honesty, however, your hearing needs to be checked because clearly you did not have the approval of the House to dump that Roll Call. I was going to ask for a division of the House, but let me just say, again, a little downstate homily, if I will to you, Mr. Speaker. Things done quickly wither as fast; things done slowly last and last. Keep that in mind."

Speaker Mautino: "I thank you and I will keep that in mind. Mr. Clerk, what is the status of House Bill 715? Representative Mathias."

Clerk Mahoney: "House Bill 715, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Please move that Bill to Third Reading. On page 48 of the Calendar appears House Bill 872. Representative Watson. Read the Bill."

Clerk Mahoney: "House Bill 872, a Bill for an Act concerning fish. Third Reading of this House Bill."

Speaker Mautino: "Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill as amended has the language supported by the Department of Natural Resources. It makes it subject

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

32nd Legislative Day

3/25/2009

to appropriation that they would do a million dollar study on reducing Asian bighead carp, which is an invasive species in our river systems. I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 872. And on that question, Representative Osterman is seeking recognition."

Osterman: "Will the Sponsor yield?"

Watson: "Sure."

Speaker Mautino: "He indicates he will."

Osterman: "Representative, it was loud in here. We're to spend a million dollars to study Asian carp? Is that what I heard you say?"

Watson: "No. It's a pilot program for reducing them, but it's also subject to appropriation, Harry."

Osterman: "Is this all carp or Asian carp? 'Cause, you know, we have an Asian community in my district and I just want to make sure... Is that a downstate-upstate issue? We're going to study carp, let's make it across the board."

Watson: "Actually, Representative, what we're trying to do is to keep them from getting into Lake Michigan, then it will be a big, big upstate issue. So..."

Osterman: "It's a very good Bill. And good luck with it. Thank you."

Watson: "Thanks. And I do want to... just a serious plug... we've had a lot of turmoil in the last few weeks, but the director of DNR has been very responsive and upfront on this. And I think we all should be happy with the work he's doing. So, appreciate the Body's support."

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

32nd Legislative Day

3/25/2009

Speaker Mautino: "Further questions? Representative Lang."

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

Speaker Mautino: "He indicates he will."

Lang: "Thank you. Representative, did the Amendment satisfy DNR's concerns?"

Watson: "Yes, Representative, it was their language."

Lang: "So, they're... Yes, but are they okay on the Bill now?"

Watson: "Yes."

Lang: "Well, you hesitated. Sometimes... sometimes they can give you a language to improve the Bill, but they don't still like the Bill."

Watson: "All right. I was... I was judging whether to be... be humorous."

Lang: "You were judging whether to actually answer my question or..."

Watson: "No. They actually... Rep... Director Miller brought me the language himself."

Lang: "All right. So, I don't... I don't want to carp on this Bill too much, but... All right. I do the jokes here. So... so, tell a... tell a guy from Cook County whether... what the dimensions of the carp problem is in Illinois. Do we have a carp problem?"

Watson: "Lou, basically, what's happening is these... these fish, it's an invasive species that was brought in to... into ponds to mitigate mosquitoes and they got into the river system. They... they breed very quickly and take over the natural habitat and are squeezing out the... the natural species. And they do... they grow in size very, very quickly."

Lang: "The population grows or the... each individual..."

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

32nd Legislative Day

3/25/2009

Watson: "Both."

Lang: "...fish grows?"

Watson: "Both."

Lang: "So, we have these... like, how big can a carp get?"

Watson: "Big. Almost as big as you, Lou."

Lang: "That would be one heck of a big carp, Sir."

Watson: "Yes, Sir."

Lang: "So... so, you can ask that question, Representative.
Representative Franks has an interesting question for you.
So, is... this is not your first Bill though, is it, Sir?"

Watson: "No, no."

Lang: "It's not even your first Bill since you've returned from
overseas, is it?"

Watson: "No, it's not."

Lang: "Okay. Should have been. It should have been. So, I
notice this Bill only deals with the Illinois River. We
don't have carp in any other river."

Watson: "It's just the pilot study. We figured we would start
here."

Lang: "Okay. So, you don't... we have carp in other rivers. You
just don't care about the carp in other rivers."

Watson: "You've got to start somewhere."

Lang: "So, you don't care... Well, give me another river in
Illinois where there's carp."

Watson: "The Mississippi."

Lang: "All right. I have enough... I have enough examples. So,
you don't really care how large the carp population gets in
the Mississippi?"

Watson: "Actually, I do."

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

32nd Legislative Day

3/25/2009

Lang: "Well, then why don't you take this back to Second Reading and expand your Bill to include the Mississippi?"

Watson: "Because I really wanted to work with the new administration and kind of build bridges, Lou, try to bring us together so we can all support..."

Lang: "All right. So, the new admini... it's us, it's not you. In your bipartisan cooperation with the new administration, you've agreed only to deal with the carp in the Illinois River."

Watson: "Roger, that."

Lang: "Roger, that."

Watson: "Yes."

Lang: "That must be some sort of military talk that us guys aren't familiar with. All right, Sir, on behalf of the... on behalf of the carp in all the other waterways in Illinois, I think we need to have an investigation. Thank you, Sir."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black is seeking recognition."

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

Speaker Mautino: "He indicates he will."

Black: "Thank you. Representative, in the Amendment there's language that states, the Amendment expands the objective of the program to include severely curtailing the reproductive capacity of Asian carp. How do you do that? Is it a Plan B? Do you... do you remove them from the water or do you give them Plan B or what... some kind of fishy birth control device? How do you... how do you reduce their reproductive capacity?"

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

32nd Legislative Day

3/25/2009

Watson: "Representative, I think the initial idea was to... to fish them out."

Black: "To fish them out?"

Watson: "Yes. Harvest them."

Black: "Oh, harvest them. If... if a DNR biologist has a right of conscience and he doesn't want to be involved in reducing the reproductive capacity of Asian carp, can that biologist be excused from this?"

Watson: "That will probably be one for the courts, Representative."

Black: "Or because... you have no rulemaking provision, correct?"

Watson: "Correct."

Black: "And DNR wanted this Amendment?"

Watson: "Yes."

Black: "Would... Shouldn't we do a pilot study? Are you profiling Asian carp?"

Watson: "I'm not going to..."

Black: "How do you... how do you tell an Asian carp from a carp?"

Watson: "I think there are professionals that know how to do this rather well."

Black: "I... I would bet they'd have to be professionals. So, you can actually tell the difference between an Asian carp and a carp?"

Watson: "Check. Yes."

Black: "I see. Well, it... we're not... it seems to me that you're profiling an entire species of fish. Would that be fair?"

Watson: "Well, I suppose some may look at it that way."

Black: "Well, there will be a report produced by the Department of Natural Resources on how this goes..."

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

32nd Legislative Day

3/25/2009

Watson: "Should it..."

Black: "...so we'll all be able to..."

Watson: "Sure."

Black: "...know?"

Watson: "Should this move forward, yes."

Black: "I would... I would really like to have that report. When can we expect it, in a year?"

Watson: "Hopefully."

Black: "And in the opponents and op... the opponents and proponents, did anybody sign in on behalf of the Asian carp?"

Watson: "Not that I am aware of."

Black: "Have you ever talked to an Asian carp? You were in a location, Sir, where you may have been able to talk to an Asian carp."

Watson: "No."

Black: "So, you've never communicated with them? I'll tell you what, Mr. Speaker, to the Bill. I'm proud to be a cosponsor of this Bill, but I think Representative Lang is onto something. If there ever was a Bill that should be caught up in the first Bill process, what better Bill to have a first Bill from someone who has returned from serving this state and his country than to eliminate Asian carp. If this isn't a first Bill, I've never seen one."

Speaker Mautino: "Further questions? The Gentleman from Winnebago, Representative Jefferson."

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

Speaker Mautino: "He indicates he will."

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

32nd Legislative Day

3/25/2009

Jefferson: "Representative, obviously, this is not your first Bill. It would have made a good Bill for a first one, but my... my question is this, how do you tell an Asian carp from an American carp?"

Watson: "Representative, I am not a fish biologist, but they know and the... the professional fishermen understand it."

Jefferson: "What's the genesis of the Bill?"

Watson: "It's... it's an invasive species. We've been trying to do this for actually seven years and we finally got a director who would work with us on the issue."

Jefferson: "So, was this your idea or theirs?"

Watson: "We... I think Senator Demuzio carried it last year and it got killed in the House. We've been working on it, like I said, for seven years. This language is... is DNR's language."

Jefferson: "You actually admit to the fact that you were trying to carry the Bill last year?"

Watson: "Sure, yes."

Jefferson: "Representative, you know, I hear that in places like New York and other places that carp are a delicacy."

Watson: "Right."

Jefferson: "Have you heard that?"

Watson: "I re... I know there are some people working on marketing this product."

Jefferson: "And then the condition now is stated, in the relation to revenue, we could probably turn this into revenue. You think?"

Watson: "I think we could."

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

32nd Legislative Day

3/25/2009

Jefferson: "So, why destroy the species when we could maybe generate some revenue from it. What do you think?"

Watson: "Well, I think what they're trying to do, Representative, is to see if we can't save the existing species that we have before their natural habitat is destroyed."

Jefferson: "You say you are going to fish them out? Do you have a hook that says Asian carp only or how do you... how do you fish for the Asian carp?"

Watson: "Representative, I'd love... you know what, I can invite you. We can go on the river and I'll have some of the professional fishermen I know show you how to do it."

Jefferson: "Thank you, Representative."

Watson: "Yep."

Speaker Mautino: "There are a number of Members seeking recognition. The Bill is on Short Debate. I'd like to announce Representative Miller in the Chair."

Speaker Miller: "Thank you. Thank you. The Gentleman from Jackson, Representative Bost for a question."

Bost: "Thank... thank you, Mr. Speaker and welcome to the Chair, by the way."

Speaker Miller: "Thank you."

Bost: "This is your first Bill, correct?"

Speaker Miller: "Yes, it is."

Bost: "Okay. Just checking. On a serious note, Representative, we also deal with a plant, is it called kitsu? That... is it kites... Is that correct? Kudzu, that has the same problem. Am I correct?"

Watson: "You are correct."

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

32nd Legislative Day

3/25/2009

Bost: "That what happens is is that people with all good intention bring a species, whether plant or animal, to the area and it begins to overrun our natural habitat, correct?"

Watson: "Correct."

Bost: "Okay. If... Here's my question. Aren't... Is this the carp, and I'm really asking these questions sincerely. Is this the carp that they have the danger of as they... as boats drive by they actually start jumping into the boat and people have actually been injured?"

Watson: "Correct. They've actually... actually injured and broken peoples' noses by jumping out of the river and into... hitting skiers and landing into boats."

Bost: "Okay."

Watson: "I mean, the real fear, in all seriousness, is if this species gets into Lake Michigan, the damage they could do if we don't stop them before they get up there."

Bost: "I... I... and by no means am I suggesting that this might be the process by which we would fish them out, but I was told a story many years ago about a... a person in my area that kept bringing home a tremendous amount of fish, just a tremendous amount of fish. And one of our animal control persons or game wardens was really concerned about this and he went out with this guy in the boat and said, I want to see how you're fishing. And so, they went out in this boat and they went out in the middle of the river and he says, well, Hank, I really want to know how it is that you catch all these fish. Well, he takes and he reaches back into his tackle box and he pulls out something and before he

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

32nd Legislative Day

3/25/2009

knows it he hands the game warden a stick of dynamite that's lit. He said, throw that in the water. He said, I can't do that, that's illegal. He said, are you going to fish or shut up? The guy threw it in the water, and he covered himself, and that's how, maybe, you know, I'm not suggesting that that's the way that they'd do it, but that's a possibility of how to fish them out. I don't know how you'd separate one carp from the other and how you'd get that way, but it is a possibility that that might be used. What suggestions are they using to get them out?"

Watson: "Representative, I really don't know. I know that... that the fish biologists at the department have some ideas of how to handle it."

Bost: "Actually, I think they do use a shocker as they go through the water and there... that is the way. It does not hurt the fish. It brings the fish to the top. They can kind of cull the fish out. And this is a Bill... one reason why I'm familiar with this is, I did sponsor this at one time. I think it's a very good Bill, so..."

Watson: "Thank you, Representative."

Speaker Miller: "Any further discussion? The Gentleman from McHenry, Representative Franks seeks recognition."

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

Speaker Miller: "He indicates he will."

Franks: "Congratulations on your first Bill. It's great. Representative, I wanted to follow up on some of the questions that we just heard about the flying carp. I actually went on... on the Internet and saw some of those... saw some of those pictures. Yes, I think it's similar to

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

32nd Legislative Day

3/25/2009

the flying sturgeons that have caused some real problems. I'm serious. Have you seen those videos of people being impaled by flying carp?"

Watson: "I've seen videos of them being hit by them, yes."

Franks: "Was... was... people have been thrown out of their boats. They've had broken bones, et cetera, correct?"

Watson: "Correct."

Franks: "Okay. I have to ask you a very serious question, as well. Do you know what the main ingredient is in gefilte fish?"

Watson: "No."

Franks: "Okay. Well, gefilte fish is... is a delicacy that's often eaten... often eaten at Passover time which is coming soon and I'm worried that if this Bill would pass what it would do to the gefilte fish market, because as you know, gefilte fish is made from carp and it's used... they use a lot of sugar. It was basically by Eastern Europeans. Jews, when they came to this country, they couldn't afford, you know, like the great whitefish, you know, and stuff. They would get these... the cheap fish, the carp and they would put a lot of sugar and things into it. Have you thought about how this may affect the gefilte fish market?"

Watson: "I have not."

Franks: "Okay. Well, I just wa... maybe we needed a fiscal note or an impact statement on this, 'cause I know DNR's just worried about three million. I'm just, you know, worried about, you know, my Aunt Helen when she makes gefilte fish for Passover next week. Will you get back to me on that?"

Watson: "Sure."

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

32nd Legislative Day

3/25/2009

Franks: "All right. Thanks."

Speaker Miller: "Any further discussion? The Gentleman from Cook, Representative Burns seeks recognition."

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

Speaker Miller: "He indicates he will."

Burns: "Thank you very much. Representative, according to our analysis the Department of Natural Resources is opposed to the Bill. Is that still the case?"

Watson: "No. Representative, as I said earlier during this lengthy, heated debate, the department provided the language with the Amendment and are supportive. We made it subject to appropriation and limited the scope of the study, should it be funded."

Burns: "Okay. And then is your plan as part of Asian carp mitigation or reduction to commercialize fishing of Asian carp? Is that what... would that be part of this pilot program or is it just strictly to eliminate the species?"

Watson: "I think... I think I would defer to the department and their expertise. I'm not sure that we have the expertise in here to handle it. My only challenge was for the last seven years this state has done absolutely nothing to address the issue. This is the first time that the department stepped up with some type of mitigation plan."

Burns: "Okay. To the Bill."

Speaker Miller: "To the Bill."

Burns: "I think it's... it's a commendable objective to reduce Asian carp here in Illinois. My district lies on Chicago's lakefront. I've had a number of meetings with the Shedd

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

32nd Legislative Day

3/25/2009

Aquarium and groups that are working to protect the Great Lakes. I do have a cou... I'll be voting for the Bill, but I do have a couple of concerns and I hope we can resolve them in the Senate. One is that the Shedd Aquarium and other groups have... have concerns that if you commercialize the harvesting of Asian carp, you now create a market that's depending on the existence of that species. So, my hope would be that there would be some language maybe put on in the Senate to make it clear that we're trying to eliminate the species from our rivers and streams and keep them out of the Great Lakes and not create a system where we create a market for these fish and therefore, create a reason to keep them around in future years. Thank you very much."

Speaker Miller: "Is there any further discussion? The Chair recognizes Representative Stephens... the Gentleman from Bond, Representative Stephens."

Stephens: "With some regret. I move the previous question."

Speaker Miller: "The Gentleman has moved for the previous question. All those in favor signify by saying 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The question has been moved. Shall the Bill... shall House Bill 872 pass? All those in favor say 'aye'; all those opposed say 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bradley, Mautino, McAsey. Clerk, take the record. On a count of 116-0-0, the Bill, having received the Constitutional Majority, will hereby declare passed. The Gentleman from Cook, Representative Fritchey, do you seek recognition?"

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

32nd Legislative Day

3/25/2009

Fritchey: "Thank you, Speaker. An inquiry of the Chair."

Speaker Miller: "State your inquiry."

Fritchey: "Actually Speaker, it's not too often I can make this inquiry of the Chair. For the past couple days, whenever I drink cold liquids, I get a pain in my molar. And I'm just wondering if that's a sign of something I should be worried about? I mean, do you need to confer with the parliamentarian on this or are skilled to answer this question?"

Speaker Miller: "Representative, I'll floss that bridge when I get to it. Mr. Clerk, on page 5 of the Calendar, House Bill 272. Would you please read the Bill."

Clerk Mahoney: "House Bill 272, a Bill for an Act concerning education has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Franks, has been approved for consideration."

Speaker Miller: "Representative... Mr. Franks for an Amendment."

Franks: "Thank you, Mr. Speaker. House Amendment #3 was language that we needed to put in on this Bill to clarify that the definition of 'association' would explicitly state that it refers to Illinois High School Association, IHSA and that the abuse prevention programs would be administered by the IHSA. This is a Bill we worked on dealing with steroid abuse and IHSA has agreed to these changes. It came out of committee 17 to 0 and it is an agreed Bill."

Speaker Miller: "Thank you. The Gentleman from Lee, Representative Mitchell seeks recognition."

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

32nd Legislative Day

3/25/2009

Mitchell, J.: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Miller: "Sponsor indicates he will."

Mitchell, J.: "Representative, I understand that... that you did at one time have some opposition from IHSA, but I believe you worked out your differences?"

Franks: "Yes... yes, we have."

Mitchell, J.: "Is this Bill subject to appropriations?"

Franks: "No, because this Bill is going to be self-funded. This Bill will be paid for by additional fines for those that are violat... that are... that have violations of drug-related convictions. Those people who've been convicted will pay a 50 dollar additional fine."

Mitchell, J.: "And is there a ballpark figure that your legislation seems to think that it will be able to recoup and fund this program?"

Franks: "Yeah. We... we think it's going to more than pay for it and that's why we kept the program relatively small. We kept it for this year for one thousand student athletes to be randomly tested. Should there be significant funds or sufficient funds we could expand that, if necessary, but I want to go back and reevaluate it after a few years to see whether we need to expand it or not and what's necessary. But this will be self-funding and won't cost the state a penny."

Mitchell, J.: "It's my understanding is through the IHSA, actually, their program, they have really found very few athletes that have tested positive for drugs. This will expand the program somewhat and give us a wider sample?"

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

32nd Legislative Day

3/25/2009

Franks: "Yes, it will, because right now they're only doing it for those that make the playoffs and this will be additional... additional student athletes and it won't be during just the playoff time. So, anyone can be tested at any time and I think that's a great deterrent effect to keep our young people safe."

Mitchell, J.: "Is it at any time during the relevant season, such as baseball players during the baseball season, basketball during basketball, et cetera?"

Franks: "Sure. And also during the practice season that builds up to it."

Mitchell, J.: "And what about band, cheerleading, those other extra activities?"

Franks: "This is just for the... the... those that are, I think, playing in IHSA sanctioned sports."

Mitchell, J.: "I believe cheerleaders do have a... a cheerleading competition. Is that IHSA sponsored?"

Franks: "I don't... I'm not sure on that."

Mitchell, J.: "I don't believe it is... that..."

Franks: "Yeah."

Mitchell, J.: "...it is at this time, but it probably will be down the line, especially with Title IX continues to expect things for the females the way males have them. Maybe we'll have male cheerleaders... more male cheerleaders and then the competition will be even. I think this is a good Bill. I appreciate the fact that you worked closely with the IHSA and got the bugs worked out of this thing. And Mr. Speaker, I support the Bill even though sometimes it's

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

32nd Legislative Day

3/25/2009

just like pulling teeth to get answers out of Representative Franks. Thank you."

Speaker Miller: "Thank you. Is there any further discussion on the Amendment? Seeing none, Representative Franks moves for the adoption of Amendment #3 on House Bill 272. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'aye' have it. Amendment #3 is adopted to House Bill 272. Are there any further Amendments?"

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

Speaker Miller: "Third Reading. Mr. Clerk, on page 35 of the Calendar appears House Bill 48, offered by... offered by Representative Osterman. Read the Bill."

Clerk Mahoney: "House Bill 48, a Bill for an Act concerning public safety. Third Reading of this House Bill."

Speaker Miller: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I have before you today House Bill 48, a measure requiring all handgun sales in our state be conducted through a federally licensed firearm dealer, ensuring a criminal background check on the buyer is completed. This Bill is very similar to House Bill 758 from last Session. It requires all person-to-person sales of handguns to be conducted through a federally licensed dealer and then State Police will do a background check. This legislation seeks to ensure that those handguns that are sold in our state go through those checks. These background checks each year stop over 900 people,

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

32nd Legislative Day

3/25/2009

criminals, domestic abusers, gang members from buying any guns. They work. We have a fundamental question before us and that is, how many Illinoisans seek other venues to get firearms. This person-to-person background check is something that's easy to do. Some of the opponents have said that the licensed dealers won't do this. In conversations that I've had, they will do this. The issue of the Heller decision, as well, is one that certain municipalities are rescinding their handgun bans, so we want to make sure that background checks are done on all those sales. This is an issue that affects people around the State of Illinois whether it's suburbanite or whether it's a child at a school in Chicago, there have been victims who have been killed by people that have gotten guns illegally. Background checks, again, work. Ladies and Gentlemen, this is an important issue. I ask for your support and I look forward to answering any questions."

Speaker Miller: "Is there any discussion? The... the Lady from Cook, Representative Collins, do you seek recognition?"

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

Speaker Miller: "To the Bill."

Collins: "This Bill is very important to a lot of people. The community feels it's going to make them a lot safer when they have handguns where they can't... I mean, with the transfer of guns clearly. But my position is that our community in the west side of Chicago from where I am... I'm from, buy their guns illegally. Our children begin to get criminal records at the age of 13 and in this Body, we try to expunge a lot of that, but it's not going any place. We

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

32nd Legislative Day

3/25/2009

want our children to make sure that they don't... we... that... I want something that will... that we can come up with that will prevent illegal guns from being on the street. Like the other day, in my community, there was a truckload of guns that they stole off the train tracks. Those guns aren't registered. Our people aren't going into a gun dealership shop and buying a gun. When I said that I think that kids should be taught about guns, in the Chicago Public Schools years ago we taught guns in school. We had ROTC. They had a shooting range. As a matter of fact, the Chicago Public Schools did competitions. A young man today called me and said that because he learned how to respect a gun, how to load a gun, how to clean a gun, in the Chicago Public Schools; therefore, he became a... a sharpshooter for the government. He's in the Army. He was trained as a sharpshooter. He was... he's in armor. He became an expert shooter. He learned to respect guns and as a result of that, he's taught his family how to hunt with guns and this was all through the Chicago Public Schools. We have to remember that we can't fear education. We can't fear teaching our children how to respect guns and teach them about guns. We're not saying that they have to have a gun in the schools right now to learn about them, but we know that without education, we perish, our people perish all the time. The Black community has the highest rates of AIDS. Some people... we have the highest rates of AIDS in the black community because we're not educated. We have the highest rates of diabetes and almost everything in our community because of lack of education. And we know that

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

32nd Legislative Day

3/25/2009

our children... we know that lack of education means that our children are in the criminal justice system. And so, when we ask to negotiate a Bill and come up with language that would show the respect of children, show the... show that our kids are learning... it shouldn't be... you shouldn't be targeted because you don't agree or because we're negotiating legislation, that's what we here in this Body we're supposed to do. And then we go back to our constituents and then we decide is this good or is this the right Bill. Now, whenever you say that we should not be educated, that our community should not be educated on any subject, I think I should take heart to that because if we don't become educated then where are we as a people. We've seen, we're in... we're in the institutions. We're in... all of our... a lot of our children are in the institutions. So this Bill, our community wants it, all of the... our people want this Bill. So I'm going to support this Bill, but I have a lot of reservations about it, if we fail to teach our kids about gun prevention, gun violence and the respect of guns. Thank you very much."

Speaker Miller: "Any further discussion? The Gentleman from Jackson, Representative Bost seeks recognition."

Bost: "Thank you, Mr. Speaker. First off, an inquiry of the Chair."

Speaker Miller: "State your inquiry."

Bost: "Does this override Home Rule and what's the parliamentarian's position on that?"

Speaker Miller: "According to the parliamentarian, it does not."

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

32nd Legislative Day

3/25/2009

Bost: "It does not override Home Rule?"

Speaker Miller: "It does not override Home Rule."

Bost: "Okay. Well, I'd have to disagree with that, but I'm... I mean, there are certain communities that feel you should have a handgun and I kind of question that, but sobeit. I also will ask for a verification, if this vote gets the... if this Bill gets the required number of votes."

Speaker Miller: "So noted."

Bost: "And would the Sponsor yield?"

Speaker Miller: "The Sponsor indicates he will yield."

Bost: "Representative, what exactly is the fee that is required? Are you... because basically what this does is it requires somebody who owns a handgun and wants to sell to another individual to go to a dealer, right, a certified dealer and then have all the paperwork done by that certified dealer. Is that correct?"

Osterman: "That is correct."

Bost: "What's the fee involved?"

Osterman: "The fee could be as low, I would think, as 2 dollars and as high as 10 dollars. There's a cap..."

Bost: "As high as 10 dollars."

Osterman: "... there's a cap on the fee."

Bost: "Right."

Osterman: "And as you know, Representative Bost, you know, people say, well, maybe some dealers might not want to do that, Representative, because it's too low. You'll know that last year we put that cap in there because the NRA said this would be an exorbitant tax hunt on gun owners and this would prevent people from selling firearms. So, 10

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

32nd Legislative Day

3/25/2009

dollars to me seemed very reasonable; 2 dollars in which would go to pay for the cost of the State Police."

Bost: "Mr. Speaker, to the Bill. The reality is, is that when you talk to most gun dealers they will not do this for this price. And they will not allow... and do the paperwork because of the sheer cost involved of handling the time involved, the filling out the paperwork which they do in their normal transaction of business. So, what we're asking here is, is for law-abiding citizens to now, all of a sudden, to add an extra layer of bureaucracy to go in. And... and my argument has to be, and it will continue to be, the problem in your communities is not with legal gun owners. These people already have a problem. Pass a new Bill; they're still going to be criminals. They're still going to be criminals. Every year we see these Bills, some pro gun, some anti gun, but the reality is that gun laws like this are not going to cure your communities' problems. It's proven out in other states. You want a Bill that will help your community problems, I'll talk to you about a couple. But with this Bill it's been very clear that the gun dealers, who would have to handle this, say they can't handle it. They won't handle it for 10 dollars. Their time involved is worth more than that. So, really what this Bill is, is saying to law-abiding citizens, once again, we want to make sure that you feel dirty in our communities for owning a gun. And if you take that gun legally and give it to... sell it to someone who is also a law-abiding citizen, we want to make that more difficult on you and discourage you from owning a gun and that is the

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

32nd Legislative Day

3/25/2009

idea and the intent behind this legislation. I understand each one of you have to vote your districts, believe me I understand that. But there's a time to look at what's real and all that is real here is this gives the opportunity for those of you in communities where people do not understand guns to go back to your districts and say, see, I supported getting rid of guns. No, you didn't. Your criminals that carry guns are still going to have guns and what this will do is it will just discourage law-abiding citizens from having and keeping guns. This is nothing more than the same Bills and ridiculous stuff we go through in this chamber every year. I think that probably 98 percent of the people who are here know which way they're voting on this. I would encourage a 'no' vote, but let's be honest about what it does. All it does is give a vote to those people who need it in their district. It's not good legislation; it's not sensible legislation. If you want to truly sit down and work on sensible legislation, that has worked in other states as much as you don't want to hear it, we have some Bills out there that can do that. I ask... I would reque... I would, Rep... or Mr. Speaker, if I can, I'd like to remove this off of Short Debate on to regular debate, please. I've been joined with five colleagues."

Speaker Miller: "Okay."

Bost: "I encourage a 'no' vote."

Speaker Miller: "Representative Bost, your request will be granted. Any further discussion? The Lady from Cook, Representative Graham, do you seek recognition?"

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

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

32nd Legislative Day

3/25/2009

Speaker Miller: "...Bill."

Graham: "Thus far, Mr. Speaker, I've listened to some of the debate that has happened on the floor and the point that has been raised about education. I would agree that education on all points of interest in our life: things that can help us be better citizens, to be better sportsmen, in every arena. I think education in its proper place is appropriate for some of these things. However, we're not talking about education here; we're talking about gang members gaining access to guns illegally. We're talking about people transferring guns from one person to another, sometimes knowingly that they're giving guns to gangbangers. That's what we're talking about. We're not trying to penalize responsible gun owners; they're not bad actors here and sometimes as Legislators we throw everyone into every scenario to make this legislation unpalatable to our Members. But if you sometimes go back and think about why we're here, this Body was put together to solve the problems of our state and the areas who have gun violence are part of our state and we've come here seeking a solution. So, I would agree that hunting and all of those things have its appropriate place and I know that other parts of the state teach their children as early as... early as seven and eight years old to handle handguns. But in some of our communities, we're so busy trying to live and support our families, we don't have that leisure like other families do. And of course, if you want to take your child out to teach them how to handle and respect a handgun, I would encourage families to do that, but that's not what

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

32nd Legislative Day

3/25/2009

this legislation is about. This legislation is about keeping guns out of the hands of people who are trying to do harm. This is closing a loophole that is allowing guns to get out into the streets and if you're willing to help us close this avenue, that's what we're asking here. It's not to punish anyone. Every piece of legislation that has been brought here has not been meant to punish any person who is a law-abiding citizen and that we're not... and that if you continue to say 'what if', is just not been good when we bring this legislation forward. I would encourage my colleagues just to continue to listen to the debate and listen to the intent of the Sponsor. He's been passionate on this issue and you know his integrity, you know the kind of Gentleman that he is and he's brought this legislation to cure a problem or work on a problem. We know that we have some issues that have a lot of... we have a lot of issues that takes a lot of different angles to address. This is only one of them. We know that this is not going to be a cure-all, but it is one of the many things that we're asking to address some of the problems in our community. I would ask the Body for an 'aye' vote."

Speaker Miller: "Representative Bost, the parliamentarian has a response to your inquiry."

Parliamentarian Ellis: "Representative Bost, on behalf of the Speaker in response to your inquiry, House Bill 48 does not preempt Home Rule. There is no Home Rule preemption listed in the Bill. If it's not listed explicitly in the Bill, there is no preemption; therefore, it's a 60-vote requirement."

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

32nd Legislative Day

3/25/2009

Speaker Miller: "Any further discussion? The Gentleman from Wright... White, Representative Phelps. Do you seek recognition?"

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill."

Speaker Miller: "...Bill."

Phelps: "Ladies and Gentlemen, I have many letters from the gun dealers all across the state that says if this Bill does become law, there is no way they're going to comply by this because, little do a lot of you know here, Chicago already has this in their ordinance. And under Chapter 8-20-170 of Chicago's ordinances, it states, 'no firearm may be sold or otherwise transferred within the City of Chicago except through a licensed weapons dealer as defined in Chapter 4-144 of the Municipal Code of the City of Chicago'. Folks, in all due respect to Representative Graham's statement, it doesn't work there. This is just another attempt to something that doesn't work in Chicago to harass the rest of the state and push this all on us. It doesn't work in Chicago. We don't want it downstate. I don't think you want it in central Illinois and I don't know about the suburbs either, but I know we're going to have this vote. But let's be honest, do you really think that criminals who traffic trugs or... drugs or illegally carry firearms are going to abide by this law? Absolutely, positively, no way they are. This is just another way to harass law-abiding gun citizens. What doesn't work in Chicago, don't push it all on us. And I ask for a 'no' vote."

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

32nd Legislative Day

3/25/2009

Speaker Miller: "Any further discussion? The Gentleman from Cook, Representative Riley seeks recognition."

Riley: "Will the Sponsor yield?"

Speaker Miller: "The Sponsor indicates he will."

Riley: "Representative, the sale and transfer... sale or transfer would have to go through a person with a federal firearm license. Is that correct?"

Osterman: "Yes."

Riley: "I had an FFL one time and quite a while ago, so I don't know what really..."

Osterman: "Mr. Speaker, if could ask for some order in the chamber, I'd appreciate it."

Speaker Miller: "Ladies and Gentlemen, we have a very important Bill. Can I ask you to keep the noise level down, please. Thank you."

Riley: "I don't know what has changed in intervening years since I had an FFL, but one thing that I do know back then was that FFL holders, there were those that were called 'stocking dealers', in other words, a store and so forth. And then there were just people who had an FFL, you know, the guy down the street, you know, who could do the same kinds of things. So, you're not really making a distinction between the holder of an FFL in terms of being able to exact this transaction are you? It can be anyone with a federal firearm license."

Osterman: "Anyone with a federally... anyone that's got a federal firearm license that is bound by Federal Law and has a relationship... business relationship with the State of Illinois State Police to do these background checks. Any

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

32nd Legislative Day

3/25/2009

gun sold by them, whether at a store or at their home, has to go through... they are required under the Federal Act, to go through the background check. That's what we want to do. And I want to add that there are over 33 hundred of these statewide and I would venture to say that many of them are going to want to partake in this program and are going to want to offer this... service to customers."

Riley: "And as a part of their doing their business, all of these different types of FFL holders, they have a responsibility... well, a duty to call the number and do the background checks as they're... in their normal course of doing business, correct?"

Osterman: "That's the law, yes. So, if someone goes to one of those licensed dealers now, their have... they have to do the background check now."

Riley: "Yeah. Thank you for your testimony."

Speaker Miller: "Any further discussion? The Gentleman from Lake, Representative Sullivan, you seek recognition?"

Sullivan: "Yes, I do. To the Bill."

Speaker Miller: "...Bill."

Sullivan: "Ladies and Gentlemen, we've heard a lot of what this does and does not do, the fact of the matter is, there is a Bill out there right now that would do this very similarly without being forced to go to a firearms dealer. House Bill 3599 would mandate two people that are private citizens that are going to sell or transfer a firearm to go out to a Web site, administered by the State Police, that would have people that have eligible FOID cards. When you get a FOID card, you have to go through a background check.

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

32nd Legislative Day

3/25/2009

This Web site would be scrubbed by eight different databases for people that should not have FOID cards. So, in essence, you and I could go a computer, you could enter your Social Security number or your FOID card ID number, up would pop your eligibility to have a FOID card. That would be a real-time background check that could solve the problem that you're trying to do right now without forcing us, forcing law-abiding gun owners, and I stress law-abiding gun owners, to go to a federally licensed dealer, because we know that there are dealers that are just not going to do this. They don't want the paperwork. They don't want the hassle and they're not making enough money to make it be feasible. We have brought an alternative to you and you refuse to hear it. You refuse to look at it. Why would we want to continue down this road of all these gun legislations when you won't work with us. So, on our side of the aisle... on the aisle, we have meaningful legislation to do this exact same thing that will be very low cost and very low hassle. I urge a 'no' vote."

Speaker Miller: "Any further discussion? The Gentleman from Lake, Representative Washington seeks recognition."

Washington: "Mr. Chairman, will the Sponsor yield?"

Speaker Miller: "He indicates he will."

Washington: "You know, I... a few questions. I would like to hear the Sponsor's response to the ordinance that was read specifically to the City of Chicago. And then I would like to have the Sponsor respond to what it is to him when it was said that this does not preempt Home Rule. Now, if that's the case, then is that not saying, unless I'm

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

32nd Legislative Day

3/25/2009

understanding incorrectly, that even if this was to pass, that those individuals who disagree in a city or a municipality that has Home Rule, that they do not have to enact this particular legislation?"

Osterman: "Representative Washington, let me first answer the second part first, which is to say that I would agree with the Chair that this does not preempt Home Rule. We want a statewide standard and many people that support other firearms measures always talk about a statewide standard. Currently, the law in Chicago is you're not able to own or possess a handgun, so... and they're not able to have these transactions done right now. As you well know and can imagine that many of these people that get firearms illegally do so by going to the suburbs, going to other states and bringing those firearms in. There's a very critical point that I want everyone to understand, though, 'cause everyone's up here waving their flag and saying about law-abiding citizens. State Police, every year, stops 800 FOID card owners from buying a gun when they walk into a gun dealer. Eight hundred times a year, a FOID card owner goes in, tries to buy a gun, State Police background checks stops them. How many of those people are going somewhere to get a gun to commit a crime? FOID card owners, this is only for those people."

Washington: "Representative, the facts that you just stated or what you just mentioned, is it not true that anybody who applies or has a FOID card has to go through a background check?"

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

32nd Legislative Day

3/25/2009

Osterman: "That is correct, Representative. And last year or the year before, we increased the years of a FOID card from 5 to 10 and what oftentimes will happen, and what State Police and local law enforcement will tell you, is that people become domestic abusers in possession of a fire... or in possession of a FOID card, commit some other criminal act and they don't have... those FOID cards are not turned in and they are still able to seeking other venues, without the instant background check, able to purchase firearms."

Washington: "Representative, would you hold it against me if I'm a little bit split on this particular issue? And as I was telling my colleague that I have lost lon... loved ones at the hands of firearms and I also see my reality through the eyes of a victim. So when you talk about victim's rights, you're talking to me as well. And I understand, I get tired of seeing what was portrayed in the Chicago Sun-Times with those school deaths that's the front of the paper. A very powerful pictorial that drove home a statement, but I speak as an individual and a father of seven. And I don't think that you can legislate morality and I see us keep trying, but I just don't see how we're going to do it. I think those who have an evil intent and though... on the legislation, you've exempted the broad segments of family. Most murders are done by individuals that might be one of the names that are exempt from the transfer or sale. Cain was a person that slayed Abel, but he was the brother of Cain and Abel. And I'm only saying that not to ridicule your intent, because I am grounded in your intent, but I am not perfectly happy with a forced

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

32nd Legislative Day

3/25/2009

piece of a way of life that is demonstrated differently in a different part of the state and I have a very difficult time wrestling with that. So, when you got the number of people that you exempt in your legislation, why are they exempt and why wouldn't they come up under the umbrella that you speak of in terms of the possibilities of what could or could not happen if this particular issue is not addressed?"

Osterman: "That's a very good question, Representative Washington and you know, I'll acknowledge that there are deaths that happen where the victim's spouse or family member is involved, but what I will tell you is that in past debate on this Bill, colleagues on the other side of the aisle brought up family members and this was an attempt, and I will suggest that this is the broadest definition of family members, to be acknowledging that a brother may want to sell a brother a gun or a son might want to buy a firearm from an uncle. So, I will tell you simply, as the Sponsor of the Bill that this is a language that included exempting family members as a way to listen to concerns that were brought forth in past debate on the Bill."

Washington: "Okay. And that... that's reasonable, but it brings up two more points that I need to make. When the Representative mentioned... I think it was Sullivan mentioned about 3599... and I don't... I'm not familiar with the legislation and what it's addressing, if there is some middle ground, it may be never could be middle ground. But at the same time, I would like to plea that what's good for

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

32nd Legislative Day

3/25/2009

the goose is good for the gander and if that is a factual thing, then how can we make such an exemption with such a broad base of nephews, sisters, brothers, father-in-law, mother-in-law? If we say that there's a potential like Representative Graham mentioned for abuse with gangs and other things involved, we know families now have gotten involved and integrated into gang activity. So, I'm seeing... I'm seeing something here that's not consistent though I know that's not the intent. So, once again, I want to support what Ms. Collins was saying that education is needed and she shouldn't be punished for wanting to see people educated about a tool. A gun is a tool and has a proper use and a proper place to be used and I think without the education of it, then we rob ourselves of the ability of young and old knowing what is expected of them in an educated fashion. So, I stand with my colleague on that. To the Bill."

Speaker Miller: "To the Bill."

Washington: "Let me say that quite often, you know, I'm speaking for me, not dictated, but speaking for me and my personal feeling. I get tired of seeing our young people murdered and slain, but I know those that pick up those pistols and do that... and I used to carry a pistol a little while in my young life and in law enforcement I carried a pistol. In law enforcement I traded a gun trade with another law enforcement personnel, I did that. But at the same time, I don't think those who are intent on killing you, whether you have an order of protection or whether you keep legislating law after law, if they're going to kill

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

32nd Legislative Day

3/25/2009

you, they're going to kill you. Just like President Kennedy was shot, anybody can be got, that we know. And I know the intent, but I don't necessarily think that this may be the way, especially with the amount of exemptions on this Bill. Thank you."

Speaker Miller: "Any further discussion? The Gentleman from Cook, Representative Burns seeks recognition."

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

Speaker Miller: "To the Bill."

Burns: "I want to commend Representative Osterman for bringing this Bill before this Body. Gun violence and gun crimes are a challenge for our General Assembly and for our state to deal with, but I think what's important to note is that it is a statewide problem. Yes, children in the Chicago Public Schools are being killed. One was just killed in my district not too long ago, the thirtieth victim this year, 65th and Stony Island gunned down. But there was a pastor killed in downstate, preaching his sermon. There were students killed on the campus of Northern Illinois University. And yes, this problem is multifaceted. We need to invest in early childhood education. We need to make sure that parents have resources; we need to make sure that folks have access to opportunity and to hope, but we also have to stem the tide of guns that are flowing into communities and right now, it is far too easy for criminals to get access to a gun. The Second Amendment is clear. There's a constitutional right to bear arms and no one is taking away that right, but the court has also made it very plain that commonsense restrictions and regulations to stop

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

32nd Legislative Day

3/25/2009

the guns getting into the wrong hands is perfectly applicable and perfectly appropriate. We have a time to make a decision and now is the time to agree on a commonsense approach to limiting access to guns and keeping guns out of the wrong hands. I hope that everyone in this Body votes 'yes'."

Speaker Miller: "Any further discussion? The Gentleman from Cook, Representative Reboletti seeks recognition."

Reboletti: "That's DuPage, Mr. Speaker, that's okay."

Speaker Miller: "Excuse me. I'm sorry. I apologize. The Gentleman from DuPage."

Reboletti: "Representative, I wasn't going to speak on this, but I heard you talk about the number of... 800 people were denied purchases. Would it be fair to say that 400 of those were actually expired FOID cards that, had the person went through the regular process, they would have still been eligible to purchase a firearm?"

Osterman: "Let me first say that 800 might be the low end number. In committee, it might have been closer to 900 or higher than that. A certain portion of those may have been expired, but the other, as you well know, many others... a significant number of those are also people that have committed domestic abuse or other criminal acts and still had their FOID card. And as it was stated earlier, we've expanded the FOID card to 10 years, so one would assume that those cases may increase."

Reboletti: "Assuming... let's say 900 is the number or I'll say it was a thousand is the number. Assuming half of those were expired, were there any criminal prosecutions for the

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

32nd Legislative Day

3/25/2009

other 500? Did any of those gun shops or those people with FFLs turn it over to the Cook County State's Attorneys Office for prosecution?"

Osterman: "I would say yes. Not just the Cook County prosecution, I would say across the State of Illinois it's State Police policy, when a situation occurs where there's a... someone trying to buy a gun illegally, that's automatically turned over to local police. I would assume the police investigate those and prosecute those."

Reboletti: "Well, my understanding is, Representative, as I have the number of prosecutions at 37 which I believe is an extremely low number. If there truly are 400 people that have passed through the cracks, so to speak, that those people should be prosecuted then, if those FOID cards are legitimately revoked. But wouldn't you agree with me that if we went to a database system like on House Bill 359... 3599, which I have filed, if we went to a computer-based system wouldn't that be a little less difficult for businesses as well as for the actual transfers to... to be monitored? Wouldn't that be a little easier for everybody to comply?"

Osterman: "Two points, Representative. I would argue to you that what's one life... what's the value of one life if one of those people that tries to get a gun illegally that couldn't be stopped by this? I think that makes a difference in that family's life. You... you know people in your community that have lost due to this. I mean, I would argue that each one of those lives, if we're able to stop one person from getting a gun illegally, it's worth it. I

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

32nd Legislative Day

3/25/2009

also don't think the burden's that great for handguns only. It doesn't talk about shotguns or rifles. Specifically to your Bill, though, okay, that you filed, your Bill is a voluntary Bill that does not require anything. Your Bill basically says if you and I want to go check our FOID cards, we can do that. It doesn't say you have to do it when you buy a gun. We can just say, you know what, let's check our FOID card. So, I would argue that what you're proposing right now has no significance and would not require anything. And the last point I'll make also is about business. There are over 33 hundred federally licensed firearm dealers in this state. In your district alone there's 36. So, other districts are higher numbers. There are people that are going to want to do this. It's small amounts. If you'd buy a gun right now from out-of-state; it's shipped to a gun dealer, they're going to charge you more money. They're going to charge you 30, 40 dollars for this. This 10 dollar cap was put in; it's a reasonable thing."

Reboletti: "Well, Representative, to the Bill. The previous speaker talked about keeping illegal guns away from gangbangers and having been somebody who's dealt with this in the court system and worked with police on strawman cases in prosecuting gang members, this isn't going to take guns away from any gang members. We've had this conversation on the floor before that most of the illegal guns that are going to be used in crime come from Mississippi and then come from Indiana and I don't see how this is going to cut into that, 'cause I'm more than

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

32nd Legislative Day

3/25/2009

willing to work with the Sponsor to find a middle ground to catch those 400 people and I'd be glad to work with them, but I cannot support this Bill. Thank you."

Speaker Miller: "Any further discussion? Seeing none, the Chair recognizes Representative Osterman to close."

Osterman: "Ladies and Gentlemen of the House, I want to thank you for the debate. This is an issue that's not going to go away. As difficult as it may be to sit through these debates, we have to understand that in our state there's a... an epidemic, a gun violence epidemic that affects everyone. Affects the people in the communities around the state and it affects those suburbanites who end up paying for people that are in wheelchairs for the rest of their life. We have to come to a middle ground. I think House Bill 48 is the middle ground dealing with just handgun sales. I'll talk about one situation, if the Chair will give me a moment and that was from Sherialyn Birdsong, the spouse of Ricky Birdsong, the former coach of Northwestern. Ricky was shot by a white supremacist who first tried to buy a gun from a gun dealer, was turned away because of the background check and before the criminals could... he could be prosecuted, he found an alternative way to get the gun. That's what we're trying to stop. That is exactly what we're trying to stop. You cannot have a blanket statement saying that gangbangers are going to do this and we're going to leave everyone else alone. There are domestic abusers that get guns illegally. There's lots of people and again, I go back to the over 800 people a year stopped. We should try to limit access to firearms to criminals and

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

32nd Legislative Day

3/25/2009

people that do that. This is what this legislation does. It's common sense; it does not infringe on the Second Amendment. And I ask for an 'aye' vote."

Speaker Miller: "Ladies and Gentlemen, there has been a request for a verification. Please press your own switches. The question is, 'Shall House Bill 48 pass?' All those in favor say 'aye'; all those opposed say 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferson, Franks. Mr. Clerk, take the record. Mr. Osterman. Mr. Bost, would you care for the recommend... On a vote of 55... The request of the verification has been withdrawn. On a vote of 55 'yea', 60 'nay', 1 'present', the Bill has failed. Ladies and Gentlemen, we're going to move to Second Readings of Bills. On page 9 of the Calendar appears House Bill 684. Mr. Clerk, please read the Bill."

Clerk Mahoney: "House Bill 684, a Bill for an Act concerning education. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Miller: "Third Reading. The Gentleman from Randolph, Representative Reitz, do you seek recognition?"

Reitz: "Yes, Mr. Speaker, for an announcement."

Speaker Miller: "State your announcement."

Reitz: "I would just like to remind everyone that the Sportmen's Caucus will be held tonight at the DNR building. 6:00, we'll be starting to eat. Poe's is... Poe's Catering is catering the meal, but we'd appreciate everyone out there. We'll have plenty of items for people to bid on and... I guess that's it. Thanks. 6:00, DNR building."

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

32nd Legislative Day

3/25/2009

Speaker Miller: "Thank you. The Gentleman from St. Clair, Representative Holbrook, do you seek recognition?"

Holbrook: "Purpose of announcement."

Speaker Miller: "State your purpose."

Holbrook: "The Environment & Energy Committee meeting, they are just getting the schedule that says we're going to meet at 5:00 has been canceled. It will not meet. Thank you."

Speaker Miller: "The Lady from DuPage, Representative Bellock, seeks recognition?"

Bellock: "Thank you very much, Mr. Speaker. I'd like to be recorded as a 'no' on House Bill 895, please. Thank you."

Speaker Miller: "The record will so reflect your intentions. The Gentleman from DuPage, Representative Biggins, do you seek recognition?"

Biggins: "Yeah. Thank you, Mr. Speaker. I have a question of the Chair."

Speaker Miller: "State your question."

Biggins: "I was told by the chairman of the Revenue Committee that we're going to have a Revenue Committee meeting after adjournment, but it is not on the list that was just passed around and the chairman must be off the floor for a bit. Do you have any knowledge of that committee listing posted?"

Speaker Miller: "I believe the Revenue & Finance Committee has been canceled."

Biggins: "Thank you."

Speaker Miller: "Moving back to Second Readings. On page 20 of the Calendar appears House Bill 2451. Representative

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

32nd Legislative Day

3/25/2009

Dunkin. Out of the record. On page 10 of the Calendar appears House Bill 838. Mr. Lyons."

Lyons: "I do believe there's a Floor Amendment that needs adoption and on that Amendment it was technical. It was promised in committee that we'd make the technical changes needed to move that Bill. We can certainly..."

Speaker Miller: "Mr... Representative Lyons. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 838, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lyons, has been approved for consideration."

Speaker Miller: "Representative Lyons."

Lyons: "Yeah. And as I started saying previously, this is a technical Amendment's to change language. Was promised in the second committee, Representative Coulson ran the Bill for me and we do have the language, technical in nature. Will be glad to discuss the Bill in completion on Third Reading. I ask for favorable consideration on Amendment #1."

Speaker Miller: "Is there any discussion on Representative... on Amendment #1? Seeing none, the question is, 'Shall Amendment #1 to House Bill 838... excuse me... Representative Lyons moves for Amendment #1 for... for adoption of Hou... for Amendment #1 to House Bill 838. Is there any discussion? Hearing none, the question, 'Shall Amendment #1 be adopted to House Bill 838?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair... in the opinion of the Chair, the Motion #1 has been adopted to

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

32nd Legislative Day

3/25/2009

House Bill 838. Amendment #1 has been adopted to House Bill 838. Third Reading. On page 18 of the Calendar appears House Bill 2325. Representative May. Read the Bill."

Clerk Mahoney: "House Bill 2325, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative May, has been approved for consideration."

Speaker Miller: "Representative May for the Amendment."

May: "Yes. House Amendment 1 merely changes 18 months to 12 months, making it an agreed Bill."

Speaker Miller: "Is there any discussion? Seeing none, the question is, 'Shall... Shall Amendment... Representative Black."

Black: "Thank you, Mr. Speaker, don't get in too big a hurry now. You know, it's just like a root canal. You have to be deliberate. Will the Sponsor yield?"

Speaker Miller: "She indicates she will."

Black: "Representative, I don't know if you misspoke or not, but you said this Amendment makes this an agreed Bill and that's not my understanding. Am I wrong or did you perhaps misspeak?"

May: "I spoke with NFIB this morning and they had told me that yes, NFIB and the Chamber of Commerce with this change would be... would be neutral on the Bill."

Black: "What about the IMA and Blue Cross Blue Shield and the Illinois Insurance Association?"

May: "I believe that those... They weren't in committee to the best of my knowledge and I think Kim Maisch from NFIB said

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

32nd Legislative Day

3/25/2009

that she believed they were signing in in opposition because they were in opposition."

Black: "They signed in opposition because they were in opposition."

May: "Well, because... because..."

Black: "That makes a great deal of sense to me."

May: "No, because the NFIB was in opposition. I spoke to them this morning and they indicated that..."

Black: "Okay. This... this Bill was let out of committee on your promise that you would work out an Amendment for all parties. Are you telling me you have done that?"

May: "To the best of my knowledge, yes. I mean, I'd be happy to try to check in with some of the others, but I... I did call and check with them today. In fact, I checked with your staff, too."

Black: "You checked with our staff?"

May: "Yes. I came over and asked if... if they had any other information on this. Let's see if I can remember who I spoke to."

Black: "Our staff informs me that the Illinois Chamber of Commerce is still opposed."

May: "Sean... Shawn Mc... Okay. That's not my understanding. I spoke to Shawn McGady on the phone and I asked him that if he had any other information to let me know. It was my understanding I shared with him..."

Black: "You spoke with Shawn McGady?"

May: "Yes, on the phone, yes."

Black: "Well, are you aware that he is afraid of you?"

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

32nd Legislative Day

3/25/2009

May: "No, no. I mean, I thought, you know, that I'm a very sensible and friendly person. I don't know why he'd be afraid of me."

Black: "I think you raised your voice and upset him, as I recall."

May: "Oh, no, that wouldn't be me."

Black: "So, you know, staff members..."

May: "It would be someone else."

Black: "...Representative, seriously, staff members are very sensitive people. And... and you have a tendency... you're a very good Legislator from what I've seen, but you... you can get very... what's the word... intense about some of your legislation and I think some of our staff are afraid that you might rail against them."

May: "Oh, no, no, no."

Black: "But the..."

May: "That would never be. I'm passionate about Bills in providing health care."

Black: "I'm sorry. You're passionate what..."

May: "About... about providing health care for our citizens, yes."

Black: "Oh, you're passionate about Bills."

May: "So, listen, I'll be happy to make one of my famous apple pies if that would make Shawn McGady feel any better. I..."

Black: "I... I don't know that we could make Shawn feel any better. He's... he's here; he's obviously upset, but he did want me to know that the Chamber of Commerce is still opposed and he would... he would... he asked me to ask you, don't take it out on the messenger. He's just the

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

32nd Legislative Day

3/25/2009

messenger speaking on behalf of the Chamber. So, in seriousness, Representative, you may want to check with the Chamber of Commerce. I'm not going to..."

May: "I will be happy to check with them."

Black: "...I'm not going to have you... I'm not going to ask you to withdraw the Amendment and all that and what have you, but before you present the Bill on Third Reading and before you say it's an agreed Bill, would you make sure that all of your parties that..."

May: "I will."

Black: "...had some concerns are in agreement?"

May: "I... I will be the first that wants to straighten this up."

Black: "I know and Shawn would be very grateful."

May: "I will be the first one..."

Black: "Okay."

May: "...who wants to straighten this. Thank you."

Black: "All right. Thank you very much and... and on behalf of Shawn McGrady (sic-McGady), he thanks you as well."

Speaker Miller: "Any further discussion? Seeing none, the question is, 'Shall Amendment #1 to House Bill 2325 be adopted?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Motion carries. The Amendment #1 is adopted to House Bill 2325. Third Reading. Are there any... are there any other Amendments?"

Clerk Mahoney: "No further Amendments. However, notes have been requested on the Bill and not yet filed."

Speaker Miller: "The Bill will remain on Second Reading. Page 3 of the Calendar, House Bill 152. Out of the record. On

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

32nd Legislative Day

3/25/2009

page 19 of the Calendar, House Bill 2424. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2424, a Bill for an Act concerning government. Second Reading of this House Bill. Floor Amendment #1, offered by Representative Riley, has been approved for consideration."

Speaker Miller: "Representative Riley."

Riley: "Yes, Mr. Speaker. House Amendment #1 essentially just adds some clarification... language of clarification to the original Bill. So, essentially, House Amendment #1 becomes the Bill. I incorporated some changes in working with some of the Members of the Jud I Committee, the proponents of the Bill and other Representatives who had an interest in the Bill. And so, that's essentially what it does."

Speaker Miller: "Is there any discussion on the Amendment? Representative Black."

Black: "Thank you very much, Mr. Speaker. I prefer to answer to the Gentleman from Vermilion, Representative Black, but that's okay. That's all right. We're going to bear with you here for a while. Will the Sponsor yield on the Amendment?"

Speaker Miller: "He indicates he will."

Black: "Representative, maybe you can explain the Amendment to me, but I'm having trouble understanding the Bill and the Amendment. It appears to me you're asking the CTA to correct a document to make it easier to sue them. Now, why would you want to do that?"

Riley: "I guarantee this is not my first Amendment. Essentially, what I'm trying to do is evoke a modicum of

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

32nd Legislative Day

3/25/2009

fairness to a section of the Metropolitan Transportation... Transit Act that most people find extremely restrictive and also confusing with the public's ability to file a valid claim of injury."

Black: "These are people, then, I assume that are not represented by counsel?"

Riley: "Well, some of them have been represented by counsel."

Black: "Okay. I... I'm not going to belabor the Amendment, but I would like to on Third Reading have you try and explain it. It just seems to me that you're having a public body clarify a required notice of civil action and allow the respondent to... or excuse me... the plaintiff to correct that. It just seems to me, on its surface, that you're making it easier to sue a public agency and it's the public that ends up paying the claims. But I'll... we'll talk to you about that on Third Reading. Thank you."

Speaker Miller: "Is there any further discussion? Hearing none, the question is, 'Will Amendment #1 be adopted to House Bill 2424?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Motion is adopted to Amendment #1 to House Bill... the Amendment is adopted to House Bill... to House Bill 2424. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Miller: "Third Reading. On page 21 of the Calendar appears House Bill 2491. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2491, a Bill for an Act concerning safety. Second Reading of this House Bill. No Amendments. No Motions filed."

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

32nd Legislative Day

3/25/2009

Speaker Miller: "Third Reading. On page 33 of the Calendar appears House Bill 2406. Excuse me, 4206. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4206, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Miller: "Representative Mitchell..."

Mitchell, J.: "Thank you, Mr. Speaker."

Speaker Miller: "...for the Amendment."

Mitchell, J.: "Ladies and Gentlemen of the House, Floor Amendment #1 simply puts this under a DCEO program called Build Illinois Act and will allow veterans to seek loans to have their own businesses. Be happy to answer any questions."

Speaker Miller: "Is there any discussion? Seeing none, the question is, 'Shall Amendment #1 be adopted to House Bill 4206?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the Motion is... the Amendment is adopted. Amendment #1 is adopted to House Bill 4206. Mr. Clerk, are there any other Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Miller: "Third Reading. On page 33 of the Calendar appears House Bill 4211. Representative Ramey. Out of the record. On page 13 of the Calendar appears House Bill 1105. Reboletti. Out of the record. On page 7 of the Calendar appears House Bill 583. Mr. Clerk, read the Bill."

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

32nd Legislative Day

3/25/2009

Clerk Mahoney: "House Bill 583, a Bill for an Act concerning animals has been read a second time, previously. Amendment #1 was adopted by the Body. Notes have been requested on this Bill and not yet filed."

Speaker Miller: "The Bill will remain on Second Reading. On page 26 of the Calendar appears House Bill 3716. Out... out of the record. On page 2 of the Calendar appears House Bill 35. Out of the record. On page 4 of the Calendar appears House Bill 183. Out of the record. On page 23 of the Calendar appears House Bill 2694. Representative Bellock. Out of the record. On page 14 of the Calendar appears House Bill 1316. Representative Biggins. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1316, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Miller: "Third Reading. On page 9 of the Calendar appears House Bill 684. Representative Burns. Out of the record. On page 12 of the Calendar appears House Bill 976. Out of the record. On page 3 of the Calendar appears House Bill 71. Out of the record. On page 17 of the Calendar appears House Bill 2254. Out of the record. On page 10 of the Calendar appears House Bill 764. Representative Cultra. Out of the record. On page 9 of the Calendar appears House Bill 705. Representative Farnham. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 705, a Bill for an Act concerning property has been read a second time, previously. Amendment #1 was adopted in committee. No Floor

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

32nd Legislative Day

3/25/2009

Amendments. However, notes have been requested and not yet filed."

Speaker Miller: "The Bill will remain on Second Reading. On page 2 of the Calendar appears House Bill 21. Out of the record. On page 8 of the Calendar appears House Bill 618. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 618, a Bill for an Act concerning State Government has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Ford, has been approved for consideration."

Speaker Miller: "Representative Ford."

Ford: "Thank you, Mr. Speaker. I move to adopt House Amendment #2."

Speaker Miller: "Representative Ford moves to adopt Floor Amendment #2 to House Bill 618. Are there any... is there any discussion? The Gentleman from Bond, Representative Stephens on the Amendment."

Stephens: "Could we at least hear what the Amendment does?"

Speaker Miller: "Representative Ford, would you care to explain the Amendment."

Ford: "That'd great. The Amendment changed the effective date for the Bill."

Speaker Miller: "Representative Stephens, did you have a follow up?"

Stephens: "To what date? From what date to what date?"

Ford: "It delays it until there is revenue to fill the hole that the Bill would cause."

Stephens: "Excuse me?"

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

32nd Legislative Day

3/25/2009

Ford: "It delays the Bill implementation until there's money to fill the hole that the Bill originally would have caused."

Stephens: "So, it doesn't have a date..."

Ford: "That's right."

Stephens: "...an effective date."

Ford: "Right."

Stephens: "So, it changes it to... from a date to a nondate."

Ford: "Is that rhetorical or what do you want me to say?"

Stephens: "Well, I'm... I'm just trying to figure out what... what's going on here. I... I mean, it sounds innocuous, but it just seems like we might be some... up to something that we don't understand. Subject to what fund? What fund are we talking about?"

Ford: "We're talking about the School Fund, the Common School Fund."

Stephens: "And when the School Fund gets how much money?"

Ford: "Enough money to replace the money that the... will be taken out of the Common School Fund."

Stephens: "Who's in favor of your Amendment?"

Ford: "I hope everyone."

Stephens: "No, no, no, no, no, no, no. I hope you'll tell me who's in favor."

Ford: "I'm sorry, I don't know. I don't..."

Stephens: "Is it..."

Ford: "...I don't know who's opposed, so..."

Stephens: "Is this... We're you just sitting up late last night thinking of Amendments and you decided to file this Amendment?"

Ford: "Actually, this Amendment has been filed for months."

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

32nd Legislative Day

3/25/2009

Stephens: "Okay. So, for months you've been considering this. What compelled you to draft this Amendment?"

Ford: "To change the effective date because we needed to do that, right?"

Stephens: "Very interesting. Well, I don't know. Who's opposed to this Amendment?"

Ford: "I don't know."

Stephens: "Excuse me?"

Ford: "I take the Fifth. I really don't know."

Stephens: "Have you talked to the Illinois Federation of Teachers or the IEA or the statewide School Management Alliance or the State Board of Education?"

Ford: "I spoke with a few of those people."

Stephens: "Have you spoken with any of those groups?"

Ford: "Yes."

Stephens: "About this Amendment?"

Ford: "No."

Stephens: "Well, I... I haven't either. But maybe... maybe you'd want to take this out of the record for a while so we can check and see if they're actually opposed 'cause my staff indicates that we... that those groups are all opposed and I'd like to be able to clarify their opposition before we proceed."

Ford: "Well, I think I would respectfully like to consider that, but at this time I would like to just move it to Third and then you'll have time to figure it all out by then."

Stephens: "Did you... Was this... was this Amendment in committee?"

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

32nd Legislative Day

3/25/2009

Ford: "No. This is a Floor Amendment. There actually was an Amendment..."

Stephens: "When you were... when you were before the committee, which committee did this Bill appear before?"

Ford: "I don't know. I think Revenue, I believe."

Speaker Miller: "Representative Stephens, can you bring your questioning to a close?"

Stephens: "I think it was in Executive Committee. And in that committee, Mr. Speaker, if I might, I'm operating under the understanding that the Gentleman was going to hold this Bill until the... an agreed Amendment was reached and I'm not sure that that's where we are today. Thank you."

Speaker Miller: "Thank you. The Gentleman from Vermilion, Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. I have an inquiry of the Chair. I... I would..."

Speaker Miller: "State your inquiry."

Black: "Thank you. I would ask the parliamentarian to look at Floor Amendment #2. I have never seen a Bill leave this House that has an effective date that says and I quote, 'instead of going into effect upon becoming law, the Bill takes effect when the State Board of Education certifies to the Secretary of State and the Illinois Department of Revenue that another source is available to replace the amounts otherwise available for distribution under the general state aid formula.' That's no effective date. I would ask the Chair to see, if under House Rules and Robert's Rules, that you can... you can pass a Bill that does not have an effective date. If you're going to rule that

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

32nd Legislative Day

3/25/2009

the effective date then would be, you know, what the normal rule is, it takes effect January 1 or whatever, that would be fine. But I'm not comfortable voting on an Amendment with an effective date that says it take effect when... when this happens and this happens and this happens and this is certified, then the Bill takes effect."

Speaker Miller: "Representative Black, we will make an inquiry from the parliamentarian. We will get back to you..."

Black: "Thank you very much."

Speaker Miller: "...momentarily. The Gentleman from Lake seeks recognition, Representative Ed Sullivan."

Sullivan: "Thank you, Mr..."

Speaker Miller: "State your..."

Sullivan: "...Speaker. Will the Sponsor yield?"

Speaker Miller: "He indicates he will."

Sullivan: "Representative, in committee we had this discussion in regard to this Bill and the discussion was, and I think you're trying to fix this, was that you're going to blow a hole into the Common School Fund by doing this. And you said you'd like to move it to Second, hold it to come up with a revenue source. Now, you haven't come up with a revenue source by this Amendment, have you? I mean..."

Ford: "I haven't come up with a revenue source and the Bill does nothing if there is no revenue source to fill the hole."

Sullivan: "Right."

Ford: "This is... And you know, you brought up a great point in committee. I thank you for that, and this Amendment is basically due to some of your suggestions."

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

32nd Legislative Day

3/25/2009

Sullivan: "But... but don't you think it goes against the discussion we had that you said that you would hold it until you found a revenue source?"

Ford: "No, not at all. You asked me... I told you that I would file this exact Amendment that said that the Bill will not go into effect until we found new revenue source.."

Sullivan: "Sure."

Ford: "...to fill the hole. That's exactly what I promised."

Sullivan: "Okay."

Ford: "And if you pull the record, you will see."

Sullivan: "It's... it's tomatoes, tomatoes, here, I guess."

Ford: "No, it's not."

Sullivan: "You know..."

Ford: "It's not tomatoes, tomatoes. It's the truth."

Sullivan: "And I'm not... an I'm not imprud... impinging your credibility here."

Ford: "All right, yes."

Sullivan: "And what I'm saying is you are correct. You said we will hold this 'til we find a revenue source. This backdoors that is what I'm trying to say. It's not a direct line of what is the revenue source."

Ford: "Well, what it does do..."

Sullivan: "And that's fine and it's fine."

Ford: "...and what it does do, Representative, is it makes sure that this Bill moves nowhere, not unless there's a way to fill the hole."

Sullivan: "Okay."

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

32nd Legislative Day

3/25/2009

Ford: "And so that, I mean, it's really not going to do anything until the state figure out a way to fill the \$650 million hole that this Bill may cause. So..."

Sullivan: "Okay. Thank you. I'll reserve my comments should this Bill actually make it to the floor."

Speaker Miller: "Any further discussion? The Gentleman from Crawford, Representative Eddy seeks recognition."

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

Speaker Miller: "He indicates he will."

Eddy: "Representative Ford, I understand what you're trying to do. The underlying Bill redirects proceeds from the lottery to school districts based upon where the tickets were sold. Is that correct? So, that you're basically trying to direct the revenue by zip code?"

Ford: "Well, no, by school districts."

Eddy: "By school district, but where they're sold. So, if someone from a school district, traveling through a zip code, stops and purchases a lottery ticket, but they... they actually live in a different school district, the proceeds would go to the district that they're traveling through not back to the district of the person who purchased the ticket, true?"

Ford: "Right."

Eddy: "Okay. So, what you're doing or what your intent is then will cost... well, it will blow about a 650 million dollar hole in GRF. Now, your Amendment seeks to hold up this Bill from becoming active until there is a source of revenue to fill the 650 million dollar hole. Here's the problem, I see. The language that's in the Bill would

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

32nd Legislative Day

3/25/2009

allow for... it's almost like a shell game which the lottery money has already kind of a shell game. Where do you, first of all, get 650 million dollars in a budget to do this? Six hundred and fifty million dollars is a lot of money that you're going to backfill. And secondly, when is the effective date when who determines that the money is available? How do you even calculate the effective date if you're... you're leaving it up to the State Board of Education to say that the money is available? The State Board of Education doesn't have the power to appropriate funds. They..."

Ford: "The goal is, if there is new revenue source in the State of Illinois maybe through a tax increase, if... now, if there needs to be another Amendment, you see what we're trying to do with this Bill. If you have more suggestions to make the Bill better, I'm open for your suggestions and your possible Amendments."

Eddy: "Representative, I don't know if there's a good way to solve this problem. And I think Representative Black's inquiry is an important one because this doesn't seem to have what can be really nailed down as an effective date. So, if you would just kind of take it out of the record and find out if we can even do this, I think it'd be a good idea. I mean, you can always, after we get a ruling try to... try to pass this. I... I think you're going to have a lot of trouble anyway, to be honest with you, it's a tough sell. But I'd take it out and maybe find out if that language is even possible."

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

32nd Legislative Day

3/25/2009

Ford: "Well, I'll, once... once again, I'll just move it to Third if possible and then I will be working with you and Representative Black and whoever else then wants to work on this so that we can make it better."

Eddy: "Well, Representative, I want to make myself clear. I don't... I'm not in favor of the concept. I don't think this is the right thing to do. It's your right to bring an idea forward and I... I respect that. I'm just saying on this Amendment right now..."

Ford: "So, are you not..."

Eddy: "...if we could get a ruling and if we could go back to the Chair, maybe we have some type of ruling. Mr. Speaker, is there a... parliamentarian ready to make a ruling?"

Speaker Miller: "Yes. The parliamentarian is ready to respond to Representative Black's inquiry."

Parliamentarian Ellis: "Representative Black, on behalf of the Speaker in response to your inquiry, there is nothing in the House Rules that prohibits a conditional effective date. There's nothing in the Constitution that prohibits it. It may not be the customary thing, but it is not completely unheard of. So, there's no violation of the House Rules or the Constitution."

Speaker Miller: "Representative Eddy, were you finished?"

Eddy: "Mr. Speaker, I would just urge the Body to... to voice their displeasure and... on the voice vote on this Amendment so that it would be held. Actually, let me amend that and request a Roll Call on the Amendment, a Roll Call vote on the Amendment. And I'd also like a verification on that Roll Call."

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

32nd Legislative Day

3/25/2009

Speaker Miller: "There's been a request for a Roll Call vote on the Amendment and verification. Further discussion? Representative... The Lady from Cook, Representative Davis, you seek recognition?"

Davis, M.: "Thank you, Mr. Speaker. I rise in support of this initiative because I thoroughly understand it. It is not difficult. What it says is... what the Bill is saying is if there are tax dollars that are supposed to fund education then let the lottery dollars do what they were originally supposed to do. The original purpose of the Illinois State Lottery was to put icing on the cake. Lottery dollars were not intended nor was the lottery sold to the public saying that we're going to supplant tax dollars and use lottery dollars for education. There was a supplanting that took place and lottery no longer or was never the icing on the cake. The intent of the Illinois State Legislature and the intent of the signature of the Governor at that time was for the lottery to be used as icing on the educational cake. Instead it was placed in another fund, the Common School Fund, and what the lottery makes, the state does not appropriate. They use the lottery funds instead of the tax fund to fund education. And what this Amendment is saying is that instead of using lottery funds all over the State of Illinois, instead of taking the majority of those dollars out of poor district from which they come, let them remain in the district that spends that money on the lottery and let them support their schools. Let it be icing on the cake. This Gentleman is asking that those lottery funds be used for the icing on the cake for which

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

32nd Legislative Day

3/25/2009

it was intended. Now, we all know that if... if the funds are available, he wants to hold harmless any school district that is currently dependent on lottery dollars. Is your school dependent on lottery dollars? If your school is dependent on lottery dollars from those zip codes that bring in the majority of those funds, then once there are state tax dollars or state... or stimulus dollars available, then we can use the lottery funds as they were intended and that is as icing on the educational cake. That was the intent and he's merely asking that we go back and use those dollars the way they were intended for supplement and not supplanting. I urge an 'aye' vote. Thank you."

Speaker Miller: "Any further discussion? The Gentleman from Vermilion, Representative Black seeks recognition."

Black: "Mr. Speaker, another inquiry of the Chair. We have a Motion..."

Speaker Miller: "State your inquiry."

Black: "...before us. Is that correct?"

Speaker Miller: "I'm sorry. Excuse me?"

Black: "We have a Motion before us at this time."

Speaker Miller: "Yeah, the Motion is for a Roll Call vote..."

Black: "Okay."

Speaker Miller: "...and verification."

Black: "All right. May I... may I speak to the... to the issue?"

Speaker Miller: "Proceed."

Black: "All right. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, I will be glad to give any of you who would like a front page of the Chicago Sun-

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

32nd Legislative Day

3/25/2009

Times copy thereof when the lottery was passed. And I had the pleasure of serving with Representative Zeke Giorgi who was and is affectionately known as the 'father of the lottery'. Now, I would submit to you that the lottery was never... nothing in that Bill was ever mentioned about funding education, nothing, no icing on the cake, no cake, nothing. It was said that the lottery money would go to public aid and the newly formed Regional Transportation Authority. It was not until 1985 when a Democrat from Kankakee County changed that to where the lottery profit would go into the Common School Fund. This Bill... this Bill abolishes the Common School Fund and there's no hold harmless provision in this Bill or this Amendment. It may be the Gentleman's intent, I don't know. If you vote for this Amendment, you are voting to blow a 650 million dollar hole in lottery revenue to education, because then the money will be divided, as I understand it, based on the percentage of sales of lottery tickets in various school districts throughout the state. I... I suppose the lottery could extrapolate that data, I don't know if they can or not, I suppose they could. So, if you're going to supplant the lottery revenue that now goes to the Common School Fund that this Bill abolishes and find another revenue source to make up that 650 million dollars, you have created a 650 million dollar hole in the fiscal '09... excuse me... the fiscal '10 budget. This... this idea may have some merit, I don't know. But the way this Bill is drafted and the way the Amendment is drafted it simply creates mass confusion. There's... The effective date in the Bill is at some date in

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

32nd Legislative Day

3/25/2009

the future. You're asking a state agency to certify whether or not this Bill ever becomes law. In my opinion, the State Board of Education and the Department of Revenue will never so certify. They will always be able to say there is not enough money to make up the difference in where the lottery money was transferred and then the new money comes in to make up the lottery money, they could always say, because there's nothing in this Bill that makes them do anything other than certify, they will always say no. There is not enough money to make up that shortfall and therefore, we will not certify this Bill and the Bill never takes effect. You know, if you want to change the Lottery Law, I'm more than willing to discuss that and sit down and meet with anybody at any time. A previous speaker did point out, clearly..."

Speaker Miller: "Representative, can you bring your remarks to a close."

Black: "I would... I would submit that there has been and continues to be a great deal of confusion over the lottery. But this Bill does not eliminate that confusion. This Amendment does not... certainly not eliminate that confusion. In my opinion, it makes it worse. I would urge a 'no' vote on this Amendment and perhaps we could just take this Bill back and start all over. A 'no' vote would be very advisable in my humble opinion."

Speaker Miller: "Any further discussion? Representative Eddy."

Eddy: "Mr. Speaker, I will remove the verification request on the Amendment. This is an Amendment. A 'yes' or 'no' on the Amendment is fine. I do urge a 'no' vote. I think

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

32nd Legislative Day

3/25/2009

this has a lot of work, but I will remove the verification on the Amendment vote. Thank you."

Speaker Miller: "Representative Eddy, do you still... are you still requesting a Roll Call vote?"

Eddy: "Roll Call, yes, but no verification of the Roll Call."

Speaker Miller: "Representative Eddy has removed his request for a verification, but is requesting a Roll Call vote. The Lady from Cook, Representative Mulligan seeks recognition."

Mulligan: "Thank you, Mr. Speaker. Can you tell many... tell me how many minutes on the clock we have discussed this Amendment?"

Speaker Miller: "I can't tell you the total Amendments (sic-minutes), but I've been giving everybody latitude on... to speak their mind."

Mulligan: "To this Amendment, I urge a 'no' vote. The Gentleman certainly has a right to bring forward any Bill that he wants, but with all the problems we have statewide right now I do not understand why we're spending this amount of time on a Bill like this that probably has no chance of passing. The other thing I would like to strongly suggest to you is if you think in minority communities or small communities you're spending an extra a lot of mon... of money on the lottery compared to other part of the states, why don't you put out brochures on not gambling? Lottery just replaced the old numbers game. Quite frankly, I would put out some information on that, not to spend the money on the lottery, but to spend it on the local children as far as buying books, school supplies,

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

32nd Legislative Day

3/25/2009

encouraging them to do outings and other things. Instead of discussing something that increases gambling, increases something that's not going to actually pass and is not going to solve the school problem, we have spent a lot of time here not having proper Bills called, being rushed from committee, being rushed with Bills on the House Floor, crammed so that we don't have enough time to adequately discuss the problems of the state. And yet we can find time to do something like this where we should actually be encouraging the Gentleman to do other things in his community that would certainly help the community with education. He has the right to bring forth the Bill, but I think this Body is not trying to spend enough time on the problems that this state needs solved or the budget that's coming ahead. I urge a 'no' vote and I urge help for him in other ways."

Speaker Miller: "Is there any further discussion? The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you. Thank you. I want to clear up one thing. First of all, the lottery was sold to the public by stating the money would be used for education. That's number one. Num... number two... number two, those numbers are extrapolated according to zip codes so those dollar availability is record... the record is clear. You can find out how much each zip code spends on the lottery."

Speaker Miller: "The Gentleman from Vermilion, Representative Black."

Black: "Mr... Mr. Speaker. Mr. Speaker, we have a basic obligation on this floor as best we can to speak factually

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

32nd Legislative Day

3/25/2009

and truthfully. Now, I will be glad to have my office send over a copy of the Sun-Times article the day after the lottery passed. No mention of education was ever brought up when the lottery passed. That is truth and that is factual. Now, don't try to twist history. We must always do the best we can and the times that I have not, I have apologized publicly on this floor when I've been wrong. But I can assure you in reviewing those transcripts and reviewing the newspaper stories, not one mention of public education financing was made when the Illinois Lottery was passed and that is truth and that is fact."

Speaker Miller: "Thank you. The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. I move the previous question."

Speaker Miller: "There's a Motion that the previous question has been moved. Representative Ford to close."

Ford: "The question is whether or not we adopt an Amendment to not blow a hole in the... in the School Fund. Now, if I take away the Amendment, then Representative, your concern is accurate. The Amendment is there and there would not be a hole if the money is not there and available. So, I say that we need to adopt the Amendment and we can work on this Bill if we need to work more and move it to Third. And I urge an 'aye' vote."

Speaker Miller: "There's been a request for a Roll Call vote. For all those who... There is a request for a Roll Call vote. Representative Ford moves the adoption of Floor Amendment #2. All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is now open. Have all...

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

32nd Legislative Day

3/25/2009

Have all voted who wish? Have all voted who wish?
Hoffman. Representative Hoffman. Representative Ford."

Ford: "Like I said, if we take the Amendment off, then I think
people will have concern. So..."

Speaker Miller: "Representative Ford, we're in the middle of a
Roll Call. We're... Just calm down. The voting is now
closed. On a count of 50 'yeas', 65 'nays', the Amendment
fails. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "No further Amendments. However, notes have
been requested and not yet been filed."

Speaker Miller: "Mr. Ford. The Bill will remain on Second
Read... on Second Reading on request of the Sponsor. We're
just going to back to on page 2 of the Calendar appears
House Bill 21. Representative Flowers. Read the Bill, Mr.
Clerk."

Clerk Mahoney: "House Bill 21, a Bill for an Act concerning
education. Second Reading of this House Bill. Amendment
#1 was adopted in committee. No Floor Amendments. No
Motions filed."

Speaker Miller: "Third Reading. Representative Lyons in the
Chair."

Speaker Lyons: "Representative Black, for what purpose do you
seek recognition?"

Black: "I'm sorry. There was a Bill on the board that I wanted
to ask about. Did... Was it taken out of the record?"

Speaker Lyons: "The previous Bill was... the Amendment was put to
the floor for a vote..."

Black: "No, no. It had something to do with EKG student ath,
athletes, ath."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "Well, that was House Bill 21."

Black: "I assume that's athletes."

Speaker Lyons: "House Bill 21 was moved to Second... from Second to Third Read... No..."

Black: "I don't think so."

Speaker Lyons: "Mr. Clerk, the status?"

Clerk Mahoney: "House Bill 21 was moved from Second Reading to Third Reading on the request of the Sponsor."

Black: "Well, my... my note wasn't filed in... in time?"

Speaker Lyons: "Mr. Clerk, are there any notes?"

Clerk Mahoney: "No, there are no note requests filed on House Bill 21."

Black: "I... I clearly filed notes, perhaps they weren't filed on a timely fashion; I thought they were. But in that confusion when the presiding officer changed, I think you were in something... I think you slipped something over on me. You know, if... if I'm going to subject my grandchildren to an EKG if they want to be an athlete, I have a medical practice note clearly filed in time. The Clerk evidently has lost it, but there isn't anything I can do about it. Well, you know, my note was simply the icing on the cake. That's all it was; that's all it was. It was a Medical Practice Act note. I just... it's a brand new note I just made up. I would say this, in all due respect to the Clerk Mahoney... Mr. Speaker, can I have some order on... your side of the aisle. I'm being harassed and yelled at and this late in the day, I don't like it. I would just simply say, I think it's time we bring back the good ol' days when the Clerk was the Clerk was the Clerk. We didn't have these

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

32nd Legislative Day

3/25/2009

mistakes when Jack O'Brien and Tony Leone were here. So, perhaps Mr. Mahoney and Mr. Bolin can go back to their respective jobs and we can bring back the days when Clerks did not lose note requests. I will... I will... I will not belabor this point any more, but I fully intend to address this issue on Third Reading. And I'm shocked and appalled that you would not uphold my note rights."

Speaker Lyons: "Representative Feigenholtz, for what purpose do you seek recognition?"

Feigenholtz: "I rise on a point of personal privilege."

Speaker Lyons: "State your point, Representative."

Feigenholtz: "I had the pleasure yesterday of stepping into the Republican offices, specifically the office of the previous speaker and I... I noticed on the table there was a little plaque and I stole it. It says, Illinois House of Representatives, William B. Black served 1986 to 2009. Thank you. And it implies that he retired. Now, today I inquired personally, face to face, with Mr. Black if he has any extra because I... I'm sure that Members in this chamber would also like to have one and he informed me that he has... he has 200, so there's plenty for every Member, just ask Mr. Black. Thank you."

Speaker Lyons: "Representative Black, they're not corned beef sandwiches, but they sound like a pretty good deal. Any comments?"

Black: "By the way, thank you. That sandwich was absolutely delicious. I would simply remind the Body that 2009 isn't over yet. I... I have been known, out of sheer frustration... in fact, as George Scully said in his farewell speech, I

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

32nd Legislative Day

3/25/2009

have retired four times and resigned three. 2009 isn't over."

Speaker Lyons: "I remember a few of them, Mr. Black."

Black: "Yes, absolutely. But thank goodness that paperweight, and I do have 250 of those that I sell for a song, I just simply hope it doesn't turn out to be my gravestone. I mean, EKGs and everything else, Mr. Speaker, this has been a tough day. Let's... let's go home. Let's get out of here."

Speaker Lyons: "We do have some Bills to move from Second to Third and if we can proceed, I'd be happy to. Representative Dugan, for what purpose do you seek recognition?"

Dugan: "A point of personal privilege."

Speaker Lyons: "Proceed."

Dugan: "No. I just wanted to say, if I could ask for all of you to welcome. We have... I have a special guest here this afternoon. She's down here with the Chicago Southland Chamber. She herself is a chamber president, so she's down here to talk to Legislators. My youngest daughter, Jaclyn Dugan-Roof, right up here, so if you could just give her a warm welcome to Springfield. Thank you."

Speaker Lyons: "Jackie Dugan, always welcome, good to see you. Representative Winters, for what purpose do you seek recognition?"

Winters: "Purposes of an announcement. Tomorrow morning from 8 to 10:00 there will be four professors from the University of Illinois talking to the environmental groups. And Energy Committees, you're all invited if you wish, Room 413

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

32nd Legislative Day

3/25/2009

of the Stratton Building. They'll be talking about alternative energy, including biomass, wind energy, some of the economics and current research being done at the University of Illinois. Thank you."

Speaker Lyons: "All right, folks, a few more Bills, we'll try to move from Second to Third. Representative Crespo, on page 9 of the Calendar, you have House Bill 693. 693, Representative. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 693, a Bill for an Act in relation to stalking. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Jerry Mitchell, on page 33 of the Calendar, you have House Bill 4206. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4206, a Bill for an Act concerning State Government. Second Reading of this House Bill."

Speaker Lyons: "Representative Mitchell."

Mitchell, J.: "I'm here. Mr. Speaker, we've done this once, but if you want me to do it again, I'll be more than happy to. Mr. Speaker, it's already... the Amendment's been adopted and it's been moved to Third."

Speaker Lyons: "It was on the list here. Representative Mitchell..."

Mitchell, J.: "Are there any further questions?"

Speaker Lyons: "...you are correct. It's on Third Reading. We'll hold that Bill on Third Reading."

Mitchell, J.: "Thank you."

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

32nd Legislative Day

3/25/2009

Speaker Lyons: "Representative Mulligan, on page 33 of the Calendar, you have House Bill 4213. Rosemary. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4213, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Froehlich, on page 32 of the Calendar, you have House Bill 4051. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4051, a Bill for an Act concerning government, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Froehlich, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Paul Froehlich."

Froehlich: "Thank you, Mr. Speaker. The State Board of Elections brought me this Amendment. They.. It's the same wording I had in the previous version, but they think it would be the proper Section to address the issue of disposing of election records. So, I agreed to run this Amendment."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Am... Floor Amendment #1 be adopted to House Bill 4051?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's been adopted. Anything further, Mr. Clerk?"

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

32nd Legislative Day

3/25/2009

Clerk Mahoney: "No further Amendments. However, notes have been requested and not yet filed."

Speaker Lyons: "Hold that Bill on Second Reading. Representative Will Davis, for what purpose do you seek recognition?"

Davis, W.: "For an announcement."

Speaker Lyons: "Please proceed, Representative."

Davis, W.: "Ladies and Gentlemen, I just want to remind the Body that tomorrow morning at 7:30 there is a Manufacturing Caucus meeting at the Sangamo Club. Again, beginning at 7:30, Governor Quinn is scheduled to... he has confirmed and will be a part of our meeting tomorrow morning. It is something that, if you're not a member of the caucus, you certainly are welcome to come. And we invite those who are not members to become a member of the Illinois Manufacturing Caucus. But again, tomorrow morning at 7:30 at the Sangamo Club, Governor Quinn will be our speaker. All are encouraged to attend. Thank you."

Speaker Lyons: "Thank you, Representative. Mr. Clerk, on page 11 of the Calendar, Representative Jakobsson has House Bill 899. Representative Jakobsson, do you wish to move that Bill to Third Reading? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 899, a Bill for an Act concerning higher education. Second Reading of this House Bill. No Amendments. No Motions filed."

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

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 211, offered by Representative Coladipietro."

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

32nd Legislative Day

3/25/2009

House Resolution 213, offered by Representative Flider.
And House Resolution 214, offered by Representative Ramey."

Speaker Lyons: "Those in favor of the Agreed Resolutions signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. One more time, everybody. I think we all received the orange piece of paper, the peach-colored piece of paper with the committee announcements, but things have changed since you got that. And we'll have the Clerk repeat the announcement on committees as well as what has been canceled since the sheet came out. Mr. Clerk."

Clerk Mahoney: "Committee announcements. Immediately following Session: Computer Technology will meet in Room D-1, Computer Technology in Room D-1; Higher Education in Room C-1; Human Services in Room 115; Judiciary-Civil Law in Room 114; and Jud II will meet in Room 122B. The cancelation is Environment & Energy that was to meet in 118. Environment & Energy has been canceled."

Speaker Lyons: "And now, allowing perfunctory time for the Clerk, Representative Chuck Jefferson moves that the House stand adjourned to the hour of 10 a.m. on Thursday, March 26. Once again, allowing perfunctory time for the Clerk, the House will stand adjourned to the hour of 10:00, tomorrow, Thursday, August the 26. All those in favor of adjournment signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned to the hour 10:00 tomorrow morning. I correct myself. August 2... March 26, March 26

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

32nd Legislative Day

3/25/2009

,which is tomorrow. My mistake. Have a good evening everybody."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 35, offered by Representative Pihos, a Bill for an Act concerning education. Senate Bill 38, offered by Representative Harris, a Bill for an Act concerning animals. House (sic-Senate) Bill 39, offered by Representative Froehlich, a Bill for an Act concerning public employee benefits. House (sic-Senate) Bill 40, offered by Representative Ryg, a Bill for an Act concerning persons with disabilities. Senate Bill 42, offered by Representative Ramey, a Bill for an Act concerning criminal law. Senate Bill 48, offered by Representative Turner, a Bill for an Act concerning torture. Senate Bill 49, offered by Representative Ryg, a Bill for an Act concerning finance. Senate Bill 50, offered by Representative Franks, a Bill for an Act making appropriations. Senate Bill 51, offered by Representative Riley, a Bill for an Act concerning State Government. Senate Bill 52, offered by Representative Brosnahan, a Bill for an Act concerning finance. Senate Bill 54, offered by Representative Nekritz, a Bill for an Act concerning ethics. Senate Bill 69, offered by Representative Miller, a Bill for an Act concerning regulation. Senate Bill 79, offered by Representative Burke, a Bill for an Act concerning education. Senate Bill 81, offered by Representative Burke, a Bill for an Act concerning revenue. Senate Bill 82, offered by Representative Mathias, a Bill for an Act

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

32nd Legislative Day

3/25/2009

concerning local government. Senate Bill 84, offered by Representative Riley, a Bill for an Act concerning local government. Senate Bill 88, offered by Representative Mautino, a Bill for an Act concerning aging. Senate Bill 104, offered by Representative Burns, a Bill for an Act concerning juveniles. Senate Bill 105, offered by Representative Bellock, a Bill for an Act concerning health. Senate Bill 123, offered by Representative Bellock, a Bill for an Act concerning education. Senate Bill 125, offered by Representative May, a Bill for an Act concerning safety. Senate Bill 141, offered by Representative Hernandez, a Bill for an Act concerning criminal law. Senate Bill 145, offered by Representative Rose, a Bill for an Act concerning orders of protection. Senate Bill 150, offered by Representative Feigenholtz, a Bill for an Act concerning public health. Senate Bill 152, offered by Representative Bellock, a Bill for an Act concerning education. Senate Bill 187, offered by Representative Smith, a Bill for an Act concerning education. Senate Bill 188, offered by Representative Beaubien, a Bill for an Act concerning civil law. Senate Bill 190, offered by Representative Durkin, a Bill for an Act concerning State Government. Senate Bill 207, offered by Representative Cole, a Bill for an Act concerning revenue, which may be cited as the Homestead Assessment Transparency Act. Senate Bill 364, offered by Representative Madigan, a Bill for an Act concerning State Government. Senate Bill 366, offered by Representative Madigan, a Bill for an Act concerning State Government.

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

32nd Legislative Day

3/25/2009

Senate Bill 415, offered by Representative Madigan, a Bill for an Act concerning finance. These Bills have been read a first time. House Perfunctory Session will come to order. 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 March 25, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to House Bill 1196. Representative Hamos, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on March 25, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #1 to House Bill 617. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on March 25, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #1 to House Bill 1793. Representative Boland, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on March 25, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2686. And Representative John Bradley, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on March 25, 2009, reported the same back with the following recommendation/s: 'recommends be

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

32nd Legislative Day

3/25/2009

adopted' is Floor Amendment #1 to House Bill 2005. There being no further business, the House Perfunctory Session will stand adjourned."