

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

38th Legislative Day

4/2/2009

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at your desks. We'll be led in prayer this morning by Lee Crawford, who is the pastor of the Cathedral of Praise Christian Center here in Springfield. Members and guests are asked to please refrain from starting laptops and to turn off all cell phones, pagers, and rise for the invocation and the Pledge of Allegiance. Lee Crawford."

Pastor Crawford: "Let us pray. Most gracious and almighty God, Who are the Creator and Who has dominion over both life and death, I pray that You would look upon this august Assembly this day. May You bless all of its Members. May You bless the Speaker of this House as well as their families. I pray that You would grant them a grace this day, God, to reverence You. I pray that You will grant them the strength and the wisdom to make decisions, decisions that would be of great support to those who are weak, decisions that would help those who are burdened by a failing economy. I pray that You would give them the strength and the courage to hold fast to that which is good. Render to no one evil for evil, but I pray that fervent decisions that they will strength the fainthearted, they will support the weak, that it will be of help to the afflicted. We ask this in Your Son's name, Amen."

Speaker Lyons: "We'll be led in our Pledge today by Representative Emily McAsey."

McAsey - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

Speaker Lyons: "Roll Call for Attendance. Leader Barbara Flynn Currie, Democrats."

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

Speaker Lyons: "Representative Michael Bost, Republicans."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Rich Brauer is excused today."

Speaker Lyons: "Mr. Clerk, take the record. A quorum is present. The Illinois House is ready to do the work of the people of the State of Illinois. Mr. Clerk, Committee Reports. Representative Will Davis, on page 28 of the Calendar, you have House Bill 266. Will, I'm sorry, you want to run the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 266, a Bill for an Act concerning safety. 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 266 amends the Illinois Environmental Protection Act to further encourage recycling and recovery of material at construction and demolition sites. Oh, excuse me, construction and demolition recycling facilities by reorganizing that recovering wood from the waste stream for use as fuel will be counted toward the requirement that these facilities have to recycle and recover 75 percent of the debris entering the

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facility on a daily basis. This Bill also adds corrugated cardboard to the list of materials that may be recycled. Be more than happy to answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 266? Seeing none, the question is, 'Should House Bill 266 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 Berrios, Brady, Holbrook, May. Representative May, do you wish to be recorded? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 1 Member voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative DeLuca, on page 29 of the Calendar, you have House Bill 524. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 524, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Anthony DeLuca."

DeLuca: "Thank you, Mr. Speaker. We're taking this out of the record. It's under further review."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record. Representative Bob Flider, on page 31 of the Calendar, you have House Bill 1035. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1035, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Macon, Representative Flider."

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Flider: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1035 is a Bill that is a repeat of a Bill that passed out of here last year and did not pass the Senate due to the rules Amendment or the.. the Amendment that was placed on, the Senate wouldn't move it forward. House Bill 1035 amends the School Code by providing that the State Board of Education must provide and implement an annual campaign about disability awareness in history in Illinois. The campaign would be designed to increase public awareness and respect for people with disabilities who comprise a substantial percentage of this state's population and teach future generations that people with disabilities have a rich history and made valuable contributions throughout this state and the United States. And also teach future generations that disability is a natural part of life and that people with disabilities have a right to be treated with civil, legal, and human rights as full human beings above all else. It also provides districts with instruction on disability history and people with disability.. in disabilities and the disability rights movement. And I would ask for your 'aye' vote."

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

Eddy: "Thank you. Would the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I want to, first of all... where you at? They moved you. There you are. I want to... I want to, first of all, thank you for working on this Bill to make it very much a school-based option for how the disability

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education awareness is implemented. The original version of the Bill had some... had some pretty onerous mandates for schools. Your intention, though, I think, is still reflected in the Amendment and the way the Bill was changed over the last couple years. This makes students aware and in a way that the school district deems appropriate. And it allows them to do a lot of things; it really doesn't mandate them to do anything except somewhere in their curriculum have some type of education regarding disability awareness. And the way I read the Bill, if... if the school district does nothing more than highlight the fact, for example, that Franklin Roosevelt was in a wheelchair and highlight the fact that those who have some disabilities are able to perform great feats, that's really what you're getting at here and really don't intend this to be something that costs any money."

Flider: "You're absolutely correct, Representative. And first, I would be remiss if I did not thank you for your input in making sure that this legislation was crafted in a way that would be an asset to schools and the school districts and students, and at the same time made it easy to implement just in the way you have suggested."

Eddy: "Thank you. And very quickly, to the Bill. Again, this is something that schools could implement very easily. No low... low cost, if any cost at all, and I appreciate the fact that the Representative took that approach and I would urge support of this... this public policy."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 1035 pass?' All those in favor signify

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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 Nekritz, Tim Schmitz. Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 4 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Fortner, on page 30 of the Calendar, you have House Bill 723. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 723, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from DuPage, Representative Mike Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. House Bill 723 would change the process by which we fill vacancies for the general Primary. So, this would cover the case where you have a... a Primary where a major Party failed to have a candidate qualify for the Primary ballot. Current law provides that the Party can fill that vacancy up to 60 days after, and the only change this Bill would make is to say that if they wish to so fill it, that person still must get signatures just like the Party would have had to get to qualify a candidate before the Primary. So, it puts all the Parties on equal footing regarding the fact that they have to have candidates get signatures. In order to ease the burden on the clerks, we use the schedule and requirements for Independent candidates which already exists in the law in that respect. I'm ap... open to any questions and would ask for an 'aye' vote."

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Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Paul Froehlich."

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

Speaker Lyons: "Sponsor yields."

Froehlich: "Representative Fortner, under your Bill, do you know how many signatures would be required for your next appointed opponent if nobody were to file against you next... for next February? Do you know how many signatures your opponent would need?"

Fortner: "I haven't done that calculation."

Froehlich: "Well, I have. It's 2,184. So, while you and I would need to file 500 good ones, under your Bill, your opponent would need to file over 400 percent more than you would. Now, can you explain why you think that's equitable to say that an opponent for one of us would need four times as many signatures as we do?"

Fortner: "Well, to look at the flip side, my opponent under the current system needs a total of one signature. I don't think that's equitable at all. I would encourage all the Parties to encourage their candidates to get the signatures and qualify for the Primary ballot. Any of my opponents could do so and I think that that would be the best thing. The best thing for a candidate is to go out there and to talk to the people; one of the best ways to do that is to go door-to-door and collect signatures."

Froehlich: "And... and I happen to agree with that. But are you aware that currently during the last two General Election cycles, fully half of legislative seats were completely noncontested, that there was only one candidate on the

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ballot in half of the seats in the General Election. Are you aware of that?"

Fortner: "I'm not aware of that, but I am aware of the fact that possibly because there was no contact with the voters in a way that would... you'd get from collecting signatures. Since the beginning of this decade, I could find no record of any of the candidates who were so placed on the ballot for the... for offices for the General Assembly over this last decade, who were able to win getting on in that fashion."

Froehlich: "I understand. But do you think it's very likely and predictable that your Bill, if it becomes law, would increase the number of non... completely noncontested legislative races?"

Fortner: "No. I think what it will do is encourage people to get out in front and take advantage of the filing period that we provide before the Primary and get on the ballot through that mechanism."

Froehlich: "Well, I... I know that's... that's possible, but you know, it seems to me that at least a cynic might see it as a little bit self-serving for us to erect such a steep petition barrier to potential competition and..."

Fortner: "I understand there's a steep petition barrier as there is for Independents right now. I think that's an issue that we ought to be looking at, but that's a separate issue from the nature of this Bill."

Froehlich: "But your Bill specifies that they need the number of signatures as Independents, not the number that we need. To the Bill. Ladies and Gentlemen, this Bill is for those

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of us who think there's too darn much competition right now for legislative seats. This Bill is for those who believe it's fair to impose a petition requirement 400 percent higher for our opponents than we have. This Bill is for those who think even fewer choices for voters than we have now is good for democracy. This Bill is for those who believe that having only 50 percent of legislative seats uncontested isn't high enough, that democracy is somehow better served if we can get to 60 or even 70 percent, lacking any competition. If you don't believe all these things, however, vote 'no'."

Speaker Lyons: "Representative Mike Boland."

Boland: "Thank you, Mr... thank you, Mr. Speaker. To the Bill. I think that Representative Froehlich brings up some very valid points, particularly the... the petition requirement for somebody as a major Party candidate, but having to meet the petition signature requirement of an Independent, which is practically five times what we who get on the ballot through the Primary process have to go through. Representative Black, and myself have for a number of years, and Representative Black has a Bill now on the... on Second Reading that would even up the ability of Independents and third-Party people to get on the ballot, somewhat at harder than ours, but still within reason. And we know that courts throughout the country are beginning to, have already in some places, struck down those types of signature requirements as unconstitutional. And so, I would urge a 'no' vote on this. This is going backwards; we're making it absolutely harder for people to get on the

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ballot who may try to get on the ballot at a later time. If the Sponsor would amend his Bill so that the candidate could get on the ballot with the same signatures or maybe slightly more even, even a doubling would be reasonable, but to have it 400 percent higher is just totally absurd and we need to go in the other direction not in the direction that this Bill is... is pushing us. We know that there's a huge number of people out there who are very fed up with the political process and everything that's been going on. And when they see this type of thing, this just increases their cynicism. I urge a 'no' vote."

Speaker Lyons: "Representative Debbie Graham."

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

Speaker Lyons: "Sponsor yields."

Graham: "I don't know how much more I can add to my colleague's comments. I think they were very straight and to the point, but what I would ask is, what happens... does your Bill address when there is a candidate on the ballot, we do have an opponent on the ballot and that person drops out? Does your Bill address that?"

Fortner: "Yes, it does. It provide... it does not change that process at all. The Party that had the person who had been qualified and got on, that could... that person could be replaced in the current process."

Graham: "So... so, if there's a person there on the ballot and he drops out of the race, so then he wouldn't be require... the new appointee would not be required to get the signatures?"

Fortner: "That's correct, because that Party has already demonstrated that they were able to get signatures."

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Graham: "So... so, where did this idea come from?"

Fortner: "This actually was an idea that I brought forward last year. It passed out of this chamber last year with a substantial majority of votes and it stalled in the Senate and I'm trying to move that again this year."

Graham: "You brought this Bill last year and it passed last year?"

Fortner: "With a substantial majority, yes."

Graham: "Mmm. I would have to agree with my colleagues that in the current environment, with us trying to increase transparency in democracy, I think that this Bill would do us a disfavor. I'm a little concerned that every time we pass a piece of legislation, although some people may have good intentions, but sometimes those intentions are taken really out of context. And I can understand you're saying your intentions is to motivate people to get on the ballot during the current regular qualifying season and don't be a Johnny come lately, I want to run. Is that what this is aimed at?"

Fortner: "It is and it's also to your previous point. I think the public, at least the public that has come forward and talked to me, they are just as disenchanting with the idea that whereby many candidates, whether they have qualified through a Primary or as Independents, that there are some candidates who need do no more than ask the chairman of their Party in their district for the one signature that suddenly they are on with equal status. There are people who are also feeling that that is an abuse of the political system."

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Graham: "But you know, I think the media has a bigger part to play in that, because the perception of corruption and misgivings have been put out there for so long, but I think the moment an opportunity arises for someone to get on the ballot and they know they have to do all those signatures compared to just being appointed and they're qualified to do the race and have the willingness to serve the people, they're going to have a problem with this system as well. Sometimes we ask for change and we get that change and we say, oh, I don't know if I intended this to happen. So Representative, and I'm, you know, delighted that you brought your Bill forward. We should always be able to present the ideas as you have done so, but in the current climate, I think it will raise just a little bit of concern. So, I would urge a 'no' vote."

Speaker Lyons: "Representative Randy Ramey."

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

Speaker Lyons: "Sponsor yields."

Ramey: "Representative, if you were late on a credit card payment, what happens?"

Fortner: "There is usually a penalty in interest."

Ramey: "An increased penalty, right."

Fortner: "Usually."

Ramey: "Usually. And in your Bill here, what... currently what happens if somebody's late or is appointed to a vacancy?"

Fortner: "Under this Bill, they would have to go get signatures that would be consistent with an Independent, who would be the person who'd be filing anyway at that same time. It's the same requirement..."

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Ramey: "So..."

Fortner: "...that people who... going on the ballot at that time."

Ramey: "Exactly. And so, what we're trying to do here is say, get up, do the work as everybody else does. Ladies and Gentlemen, to the Bill. As we do every two years, we go out to the public, get their signatures and do the right thing. And then three months into the process, somebody says, oh, there's a vacancy, put me on the ballot. And they get one signature. Where's the fairness in that? Ladies and Gentlemen, this is a great Bill. I commend the Sponsor for bringing it up again and I urge an 'aye' vote. Thank you."

Speaker Lyons: "The Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Mr. Fortner, I heard Mr. Froehlich ask you about the higher signature count. Was that really your intention or what... had you not thought that through?"

Fortner: "No, I had thought that through in the sense that I wanted to use an existing standard. I would certainly encourage this Body to take up the num... the large number of Bills that would address the standard that currently exists on the books for Independent candidacies. I think that's something that we should be taking up. I know a number of Bills. I think one of the previous Representatives pointed to one of the Bills that he himself has filed. I would encourage those Bills coming forward; I think that's a good idea to address that count requirement and bring it to

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something that is more reasonable. But that is a different statement than what this Bill is addressing, which is the case where people are getting on with only one signature in many cases, rather than any signatures at all."

Franks: "Now, when they're getting on with one signature, is this for an established Party or is this for an Independent?"

Fortner: "These are for established Parties. They can get on with one signature, if the Party had nobody qualified to be on the Primary ballot. Up to 60 days after that, they can slate somebody with one signature. The history of those candidates is not one of electoral success at all; the number is zero."

Franks: "I understand that. Would it be more equitable to have the requirement the same as what it would be to get on the ballot before the Primary, for an established Party..."

Fortner: "I... I..."

Franks: "...and perhaps reduce the amount for an Independent Party?"

Fortner: "As I said, I think that looking at that number for Independents... I would support looking at the number. I think that is a good idea to address that number and revisit what is the right and equitable number for all those candidates who are seeking to get on post-Primary. What I'm looking at is a class of candidates who are gaining ballot access post-Primary. I'm putting them... at this point this Bill would put them all on equal footing. It's just that the established Parties could choose to identify that this would be our preferred candidate. They

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still are... would be achieving ballot access. I think your point is well-taken, as with previous speakers. We should look at those numbers."

Franks: "Would that be something you would be willing to work with then with the Senate Sponsor, should we send this over?"

Fortner: "I would be happy to suggest that to the Senate Sponsor."

Franks: "Thank you."

Speaker Lyons: "Representative Flider."

Flider: "Yes, Mr. Speaker, a question for the Sponsor?"

Speaker Lyons: "Proceed with your question, Sir."

Flider: "Representative, if I understand this correctly, the Primary's over and there's nobody on the... let's just say, one particular Party, there's nobody who's been nominated because nobody ran in the Primary. What if, after the Primary, two people want to pass petitions, would we have another Primary or how would the determination be made?"

Fortner: "The way this Bill would do it, the Party chairs, the ones who would currently do the slating, they can still do that slating. They would identify who their candidate is. Then that candidate would proceed to get signatures. So, if there were two such candidates, what would happen is the Leaders of that Party will have identified which one would run under their Party's banner. The other person would still, on an equal footing, be getting signatures. They would have to run with an Independent label next to their name. Both would be exactly equal in terms of signatures;

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one would have the benefit of recognition by the established Party."

Flider: "So, somebody would then be forced to be an Independent... Independent Party and we'd have three people on the ballot?"

Fortner: "That's exactly true, right now today. That's the way it is today. If two people sought that Party endorsement today and one did not get it, their only recourse would be to collect signatures and file as an Independent. So, I'm not changing that at all."

Flider: "But the bottom line is the Party Leaders are still making the appointment, it sounds like."

Fortner: "They are making the appointment in the effect of saying who their candidate that would run under their Party label would be. Then that person would then go off and get signatures."

Flider: "Okay. I guess I... I guess I don't see the point other than somebody has to not work hard to get signatures. You're just sort of making somebody do some grunt work... leg work."

Fortner: "Well, it's work that I think all of us have done; it's work that all the currently elected Members of the General Assembly have done. It's a requirement that we make for all Independent candidates who would get on and all other challengers. The only exception that we currently provide to this entire system is the case of established Parties who did not have a person who had qualified for the Primary. This is... I see that as an

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exception to what otherwise is a fairly uniform practice under..."

Flider: "Right."

Fortner: "...our electoral system."

Flider: "You know, I... I think after hearing your explanation, I feel a little bit better about what you're trying to do here. Thank you."

Speaker Lyons: "Representative Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, if... and it's sometimes hard to hear in here as you know. I seemed to have heard questions about... the petition signatures would be higher for the nontraditional Parties than they would be the Republican and Democrat Parties. Was that a concern that had been raised by some of the previous speakers?"

Fortner: "I understood that to be one..."

Black: "Yeah."

Fortner: "...of their concerns."

Black: "Well, Ladies and Gentlemen of the House, for the last four years I have filed legislation, House Bill 158 in the 95th General Assembly, House Bill 2620, that's on the Calendar, but has a hostile Amendment filed to it that would address all of the issues and identified in the court case Lee v. Keith. It would make the petition signature requirements for a new statewide political Party the same as the minimum petition signature requirement for a candidate for statewide office of an established political

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Party. So, you know, if you're going to hang your opposition to this Bill on the fact that signature requirements aren't level... or equal, I agree with you. And we've tried to address this. I think they should be equal. All you have to do is to take the hostile Amendment off House Bill 2620; we could run that Bill and it would make petition signatures the same for any Party in the State of Illinois. I think that is a reform movement. It's what needs to be done. It could very well be a trailer Bill to Representative Fortner's Bill. It isn't like we have not, on our side of the aisle, recognized that problem; we've tried to address the problem. If you'd just work with us on House Bill 2620 then you don't have to worry about the signature requirements or voting for something that would mean a Green Party would have to have more signatures than a Republican or a Democrat. House Bill 2620 can fix it. Everybody would be treated the same, equal protection clause if you would, we could do a trailer Bill before we leave here tomorrow afternoon. And I rise in support of the Gentleman's Bill. And with a little help from your side of the aisle, we could address any concerns you have on the different levels of signatory requirements."

Speaker Lyons: "Representative Watson, for what purpose do you seek recognition, Sir?"

Watson: "Thank you, Mr. Speaker. I move the previous question."

Speaker Lyons: "The Gentleman moves the previous question. All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it."

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And the question is moved. Representative Fortner to close."

Fortner: "Thank you. I think there's been some good concerns brought up and I certainly applaud the previous Representative for his work bringing Bills forward and also any other Representatives who I know have worked towards addressing the signature count for Independents and other people who want to qualify post-Primary. But that's not what this Bill is, this addresses those who want to qualify post-Primary by only getting one signature, rather than getting the signatures that all of us in this General Assembly have had to get to get our offices. I think that this is a reasonable step. I think it would be a better step when we can couple it with some of these other reforms that deal with the signature counts. And I would urge an 'aye' vote so we can fix at least this one part of the problem."

Speaker Lyons: "The question is, 'Should House Bill 723 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 Flowers. Jerry Mitchell. Mr. Clerk, take the record. On this Bill, there are 112 Members voting 'yes', 4 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative John Cavaletto, for what purpose do you seek recognition, Representative?"

Cavaletto: "Personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed."

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Cavaletto: "I'd like to welcome the seventh grade middle school Beta Club from Salem, Illinois. Welcome to the Capitol."

Speaker Lyons: "Welcome to the Capitol, enjoy your day. Representative Holbrook, for what purpose do you seek recognition?"

Holbrook: "A point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Holbrook: "We're joined today by Darwin and Pam Miles, people in our area that are here visiting today. They purchased a program from our local Rotary and they're to the... in the gallery just to the left and we'd like to give them a good Springfield welcome."

Speaker Lyons: "Welcome to the Capitol, enjoy your day. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to House Bill 277, Amendment #3 to House Bill 366, Amendment #1 to House Bill 571, Amendment #1 to House Bill 704, Amendment #2 to House Bill 728, Amendment #2 to House Bill 765, Amendment #1 to House Bill 1350, Amendment #2 to House Bill 2298, Amendment #2 to House Bill 2286, Amendment #5 to House Bill 2475, Amendment #1 to House Bill 3685, Amendment #1 to House Bill 3752, Amendment #1 to House Bill 3817, Amendment #2 to House Bill 3831, Amendment #4 to House Bill 3923, Amendment #5 to House Bill 3987, Amendments 1 and 2

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to House Bill 4037, Amendment #2 to House Bill 4078, Amendment #1 to House Bill 4158, Amendment #2 to House Bill 4220, Amendment #1 to House Bill 4320, Amendment #3 to House Bill 4323, Amendment #4 to House Resolution 177, and Amendment #2 to Senate Bill 364."

Speaker Lyons: "Mr. Clerk, on page 36 of the Calendar is... on the Order of Senate Bills-Third Reading is Senate Bill 364. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 364 is on the Order of Senate Bills-Third Reading."

Speaker Lyons: "Move that Bill back to the Order of Second Reading. What's the status on the Motions on the Bill?"

Clerk Mahoney: "On Senate Bill 364, Floor Amendment #2 has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Speaker of the House, on the Amendment, Michael Madigan."

Madigan: "Mr. Speaker, I move for the adoption of the Amendment and then propose that the matter be discussed on Third Reading."

Speaker Lyons: "Is there any discussion? Representative Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Speaker Madigan, the Amendment is not on my system and it's not in our hard file. Can you tell me what the Amendment does?"

Madigan: "Mr. Speaker, is it possible to get the matter on the system?"

Speaker Lyons: "Mr. Clerk."

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Madigan: "Mr. Speaker, I'm advised that Amendment #2 is on the system right over here."

Black: "An inquiry of the Chair."

Speaker Lyons: "State your inquiry, Sir."

Black: "When was the Amendment filed?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2 was filed earlier today."

Black: "How earlier today? What time was it filed?"

Clerk Mahoney: "The time of filing was approximately 9 a.m."

Black: "Approximately 9 a.m. and it's approximately 10:30. How many pages is the Amendment?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "There are 69 pages to Floor Amendment #2."

Black: "Thank you very much, Mr. Clerk. Mr. Speaker, this is approximately a 70-page Amendment, filed possibly 90 minutes ago, so much for transparency in government. You have to really know how to work the system to get it; it's not on anybody's analysis. You have to print out Amendment #2 to get it. I've been stalling so the printer could print out the 70 copies. Once again, thank you for that information. Will the Sponsor of the Amendment yield?"

Speaker Lyons: "Sponsor yields."

Black: "Speaker Madigan, is there language in Amendment #2 that specifically fires someone who is currently the executive director of a pension system?"

Madigan: "Mr. Black, do I understand you that you're objecting to my suggestion that the Amendment be adopted and the discussion commence on Third Reading?"

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Black: "Well, I'm certainly objecting to the way it was done and I may object to the Amendment depending on... since I don't have a copy... depending on what I find out is in it. I mean, I just want a question answered."

Madigan: "Mr. Speaker, could we be advised why the Republican staff cannot give the Gentleman a copy of the Amendment?"

Black: "It's being printed as we speak. Hot off the printer. Now, Mr. Speaker, if you expect me to go through a 69-page Amendment and find the specific language that I believe is in here, I'm going to need far more time than what I will be allowed under the timer. Let me just ask you a question. Does Amendment #2 fire an individual without due process, without hearing, just simply put it in an Amendment and fires an individual from a position he holds currently as an executive director of a pension system?"

Madigan: "Mr. Black, the Amendment would provide for the dismissal of Mr. Jon Bauman of the Teachers' Retirement System. That appears on page 65. The reasoning behind the inclusion of that section in the Amendment is that Mr. Bauman was on deck before, during, and after the scandal perpetrated by Stuart Levine at TRS and he only became a whistleblower when the FBI appeared at his office."

Black: "Was Mr. Bauman at any time mentioned in any of the legal proceedings against Stuart Levine?"

Madigan: "I do not know."

Black: "Was Mr. Bauman appointed by Governor Blagojevich?"

Madigan: "I presume that he was appointed by the board and maybe you can help me and tell me when he was first

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appointed because I think it predated the Blagojevich administration."

Black: "I believe that's true. I believe he was appointed prior to Governor Blagojevich. Mr. Speaker, I won't belabor the point. I learned how to count way back in the first grade. But let me just say this. To the best of my knowledge, Mr. Bauman has never been mentioned in any indictment or any legal proceeding. He was not appointed by Governor Blagojevich. One could argue in a court of law or by giving him due process as to whether or not he fulfilled all of his executive duties while the board was run by a bunch of common criminals appointed by a former Governor. I think to drop a... an Amendment that names an individual and now the damage has been done... I didn't bring out his name, the Sponsor of the Amendment brought out his name, his career's over, his good name is ruined, because evidently he made somebody mad on your side of the aisle. That is a heck of a way to treat a human being. If you want to go after him, ask for his resignation. If he doesn't give his resignation, you control every single lever of power in State Government, you can force his resignation, but you could have at least given the gentleman the common courtesy to be treated as a human being instead of naming him in a... what I would call, a secretive Amendment and calling for his dismissal, his firing, and insinuating that somehow he's a crook or he knew of a crook or is related to a crook. I can't believe the way we treat human beings sometime on this House Floor, because we're protected, we know we're protected, so we can

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say things like this on the House Floor. You say it outside this chamber you wouldn't be protected. This is a hell of a way to do business and ruin a man's name for as near as I can tell, because somebody doesn't like him or somebody is mad at him. I stand in opposition to the Amendment. And for Mr. Bauman, who I do not know personally, my apologies, Mr. Bauman, that I have to take part in whatever witch hunt we're now on."

Speaker Lyons: "No one seeking further discussion, the question is... Representative Madigan. Representative Madigan. Speaker Madigan."

Madigan: "I would renew my Motion to adopt the Amendment on Second Reading and then commence the discussion on Third Reading."

Speaker Lyons: "Per the Gentleman's Motion, all those in favor of the adoption of Floor Amendment #2 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 364, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Speaker Michael Madigan."

Madigan: "Mr. Speaker, thank you very much. This Bill is the first item reported from the Joint Committee on Government Reform. You may recall that we had a very healthy debate about the formation on the Joint Committee on Government

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Reform. And at the time, I explained that I felt that this was a proper forum to use in terms of advancing numerous items, which are designed to change how the government of the State of Illinois conducts its business. And this is the first report from that committee. Before I move into an explanation of the Bill, I want to acknowledge the solid work done on this Bill by State Representative Will Burns, by Senator Kwame Raoul, Senator Don Harmon, Senator Jeff Schoenberg, Senator James Clayborne. In addition, I want to note for the record that although the language talks in terms of the removal of people from the State Board of Investment, that one name which apparently still appears on their records is James Buchanan, and I wish the record to show that Mr. Buchanan submitted a letter of resignation from the Illinois State Board of Investment on September 3, 2008. So, in terms of Mr. Buchanan's view of his service at that board, it ended September 3, 2008. Now, Mr. Speaker, I'd like to move into an explanation of the Amendment. It's going to take me some time and I would call upon the Members to give me their attention, please, and their patience, also. First, the Bill would provide going forward that every board member of a pension retirement system or fund must file a statement of economic interest. This is the statement of economic interest that we file as Members of the Legislature. Next, every board member of these systems will be governed by the State Ethics Act, which means that going forward not only will the appointed members of these boards be subject to the Ethics Act, also, the elected members of the board, the

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people elected by the participants in the system, will also be covered by the Ethics Act. In addition to the ethics training required under the statute that governs our ethics training, all these board members in addition will be required to do eight additional hours of ethics training on an annual basis. Next, consultants: people who help select investment managers or recommend investment strategy will be subject to a fiduciary responsibility under the law. Next, concerning emerging investment managers in the area of diversity: there's a current definition in the statute for 'an emerging investment manager', the statute talks in terms of a range of asset management. Today, that range runs from \$10 million to \$10 billion. Currently, the... let me go back and retract that. Currently, the range runs from \$10 million to \$2 billion. The Amendment would provide that the \$2 billion would be changed to \$10 billion. In addition, the definition would be changed to provide that the disabled would be included within the definition. All systems and funds except for the downstate police and fire are required to adopt policies to increase diversity among its fiduciaries. And again, the fiduciaries would be investment managers, minority broker dealers, consultants, senior staff, and contracts in general. In addition, there would be a requirement of annual reports detailing the policies, the goals, the steps taken to increase diversity in minority participation. Concerning conflicts of interest, members and employees of the systems will be subject to conflict of interest requirements such that these people cannot advocate investment through an

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investment advisor if they have a direct interest or relationship with that advisor. In addition, same people cannot knowingly have financial interest in investment decisions except for passive decisions... passive investments such as mutual funds. Next, all investment advisors and consultants, with the exception of banks, must register under the Federal Investment Advisors Act. And here again, this does not apply to the downstate police and fire. Next, investment advisors, consultants, will be selected on a competitive basis, substantially similar to the process provided in the Procurement Code for the selection of professional and artistic services. Next, concerning transparency, all investment advisors and consultants will be required to file written contracts disclosing fees, commissions, affiliates, and subcontractors. All systems, except for the downstate police and fire, will be required to maintain a Web site. On those Web sites, they'll be required to post a list of their fiduciaries, all funds and total assets, budget income and expenditures, contracts, RFPs, and other procurement solicitations. As I said, this does not apply to downstate police and fire unless they already maintain a Web site and if they do, they'll be subject to the same requirements. Next, there'll be a ban on gift giving to the people on the board by those that are seeking business or official action from the board. The gift ban will be the same as the gift ban that applies to us, except in this gift ban those seeking business from the board will not be able to provide a gift of travel. Board members will be allowed to travel to educational

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conferences if the board votes the approval of the travel, but not paid for by those seeking business from the board. There will be a ban on contingent and placement fees. No entity promoting an investment can be paid on a contingent fee basis. The Amendment will end the terms of current gubernatorial appointments to TRS, SURS, SERS, and ISBE. So, all Blagojevich appointees to those boards will be removed pursuant to law. The Governor will be required to nominate new appointments within 60 days, subject to the advice and consent of the Senate. Current members of SURS and SERS may hold over no longer than 90 days when a new board is formed. ISBE and TRS appointees can hold over no longer than 60 days, which is the amount of time the Governor has to nominate. The executive director of TRS will be terminated within 90 days or July 1, 2009. Each system will go through some changes in terms of board membership. In the case of the Teachers Retirement System, again, the Blagojevich appointees and the executive director will be removed. The Governor will be given two additional appointments so that after the legislation, the superintendent of public education will be the chair. The Governor will appoint six and there will be six elected from participants in the system. At SURS, today all appointees are done... all appointments are done by the Governor, that'll be changed. It will provide that the chair of the Board of Higher Education shall serve as the chair, the Governor will appoint four people and there will be... legislation would provide that there would be six elected from participants in the system. The legislation

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would further provide that among these people only three of these people will be elected from those at the University of Illinois that are participants in the system. The purpose here is to provide that the University of Illinois would not completely dominate these positions and that at least half of the positions would be elected from the other systems. In the case of the State Board of... the SERS, the State Employees Retirement System, the legislation would provide that the State Comptroller would become the chair. There'd be six trustees appointed by the Governor. There would be four trustees that would be elected among active people and two trustees elected by the retirees. And lastly, in the case of the State Board of Investment, the legislation would provide that there would be five trustees appointed by the Governor. The State Treasurer would serve as a member of the board. The chair of the State Employees Retirement System, who would be the Comptroller, would serve on the board. The chair of the Judges Retirement System would serve on the board, and the chair of the General Assembly Retirement System would serve on the board. Mr. Speaker, those are the highlights of the legislation. I would ask for a 'yes' vote and I am available for questions."

Speaker Lyons: "Representative Roger Eddy."

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

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

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Eddy: "Thank you. Speaker, the original language included some recommended changes to the City of Chicago Municipal Employees Board or at least included some changes. And in a quick look at the Amendment, I don't see any... and then this is our analysis, but I don't see anything that addresses the City of Chicago Municipal Employees Retirement System."

Madigan: "That's correct, because that language has been removed from the Bill."

Eddy: "Can I ask why the language was removed for the City of Chicago, but not for any of the other systems?"

Madigan: "At the beginning of the drafting of the Bill that system asked for language changes which would provide that one of their elected members would come from the retirees. And then subsequently, they review the request for the language."

Eddy: "Okay. So, they were included because they did ask and then they were taken out because they did not want to be included."

Madigan: "That's... that's correct."

Eddy: "There wasn't any concerns that were similar with that system to the other systems at the... at the time they were included originally? I mean, some of the same concerns that you brought up that have led to the reconstitution of these other boards weren't evident with that system?"

Madigan: "Not to my knowledge."

Eddy: "Okay. And for the record, I want to make sure that there's... there's some type of explanation as to why they

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dropped and obviously, the explanation is it was their request."

Madigan: "Correct."

Eddy: "Okay. Let's go to the makeup of the boards, particularly the TRS board. As you mentioned, the new... the new number for TRS goes from 11 to 13, with 6 of those trustees directly appointed by the Governor. Is there anything in the Bill similar to the language that we have seen previously in the gaming Bill and also, the Bill that reconstitutes the State Board of Education that left earlier this spring that a nominating panel would be used in the selection process by the Governor?"

Madigan: "The answer is no."

Eddy: "What's the reasoning to have a... what I consider to be... when Representative Lang brought forward the State Board of Education nominating panel and obviously, the language that was included in the nomination panel for gaming board members, which seems to be something a lot of people supported, why is that not part of this process?"

Madigan: "Well, Mr. Eddy, I can only speak for myself and not Mr. Lang. I was not involved in Mr. Lang's language on the State Board of Education. I was involved in drafting the language that pertained to the gaming board and my view of the gaming board is such that, at that time... at that time, I thought that there ought to be an extra layer of protection in terms of appointments to the State Gaming Board. I don't share that view relative to the Teachers Retirement System at this point in time."

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Eddy: "With all due respect, Mr. Speaker, based on some of the issues related to the necessity to address this, I would respectfully suggest that perhaps that same type of nominating public policy could in this situation also help with the, at least the perception, that there would not be that kind of influence and here's why."

Madigan: "Let me add before you..."

Eddy: "Sure."

Madigan: "At the time of the drafting of the Gaming Bill, Blagojevich was still the Governor and you know my view about Blagojevich."

Eddy: "I've read..."

Madigan: "Right. Okay."

Eddy: "...passages, snippets, yes."

Madigan: "So, at that time, I was not interested in giving Blagojevich unfettered discretion to appoint the gaming board. Now, there's a different Governor, so I, obviously, have a different view of the trust of Blagojevich than Quinn."

Eddy: "Okay. Fair answer. I hope lightning doesn't strike twice..."

Madigan: "Right."

Eddy: "...and we all do. Here's my concern on the TRS board. As the State Board of Education is currently constituted, there is a great deal of control by the Governor's Office over the State Board of Education. I think you would agree. We changed that several years ago. If six of the appointees are directly by the Governor and the state superintendent is the appointment that makes number seven,

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my concern is that at least right now the Governor has a majority control over the appointments to TRS and I don't think that is the intention of this and I would recommend consideration of at least until that board is less controlled, that that state superintendent appointment be more independent than it appears to be under current..."

Madigan: "Mr. Eddy, it was the intent to give the Governor majority control over this particular board and it was at his request. And..."

Eddy: "So, in the case of TRS and unlike the other reconstitutions, the intent is to give..."

Speaker Lyons: "Mr. Eddy, your time is lent... up... expired. If you could conclude your questions, we'd appreciate it."

Eddy: "Thank you. And this will be final question. But for the record, then there wasn't and forgive me, I wasn't certainly implying that you hadn't analyzed it correctly to know that, but I wanted to make sure for the record that that was the clear intent that the Governor does have that kind of direct control the way the board is constituted at this point."

Madigan: "It was his request and his statement to me was that he was greatly concerned about the corruption that had happened at this board and he was greatly concerned that the elected members of the board had not done more to stop the corruption or to take the corruption to the proper law enforcement authorities. And he wasn't comfortable on a reconstitution leaving control of the board in the hands of the elected members."

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Eddy: "And as you have stated on this House Floor before, Mr. Speaker, with that type of responsibility... or that type of power, comes that type of responsibility. So, we could say then that the office of the Governor with this type of control if there are incidents at TRS, he's clearly going to have that majority control and the responsibility for anything athwart happening at that board would lay directly with the Governor's Office. Would you agree?"

Madigan: "Yes."

Eddy: "Thank you."

Speaker Lyons: "Representative Bill Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Lyons: "State your inquiry, Sir."

Black: "All right. You were in the Chair yesterday and the transcript clearly shows that you made an announcement yesterday with no exclusions, as I understand it, all Amendments to be considered by the end of business on Friday, April the 3rd, must be filed by 3 p.m. yesterday, April 1, 2009. This Amendment clearly was not filed by the deadline that you announced from the Chair. What... what precipitates the change in the policy that you announced just yesterday?"

Speaker Lyons: "Speaker Madigan."

Madigan: "Mr. Black, I granted an exception for this Amendment."

Black: "Mr. Speaker, I share your sense of humor. I don't know that I do on that comment. That is an example of... of power that must be used, I think, very, very judiciously. In

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other words, you can do it; nobody else can do it, no matter how important the Bill may be to an individual Legislator, no matter how important the Bill may be to a legislative district or even the State of Illinois. One hundred and one Members are prohibited from that, one Member is not included in the rule. Ladies and Gentlemen of the House, I would suggest that most of you vote for this Bill because the positives outweigh some of the negatives. I do not intend to vote for this Bill. Let me... let me try and explain to you the reason why. And let me understand, some of you raise your eyebrows and look at me like I am going after the Speaker of the House because I don't like him and nothing is further from the truth. I... I happen to like this individual a great deal. I have said it publicly on more than one occasion and I have had more than one Republican tell me that my relationship with the Speaker is perhaps too close. I first met this man when I was a freshman Legislator at an open house at the Brookfield Zoo back in, as I recall, the early summer of 1986 and we were watching an elephant do some tricks and his wife was with him, my wife was with me, and I have a picture of that and I still have it at home of a freshman Legislator getting to watch an elephant do tricks with the Speaker Madigan. I treasure that. The trick was, I think, the elephant was trying to squash me, but I don't know. I've always been welcomed in Speaker Madigan's Office. I don't hesitate to go back and talk to him when I think I should have this conversation with him. He's been very kind to me during the loss of my father; he's been very

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kind to me when I've had some illnesses. I respect the man. I like the man. I've often said I think he plays chess while many of us down here are playing checkers. He works hard and I have praised his abilities. However, when something like this comes up that does not follow the rules that I assume he approved yesterday, and he granted an exception to his Amendment. Now, I don't quarrel with the Amendment. I'm sure it will pass, as it should. We know we need to clean up the pension mess, but I just am not comfortable... and I've held elected office for 36 years, I've been chairman of the county board, I've been chairman of my local political Party. I know political power. I know how it can be used. I know how it can be abused; I know how to build consensus; I know when you can't build consensus. And I also fully understand the rule of 60. So, I'm under no illusions when I get up and speak. I just don't like the fact when anybody, Republican or Democrat, carries out the rule of a Commission on Reform, but extends that. The Commission on Reform did not recommend that the executive director be fired. There's nothing in their report that says that. This man was not indicted. This man was not even implied that he did anything wrong. One could say that you were in charge and it happened on your watch and I understand that, and there are ways to bring those people to the end of their career. But this methodology implies that somehow that man must have been compliant in what was a dark, dark chapter in Illinois history. But there was no investigation, no indictment. I don't know even how old this man is, but by.. by our action

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today, his career is effectively over. His reputation is effectively ruined. We could have accomplished the same thing and his resignation, I'm sure, would have been effective in the next few months, without specifically naming him and saying you are fired as a result of this Amendment. I don't think that was necessary; I don't think it's proper. I think that is unusually harsh, if not indeed cruel. It's for that reason, I intend to vote 'no' and I would recommend to most of my colleagues you vote 'yes' because the bulk of this Amendment is unfortunately..."

Speaker Lyons: "Give you another moment, Sir, proceed."

Black: "All right. I'd like to make an exception for myself that I don't have to follow the time. No, I'm... It's unfortunate that during the previous Governor's administration things happened in our pension system, in our government, in our political system; we're all embarrassed by it. And so the bulk of this Amendment, the Bill as amended, has to happen. I just wish sometimes we would stop at what is true reform and not implicate someone unless we have overwhelming evidence that an individual human being needs to be singled out and fired for what may be something he had nothing to do with. I just think that's unusually harsh and perhaps a little bit cruel. And for the record, Mr. Speaker, that is why I cannot in good conscience vote for this Bill."

Speaker Lyons: "Representative Renée Kosel."

Kosel: "Thank you, Mr. Speaker. Will the Speaker yield for a question?"

Speaker Lyons: "Speaker's ready for questions."

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Kosel: "I commend you for your adding minorities, women-owned businesses, and the disabled in multiple places in this Bill. Under the discussion when this Amendment was drafted, were veterans ever considered to be added into those alliance also? And if so, why were they not included?"

Madigan: "Representative, the subject was never raised by people that were involved in drafting the Bill and I do think that there are other instances in the statute where we are encouraging minority participation, where the disabled are included along with minorities and women. So that when it was first raised to me that the disabled ought to be included in the definition, it was not something that I had not heard before, it was familiar to me."

Kosel: "And I commend you for that. I received a draft Amendment of this from our staff and actually got it back to them within 24 hours and that was one of the suggestions that I made. And I know we weren't at the table when you were drafting it, but had we been, that would have been one of the suggestions that I brought forth. And I would really like to see if we can't consider putting them in here somehow. I think it's to the benefit. We have wonderful people in this state who have served us very admirably in the Armed Services and I would like to see them have... have some preference also."

Speaker Lyons: "Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

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Mulligan: "Speaker Madigan, I was not part of the Ethics Board and I did not hear some of this, so I'm just going through this and looking at it and I have a few questions which I think have probably been addressed, but I would like them on the record more. You have a new Governor, but some of his people that are advising him are the same people that were left over from the last Governor, particularly people that have areas of financial interest. So, your Bill would fire all the board members and place new ones. Is there any prohib... prohibition on some members who have done a good job that might be reappointed, because they have done a good job?"

Madigan: "The Governor can reappoint people."

Mulligan: "Did you account... and staff said they were... that you had, 'cause that was one of my questions, the terms have been staggered before, but if you appoint everybody all at one time, that doesn't mean they are staggered. So, is there a way of staggering them? Are they going to draw lots for the new members or... so that they're not all leaving at one time?"

Madigan: "They are staggered."

Mulligan: "And how will they decide? Will they be appointed as a staggered term or will they draw?"

Madigan: "No. The language is such that at the beginning some will get shorter terms than others. So, that pursuant to the statutes, you can move right into a staggered system."

Mulligan: "So, the appointment will say, so and so is appointed for so many years, so and so is appointed for a longer term..."

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Madigan: "Right, correct."

Mulligan: "...and that will be part of the..."

Madigan: "Correct."

Mulligan: "...appointment?"

Madigan: "Yes."

Mulligan: "I also have a concern in some instances about lowest bid. And in going through the Bill, I was looking at that that there is a provision for the board to make a written statement if they do not accept the lowest bid, particularly what's currently going on in the financial world right now, lowest bid may not indicate smartest person or firm or people to handle it. So, just because it's the lowest bid doesn't mean it would be someone that would handle our systems to the quality that we would want. So, is there provisions in there and is it just the provision that the board would have to specify in writing why they did not choose the lowest bid and perhaps why they chose what they would suggest would be a better firm with a better track record?"

Madigan: "The answer to your question is yes."

Mulligan: "All right. So, they would be able to choose a superior firm, even though a superior firm might not be the lowest bidder because they have more..."

Madigan: "If they explain..."

Mulligan: "...qualified people."

Madigan: "...that in writing."

Mulligan: "And would the explanation then be public or not?"

Madigan: "Yes. Yes."

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Mulligan: "Would it be... What I'm thinking of, sometimes in a municipal body or a Body like ours when you make a detrimental statement about someone that does not get a bid or that they're not qualified, we don't always specify that because it's a detriment to that firm in other dealings. So, are you going to go under the theory that whoever writes out the reasoning would use some discretion because it's going to be posted publicly and just hope that that's the way it happens?"

Madigan: "The legislation does not contain language, which would be a directive to the drafter of the statement that they should use discretion. We simply provide that these board members will be in a position to select someone other than the low bid, we want a written explanation as to why they did what they did."

Mulligan: "Will the Governor's appointments include... I know in the past I've been appointed to something where I had to fill out a pretty much extensive statement and then it's confirmed by the Senate. Is that the way this would work for these board members, also, or is it just a straight Governor's appointment to the board and that's it?"

Madigan: "It's a Governor's appointment with the advice and consent of the Senate."

Mulligan: "It seems that under TRS there's some concern about the addition of members. Do you feel that annuitants of a system should have a greater say on what happens in their system as opposed to outsiders, because that's not the balance of some of these boards?"

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Madigan: "Correct. Representative, you're correct. That as we read down the new arrangements at these boards, why, it changes from one board to the next.."

Speaker Lyons: "Representative Mulligan, your time expired. We'll give you another minute or so to conclude your questions."

Mulligan: "Thank you. You know, I'm sure that the concern about voting against something like this is bigger than the concern in voting for it. I do think it's a rather extensive change and I do have some concerns over the Governor being able to appoint everybody all of a sudden, but it does seem these terms are staggered and I guess we'll hope for the best."

Speaker Lyons: "Speaker Madigan to close."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, thank you for your attention and your patience on this particular piece of legislation. As I said, this is the first item reported from the Joint Committee on Government Reform. There shall be many, many more; this is the first. This legislation would bring widespread ethical requirements to the business of operating pension funds and pension systems all across Illinois, not just the state pension systems. This also affects all of the local pension systems. This is a dramatic change. It's needed. This is a good piece of legislation and the... the keynote in here is that every Blagojevich appointee to these boards is removed pursuant to this legislation. I would recommend an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 364 pass?' All those in favor signify by voting 'yes'; those opposed

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vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 364, there were 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Consti... 116 voting 'yes', 1 person voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Back to the House Calendar on Third Readings alphabetically, Democrat, Republican. Representative LaShawn Ford, you have on page 30, Representative, House Bill 618. Do you wish to call the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 618, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative LaShawn Ford."

Ford: "Thank you, Mr. Speaker. House Bill 618 simply amends the Illinois Lottery law by changing the distribution of lottery proceeds revenues generated from the sales of lottery tickets will be sent back to the school districts from which they were sold. And I will take any questions at this time."

Speaker Lyons: "The Chair recognizes the Gentleman from Jasper, Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, right now that money goes into the School Fund. Is that not correct?"

Ford: "That's correct."

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Reis: "And then it gets redistributed to all the schools throughout the state based on the formula that's in place now. Is that right?"

Ford: "Yes."

Reis: "So, who is going to track all of these lottery sales and where is that money going to go if your Bill were to become law?"

Ford: "Well, the money could still goes to the school... in the School Fund."

Reis: "But does your Bill dissolve the School Fund?"

Ford: "No."

Reis: "So, who's going to track where all the lottery sales came from?"

Ford: "Who's going to track it? ISBE."

Reis: "Who is going to track where all these purchases are made at?"

Ford: "Maybe you can help us figure out who could track it, but let's get to the underlying purpose of the Bill. That's what I want to talk about."

Reis: "Representative, over here."

Ford: "Oh, there you go. All right."

Reis: "You have a Bill that's going to change the way the School Fund is distributed, but you're not telling me how... who's going to track where these lottery sales took place at each and every day?"

Ford: "Well, the Illinois State Lottery would track it; they already track it. You know, I'm sorry. I was a little distracted by the noise, yes."

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Reis: "They already track where every lottery ticket comes from."

Ford: "Yeah, I have some numbers so and I will talk about it soon about the districts... the zip codes where they come from. So, it's already tracked right now."

Reis: "Okay. So, say we have a district where we don't have a lot of commerce, maybe there's a convenience store, they just don't have the ability to sell that many lottery tickets. That school district's probably going to get shortchanged, is that right?"

Ford: "Well, you know, FY07 sales per zip code, the average was \$2.1 million of the 963 zip codes in Illinois. So..."

Reis: "Sixty-three zip codes."

Ford: "Nine hundred..."

Reis: "Nine hundred and..."

Ford: "...and sixty-three."

Reis: "...and sixty-three zip codes. Two million dollars for each one?"

Ford: "The average, 2.1 million."

Reis: "We're not... we're not talking about averages anymore because, obviously some are way up here and some are down here for you to get your average. So, some school districts are going to get shortchanged..."

Ford: "That is..."

Reis: "...with your proposal."

Ford: "Yes. And I think it... we can't run from that, you're right. And the average amount that some school districts may lose can be picked up in the General Revenue Fund and I think that it's our job to make sure that we do what we

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need to do to make sure those schools are funded adequately."

Reis: "Well, so what's the purpose of your Bill other than to help certain school districts and hurt other school districts?"

Ford: "Now, that's so disrespectful to think that I want to hurt other school districts. That's not true. I said that the Bill... what the Bill simply does is distribute the money back where the money was generated from."

Reis: "Okay. We're back to that county that may only have one grocery store or one convenience store selling tickets. If... And then you got some school districts spending... that are rural that may not have a single convenience store. I have one county that has six school districts, two of which are rural, they don't probably have one way to sell a lottery ticket."

Ford: "In your opinion..."

Reis: "How are they going to get any money back?"

Ford: "...in your opinion, does your analysis show you how much a school district could lose if this Bill should become law?"

Reis: "No, Representative, that's your job to tell me..."

Ford: "Well, I'm not..."

Reis: "...'cause I'm not going to support your Bill the way it is."

Ford: "...I'm telling you... I'm..."

Reis: "We've had a system in place for 30 years that has worked that has spread it out where the school districts are getting money, but you're coming in with something that's

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not feasible, because I don't even have... I have school districts where there's no place to buy a lottery ticket."

Ford: "You know what, I would expect you to be standing in opposition to this and so, there's no answer to you about whether or not this Bill would hurt certain communities. It's not true. The state..."

Speaker Lyons: "Representative, your time limit has expired. We do have about 11 or 12 people that wish to speak to this Bill. I'm going to give you another minute to finish your question."

Reis: "Okay."

Speaker Lyons: "Folks, this is on the Order of Short Debate. So, I know this is an issue of great concern to many Members. I'll put it on Standard Debate. We'll hear three people in response, three people in favor and Representative Reis, please finish your questions."

Reis: "All right. Thank you, Mr. Speaker. I rise in opposition to this Bill. We've had a system in place that works. Obviously, we're just trying to take a pie that has... represents a smaller and smaller segment of how we fund education from the state level each year and now, people are saying, well, I want a bigger piece of the pie. I don't care about somebody else that may not get a piece at all, but I think a lot of downstate Legislators have school districts where there may not be one single store available in that school district to even sell a lottery ticket and they're going to get shortchanged with this proposal. I urge a 'no' vote."

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Speaker Lyons: "Representative Black, you're next. Are you in favor or opposed to the Bill, Representative?"

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Lyons: "State your inquiry, Sir."

Black: "This Bill represents a radical departure from current policy and I've had several people ask if we could move this to Extended Debate."

Speaker Lyons: "I did, Mr. Black."

Black: "All right. Fine, thank you ver..."

Speaker Lyons: "I put it so we'll have five people on each side."

Black: "All right. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I had a chance to talk to Representative Ford the other day and I understand that he's serious about this and I understand that the district he represents, obviously, thinks this is a good public policy because he represents a high density population area. And I have no doubt they have more lottery terminals and more lottery agents than... than my legislative district would, so it would mean more money for his schools and I understand that and that's why we're here. He's doing... he's doing what his constituents want him to do. I, on the other hand, have to stand up and oppose the Gentleman's Bill because that's what my constituents want me to do. If you... if you look at this Bill very carefully, that... and it doesn't even say the profit of the lottery. It says that funds will be given to school district based on how many tickets are sold within that school district. Well, some

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districts are going to have a dozen schools and I wonder, you know, the rules can take care of that, but if you've got a dozen schools and the lottery says, yes, but all of them... 90 percent of the tickets were sold in the Oak Lawn School District. Does Oak Lawn School District get 90 percent of the funds and the neighboring school districts divide up the other 10? And as Representative Reis said, when you get to a downstate districts where maybe you only have one lottery agent and you're supporting three elementary schools and one high school, you may end up with 20 bucks. If you take this out to its logical conclusion, I would think school districts would enter into all kinds of contests to make sure that people in their school district buy lottery tickets. The more lottery tickets you buy the more money we get. There's nothing of equality in this on how that money is to be distributed. If you live in a district that sells a lot of lottery tickets, your school or schools will get the bulk of the money. If you live in an area of the state that doesn't have many lottery sales agents, your schools will take a significant loss of income with... and the Bill is completely silent on how that money is to be made up. There's no hold harmless clause; there's no... no additional levy authority. I... I can empathize with what the Gentleman is trying to do. He's trying to represent his district to the best of his ability and I have no quarrel with that, but in doing so, he puts the school districts that I represent at some risk. So, for that reason, I have to stand in opposition to the Bill."

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Speaker Lyons: "We've had two people speak in response. Representative Dennis Reboletti, in response or support, Sir?"

Reboletti: "In opposition, Mr. Speaker."

Speaker Lyons: "Thank you. Proceed, Representative."

Reboletti: "Representative Ford, would you entertain an Amendment that would allow income tax to come back to communities based on the tax they send down to the General Revenue Fund to come back? See, the people in my district believe they send way too much money to Springfield and don't get enough back. So, if you would entertain that Amendment, maybe I could support this, because the people in my district will tell me that after... we get about 17 cents back of every dollar and I assume those dollars... I'm losing 83 cents for my district, where that money's going, I have a pretty good idea. Would you entertain something like that?"

Ford: "Well, I think, Representative, before you spoke well and if... and that I'm doing this for the district and for the state because I believe that if we help the schools that's fallen behind, we will help the entire state. Now, if we want to do an Amendment or another Bill like that, we could do it next year..."

Reboletti: "Next year, I..."

Ford: "...'cause we missed it."

Reboletti: "Well, I appreciate that, but are you sure that your schools in your district would actually gain revenue or are you... did you run any calculations with the lottery folks?"

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Ford: "Well, it would be my hope that more money would be generated for the school districts and I have the zip codes. I'll give you an example. The 60619, I believe, is the largest revenue generator for the lottery in Illinois and it's \$26.2 million in one year. You know, to much is given much is expected. I'm saying that we should give some more money back in those areas where they spend so much."

Reboletti: "Isn't the City of Chicago... aren't they getting a large amount of money from the General Revenue Fund for the school district? I know they're getting a lot more than my district is. Aren't you already giving a lot back to your district from this fund..."

Ford: "And so, I'm not..."

Reboletti: "...as we stand here today?"

Ford: "You know, I don't debate any opposition that you have about this. I expect your opposition. I'm doing a job to represent the people that send me here and it is my hope that the people will vote for this Bill so that we can do something to look at the way we fund education in Illinois. Everyone can agree that we are not funding education adequately. This will be a simple support fund and not a mandatory common school fund. Now, that's all this Bill does."

Reboletti: "Well, I appreciate the fact that we... we do need to do some... thank you, Speaker... we do need to do some heavy lifting here and look at the way we fund schools, but I don't think that if we do it in a piecemeal fashion that that's going to get us there and I appreciate the fact that you're trying to help out your communities as I'm trying to

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help mine out. Do you have the... the numbers for area code 6... zip code 60126?"

Ford: "I'll make sure I get it to you. 60126?"

Reboletti: "60126? That's Elmhurst, but I was wondering how many lottery tickets are bought in my community and how much of that money comes back to District 205 schools. See, maybe... maybe it would be a benefit and I think if people knew per district what was happening, they may be more supportive or less supportive, but I think this is a radical way of getting away from how we fund schools. I think we need to look at its entirety, but I do stand in opposition, Representative Ford."

Speaker Lyons: "Representative Eddie Washington."

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

Speaker Lyons: "Sponsor yields."

Washington: "LaShawn, I was reading the legislation and I noticed that in your Bill you mention the veterans and you mention the Tickets for (sic-the) Cure. So, if our veterans, and I hope they're listening, across this state, if they gain any advantage from lottery ticket sales, then their hats should be off to those areas where a lot of people purchase lottery tickets. Am I correct?"

Ford: "That's... that's correct."

Washington: "So, basically, we are talking about those who... who play the lottery, for whatever their motives are that they derived benefits from the purchases of those lottery tickets have went to a designated fund. That designated fund was like the veterans and is also for Ticket for (sic-the) Cure, did it not?"

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Ford: "No."

Washington: "You're saying no? The Veterans Cash or Ticket for the Cure, when we ran those programs statewide, that money went to veterans' issues and went for health issues. Am I correct on that?"

Ford: "That's correct."

Washington: "And so, what you're saying that the tracking device that's used by the lottery component they know where the greatest amount of participation and that commercial that says you can't win unless you play. So, basically, you're saying the schools will win by virtue of those who play and who play often and who play in more areas than others. Is that correct?"

Ford: "That's correct."

Washington: "Then I really don't see where that's unfair to anybody. I think that it might even stir up more lottery purchases downstate or wherever lottery purchases are sluggish that it would say to the people there that you can get more of your dollars in terms of playing the lottery returned to a possible designated fund, such as education or veterans' issues or Ticket for (sic-the) Cure. Would you agree with that?"

Ford: "I would agree that it would possibly.. you know, I don't know if I want people to gamble, you know, but it would definitely benefit them if they did."

Washington: "To the Bill. Mr. Speaker, I think when I joined on to the legislation I was looking at the fact that there's a constant fighting of trying to get increased dollars in education and I know we all are concerned,

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regardless of what part of the state we live in and the educational affairs of our young people. I think this is a good Bill because it... it is a creative idea by the Sponsor to say, look, most of the people are low-income who really don't have it. They probably smoke more cigarettes, drink more liquor and spend more money on lottery than most people. So, maybe we can turn some... some... that lemon into lemonade by creating a pool of resources that we can dedicate to education. I think it's a good attempt and that was my purpose of signing on and I hope that we can see past whether one person gets this versus another person. It's like a parent with two children. You got two children, but one may need shoes before the other and you take care of the one that has the greatest need. So, I urge for an 'aye' vote and the passage of this legislation."

Speaker Lyons: "We've had three people speak in response, two in favor. The next person to speak, Representative Mike Bost. Michael, on favor or in response?"

Bost: "Thank you, Mr. Speaker, in... in opposition."

Speaker Lyons: "Thank you, Representative."

Bost: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Bost: "Representative, I know that this has been asked before, but do you... do you have any answer on what we would do with rural districts that... and maybe I should ask it this way. Have you ever been to Venedy, Illinois?"

Ford: "Where is it? Where is it?"

Bost: "Have you... have you ever been to Venedy, Illinois?"

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Ford: "I'm not sure. Where is it?"

Bost: "Exactly. Where is Venedy?"

Ford: "Well, I mean... I mean..."

Bost: "Venedy is out by itself..."

Ford: "...where are you... are you... are you saying exactly to what. I'm just asking, where is it? Don't you want an answer?"

Bost: "Okay. Venedy is... is actually in Clinton County... or in northern Washington County, just on the south side of Clinton County. It's off of Route I-64; it's kind of a farm community out by itself. Has a few... you know, it's got a village where they have a village president. It has a school district that has elementary through eighth grade in that school district. Has no... no convenience store there. They don't sell lottery tickets, but they are dependent quite often on state aid and support like this. Do you have any plans on... once this... if this Bill would pass, what you would do to offset the costs that are being taken away from these schools?"

Ford: "Well, that would depend on the State of Illinois to adequately fund education and of cour... back to on whether I've been somewhere."

Bost: "Well, you know what, I... I would depend on the State of Illinois to adequately fund education, but I've been here 16 years and I... we can have a whole different discussion on that. But I'm really concerned about you, you know, aggressively coming after money that has been given to our rural school districts and... Okay, go ahead, I'm sorry. I interrupted you. I interrupted you, you were answering."

Ford: "I was going to ask you, had you ever been to Lawndale?"

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Bost: "No, but I've been to the Chicago area and I understand the problems that exist in the suburban area... or in the... in the inner-city area because I listen. And..."

Ford: "So, this debate is good because maybe you're coming to Lawndale and I'm coming where you want me to go."

Bost: "Okay."

Ford: "And then we'll see..."

Bost: "I mean, there are several places I'd like to take you so you'd understand exactly what we're talking about here. And Representative, let me... let me commend you on one thing. Okay. And I hope... you know, have you ever noticed that this is amazing, before I commend you on this, when the last speaker was dealing with his Bill how quiet it was. You know, we're just not... for some reason we're talking and we can't get everybody to quiet down and calm down, all that... everything's going on around us. What's the reason for that? Would you know?"

Ford: "I think that seniority..."

Bost: "Seniority..."

Ford: "...and Leadership and..."

Bost: "...yeah, I have a big belief that it's probably more than seniority. But that being said, Representative, here's what I want to commend you on and I hope the rest of the Body listens to what I am commending you on. You have united the IEA, the IFT, and the Alliance and all of the school... whether it's management or operations or teachers or unions or not... you know what they... do you know what they... you united them on? They are adamantly opposed to this Bill. Ladies and Gentlemen, I would hope... and nothing

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against the Sponsor, I really think he's a wonderful... a wonderful man and an honorable Legislator, but I really hope that this is the second time he receives... he receives the Century Award..."

Ford: "No, I've never got it."

Bost: "...for... we can do that here."

Speaker Lyons: "Representative, if you need another minute or so for your conclusion of your remarks."

Bost: "Thank you. Thank you, Mr. Speaker. I do hope that we send this to the Century Club. I'd encourage everyone to vote 'no'."

Speaker Lyons: "Ladies and Gentlemen, again, it is getting awfully loud on the House Floor. Representative Bost is asking of Representative Ford and it's hard to hear. So, if we could just bring the noise level down ever so slightly, it would be appreciated. Following Speaker Madigan, of course, that's a rough act to follow, Representative. The Chair recognizes the Gentleman from Cook, Representative John Fritchey. Are you in support or in opposition to the Bill, Sir?"

Fritchey: "I'm pretty darn sure I'm in support, Speaker."

Speaker Lyons: "Thank you. Representative Fritchey."

Fritchey: "Thank you. Inquiry of the Clerk. Was Amendment 2 adopted on to this Bill?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Amendment 1 was adopted in committee. Floor Amendment #2 lost."

Speaker Lyons: "Mr. Fritchey."

Fritchey: "Floor Amendment 2 lost..."

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Speaker Lyons: "Correct."

Fritchey: "...on a floor vote. Is that correct?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "It's correct."

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

Speaker Lyons: "He's waiting for your questions, Sir."

Fritchey: "Representative Ford, the purpose of Amendment 2 was to address the concerns that many of the opponents had raised that they would be somehow negatively impacted by this legislation. Is that correct?"

Ford: "That's correct."

Fritchey: "And in response to their concerns and in trying to advance what makes a lot of sense here without adversely impacting children from other areas of the state, you filed an Amendment that would have avoided that by saying that this Bill would not take effect until such time as there would be a finding that they would essentially be held harmless, correct?"

Ford: "Correct."

Fritchey: "Yet, those same opponents now, who say that their kids will be negatively impacted, worked to defeat the Amendment that you brought forward to address that very concern. Isn't that right?"

Ford: "That's correct."

Fritchey: "What this legislation dares to do is say, we want money that is generated from our communities to come back into our communities. Right?"

Ford: "That's right."

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Fritchey: "I tell you, I read this Bill the first time and said, you know what, this is a fascinating piece of legislation, because what it recognizes is that urban areas, primarily minority areas, tend to be the disproportionately higher purchasers of lottery tickets. And that that disproportionate purchase of lottery tickets puts a disproportionate amount of money into some of these rural areas that don't buy as many lottery tickets, et cetera, so these folks are okay with your constituents and other urban constituents subsidizing their education. And now, when you say all we want is the cut of the pie that we helped bake, they say, no, we want our piece and your piece, too. Am I reading this the right way, Representative?"

Ford: "You're correct."

Fritchey: "And now when they come back and say, well, here, just make sure that our piece of the pie doesn't get any smaller. You come forward and say, okay, I've got an Amendment that will say this Bill won't take effect until you guys get your full piece of the pie."

Ford: "That's right."

Fritchey: "And then they still turn around, they killed that Amendment and now are coming out against your Bill because that very proposition isn't in here."

Ford: "Wow."

Fritchey: "Representative, I've got to tell you what, this is the kind of Bill... you know, people, it's cliché to talk about thinking outside of the box. I've been down here 12 years; maybe somebody else has brought a Bill like this,

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I've never seen it. You brought a Bill forward that said, look, fair is fair to whatever extent that lottery funding is going to subsidize the cost of educating our kids and in my opinion, it's so shameful that it does, because this institution won't meet our share of educating our kids. So, we rely on lottery tickets; we rely on cigarette sales; we rely on property taxes. And now you try to add some equity in the situation and they... and they deride the legislation for trying to do just that. Time and time again we've talked about communities that don't have the property tax base to provide a good education and the property taxes that we rely on because the state doesn't meet its share of education funding. And now, you come up with another method and say, look, I'm trying to look out for my kids in my district, just like Legislators come here and look out for their kids in their district. Well, obviously, the big answer is for the state to do its damn job and everybody will put their money where their mouth is when they talk about education being a priority, and for the state to meet its share of education funding and we're not doing that. And in the interim, to the extent that we're going to rely on the lottery, you're saying, let us have our fair share. And they say, no, we don't want you to have your fair share 'cause right now when you don't get your fair share they get an unfair share. And they want to keep it just the way it is. Representative, this is a good piece of legislation. I think it's innovative; I think it's insightful; I think it gets to the fact of the problem which is those communities that can least afford... least

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afford to be subsidizing other school districts are carrying that burden on their back. And that's not right; it's not fair. It's not fair to your school kids. It's not fair to their families. It's not fair to their communities. This is perpetuating a cycle that we find ourselves in that is unjust, unfair, and I won't say some of the other characteristics I think it smacks of, but if you look at the demographic..."

Speaker Lyons: "Representative Fritchey, if you could please conclude your remarks."

Fritchey: "...if you look at the demographics of who's buying these tickets and the fact that the cost of educating kids in this state is falling on their backs, it's not right and this Bill's helps to do that. Ladies and Gentlemen of the Body, some of you have raised the concern that this would create a deficit for your school districts. The Gentleman heard your concerns. He brought forth an Amendment; you killed the Amendment and now you're going to try to kill his Bill 'cause he doesn't have the Amendment on that. It's not fair and it's not right."

Speaker Lyons: "Representative David Miller, in response or in support? Proceed, Representative."

Miller: "Well, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Miller: "It's going to be hard to follow up that last speaker. Do you know how much of education funding comes from the lottery?"

Ford: "Six hundred and fifty million..."

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Miller: "No, no. In term... in... I'm sorry?"

Ford: "About 650 million."

Miller: "In terms of percentages."

Ford: "Less than 10 percent."

Miller: "Less than 10 percent of lottery proceeds goes towards funding education. Whatever the genesis was of the lottery itself, it is now currently doing that. Is that correct?"

Ford: "Yes."

Miller: "Okay. And this does not... this legislation does not preclude property taxes that go towards education?"

Ford: "No."

Miller: "It does not preclude any local referendums on any tax base. It does not preclude any other federal funding that goes towards. It's specifically aimed at lottery proceeds. Is that correct?"

Ford: "That's correct."

Miller: "And when you talk about 10 percent of... of education funding for... to a particular district, are you talking about all those additional dollars from the state and the fed and everything else or are you just talking about state... state aid?"

Ford: "The less than 10 percent is from the lottery proceeds?"

Miller: "Correct. But for the entire pie that... to be considered, is that federal or is that just the state portion? "

Ford: "That's the State's share. Just the state portion."

Miller: "So, that still does not include federal dollars, still does not include other... other avenues of revenue that a

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school district may get from, you know, in terms of education?"

Ford: "That's correct."

Miller: "So, theoretically, it could be smaller..."

Ford: "Yes."

Miller: "...than the 10 percent. Now, I've heard a lot of discussion regarding... and I believe every dollar's important. I believe every dollar... As one of the Chief Sponsors over the past few General Assemblies of education funding reform, you know, I'm... my name is on the line of trying to have an equitable funding system. The way we fund education off of property taxes versus... and would results in the zip code. So, there's been a lot of talk about hold harmless that other school districts may lose money. Was there any consideration of a hold harmless clause..."

Ford: "No."

Miller: "...or anything in this..."

Ford: "No."

Miller: "...in this legislation?"

Ford: "That was the Amendment #2 that failed on the floor."

Miller: "Okay. And you may not know that several years ago we had changed sort of the way we fund poverty, the poverty count, a few years ago. And which school districts had received hold harmless dollars for their particular school district. So, their poverty count may have gone down, but yet they receive those still additional dollars. I'm not sure if you're aware. So, there are school districts that still get funds, not even based on any particular equation

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that reflects today's economic environment, it's because of either they're receiving these dollars or their numbers of their students have decreased in certain districts. Are you aware of any of that?"

Ford: "No."

Miller: "I know you're being talked to a little bit."

Ford: "No."

Miller: "So, there are school districts that are receiving hold harmless dollars as it is now, the way it is now, for... and yet have either their schools have decreased their population and they shouldn't be getting it anyway. They shouldn't be getting it anyway, if we're reflecting today's dollars, because we're talking about one pie. Does this legislation affect any of that?"

Ford: "No."

Miller: "And as I heard previously that, specifically with lottery, there's no secret that a high concentration of lottery sales comes from poor districts where you can see the billboards..."

Ford: "That's right."

Miller: "...you can see the ads..."

Ford: "Yes."

Miller: "...a little more clearer, you know, and when you go into, you know, the local gas station..."

Speaker Lyons: "Representative Miller, your time has expired. If you could conclude your remarks, we'd appreciate it."

Miller: "Thank you. Just a... one other. And that your main focus is that these poor areas of... particularly of color, which have a high concentration of lottery sales in

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addition to inadequate education funding as a link in this and you see this as a way?"

Ford: "Yes."

Miller: "To the Bill, real quickly. I'd like to commend the Sponsor on this. As somebody who sat here and tried to fight for education funding in the past and even this year and beyond, to deal with the inequities of it, I believe this deals at the... at the heart of the matter in terms of poverty, in terms of those things that people buy that may not be negative... that may be negative in terms of them being rich to have a better way of... a better way of life. If those dollars are going out of the community, it'll only once again perpetuate a cycle of poverty. At least these dollars... and the Representative many, many times has talked about the life of a high school in the entire district is just simply trying to provide equity into at least... in his community and other communities of poverty across the state. I want to at least commend the Sponsor on this concept. I believe this Bill needs to move forward until we have reached a full equitable funding of education in the State of Illinois."

Speaker Lyons: "Ladies and Gentlemen, this Bill was moved from Short Debate to Standard Debate. We've had four people speak in favor; we've had four people speak in response. With all due respect, I'd ask for one more person in response, one more for support and then we'll go to the vote. Next person in line is Representative Suzie Bassi. Representative Bassi, in support or in response?"

Bassi: "In response..."

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Speaker Lyons: "Thank you."

Bassi: "...Mr. Speaker, thank you. Representative, you're talking about changing the entire school formula... the school aid formula. Do you have any idea how much more school aid formula comes out of general state aid?"

Ford: "About 8 billion."

Bassi: "Yeah, a goodly amount. I think actually in the school fund it's more like three and a half billion, but... and then it's combined with some other funds that go in and out. What would you think about the idea of keeping all the income tax that is generated that actually goes into the General Fund in the area in which it is generated?"

Ford: "This is... The income tax is somewhat totally different. This is lottery."

Bassi: "Yeah, but it goes into the general state aid..."

Ford: "Right."

Bassi: "...and that general state aid then is used for the school fund, suppose all of that income tax..."

Ford: "We spoke... we..."

Bassi: "...was kept in the area in which it's generated because... Are lottery tickets sold throughout the state?"

Ford: "Suppose we treated all people equal in the State of Illinois and made sure everyone had quality education?"

Bassi: "There's a difference between equal and adequate. So, there's a difference there. There are different costs of living in different parts of the state, 'cause that's a major issue."

Ford: "Oh, oh, I see. And so, you say there's a different..."

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Bassi: "There are different costs of living, which means that there are... that it's a different cost factor to educate students in different parts of the state."

Ford: "For instance, some people have the..."

Bassi: "And in fact, there are substantially more dollars that go into the City of Chicago per pupil than go into many of the suburban schools and downstate schools. My concern about this... And to the Bill, Mr. Speaker. My concern about this particular issue is that you are talking about changing the entire school formula at a time when we already have... the latest figures are a \$12 billion hole in the budget that we're dealing with right now. To change the formula at this point, puts us at even greater risk. I urge a 'no' vote. And should this Bill pass, I would ask for a verification. Thank you."

Speaker Lyons: "Members, there's been a request for verification by Representative Bassi. We've had five people on Extended Debate. We'll have one more person to speak in favor of the Bill and then we'll call the Bill. Representative Careen Gordon, in favor of the Bill? Representative Gordon."

Gordon, C.: "Thank you, Mr. Speaker. When we have a Bill like this, I... and I listen to both sides of it, but what most imp... what's always most important is representing the people who gave you the job and the people who elected you to this office. And so, I'd like to speak to the Bill. So, what I did was call one of my superintendents at home and this is not a wealthy school district. This is a school district where if you look outside the front doors

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of the high school what you would see is a cornfield. What you would see if you looked outside the front doors of the middle school is a cornfield. What you would see if you went through the small doors of the elementary school are houses that are trailers and it's a very small town. But what you would also know about the school district is that they were able to lower their taxes, they were able to take less from the people and that this is a school district that lives within its means. And so that when I explained what this Bill was to the superintendent of this school district and I said, I'm asking you how to vote because this is going to affect how you do business at your school district. And he said, Careen, I'm suggesting that you vote 'green'. That you give us a 'yes' vote on this... on this piece of legislation. So, we all stand here and we think that we're experts about education, but what's most important when this comes up is that you talk to an expert about education. And so, that's what I did. I talked to a superintendent about an expert and he is the expert that I rely on when it comes to Bills about education. And so, I stand here with my friend, with my colleague, Representative Ford, and I ask for a 'yes' vote. Thank you."

Speaker Lyons: "Representative Ford to close."

Ford: "Thank you very much and I thank all the people that spoke in favor of the Bill and I thank the people that opened up the discussion in opposition. The truth is we need to make sure that we strengthen all the links in the State of Illinois so that we all can benefit. This state

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can only be as strong as its weakest link. And everyone here knows that there's a problem with funding education, everyone knows that as the Governor said, with brain power comes jobs, and we know that we have to better fund education and we know we have to help the students out that need the help the most. This Bill would not take away anything from students that are in need, but it will help those that need it the most. I think that if you dig deep into your understanding about what's really needed, you will realize that a little bit could go a long way. Data shows that areas with the higher minority population and low average incomes typically have higher lottery sales. The only thing that this Bill does is drive more education funding into those areas. And I ask for a favorable vote. Thanks."

Speaker Lyons: "Ladies and Gentlemen, there has been a request for verification. Members, please, punch your own switch. Mr. Clerk, the question is, 'Should House Bill 618 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? Representative Currie, Dunkin, Flider. Representative Miller, Representative Osterman. Mr. Clerk... Mr. Clerk, take the record. On this Bill, there are 37 Members voting 'yes', 77 Members voting 'no', 1 Member voting 'present'. This Bill, having failed to get a Constitutional Majority, is hereby declared failed. Representative Keith Sommer, you rise on a point of personal privilege. Representative Sommer."

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Sommer: "Thank you, Mr. Speaker. I'd like the Body to join me in welcoming a group of school superintendents that are with us today, the Illinois Association for Supervision and Curriculum Development and they're joined also by former Representative Gordon Ropp, who also was director of the Department of Agriculture. Please make them welcome today. Thank you."

Speaker Lyons: "Gordon, welcome home. Good to see you, Sir. Thanks for coming to the Capitol. Representative Mike Zalewski, you rise for a point of personal privilege. Please proceed."

Zalewski: "Thank you, Mr. Speaker. I'd like to welcome the Saint Rene Raiders from the southwest side of the City of Chicago. They're up on the right-hand side up there. And Mrs. DeSantis, they made the trip down here. I had a very nice conversation with them and like to welcome them to Springfield."

Speaker Lyons: "Welcome, Raiders to the Capitol. Enjoy your day. Representative Biggins, for what purpose do you seek recognition, Sir?"

Biggins: "Thank you, Mr. Speaker. During the debate on the previous Bill, my seatmate used my zip code in debate. I just wanted to let people know that I agreed with what he said."

Speaker Lyons: "Representative Will Davis, for what purpose do you seek recognition, Sir?"

Davis, W.: "I have a point of personal privilege as well, Mr. Speaker."

Speaker Lyons: "Please proceed, Representative."

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Davis, W.: "Ladies and Gentlemen, you may or may not know that April, here in the State of Illinois, we have a Resolution to support this, but April in the State of Illinois, we'd like to designate it as the Month of the Black Male. And joining me today in celebration of April being the Month of the Black Male are individuals representing a coalition of the Illinois Committee on Black Concerns and Higher Education, Chicago State University, University of Illinois-Springfield, University of Illinois-Chicago, City Colleges of Chicago, Chicago Public Schools, Chicago Urban League, the Illinois African-American Male Task Force, the South Suburban Metropolitan Regional Higher Education Consortium, 100 Black Men of Chicago.. a Chicago chapter, Macy's Department Stores, and the Coalition of African-American Leaders. They're to my right in the back of the chamber, here celebrating the Month of the African-American Male. Please give them a great round of applause."

Speaker Lyons: "Welcome to the Capitol, folks. Enjoy your day. Representative Jerry Mitchell, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed, Representative."

Mitchell, J.: "Ladies and Gentlemen of the House, I just want to make a few remarks. I didn't get the opportunity to debate the Bill that would just came up. I just want to remind the Body of one thing. You know, I like LaShawn Ford and I commend him for what he's trying to do, but until we understand that we are responsible for every child

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in the State of Illinois. We are responsible to our voters, they are not children. I came down here 15 years ago to try to work on education funding to make it equitable. I've learned and listened and I realized it probably isn't going to happen because of our demographics, but we can work on adequacy. Folks, you're responsible for the kids in my district; I'm responsible for the kids in your district, and if we don't look at it that way, we will never solve this problem. The only problem with Representative Ford's Bill is it left a tremendous hole. You've got to look out for the unintended consequences of anything you do and that's why it's so difficult. But I believe very strongly that we need to continue these conversations and we need to work for every child in the State of Illinois. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Brady, for what purpose do you seek recognition, Representative?"

Brady: "A point of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed, Dan."

Brady: "Thank you very much. Ladies and Gentlemen, Representative Sommer indicated this earlier, but I also want to acknowledge... he's actually... we found him. There is discussion that Gordy's kind of hard to see at some times, that he's not very tall, but I want to also recognize the former Representative from the Bloomington-Normal area, Representative Gordon Ropp. How about a nice round of applause for Representative Ropp."

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Speaker Lyons: "Representative, again, welcome home. Glad to have you on the floor. Representative Will Davis, for what purpose do you seek recognition?"

Davis, W.: "Mr. Speaker, I want to also voice my comments. The Gentleman from the other side of the aisle talked about adequacy. Unfortunately, it's adequacy that encourages part of... many of the problems that we have here today. The Gentleman's Bill is simply trying to do something that we haven't been able to do here in this General Assembly since I've been here in the last seven years. Many of us ran on education as our primary topic, as the main thing that we wanted to try to do, and we have yet to be able to do it. Now, I've only been here for seven years, but this issue has been going on much longer. So, what you find are individuals like Ford, and I commend Representative Ford for trying to do something for his schools that we haven't been able to do. So, if you really want to do something, then let's put the issues of reform on the table. Many of you have talked about accountability. Bring it on. We welcome accountability to make sure that our schools get more resources. So, to the Gentleman, I appreciate what he's trying to say... not you, Representative Fritchey. I appreciate what he's trying to say, but he talked about adequacy. What is adequacy? Adequacy is underfunding of schools, 'cause that's what we have now. We need to go beyond that. And so, if you really want to do something, then let's put those issues on the table and let's pass meaningful reform for schools in the State of Illinois. Thank you."

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Speaker Lyons: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I agree with all of the previous speakers. But you know, if you'll just check your daily Calendar, on page 46 of today's Calendar under Motions to Discharge committee, I have a House Joint... a House Joint Resolution Constitutional Amendment #10 that would change how we fund education in Illinois. I have filed it every year for the last five years. It has never been allowed out of Rules Committee. And what did you hear earlier today... or earlier this year? All Bills and all Resolutions will be voted out of the Rules Committee and assigned to committee for a hearing. This wasn't. It's the same Amendment that we voted on in 1992. I was one of seven Republicans who voted for it. It passed in 96 of the 102 counties, but failed to get 60 percent plurality by less than 2 percent. So, you know, if you want to join me, if all of you on your side of the aisle want to join me in my Motion to Discharge, but you know what's going to happen. It won't get out of Rules Committee. So, don't stand up and tell me how much you're in favor of education. Join me on HJRCA 10 and ask your side of the aisle to let it out of Rules Committee, take it to committee, let's vote it out and vote it to the Senate. I'll guarantee you this would take away anybody's ability to hide behind you don't know what the people want to do. Let the people decide whether or not they want to change how we fund education. I think they do. We won't give them an opportunity. Excuse me. Your side of the aisle won't give them the opportunity."

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Speaker Lyons: "On page 32 of the Calendar, Representative Linda Chapa LaVia, you have House Bill 2445. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2445, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons: "Representative Linda Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This piece of legislation does a couple things. House Bill 2445 in 19... I'm sorry. In 2003, the General Assembly adopted changes to the Illinois Public Labor Relations Act to allow employees to form a union by simply signing union cards or a majority interest petition. House Bill 2445 seeks to clarify and codify them. Employees have to sign one, not both. The legislation seeks to keep any documents provided to the Illinois Public Labor Relations Board and Educational Labor Relations Board confidential and not to be released to employers. It also creates a uniformity and expedites the process of majority interest petitions. Legislation sets a 120-day time limit for the boards to certify the employee organization. After the presentation, a due cards... dues cards or interest petitions to the Illinois Public Labor and Educational Labor Relations Board. The legislation allows an additional 120 days for a hearing process on the evidence provided. It also... it allows all unions, which have filed petitions and unfair labor practice changes with the Illinois Labor Relations Board, to have had their interests unfairly compromised by the tremendous delays in the process of the cases. AFSCME has a petition involving majority interest that went on for

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over four years and many unions have seen unfair labor practice cases take up to two years after the hearing was held and briefs of both sides were filed. Currently, the Illinois Labor Relations Board has approximately 13 employees. The Illinois Educational Labor Relations Board has a total of 12 employees, down significantly from when the board was formed in 1983. House Bill 2445 requires the Labor Relations Board to employ 16 attorneys and 6 investigators and the Educational Labor Relations Board to employ 8 attorneys and 5 investigators. A decision from the Illinois Supreme Court in 2008, County of DuPage v. the Illinois Labor Relations Board has put into law many of these provisions in the Bill. We are merely asking to codify all these provisions. And I would request an 'aye' vote and take any questions."

Speaker Lyons: "Representative Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, this sounds a great deal similar to a Bill under consideration in the United States Congress called the Employee Free Choice Act. Is this related to the Employee Free Choice Act that..."

Chapa LaVia: "Not..."

Black: "...Congress is debating, as we speak?"

Chapa LaVia: "Not that I'm aware of, Representative Black."

Black: "Well, it's basically, the card check Bill, isn't it?"

Chapa LaVia: "Well, that could be true, but this wasn't brought on that fact."

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Black: "Right. So, is it your understanding that if a union representative says, I have 51 percent of the members of the... of your employees who have signed a... a card indicating their preference for a union, then the union would be recognized and there would be no secret ballot as to whether or not the employees wanted to, in fact, join the union. That'd be the end of it. I have 51 percent of the cards; I, therefore, demand that you recognize my union."

Chapa LaVia: "If that was the board's decision, then that would be a correct assumption."

Black: "Okay. Thank you very much, Representative. I know you're well-intentioned. And Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. Here we go again. I think with just a little bit of effort, just a little bit more effort, we can make Illinois completely and totally unfriendly to business. I have back in my file in the office, and I didn't have time to go back and get it, an open letter that was written by the president, I believe, and CEO of Caterpillar, Incorporated, which as you know is headquartered in Illinois, in which the president and CEO of Caterpillar rails about this concept. It's called at the federal level the Employee Free Choice Act. If you sign a card and you can si... you can be compelled... I've been through union organizing. I've been a member of a union. I know the pressure you can be under when the business representative or the agent comes around and says, all of your... all of your colleagues have signed the card, why do you not want to sign the card? All right. So, you finally sign the card thinking that you will then have an election

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as to whether or not you wanted to be represented by the Teamsters, the Laborers Local, or the Danville Education Association, whatever the case may be. What this Bill does is attempt to codify a Supreme Court decision that I don't think is definitive in nature. Says if I'm the organizer and I can go to the employer and say I have 51 percent of the cards signed, therefore you must recognize me, the union I represent, as the exclusive bargaining agent for all of your employees. Past practice has been then the election is put on a ballot at some time in the future, do you wish to affiliate with Union A, whatever, yes or no. And it's in a secret ballot where the employee then can exercise his or her unalienable right.. inalienable right to a free and secret vote, as to whether or not they wish to be represented by whatever entity is asking to represent them. What this Bill does is to simply say you don't have a right to that free election anymore. If I say and I can produce 51 percent of the cards of the employees at any entity, then I am able and willing and will now speak for all of these employees and there is no vote and there is no ability to say, I don't want to pay the union dues. I don't think I'll gain any more than I'll lose. I don't want to do this. It's a... it's a great piece of work and a great Bill if you think unions are infallible. It is not a very good Bill if you think people, ordinary working people should have the right to decide their future by a..."

Speaker Lyons: "Representative Black, if you could conclude your remarks, we'd appreciate it."

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Black: "Yeah. If you believe in the secret ballot process, you vote 'no' for this Bill. If you don't believe in the secret ballot process, obviously, you vote 'yes'."

Speaker Lyons: "Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, just so we can be clear, how does card check factor into your Bill?"

Chapa LaVia: "That's a... that's a good question. Right now, that is current law. This is not the subject of that... the Bill. That's not the subject of this Bill, right now. It has more to do with protecting our individuals that would like to be in a union against retribution from the employers."

Reis: "Okay. Current law for card check is for state employees, but does this have anything to do with private employees?"

Chapa LaVia: "Well, this has to do with anybody that would like to unionize, Representative."

Reis: "So, private companies."

Chapa LaVia: "Private companies have unions that work for them, yes."

Reis: "I know, but they don't have the current... currently they don't have the card check provision. So, I'm trying to be clear here, because AFSCME came to me and talked about this Bill..."

Chapa LaVia: "This..."

Reis: "...but nowhere did it talk about card check."

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Chapa LaVia: "Hold on one second. I want to doublecheck on the legislation. It could just apply to..."

Reis: "Okay."

Chapa LaVia: "This only applies to public employees and local units of government, as well."

Reis: "Okay. So, this only... your leg..."

Chapa LaVia: "So, it's only public employees."

Reis: "Your legislation only applies to public employees. Card check is already the law there. This simply codifies it."

Chapa LaVia: "Correct."

Reis: "This has nothing to do with the private company's employees' ability to..."

Chapa LaVia: "No. In fact the..."

Reis: "...implement card check?"

Chapa LaVia: "No."

Reis: "Okay. Thank you."

Chapa LaVia: "Thank you."

Speaker Lyons: "Representative Chapa LaVia to close."

Chapa LaVia: "I would just simply request an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 2445 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? Representative Eddy, Representative Beaubien. Mr. Clerk, take the record. On this Bill, there are 91 Members voting 'yes', 25 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Michael McAuliffe,

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on page 33 of the Calendar, you have House Bill 2540. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2540, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "Recognize the Gentleman from Cook, Representative Michael McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2540 is changed from when I introduced it last week. It would apply to the downstate police pension fund. It'd provide that a police officer who began receiving a disability pension after February 1 of 2001 and have at least seven years of service and whose years of service plus years in receipt of a pension at least 20 years and is receiving a disability pension on the effective day of Bill is entitled to a 3 percent noncompounded annual increase at any age. This, with the Amendment, would only include 228 disabled police officers and would cost \$569 thousand. And I'd be happy to answer any questions."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should House Bill 2540 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? Dave Winters. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

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Representative Bob Flider, for what purpose do you seek recognition, Sir?"

Flider: "A point of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed."

Flider: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. We have some guests with us here today from Shelby County and they're actually constituents of Representative Eddy, but good friends of mine. In the gallery behind me is the second vice chairman of the Shelby County Democrat Party, Dennis Fisher and his mother and father, Glen and Ann. I wonder if you'd please join me in giving them a Springfield welcome."

Speaker Lyons: "Welcome to the Capitol, folks. Enjoy your day. Representative Lisa Dugan, on page 31 of the Calendar, you have House Bill 1057. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1057, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Kankakee, Representative Lisa Dugan."

Dugan: "Thank you, Speaker. House Bill 1057 addresses an issue with audio recording along with video recording. This is an issue that was brought to me by local law enforcement concerning when a uniform police officer makes a stop or addresses a law enforcement issue. Now, they're able to video, but not audio. I took on... and this kind of was a Bill that it came out of committee auda... unanimously and I think the reason for that and certainly the reason I decided to take on this legislation is because I believe this is protection for the citizen. When there's audio,

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then there is no question as to what was said or what wasn't said and if someone is accused of doing something or saying something, this is the proof that they would have as a citizen also, not only for protection of law enforcement, but for the citizens to have the proof in hand as to what actually happened at that particular... whether it be a traffic stop or domestic violence situation or whatever it is that a uniform police officer. This is not for like undercover police officers. This only pertains to uniform police officers in the line of duty when they are addressing law enforcement issues. So, I'll certainly be glad to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Lady yields."

Reboletti: "Representative, for this Bill since it would allow one-party consent, that's what we're talking about, only the officer needs to put the switch on. Do you believe this will be a helpful tool for law enforcement, because there's many instances where there's allegations either by a defendant that a police officer did or said something or vice versa? Won't this help clear things up as to what really happened in real time and so, when we're in court this'll actually... we can hear what happened during a traffic stop or confrontation?"

Dugan: "Yes, Representative. Like I said, I think it's a tool for law enforcement, but I also believe it is a tool for the citizens, too, because then there is actual proof of

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what was said or what was done. So, I think it's a protection for both."

Reboletti: "Representative, I appreciate you bringing this Bill, but I have said this on the House Floor before and in committee. It is time for Illinois to go to one-party consent, so that way we don't have to keep chipping away at the eavesdrop statute. So, thank you, Representative for this legislation and I urge an 'aye' vote."

Speaker Lyons: "Representative Dugan to close."

Dugan: "Again, I would just appreciate an 'aye' vote. This is a good Bill for, not only law enforcement, but for the citizens of the State of Illinois. Thank you."

Speaker Lyons: "The question is, 'Shall House Bill 1057 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, 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative John Fritchey, on page 33 of the Calendar, you have House Bill 2547. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2547, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative John Fritchey."

Fritchey: "Thank you... thank you, Speaker, Members of the Body. House Bill 2547 was an initiative of the Coalition of Citizens with Disabilities in Illinois. It would expand

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the scope of... and jurisdiction of the Department of Human Rights to cover incidents of school-place bullying and harassment. We've seen many pieces of legislation, we've seen many stories about the problems that are associated with school-place bullying and harassment. This would give us a place for those issues to be addressed. The Department does have concerns because of the cost impact and I respect those concerns, but this is a critical need and we need to be able to have some place in the state where individuals can get redress for these types of complaints. I do request an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 2547 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? Beth Coulson. Mr. Clerk, take the record. On this Bill, there's 104 Members voting 'yes', 13 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mathias, on page 34 of the Calendar, you have House Bill 3729. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3729, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 3729 allows a municipality in my community, a non-Home Rule municipality, to expend moneys collected from their hotel operators' tax for any municipal purpose. An Amendment, previously

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adopted by this Body, made this basically, any objections to the Bill by anyone that has contacted me, neutral and including the convention bureau and the hotel and motel operators. And it is very narrowly drafted. I ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 3729 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 Collins, Harris, Hoffman, Riley. Mr. Clerk, take the record. On this Bill, there are 76 Members voting 'yes', 41 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Paul Froehlich, on page 35 of the Calendar, you have House Bill 4051. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4051, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons: "Representative Paul Froehlich."

Froehlich: "Thank you, Mr. Speaker. House Bill 4051, as amended, would... would say that the Illinois Local Records Act would... does apply to any election authority in the state, whether it's a county one or not. The State Board of Elections asked me to bring that Amendment to broaden it. They say they have no problem complying with the Act. I understand Cook County already complies with it. And I know of no opposition. There was no opposition filed in

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committee and no one has contacted me. I'll be happy to answer questions."

Speaker Lyons: "Is there any discussion? Representative Roger Eddy."

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

Speaker Lyons: "He awaits your questions, Sir."

Eddy: "Representative, just very quickly. What's the necessity of this... this change?"

Froehlich: "There... there has been a legal dispute in actually our second biggest county about whether the Local Records Act does apply to the Election Commission. And what we had is back in late '07, the Illinois Attorney General issued an opinion stating that the Records Act does apply, but apparently the local state's attorney feels there is some ambiguity in the law, so it may not apply. So, I'm trying to clear up that dispute."

Eddy: "And you feel that there's no opposition... there's no known opposition by the Attorney General Office or anyone else regarding the clarification that this legislation offers. This is..."

Froehlich: "That's my... nobody has filed against it in committee and nobody has spoken to me and our analysis shows none. I don't... you tell me if your analysis shows any opposition."

Eddy: "Well, Representative, the analysis shows opposition in the fact that the Bill came out of committee on a narrow margin."

Froehlich: "Yes."

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Eddy: "And I... I just want to clarify whether or not any of that opposition was cleared by the Floor Amendment that you put... it looked like a technical Amendment that was added."

Froehlich: "Yeah. It... it broadened it. It now makes it apply equally across the state to any election commission in the state."

Eddy: "Originally, was it just for DuPage?"

Froehlich: "Originally, yeah, it would have only applied to the... where a county creates its own election commission and I believe that is only DuPage."

Eddy: "Okay. And then since that time obviously, you have not heard from any of the other counties or groups that represent them that have any opposition to being responsible for the implementation... or excuse me... the destruction of records by local authority?"

Froehlich: "That's correct. Our analysis, though, shows that the Cook County Clerk already complies with the Local Records Act."

Eddy: "So, is it your belief that most counties that destroy those election records already are using a Local Records Act and this basically codifies the... a current practice?"

Froehlich: "Yes. It..."

Eddy: "Okay."

Froehlich: "...I want to eliminate any ambiguity there."

Eddy: "Okay. Thank you, Representative."

Froehlich: "You're welcome."

Speaker Lyons: "Representative Froehlich to close."

Froehlich: "I would appreciate an 'aye' vote."

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Speaker Lyons: "The question is, 'Should House Bill 4051 pass?' All those in favor signify by saying 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Barbara Flynn Currie. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Roger Eddy, for what purpose do you seek recognition, Sir?"

Eddy: "Mr. Speaker, on House Bill 2445, my switch malfunctioned and I would like to be recorded as a 'no' or the record to reflect that I'm a 'no' on that."

Speaker Lyons: "Representative, the Journal will so reflect. Representative Bob Pritchard, for what purpose do you seek recognition, Sir?"

Pritchard: "Thank you, Mr. Speaker. On House Bill 3729, I'd like to be recorded as a 'no' vote."

Speaker Lyons: "The Journal will reflect your wishes, Sir. Mr. Clerk, what's the status of House Bill 964?"

Clerk Bolin: "House Bill 964, a Bill for an Act concerning safety. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. Floor Amendment #1 has been referred to the Rules Committee."

Speaker Lyons: "Representative, on Floor Amendment #1 to the House Bill 964. It's in Rules. We'll hold that Bill on the Order of Second Reading. Mr. Clerk, what's the status of House Bill 366?"

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Clerk Bolin: "House Bill 366, a Bill for an Act concerning aging. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Franks."

Speaker Lyons: "Representative Franks on Floor Amendment #2."

Franks: "Thank you, Mr. Speaker. This is an omnibus Bill. I've been working with Representative Coulson and Representative Barbara Flynn Currie to help the income eligibility levels for the Circuit Breaker and Pharmaceutical Assistance Acts. This has been substantively negotiated. We have no opposition anymore and it.. what it will do is have the same eligibility levels, so it will take away a lot of the confusion with people who are signing up for these programs. And also expand the numbers of people who will be allowed to be part of these programs slightly. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion on Amendment #2? Seeing none, all those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Mr. Clerk, anything further?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Franks."

Speaker Lyons: "Representative Franks on Floor Amendment 3."

Franks: "Thank you. Floor Amendment #3 cleans up some of the issues we had in #2 and it becomes the Bill. It's a gut and replace. And this, again, raises the income

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eligibility levels for the Circuit Breaker and Pharmaceutical Assistance Acts. I'd be happy to answer any questions."

Speaker Lyons: "Any discussion on Amendment #3? Seeing none, the question is... those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment 3 is adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 366, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Lyons: "Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. And I really want to thank the people who helped put this together. We had tried to pass a Bill last year that was similar and we did pass it unanimously in the House, but there was a higher price tag. So, we brought that down on this... on this one, making it, I believe it's 239 percent of the poverty level instead of 250 percent. Barbara Flynn Currie was a huge help in getting this done. And I think it's really going to be important for the people who need it most. It's going to take away a lot of the confusion for those that utilize our senior services. It'll be uniform amongst the different programs that are available and it'll bring more people in. I think it's critically important to help our seniors and our disabled. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 366 pass?' All those in

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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? Will Davis. Will Burns. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, what's the status of... Representative Careen Gordon, you have House Bill 2376 on the Order of Second Reading. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 2376, a Bill for an Act concerning finance. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2376, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Grundy, Representative Careen Gordon on House Bill 2376."

Gordon, C.: "Thank you, Mr. Speaker. House Bill 2376 changes the State Facilities Closure Act so that as long as appropriations have been made in the budget for a specific facility, such as Pontiac Prison, that that... for the current fiscal year, then would require... it would require a Joint Resolution to pass both chambers before that state facility can be closed. And it would reduce... can be closed, reduce the number of residents, youth or inmates, or to move the facility to a different county. It also gives the General Assembly another option over the

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management of state facilities and COGFA's authority in the decision-making process doesn't change under the Bill. They can still hold their hearings, make their decisions, make their recommendations just the same way that they did recently in the course of the hearings when it came to Pontiac Prison. And I'd be happy to answer any questions."

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

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

Speaker Lyons: "Lady yields."

Stephens: "Representative, would you explain to me if you would the nature of the opposition by the Council on Developmental Disabilities? What's going on there?"

Gordon, C.: "I... they haven't approached me. I have absolutely no idea why..."

Stephens: "All right. Let... let me..."

Gordon, C.: "...why they would be against this."

Stephens: "When I look at your Bill, having gone..."

Gordon, C.: "Well... I... I have no idea of why they'd be against this."

Stephens: "All right. When I look at your Bill, I'm... my... my immediate reaction is that it's something I would support, having gone through the attempted closing of the facility in Vandalia. But when I look at the list of opponents, I understand the Governor and the Department of Corrections, but United Cerebral Palsy, Council on Developmental Disabilities, Equip for Equity (sic-Equip for Equality), and the statewide Independent Living Council of Illinois. Did they appear in committee, any of those?"

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Gordon, C.: "I was not here, Representative, to run this Bill through committee, but I think it's... it's..."

Stephens: "Could... could you indicate who ran the Bill in committee, possibly and they could yield for a question?"

Gordon, C.: "I do not know who ran it through committee, but what I do know is that these... these are groups that are again... are against... that are against facilities... that are against state facilities in general, and that are more for community integrated living facilities as more of a way to solve the problems and are against state facilities just as a principle of their group."

Stephens: "Well, Representative..."

Gordon, C.: "That... that could... that could possibly be a reason. Do I know that that's the exact reason? No, I don't."

Stephens: "I wonder, Mr. Speaker, if we could get someone... be it the Chair or the spokesperson of the committee... to have some input here. This... this seems like a great idea, but when we've got the nature of the opposition here is substantive, I'd just like to see what those arguments might be. And so, I would plead that the... the chair of the committee have some input and maybe our Republican spokesperson."

Speaker Lyons: "Representative Gordon."

Gordon, C.: "Yes. I... I... Rep... Mr. Speaker, I was not here to run this Bill through committee. It was... it was done for me on... during one of my excused absences. But it was... it was done for me just so that the Bill could continue to move forward, because it is one of my priorities and that I

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would like to continue to move this forward and move it over to the Senate."

Speaker Lyons: "Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, I, too, am... I signed on to, I believe House Bill 4 which was a facilities closure Bill. And I think we all have the same goal here, but these same groups that are listed on our analysis came out in opposition to that Bill. I've got a call into them. Would you be willing to take this out for later on today, so we can verify what their opposition is to it? Because they did come on, I think it was House Bill 4 or House Resolution 4, just so we can verify why they are so opposed."

Gordon, C.: "The Bill has been in the Calendar for the past two weeks and I've been here for two weeks and they've had every opportunity..."

Reis: "Representative, you're asking us to support a Bill that we want to help support, but we do not want to if all these groups are opposed."

Gordon, C.: "I understand that..."

Reis: "So, it doesn't matter..."

Gordon, C.: "...but if they're that..."

Reis: "...how long your Bill's been posted, we can't make a good decision on this."

Gordon, C.: "I under..."

Reis: "...and the last thing I want to do is to have all these groups in opposition to the Bill. So, just a few minutes?"

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Gordon, C.: "What I know is that if these Bills... if these groups are that opposed to the Bill, that they have had every opportunity to contact me over the past two weeks to tell me exactly what their opposition is. The people who..."

Reis: "And I agree, Representative, but that doesn't help us make our decision in the next few minutes. That's all we're asking."

Gordon, C.: "Okay. Well, I don't feel it's necessary to take it out of the record when they've had every opportunity to tell us what they're opposed to."

Reis: "Thank you."

Speaker Lyons: "Representative Patti Bellock."

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

Speaker Lyons: "The Sponsor yields."

Bellock: "I think that the major opposition of this Bill, Representative, by the disabili... I know the opposition of this Bill by the disability groups is regarding the closure of Howe, the DD facility, because they feel that if this Bill were to move forward... They are very anxiously awaiting the results of the closure of Howe and if this Bill were to go forward, I think that they would be afraid that they would not be able to close Howe. They have been waiting for over a year and COGFA has... was supposed to take a vote in December or January, they've moved it for 60 days. But according to this Bill I think that that would affect the closure of Howe, which the disability groups are strongly in favor of the closure of Howe and this Bill,

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according to what I've read right here, would definitely affect them not being able to close that facility."

Gordon, C.: "But I think... I think that there's been a difference in the treatment and the things that have happened at Howe versus the things that and the treatment that... things that have happened in other facilities and the analogy between the two doesn't... doesn't really exist at this point."

Bellock: "Oh, it... I think it does strongly and I understand where you're coming from, 'cause I sit on the COGFA committee. So, all of us that sit on COGFA have been at the hearings about the closure of Pontiac, of which we opposed that closure 'cause we felt that was very unfair. But with regard to the closure of Howe, the disability groups have been working for several years for the closure of Howe, and that facility has been decertified by the Federal Government for the last two years. So, we have not received any Medicaid match over the last two years for the Howe facility. So, according to this, this does not specify one facility, it specifies all state facilities and if you... what it says..."

Gordon, C.: "But what it also says is that it doesn't change any of the rules of COGFA whatsoever or how they operate or the type of recommendations that they make whatsoever."

Bellock: "You're absolutely right. It doesn't change anything about COGFA. COGFA does not have the authority to close any of these facilities. The... the closure rests totally in the decision of the Executive Branch of the Governor. But according to this Bill, as far as what I read it, and I may

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be wrong, is that what you're saying that is if money is appropriated for a state facility that it cannot close within that year and that would apply to all state facilities, so it doesn't say if this Bill was pertaining because maybe people in a certain area wanted Pontiac to stay open. This does not clarify a state facility. So, I can guarantee you, to those that were asking the questions, the disability groups would be opposed to this Bill because they would feel this would prevent the closure of Howe."

Gordon, C.: "But if there were ex... but if there were extreme situations, if they were criminal... criminal examples, if there were mistreatment of people who were in those facilities, those are completely separate examples and that this wouldn't... this isn't something that would affect how a state facility is kept up and no one wants to keep open a state facility that's not doing its job."

Bellock: "Well... Can I answer? There are people that want to keep open Howe and it is a very, very contentious issue. And so, in this case, if this Bill moves forward according to how I read it, if an approp..."

Speaker Lyons: "Representative Bellock, your time has expired. If you'd bring your questions to a close, we'd appreciate it."

Bellock: "Okay. Thank you very much. But I can guarantee you, this is why all the disability groups, and I'm sorry if it mixes up the intent of your Bill, but this would make a difference to all the disability groups, regarding the closure of Howe."

Speaker Lyons: "Representative Rosemary Mulligan."

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Mulligan: "Thank you, Mr. Speaker. To the Bill. Representative Bellock is exactly right and that's one of the reasons she's serving on COGFA. But the other issue here is, you could appropriate a certain amount of money for a facility. You can appropriate it for the fact that you're assuming that it's going to be federally certified. Then in the middle of the year you could lose that and the amount of money that we would have to cover or the back amount of money that we have to cover, because they lost their certification and we couldn't have Medicaid match, would be a greater amount. So, it really hampers what you're doing both in appropriations, if you'd need a supplemental, how you would do this. This is just an area of contention, because state employees would like some of these facilities to stay open and I'm sure they feel that if the money is appropriated for that year, whether it turns out to be an appropriate amount or an inappropriate amount, you must keep that facility open. It certainly ties the state's hands in how they deal with. It ties an agency's hands if something loses its certification, if they have a problem at that agency. Anyway you look at it, making it this stiff on if there's appropriated money, I mean, we appropriated money to mow the lawn at a facility, which is ridiculous. So, quite frankly, I don't think this Bill really fits in the pattern of how we govern or how we take care of state... state facilities. I think the General Assembly has been very generous in keeping open facilities in other areas, sometimes long past the point when they've lost their federal funding and perhaps should have been

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closed. I don't think this is an appropriate Bill to pass at this time particularly considering the state finances and the concerns over our budget. And the fact of the matter is that things are going to be changing at the federal level and we already have at least one facility that's lost its federal certification. So, I don't think this is a particularly appropriate Bill."

Speaker Lyons: "Representative Poe."

Poe: "Mr. Speaker, will the Sponsor yield?"

Speaker Lyons: "Sponsor yields, Representative."

Poe: "Yeah. Representative, I think... I think I'm probably going to come from the same direction you are. I had the same thing happen to me here in Springfield with the traffic safety facility talking about being moved from one area. And is it your intent you're trying to protect something like that with happening that we could have a little bit more time to evaluate that?"

Gordon, C.: "What we're trying to protect is to make sure that someone can't go around what the intent of the General Assembly has always been, because according to the Constitution we are the ones who appropriate the money for the budget each and every year."

Poe: "Did the disability community... I had House Bill #4..."

Gordon, C.: "Well, I just didn't..."

Poe: "...and it was very similar... what we're talking about here... only I wanted to make sure that the decisions that COGFA made were binding. Yours is going another direction on budgeting, but the disability community, was that... has that

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turned out to be the unintended consequence here in this Bill?"

Gordon, C.: "It... it seems to be. I've just been handed two of the things that... the United Cerebral Palsy and Equip for Equality has... what their objections have been and once again, they bring up the fact that they just... they don't like state-run facilities and that's their main... their main objection... their main objection to it and they use Howe as an example to that. But it goes back to state-run facilities and the arguments that are constant or consistently used when we go around and around about this. I know this, because not... well, Fox Center is not in my district, Representative, it is right outside of my district. And I have a... Fox Center, which there are several parents who have children in Fox Center. They think it's a wonderful place. Their children receive wonderful care there and then there are other people who would say that they want this facility closed down because they would want them in a smaller facility. They want them treated differently; they want them in a smaller facility that treats less people in a care... in a facility that gives care to a smaller amount of people."

Poe: "I guess what I'm asking is probably when you originally wrote this Bill you were thinking more about the situation in my district with traffic safety and the closure of Pontiac Prison."

Gordon, C.: "That's..."

Poe: "Is that... when you wrote the Bill, that was the intent you were looking for."

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Gordon, C.: "That was the absolute intent of it. I... I'm... While I have... I have one state facility in my district. It is a minimum security unit facility located in Kankakee County, but I am surrounded by state facilities, whether they be develop... for the developmentally disabled or whether they be prison systems.."

Poe: "Oh..."

Gordon, C.: "...and the people who work in these facilities live in my district, but the intent of this is about Pontiac Prison and the efficiency ratings that they had and... and how the previous administration ignored all information that was given... given to it and even attempted to steal money from the appropriation line that was given to Pontiac in an attempt to give it to another correctional facility that was falling apart."

Poe: "I guess... I think a lot more people on our side of the aisle will be a lot more comfortable if we could stick with the original intent and maybe separate out the disability community from this Bill. And I guess what I've asked is, is there some way that you would try to work with the Senate Sponsor to get this cleared up and I think, you and I could solve the problems that we wanted to solve and I think it'd make the rest of our... our Members a lot more comfortable with these other issues."

Gordon, C.: "I think that this is deadline week and I think that if we can pass this out of here and that when this same Bill comes over to the Senate, of which I've already signed on as the Chief Sponsor, that if we can make..."

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Speaker Lyons: "Representative Gordon... Representative Poe, your time has expired. If you'd finish your question, we'd appreciate it."

Poe: "When that does come over to our chamber, if you could work with our Representatives with these concerns, I think we'd really appreciate that. Thank you."

Gordon, C.: "That... that would be fine by me, but... like as I said, until... for the past two weeks I have not been approached by any of the people in this disabled community, nor have they told me of any of their problems. I was just handed this by a member of my staff and for the past two weeks have I... never have I been given any of their objections to this Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Kathy Ryg. Representative Art Turner in the Chair."

Ryg: "Thank you, Mr. Speaker. To the Bill. I'd really like the Members' attention on this because this is an issue that is really coming to an... to a head. I would... I understand that the Sponsor of this Bill was not able to be in touch with the opponents, but the opponents have reached out and suggested that what this Bill does is add another of layer of interference in our interests, which started six years ago under the leadership of the chair at the time of the Developmental Disabilities and Mental Illness Committee, Representative Lee Daniels. Over the course of these six years, we have been informed that the State of Illinois ranks 51st and failing in the nation, because we spend more money on institutional care and have failed to

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invest in community based services, which persons with disabilities want to have the choice. The state has been sued. We have been decertified from some of our state institutions and in the case of Howe, since the announcement, which was very carefully deliberated and presented, we have had additional deaths at the facility. We have had... that single facility has 35 percent of the deaths in state institutions with only 13 percent of the population. We are losing \$60 million a year on a facility serving 300 residents with a high incident of deaths. We have to start to rebalance our system. We know that if we take the steps to do that, we have reports, we have opportunities. We can look at our existing system of care and recognize that we are not providing the continuum that people with disabilities need and deserve. So, I would suggest that we need to go with the system that we have in place through COGFA, not add another layer, which is intended to sidetrack the rebalancing. The reports do not call for the closing of all state-operated institutions. It suggests that we need those institutions as part of the continuum of care, but when we continue to lose the federal match, we are pouring money into a system that does not work for the people it's intended to serve. It doesn't work for those residents. It puts their families in limbo, because they know these facilities have the potential to close, yet we're going to keep them on the limb for another year while we... we have to have more actions by the General Assembly to get in the way of what's going on at COGFA. So, we do appreciate the questions that are coming from the

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Sponsors of House Bill 4, in particular, because in their intent to pay attention to the process by which state facilities are closed, they recognize that they did not intend to affect the facil.."

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

Ryg: "...where people reside. So, we have to pay very careful attention to this. We have to stop being 51st in the country. We have House Joint Resolution 28, which requires the Department of Human Services to develop a plan to rebalance our system of care. And so, it's very important that this legislation not become law. Thank you."

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

Colvin: "Thank you, Mr. Speaker. To the Bill."

Speaker Turner: "...Bill."

Colvin: "I was sitting here listening to debate and decided that I just wanted to make a couple comments with regard to, I think, what the Lady is trying to do. I'm speaking in support of the Bill. And there was discussion about COGFA and different interest groups and discussion around Howe Developmental Center, a center I had an opportunity to visit back in December with the State Senator there, Maggie Crotty. I listened to the people there, their concerns, their complaints, where they were with respect to Howe. But... and all of what this Bill is... it's interesting that people are focusing in on one facility and then I heard Pontiac, as well. But the way I read this is policy, policy for the entire state and whether or not it is good policy at a time in State Government when the watchword has

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become reform. I think we've all seen over the last several years here in Springfield where there have been proposed closings that appear, at least in my opinion... my own humble opinion, have been more about political motivations than it has been about state fiscal responsibility and the like. It is clear to me that this legislation gives those of us in the House, in the General Assembly, in the Legislature, a proper check and balance of Executive decision and Executive authority and Executive decision making. I think this is appropriate because it allows the General Assembly to take a vote in whether or not to sustain a decision from the Executive Branch. And it also, I think, provides a healthy balance between what is in the best interest of... what's in the best interest of the General Assembly, the best interest of fiscal integrity, and the best interest of reform, so that we can get rid of and stop playing these silly games of political retribution in some of the closings that have been proposed over the last few years. This is just a real commonsense check and balance that is necessary to ensure a fair hearing for any state facilities that are going to be closed. I'm in strong support of this piece of legislation. I think it's long overdue and it's literally the type of check and balance that we need in the State of Illinois to make sure that all of us have an opportunity to weigh in on state facility closings and not just special interest groups and not just Executive authority. I urge everyone to vote 'yes' on this Bill. Thank you."

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

Leitch: "Thank you very much, Mr. Speaker. This is an extremely important Bill. And I would have agreed with the previous speaker were this a necessary check and balance. This is not a necessary check and balance in my view. In fact, it is an impediment to making essential and critical reforms long overdue in this state. There's a reason why Illinois has the worst mental health system in the United States and the worst system for helping developmentally disabled people in the United States and fundamental to that reason is because the state insists on propping up archaic, expensive, and totally ineffective institutions. By expensive, I mean it costs over a quarter of a million dollars to pay for a patient or a client in many of the mental health facilities that the state continues to prop up. And I wouldn't care if... and I don't think many people would care if that quarter million dollars was behind an individual who were getting actual services that in the case of a mentally ill person were helping that person reach recovery. That'd be great. Or to a developmentally... develop... a person with developmentally disabilities who needs the best future that person can have, but that is not true. While we starve the community-based agencies, don't give them pay raises, put all kinds of hurdles in front of those agencies that are doing all the innovative work, and comport with the most important evidence-based practices for both mentally ill and for developmentally disabled people. Illinois continues to plod along, waste all kinds

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of money, and worst of all, worst of all, the ones who pay the price for this are not here on this floor today. The families and the people who are paying the price for our state's abject neglect and incompetence, they're not here. They're stuck away someplace getting inferior care or no care at all. Yes, we do need some state facilities; no one would disagree with that. But please, please do not add another impediment to streamlining and to helping Illinois get into the 21st century for our most vulnerable citizens. So, as with respect for the Sponsor, I would nevertheless urge a resounding 'no' vote to this measure. Thank you."

Speaker Turner: "And the last speaker is Representative Crawford.. I mean, Representative Eddy, the Gentleman from Crawford."

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

Speaker Turner: "Indicates she will."

Eddy: "Representative, I'm not going to belabor the point, but I think a lot of folks are obviously very, very concerned about a particular issue regarding disabilities. And if you would make the commitment to, in the Senate, address those concerns, 'cause I don't think your intent is.. is in any way to hold up or affect what many believe to be the proper course with an institution that is obviously a problem. I don't think that's your intent. It's early enough that if you would make the commitment that that would be addressed in the Senate, that this would come over for a concurrence before this Body, I think everyone could support this because of the underlying intent and then what you're trying to do. So, I'm going to ask you just one more time

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if you are willing on the record to make that commitment on this Bill to address those concerns and bring that back here to this Body after action in the Senate."

Gordon, C.: "I... I already indicated that I would make that intent and I think that this entire discussion has gone off on a tangent than it would never have gone off on because it was never meant to be that way. But yes, I do make that promise and will stick to that intent, what when the same Bill comes up from the Senate or whether it comes from... comes for concurrence in the House. But no, there is no intent on my part in any way, shape, or form to deal with any other issue but what was dealt with at the Pontiac Prison and not at any other facility that was brought up today."

Eddy: "Well, I appreciate that and this process gets difficult, especially toward the end. People are scurrying around trying to cover a lot of bases today. And for those individuals who have a concern about that particular part of this, to have your word that that will be addressed and that this would come back with that change is... is good. Thank you very much for that courtesy. Thank you, Representative."

Gordon, C.: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 2376?' 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? The Clerk shall take the record. On this question, there are 88 voting 'aye', 29

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voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, we have House Bill 3865. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3865 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Gordon. Jehan Gordon. Take the Bill out of the record. Representative Deborah Graham on House Bill 3964. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3964, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Gordon... I mean, Graham."

Graham: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I have before you House Bill 3964. This is a cleanup to a piece of legislation that was passed back in 1997. There was an issue that they thought they were able to... if you were on leave, to buy a certain level of credits. They thought it was taking place. This piece of... this measure allows the State Employee Retirement System participants to get earning credits when they buy service credits for unpaid leave. Participants already have the ability to buy the service credit for unpaid leave, but because the technical problem with the statute, they had not been able to get credits for their earnings. This is agreed piece of legislation. And I'll attempt to answer any questions at this time."

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Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 3964?' 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? The Clerk shall take the record. On this question, there are 113 voting 'aye', 4 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Burke, for what reason do you rise?"

Burke: "Thank you, Mr. Speaker, and Ladies and Gentlemen, for a moment on a point of personal privilege. I would like to introduce to the Body the organization SWOP, Southwest Organizing Projects up in the gallery with the yellow vests. Welcome to Springfield, SWOP."

Speaker Turner: "Welcome to Springfield. Representative... Representative Jerry Mitchell, we have House Bill 3350. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3350 has been read a second time, previously. Floor Amendment #1, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Turner: "Representative Rich... Mitchell moves for the adoption of House Amendment #1 to House Bill 3350. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. The Gentleman from Lee... Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 3350, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Mitchell on House Bill 3350. The Gentleman from Lee, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Mr. Speaker, House Bill 3... 35... 3350 is an attempt to close a loophole in the sex offender law that is on the books. Basically, what this does, it just simply says that a registered sex offender, someone on the criminal sexual offender list, cannot attend a school function, even if it's off school grounds. Right now, the law is that they cannot attend such things as basketball games, plays, and that sort of thing that are afterschool events. This covers events that are off school grounds, but are school sponsored. That's all the Bill does. It puts that in the language that is already in law. I'll be happy to answer any questions."

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

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

Speaker Turner: "Indicates he will."

Fritchey: "Representative, this is among the more reasonable Bills that we've seen of these. Let me ask you, you know, as we delve into the law of unintended consequences, what if a school-sponsored event is being held at a location where a sex offender is employed? So, unbeknown... Let me just... let's say a... a field trip to a museum and one of the employees at the museum happens to be a convicted sex offender. He would not know what groups are coming to the museum that day. He wouldn't have any control of that."

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Would he be in violation simply by showing up for work that day there happening to be a school event? Or even if he... and I realize there's a knowing provision in the legislation. But even if he knew that the ABC school is coming for a field trip to the museum that day, would he be required to take a day off from work? Would the employer be subject to some type of liability, would the subject... would the employer be required to notify and get authorization from the school? You understand what I'm trying to get at."

Mitchell, J.: "No, I understand exactly what you're saying, John. And basically, I don't think this Bill would have any affect on his employment whatsoever as long as it.. this is to cover situations where a sex offender knows that the children are going to be at a certain place and requests to go along, such as a parent. We have left in the law and again in this paragraph the fact that the superintendent or the school board has the right to determine that it's okay if they're there. There are certain situations and you and I have discussed this before, I think we really need to overhaul this whole piece of legislation, form a committee and look at the whole situation, because unintended consequences happen all the time and that's not the intent of me or you or anyone else that deals with these Bills. The fact of the matter is, as a superintendent or a principal, your responsibility is to protect all of the children and that's why these decisions are made. But there can be situations where maybe a parent is on that sex offender list for a situation that did... really isn't..

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doesn't apply anymore and the whole town knows it and maybe it's okay; therefore, we've left that language in there so that the board and the superintendent has the discretion to act independent of the law."

Fritchey: "But Jerry, let me... let me submit to you this, having read the language of the Bill, the situation that I just delineated, if the individual was employed at that location and a school trip was there and he knew, that individual would be in violation of the law."

Mitchell, J.: "He... he..."

Fritchey: "And that violation could in... could in fact, depending on the terms of their release, actually wind up throwing that person back into jail simply for showing up to work that day. This... the legislation does not say that they cannot request to be on a school sponsored trip. It says, if they are knowingly at a location where there's a school sponsored event, they are now in violation of the law and that violation of the law could submit them to reincarceration. All I would ask is that... I get what you're trying to do. It's well reasoned; it's well-intentioned. I've known you long enough to trust you implicitly. I would ask that you seriously consider... I'm not going to ask you for a commitment, but I will ask that you seriously consider an exception to be put in on the Senate side to say that an individual being at their place of employment would not be in violation of this. Unless you disagree with that and if you disagree with that, I'd like to hear why now, but you get... I'm talking about a limited situation, but we... we have, in many times, made

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life justifiably difficult for these individuals. I don't want to see a situation where somebody is at work and all of a sudden they're going to wind up back in jail for doing nothing other than having shown up to work that day."

Mitchell, J.: "Well, John, a couple of things come to mind. Number one, if the sex offender was employed and his employer had no knowledge of this previous conviction which... which I don't think would happen..."

Fritchey: "Agreed."

Mitchell, J.: "...most of the time."

Fritchey: "Agreed."

Mitchell, J.: "If... if it's such a situation, if it's a museum where they know that children are going to come through, then surely the employee could go to the employer and say, look, I'm going to have to take an hour or two, it wouldn't be a day. It would be the time that that school group is there."

Fritchey: "Well, let... let... but let's take a different situation. A museum is just something that just came to mind. Sometimes you may have a school trip to a factory to see how something gets made. I remember going on those types of trips when I was a kid. And they say, hey, we're going to... we're going to go... we're going to go to this facility to see how this product gets made and you've got an individual that has a job on an assembly line. And all of a sudden the school group is coming through to see how these widgets get made and you know, this guy says, oh my gosh, you know what, I'm breaking State Law by being here. You know, there's... there's no liability on the part of the

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employer here; there's no requirement that the employer has to know or not know or give notice to the school district. It simply says if you are a sex offender and if you are at the location of these school sponsored event knowingly, you just broke the law again."

Mitchell, J.: "What I will pledge to you is that I will sit down with you..."

Speaker Turner: "Bring your remarks to a close. Turn Mitchell on."

Mitchell, J.: "I will talk to my Senate Sponsor and explain the situation and see if we can't work out an agreeable Amendment and I'll allow that to be amended on to the Bill..."

Fritchey: "All right."

Mitchell, J.: "...and we'll bring it back for concurrence."

Fritchey: "Jerry, your word's as get as it gets down here, but please just... as we get busy, please don't let this fall through the cracks, because I think that there's a situation here which is not one that you're trying to create, but one that can find itself in the court system and the last thing we would want to do is take somebody that's trying to get themselves back on the right path and inadvertently throw them back into jail."

Mitchell, J.: "Well, I... I certainly agree with you and that... that certainly is not the intent. The intent is to cover situations where the principal, the teachers that are there are responsible for every child and a child goes into the bathroom, the sex offender happens to be there, then the teacher's liable. So, we had to cover some protection for

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them, but on the other hand, you know, someone that's finally gainfully employed and gets thrown into the situation, unintended on his or her part, I think that we need to at least look at some accommodation."

Fritchey: "And... and... and..."

Mitchell, J.: "And I won't let it go through... fall through the cracks."

Fritchey: "And I'm saying, listen, I'm not just a Legislator. I'm a father of a little girl that goes on school trips. So, you know, I'm keenly sensitized to this, but I think that there's a way that we can make sure that the language of the legislation matches up with the intention of the legislation. So, thank you."

Mitchell, J.: "You're welcome."

Speaker Turner: "The Lady from Grundy, Representative Careen Gordon, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Gordon, C.: "Representative Mitchell, does this... what... what... the person who would be guilty of this is a Class IV felony which is one to three years in prison or a probationable offense, right?"

Mitchell, J.: "Yes. That's what's in the law now."

Gordon, C.: "Okay. And a school sponsored event includes a field trip, a school event, a musical, or theatrical event."

Mitchell, J.: "Yeah. And basically, everything's in the law already except it's not covered if it's a school sponsored event outside the jurisdiction of the school. In other

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words, let's say an elementary class is taken by their physical education teacher to a local bowling alley to learn how to bowl."

Gordon, C.: "Okay."

Mitchell, J.: "That's a school sponsored event."

Gordon, C.: "But it's also private property, right?"

Mitchell, J.: "Correct."

Gordon, C.: "Okay. And you're also saying a... like a school event like a musical or theatrical event. So..."

Mitchell, J.: "School events, if they're off school grounds."

Gordon, C.: "Right. So, for example, a sixth grade class or a seventh grade class has tickets to go and see a play even though they're not the ones who are completely filling up the theater, but there are also other people there who... during the matinee and one of them happens to be a sex offender, would that sex offender be in violation of this statute?"

Mitchell, J.: "Yes, he would be."

Gordon, C.: "You're keeping someone off private property and what if, I mean, and it's a strict liability crime and now they're... they could be... technically they could be made a convicted felon just by showing up to a play that they had tickets to."

Mitchell, J.: "If you look at the law, it says knowingly."

Gordon, C.: "Well, they didn't knowing... but then knowingly showing up until they got there because they bought a ticket to an event and then all of a sudden they see a group of school kids there. They have a hundred dollar ticket to see a play, do they have to leave?"

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Mitchell, J.: "Well, Representative, again, these people committed the crime."

Gordon, C.: "Yeah, I know that."

Mitchell, J.: "With that comes some burden and one of those is that they can't be within a certain length of... or distance to school-age children."

Gordon, C.: "Okay."

Mitchell, J.: "And there's laws on the books for that already."

Gordon, C.: "Right."

Mitchell, J.: "So, they have to know what their limits are."

Gordon, C.: "Well, I... I know it's on the books. I'm fully aware of that."

Mitchell, J.: "Okay."

Gordon, C.: "That they have to register depending on, you know, when they committed their crime and everything else. So, they show up; they've got a hundred dollar ticket to a play; they see a school group that's there. Do they then have to leave? They have to leave a private property because a school group has shown up."

Mitchell, J.: "Yes, that's correct."

Gordon, C.: "Do you see any constitutional problems with this at all, Representative?"

Mitchell, J.: "No, I don't."

Gordon, C.: "Not at all?"

Mitchell, J.: "Not at all."

Gordon, C.: "Okay. And what was the agreement that you just made with Representative Fritchey that you're going to work on this how?"

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Mitchell, J.: "Yeah. We're going to look at... we're going to look at the situation that he described and see if there is something that we can do to make an exception for someone that's employed that unknowingly..."

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

Mitchell, J.: "Hello. That unknowingly wound up in a situation where the children were there. Now, what that accommodation is at this point, I can't venture to say, but we will work on it."

Gordon, C.: "Okay. Well, until that point... Ladies and Gentlemen of the House, to the Bill. I would say that you've had some serious constitutional issues when you have someone who's served their time, who has a hundred dollar ticket to an event, who all of a sudden sees that a school has shown up to this event and then all of a sudden they have to leave because they had no idea and now they know that this school is going to be there also witnessing this musical event or this play or whatever the case may be, off school grounds and they have to leave because the school group is there. And you're all of a sudden restricting the boundaries that they have and that was not what they signed up for nor was that part of the sentence that they had when they were convicted of their crime. What they can work on, I don't know, but I do know that there's no way to make this specific crime that Representative Mitchell is proposing, in any way, shape, or form, work for the State of Illinois, nor is there any way to enforce it. And I would urge a 'no' vote. Thank you."

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

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

Speaker Turner: "Indicates he will."

Franks: "Representative, I'm reading the Bill and if you go to the underlying Bill on page 1, starting at line 9, and it talks about the exceptions when a convicted sex offender could actually be on a school property. And the present law indicates there's three... three specific instances and that's when a parent or guardian is attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially. Number two, participating in a child review conferences in which evaluation and placement decisions are going to be made with respect to his or her child. And number three, or attending conferences to discuss other student issues concerning his or her child."

Mitchell, J.: "And I believe there's one more there, too, Representative, to vote in an election if it's held at a school."

Franks: "Okay. So, those are the exceptions when someone who's convicted... a convicted sex offender can be on the school grounds. As I'm reading your Bill, and I'm reading the language of the Amendment that you put in, it seems to me that this is a pretty... I know what you're trying to do, but I think instead, the way this reads is this is a much greater expansion of those exceptions. Because now the way this Bill has been drafted, it would also allow the child sex offender to... with the agreement of a school

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superintendent or the school board to go to many more events off campus where these kids would be there or even on campus, whether it'd be, you know, a field trip, a sporting event, a musical event, or theatrical event. So, I'm concerned that the way this is drafted instead of tightening, what you're trying to do, instead it actually expands for these... for these offenders to be able to be at these different places."

Mitchell, J.: "Representative, in the original Bill that exception by the school board or the superintendent is already there. That's in the original language. We just simply..."

Franks: "But... but not for..."

Mitchell, J.: "...put that same language in the off campus events so that it matches what's in the original Bill. That's to cover situations where the person is known, it may be a mother or a father, and they want to go along and the school board sees no problem with it. That's at their discretion. The same with the..."

Franks: "But I'm not sure the school board has jurisdiction on private property and right now, the law is pretty clear and..."

Mitchell, J.: "Well, the law is pretty clear that a child sex offender cannot be within 500 yards of a school or a school group. That's already covered in law, as well. Now, the problem that we have is... one that Representative Fritchey pointed out... is if they're employed, if they're to be there through employment. That I can see needs to be addressed and I'm more than willing to work on that, if there are

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other issues with the Bill. What I'm trying to do is to make sure that that teachers, principals, have some protection because I'm afraid that if they don't, a lot of these trips may just be canceled. They won't have them anymore. The situation has come up once."

Franks: "I'm concerned how it's drafted and I heard Representative Fritchey's comments, but it.. and maybe I have to read it more, but it just seems to me that it looks as though this is actually an expansion of where these predators can go with the acquiescence of a school board or a superintendent. Thank you."

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

Eddy: "Sponsor yield?"

Speaker Turner: "Indicates he will."

Eddy: "Representative Mitchell, my understanding of this, and I want to make sure I'm clear, because a couple years ago Representative Rose and I actually worked on this original legislation because of concerns that schools had regarding extracurricular events. The law before that did not really cover those the way they needed to be covered as far as several law enforcement agencies were concerned. And when I read this, I considered what you were trying to do was to close a loophole, because oftentimes a cocurricular event or field trip may not be on school grounds and you saw and obviously, there's been problems where when schools have a trip, if they play ballgames somewhere other than their own school property, sex offenders could say that the law doesn't apply to them and you want to clarify the fact that

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it does apply when those children are present. Is that as simple as this is?"

Mitchell, J.: "That's as simple as it is."

Eddy: "Okay. And Representative Fritchey's comment is very well-taken because I didn't think of and I know you didn't the fact that, hey, an employee at that place may have.. and I think in those cases the flexibility that you're allowing school districts to take on that.. that liability, if you will, to go ahead and allow that and have a discussion with the employer and say, hey, here's our situation, we're trying to work with you, you're allowing for that flexibility. You're not trying to open this up for.. for any type of concern and if nothing else, I want to make sure that is stated on the record as your intent."

Mitchell, J.: "Yeah. My intent is simply the protection of the children. You know, I'm not.. I'm not trying to infringe on anyone's rights and I have pledged to work with Representative Fritchey and others that have concerns that I am, so that we can work that language out. This was brought to me by a school district and a police department that said, at this point, there's no jurisdiction whatsoever on a school sponsored event that's off school grounds. So, we're trying to tighten it. I'll be happy to work with anyone on an Amendment. That's all that I can promise."

Eddy: "And school districts right now.. and I can tell you from personal experience in this.. have the opportunity to allow a parent to come to a.. an event at their school."

Mitchell, J.: "That's correct."

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Eddy: "They can do that..."

Mitchell, J.: "That's correct."

Eddy: "...with... with the, if they feel comfortable, if they... if they've taken proper security and they've set up boundaries. They can do the same thing under this Bill at a remote location. You're just adding that remote location, because it really wasn't covered in the original Bill. I think... I think it tightens up legislation that we passed a couple years ago and I think it's a good change and I appreciate your willingness to work with anyone on trying to make sure that the intent is carried through. But this is a good piece of public policy that tightens up a Bill, previously. I'd urge an 'aye' vote."

Mitchell, J.: "Thank you."

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

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

Speaker Turner: "Indicates he will."

Lang: "Representative, I know... I don't think you... that anybody thinks there's anybody on this floor that would support a child sex offender, but I'm concerned about some of this Bill. And so, you've got a portion in here that says that a convicted sex offender cannot be in a place where there's a school sponsored event. So, let's take a fact pattern, so and it may sound funny, but it's the first one I thought of. So, a child sex offender is at the bowling alley bowling and a group of kids comes in... come in, how does that person determine whether that's a school sponsored activity or somebody's birthday party?"

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Mitchell, J.: "Well, again Representative Lang, and the language says knowingly. If that person's in there bowling, I don't think they would knowingly have come there to a school sponsored event and I think that's a distinction that we can look at that that would serve some protection for a person that has done their time and they're simply bowling there."

Lang: "But who makes that distinction? So, a law enforcement officer comes in and he spots a guy over there and he knows he's a child sex offender and he knows... the officer sees a bunch of kids over here. So, is the officer responsible to then find out if that's a school event or a nonschool event and then go to the... the former child sex offender and say, did you know that was a school event? How do... how do you..."

Mitchell, J.: "I would... I would assume..."

Lang: "How do you enforce this?"

Mitchell, J.: "I would assume that that scenario could very possibly happen."

Lang: "Well, then how do you know what's in the mind of this person?"

Mitchell, J.: "Well, you never do. I didn't know what was in the mind of the person when they committed the act in the first place. I don't know whether they are... they're completely rehabilitated. I mean, you know, nobody can read anyone else's mind. The only thing is, is if I were convicted of that and I saw a group of children walk in, I would leave."

Lang: "Well, but the law doesn't require them to do that and in essence what you've done here, you don't do it directly,

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but the practical result of what you have done here is really shift the burden of proof. You basically said to this person, you'd better go, because if you don't go and a law enforcement officer sees you there, he's going to assume that you wanted to be around those kids. He's going to charge you and you're going to have to prove your innocence rather than having somebody else prove your guilt because they could never prove that the purpose... the person knowingly was there unless there was a big sign posted. You know, the, you know, blah, blah, blah school field trip is coming today. Otherwise, how would he know? And so, what you're really doing here is shifting the burden of proof and accordingly what I think you're really doing here is just having another Bill, you know, we all think it's a great idea to dump on these people and they're bad people... they were bad people... and maybe they'll continue to be bad people. But the assumption that they can't be anywhere in society, we've got to put a stop to that thought process and I think all you're doing here, in the guise of protecting children, is protecting them in a way that takes away an actual human being's civil liberties."

Mitchell, J.: "Representative, it's not my intent and it's not a guise. The truth of the matter is that as a former superintendent, as a former teacher, I understand the unintentional consequences... unintended consequences to a teacher, to a superintendent, to a principal allowing a group of students to go somewhere and if there was an incident, the liability is unlimited."

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Lang: "But you're not putting a burden on the teacher or the school board to... to..."

Mitchell, J.: "It's already there. If you're in a..."

Lang: "Just wait a minute, let me finish my thought. You're not putting a burden on anybody to do a sweep of that bowling alley or a sweep of that movie theater or a sweep of that amusement park to ask every single person there if they're a sex offender. Why don't you... why don't you put that burden on them? Then Representative Bassi can talk about the mandate."

Mitchell, J.: "My intent, my concern as far... children that cannot defend themselves and we as adults try to enact laws that make sure or ensure that when they do something educational that it is an environment where they can relax and not worry about it. Now, can we cover every instance? No, no law does and you know that, Representative. But what I'm trying to do is to afford some protection to the school class, the teacher, and the principal."

Lang: "Well..."

Mitchell, J.: "If this hasn't done that, I'm willing to work with John; I'm willing to work with you to see if we can do something with this Bill that would be advantageous. If I've infringed on the... on the rights of a sex off..."

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

Lang: "Well, just..."

Mitchell, J.: "Then that certainly is an unintended consequences of what I've done."

Lang: "...just briefly. I certainly would join you anytime you want to keep sex offenders away from children. I just

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think we have to draft Bills in a way that gets us where we want to go without violating our Constitution. I think this Bill is poorly drafted. I think you have a good idea, but I think it's poorly drafted. This whole idea about knowingly and I understand we're at a deadline. I would like to hear your commitment that you would please recognize that some of this language should be reviewed as the Bill goes to the Senate, so that we can determine if there's a better way to draft this concept."

Mitchell, J.: "Representative, you... and that's exactly what I meant with Representative Fritchey, and I will give you that same assurance that I will do everything in my power to make this draft something that does not infringe on the rights of any human being except for the protection of children."

Lang: "Thank you."

Speaker Turner: "And the final speaker is Representative Rose, the Gentleman from Champaign. Seeing no further... seeing no further questions, the question is, 'Shall the House pass House Bill 3350?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. The Clerk shall take the record. On this question, there are 89 voting 'aye', 24 voting 'no', 5 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Mulligan, on House Bill 2640. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2640, a Bill for an Act concerning appropriations. Third Reading."

Speaker Turner: "The Lady from Cook."

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Mulligan: "Thank you, Mr. Speaker. Members of the General Assembly, what this Bill does... is it appropriates \$10 million from the General Revenue Fund to the Local Health Protection Grant Fund. What it would do it would increase the amount divided on the current formula for every local health protection grant recipient, which are all our local public health certified around the state. It's simply a statement saying that if there's money available we think that they're the first line protectors in our communities particularly with people losing their jobs and going... seeking other places to get health care. Hopefully, there will be money for this. If there isn't, then it won't be appropriated."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 2640 pass?' 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 106 voting 'aye', 12 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pihos on House Bill 547. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 547, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "The Lady from DuPage, Representative Pihos."

Pihos: "Thank you, Mr. Chairman and Ladies and Gentlemen of the House. Today I present you with House Bill 547. And this creates the Identity Protection Act to address problems associated with identify theft and state and local

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governments use of Social Security numbers. This legislation is actually the product over two years... or over two General Assemblies and originally came out of the recommendations from the Social Security Number Task Force. It passed out of the House unanimously last year and this year we filed it and had the opportunity to work alongside of CMS to make a good Bill even better. I think all state and local governments are making an effort already on their own to comply with many of the actions taken in this Bill. And I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 547?' 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 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 3987. Representative Hamos. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3987 has been read a second time, previously. Floor Amendment 1, 2, 3, and 4 have been adopted to the Bill. Floor Amendment #5, offered by Representative Hamos, has been approved for consideration."

Speaker Turner: "Representative Hamos on Amendment #5."

Hamos: "Thank you, Speaker. First, I'd like to table Amendment #2."

Speaker Turner: "The Lady requests to table Amendment #2. Those in favor say 'aye'. The 'ayes' have it. And

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Amendment #2 is tabled. Further Amendments? I should say, on Amendment #5."

Hamos: "Thank you, Speaker. I'd like to table Amendment #5."

Speaker Turner: "Amendment #5 has not been adopted yet."

Hamos: "I'd like it... to withdraw Amendment #5."

Speaker Turner: "The Lady requests to withdraw Amendment #5. All those in favor say 'aye'. The 'ayes' have it. And Amendment #5 is withdrawn. Further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3987, a Bill for an Act concerning energy efficiency. Third Reading of this House Bill."

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

Hamos: "Thank you. Speaker and Ladies and Gentlemen, by way of explanation, what I just withdrew was an additional portion to the Energy Efficient Building Code that has to do with solar energy. We withdrew that at the time, being, some people had some questions about it and we're going to continue working on that. So, what I have in front of you and I'm proud to present is the Energy Efficient Building Code. You know that we've been working on this for several years. This is a Bill that would require statewide energy efficiency standards for new residential construction. This is, as many of you know, energy efficiency is known to be a really cost-effective way to deal with our environmental issues. And we've worked on this for several years with the homebuilders. With, now, the City of Chicago we haven't reached agreements. This will... the... what's very interesting and exciting is that the new

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federal stimulus package has language in it that says that Governors must certify that their state has an Energy Efficient Building Code. We're only one of nine states left without one and this Bill would put us squarely on the map, complying with not only the federal requirements, to be able to draw down lots of new exciting money to do this, but also to move us forward to achieve, again, a cost-effective way to make our new homes energy efficient. And I'd be glad to answer any questions."

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

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

Speaker Turner: "State your inquiry."

Eddy: "Rep... could the Clerk advise us as to which Amendments are still attached to the Bill at this point?"

Speaker Turner: "Mr. Clerk."

Clerk Mahoney: "1, 3, and 4 were all adopted. Floor Amendment #2 was tabled and Floor Amendment #5 was withdrawn."

Eddy: "Okay. So, this... this Bill is the underlying language plus 3 and 4. Is that correct, Representative?"

Speaker Turner: "That's correct."

Hamos: "1, 3, and 4."

Speaker Turner: "1, 3, and 4."

Eddy: "Okay. 1, 3, and 4 are still active on the Bill. Okay. Thank you. I have a few... have a few questions. You mentioned the Homebuilders Association. At this point, with those Amendments, what is the status of their support? Neutral. Where are they at?"

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Hamos: "I believe that the Homebuilders Association is supportive of this Bill."

Eddy: "At this point. What... what about the... Now, the City of Chicago was concerned because of the energy efficiency differences in standards. And they had, at one point, opposed this legislation. And I think that that opposition was taken care of in Floor Amendment #4."

Hamos: "That's correct."

Eddy: "Okay. So, that one's still on there for that purpose. And the Municipal League has opposed this legislation, as well. Has their opposition been addressed by any of the attached Amendments?"

Hamos: "You know, Representative Eddy, we did try to work with the Municipal League now for the past few years and we took care of some of their concerns, but I believe they still are opposed. We have 900 municipalities in Illinois. This would create a statewide Energy Efficient Building Code and on the principle of that, they didn't want us to do something that overruled the individual municipalities, but that is the point of this Bill. So, I would have to be honest to say that we tried to work with them, we tried to address some of their concerns, but they still have a philosophical concern."

Eddy: "Okay. A quick inquiry of the Chair. Does this Bill... this Bill take 71 votes? Does this affect Home Rule?"

Speaker Turner: "Representative Eddy, do you have any other questions while we're waiting on the ruling?"

Eddy: "Okay. Yeah. I'll ask a couple more. Representative, I want to make sure you're clear on the record as far as your

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intent moving forward. Is it your intention to continue to work with the opposition from the Municipal League and attempt to have an agreed Bill to bring back here or is it your pledge to bring from the Senate a... a Bill for concurrence after changes are made?"

Hamos: "Well, again, Representative Eddy, this is creating a statewide Energy Efficient Building Code and as I said, now, the entire country is focused on doing that in every state. Municipalities want to continue to have their own building codes for every kind of purpose. So, they have a philosophical objection to this and I don't think we're going to be able to resolve that objection, no matter how many times we try to work with them."

Eddy: "So, your commitment can't be to agreement and I understand that."

Hamos: "No."

Eddy: "Can... Are you competent that there will be some changes made to this version and that it will come back for one more vote here on some of those changes?"

Hamos: "No, I believe that we have a final Bill..."

Eddy: "Okay."

Hamos: "...in front of us right now. That's why..."

Eddy: "Okay. And I think that's important to the Members of the Body to know..."

Hamos: "Yeah."

Eddy: "...that for... for this particular legislation affecting what is arguably a very, very important issue to a lot of municipalities and I know in my area it's very difficult for those municipalities sometimes to meet all the intents

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of a statewide code that... that Representatives understand they're taking possibly final vote on this and they could be, maybe not intentionally, putting their municipalities in a situation. So, I appreciate your openness about the Municipal League and their opposition. And I'm... I would await the... the Chair's decision on... It seems like this would... this would supersede Home Rule and therefore, need 71 votes. And I want to get that on the record."

Speaker Turner: "In the meantime, while we're waiting on your ruling, Representative Reis, the Gentleman from Jasper, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Reis: "Representative, just one question. This would, in no way, be applicable to any rural area or small community that did not currently have building codes in place? Is that correct?"

Hamos: "At the request of the Municipal League, we put in language specifically that says that a unit of local government that does not regulate energy efficient building standards is not required to adopt them. And that would, in fact, apply to some of those small communities and then it says; however, if they do adopt any kind of building standards then it has to follow the statewide Energy Efficient Building Code."

Reis: "So, if they don't have one currently in place then this wouldn't be applicable to them, but if they did then it would?"

Hamos: "That's right."

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Reis: "Okay. Thank you."

Speaker Turner: "Representative Hamos."

Hamos: "Thank you. If I may respond to something that was requested before, I would like to point out that some years ago we passed into law a... an Energy Efficient Building Code for commercial, institutional, industrial buildings. And the Capital Development Board, which was instructed to develop the rules around that, really developed a process to bring together stakeholders, including the... the code... the people who enforce this at the local level. So, there's been quite a bit of work done already in every municipality to make sure they know how to enforce an Energy Efficient Building Code for those kinds of structures and this is going to be for a new kind of building, which is a residential building. Again, the Capital Development Board is being given nine months in this to develop rules and they're going to bring together people. There's a lot of interest all over the country, as I said, to... to give guidance to municipalities on how to do this. So, I think, you know, I really think this is a very positive and important step forward."

Parliamentarian Ellis: "Representative Eddy, on behalf of the Speaker in response to your inquiry. This is a Home Rule preemption under Section 6... Section 6(i) of Article VII, providing for the concurrent regulation between the state and the Home Rule unit and therefore, it's a 60 vote requirement."

Eddy: "Mr. Speaker, thank you very much. I appreciate that. I don't think it would have made a difference if the City of

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Chicago was still opposed, I'm hoping not, but I certainly appreciate the time taken to get the ruling for us. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 3987?' 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? Ramey. Coladipietro... The Clerk will take the record. On this question, there are 100 voting 'aye', 18 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pritchard, we have House Bill 3889. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3889, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Pritchard: "Ladies and Gentlemen of the House, when it was enacted into law about a year ago, the Illinois Commercial Safety Towing Law, we cast a very broad net across the State of Illinois affecting regulation of towing companies. An issue was raised in my district where we are not covered by this Act, but we were adjacent to a county that is covered by it. We have residents who live outside of the affected area and yet, they were having to comply with this law. So, we have made some exceptions. We've worked with the parties to try to tailor this legislation and we're trying to make it so that if you're not in affected counties you don't have to register with the Interstate

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Commerce Commission or be regulated by it. I would ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 3889?' All those in favor should vote 'aye'; all those opposed vote 'no'. 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 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pritchard, we have House Bill 2782. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2782 has been read a second time, previously. Floor Amendment #1, offered by Representative Pritchard, has been approved for consideration."

Speaker Turner: "The Gentleman from DeKalb, Representative Pritchard on Amendment #1."

Pritchard: "Yes. Ladies and Gentlemen of the House, we have... just a second."

Speaker Turner: "Representative Pritchard moved..."

Pritchard: "Yes."

Speaker Turner: "...for the adoption of Floor Amendment #1..."

Pritchard: "Yeah."

Speaker Turner: "...to House Bill 2782. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 2782, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Pritchard: "Ladies and Gentlemen of the House, this Bill deals with men and women who are serving in our Armed Forces who have action litigated against them for failure to meet some credit obligations. This would give some exemption of up to five years, if they're serving overseas and allows a stay in the court action. For those that are not overseas, the court may stay that action. I would ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 2782?' 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? Soto. The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Harris, we have House Bill 3923. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3923 has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendments 3 and 4, offered by Representative Harris, have both been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Harris on Amendment #3."

Harris: "Thank you, Mr. Speaker. After presenting my Bill to the committee, they asked me to make substantial changes to

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the Bill. House Amendment #3 becomes the Bill. It was reported out of the Health Care & Access Committee last night. I would urge its favorable consideration, so we could move it to Third Reading and have a debate."

Speaker Turner: "The Gentleman moves for the adoption of... Sorry. The Gentleman from Cook, I mean, Crawford, Representative Eddy. No."

Eddy: "We'll wait, we'll wait."

Speaker Turner: "Sorry. The Gentleman moves for the adoption of Floor Amendment #3 to House Bill 3923. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

Clerk Mahoney: "Amendment #4."

Speaker Turner: "Amendment #4. The Gentleman from Cook, Representative Harris on Amendment #4."

Harris: "Amendment #4 is very technical. There were just two words that had to be corrected. The word 'companies' and I believe, the word 'Act' instead of 'Bill'."

Speaker Turner: "Representative Harris moved for the adoption of Amendment #4 to House Bill 3923. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Further Amendments?"

Clerk Mahoney: "There are no further Amendments. However, notes have been requested and not yet filed."

Speaker Turner: "The Bill shall remain on Second Reading. The Gentleman from... from DuPage, Representative Reboletti, we have House Bill 2644. Read the Bill, Mr. Clerk. 2644."

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Clerk Mahoney: "House Bill 2644, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Turner: "...DuPage, Representative Reboletti."

Reboletti: "Thank you, Speaker, Members of the Body. House Bill 2644 would change our commemorative dates to make the first Thursday in May, Peace Officer Memorial Day. I have many friends who come down here from Will County and from DuPage County that participate in honoring those men and women who have given and paid the ultimate sacrifice in the line of duty to protect our communities. I was very surprised to find out that we did not already have this as one of our commemorative dates and actually a friend of mine Jonathan Walsh with the Joliet Police, who I know Representative Gordon was also friends with, was killed in the line of duty. And I think that it would be important for us to remember these folks, as well as the fact that hundreds of police officers come down here every first Thursday in May to honor those police officers. So, I would be open to any questions and would ask for your favorable consideration. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 2644?' 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 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Jasper,

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Representative Reis on House Bill 171. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 171, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "He said out of the record. The Gentleman from Champaign, Representative Rose, we have House Bill 3840. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3840 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3840, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Turner: "...from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. House Bill 3840 is an issue of the Fraternal Order of Police. It's very simple. That if you are injured in the line of duty, as a police officer, when you are cleared for... to return to duty by your medical physician, that you ought to be returned to the same position and grade that you went in... out on disability on. It's a pretty straightforward, simple Bill. Ask for your support. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 3840?' All those in favor 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? Joyce. The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'present'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. Representative Rose, we have House Bill 4075. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4075 has been read a second time, previously. Floor Amendment #1, offered by Representative Rose, has been approved for consideration."

Rose: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #1 is a technical correction by the Department of Natural Resources on the underlying legal descriptions of the property."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 4075. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4075, a Bill for an Act concerning property. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Ladies and Gentlemen. This is a slight twist on our normal jurisdictional transfer Bills that we do every year. In this case, this property was intended for a bike path and it was purchased back in the mid-'90s under Governor Edgar. However, it was purchased from a railroad right-of-way. Unfortunately, the railroad didn't actually own it to sell it to the State of Illinois and in... in fact, there are parts of village reverter dating back to the

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1800s in favor of many of the heirs. There's been a... over a 10-year lawsuit on some of this ground. What this does is it allows us to go ahead and jurisdictionally transfer those parcels we know we own that are not... I repeat... not in the lawsuit. It then would allow the department to jurisdictionally transfer any parcels that are resolved as part of the lawsuit in favor of the state. It does not do anything with parcels that... where the state might lose that lawsuit, but simply will give them the authority at that point in time to go ahead and jurisdictionally transfer whenever that 10-year lawsuit resolves itself. I'd ask for favorable consideration. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall... The Gentleman from Cook, Representative Dunkin, for what reason do you rise?'"

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

Speaker Turner: "Indicates he will."

Dunkin: "Representative, I'm trying to peruse through our analysis and I'm trying to get some clarity with this here. How close... Can you help me understand it? Can you explain this is sort of a layperson's term?"

Rose: "Sure. Bottom line, the state attempted to buy 30 miles, give or take, of what was going to be a bike path under Governor Edgar back in the mid-'90s. They bought it from a former railroad right of way. In other words, the railroad bed was going to come out and they're going to let you ride a bike."

Dunkin: "They being the state or..."

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Rose: "The state, correct, the Department of Natural Resources. The state bought that... that parcel from the railroad. Unfortunately, going back to the 1800s when the railroad went through, many of the original landowners didn't convey in fee simple, meaning they didn't sell, the property to the state. Many of them kept what's called a reversionary interest, if the state were to ever walk away, where they would get it back. So, at the end of the day what the state got was 30 miles of we own it, we don't own it, we don't know whether we own it or not. So, the part we don't know if we own or not is currently the subject of two lawsuits, one in Douglas County and one in Moultrie County. By the way, Mr. Dunkin, this spans three counties. It goes from Coles through Douglas into Moultrie County into Bob... Representative Flider's district. The parcels that we know we own, under this Bill, we're going to go ahead and jurisdictionally transfer just like we do, the same process that you use, for all other transfers we do."

Dunkin: "So, the parcel..."

Rose: "The key difference here is the ones that are in the lawsuit, if that lawsuit resolves the parcel in favor of the state. In other words the judge says, yes, you own it, the State of Illinois then we can go ahead and transfer it without having to come back here and put another year on top of it... what's already a 10-year lawsuit, to go back to the Legislature. If it resolves in favor of the landowner, it's the landowner's property; they keep it."

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Dunkin: "So, there's a portion of this land or this real estate or this railroad, about 30 miles or so that expands from Moultrie County to Douglas County.."

Rose: "To Coles."

Dunkin: "...three counties in total, to Coles and we... we can only determine 30 miles of about 90 miles of land."

Rose: "No, no. Representative, you're on the right track here. For 30 miles, in parcels of anywhere from a hundred feet to a couple miles, there's a map that's color-coded. We know we own it for sure, we know we don't own it for sure and we don't know if we own it or not because there's a lawsuit contesting the ownership of the state by the heirs going back, in some cases, to the 1800s. Representative Dunkin, you could write a law school property law final exam on this. It's the single most screwed up thing I've seen in seven years, not to mention the fact the lawsuit has already been to the Supreme Court and back once. It's been a 10-year lawsuit. I've never seen..."

Dunkin: "The State Supreme Court or the U.S. Supreme Court?"

Rose: "The State Supreme Court. I've never seen anything this screwed up. All we're saying is, for the stuff we know we own, that's not in a lawsuit, go ahead and jurisdictionally transfer the it to units of local government, just like we do all the time here with other... with other parcels. The difference is, on the stuff we know... that's in the lawsuit, we're going to go ahead and right now and authorize DNR to make the transfer, if and when the lawsuit resolves in favor of the state. If it resolve in favor of the

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landowner against the state, it's their property. It's not ours to give away anyway."

Dunkin: "So, how does that... I'm not an attorney."

Rose: "I know. I know. Go ahead."

Dunkin: "You are."

Rose: "Okay."

Dunkin: "I'm on the attorney registration and disciplinary commission. So, I'm familiar with attorneys. How does our legislative process, our separate branch of government, come into play when there is pending legislation... three lawsuits specifically, correct?"

Rose: "Two, two."

Dunkin: "Two lawsuits."

Rose: "Yeah."

Dunkin: "How does our Legislative Branch in the legal branch of government, the judiciary, come into play and ultimately resolving this matter, given the fact that we have the two cases and we have where we are now, legislatively, wouldn't this convolute some of the issues..."

Rose: "No, Representative..."

Dunkin: "...or prolong it?"

Rose: "...this needs to be clear. This doesn't impact the lawsuit at all in any way, shape or form. Had it impacted the lawsuit, you would be in a totally different situation where we'd be talking about eminent domain. This is not an eminent domain action where we're taking someone else's property."

Dunkin: "Correct."

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Rose: "This has no impact at all on the pending lawsuits, none. What it does is it sets up the authority for the department to do the jurisdictional transfer, if we were to prevail, whenever it is the reso... the lawsuit resolves itself."

Dunkin: "What happens if we don't prevail?"

Rose: "It's not our property. It's the landowner's property. The litigants are the State of Illinois as punitive owner of the grounds under this deed that was given to us by the railroad and..."

Dunkin: "In the 1800s."

Rose: "...first... in... around 1800... No, no. The landowner gave us the... the railroad gave the state the deed in the 1990s. The... On the other side of the lawsuit are people who are heirs going back to the 1800s who say, we should get the property back. Okay. What I'm saying is, whoever wins, that'll get settled in the court, but it... if we win in favor of the state, then let's not have to add another year to the process waiting for us to reconvene, go to committee, come to Third Reading, send it to the Senate and..."

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

Dunkin: "Yes, Mr. Speaker. Okay. So, I understand. So, this was some... an apparatus to help divvy up the land so we won't have to wait another 10 years?"

Rose: "Exactly."

Dunkin: "Okay. And lastly, is... is there a reason why this land is up for... Is this valuable land? Is there... is there something on it that... that has a high market value..."

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Rose: "Well..."

Dunkin: "...that gives a sense of urgency for the family members as well as some of the lawsuits..."

Rose: "Well..."

Dunkin: "...or the pending court cases?"

Rose: "...to answer my question, Representative. There's so many parcels and some are a hundred feet, some are miles. Each parcel's different, but in some cases, communities have grown up around this, for example, Arthur. For example, the communities grown up around the railroad, they'd like to get it back just so they could have an intact village. Now, that parcel is actually one of the parcels that is subject to the lawsuit, but every parcel's different, you know. Now, the reason some of the landowners want it back, quite frankly, is they don't want to drive their combines out, you know, they can just take their combine across the... the railroad right-of-way strip rather than go out and drive around and come back into the next field over."

Dunkin: "So, what would you say is the value of the land overall, just asking?"

Rose: "It... Representative, they..."

Dunkin: "That's a lot of real estate..."

Rose: "Yeah. I mean, within..."

Dunkin: "...I mean, 90 miles, 30 miles..."

Rose: "...no, no, no, understand. It's 30 miles that we own, we don't own or we don't know if we own or not, so a lot of that is stuff we don't own. Okay. We know we don't own it. It's impossible for me to tell you when... what each individual parcel is 'cause, I mean, in some cases it might

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be worth nothing. Downtown Arthur, it'd be worth something. But the point is, just like any other land transfer, Representative, it's going to that local unit of government which is what we do here. Is if the State of Illinois decides we don't need it, and every year we do a land transfer Bill at the end of Session anyway, we do... we just... we say, what community wants it? And Arthur says, I'd like that or Hindsboro says, I would like that and if they don't have a use for it, then it goes in CMS surplus, but as a matter of public policy, we always give the units of local government the first... the option to get it first. And so that... this is no different than any other way we do it in that respect."

Dunkin: "Thank you, Representative."

Rose: "Thank you, Representative."

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

Flider: "A question for the Sponsor. Representative, do you know is there any opposition to this?"

Rose: "I... No, Bob, I don't."

Flider: "Okay. Thank you. And I don't either and in fact, I just checked with the mayor of Lovington, which I represent and they're in support of this legislation, as well. And I commend you for trying to bring an end to this..."

Rose: "Thanks, Bob."

Flider: "...saga that seems to never have an end. And so, thank you."

Rose: "When you and I came in as a freshman and this thing had been going on, you know, for five years at that point in

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time and here it is seven years later and it's... the lawsuit's still going, so..."

Flider: "That's right. So, thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4075?' 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. There... On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hernandez, we have House Bill 2386. Read the Bill, Mr. Clerk. Representative asks leave to bring the Bill back from Third to Second. Mr. Clerk."

Clerk Mahoney: "House Bill 2386. Floor Amendment #1 was adopted to the Bill. Floor Amendment #2, offered by Representative Hernandez, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Hernandez, on Amendment #2."

Hernandez: "The Amendment is just simply... I believe it's adding the disability... or excluding students with disabilities when it... in terms of community service for their graduation requirement."

Speaker Turner: "The Lady moves for the adoption of Floor Amendment 2 to House Bill 2386. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Further Amendments?"

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Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2386, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Hernandez: "Thank you, Speaker. House Bill 2386 pertains only to my high school district. The Bill provides that as a prerequisite to receiving a high school diploma, a student must complete at least 40 hours of community service. In today's climate, it is important to keep our young men and women engaged with service so that they can become aware of the difference they can make in their community. I ask for your favorable vote. Thank you."

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

Eddy: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Eddy: "Representative, as amended, this Bill does require a district to implement a curriculum, but it's limited to a district in your representative... your legislative district?"

Hernandez: "That's correct."

Eddy: "What... what school is it?"

Hernandez: "That would be District 201."

Eddy: "And that's..."

Hernandez: "Cicero."

Eddy: "...Sterling-Morton?"

Hernandez: "That's correct. Morton-East..."

Eddy: "Okay."

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Hernandez: "...West."

Eddy: "And have you contacted the school there to inquire as to whether they're happy that you're doing this, you're giving them a mandate from Springfield to do a local curriculum?"

Hernandez: "I have. I... I've spoke with the superintendent and I also spoke with the principal and asked for their opinion and this is something they felt that they can work with."

Eddy: "I guess my only question would be then, if they want to do this, they could do this locally without this. So, I think there's a little more to it in that you want to highlight this type of a program as curriculum and maybe have a pilot there that you can bring back for consideration later for additional mandates to other schools. But first, you want to run the pilot."

Hernandez: "I'm sorry, repeat that one more time, Representative."

Eddy: "Well, I guess for now you're... you're limiting it to your school district in your area."

Hernandez: "That's correct."

Eddy: "My concern would be as if... because they're agreeing to it, they could do this without this legislation, that this pilot would lead to a greater mandate on all school districts in Illinois. Can you state for the record that that is not your intent?"

Hernandez: "Representative, when I first introduced the Bill, the intent was to bring about a statewide community service requirement. Through the advice of the committee, I... I was asked that if we can work on this based on the conversation that I had with the committee Members that many of the

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districts do do this sort of community service on a volunteer basis. Recognizing this, I felt, well, not all districts want to volunteer and in this climate, you know, I'd really feel it... community service has become an important part of the curriculum within a school. So..."

Eddy: "We may... we might see an attempt later to expand it, so we'll deal with that at the time. I do commend you on the fact that you reduced this to one district and seemed to have everybody's agreement that this is the place to try it. But I think, you know, an expansion beyond that might meet some strong resistance. I do appreciate the fact that you have worked with everyone to bring it to this point though. Thank you."

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

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

Speaker Turner: "Indicates she will."

Fritchey: "Representative, was Amendment 2 adopted on this Bill?"

Hernandez: "I'm sorry?"

Fritchey: "Amendment 2, exempting out students with disabilities."

Hernandez: "Yes."

Fritchey: "Did that become part of the Bill?"

Hernandez: "Yes."

Fritchey: "What was the rationale for that?"

Hernandez: "What was the real... why the reason? It was recommended that students with disabilities, if they could

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be... oh, if there could be a waiver. There's no reason, if they do want to participate, they can."

Fritchey: "But this, I... I... coming from... and I'm sure your intentions were nothing but good, but one could almost infer from this that it says that students with disabilities are not capable of performing community service and at a time when we strive toward inclusion and a sense of normalcy, there is no reason why an accommodation could not be made to find appropriate community service outlets that would match up with students' various disabilities."

Hernandez: "Representative, there was never the intent. As I stated before, if students are willing to go along with the program, they may do so."

Fritchey: "But did that... did that Amendment come from the disability groups or from the schools?"

Hernandez: "Representative, I... I believe it did come from the disabilities group, but I do have to double-check."

Fritchey: "Are you... are you sure? You may want to double-check that one 'cause I find it hard to believe that the disability groups would advocate for an Amendment that would encourage disparate treatment of students with disabilities without regard to, not what their disabilities are, but what their abilities are."

Hernandez: "I honestly don't remember, but I... I certainly will get back to you, Representative, with that."

Fritchey: "Well, I mean, you know, did... I'm not even going to bother. Okay. Thank you."

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Speaker Turner: "Seeing no further questions on this Bill, House Bill 2386, the question is, 'Shall the House pass House Bill 2386?' All those in favor should vote 'aye'; all those opposed vote 'no'. 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 82 voting 'aye', 35 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Lake, Representative Osmond, for what reason do you rise? Representative Osmond on House Bill 678. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 678, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Turner: "The Lady from Lake, Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Members of the General Assembly, House Bill 678 is the same as last year's House Bill 4162. In October of 2007, a double-decked trailer containing 58 horses traveling through my district was hit by a pickup truck and caused the trailer to topple over, killing nine horses. Later, 18 horses died as the result of this. The driver lost control because of the speed he was traveling and... and the truck that hit him was a very small, little pickup truck. One of the reasons that this is coming forth again is that I feel very strongly that this is a public safety issue. That this... horse trailers are of the design to carry smaller animals and not the heavier horses in them. This passed out of this House last year, went over to the Senate and was defeated in committee. The Farm Bureau has an Amendment that they wish

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to put on it. We have not been able to reach a decision as to putting this on or not. So, as it is today, I can only tell you that the Bill is without the Farm Bureau Amendment and perhaps the Farm Bureau would be able to negotiate in the Senate when it goes over there. And I would appreciate your support. I'll be happy to answer any of your questions."

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

Fritchey: "Thank you, Speaker. Will the Sponsor yield? Representative, with respect to that Amendment, my understanding is that the Amendment would provide that if there was a trailer that was specifically designed for the transport of horses, that would be permitted. The... the case that gave rise to this legislation was a transport that I believe was not designed for horses which additionally was operated in an improper manner as you indicated."

Osmond: "That's correct."

Fritchey: "But it... but to the extent that..."

Osmond: "The design... I'm sorry, go ahead."

Fritchey: "But... but... That's... that's what I get for pausing too long while I think. No, but my... but my understanding is that the Amendment would say, if you had a double trailer that was specifically designed for this purpose, that would still be provided which would seem to accomplish two things: your laudable goal of having unsafe transport of horses avoided, while at the same time permitting for the efficient transport of horses in properly designed vehicles, correct?"

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Osmond: "That's correct. And part of the problem with that is that there's no entity that regulates what the proper design would be and until we can establish who would say, yes, this is adequately for the safety of the animals and for public safety, then and only then would that be able to be applied. And we're trying to find who would regulate that."

Fritchey: "And who would potentially regulate that, Ag?"

Osmond: "We don't know. We can't find anyone."

Fritchey: "So, where did you leave the status of these discussions with the Farm Bureau?"

Osmond: "Farm Bureau still wants to put the Amendment on. The supporters say that, no, they believe that they... they don't have a problem with the Amendment if we can find this regulatory body that would say, yes, this is safe for that transport. Part of the problem is that you'd have to make this trailer at least 17 feet tall and most of them would not fit under, you know, an overpass."

Fritchey: "That's an interesting... that's an interesting issue, as well. I was just trying to understand because while this obviously is not a issue that is of overwhelming significance from occurrences in my district, obviously, I have a lot of people, myself included, that have a compassionate concern for animals, but at the same time have a respect for the agricultural industry in our state to be able to operate in an appropriate manner, as well."

Osmond: "Well, and that's one of the reasons why the Bill specifically says equine transport. I don't... I'm not into

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any other problems in any other of the transporting of animals."

Fritchey: "All right. Thank you for answering the question."

Osmond: "Thank you."

Speaker Turner: "...from Winnebago, Representative Sacia, for what reason do you rise?"

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

Speaker Turner: "Indicates she will."

Sacia: "Representative Fritchey actually got to several of the questions that I have, but my overriding concern with this Bill is the issue itself of the Farm Bureau asking for a very sensible Amendment. And recognizing the sincere efforts of the Sponsor to attempt to come up with a regulatory agency to deal with this, I struggle with the concept as to why the Humane Society, and I believe that's who the Sponsor is indicating has opposition to this, why they wouldn't be willing to accept that Amendment. Recognizing that certainly the Farm Bureau, the trailer manufacturers that might be involved in this, et al, would work towards some type of a regulation and I know from my own conversations with the Farm Bureau that they would have absolutely no problem with this if we would simply add that Amendment. Specifically, my question of the Sponsor is, would you be willing to add that Amendment?"

Osmond: "I don't have a problem adding the Amendment, but the Amendment doesn't really have any purpose if we don't have a regulatory body that says that this is okay. That the... that the structure of the trailer... who's going to approve that? Is it going to be a joint approval? I doubt that

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because of the Farm Bureau and the others don't always see eye to eye, although we try to bring them together. I just don't know how that's going to work."

Sacia: "Well, I... I don't think there's any question, Representative Osmond, from you or anyone else that the entire transportation of horses is becoming a very significant issue as evidenced by a Bill that I discussed on this floor just yesterday and it's becoming more and more significant as more and more horses are being sent out of country for the purposes of slaughter. For that reason, I would ask of you, respectfully, if you would consider pulling it out of the record and continuing your conversations with Farm Bureau and HSUS to try... and I do recognize, Representative, I recognize how hard you have tried to come to consensus, and perhaps we could work with a shell Bill or something to find a happy medium. Is that possible?"

Osmond: "Well, seeing that we only have today and tomorrow for deadline, I would like to see if we can move this over to the Senate and continue with whoever the Senate Sponsor may be."

Sacia: "Thank you, Representative."

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

Reitz: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Reitz: "I guess following up on the previous two speakers. I believe also that the Amendment would, you know, would make this a much better Bill and I appreciate your comments and

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I really think you're doing a good job and doing it for the right reasons. Is... is the attempt of this Bill is to more or less deal with the safety aspect in case there's an accident with these trailers?"

Osmond: "Absolutely. I mean, I want it safe for the... the horses also. But my concern is in my district when this accident happened we had first responders crawling into these trailers trying to get out the animals that were injured. There were 58 of them in this trailer, some were dead, some were injured, some were just frightened, hysterical. We were very fortunate that where this accident happened they had just gone through a large group of people in Wadsworth who are horse owners, had just gone through what they call large animal rescue with the Newport Fire Department. So, they were able to come in and be more... informed them how to handle this, but yet, you risk their lives also when they go into the trailers of these thrashing about animals."

Reitz: "Well, and I appreciate that. And to the Bill, and following up then on Representative Sacia's comments, also. I think the Farm Bureau's Amendment that they have recommended is very sensible and I think it's... you know, it's the right thing to do and it's the way the process is supposed to work. Unfortunately, sometimes people... different groups are diametrically opposed to just issues themselves. So, I think we should all try to help the Sponsor out by killing this Bill and forcing everyone back to the table and we'll try to find a shell Bill at the end of the year. Thank you."

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

Sullivan: "Thank... thank you, Mr. Sponsor, to the Bill. I want to commend the Sponsor for bringing the dialogue forward on this very important issue. The problem that we have, and I think the Sponsor has indicated that she's willing to continue to work on this, is there are no regulations. We do not know what types of trailers can be used, what the weight requirements are, should you have big horses on top of the trailer, small horses on the bottom. There are no regulations right now. So until there are, we have a tremendous safety concern in our area and as we've seen the result of these safety concerns. So, what this is is a process, as the previous speaker has indicated, a process with a deadline. And so we need to continue to move a Bill over, continue to work on this, and hopefully, in the coming weeks, we can come up with regulations, drop an Amendment over there and bring it back. The Sponsor clearly wants to work this through, and I think it can be worked through, but we've got two days. And this is a very important issue for us up in Lake County. It was a tremendous loss of animals and it was a tremendous difficulty for our response teams to get in there and take care of the process and take care of the animals. And the risk that was to them, to the people around the accident scene, I think this is a very good idea to start the dialogue which the Sponsor has attempted to do. I urge an 'aye' vote."

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Speaker Turner: "...from Cook, Representative Dunkin, for what reason do you rise?"

Dunkin: "Will the Sponsor yield?"

Speaker Turner: "Yes, she will."

Dunkin: "Representative, you know I'm not a downstater, but can you tell me why the Illinois Pork Producers Association are against... is against this legislation?"

Osmond: "Well, they... they're a very active part of the Farm Bureau and you know, they believe that, you know, this is not in good interest for the economy of the Farm Bureau."

Dunkin: "Just as simple as that?"

Osmond: "Pretty much."

Dunkin: "I... So, they don't have any specific..."

Osmond: "I'm not... I'm not..."

Dunkin: "...issues as leg..."

Osmond: "...doing anything with any other animals except the transport of equine. So..."

Dunkin: "So, if... All right. So, if we were to ban the double decker transport mechanism, vehicle..."

Osmond: "For equine."

Dunkin: "For equine, would that have an impact on cattle and swine, do you know?"

Osmond: "Not in... not in my Bill, no."

Dunkin: "But it... even if... But if we ban that respective vehicle, that particular truck..."

Osmond: "I'm only banning it for the transport of horses. That's it."

Dunkin: "Any other reason why the Illinois Pork Producers Association would be against this?"

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Osmond: "Well, I believe that they're just members of the Farm Bureau and they just want to support their fellow, you know, colleagues. I would assume that that's why, you know. It's just..."

Dunkin: "Did you get a chance to talk with them?"

Osmond: "Yes."

Dunkin: "Did they offer any other insight differently than what was... has been discussed here?"

Osmond: "They just basically said that they were against it and they would work to defeat the Bill and I recognized that. I have nothing against them. They're good people."

Dunkin: "And so are you."

Osmond: "Thank you."

Dunkin: "Thank you."

Speaker Turner: "Gentleman from Menard, Representative Brauer."

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

Osmond: "Yes."

Brauer: "Well, thank you. You know I think that any time when you have a Bill..."

Osmond: "You have been ill, you know that?"

Brauer: "I'm sorry?"

Osmond: "You have been ill."

Brauer: "Yeah and I'm not feeling any better right now either."

Osmond: "Okay. I'm sorry."

Brauer: "You know, I think any time we can look at a Bill that enhances a humane transport of animals, I think it's important that we consider it, really try to figure out, you know, the genesis behind this whole thing. The thing I'm concerned about is the unintended consequences. Now,

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you're basically talking about taking horses from two decks down to one."

Osmond: "Yes, Sir."

Brauer: "Do you know what that does to the stocking rate when you do that?"

Osmond: "No, Sir."

Brauer: "Do you know what stocking rate is?"

Osmond: "No, Sir."

Brauer: "Okay. What stocking rate is, is the amount of animals per square foot. So, if you don't do anything with your weight limits and you restrict that to just one floor instead of two floors, you've doubled the amount of animals per square foot. Now, with horses, what you're going to have is that there's going to be this tendency that they don't like to be crowded as much as other livestock, so they're going to try and jump on the backs of other livestock, because it will be so crowded. So, the unintended consequence here is that your concern about all these animals, in case of a rollover, being overcrowded, when in fact you haven't done anything at all to limit the amount of animals that's going to be in that trailer because of weight."

Osmond: "Well, wouldn't that be something that whoever is regulating this would have to take into consideration when they put the specs for the building of this trailer?"

Brauer: "No. So, the fact is by putting them all on one trailer in that transport you're going to have a lot more injuries than you would with two floors. The fact is, if that trailer rolls over in an accident, you're going to

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have the same amount of animals in that trailer. So, you've done really nothing to alleviate it; you've just caused more injuries in the transport of those animals. Now..."

Osmond: "Would you be able to put 59... 59 horses in one single leveled trailer?"

Brauer: "Humanely? Probably not, but you've done nothing to limit that. That's up to the person that's hauling those horses."

Osmond: "Okay."

Brauer: "So, you've, in fact, made it tougher for that transportation as opposed to making it better by putting them all on one floor with no other considerations."

Osmond: "All right. Thank you. I don't know how to answer it. I... I'm not, you know, I don't design them. I don't understand them. I'm here for the public safety part of the fact that this trailer was top heavy and when it was hit by a small pickup truck, it just bent the bumper and the guy lost control and rolled the trailer. So, how in... in what you're telling me, how would that be different?"

Brauer: "It wouldn't be."

Osmond: "It would or would not?"

Brauer: "It would not be, because granted it's going to be a little more top heavy, as you described it, but these trailers by nature especially with animals with them shifting it's going to have that tendency anyway. So, in an accident like this, it's really not going to have much of an affect. You're running the same amount of horses in that trailer. There's going to be the same danger and so,

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that in fact because you've doubled the stocking rate, you're going to make that transportation..."

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

Burke: "Gee, I've never had that happen to me before. I think you need to work with the Farm Bureau, because this Bill certainly has a lot of things that I think might on the surface be a good idea, but the unintended consequences is something that we all have to be aware of. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 678?' 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? The Clerk shall take the record. On this question, there are 24 'yes'... 24 'ayes', 94 'noes', and 0 'presents'. And the Bill fails. The Lady from Lake, Representative Osmond, for what reason do you rise?"

Osmond: "If I was successful in getting that trophy, I would carry it right out to the former Representative Molaro, as this is his Bill."

Speaker Turner: "On the Order of Third Readings, Representative Hoffman, we have House Bill 1204. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1204, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1204 as amended simply allows veterans

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who are 100 percent disabled to receive free deer permits. It's... it is identical to what we allow now for hunting and fishing licenses. They don't... If you're a 100 percent disabled veteran, you don't have to pay for your hunting and fishing license and you would not have to pay for your deer permit under this Bill."

Speaker Turner: "The Gentleman from Jasper, Representative Reis, for what Bill... what reason do you rise?"

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

Hoffman: "Yes."

Speaker Turner: "Indicates he will."

Reis: "Okay. Representative, currently, we give... allow veterans to get free hunting permits, right? My question is, is but they have to go to Springfield to get these. Is there any provisions... I'm totally a 100 percent in support of your Bill, but is that provision still in place where they actually have to drive to Springfield to show..."

Hoffman: "It's my understanding, in talking... and I don't know firsthand, but I believe this to be correct... in talking with the Department of Natural Resources and with regard to hunting licenses and fishing licenses, this is just for deer permits. But with regard to hunting and fishing licenses you just need to have the proof from, I believe, the Veterans' Administration that you're 100 percent disabled. You don't actually have to have a hunting license or a fishing license. You can do it and you just have to prove to any conservation officer that you have your card that's showing you're 100 percent disabled."

Reis: "So, you don't have to actually have the license? Okay."

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Hoffman: "Right."

Reis: "Great. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 1204?' 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 117 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Holbrook, we have House Bill 75. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 75, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook. Hold on, Representative. The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Thank... thank you, Mr. Speaker. If we could, on the Republican side of the aisle, we'd like to excuse Representative Mathias for the rest of the day."

Speaker Turner: "The Clerk will so note. The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. House Bill 75 is the extension of the sunset on our LUST money for our motor fuel tax. I know of no opposition to the Bill. The Petroleum Marketers are for this Bill. This is just the extension of what they already have. It will help... keep us in compliance with the federal regs that we provide a leaking underground storage tank provider here. Be glad to take any questions."

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

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

Speaker Turner: "Indicates he will."

Black: "Thank you. Representative, I just... I just have one question and I'm not trying to be cute and I certainly don't want to put you on the spot, but I think we all know, we've all heard from our engineering firms, our disposal firms, this fund is active. I assume there's money in it, but I've had hazardous waste firms clean it up, everything is in order, and they don't get paid. What... what's the problem? Is there not enough money in the fund or was that one of the funds that somebody swept?"

Holbrook: "Representative Black, this fund was swept twice, in '02 by Governor Ryan and in '03 by Governor Blagojevich, each time for about \$12 million for a total of 24 million. This brings in about 70 million. So, to answer you, slow payment is due for many reasons, a lot of it's bureaucratic, but most of it is. We don't have a lot of money to pay this off. There isn't a lot of money in these funds and we are literally causing crisis across our state with these environmental engineers and that's why the Illinois Petroleum Marketers are absolutely livid that we extend this, because without this, this fund will... could very well be insolvent next year..."

Black: "Okay."

Holbrook: "...before we come back."

Black: "Thank you very much, Representative."

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

Reis: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Reis: "Thank you, Mr. Speaker. To the Bill. I just want to bring to everyone's attention some things that have been going on with regards to this. As the Sponsor just said of this Bill, it's a very important piece of legislation. It's getting ready to sunset. We need it. But he also said that there's been \$24 million swept out of this fund. We have a contractor that goes around and cleans up these sites in southern Illinois that is owed \$13 million. He's had to pay income tax on this. He's had to borrow the money and incur interest costs. He is going to file bankruptcy next week. One of his subcontractors called this week and said, I'm going to file bankruptcy, if I don't get paid by you. He said, the State of Illinois won't pay me. He took out his personal credit card and put \$20 thousand on it yesterday to pay that subcontractor in the suburbs. Don't look at me with a shocked look. You guys voted twice to sweep that fund. There's insolvent. It's no funds in it because of those fund sweeps and we've got a client that's got 80 jobs; he had a hundred last year. He already laid 20 off; he's going to be laying more off next week when he files bankruptcy. All the people that he owed money to might file bankruptcy. These funds were set up for important reasons. We haven't supported them on this side. Leave those funds alone. This is affecting our environment. This is affecting families.

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This poor guy's got a big pile of debt hanging over his head. You'll hear about it next week, if we didn't get money. We're trying to get some money out of this fund. They're shaking the coins out of the couches, but he might file bankruptcy and 80 people will be without jobs because of fund sweeps over the last few years. Thank you. I urge support for this Bill. I also urge people to keep the funds in there and stop the sweeps."

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

May: "Yes. Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

May: "Yes. Representative, this is a very important fund for cleaning up leaky underground storage tanks. I was just curious. I see on our analysis that the EPA has signed in in opposition. Have they shared with you why they're opposed to this?"

Holbrook: "That's incorrect. They suppor... they're neutral now."

May: "Okay. Thank you very much."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 75?' 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 81 voting 'aye', 36 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third... Second

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Readings, we have House Bill 3600. Representative Beaubien. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3600 has been read a second time, previously. Amendment #1, offered by Representative Moffitt, has been approved for consideration."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt on Amendment #1."

Moffitt: "Thank you, Mr. Speaker. Amendment #1 clarified specifically what the funds would be used for. This is to... for Ag education and this... there was some question and this clarified it. And there's no opposition to the Bill."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 3600. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3600, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Lake, Representative Beaubien."

Beaubien: "Thank you, Mr. Speaker. The... It's one technical change. It changes the word 'architecture' to 'architectural'. This is a Bill to retrain... retain and... Oh, I do? She thought I had the wrong Bill, I know. Anyway, it's to retain and recruit high school agri... agriculture, yes. I don't know what's going on here. Anyway, there's no opposition to the Bill. I urge you to

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look at the cosponsors. It's clearly an agricultural friendly Bill. And I urge an 'aye' vote."

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

Riley: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Riley: "In all the excitement on the floor, the previous Bill, I think it was House Bill 75, I inadvertently pressed the wrong button. I'd like to be recorded as a 'no' vote."

Speaker Turner: "The record will so reflect your intentions. The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Mr. Speaker, for the second time today, I've seen Members on each side of the aisle now present a Bill while distracted. Now, Representative Pritchard had a Bill about distracted driving. I think we should have legislation or at least a House rule or at least a ruling from the Chair... at least a ruling from the Chair, no distracted presentation of legislation. Are you in concurrence with that?"

Speaker Turner: "That... that Amendment is in Rules. We'll look at it later."

Stephens: "I'm sorry, I was distracted. What did you say?"

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 3600?' 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 117 voting 'aye', 0 'noes', 0 'presents'. And

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this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Howard on House Bill 2474. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2474, a Bill for an Act concerning employment. Third Reading."

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

Howard: "Yes. Thank you very much, Mr. Speaker. House Bill 2474 creates the Task Force on Inventorying Employment Restrictions. And it would be created within the Illinois Criminal Justice Information Authority. The Bill provides that the task force shall review the statutes, administrative rules, policies, and practices that restrict employment of persons with criminal history and that this task force will report its findings and recommendations to the Governor and the General Assembly by January 31, 2010. The provisions of this Act are subject to appropriations and are effective immediately upon passage."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 2474?' 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 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jakobsson on House Bill 936. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 936, a Bill for an Act concerning civil law. Third Reading."

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Speaker Turner: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Bill 936 is a landlord-tenant Bill. It says that a tenant shall not re... unreasonably withhold consent to the landlord to enter the dwelling unit and it also sets hours for which the landlord should notify the tenant that the landlord wants entrance to a rental unit."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 936?' All those in favor should vote 'aye'... I'm sorry. Representative Eddy, the Gentleman from Crawford, for what reason do you rise?"

Eddy: "Will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Eddy: "My apology to the Chair. I was... you move out and I'm going to have to get used to that style."

Speaker Turner: "There's a distraction every now and then, I do understand."

Eddy: "Thank you."

Speaker Turner: "Maybe you were texting."

Eddy: "Appreciate it. Representative, Floor Amendment #3, has that been adopted?"

Jakobsson: "Just a minute, please."

Speaker Turner: "Mr. Clerk, status of the Amendments."

Clerk Mahoney: "Only Floor Amendment #1 has been adopted to the Bill."

Eddy: "Okay."

Clerk Mahoney: "Only Floor Amendment #1."

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Eddy: "And that's... that's the only Amendment. I... I read the number wrong. Number 1 has been adopted and that adds a ninth reason for a landlord to be allowed to enter a premises. Is that right?"

Jakobsson: "Yes. Amendment #1 says that when the rental unit is on the market for the next rental period. The way the Bill was originally written it said 60 days prior, but in some communities and particular where the University of Illinois is and I'm sure other universities, the units know... the tenant knows that they are going to put the rent... the landlord will be putting the unit up for rental and a lot of times students want to make sure they know where they're going to live in the fall. In the spring they're starting to look for their apartments... in the late spring."

Eddy: "So, right now, a landlord has the right to enter the premises for what reasons?"

Jakobsson: "For making re..."

Eddy: "I mean, they do own the property?"

Jakobsson: "Right. For making repairs, showing the apartment."

Eddy: "What if they're concerned about the fact that they hear loud noise, that there are certain activities taking place, or they have a concern that there might be activities taking place that they don't condone? Are they allowed to enter the premises of the land that they own for those reasons?"

Jakobsson: "This... this Bill doesn't cover that at all. This is to make sure that tenants have a notice that when the landlord wants to enter to make repairs or show the apartment or the house that there is notification given."

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Eddy: "So, it's not your intent to limit any other access that a... that a owner of an apartment or residence has at this point?"

Jakobsson: "I... No. But I think there was a Bill on the floor yesterday that had something to do with that and I had nothing to do with that Bill."

Eddy: "Well, is there still opposition to this? Our understanding is that there's some concern by the realtors association that this is unduly restricting the access to the dwelling by the person who owns it and limits it just to certain instances where at this time they have additional opportunities to enter the properties they own if they're concerned."

Jakobsson: "You know, I've worked with them and I did make the one change. I did make a change after meeting with them that the rental unit... saying that the rental unit was on the market for the next rental period and I took out the 60 days and they're still opposed."

Eddy: "Representative, I'm sorry, I couldn't hear all of your answer, but... but you... I think you said you would... you did work with them and try to appease the situation and you added one item, but they're still not in agreement."

Jakobsson: "Well, there's one small group that's against this Bill."

Eddy: "Well, I don't know if they're a small group. I don't think they'd like to be characterized as a small group. It's the realtors association. They're representing thousands of individuals who... who are... own property and want that property to be treated well. They want it to be

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cared for. They... they want to make sure that they have property available for housing purposes. So, there is one group, but I'm not sure I'd characterize it as a small group."

Jakobsson: "Okay."

Eddy: "And I think they have a very important interest in it. Don't you think that the owner of the property has a pretty important interest in the... the well-being of their... their asset?"

Jakobsson: "Yeah. It's not a matter of access; it's a matter of notice. And yes, landlords do have an interest in their property and rightfully so. Hopefully, a lot of that... and the landlords in my area a lot of it is to do with making sure that the property is up... kept up well."

Eddy: "Thank you, Representative. Ladies and Gentlemen of the House, to the Bill. I would urge Members of the Body to take a look at what the intention of this legislation is. People that own property and provide housing should have access in a manner that they can protect their property. There are plenty of laws that protect tenants, lots and lots of laws that protect access for tenants. This... this is a... an additional mandate on those who are trying to provide for those who need housing good, affordable housing. This is not good public policy at a time when everyone is struggling to provide housing. This is a mandate on those individuals. I would urge a 'no' vote."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 936 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now

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open. Have all voted who wish? Have all voted who wish? Golar. Dugan. The Clerk shall take the record. On this question, there are 42 voting 'aye', 71 voting 'no', 4 voting 'present'. And the Bill fails. The Gentleman from Morgan, Representative Watson, for what reason do you rise?"

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

Speaker Turner: "State your point."

Watson: "I have two special guests with me today, colleagues of my son's from Turner Junior High. I have Mitchell Carr and Tyler May and some of you may know Rob Carr. This is Rob, Jr. right here. So, please, give them a welcome."

Speaker Turner: "Welcome to Springfield. Did you say Turner High? Representative Joyce, we have House Bill 2652. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2652, a Bill for an Act concerning insurance. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2652, a Bill for an Act concerning insurance. 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 2652 would provide parity for persons that have a prosthesis or need special orthotics services. This Bill passed out of the committee unanimous..."

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unanimously and we've been working with the insurance company or the insurance industry and the Chambers and yesterday afternoon their representatives said to me that they would like to work with this... work on this issue further in the Senate. They had an Amendment that was not ready until after the deadline yesterday and I think they're pretty close to getting their... their issue out there. I don't know if there'll ever be a... a final agreement, but they were okay, the Chamber's representative, Mr. Shattuck, was okay with this moving to the Senate. I'd be happy to answer any questions."

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

Eddy: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Eddy: "Representative, I think I... I want to clarify for my own understanding what you just said. I think what you said was that you want to move this out almost... it hasn't been shelled..."

Joyce: "No."

Eddy: "...but your intention almost reflects that of a Bill that would be shelled and that is that you're going to move it out..."

Joyce: "Oh, no, no, no, no, no. I..."

Eddy: "I'm sorry. I must have misunderstood then."

Joyce: "Yes, you did. My intentions is to make sure that there is a Bill that has coverage for persons that have... need prosthetic devices that is covered in the insurance programs throughout the state. Currently, many of them

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have caps of \$2 thousand or no coverage at all. What the current Bill, as is, says is that when they have coverage for this that there would be parity in their coverage to similar health concerns, so that it would match. It doesn't... it doesn't put a number on it; it doesn't put a cap on it. Just that it would be within the health plan service that their coverage and the benefits that they provide would be on the same level as any other health conditions."

Eddy: "Okay. So, am I accurate in stating that your intention is to add something more specific as you move this along and that it will come back with some of that as you work through that with those..."

Joyce: "I made a commitment during the committee to continue to work with the industry. I have done that. The first... I have aggressively done that and asked them for language. The first language I ever saw was yesterday afternoon. They will tell you that themselves. And after it gets out of here, I think... I can't make any commitment for what's going to happen in the Senate and they can work that themselves."

Eddy: "Okay. But it's... would you... would you... highly likely we'll see it in some form after the agreed language or some version of that may come to it on a concurrence. It's possible that that will happen. That... I mean, I'm not... I understand that you're reluctant to make that absolute guarantee, but I think it's important that that's your intent and that we understand that this is something likely that we'll see with some final language again."

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Joyce: "It's my guess if certain people want to kill something over in the Senate, if they don't get some agreement then I'm sure they're capable of doing that, but I don't... I wouldn't guarantee that it's coming back here."

Eddy: "Well, based on the Amendment that they have offered, is there hope for some of the language in..."

Joyce: "Oh, sure. So, the Amendment that I saw for the first time yesterday afternoon is, which I know they've been working on and then it... they had some disagreement amongst their own groups."

Eddy: "Sure."

Joyce: "So, at the fundamental problem is some of their groups want caps and some don't want caps. The language that I saw had a \$20 thousand annual cap. I don't know if all their groups are in agreement and I don't know that the proponents are going to accept the cap. So, its fate would lie in the Senate in the negotiations fr... you know, from that point."

Eddy: "Okay. Well, Representative, I appreciate your honesty with the answers. We'll see how the debate goes and thanks for that commitment to work on this."

Joyce: "Thank you."

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

Durkin: "To the Bill."

Speaker Turner: "To the Bill."

Durkin: "Thank you, Mr. Speaker. I support House Bill 2652. The goal of 2652 is to ensure that health plans that cover orthotics and prosthetics provide the orthotic and

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prosthesis benefits that are no less favorable for consumer coverage than any other medical or surgical benefit in such plan. It only applies to plans that cover the orthotics and prosthesis. Currently, 60 percent of the plans that do cover this type of... these types of benefits have no limitations. We're talking about the 40 percent that don't. I... Representative Joyce has done a good job working with the industry trying to find some common ground on it and I'll work with him, as well. No promises, but I think this is a good Bill. It's ultimately, I think, it's going to help people, the amputees, where there have been studies shown that particularly in Colorado that the cost of health care for individuals who were fitted and who did have this similar parity legislation, there was a... it was a benefit for the individuals and there was a cost saving on the insurance side. So, I... I would encourage everybody to support this legislation."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 2652?' 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? The Clerk shall take the record. On this question, there are 106 voting 'aye', 11 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Schmitz, House Bill 4047. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4047, a Bill for an Act concerning health. Third Reading of this House Bill."

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Speaker Turner: "The Gentleman from Kane, Representative Schmitz."

Schmitz: "Thank you, Speaker, and Ladies and Gentlemen of the House. House Bill 4047 is a Bill that we had... been working on for quite some time here. I finally had the groups get the Amendments together and we have agreed language here between the AIDS Foundation in Chicago and the Illinois State Medical Society. What we're doing with this Bill is... is setting out a pattern of how you can get somebody tested. If a firefighter or EMS person were to be accidentally stuck with a needle on a fire call and find out the person had a contagious disease. The U.S. Congress reauthorized the Ryan White Act a few years ago, but they decided to remove this portion of it on notification for EMS professionals, instead leave it up to the states. This language that I have in this Bill is very similar to the language that was originally passed, the Ryan White Act. It is language that we have worked under here in the State of Illinois in the fire and EMS service for... since the Ryan White Act was first passed. And I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4047?' 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 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is

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hereby declared passed. Representative Joe Lyons on House Bill 3874. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3874, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Turner: "...from Cook, Representative Joyce... Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3874 amends the licensed private alarm contractor. Currently, anybody who has three years.. three years experience in the five years previously to.. applying for this application in private industry is eligible to take the test to become a con... to become a licensed private alarm contractor. This opens it up for fire investigators or arson investigators, fire prevention certified officers from the fire marshal or other federal governmental agencies that may have the same qualifications. So, it just equals the playing field for the application to become a licensed private alarm contractor to those who work for government. I'd ask for your 'aye' vote. And would be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 3874?' 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 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Fortner, we have House Bill 721. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 721, a Bill for an Act concerning civil law. Third Reading of this House Bill."

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

Fortner: "Thank you, Mr. Speaker, Members of the House. House Bill 721 will provide an important protection, I believe, to victims of domestic violence. Right now, there's no protection for a victim who has had to take out an order of protection against discrimination in employment or housing. What this Act will do is it will provide a provision in the Human Rights Act that will protect people when they are the victims and have had to take out an order of protection to protect themselves so that that information cannot be used in a discriminatory way. I'll be happy to answer any questions and would ask for your 'aye' vote."

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

Rose: "Will the Gentleman an... answer some questions, please?"

Speaker Turner: "Yes, he will."

Rose: "Thank you. Representative, I'm a little confused. What... An order of protection is extended and to a... say victim. You... you've got the order of protection. The Human Rights Act would then do what?"

Fortner: "What it would say is and let me use an example. A person who is a victim and was worried that because a question might be asked in employment that they would have that 'yes' I'm involved in a legal dispute. The fact that that happens to be that they are the protected party under

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order... of an order of protection could not be used to discriminate against them in that employment circumstance."

Rose: "And then what is the real... why would the realtors association be opposed to this?"

Fortner: "Their concern as it was expressed to me was the fact that there could be cases where you'd have a landlord who would like to say, well, gee... you know, maybe we wouldn't want to have someone in that position. They'd certainly like to reserve that right was one of the concerns expressed to me. I did work with the association. I've narrowed down the scope substantially with Floor Amendment 1 that was adopted on to the Bill and I've also spoke with their lobbyist yesterday and have agreed that I will continue by asking the Senate Sponsor to see if we can still work out some way to further address some of their concerns."

Rose: "But I... I... I've never heard of anyone being discriminated against in being able to get an apartment because they... an order of protection are usually... I mean, nobody knows about it."

Fortner: "That's right. And as long as no one asks, then it wouldn't come up; however, in the Human Rights Act I cannot separate employment from housing discrimination. They're opposing that."

Rose: "I'm not asking you to, because then I wouldn't want anybody discriminated against them either circumstance because of that. What my... my question and I guess what I'm confused on is, how would the prospective landlord know anyway?"

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Fortner: "If they don't know, then it can't be a situation where they would be in possible violation of the Act, because if they don't have that knowledge then there's no cause to say they were discriminated at because of their status. So, if they don't ask, I don't think it's an issue."

Rose: "I mean, I don't know why you deny housing as a victim anyway, but..."

Fortner: "I don't know that you would, either. I do know there was a case that came up and employment was brought to my attention. That was the genesis of this Bill."

Rose: "For employment, is what you're saying."

Fortner: "Correct. That was the genesis of the Bill."

Rose: "Okay. Someone actually discriminated against someone on a job because they were a victim?"

Fortner: "Because they were involved in a legal matter, was the way it was described... That was... they said, you're involved in something legal right now; we don't want to hire you."

Rose: "But it was the victim not the perpetrator."

Fortner: "This is the victim... this was the victim who was discriminated against."

Rose: "All right. Well, outstanding, Representative. I'll vote for your Bill."

Fortner: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 721?' 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,

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there are 113 voting 'aye', 4 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino, we have House Bill 1994. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1994, a Bill for an Act concerning criminal law. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

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

Mautino: "Thank you, Speaker. This Bill... the Amendment provides Illinois Correctional Industries with direct consultation with the Department of Central Management Services. It also revises the preference language and takes it from preference to 'shall'. It separates ICI which is Illinois Correctional Industries spending authority from the Department of Corrections yet leaves them as directly reporting to the director of the Department of Corrections. And it disallows the delegation of ICI supervision to any other division or component or contractor or department. This'll fix up the most recent audit findings and be happy to answer any additional questions that you may have. I ask for its adoption."

Speaker Turner: "The Gentleman moves the adoption of Floor Amendment #1 to House Bill 1994. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1994, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "...from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. The Amendment became the Bill and does basically what I had just stated. It makes six changes in there. It gives Illinois Correctional Industries control over their own money and property and will assist them as they provide services to our different departments. I know we'll have some work to do in the Senate with it. And I ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 1994?' 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 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Watson, we have House Bill 3322. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3322, a Bill for an Act concerning transportation. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Watson, has been approved for consideration."

Speaker Turner: "Representative Watson on Amendment #1."

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Watson: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 simply provides for a Operation Desert Storm license plate."

Speaker Turner: "Seeing no questions, the question is, 'Shall Floor Amendment be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3322, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker. Like I said, it provides for a Southwest Asia/Operation Desert Storm license plate. And I would appreciate your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 3322?' 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? Ramey. Ramey. The Clerk shall take the record. On this question, there are 113 voting 'aye', 4 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative May, we have House Bill 1042. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1042, a Bill for an Act concerning local government. Third Reading of this House Bill."

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Speaker Turner: "The Lady from Lake, Representative May."

May: "Thank you, Speaker, Ladies and Gentlemen. House Bill 1042 amends the Green Government Illinois Act. It is an initiative of the Governor and it codifies the procedures the state... in the state for giving out grants under the Energy, Independence, and Efficiency Act. It is the same as House Bill 5369 which passed last year unanimously. It came unanimously out of committee. It just changes the dates of when we actually met it and when things happened, so it's cleanup language. And it reflects the cooperation of DCEO and the Green Government Coordinating Council."

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

Eddy: "I have a quick... The Sponsor yield for a quick question?"

Speaker Turner: "Indicates she will."

Eddy: "Representative, is Floor Amendment 1 on... it became the Bill and our understanding is that it now... the Governor's Office had required approval from a designee of his office before the grant is awarded. Is that correct?"

May: "Yes. The Governor would approve all grants. You know, the Green Government Coordinating Council was an initiative of the Lieutenant Governor and he has an ongoing interest in this."

Eddy: "So, the... how much money is anticipated to be available for these grants for Illinois out of the stimulus package?"

May: "Well, this isn't the stimulus package. It's actually the Energy, Independence, and Efficiency Act of 2007 and 28 percent of the dollars will go to the state itself and 60-

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some odd percent go to units of local government. This is just about the state portion. I don't have the exact amount."

Eddy: "But right now, there's a process in place for the awarding of that grant money. Is that correct?"

May: "The process is for... DCEO does a lot of the grants and this is an agreement between DCEO and the Governor's Office to codify their cooperation on this."

Eddy: "But re... but right now, DCEO has a process that has an RFP, where people can apply for this, and a determination is made based on the points that they earn through some type of criteria requesting the grant. Do you know?"

May: "Yes, for the local government portion. This is for the State Government portion."

Eddy: "Okay."

May: "When I started this Bill last year, I had some of my local governments ask about how they can access this money and I think because it was new nothing was set up. So, I actually introduced this Bill to have the Green Government Council work on it, but with the changes, it felt it was better to have it be a cooperative effort between DCEO and the Governor's Office."

Eddy: "Okay. The underlying Bill was opposed by the Homebuilders Association. Is there still opposition? Are you aware..."

May: "No, there isn't. They... they actually thought that it might be about grants to homebuilders or individuals and it is not."

Eddy: "Okay."

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May: "And when that was clarified, there is no opposition."

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

May: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 1042?' 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, 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 264. Representative Miller. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 264, a Bill for an Act concerning urban development. Third Reading of this House Bill."

Speaker Turner: "...from Cook, Representative Miller."

Miller: "Thank you... thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the... this Bill has been introduced and passed this chamber before with some minor changes in this. It essentially creates the Illinois Urban Development Act, which is to help poor communities come together to try to attract businesses and development. It's similar to other development authorities throughout the state, this language is modeled in. I ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 264?' 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?"

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Have all voted who wish? Flowers. The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Flider, we have House Bill 1035. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1035, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Macon, Representative Flider. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "House Bill 1035 was passed by the House earlier today."

Speaker Turner: "Thank you, Mr. Clerk. Representative Mell, we have House Bill 271. Is she in her chair? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 271, a Bill for an Act concerning professions and occupations. Third Reading of this House Bill."

Speaker Turner: "The Lady from... the Lady from Cook, Representative Mell."

Mell: "Thank you, Mr. Speaker. Let me just get my cheat sheet out. Okay. House Bill 271 requires a limited scope license for those who manage community associations and control association operating funds."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 271?' 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? The Clerk shall take the record."

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On this question, there are 74 voting 'aye', 41 voting 'no', 2 voting 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mendoza, we have House Bill 152. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 152, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 152 deals with organ transplant recipients and the immunosuppressive drugs they take in order to... to live and avoid rejection of their organ. This Bill only deals with the antirejection meds specific to organ transplantation and no other category of drugs. Essentially, the Bill works as follows: let's say you needed a heart transplant and you were lucky enough to get one. As we know, most patients die waiting to receive an organ. After receiving the transplanted heart, your doctor puts you on an antirejection medication A, which is covered by the insurance plan currently. If at some point in your contract year your plan changes its formulary and no longer covers medication A, but now will cover instead medication B. If your doctor is fine with the new drug, then under my Bill you can go ahead and switch to medication B. But if your doctor feels that medication A is working just fine and he or she doesn't want to risk or take a risk of your organ potentially being rejected and he marks the do not substitute box on the prescription, then you'd be able to stay on medication A, paying your current copay until the

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end of your contract period. This is an important Bill to the transplant recipient community, because while they constitute a very, very small group of people, roughly 1100 patients a year, they are indeed a very, very extremely high risk population. Getting it wrong on their drugs can very simply result in death. Passing this Bill will remove a great deal of anxiety that patients endure when thinking about the possibility of their drug being changed without their doctor's consent. I would ask for a favorable vote and I would be happy to answer any question. Thank you."

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

Eddy: "Mr. Speaker, will the Sponsor yield?"

Speaker Turner: "Indicates she will."

Eddy: "Representative, first, I want to thank you for your hard work on this. I know you've spent a lot of time on this and... and initially there was a lot of opposition to the legislation based on the scope. Briefly, if you could provide the Body with a synopsis of the difference in what you have so far agreed to to narrow the scope of this."

Mendoza: "Well, the Bill is extremely narrowly focused. It only deals with the very small category of drugs which are immunosuppressant drugs that are specific to antirejection of a transplanted organ. So, we're talking about a very small class of drugs that affect a very small population of patient. And we've also further narrowed that down to only be during the contractual period of the insurance plan. So, at most, we're probably talking... we're talking less than a year at most, in most cases probably months at a

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time. Basically, that gives the doctor and the patient some time to figure out what the next best course of action is, but for the patient to continue to be on an affordable medication that is lifesaving."

Eddy: "Do... do you have, based on the scope that now exists, an estimate or has someone provided you any cost estimate regarding this version?"

Mendoza: "I don't have any numbers on that. The numbers that have been distributed to the Members here are vastly, vastly overblown, I mean, to the point of just not being believable, frankly, and we're talking about 1100 people a year. This would only apply in those cases where an individual's plan changes during the course of their treatment and... so, theoretically, it could be no cases a year, maybe a handful of cases, but one would be much more expensive than paying the differential on the copay, would be getting it wrong in even one case, because trying then to cover the cost of treating that sick patient, who's probably going to die, is going to be a lot more expensive than the 30 percent that would be saved on the... on the copays of the meds."

Eddy: "Okay. I have a... my mother had a valve replacement, but that was not a transplant. So, in those cases, you're not... this is only in the case of organ transplants and it is dealing with those situations where there is a substitute. And this would not allow that substitution or would allow the patient to continue to stay on the drug that they are on during the time that the contract is in place for that health coverage."

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Mendoza: "That's correct. And I also would like to add that if the doctor is okay with the substitution then I'm perfectly fine with that, too. I just want the doctor to ultimately have the say during that contract period of what's the proper medication. If they have no concerns about switching over to another drug, whether that drug be a generic or another name brand, then I'm all for that switch. But if the doctor feels that it's not worth risking the patient having a rejection of the organ then the doctor should be able to keep you on that med for the meantime."

Eddy: "Okay. Now, the Medical Society with Floor Amendment #3 are... they're okay with this. There is still opposition. Will you continue to work with the opposition as this moves along, if they offer some additional language that you might think is suitable, but not affect your overall purpose, which is to allow that patient to..."

Mendoza: "Yeah. So as long as... as long as it does not change what I want to do here, which is very clearly be able to keep a patient on the medication that their doctor feels is the appropriate med for them during their contract period, I'm all for that. I've already made significant changes to the Bill based on requests, but sometimes I feel that maybe no matter what the change is, I'm still going to have opposition from a couple groups, but..."

Eddy: "Understood."

Mendoza: "...I think overwhelmingly, we've... we've gotten rid of a lot of that."

Eddy: "Understood. Thank you for... for your hard work on this to this point and hopefully..."

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Mendoza: "Thank you."

Eddy: "...there will be further worked done that might even bring greater consensus on the issue."

Mendoza: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 152?' 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 85 voting 'aye', 32 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tryon, we have House Bill 170. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 170, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from McHenry, Representative Tryon."

Tryon: "Mr. Speaker, I had requested that my first Bill be House Bill 35 and I know there was a hold on it and I think that was inadvertently placed there, waiting for an Amendment. Is it possible for me to move House Bill 35?"

Speaker Turner: "Not if we're waiting for an Amendment."

Tryon: "No..."

Speaker Turner: "Right now, we're ready to move 170."

Tryon: "All right. We'll move 170. House Bill 170 actually is a... is a Bill that we passed out of here last year, it was 3728. It is... it basically establishes that any private sewage disposal system that is discharging to waters of the United States, as defined in the Clean Water Act, must

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discharge under a general NPDS permit through a program operated by IDPH or a local public health department. Since... 1974 to 1982, IDPH required all of these systems to have an NPDS permit and beginning in an Amendment in their code rule change, they started allowing these systems to go in without an NPDS permit. We've been notified by USEPA, by several of the state's attorneys in the county, that these types of systems require a NPDS permit. So, this is an opportunity for us to get people together to come to a consensus on what an NPDS permit will look like and if we don't have an NPDS permit program in place by January 1, 2011, then we will continue no longer to construct these types of systems and septic system and onsite wastewater disposal would have to be performed subsurface. I'd be glad to answer any questions."

Speaker Turner: "The Gentleman from Morgan, Representative Watson."

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

Speaker Turner: "Indicates he will."

Watson: "Representative, is there any opposition to this?"

Tryon: "Actually, most of the opposition that I'm aware of has... is neutral. The Homebuilders have removed their opposition; they're in support. The realtors are in support. The only agen... the only group that I know is not in support is the Onsite Wastewater Professionals of Illinois."

Watson: "And what role will they have in... in this process?"

Tryon: "In... they're just an association of installers and manufacturers of this type of equipment."

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Watson: "How about the... most of the county departments of public health, at least those downstate?"

Tryon: "Well, the last meeting we had prior to adopting this Amendment, when we talked about the Amendment, the Illinois Public Health Association was neutral."

Watson: "Okay. Do you antici... What do you anticipate the average cost per homeowner?"

Tryon: "Well, we actually don't have a permit, yet, I mean that is in the process of being applied for. And the average cost per homeowner, depending upon what's in the permit, would probably be \$300 to \$500 a year."

Watson: "And so... so, you could have... in theory, this is a... a vote for this is a vote for a \$300 to \$500 annual increase in the cost of living for many sta... many, many residents of very rural communities."

Tryon: "Well, this is going to effect the people that want to install these types of systems. And they can't break the law, Representative Watson, I mean, you cannot discharge into waters of the United States pollutants from a boat, from any kind of treatment plant, from any kind of septic system. So, you have to have one of these permits. So, we are actually breaking the Federal Law when we are allowing these systems to go in. And what our citizens need in the State of Illinois is a way that they comply with the Federal Law, so they don't maybe put themselves in a potential enforcement action in the future."

Watson: "Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, I'd caution you on this piece of legislation you're looking at. You're going to... you're going to increase the

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cost of living for many individuals who cannot afford it by \$400 or \$500. I think it's a step way over bounds than what is needed. And I urge a 'no' vote."

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

Eddy: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Eddy: "Representative, I just want to make sure that... you had an Amendment... you had two Amendments to this. Amendment #2 was withdrawn."

Tryon: "That's correct."

Eddy: "What... what agreements were in Amendment #2 and what opposition was meant to be, I guess, eliminated by 2?"

Tryon: "Amendment #1 and #2 are exactly the same Amendment. What happened when we filed Amendment #1, it was kicked immediately to the House Floor. There's no mechanism in our rules to take an Amendment that comes to the House Floor from the Rules Committee and put it back into committee. I had promised to take this Amendment back to committee, so I filed the exact same Amendment and requested that it be returned to the committee."

Eddy: "Oh, so, you thought any Bill dealing with septic should have a 1 and a 2?"

Tryon: "You said that, not I."

Eddy: "All right. Well, Representative, I do... I want to echo the appreciation. You're not going to remove all opposition from this; you've tried. There are a lot of folks in my area that are concerned about the future impact of this. Any permitting fees would have to come back here."

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Is that correct? You're not giving any authority for permitting fees in this legislation?"

Tryon: "No authorities for permitting fees. That... it would have to come back here. And I ju... I want... I do want to say that this Bill only states if we don't get an NPDES permit we're going to quit installing these types of systems. This isn't creating any fees; it's not creating any testing. It is just saying, we don't get a permitting system that complies with U.S. law, then we're not... we're going to stop selling these."

Eddy: "By when... by when?"

Tryon: "By January 1, 2011."

Eddy: "2011, okay. Well, Representative, you wouldn't be interested in making that 2050? Probably not. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 170?' All those in favor should vote 'aye'; all those opposed vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 83 voting 'aye', 34 voting 'no' and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tryon on House Bill 35. The Amendment has caught up with the Bill. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 35, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from McHenry, Representative Tryon."

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Tryon: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 35 will set up the Illinois Transparency and Accountability Portal. It will essentially be a online clearinghouse for information for residents and employees and anybody who has an interest in the operations and the financial condition of the State of Illinois will be able to access this information directly from their desktop computer. It will contain all state's employees salaries. It will contain all vendor contracts. It will contain all tax credits and incentives that are given to businesses, and it will essentially provide the foundation for what will be one of the country's most transparent information portals that people can access. And with that, I would entertain any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 35?' 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 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from DuPage, Representative Fortner, for what reason do you rise?"

Fortner: "On House Bill 152, I had intended to vote 'aye' and 'no' vote was pressed."

Speaker Turner: "The record shall reflect your intentions. On the Order of Third Readings, we have Representative Nekritz on House Bill 2485. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 2485, a Bill for an Act concerning safety. Third Reading of this House Bill."

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

Nekritz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Bill to ban the use of bisphenol A in products aimed at under the age of three. And while the science on this Bill is complex, the policy question before us is really pretty simple. Should we act to protect developing children from a toxic chemical in baby bottles and sippy cups, the containers they drink out of every day? Canada, WALMART, Toys R Us, and others have already answered that with a resounding yes. Illinois should also. Over seven billion pounds of bisphenol A are produced each year. It's used in poly carbonate plastics that are shaped into, among other things, products for young children. Of concern is that an infant's entire intake of food can be contaminated with BPA from the resin lining of infant formula cans from the BPA based polycarbonate baby bottle that is often put into the microwave, which greatly increases the leaching of BPA due to breaking down of the poly carbonate, and from the poly carbonate containers that baby food is sold in. There are hundreds of independent scientific studies indicating that there is cause for concern that current levels of exposure to this chemical may be capable of causing or exacerbating a wide range of human health harms. The National Institutes of Health National Toxicology Program has been designated BPA as a chemical of some concern. The health harms include some of our most intractable chronic health... public health

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problems: obesity, neuro behavioral problems like ADHD, Type 2 diabetes, reduced fertility, and cancer. Especially for very young children, exposure to BPA at very low doses mimics hormones, estrogen, that wreak havoc with their developing systems. Many of these health effects are not immediately evident; they come out later in life. I'd like to just give you one example and it's from a study done from... at UIC's Medical School by a researcher Dr. Gail Prins. Normally, about 40 percent of male rats developed precancer... precancerous prostate lesions when they reached the human equivalent of middle age. Dr. Prins found that when she administered BPA to rats just a few days after birth, during a critical window of development, 100 percent of the rats later developed precancerous prostate lesions, 100 percent. In humans, prostate cancer rates have increased 85 percent since 1975, roughly concurrent with the increasing use of bisphenol A in food packaging. Prostate cancer is the second... is second only to skin cancer as the leading cause of cancer death in American men. There are plenty of alternatives for BPA in the products that are part of this Bill. As I indicated earlier, Toys R Us and WALMART are already working toward phasing out BPA. Nalgene and Playtex have announced that they will stop making products with BPA and on the flip side, Thermos, based in Rolling Meadows of our state, is promoting its new BPA-free hydration for all water bottles. Maddie's Organic Meals is a new Chicago-based company selling BPA-free baby food that competes with Gerber. And Steribottle makes a BPA-free baby bottle that has decided

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to expand from Great Britain to North America because of growing awareness in our continent of BPA's harms. So, while it's possible that the market might ultimately take care of BPA, we need to make sure that parents do not have to be chemists in order to purchase safe products for their children and that all citizens of Illinois have confidence that the baby products they use are safe. The time to act is now. The science is sufficient for us to protect all of our children. I ask for your support."

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

Howard: "Thank you, Mr. Speaker. I rise in strong support of this legislation. My colleagues, passage of the Child-Safe Chemicals Act will protect those in Illinois who are most vulnerable, our children, especially those under the age of 13... of three, I'm sorry, three. There's absolutely no reason not to take this action. Safer, cost-effective alternatives exist so we won't have to use... we don't have to use BPA and that just shown by major manufacturers, some of which were just talked about by Representative Nekritz. The bottom line for us as Legislators is there is significant evidence of harm, not just to our children, but to everyone, but of course our infants are at most risk and most exposed. Safer alternatives are available and there is virtually no cost to switching to them. We should take a conservative, precautionary approach and take the steps necessary to protect children. That's why I encourage you all to vote for House Bill 2485. Thank you."

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

Fortner: "Will the Sponsor yield?"

Speaker Turner: "...Indicates she will."

Fortner: "I have a number of questions and concerns with the Bill, as it stands. I'd like to make sure I understand what you're trying to do here. First of all, it seems like there is no threshold listed for the amount of chemical in the product. It that... is that true?"

Nekritz: "That is true, Representative, and that's the case because unlike lead, where it's naturally occurring in the environment, product either contains BPA or it doesn't and it is... and so, there's no reason to be guessing about what's in the product. And in addition, this is a chemical that at very low doses, you know, can have the negative human health impacts that I detailed in my opening remarks, so I... I'm not... I don't know that it's necessary that we have a minimum."

Fortner: "Well, I... I think we do normally have a minimum. Certainly, when we look at various organic chemicals in our environment, manmade chemicals, whether they appear in soil, water, food, any other thing. Routinely, we set a threshold standard, we don't say the number is zero. That it's a level of something which is more hazardous than lead. Truly lead is in the environment, but all these other organic chemicals, when we go test them, have a threshold that is..."

Nekritz: "Right. But Representative, I'm seeing on some of those other..."

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Fortner: "that is set..."

Nekritz: "...chemicals and I've worked on some of those other issues, take for instance the flame retardants. That would be something that... it's not part of the... the material itself; it's added on as a... as a layer of supposed protection, so it becomes free floating in the environment. This is actually in the polycarbonate itself, so it's... you either know whether it's mixed in or you don't and in addition, I would say that the Attorney General has and both the Attorney General's Office and the Illinois EPA have reviewed this legislation. They're the ones that would be enforcing it and they feel very comfortable, as evidenced by their support for this legislation, that there is no need for a minimum."

Fortner: "The other thing I wanted to note is that you have sports water bottles listed as a banned product in this Bill. Is that correct?"

Nekritz: "That would be correct."

Fortner: "And if..."

Nekritz: "That's because children would drink out of those."

Fortner: "Children would be no more prone to drink out of those than to handle any number of other products that are not there. Why would they be explicitly there? They're generally not intended for children, right? This is supposed to be for products intended for children. I'd like to... This is a quote from... from the Canadian Minister of Health, 'Bisphenol A does not pose a risk to the general population including adults, teenagers, and children. Consumers can continue to use polycarbonate water bottles

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and consume canned food and beverages as the level of exposure from these products is very low.' It seems to me this is not an intended product that would be in the scope of the Bill and I'm just curious as to why that is added."

Nekritz: "Well, Representative, I do think it's the kind of thing where a lot of children do drink out of those bottles. They're out at a soccer game with an older sibling and they're going to be drinking those..."

Fortner: "The problem is not with children. The problem is with infants under three. That's what the target population..."

Nekritz: "Right. And... and I'm... my grandchildren, you know, are out at the soccer game with their older sibling and drinking out of that same bottle, so I think it's..."

Fortner: "Well, they drink..."

Nekritz: "...and the alternatives are every bit as available for those types of bottles as they are for the... for the... for the baby bottles and the sippy cups."

Fortner: "Mr. Speaker, to..."

Nekritz: "So, I don't think that it's..."

Fortner: "Mr. Speaker, to the Bill. I've commented on, I think, a couple of things that are odd in this Bill. We don't have a threshold. We normally always have a threshold. Second of all, is the fact that we're including a product that's really not intended for infants under three. Sure, there are lots of things that get used for infants under three, but furthermore, there's another issue that I think also warrants some strong concern as to why we would move ahead at this time. If you look at the European

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Food Safety Agency, who have very, very stringent requirements and exhaustive research, their findings both in 2007 and again after review of further information in 2008, said they did not find that there was a risk. That, in fact, in baby bottles, if you used baby bottles with infant formula, you would have to drink four times what a normal three-month-old baby of 12 pounds would have to drink in order to exceed their scientifically set threshold level for how much they'd be willing to allow a child to take in before it would be unsafe. Also, if you look at our own Federal Government, they've... notice that there is a... a disconnect. These rodent studies have not well been documented to carryover into human studies and because of that we're going to find that the... the studies would be able to, not necessarily be as easily applicable as some of the research in rodents with success, and very important scientific principles to make sure that animal studies well translate. The Europeans and other scientific groups, our own federal researchers that have looked at it, have looked and seen that there's a lot of evidence that even in infants bisphenol A is excreted more rapidly than rodents excreted and therefore, it does not build up at the same level. Right now, the FDA is in the process... they're going to be reviewing a major report that just came out last October from the National Toxicology Program. I think we would be much more timely to let the experts read the review, of what is literally over a thousand different peer reviewed papers and make sure that we're really setting the right consistent standards, here in Illinois, before we

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jump the gun when many other countries and international organizations have said this is not the time, we don't have the science in hand to make that determination. I would urge a 'no' vote."

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

Winters: "Thank you, Mr. Speaker. To the Bill. I want to first read to the chamber the testimony in our committee from the IEPA's chief toxicologist. I was very conflicted whether this is a really hazardous chemical that we need to take some action on or is this something that 50 year worth of use has shown to be safe. I am still at that point. So, the scientists at the IEPA are not telling us that we need to ban this. No scientific study has definitively shown this as a hazard. Europe has been very concerned about chemicals in food and other areas where the humans come in contact with it. No agency in Europe has banned BPA. Health Canada has not banned BPA. As of two days ago, their statement is, the current research tells the general... tells us the general public need not be concerned. They are talking about banning it simply because of a campaign promise, but their scientists say it is not of concern to humans. Now, we are trying in this Bill to ban BPA in some products, but not in others. Why are we not then eliminating BPA in safety goggles, in kidney dialysis... dialyzers, excuse me? Are we allowing its use to be used in infants' teeth to protect them from decay? We use BPA to line every steel can, every tin can that has baby formula in it or any other form of food. We're not banning

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BPA there, where the exposure is just as great as in baby bottles. In fact, the FDA has said, excuse me, Health Canada has said, that to reach the level of any concern a baby would have to have over 400 bottles of milk every day. Four hundred bottles of milk every day to rise to even the level of concern. I don't think that's a realistically concern at all and what we're doing instead is sending another signal, Illinois knows better than the FDA, we know better than the Federal Government, we know better than scientists, we're going to go emotions and our state will be the first to ban a product that is manufactured in Illinois and used by hundreds of manufacturers. If they can't use it in Illinois, where are they going to use it? They'll... got to move their plants outside of our state. We're going to hurt our reputation again for job creation. BPA has never been shown to be dangerous except in rodent studies which are not applicable to human studies in this case. So, why are we banning it? So, we all feel good? Why are we doing that? If the market... if parents choose to select a different product that doesn't contain BPA, that's their right. There are products out there. But if there are products that are being built that are economic that create jobs in Illinois, why are we banning them when there hasn't been any science. The big argument for the last eight years is the previous administration in Washington didn't use science. Well, now, if science doesn't agree with you, what do you do? You ignore science. You ignore it if it isn't on your side and that is the case on this Bill. Science is not in favor of banning BPA, they have

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not shown any danger. Why are we doing it? We are simply sending the wrong signal and we're unemploying, we're stopping job creation in Illinois. I urge a 'no' vote on this Bill."

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

Eddy: "Will the Sponsor yield?"

Speaker Turner: "...Indicates she will."

Eddy: "Representative, I've got a couple questions for you and one of them has to do with the FDA. What... what does the FDA... what's... what's their recent findings regarding this issue?"

Nekritz: "Based on some complaints from their scientific advisory council about the decision that they made and that decision was actually written by... the original decision by the FDA was written by an employee of the American Chemistry Council, Steven Hentges. So, when he wrote that opinion, there were many members of their scientific advisory council who said, wait a minute, this is... we're only looking at industry studies, we have not looked at any of the independent academic studies. You, FDA, are looking at a one-sided opinion and you need to go back and relook at this and that's what the FDA is doing. They're going back and relooking at it."

Eddy: "Okay. So, the FDA is taking a look at it. I understand that. We also have a House Resolution currently filed, House Resolution 154 that urges a study. Don't you think this is a little premature based on..."

Nekritz: "No, Representative, I don't..."

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Eddy: "...the lack of evidence."

Nekritz: "...and I'd like to respond to some of the comments from the Representative from Winnebago who said there is no scientific... no scientific information."

Eddy: "Well, Representative, hold on a second. And I don't mind if you do that in your closing, but I'm asking..."

Nekritz: "There's hundreds... there are hundreds of... I'm responding to your question, as well."

Eddy: "I'm on the clock asking questions. You didn't respond to the Representative from Winnebago because he went straight to the Bill. I just..."

Nekritz: "Well, you asked the same question about the number of scientific studies and there are..."

Eddy: "...I just asked you whether or not we should wait. And if the answer's no..."

Nekritz: "...there are hundreds of scientific studies..."

Speaker Turner: "Hey, we can dance together but not talk, one at a time."

Nekritz: "Sorry. There are hundreds of scientific studies showing that... that BPA has detrimental health affects and yes, they... for the most part on... are on rats, because this is not the kind of country where we do controlled studies on human beings to inflict health affects to determine what the long-term health affects are. But there is a study from Yale University that was published in September of 2008..."

Eddy: "Mr. Speaker, I did not ask that question and I would... Let's just go to the Bill. Ladies and Gentlemen of the House, there have been studies outside of the FDA study."

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One of them was... was done recently by the European Union Risk Assessment and their conclusion was and I quote, 'There is at present no need for further information and/or testing for the risk reduction measures beyond those being applied already to this chemical.' Ladies and Gentlemen of the House, I urge you to take a look at what we're doing in Illinois to supersede another regulation where the FDA has already ruled and if you're concerned about that ruling, it's under advisement again. There's a new administration. This could happen, but this is way premature and it sends the wrong message at exactly the wrong time to business and industry in this state. Finally, you know, this... if you look at all the evidence on this, it does not take a rocket scientist to figure this out, but if you need the opinion of a rocket scientist, you already have it and his opinion was no. He studies this; he understands this. Mr. Speaker, I would request that if this Bill would receive the requisite number of votes, that we would verify that vote. Thank you."

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

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

Speaker Turner: "She indicates she will."

Osterman: "Representative, a couple of questions. You know, you're not a... a member of Parliament; you're not a member of... ambassador to Canada; you're not a member of the UN... European Union; you're an Illinois Legislator and your job is to protect the interests of the people of Illinois. Is that right?"

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Nekritz: "I would agree with you, Representative."

Osterman: "And along with the Illinois Public Health Association, the Illinois Nurses Association, the Illinois Chapter Academy of Pediatricians, and a host of other people, you think that this is a good idea, not to feel good about ourselves, but to protect children in our state."

Nekritz: "That's right, Representative. This is about toxic chemicals in baby bottles and sippy cups that our children are drinking out of every day."

Osterman: "And many of the groups that are opposed to this in the past have been opposed to things like lead poisoning and... and mercury and a lot of other things because it was... it wasn't the right time. Is that right?"

Nekritz: "And I would add the tobacco industry to that list."

Osterman: "Tobacco industry, too, because, you know what, kids shouldn't smoke. So, Ladies and Gentlemen of the House, to the Bill. A number of previous speakers... and I want to talk about some of the things they said. There shouldn't be a minimum threshold. Well, this is an issue that, you know, having a minimum threshold is a difficult thing and it's hard to identify, but should not we err on the side of caution and shouldn't we err on the children of our state? There's been talk about Canada and Europe and a lot of other studies that have been done. Illinois... Illinois organizations, they work with children, they care about children and parents of our state support this legislation. We should err on the side of them. This is a Bill that many parents across our state, and I'm one of them, have

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thrown out many of the products because of the fear of this... of the BPA. And there are many parents that are not educated about this issue that go to the store, they go to Toys... Babies R Us and they buy these products and then later find out that there might be an issue with their child. And I will tell you that if you know a parent that has a child who has become ill by something that they could have controlled, that's a terrible thing to have on their conscience. We, today, Members of this House, should be caring about the children of the State of Illinois and those people that want to stand up and say it's the wrong time, it's the wrong message, it's too soon, it's a terrible thing, I think we should think about the children of our state and their future. I ask everyone to vote 'aye' on this important Bill."

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

Davis, W.: "Sponsor yield?"

Speaker Turner: "...Indicates she will."

Davis, W.: "Representative, there's been a lot of questions and comments about this... this particular chemical that you're trying to ban. How long has it been in existence?"

Nekritz: "I believe it's been in the marketplace for 30 or 40 years."

Davis, W.: "Thirty or 40 years. So, there's a strong possibility I was raised on bottles made with this stuff then, right?"

Nekritz: "I think that's a possibility."

Davis, W.: "I'm not..."

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Nekritz: "I don't know what your long-term health affects are..."

Davis, W.: "...I'm not... I'm not trying to... I'm not trying to make light of the situation, but as the arguments go, about how bad this chemical is, and I'm thinking about when I was a child, if I was raised on bottles that were made with this chemical and probably back then the parts per million were probably a lot more than probably they are now or, you know, however those regulations things. You know, so I'm just trying to understand because the emphasis is that this is bad."

Nekritz: "Right."

Davis, W.: "And that it's harmful, you know, but there's a strong possibility that many... many of us in this chamber, those that are 40 or younger... well, maybe not that many of us... may have, you know... our parents may have used bottles made with this. The cans that our formula were in may have had this stuff in it, so I'm just trying to really understand the nature of your argument."

Nekritz: "So, Representative, I can... I can... I'd like to go back to something I said in my opening statement about some research that's been done out of the University of Illinois-Chicago where very low dose exposures to rats, very soon after birth, resulted in that... that... those animals at what is the equivalent of their midlife, you and me maybe... me more than you... resulted in a hundred percent of the prostates on those rats having precancerous lesions on their prostate. We know that prostate cancer is on the increase; we know that breast cancer has been a problem. This is exactly the kind of health im... health outcome that

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you would expect from very low dose exposures to BPA very early in life. So, I think that the exposures that happened 30 or 40 years ago are now coming home to roost for us and that's why this is so important right now."

Davis, W.: "Well, I know there have been a number of academic studies done, and I'm not talking about the industry studies, but the academic studies. So, have there been any other medical studies done that would make that correlation that you just described, particularly in African Americans or... I mean... I mean, 'cause you just said that in rats there's a link to precancerous lesions on prostates. So, I mean, is that a correlation that you're making as it relates to humans, as well?"

Nekritz: "Well, Representative, I think that the... that the... that the public health evidence would be there. Again, we, you know, we don't do controlled studies on human beings to... to make that determination a hundred percent, but these are peer review journals... peer reviewed articles that have appeared in some of the preeminent cancer magazines... cancer journals that are out there and I'm not personally aware of others, but I... but I know that there are hundreds of studies out there that link BPA not only to cancer but to brain dysfunction and reproductive disorders and ADHD and obesity. Many of those are most intractable health care... public health issues that we face right now and that's what the evi... that's what the evidence of those studies would show."

Davis, W.: "Well, then... my last question then. Just out of curiosity, is it possible for an adult to get a test to see

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if they have this in their system or is it something that diminishes over a period of time, to your knowledge?"

Nekritz: "Representative, I've actually been tested for bisphenol A and I did have an above average... above the American average of bisphenol A in my urine."

Davis, W.: "Okay."

Nekritz: "So, I... I... we... there's... I think the statistic from the CDC is that 93 percent of Americans have this in them."

Davis, W.: "Have this in them."

Nekritz: "Yeah."

Davis, W.: "Okay. Thank you very much, Representative."

Nekritz: "Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill and I apologize if I go over some material that's already been asked. I had a meeting off the floor. Ladies and Gentlemen, no state in the country has banned BPA. Canada, I think, has been misrepresented as to what their official position is. Their Health Minister has clearly said that their precaution... or excuse me... their potential ban was based on public pressure, not on science. I haven't heard anybody say it... give me any empirical evidence that anyone has been harmed by BPA, no human. I don't know about the rat's prostate; I worry about my own prostate. I don't have time to worry about the rat's prostate. BPA is used in almost everything we u... utilize. It's used in the mouths of baby to protect their teeth; it's in a... it's in a premature

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baby's incubator. That's one of the base chemicals of the plastic that's in a premature baby's incubator. It's used in kidney dialysis machines. It's used in heart-lung machines. It's used in safety goggles. It's used in dental sealants. It's used in bike helmets. Somebody said we should be concerned about protecting the health of Illinoisans, et cetera, et cetera, and of course, obviously, that's what we all want to do. But I think we should be equally as concerned that we base our decisions on sound science, not Chicken Little, not some group that says, my God, the sky is falling. There is no evidence that I can find that there is sound scientific evidence that we need to be the first state in the country to ban BPA. And until I can see that sound evidence, I intend to vote 'no'."

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

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

Speaker Turner: "Indicates she will."

Washington: "You know, this Sponsor is a special lady because I know she's consistent when it comes to public safety and I, too, join her on that. To the Bill. You know, we had a conversation about this Bill in committee and I spoke to representatives of Abbott Lab who is one of the biggest employers in my district and that didn't sway me one way or the other, because I'm mostly would rather err on the side of public safety than some of the people who come to me. But I... I want to say this for the record. I spoke to Representative Nekritz and I said then, I think that this

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particular legislation my colleagues and myself would be very cautious because of what the Representative on the other aisle just said, there was nothing really sound that showed that, but then again Representative Nekritz makes a good point in trying to prevent something and not wait 'til after it happens. So, this was a hard choice, but I looked at the economic climate of Illinois and the fact that Abbott has already moved certain parts of its division into Wisconsin. And so, I looked at, is this a real need for right now? And I come up with that maybe it's not that precious of a thing, and we in the state we're trying to balance a budget that's way out of line, need to consider when we can things that may represent a fleeing of economic concern and an increase of people joining the ranks of the unemployed in the State of Illinois. So, having said that, I'm indecisive right now as to where I'm going to go, but I'm leaning toward the economic side of it. And I appreciate the Sponsor for doing something prior to, but I don't see the urgency and I see greater risk if we start a precedent like this in the face of an economic climate that we have yet to get grips on, I think we'd do ourselves a disservice. Thank you, Mr. Speaker."

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

Riley: "Will the Sponsor yield?"

Speaker Turner: "...Indicates she will."

Riley: "Representative, you know, it's been sort of noisy in here. I was doing a few other things during the debate on

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the floor, but I think I heard you say something about there were some animal studies done using mice."

Nekritz: "There have been. There have been mostly rat studies, but there have been some primate study... one primate study that I'm aware of, as well."

Riley: "Okay. Are you familiar with... and the technical term is murine... are you... are you familiar with these studies that deal with mice, murine studies?"

Nekritz: "I don't think I am, Representative."

Riley: "Okay. So, you don't know what a... do you know what a balbc... balb/c mouse is?"

Nekritz: "No, but this is sort of the point, Representative, is that parents shouldn't have to be chemists in order to be able to buy safe products, but I'm sure you'll tell me what that is."

Riley: "Well, I will tell you what it is."

Nekritz: "Good."

Riley: "A balb/c mouse is a mouse that is... that is bred, it's been around a long time and we used to use them in cancer studies because the mouse was engineered to have an immune system that mimics human. So, when you do these studies on these kinds of mice, you can be sure that most of the outcomes would in fact mimic what would be... what would actually happen in a human. Thus, you know, really precluding the need especially in something like this, I mean, this isn't cancer research. You're talking about a chemical that you think is particularly egregious. So, when you do... when studies have been done using these kinds of animal models, for the most part, the researchers can

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take them to the bank; they're extremely reliable. To the Bill. Without belaboring the point, I think the Sponsor has a good Bill. I would say that we do have to be cautious and be sure that, you know, there's a lot of chemicals that are out there that are perfectly fine and they've undergone peer review studies, but there are many who have not. I think this is a good Bill. And I intend to vote 'aye'."

Speaker Turner: "The Lady from Cook, Representative Monique Davis, for what reason do you rise? Our final speaker."

Davis, M.: "Thank you so much, Mr. Speaker. You know, I just want to share something with the Body. When it comes to their children, parents believe it's better to be safe than sorry. That's why it's an easy call for state lawmakers to approve a Bill which could come before the House as early as today that would ban the chemical... I think it's BPA... also known as BPA and it's from a plastic baby bottle. The respected National Toxicology Program, an office of the National Institute of Health, issued a report last year after surveying the scientific study and found reason for and I quote, 'some concern that current levels of exposure to BPA could harm the health of infants and young children.' 'Some concern', and I quote, 'is more than enough concern for us. While the chemical industry sees no health risk with BPA, a legion of noted scientists, not bankrolled by the industry, does.' Canada has already banned BPA in baby bottles. WALMART, Toys R Us, and other large retailers are either phasing out the bottles or have already done so. One of our alderman has a Bill pending

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before the City Council that is very similar. On the federal level, the Food and Drug Administration has faced severe criticism over how it has handled questions on BPA safety. It won't be acting definitively any time soon. We'd like to have faith in federal regulations to protect us from harmful substances, but they have a very dismal track record. Banning BPA from baby bottles is a very small step in tune with the marketplace and in sync with every responsible parent's credo. I give all credit for my statement for the Chicago Sun-Times editorial today. Those were the exact words written in today's Chicago Sun-Times and I agree with them 100 percent. The smallest concern to protect our children should be recognized. I love my grandbabies and I want to see healthy babies all over this country and in this state. We should not risk the health of our children for diseases known or unknown. I urge an 'aye' vote."

Speaker Turner: "Seeing no further questions, and let me remind the Body that there has been a request for a verification. So Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. And I appreciate the debate on this issue. I would just like to point out to the Body, I appreciate the Representative from Winnebago's remarks, but he was very selective in his choice of words from the Illinois EPA. They are absolutely supportive of this Bill and because of the availability of the alternatives out there, they felt that it was time for the state and ban BPA. Twelve other states are looking at this action. This is... this is not about losing jobs in the State of Illinois.

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There's not one plant that ban... that makes BPA; there's not one facility that puts it into polycarbonate and I'm not aware of any facilities that actually make baby bottles. And as I said in my opening remarks, there are companies that are coming to Illinois exactly because of this green initiative. The sustain... this environmentally sustainability... sustainable initiative that we're purposing here. The opponents on this to me look very much like the tobacco industry in the '70s and '80s where they are denying, denying, denying the science and only when it becomes so inevitable that... that we... that thousands more people are harmed by this... by this chemical will they be willing to concede that maybe there was a problem. But Sunoco, a maker of BPA, has already acknowledged that they're not going to sell it to those who are putting BPA into the kinds of products we're seeking to ban today. I think the evidence is sufficient. This is about, again, toxic chemicals in products that are being put into our children's mouths. I urge your support."

Speaker Turner: "Now, I want to remind the Members that a verification has been requested and so each Member should vote their own switch. Seeing no further questions, the question is, 'Shall the House pass 2485?' 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? The Clerk shall take the record. On this question, there are 55 voting 'aye', 57 voting 'no'. And the Sponsor..."

Nekritz: "I'd like to put the Bill on Postponed Consideration."

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Speaker Turner: "The Bill shall be place on Postponed Consideration. Representative Black, the Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker. A... I forgot what I'm supposed to... oh. I need the record to reflect that I was voted incorrectly on House Bill 152."

Speaker Turner: "The record will so reflect."

Black: "I am recorded as voting 'no' and in strict and abject violation of House Rules somebody voted my switch 'no' and I had intended to vote 'yes' on House Bill 152. In fact, I think I'm a cosponsor of House Bill 152."

Speaker Turner: "The record will so reflect. Representative Winters, we have House Bill 793. Read the Bill, Mr. Clerk. I'm sorry. Clerk, read the Rules Report first. Rules Report."

Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' House Amendment #2 to House Bill 363."

Speaker Turner: "Representative Winters. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 793, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker. House Bill 793 is a request from some of the area library systems that have very large

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geographic areas and are having trouble attracting enough people to run on their board. So it allows either statewide jurisdictional public bodies or library systems that have a geographic area of more than 4500 square miles to allow their public hearings to be attended through video conferencing. The library systems already have this capability. It would simply allow them to attract more people to run on their boards by not requiring a geographic presence, but would do it through video conference. I'm not aware of any opposition to the Bill and would be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 793?' 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? The Clerk shall take the record. On this question, there are 97 voting 'aye', 20 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino in the Chair."

Speaker Mautino: "Mr. Clerk, on page 36 of the Calendar appears House Bill 4251. Representative Phelps. Read the Bill."

Clerk Bolin: "House Bill 4251, a Bill for an Act concerning utilities. Third Reading of this House Bill."

Speaker Mautino: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4251 is some language to speed up the benchmarking process that we did. There's no opposition to

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this Bill. This was... passed the House two... a couple years ago with no votes. And I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 4251. And the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Feigenholtz, Gordon, Dugan. Mr. Clerk, take the record. This Bill, having received 117 voting 'yes', 0 voting 'no', 0 voting 'present', is declared passed. Mr. Clerk, on the Calendar page 31, appears House Bill 1086. Representative Reitz. Read the Bill."

Clerk Bolin: "House Bill 1086, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "Representative Reitz."

Reitz: "Thank... thank you, Mr. Speaker. I explained this Bill on Second yesterday. It extends the TIF for Steeleville. And I'd appreciate an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 1086. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 110 voting 'yes', 7 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is declared passed. On page 30 of the Calendar appears House Bill 789. Representative Rita. Read the Bill."

Clerk Bolin: "House Bill 789, a Bill for an Act concerning safety. Third Reading of this House Bill."

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Speaker Mautino: "Representative Rita."

Rita: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 789, as amended, what it basically does, it extends a tax levy on landfill methane. Facilities which is helpful to the Village of Rob... Take... take this out of the record?"

Speaker Mautino: "Mr. Clerk, would you take that Bill out of the record and at the request of the Sponsor. Mr. Clerk, on page 18 of the Calendar appears House Bill 2845. Representative Bellock. Read the Bill."

Clerk Bolin: "House Bill 2845, a Bill for an Act concerning civil law. The Bill has been a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bellock, has been approved for consideration."

Speaker Mautino: "The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. What this Bill would do would to be allow a person's therapist to speak about their treatment at an involuntary hearing. There is no opposition to this Bill and it was suggested by all the mental health groups. Right now, a personal therapist can give that information in a civil hearing, but they are not allowed to give it in an involuntary hearing. And it would just be a matter of what prescriptions they were taking so that it would allow the court to have more information."

Speaker Mautino: "The Lady moves adoption of Floor Amendment 1 to House Bill 2845. All in favor say 'yes'; opposed 'no'."

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The 'ayes' have it. And the Amendment's adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Bolin: "House Bill 2845, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Mautino: "Representative Bellock."

Bellock: "Thank you very much. The Bill is exactly what I just described. It allows a therapist to give the information in a court hearing to allow people to have more information about the prescription drugs that someone is taking during a proceeding revolving (sic-involving) in... involuntary commitment, which is the same identical as they would do now in a civil hearing. There is no opposition to the Bill. It was suggested by all the mental health groups and the Cook County State's Attorneys Office."

Speaker Mautino: "The Lady moves passage of House Bill 2845. And 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? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. Mr. Clerk... The Lady from Grundy, Representative Gordon is seeking recognition."

Gordon, C.: "Mr. Speaker, I tried to get the buttons to work in the row back here and none of them seem to be working and there would be 'yes' votes for Representative Dugan, Representative Feigenholtz, and myself on the last Bill."

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Speaker Mautino: "Thank you. I will send the electrician up there and the Journal will reflect your intentions to vote 'yes' on the previous Bill. Page 23 of the Calendar appears House Bill 3854. Representative Reitz. Read the Bill."

Clerk Bolin: "House Bill 3854, a Bill for an Act concerning economic development. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Mautino: "Third Reading. Read this Bill for a third time."

Clerk Bolin: "House Bill 3854, a Bill for an Act concerning economic development. Third Reading of this House Bill."

Speaker Mautino: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. This... this Bill is a shell Bill at the moment. But this is an initiative of the Illinois Chamber of Commerce and a number of other groups. It's the intent here to send this to the Senate, continue to work on... on language and try to put in some type of language that will help create jobs in Illinois, keep our energy costs low, and I'd appreciate your help."

Speaker Mautino: "The Gentleman moves passage of House Bill 3854. On that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Will the Sponsor yield? Representative, very quickly. Now, your intention... this is going to be a shell Bill that you're going to continue to work on. My understanding is the State Chamber of Commerce is

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supportive of this effort and is going to be working on this alongside of you and..."

Reitz: "That's correct."

Eddy: "Okay."

Reitz: "Yes."

Eddy: "And you're in negotiations with them and they are supportive of this, so..."

Reitz: "Yes. And the negotiations are with all the other stakeholders in just trying to make sure it fits. There's a number of tax incentives and things of that nature in here to make it more business friendly in a lot of areas and try to use our resources that we have in the state, but as I said, the end is to just keep energy and business costs lower in Illinois."

Eddy: "Okay. Well, we appreciate the fact that you're continuing to work with them on this Bill and we look forward to its return as something that's going to promote a positive environment in Illinois. Thank you."

Speaker Mautino: "The Gentleman moves passage of House Bill 3854. 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? Mr. Clerk, take the record. On this Bill, 100 voting 'yes', 17 voting 'no', 0 voting 'present'. This Bill is declared passed. Mr. Clerk, on the Calendar on page 8 appears House Bill 964. Representative DeLuca. Read the Bill."

Clerk Bolin: "House Bill 964, a Bill for an Act concerning safety. The Bill has been read a second time, previously."

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No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Mautino: "The Gentleman from Cook, I believe you have a Motion to Table... or do you wish to withdraw?"

DeLuca: "Yes."

Speaker Mautino: "An Amendment?"

DeLuca: "I'll withdraw the Amendment."

Speaker Mautino: "Mr. Clerk. Mr..."

Clerk Bolin: "No Further Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. On page 36 of the Calendar appears House Bill 4212. Representative Tryon. Read the Bill."

Clerk Bolin: "House Bill 4212, a Bill for an Act concerning military and veterans courts. Third Reading of this House Bill."

Speaker Mautino: "Representative Tryon."

Tryon: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. A constituent brought to me, sometime ago, the idea of having a veterans court, about the same time that Cook County began to establish a veterans court. And we drafted some language that was modeled after a veterans court in New York and since then there's been a veterans in Nevada. And... and when we look at all the issues that surround this and all the interest in the veterans court, what we decided to do was to create a task force that would work over the summer and actually put the parameters down for how a veterans court would best be utilized by counties that want to establish a veterans court throughout the state. If there's any questions, I'd be glad to answer them."

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Speaker Mautino: "The Gentleman moves passage of House Bill 4212. And on that, 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? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. Mr. Clerk, on page 32 of the Calendar appears House Bill 1793. Representative Thapedi. Read the Bill."

Clerk Bolin: "House Bill 1793, a Bill for an Act concerning liquor. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Thapedi."

Thapedi: "Thank you, Mr. Speaker and Members of the House. We discussed 1793 yesterday. Essentially, this is a collaborative effort between myself, the Illinois Retail Merchants Association, the Illinois Food Retailers Association, the Illinois Restaurant Association, and the Illinois Licensed Beverage Association to ensure that much needed information is provided with respect to alcoholism and substance abuse. And I urge its adoption."

Speaker Mautino: "The Gentleman moves passage of House Bill 1793. All in favor will vote 'yes'; opposed will vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. Mr. Clerk, on page 32 of the Calendar appears House Bill 1966. Representative Thapedi. ...the Bill."

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Clerk Bolin: "House Bill 1966, a Bill for an Act concerning criminal law, which may be referred to as the Automatic Weapons Safety Zone Act."

Speaker Mautino: "Out of the record at the request of the Sponsor. On page 32 of the Calendar... excuse me... on page 36 of the Calendar appears House Bill 4318. Representative Verschoore. Read the Bill."

Clerk Bolin: "House Bill 4318, a Bill for an Act concerning education, which may be referred to as the Brandon Ballard Law. Third Reading of this House Bill."

Speaker Mautino: "Representative Verschoore, the Gentleman from Rock Island."

Verschoore: "Thank you, Mr. Speaker. As they said, this is the Brandon Ballard Bill, was a young man that came from my district was a three-sport star at one of our high schools. And the... due to a not doing a hernia check, they didn't detect testicular cancer and he didn't tell anybody at the time and ended up with... dying from it. What this Bill would do would be... they may want to require that they do a hernia check on these athletes that... for interscholastic sports. There was some conversation in committee and I held the Bill and then I went back with an Amendment that said instead of 'shall' have a hernia check, 'may' do a hernia check. And it also would require that the athletes to tell the pe... the people if there was any cancer in their family and if there was, what kind it was. And also requires in the science class to teach science. I would ask for an 'aye' vote and I'd be happy to answer any questions."

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Speaker Mautino: "The Gentleman moves passage of House Bill 4318. And on that, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. I rise in support of the Sponsor's Bill. He's worked hard to make this acceptable without making it a mandate, making it permissive, but also raising awareness. I'd urge the Body to vote 'aye'."

Speaker Mautino: "The Gentleman has moved passage of 4318. The question is... all in favor vote... Excuse me. The Gentleman from Vermilion, Representative Black is seeking recognition."

Black: "I apologize, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Black: "Representative, I couldn't hear. You have made this permissive, correct?"

Verschoore: "Yes."

Black: "All right."

Verschoore: "As far as the check."

Black: "Is there any guarantee... I don't want to build false hopes with any of my constituents. Even if you have this exam, there's no guarantee that they will... I guess I'm trying to say... they could miss a diagnosis of cancer."

Verschoore: "Yeah, you can always miss it."

Black: "Sure."

Verschoore: "I mean, nothing is a hundred percent."

Black: "All right."

Verschoore: "But it would take some of the... some of the chance out."

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Black: "All right. Could you turn your head for me for just a moment and cough twice?"

Verschoore: "(coughs)"

Black: "Thank you. I think you're fine. Thank you."

Speaker Mautino: "And on that, House Bill 4318, 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. This Bill, having received 117 voting 'yes', 0 voting 'no', 0 voting 'present', is declared passed. The Gentleman from Cook, Representative Lang, for what reason do you seek recognition? The Gentleman from Cook is recognized for a Motion. Representative Lang on a Motion. Would staff step to the back of the chamber, please?"

Lang: "Thank you, Mr. Speaker. I move the... waive the posting requirement on House Bill 650 so it can be heard in the Insurance Committee tonight."

Speaker Mautino: "All in favor signify by 'aye'; opposed 'no'. The 'ayes' have it. And the Motion is accepted. Mr. Clerk, on page 15 of the Calendar is House Bill 2465. Representative Verschoore. Read the Bill."

Clerk Bolin: "House Bill 2465, a Bill for an Act concerning local government. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Mr. Clerk, read the Bill for a third time."

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Clerk Bolin: "House Bill 2465, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Rock Island, Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker. What this Bill does would allow... or not allow... it would require that the... the police department or the city or the municipality to make sure that they covered the expenses of a policeman if he was wrong... if there was a lawsuit filed against 'em. And in some... in most cases they do that now, but in some areas they don't and this would just make that a requirement. I'd be glad to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 2465. And on that question, the Gentleman from Lake, Representative Sullivan."

Sullivan: "Representative... Representative, did you..."

Verschoore: "Sorry. I'm sorry. I've got the wrong Bill."

Sullivan: "Okay."

Verschoore: "There was two of them at once."

Sullivan: "That's what... that's where I was going with that."

Verschoore: "What this does is allow a police officer or fire... a police officer to run for public office. And I'd be glad to answer any questions."

Speaker Mautino: "And on the description of your second Bill, the Gentleman from Vermilion, Representative Black."

Black: "Thank you, Mr. Speaker. Sponsor yield? Representative, the only question that I have, if a member of a municipal police force serves on that municipal board,

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then obviously, there will be a number of issues that a conflict of interest will arise, correct?"

Verschoore: "Yes, there could be a possibility of that."

Black: "Well, if you're voting to approve the police officer's contract, I assume... the Bill is silent, but I assume case law would indicate that officer would not be able to... to vote on that contract that he or she may have a particular interest in and will benefit from."

Verschoore: "Exactly. They could abstain. We passed a law like this last year for the firemen."

Black: "Okay."

Verschoore: "And so this..."

Black: "Yeah, I... I served here for years with a... with more than one Chicago police officer. It's never been a problem. They know what the conflict of interest statute is. Appreciate you bringing this forward."

Verschoore: "Sorry about the..."

Speaker Mautino: "The Gentleman has moved passage of House Bill 2465. The question is, 'Shall this Bill pass?' All 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? Mr. Clerk, take the record. 115 having voted 'yes', 2 voting 'no', 0 voting 'present', the Bill is declared passed. Mr. Clerk, on page 33 of the Calendar appears House Bill 2625. Representative Walker. Read the Bill."

Clerk Bolin: "House Bill 2625, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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Speaker Mautino: "The Gentleman from Cook, Representative Walker."

Walker: "Thank you, Mr. Speaker. This is a straightforward license plate Bill. It creates a special license plate for International Brotherhood of Teamsters. It'd create a fund in the State Treasury. The proceeds would go to a charity called the Charitable Trust for the Teamsters. The... the financial arrangement is similar to most others. What I... attracts me about this Bill is the use of the funds. I looked at the record of this Teamsters Trust Fund and where they put their money. Number one, it goes for a program Race Against Breast Cancer. Number two, Cure Autism Now. Number three are troop care packages for soldiers serving overseas and it goes on. This is a first rate charity and I believe the proceeds will be used well. I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 2625. And on that question, Representative Bassi."

Bassi: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, we currently support 65... 65 specialty license plates in the State of Illinois, actually 66. And I think we've got at least 3 or 4 in the pipeline. At some point, in the very near future, I think we're going to have to take a hard look at doing something in the way of a plate that could possibly have a sticker or something that could be affixed to it for specialty plates rather than doing this. It's going to get to the point... I mean, we're looking at license plates for bass, deer, duck, goose, pheasant, turkey, Eagle Scouts, education, environment,

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fire chief, firefighters memorial, the Illinois Hospital, et cetera, et cetera, et cetera. The State Police are not going to be able to figure out whether or not these plates are from Illinois. So, while I won't oppose it, right now, but I think after this Session, we really better take a hard look at this. Thank you."

Speaker Mautino: "The Gentleman from DuPage, Representative Ramey."

Ramey: "Thank you, Mr. Speaker. Will the Sponsor yield? Well, Representative, I questioned you in committee on this Bill and you didn't have an answer. Did you... were you able to find that answer or do you req... do you remember the question?"

Walker: "I don't recall the question."

Ramey: "Can the funds be put into... for campaign funds?"

Walker: "No."

Ramey: "And is that in the Bill?"

Walker: "Oh, is there language saying you cannot use this for that?"

Ramey: "Correct."

Walker: "The Bill specifies what it can be used for and lists the charitable uses."

Ramey: "It was in the Bill when you were in committee, correct?"

Walker: "Yes."

Ramey: "Okay. So, in the committee you said, you... you weren't sure, you didn't know. So, are you saying now for sure it cannot be used for that purpose?"

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Walker: "Yes, that's what I'm saying. And I recall answering that question in committee, but your recollection may be better."

Ramey: "I'm sorry, what?"

Walker: "Your recollection may be better."

Ramey: "Okay. Thank you."

Speaker Mautino: "The... on that question, the Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker. I move the previous question."

Speaker Mautino: "The previous question has been put. And 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, Osterman, Cole, do you wish to be recorded? Representative Winters, do you wish to be recorded? Mr. Clerk, take the record. On this Bill, 103 voting 'yes', 14 voting 'no', 0 voting 'present'. This Bill is declared passed. The Lady from Grundy, Representative Gordon, is seeking recognition."

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

Speaker Mautino: "State your point."

Gordon, C.: "For all of you who just voted 'no' on the previous Bill, if I were you I would ask Representative Sacia to walk you to your car tonight because those Teamsters can get a little angry when things don't go their way. I happen to know that because my father was a Teamster for 26

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years. So, I'd stick pretty close to Skippy tonight if I were you."

Speaker Mautino: "I'm a fellow Teamster myself. Mr. Clerk, on the Calendar appears House Bill 870. Representative Brauer. Read the Bill."

Clerk Mahoney: "House Bill 870, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "Representative Brauer on House Bill 870."

Brauer: "Thank you, Mr. Speaker. This is another extension on a TIF Bill; it's for Sherman, Illinois. They want to put an additional 12 years. There's no opposition to this Bill. I'll answer all questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 870. And 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 870, having received 115 voting 'yes', 2 voting 'no', 0 voting 'present', is declared passed. Mr. Clerk, on page 7 of the Calendar appears House Bill 853. Representative Brauer. Read the Bill."

Clerk Mahoney: "House Bill 853 has been read a second time, previously. Floor Amendment #1, offered by Representative Brauer, has been approved for consideration."

Speaker Mautino: "Representative Brauer on Floor Amendment 1."

Brauer: "Thank you, Mr. Speaker. This basically just changes the Bill to where somebody had served longer than six months, it reduces their license."

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Speaker Mautino: "The Gentleman moves adoption of Floor Amendment 1. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk..."

Clerk Mahoney: "No further Amendments..."

Speaker Mautino: "...place this Bill on Third Reading and read the Bill a third time."

Clerk Mahoney: "House Bill 853, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Mautino: "Representative Brauer on House Bill 853."

Brauer: "Thank you, Mr. Speaker. As I said for the Amendment, this gives a lower rate for anybody that served overseas and they might have missed that Section when that... when that... I'm sorry. I've got some distraction here. Mr. Speaker, I want to take this out of the record for a little bit."

Speaker Mautino: "Mr. Clerk, take the Bill out of the record at the request of the Sponsor. Mr. Clerk, on page 14 of the Calendar appears House Bill 2302. Representative Yarbrough. Read the Bill."

Clerk Mahoney: "House Bill 2302 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Mautino: "Place this Bill on Third Reading and read it for a third time."

Clerk Mahoney: "House Bill 2302, a Bill for an Act concerning human rights. Third Reading of this House Bill."

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

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Yarbrough: "Thank you, Mr. Speaker, and Members of the House. House Bill 2302 does four things: first, it creates the Department of Human Rights Training and Development Fund. Two, it allows the Department of Human Rights to charge tuition to private sector entities with more than 50 employees for training offered by the department's Institute for Training and Development. All of the tuition dollars will be deposited in the fund and it'll be used to enhance the quality of the department's training. Three, I must state that the tuition is voluntary when the department offers monthly training in its Chicago, Springfield, and Marion office, all organizations are invited to attend for free. And finally, the Bill has an effective date of January 1, 2010. I'd be happy to answer any questions."

Speaker Mautino: "The Lady from Cook, Representative Yarbrough, moves passage of House Bill 2302. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "Indicates she will."

Black: "Representative, as you said, this tuition is completely voluntary, correct?"

Yarbrough: "Yes, it is."

Black: "And it simply keeps pace with various federal agencies that do charge and we were not charging anything and therefore, losing about \$200 thousand a year, correct?"

Yarbrough: "That's correct."

Black: "So, I would think it... Thank you very much, Representative. And Ladies and Gentlemen of the House, to

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the Bill. This does not unnecessarily burden any company that wants to take advantage of this training. If they want the training and right now they order it up and don't pay anything and the taxpayers foot the bill, others are in this business, the Federal Government, the EEOC, some private companies get into this and charge a lot of money and the state because of the current law structure was having to do it and do it for free. This only, with the fiscal crisis that we're in and by all reports, some of this training is of high quality, I see no reason why we shouldn't charge for the expertise. I stand in strong support of the Bill."

Speaker Mautino: "Further questions? The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker. Will the Lady yield? Representative, is the backlog with the Department of Human Services, how will this interfere with their backlog of complaints that they have for peoples' rights that have been violated?"

Yarbrough: "I'm not aware of any backlog. This is the training institute and I know that there a number of people who are requesting this training and when they request the training, of course, we have to go and to the training. They only have a few people to do this training and it's very important training. I don't know about a backlog, though."

Flowers: "Usually, when peoples' rights have been violated, they will go to the Department of Human Rights, and throughout the years a lot of people have complained

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because it has taken such a long time for the Department of Human Rights to get to their file. And upon doing so, sometimes the 120 days may have expired. So, I was wondering, is this going to be new help that's going to be hired in to to do this training?"

Yarbrough: "Yes. With some of the money, this will enable them to hire new employees that will be do this service."

Flowers: "Okay. Thank you."

Yarbrough: "Thank you."

Speaker Mautino: "The Lady moves passage of House Bill 2302. 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... Does Representative Hannig wish to be recorded on this Bill? Mr. Clerk, take the record. 107 voting 'yes', 10 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is declared passed. Representative Yarbrough, on page 6 of the Calendar, you have House Bill 609. Read the Bill."

Clerk Mahoney: "House Bill 609 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Mautino: "Mr. Clerk, place this Bill on Third Reading and read the Bill for a third time."

Clerk Mahoney: "House Bill 609, a Bill for an Act concerning appropriations. Third Reading."

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

Yarbrough: "Thank you, Mr. Speaker. House Bill 609 appropriates 950 thousand to the Department of Commerce and

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Economic Opportunity to develop and administer a work therapy pilot program for homeless adults. This Bill was brought to me by the Chicago Coalition for the Homeless. I'd be happy to answer any questions."

Speaker Mautino: "The Lady moves passage of House Bill 609. And 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... Does Representative Leitch wish to be recorded? Mr. Clerk, take the record. On this Bill, 80 vote... 80 voting 'yes', 37 voting 'no', 0 voting 'present', this Bill has achieved a Constitutional Majority and is declared passed. Mr. Clerk, on page 30 of the Calendar appears House Bill 789. Representative Rita. Read the Bill."

Clerk Mahoney: "House Bill 789, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Rita."

Rita: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 789, as amended, extends the tax levy for landfill methane facilities. It's a sunset that ends and to extend the sunset 'til 2013. It also expands the program for cleanup of open dumping in vacant properties and removal of structures of condemned properties within a municipality. Be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 789. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Do Representatives Gordon and Flider wish to be recorded on this? Mr. Clerk, take the record. 61 voting 'yes', 55 voting 'no', 1 voting 'present', this Bill has received its Constitutional Majority, it's declared passed. Mr. Clerk, House Bill 853 on page 7 of the Calendar. Read the Bill. Representative Brauer."

Clerk Mahoney: "House Bill 853, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Mautino: "Mr. Brauer."

Brauer: "Thank you, Mr. Speaker. The confusion earlier was I agreed to hold two other Bills on Second Reading because the Secretary of State was against them at that time. This Bill here is an Iraqi Freedom plate, but it also gives our members of the Armed Forces a break on their license when they've served overseas. I'll answer all questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 853. On that question, 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... Would Mr. Crespo like to be recorded on 853? Mr. Clerk, take the record. 112 voting 'yes', 5 voting 'no', 0 voting 'present', this Bill is declared passed having received a Constitutional Majority. On page 29 of the Calendar appears House Bill 594, Representative Zalewski. Read the Bill."

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Clerk Bolin: "House Bill 594, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 594 is an initiative of the Cook County State's Attorneys Office. And it is a Bill which adds strangulation as an aggravating factor in aggravated domestic battery. And it also makes the offense of aggravated battery go from a Class III felony to a Class I felony if strangulation is involved. I ask for an 'aye' vote and be happy to take any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 594. On that question, the Lady from Grundy, Representative Gordon."

Gordon, C.: "Thank you, Representative. Will the Sponsor yield? Mr. Speaker, will the Sponsor yield? Frank..."

Zalewski: "Frank, that's Mr. Speaker."

Gordon, C.: "...will the Sponsor yield?"

Speaker Mautino: "Sponsor yields. Indicates he will."

Gordon, C.: "Thank you. Representative Zalewski, isn't this already... you can... if there's priors and if there's great bodily harm in the aggravation, mitigation statute, can't they already get bumped up another class and have a higher felony? So, why are we making this a higher felony when it's already available in the... in the Criminal Code? Why do you need to ask staff if you're... if you're... if you're a prosecutor and you've worked at the State's Attorneys Office, why are you asking staff? He never tried a case."

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Zalewski: "Representative, I'm sorry, I'm not quite sure I understand your inquiry. Can you repeat it, please?"

Gordon, C.: "In the... in the Criminal Code book, in 725 and in 720 and in 730, which is the Correctional Code, there's a section called Aggravation and Mitigation. And so, if the State's Attorneys Office can prove of aggravating circumstances, which is great bodily harm, then they can prove that there's already great bodily harm to the victim and the judge has a chance to sentence them to a longer period of time. So, why are you already giving... why are you making it mandatory..."

Zalewski: "Representative..."

Gordon, C.: "...when the judge already has the ability to do that?"

Zalewski: "Representative, as I mentioned, this is an initiative of the Cook County State's Attorneys Office. This is..."

Gordon, C.: "Well, and I had my outs with the State's Attorneys Office yesterday. Just because the state's attorney can't handle their victims. And it's..."

Zalewski: "Sure. Well..."

Gordon, C.: "I mean, that's not my problem. That's not the problem of the rest of the people in this room."

Zalewski: "I..."

Gordon, C.: "The problem is with the State's Attorney Office not dealing well with the victims that they have in the state. But changing the law isn't going to make it any better for the State's Attorneys Office to have to deal with the victims that they have in Cook County. But the

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State's Attorneys Office is going to have to, you know, maybe grow a little cojones..."

Zalewski: "Sure."

Gordon, C.: "...and deal with some victims in their courtroom..."

Zalewski: "Right."

Gordon, C.: "...and, you know, and be real advocates."

Zalewski: "Rep... Representative, if I may, I respectfully disagree with the premise that the Cook County's State's Attorneys Office has a hard time dealing with the victims. They've had difficulty advocating for their victims in court and the judges haven't been taking advantage of the statute you just cited. So, in order to fully protect women from strangulation as a factor in domestic violence, they've asked me to carry this legislation and forward it to ensure that judges are compelled to consider it when sentencing a defendant."

Gordon, C.: "Did you know that if a woman, during domestic... during a domestic violence incident, that during... if they're strangled during a domestic violence incident that they're seven times more likely to end up dead?"

Zalewski: "I... I didn't know that statistic, but I would... I would suggest that that bolt... bolsters the reason to support this legislation."

Gordon, C.: "So, you didn't know that even though you came out of Cook County which is supposed to be one of the best prosecutors' offices in the country, right?"

Zalewski: "No..."

Gordon, C.: "Did you know that Cook County is a bigger prosecutor's office than Manhattan?"

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Zalewski: "Again, Representative, I thank you for being generous with the statistics and I'd suggest to you that you've given the Body even more reason to support my Bill."

Gordon, C.: "What I'm giving you is some ideas is that maybe that Cook County doesn't always give you the best information and that maybe you should do a little bit of research on your own."

Zalewski: "Well..."

Gordon, C.: "Because the rest of the state... the rest of the state doesn't work that way. Okay."

Zalewski: "Again, Representative..."

Speaker Mautino: "Thank..."

Zalewski: "...I'd suggest to you that the Cook County State's Attorneys Office does a... does a good job of advocating for their victims and this is just one way to advocate for the victims of domestic violence in Cook County."

Gordon, C.: "They might do a good job, but that's one of the counties that I practiced in, and the other 17, they do an outstanding job."

Zalewski: "I don't disagree, but this just helps those state's attorneys do an even better job..."

Gordon, C.: "Okay."

Zalewski: "...of protecting the victims all over the State of Illinois, not just in Cook County."

Gordon, C.: "Okay. So, maybe Cook County... Cook County could make a trip outside of its own state and do a little bit of a better job advocating for its victims. This is a good Bill. It works well and if the... and if the state's attorneys in Cook County don't know about the aggravating

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and mitigation statute then they need to learn a little bit more before they're set loose in the courtrooms of the... of the State of Illinois, because they're not doing a good enough job protecting the victims that we need to protect every single day."

Zalewski: "Thank you."

Gordon, C.: "I'm going to vote for this Bill, not because it's well written and not because it's a good Bill, but because Cook County needs a little bit more help than they're getting..."

Zalewski: "Sure."

Gordon, C.: "...and their not knowing the statutes... the statutes the way that they should. They're not knowing the statutes the way that I do, the way that Representative Reboletti does, the way that Representative Durkin does, and the way Representative Sacia does. And that, Represent... and that the people in Cook County, the prosecutors in Cook County need to learn a little bit more about the criminal statutes..."

Zalewski: "Sure."

Gordon, C.: "...in this state."

Zalewski: "I... I..."

Speaker Mautino: "Further... further questions? The Gentleman from Champaign, Representative Rose."

Rose: "Representative, I'm here to speak forcefully in support of your Bill. You're standing up for victims, correct, Representative?"

Zalewski: "Yes. Yes, Representative, I am."

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Rose: "I think it's atrocious that anyone who would suggest that the state's attorney in any county doesn't have the 'cojones' to stand up for victims. Every prosecutor who's ever tried a case has stood up for victims and if you're a real prosecutor, you would take complete offense at any suggestion that somehow you got a little lily-livered and didn't stand up for victims. I don't care what county it is. Every prosecutor's trying to do the right thing and put bad guys behind bars and stand up for victims. This is the House of Representatives, Representative, and I'm not directing it at the Sponsor of the Bill, either. This is the House of Representatives. We don't use words like that were just used and I just quoted, Representative and we don't bad-mouth anyone who's trying to clean our streets of criminals and protect citizens. Now, you may have a good... two good points, Representative. There might be a few things that can change in any Bill, but you owe the courtesy to the... your fellow Members to point those out and support them when all they're trying to do is support and protect the citizens of Illinois. And you can make your point, Representative, but you don't have to make it the way you made it. And none of that was aimed at the Sponsor of the Bill. Thank you, Mr. Speaker."

Speaker Mautino: "Thank you. And Representative Zalewski to close."

Zalewski: "I would just ask for an 'aye' vote from the Body."

Speaker Mautino: "The Gentleman moves passage of House Bill 594. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Reitz. Mr. Clerk, take the record. 115 having voted 'yes', 1 voting 'no', 1 voting 'present, this Bill is declared passed. The Gentleman from Cook, Representative Crespo, is seeking recognition."

Crespo: "Yes, Speaker, on House Bill 853 I was recorded voting 'no'. I meant to vote 'yes'."

Speaker Mautino: "The Journal will reflect your intentions. Mr. Clerk... Excuse me. The Gentleman from Champaign, Representative Rose is seeking recognition."

Rose: "A point of personal privilege."

Speaker Mautino: "State your point."

Rose: "I just thought I'd let the Body know that I will be walking to my car by myself tonight. I don't need Representative Sacia's protection, but I will be walking by myself to the car tonight. Just wanted to let everyone know that."

Speaker Mautino: "Thank you for sharing. Page 34 of the Calendar appears House Bill 3325, Representative Bassi. Read the Bill. Mr. Clerk, would you place this Bill on Second Reading for purposes of an Amendment. Representative... Mr. Clerk."

Clerk Mahoney: "Floor Amendment #1, offered by Representative Bassi, has been approved for consideration."

Speaker Mautino: "The Lady from Cook, Representative Bassi on Floor Amendment 1."

Bassi: "Thank you, Mr. Speaker. Actually, was... the Amendment was adopted in committee yesterday. Oh, never mind, it..."

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apparently we're going with the Amendment which is the new language that we've got for an automobile vehicle tinting Bill. It allows for three options: to tint a vehicle according to current law; to tint a vehicle with no more than 35 percent all the way around; to tint the front no more than 50 percent and the back no more than 30 percent. It allows options for the consumer and strengthens the practice already in place which ensures that those who need a darker tint with... seeking medical exemptions would have to go first to the Secretary of State's Office. This language, this agreed language, is supported, I repeat, supported by the State Police, by the Illinois Window Film Association, tinters from my district and from Jil Tracy's district, the Illinois Skin Cancer Society, because of the EPA itself, the Illinois Cancer... the American Cancer Society. And I ask for its adoption."

Speaker Mautino: "The Lady moves adoption of Floor Amendment 1. All in favor say 'yes'; opposed say 'no'. The Amendment is adopted. Third Reading. Mr. Bill... Mr. Clerk, place this Bill on Third Reading and read the Bill for a third time."

Clerk Mahoney: "House Bill 3325, a Bill for an Act concerning transportation. Third Reading."

Speaker Mautino: "The Lady from Cook, Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Since I've just explained the Amendment, I would request an 'aye' vote. And I'm ready to answer questions. I would repeat... I would repeat first, though, that it is supported by the State Police. Thank you."

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Speaker Mautino: "The Lady moves passage of House Bill 3325.

And on that Bill, Representative Leitch."

Leitch: "Will the Lady yield?"

Speaker Mautino: "She indicates she will."

Leitch: "In the past, we've passed legislation as a... pertained to people suffering from lupus, for albinos and others. Is that anyway impacted by this legislation?"

Bassi: "No. That... that..."

Leitch: "In other words, does that change anything?"

Bassi: "No, does not change."

Leitch: "And I notice that the installers of the tinted windows would have to retain letters from the physicians?"

Bassi: "Yeah. Well, for... for those who need a medical exemption, yes."

Leitch: "But they would have to retain those..."

Bassi: "No. The... the..."

Leitch: "...or just show them?"

Bassi: "...the person having the automobile would keep that in their automobile, as well, but the license plate would obviously indicate that that's a medical exemption for the darker tinting that's needed for medical purpose, whether it's Lupus or skin cancer or that kind of a thing, they need to keep that in their glove compartment..."

Leitch: "Right. 'Cause they need those..."

Bassi: "...but... but they also... they have to..."

Leitch: "...for the license plates, as well."

Bassi: "...but they... they have to go to the Secretary of State to get the license plate."

Leitch: "Right."

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Bassi: "Right."

Leitch: "Yeah. That was a Bill we passed last year. Okay.
Thank you."

Speaker Mautino: "The Lady moves passage of House Bill 3325.
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. 117 voting 'yes', 0
voting 'no', 0 voting 'present', this Bill has reached the
Constitutional requirement and is declared passed. On page
4 of the Calendar appears House Bill 27... excuse me... 277.
Representative Bellock. Read the Bill."

Clerk Mahoney: "House Bill 277 has been read a second time,
previously. Amendment #1 was adopted in committee. Floor
Amendment #2, offered by Representative Bellock, has been
approved for consideration."

Speaker Mautino: "The Lady from DuPage, Representative Bellock
on Floor Amendment 2."

Bellock: "Yes. Thank you very much, Mr. Speaker. Floor
Amendment #2 shells the Bill."

Speaker Mautino: "The Lady moves adoption of Floor Amendment 2.
All in favor say 'yes'; opposed say 'no'. The 'yeses' have
it. And the Amendment is adopted. Third Reading. Read
the Bill."

Clerk Mahoney: "House Bill 277, a Bill for an Act concerning
health. Third Reading of this House Bill."

Speaker Mautino: "The Lady from DuPage."

Bellock: "Thank you very much, Mr. Speaker. House Bill 277 is
about having a drug repository. I've been working on this

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Bill for over a year now and it's something that 26 other states have done. And what it does is it takes back drugs that have not been used by only health care facilities, such as hospitals, nursing homes, and hospice that have been untampered with and still in bubble wrap. What it does is it takes them back to a registered pharmacist in a pharmacy and under a doctor's prescription gives them to low-income individuals for free. There has been a lot of debate about this Bill between the Trial Lawyers and the pharmaceuticals. We are almost at an agreement. So, what I've done is to shell this Bill to send it to the Senate to keep on working on it. Thank you."

Speaker Mautino: "The Lady has moved passage of House Bill 277. And on that question, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed '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. 104 voting 'yes', 12 voting 'no', 1 voting 'present', this Bill, having reached the Constitutional Majority, is declared passed. The Gentleman from Vermilion, Representative Black, is seeking recognition."

Black: "Thank you very much, Mr. Speaker. A point of personal privilege if I could."

Speaker Mautino: "State your point, Sir."

Black: "Mr. Speaker, I wasn't going to say anything about what I heard a little while ago, but the more I thought about it the more I think it was out of order. And I don't want to chastise anybody and I'm certainly not going to fill out a dissent or certainly don't intend to censor anybody. You

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know, I got up yesterday morning and my... a tire on my car had been slashed. So, I don't think we need to make any remarks about a Bill that just passed a little while ago and that some people affiliated with the Bill might try to damage your car or be careful when you walk to your car. I like to have as much fun as anybody on this floor, and you know that, but I think sometimes we have to be very, very careful about what we say for people who did or did not vote for a particular Bill. It hit home to me because for the first time that I've been here I had some vandalism, \$300 worth of vandalism. So, let's just try to be very careful about including an organization or individuals that might be looking for you or might make it difficult to get to your car. We don't need to do that."

Speaker Mautino: "I appreciate your remarks, Representative Black. Mr. Clerk, committee announcements."

Clerk Mahoney: "The following committees will meet immediately upon recess. House Executive Committee will meet in Room 114, House Executive in Room 114; Counties & Townships will meet in Room 115, Counties & Township in 115; the Insurance Committee will meet in Room 118, the Insurance Committee in Room 118; Personnel & Pensions in Room D-1, Personnel & Pensions in Room D-1 and State Government Administration will meet in Room C-1, in C-1 State Government Administration."

Speaker Mautino: "Representative Osmond is seeking recognition."

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Osmond: "Thank... thank you, Mr. Chairman. I mean, Mr. Speaker, I'm sorry. The Republicans will caucus at 6:15, at 6:15 for one hour."

Speaker Mautino: "Members should go immediately to committees. Republicans will caucus at 6:15. And the House will reconvene at 7:15. The Gentleman from White, Representative Phelps, is seeking recognition."

Phelps: "Thank you, Mr. Speaker, for an announcement."

Speaker Mautino: "Proceed."

Phelps: "A clarification, more or less. I know the sheets were handed out, but the House Ag & Conservation Committee is canceled, canceled."

Speaker Mautino: "The House will come to order. Mr. Clerk, Rules Report."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to House Bill 26, Amendment #1 to House Bill 3831 and Amendment #2 to Senate Bill 366. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendments 1, 3, and 4 to House Bill 210, Senate Amendments 1, 2, 3, and 4 to House Bill 289; 'recommends be adopted' is Floor Amendment #1 to

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Senate Bill 366. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 3655. Representative Monique Davis, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 631; 'do pass as amended Short Debate' is House Bill 650. Representative Verschoore, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 3574. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 2921."

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

Bost: "Thank you, Mr. Speaker. If you would, let the record reflect that Representative Shane Cultra is excused the rest of the evening."

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Speaker Mautino: "Mr. Clerk, on Supplemental Calendar #1 on the Order of Concurrence appears House Bill 210. Read the Bill. On the Motion, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, this matter concerns a supplemental appropriation. The total amount of the appropriation would be \$8.3 billion. Of that amount, 1 billion would be for statewide transit, 448.5 million for statewide road and bridge projects, 150 million for emergency road repairs statewide, and then in addition, the money appropriated for the federal stimulus money which was appropriated by the Congress of the United States. Concerning the transit money, 1 million will be appropriated to IDOT for construction, maintenance, acquisition and improvements for downstate transit systems. After that, 113.4 million will be appropriated to Pace and that money would include money for costs associated with the Americans with Disabilities Act for the entire region. As most of you know, Pace took over the ADA responsibilities and its cost for the entire region. As such, for ADA cost Pace will get 5 percent of the 900 million appropriated for regional transit. The rest of the money will be used by Pace for construction, maintenance, improvements and equipment. In addition, 45 million for ADA rolling stock and support equipment, 68.4 million for equipment, construction and maintenance for Pace, 290.7 million to the Metra, 495.9 million to the Chicago Transit Authority. Mr. Speaker, I have moved for the concurrence with the Amendments."

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Speaker Mautino: "The Gentleman has moved with... for concurrence in Amendments 1, 3, and 4 and on that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates he will."

Eddy: "Speaker Madigan, this also includes, to my understanding, appropriations from stimulus money regarding education?"

Madigan: "To my knowledge, the answer is 'yes'."

Eddy: "And just generally, a reduction had to take place in a couple of line items and... that dealt with general state aid and basically, the amount was backfilled with stimulus money in order to supplement the funding needed by the reduction so general state aid could be made... those payments could be made for this year?"

Madigan: "That's correct."

Eddy: "And in addition, it appears that there is additional appropriation for Title I spending of about \$210 million?"

Madigan: "The answer is 'yes'."

Eddy: "And that money will be distributed based on the Title I formula that the State Board of Education uses for Title distribution?"

Madigan: "The answer is 'yes'."

Eddy: "Okay. And the same with Title V funding."

Madigan: "Yes."

Eddy: "The IDEA additional appropriation in this supplemental of about 253 million then would be distributed based on the state board's formula for special education money to be distributed to schools."

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Madigan: "Yes."

Eddy: "Okay. It looks like there is a... a grant created for... through the Department of Agriculture for child nutrition, capital programs, but that will be a grant program that districts... all districts in the state will be eligible to apply for. It's just a matter of the applications coming out from the state board. Our analysis shows about \$3.2 or \$3 million for that."

Madigan: "Yes."

Eddy: "And then we're not to that yet, the... the FY09... the attempt here basically is to make sure that state aid is taken care of. To do that we had to qualify for the federal stimulus money and that's why the reductions were made and there is not a real reduction, it's more or less a reduction in those line items to be backfilled and general state aid is made whole."

Madigan: "That's correct."

Eddy: "Thank you, Mr. Speaker."

Speaker Mautino: "Further questions? The Lady from Cook, Representative Mulligan."

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

Speaker Mautino: "He indicates that he will."

Mulligan: "Speaker Madigan, I'm interested mainly in the... some of the human service part of the budget. And I'm curious as to what's happening in the supplemental that will wipe out part of the deficit that we have for the FY09 budget, if it will help us pay down some of the bills and a lot of the items that I see seem to be federal stimulus money

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that's coming in on individual agencies and programs. Is that correct?"

Madigan: "Yes."

Mulligan: "Do you have an idea of how much this will help us with the deficit in the FY09 budget?"

Madigan: "All providers will be taken to a 30-day payment cycle."

Mulligan: "In order to receive those funds we have to do that. Is that not correct?"

Madigan: "Not for all, but we are doing it for all."

Mulligan: "So, all providers can expect at what time when this comes in once we pass this, how soon will we be able to reach that 30-day point?"

Madigan: "Before June 1."

Mulligan: "Okay. So, that's... yeah, I'm trying to figure that out in my head and time flies when you're having fun. All right. I mean, that's a big point for some of us that are interested in voting for this is that payment cycle. How many of the months of the stimulus program are we actually using to pay down this much in what we're taking in is in supplemental?"

Madigan: "Representative, in order to pay down the payment cycle, actually we're borrowing the money."

Mulligan: "Okay. So, we're going to borrow the money, but we're going to get the money back with the Medicaid match on some of these things that will allow us to then pay back some of the money we're borrowing?"

Madigan: "That's correct."

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Mulligan: "HFS has a way of taking that money and putting it in the General Revenue Fund as opposed to actually putting it back to providers. I would like to see it happen that we pay back the money while we're paying down the debt and in order to continue paying down the debt, we're going to have to use it in Medicaid line items as opposed to putting it in the General Revenue Fund is the way I would interpret it."

Madigan: "Representative, I think that we will all agree with your last statement."

Mulligan: "You'd agree with that?"

Madigan: "I believe we... I think everybody here in the Body would agree with what you just said."

Mulligan: "All right. So, you're thinking that about what percentage of what we are down... I mean, we've heard various... we're down 3 billion, we're down 5 billion. When we pass this, what part of the FY09 budget are we coming into line with and erasing a deficit of that we will not have to address for FY010 (sic-FY10)?"

Madigan: "It might help, Representative, if we would simply say that we're going to pay down 1.7 billion in Medicaid debt."

Mulligan: "All right. So, once again, it's not real precise, but better than not paying down 1.7 billion. All right. Thank you very much."

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

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

Speaker Mautino: "He indicates that he will."

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Madigan: "But gently."

Black: "Speaker Madigan, you said that this total supplemental was \$8.3 billion. Of \$8.3 billion, how much of that is coming from state funds?"

Madigan: "1.5 billion."

Black: "May I ask where the \$1.5 billion is coming from?"

Madigan: "The General Revenue Fund."

Black: "I didn't think we had \$1.5 billion in General Revenue Funds. How much are we in debt, 4 billion, 6 billion, 7 billion? I don't know. I mean, what... we can't pay our bills. I don't have a school district in my legislative district that isn't borrowing money, seeking tax anticipation warrants. They haven't been reimbursed for transportation expenses since September. Where is one and a half billion dollars?"

Madigan: "Mr. Black..."

Black: "Yes."

Madigan: "...were you expecting a response from me?"

Black: "Well, I don't expect you to have every dollar, Mr. Speaker and tell me from what fund, but somebody needs to answer the basic inherent question to taxpayers and to people who are out there who are owed millions of dollars from the State of Illinois, who are told we don't have any money, we cannot pay you. But suddenly, in less than 45 minutes, we're going to transfer \$1.5 billion in General Revenue Funds to a supplemental. Now, either the Comptroller and the Treasurer have been less than forthcoming or we have suddenly found a great deal of money. At what... I mean, how do you go home and explain

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this? I mean, I've got people calling me every day, you owe me... the State of Illinois owes me this, the State of Illinois owes me that, and they're not all Medicaid debts. What do I tell my school districts who will be calling me, if not yet tonight, first thin in the morning, if you can't pay me my general state aid formula, my transportation reimbursement, my food reimbursement, where did you find one and a half billion dollars, Representative Black? And the only answer that I can give them right now is I don't know. I don't have a clue. Is it just money we have laying around? I mean, what accounts are we... heaven forbid, we get back into what somebody else did and sweep funds. I just didn't think, if what I have read is true in the last two months, three months, we don't have one and a half billion dollars in the bank. In fact, the last time I looked, I thought the Comptroller said he had about \$2 billion in unpaid bills and less than \$650 million in the bank to pay them."

Madigan: "Well, Mr. Black, I don't know that I'm in a position to give you a satisfactory answer."

Black: "Well, it isn't me, I believe, probably that needs the answer as much as people who are holding state debt. I mean, it just amazes me, we talk about transparency. What's transparent about this? Nobody on the House Floor evidently gives a hoot or has any idea where this one and a half billion dollars is going to come from. Okay. I'll go along with the program. Let me ask you a specific question. On page 4 of the Bill... excuse me, I'm sorry... on page 3 of the Bill, under transportation, we're

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transferring \$20 thousand in General Revenue Funds to an increase in the legislative plane line. I assume that's part of the executive air fleet that make regular trips back and forth from Springfield to Chicago and Chicago to Springfield. Would that be a correct assumption?"

Madigan: "That's correct."

Black: "I have a Resolution that you wouldn't even assign out of Rules Committee that says... a Resolution, not a law... that I think we ought to look into selling the legislative airplanes. Three states have sold their legislative or executive aircraft. We won't... we can't even discuss it. I mean, don't you remember last year when our dear departed Governor Blagojevich was spending \$6 thousand a day to fly back and forth Chicago to Springfield, Springfield to Chicago, Chicago to Springfield. Why do we need these airplanes? We own more than any state in the country. I mean, if we need \$20 thousand to keep them running, why don't we ground two or three of them? God forbid, why don't we sell two or three of them? These are \$5 million airplanes, a piece. Why... why are you wanting \$20 thousand? If we don't have the money, ground them. What's wrong with that? I have constituents that have had to sell their automobiles. They can't make the payments. And you want me to vote for \$20 thousand, so that the taxpayer-owned, taxpayer-financed airplanes can continue to fly. That doesn't make any sense to me. What do you want me to tell people that don't even have a car anymore? We can't give up \$20 thousand? I guess we don't want to."

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Madigan: "Again... again, Mr. Black, I don't think I have a satisfactory answer for you."

Black: "Sure you do. You could join me. Let my Resolution out. Ground them, sell them. You're a good driver, Mr. Speaker; if you're not, I'll drive you home. I've always wanted to, you know... I read the book, Driving Miss Daisy. It was a great book. I... I could write a book, Driving Mr. Madigan that would be a bestseller. Well, Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. As we usually do, we put little goodies and tidbits in the Bill so that most of you will vote for it. I don't know how I can go home and look anybody in the face and say, I voted to put \$20 thousand so taxpayer-owned airplanes can continue to fly back and forth, when they don't even have a car. Is that a vital and necessary expense of State Government to haul bureaucrats' fat butts all over the state? So much for transparency, so much for reform."

Speaker Mautino: "Speaker Madigan to close."

Madigan: "Simply will ask for a 'yes' vote."

Speaker Mautino: "The question is, 'Shall the House concur in Senate Amendments 1, 3, and 4 to House Bill 210?' All those in favor signify by voting 'aye'; all opposed signify by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. The Bill, having received 115 voting 'yes', 1 voting 'no', 0 voting 'present'. Having received a Constitutional Majority, is hereby declared passed. And the House does concur in Amendments 1, 3, and 4 to House Bill 210. On the regular Calendar, page... Mr.

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Clerk, on the regular Calendar, page 36, appears Senate Bill 366. Read the Bill."

Clerk Mahoney: "Senate Bill 366 has been read a second time, previously. Floor Amendments 1 and 2 have both been approved for consideration."

Speaker Mautino: "Representative Currie on Amendment 1."

Currie: "Thank you, Speaker, and Members of the House. This is budget implementation language for purposes of the receiving and using the state's stimulus money that is on its way to Illinois. First, the provision would be that we won't lose the state share of drug rebate moneys that come into the state, even though we're getting additional money from the Federal Government. Second, we clarify how we do hospital assessment payments. As you know, in order to take full value of Medicaid moneys, under the stimulus package, we need to become 30-days current in our payment cycle. Third, it establishes that we will use the water revolving fund money for current water revolving fund projects although we will have some expanded opportunities with the federal stimulus money. Next, the Environmental Protection Agency would be authorized to adopt rules for the water revolving fund projects. And then, finally, of moneys under transportation B bonds that come to the RTA, there's a requirement that, to the extent practical, the.. the RTA has to use Clean Green technologies and alternate fuel technologies when they're buying new vehicles. I'd be happy to answer your questions. And would be grateful for your support for the adoption of the Amendment."

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Speaker Mautino: "The Lady has moved adoption of Floor Amendment 1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And Floor Amendment 1 is adopted. Mr. Clerk, further Amendments?"

Clerk Mahoney: "Floor Amendment #2."

Speaker Mautino: "On Floor Amendment #2, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This does two additional items for the budget implementation Bill. First, it says that when IDOT is awarding professional and artistic contracts that the people who are part of the committee making the determination should include representation from the diverse and rich racial and other culture of the state. There should be representatives of the African-American, Latino, and women business owners in those programs. And second, it also provides that the Department of Trans... I'm sorry... the Department of Central Management Services shall conduct a disparity study so that we have a scientific basis for establishing what would be appropriate goals in our minority and female and disabled business enterprise program. I'd be grateful for your support."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #2. And on that, the Gentleman from Crawford, Representative Eddy."

Eddy: "Just a quick question for the Majority Leader on this Amendment."

Speaker Mautino: "She indicates she'll yield."

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Eddy: "Are these also requirements for us to qualify for the federal stimulus money, as part of the implementation? Are these additional to the federal requirements?"

Currie: "Well, I would describe these as ways that will guide us in the spending of the new federal stimulus money."

Eddy: "Not necessarily something that was mandated like some of the other implementation..."

Currie: "Right."

Eddy: "...for us to take advantage of something that would enhance."

Currie: "Exactly."

Eddy: "Okay."

Currie: "It would just guide us in our use of the new moneys."

Eddy: "Okay. Thank you."

Speaker Mautino: "The Lady moves adoption of Amendment 2. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Floor Amendment 2 is adopted. Mr. Clerk, further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Mautino: "Mr. Clerk, place this Bill on Third Reading and read it for a third time."

Clerk Mahoney: "Senate Bill 366, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "On Senate Bill 366, Majority Leader Currie."

Currie: "Thank you, Speaker. The seven items I mentioned are what is in Senate Bill 366 as amended. I'd appreciate your support on Third Reading. I'd appreciate your 'yes' vote."

Speaker Mautino: "The Lady has moved passage of Senate Bill 366. No one seeking recognition, the question is, 'Shall

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this Bill pass?' All in favor vote 'aye'; opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Senate Bill 366, having received 116 'yes', 0 'no', 0 voting 'present', has received the Constitutional Majority and is declared passed. Mr. Clerk, on Supplemental Calendar #1, under the Order of Concurrence, appears House Bill 289. Read the Bill. On House Bill 289, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I wonder if we could have your attention for a moment. Could we all welcome home to the House chamber Senate President John Cullerton. Mr... Mr. Speaker, concerning House Bill 289, this matter is concerned with the debt limitation of the State of Illinois and the Amendments that were approved by the Senate would increase the authorized total of GO bonds by \$3 billion. The entire \$3 billion increase must be used for transportation purposes as set out in this fashion. Of the \$3 billion increase, 2 billion must be used for projects included in the FY09 14 proposed highway improvement program as published by the Department of Transportation in May 2008, the latest multiyear plan. These projects shall reflect the generally accepted historical distribution of projects throughout the state. The remaining 1 billion must be used for rail facilities and for mass transit facilities. These projects shall also reflect the generally accepted historical distribution of projects throughout the state. Mr. Speaker, I move that we concur in the Senate Amendments."

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Speaker Mautino: "The Gentleman has moved concurrence in Amendments 1, 2, 3, and 4 to House Bill 289. And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Speaker. Will Mr. Speaker yield for questions?"

Speaker Mautino: "He indicates that he will."

Eddy: "Mr. Speaker, in the \$1 billion portion that is for transit, is there a... you said the... the traditional. Is that the 55... the 50-45-5, what... the split for CTA, RTA and Metra?"

Madigan: "I think the 55-45 applies to the state road program."

Eddy: "How about the... on the transit? What is the split CTA, RTA, Metra in this Bill?"

Madigan: "Right. In the RTA region, the Bill would provide... first of all... Mr. Eddy, in the RTA region, the Bill would provide first that the money would be appropriated to the Illinois Department of Transportation which then would transmit the money to the RTA. At that point, 5 percent would be taken off the top for Pace ADA services. Thereafter, they would follow the historic apportionment to the three service carriers. And in the case of the CTA, the percentage would be 58 percent, in the case of Metra, the percentage would be 34 and in the case of Pace, the percentage would be 8."

Eddy: "Okay. So, the paratransit comes off the top and that's about 45 million and then the traditional. How about the \$2 billion now, the traditional 55-45, there has been some

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discussion in the media regarding a change in that. This...
this does not change that traditional split at all..."

Madigan: "That's correct."

Eddy: "...55-45."

Madigan: "That's correct."

Eddy: "And during the discussions related to the projects, there have been concerns at one point regarding whether or not a certain pool of this money, about \$1.5 billion or so, had a... a specific home as far as a project list. Now, it's our understanding that that has... that is going to be restricted to the, again, the road project list that exists for the five years. Engineers have made some determinations and none of this will be used for projects that aren't currently on that road maintenance five-year plan?"

Madigan: "Mr. Eddy, I think a good way to answer your question is to say that there will be no new starts, rather the money will be spent within the existing system to raise the level of acceptability and to bring it up to a standard which is established by the engineers."

Eddy: "Okay. And that's... I guess, further, the... what we know as the road plan, that we've had, could change. The new road plan that comes out could have changes in it, but the purpose of this money is to support projects that are part of what we have known as that plan, some of them may move up, but that is what the commitment is, with this authority, is to those existing plans in that..."

Madigan: "Yeah."

Eddy: "...attempt to get to that percentage."

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Madigan: "The answer is yes."

Eddy: "Okay. I appreciate that. And I also... I appreciate the fact that during this time we were able to work with Secretary Hannig and that Leader Cross had the opportunity to get some assurances from Secretary Hannig and certainly the Governor's Office. We have been operating for a long time under a pretty dark cloud of suspicion and this is an opportunity... albeit perhaps in a baby step fashion compared to what maybe a lot of folks would like to see in a larger capital Bill... this is an opportunity for the promises to be kept, for those projects to remain as those projects we had agreed to, and I... this is certainly a start, we hope, down the road to where when we talk about projects in an appropriations Bill or in a bonding Bill or in an attempt to bond, that those projects will actually be those projects on the street. Thank you."

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

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

Speaker Mautino: "He indicates he will."

Watson: "Mr. Speaker, is the split then for the transportation segment going to be maintained at the 40... 55-45 level?"

Madigan: "Yes."

Watson: "Okay. Just wanted to verify it. And the second thing is, the bond money for the roads, the 2 million, is going to be applied to the current '09 and the soon to be released 2010 plan and the investment from these bonds is limited only to those two plans."

Madigan: "Yes."

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Watson: "And then, also, that it's only... this is all transit or transportation related there'll be no brick and mortar-type projects with any of this funding."

Madigan: "That's correct."

Watson: "Okay. Thank you, Mr. Speaker. And to the Bill. I would also just suggest that we were asked in caucus to show a leap of faith by Secretary Hannig and Mr. Lavin and Mr. Vink and so we... that will occur. My hope is that when we go back to do the second bite of the apple that we have a... an equally shown leap of faith and that we are given more time to digest what will be in that forthcoming and much larger bond Bill. Thank you."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Mautino: "State your inquiry."

Black: "Are any Democrats seeking recognition?"

Speaker Mautino: "At this time, there is one... one Democrat and one more Republican, Leader Cross seeking..."

Black: "One Democrat."

Speaker Mautino: "Yes, Sir."

Black: "By golly, things are looking up. Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Black: "Mr. Speaker, and I hope you don't misunderstand my concern it certainly isn't personal. The people who send me down here expect me to come back and answer some questions to the best of my ability and I'm just an aging

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downstater and you're talking a lot of money here. This is more money than the entire EAV in my legislative district. Now, I want to see if I can get into the financing of this. We're going to transfer \$200 million from the Road Fund and that will pay back, what, about two billion, two and a half billion in bonds?"

Madigan: "Yes."

Black: "But it isn't just 200 million we're transferring from Road Funds, it's 200 million a year for 20 years."

Madigan: "Yes."

Black: "How much do we currently divert from the Road Fund?"

Madigan: "Divert for what purpose?"

Black: "State Police, Secretary of State."

Madigan: "Two hundred and forty-five million dollars."

Black: "I think you might be a little low, but give or take. I just wonder, if we didn't transfer and divert so much money in the Road Fund, we might have a Road Fund that could have addressed road projects..."

Madigan: "Right."

Black: "...but that might be wishful thinking on my part. The area that really concerns me, again, the rest of the bond funds that being financed by a \$100 million transfer from the General Revenue... the checkbook account. Now, I'm not going to insult you, I know what you'll tell me, that you can't give me a satisfactory answer. We just... we just transferred... I can't even keep track of this kind of money... we just transferred a whole bunch of money from General Revenue 10 minutes ago. Now, we're transferring another 100 million for 20 years. Now, let me ask you a question,

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because I know how you feel about continuing appropriations. Will this \$100 million a year, from the General Revenue Fund, will that be a continuing appropriation or will we make the appropriation every year?"

Madigan: "The answer is yes, a continuing appropriation."

Black: "Okay. Thank you. Is... Now, I... I know your feeling on continuing appropriation, normally you don't like those, but because of Bond Council I assume that we really have no choice."

Madigan: "Mr. Black, once again, I feel bad about this, but I don't think I'm capable of giving you an answer that would be satisfactory to you."

Black: "Mr. Speaker, you have the capability of giving me more answers than I even know what to ask for. I... I think this bond issue is probably an investment that I might be willing to make, but I wish we could have a really open and spirited and transparent debate on where all of a sudden did we find this checkbook money that we've been telling people for five or six months we didn't have? The Comptroller of the State of Illinois had a press conference, time escapes me, I don't know, two or three months ago and I can't even remember the amount of money he said we didn't have, I... \$6 billion, \$7 billion. So, and I won't put you on the spot responding to Mr. Hynes. With a little more than 60 days... a little less than 60 days to go before adjournment, how are we going to make up this General Revenue shortfall? I know there are some tax increases in the Governor's proposed budget. Do those... I

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wasn't here, forgive me, I wasn't here for his speech... the Governor's proposed budget have enough revenue to cover the deficit, in your opinion. I mean, are we close?"

Madigan: "Again... again, Mr. Black, let me change my rhetoric a little bit. I don't think I want to answer that question."

Black: "Mr. Speaker, sometime when you're in court, would you let me know so I can up and watch. I think I could learn some things. I... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I won't take any more of your time 'cause I think we can see what the program is. I don't think I'm the only one here that has some serious questions about where we found all this General Revenue money in the last 8, 10, 12 hours, however it's been, and I've not heard anybody even ask the question or in the Speaker's opening remarks, I don't have any idea how we're going to pay it back. That... that 100 million creates a very, very significant hole in the 2010 projected budget. Nobody, in any of the material I've had, any of the meetings I've been in, nobody has suggested to me how we're going to backfill the money we're taking out of the General Revenue Fund that the Comptroller said three months ago we didn't have to begin with. But we each have to vote based on what we think a bond program can be or can do. We haven't had a bond program in 10 years. The need is there; it's demonstrated. We see it every day. My automobile feels it every day when I drive home. I'm prepared to vote for a bond issue, but I fully intend in the next 58, 59 days to continue to seek answers to my questions: where did we find this money and how do we propose to repay it in

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fiscal year '10? And in closing, Mr. Speaker, let me just say, it is good to see President Cullerton back very close to the seat he occupied for many year and perhaps we can hear one of his famous stories at some point before we adjourn because he was... he was very good. What little I've learned about the job as a floor leader, I... I learned from President Cullerton. I thank you for your indulgence, Mr. Speaker, I hope none of you think I'm trying to be personal, but there are legitimate, real questions that we aren't going to get answered tonight and may not get answered before we adjourn, that I think many of the people who vote for us and send us here would really like to know the answer to, but I guess all things in due time."

Speaker Mautino: "The final speaker, seeking recognition is the Gentleman from Kendall, Republican Leader Tom Cross."

Cross: "Thank you, Mr. Speaker. Just a few comments and I'll try to keep it short. I... this is from a little historical background in the last few days. This capital idea was one that was given to us in a... I don't want to say a take it or leave it approach, but initially was... this is going to be the bond Bill and if you're for bonding and a capital Bill, this is going to be it. And we don't do things anymore where we sit in a room in this place. We kind of do it with shuttle diplomacy. I'm not sure if there's a lot of emphasis on the word 'diplomacy'. There's a lot of shuttling back and forth. But we have, on this side, a great deal of respect and understanding of where we are as a state and as a country with respect to where the economy is right now. We have many of our friends from all areas

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of the state that are out of work in the construction industry and the labor industry that need to be working, that need the good paying jobs that a Bill like this will produce and they range from upstate to downstate, east, west, and we want those people back to work. They are our friends. They're our neighbors. They're our family and they have gone a long time without a job. And while we have some differences with this Bill, I have some differences of how this Bill was put together. I have some differences in the fact that we no longer all work together. At the end of the day... at the end of the day, putting people to work is very important in this state and whatever differences we may have, we felt like, on this side of the aisle, that we needed to overcome those differences and put those aside. And one of the reasons that we were able to put those differences aside is because of the work of the Governor's Office. The Governor's Office over the last 24 to 36 hours has tried to accommodate a lot of our concerns and we had a list of them. We had concerns about how the mass transit money was going to spend. We had some concerns about whether or not we were going to end up with a pot of money that was unallocated. None of that has been completely cleared for us, especially in the IDOT road program, but there have been severe... or I should say significant attempts to clear our concerns and for that and for those reasons, I want to thank the Governor and I want to thank his staff. Because as we struggle not only with an economic crisis in this state and people out of work, we are reminded unfortunately

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of the dark cloud in this state that continues to hover over us with a recent announcement of indictments today. And we really need to, where we can, come together and work together, and for that I applaud the Governor in his attempt to address our concerns. We will, even after tonight, and I think this will pass, have some additional concerns and I know they've committed to working through those concerns on the IDOT list and I appreciate that. But again, it's about jobs. It's about needs. It's about safety. It's about roads that have been neglected and mass transit that's been neglected for 10 years. It's time we get back on track and get those things done. So, Mr. Speaker, thank you for the opportunity to speak. Thank you to the Members on our side and I'll say, not all are going to vote, I don't know, that may not vote for this and they have their reasons and I think there are some valid reasons to question this, and I would respect those people that don't vote for this. But for those of you that are, thank you and for those of you that aren't, I completely understand that. But at the end of the day, we want to put people back to work and I will be supporting it. So, thank you, Mr. Speaker."

Speaker Mautino: "Speaker Madigan to close."

Madigan: "Simply to ask for a 'yes' vote."

Speaker Mautino: "The question is, 'Shall the House concur in Senate Amendments 1, 2, 3, and 4 to House Bill 289?' All those in favor signify by voting 'aye'; 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

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the record. And this Motion, having received a Three-fifths Majority (sic-116-0-0), the House does concur in Senate Amendment 1, 2, 3, and 4 to House Bill 289, and the Bill is declared passed. Mr. Clerk, on page 4 of the Calendar appears House Bill 277, Representative Bellock. On Hou... on page 7 of the Calendar appears House Bill 825, Representative Black. Out of the record. On page 8 of the Calendar appears House Bill 878, Representative Beiser. Out of the record. On page 26 of the Calendar appears House Bill 4141, Representative Boland. Out of the record. On page 36 of the Calendar appears House Bill 4209, Representative Bost. Read the Bill."

Clerk Mahoney: "House Bill 4209, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Bost: "Thank you, Mr. Speaker. This is a Bill that we took out of the record the other day to go back and confirm exactly what the situation was. These grants are just identical to what the veterans' grants are. It is true that if you are active duty reserve for one year then you would qualify for the grant. If... but you must be active duty for one year; you must be sent overseas for a year. I'll be glad to answer any other questions you might have."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4209. And on that, the Gentleman from Cook, Representative Fritchey."

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

Speaker Mautino: "He indicates that he will."

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Fritchey: "Mike, I appreciate that you got the opportunity to call this Bill again."

Bost: "Thank you."

Fritchey: "Of all... attention's not high right now. I just want to make sure... the Bill's going to fly out of here... what you and I discussed, but I just want people to understand for the record what we are actually doing here and that is, we are going to be giving private individuals the ability to unilaterally direct and reallocate scholarships... or grants that are provided to them by the state. Thereby, if a veteran qualifies for a four-year free ticket for full tuition, they would at their choosing be able to reallocate that to a family member. I don't want to pass judgment right now on whether that is a logical policy or not, whether this is something that should fall on the Federal Government or us, but I do think people need to be keenly aware of that. I think in this limited circumstance perhaps it makes sense. I would just hope, and Mike, I don't think it's your intention, but I would just hope that this doesn't open up the door for people deciding to make other state scholarships transferrable or assignable at the whim of the recipient. So, thank you for indulging me yesterday. I'm glad you got the ability to bring it back today. That's all."

Speaker Mautino: "I'd ask that the House bring the noise level down. And on this issue, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Mautino: "He indicates he will."

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McCarthy: "Representative, I don't even know why you pulled this out of the record yesterday, but as I mentioned to you in committee and I think it was mentioned on the floor of the House yesterday that this is a... probably a very difficult Bill to be against."

Bost: "Right."

McCarthy: "But I think I would be right in saying that in my many years as the chairman of Higher Ed, many times, more often Members from your side of the aisle than mine, although we certainly joined you, complained, you know, vigorously about the fact that the veterans' grants, as they are today, we underfund them by about \$19 million so that... to our universities already and this could easily be a doubling of that if... well, it won't double it, I guess... it certainly won't correct the issue though, and I don't think in our budget that the Governor proposed, he proposed any kind of an increase that would help reduce that \$19 million burden that the universities are taking up today and I know you were concerned about that in the past."

Bost: "Right."

McCarthy: "Have you... have you..."

Bost: "Representative..."

McCarthy: "...reconciled that?"

Bost: "...the arguments that have been presented in the past and you know, we've worked with our universities; we're trying to offset that as well. The argument from the other side has always been the same as what it is with the legislative scholarships. There would be others... open seats in these universities. These are opportunities for people to be

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provided these scholarships. I think that these scholarships, as I said, are similar to our... that they are waivers, but they are similar to what we offer here in the General Assembly to constituents. We provide eight of them a year. And I believe that all we're doing here is taking the existing program and simply allowing, and understand this, simply allowing a veteran that has not used in any way that scholarship, the ability to transfer that to a family member. So, yeah, I mean..."

McCarthy: "Well, as I said, I it thinks it's a very, very difficult Bill to be against, but I do think it's something that we should stand up and vote 'no' on. I plan on doing that and as much as we try to do for the veterans, I want to tell the Members of the chamber here that anyone who is... ever on active duty, I can promise you, the State of Illinois is not who's promising you these benefits when you get out of the... of the service. It's nice that the state... we try to stand up in good times and offer some nice things to our veterans, but we are in a real terrible situation funding wise and I just don't think that we should be extending this at this time. For those who don't use it, that is a little bit of a savings for the university. Every one of those waivers cost somebody. We can all pretend that nobody's paying extra, but I think those of us who don't participate in the legislative entitlements do so because we know that there's other people paying more in order for us to send some people for no cost. And while this is a difficult thing, I think that the veterans of this state would understand that this is not a time for it

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to be expanding things and I truthfully feel that the correct vote on this is 'no'."

Speaker Mautino: "The Gentleman from McHenry is seeking recognition, Representative Franks."

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

Speaker Mautino: "He indicates he will."

Franks: "Can you tell us the genesis of this Bill?"

Bost: "Yes. Basically, what we have is, is we have a situation, some veterans came to me and they were not able to use the benefits of their Illinois veterans grant. They had served honorably. What happens quite often and at times and is that they come back from their service... time of service... and because they do have children, have a household to provide for, rather than going on to continue in an education, they decide to go ahead and work for their family, raise their children and this basically... they basically said I... they would like to be able to use those grants if not for themselves for someone, because it is a benefit offered to them and basically, that's the genesis of the Bill."

Franks: "In the federal G.I. Bill, if an individual is eligible to receive those type of funds, are those benefits transferrable?"

Bost: "They are not transferrable on a federal G.I. No, they are not."

Franks: "Are there any other states that would give a waiver of tuition at a school for a veteran?"

Bost: "I don't know that... what other states do offer waivers. We're one of the few states that offers a waiver besides

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the G.I. Bill. According to staff, the post-9/11 G.I. Bills you can transfer."

Franks: "Oh, you can."

Bost: "Yes."

Franks: "All right. I think you bring up a very intriguing Bill. I mean, we all want to... we want to support our veterans and their families. I also know in other states, you know, everybody... Let me back up. Most of us talk about education as being the most important issue, but very infrequently do we ever do anything about it. I know in other states, for instance, in Georgia, they have what's known as the Hope Scholarship. And if you have a B average, you're able to go to an in-state school tuition free. I know that Representative Lou Lang has championed something like that for many years here in the House. And here you want to make sure that children of veterans would be able to go... or a spouse... to school if the... if the veteran didn't use that benefit. I agree with you and I'd like also to institute the Hope Scholarship so every kid in this state who wants to go to school or any adult who wants to go to school who had a B average and is willing to do... willing to get this done. I hate to do it piecemeal and I'd like to have this... If we're going to do something like this, why don't we... why don't we really look at what our idea is for college for our citizens of this state."

Bost: "Well, let me tell you what the State of Illinois does do and the reason why we have discussed so many times the Hope Scholarship which... which actually Representative Lang did modify a little bit and we did move some legislation

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similar to that, but it was not... The State of Illinois, those Legislators that went before us, actually put together MAP grants, which is a different type of scholarship based on... not on merit, but based on financial need and that is a choice that they made. If we would go to Hope... the Hope, there is the danger that then we would have to ship off the MAP, which has been a vitally important part here in the State of Illinois, and that's where that debate has gone in Higher Ed."

Franks: "But here there's no... there's no income requirement..."

Bost: "No."

Franks: "...nor is there any academic requirement."

Bost: "No. The State of Illinois has for years been a state that has provided for their veterans, if you are a veteran... if you leave from the State of Illinois, you go to your time of service as a veteran and you return to the State of Illinois, you have a four-year scholarship that is available to you and that's why, you know, when the question of cost, the reality is is these are already obligated. This just allows them to take that and it doesn't use..."

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

Franks: "Thanks. I've... you've answered my questions."

Speaker Mautino: "Further questions? Representative Dunkin. Out of the record. Further questions? Representative Moffitt."

Moffitt: "Mr. Speaker, I move the previous question."

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Speaker Mautino: "The previous question has been moved. And 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. This Bill, having received 92 'yes', 19 'no', 4 voting 'present', is declared passed. The Gentleman from McHenry, Representative Franks is seeking recognition."

Franks: "Thank you, Mr. Speaker. I just... You called Representative Bellock's Bill up again, 277. I just wanted to let the record reflect that I intended to vote 'aye'."

Speaker Mautino: "The record will so reflect your intentions. Thank you, Sir. Mr. Clerk, on page 3 of the Calendar appears House Bill 245, Representative Bradley. Out of the record. On page 35 appears House Bill 4158, Representative Brosnahan. Out of the record. On page 31 of the Calendar appears House Bill 926, Representative Burke. Out of the record. Mr. Clerk, 926. Read the Bill."

Clerk Mahoney: "House Bill 926, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Burke. The Gentleman from Cook, Representative Burke, on House Bill 926."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 926 is an initiative of the Cook County Board of Health. And this legislation would eliminate Cook County from imposing inspection fees on all retail food establishments, limits the mandate that municipalities must regulate and inspect retail food establishments in the

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municipality to Cook County only. And adds a provision that the mandate for municipalities in Cook County to regulate and inspect retail food establishments shall not apply to a municipality that has its own certified local health department, separate from the county certified local health department. And a retail food establishment would include food service establishments: any establishment where food is prepared and intended for individual portion service, temporary food establishments that operate at a fixed location for less than 14 consecutive days in conjunction with a single event, and any establishment where food and food products are offered to the consumer and intended for off-premise consumption. I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 926. On that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates he will."

Eddy: "Representative, the Amendment, I think, removes all the opposition. The Retail Merchants now are neutral regarding that. It removes the inspection fees and it exempts municipalities that, as you mentioned, are already served by a certified local health department. That was the only concerns. There are no more concerns and this is, at this point, basically agreed."

Burke: "That is my understanding, yes, Sir."

Eddy: "Okay. Thank you."

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Speaker Mautino: "The Lady from Cook, Representative Mulligan.
The Gentleman from Vermilion... Turn on Representative
Mulligan's mike, please."

Mulligan: "Oh, all right. You're back to me now. Who are..."

Speaker Mautino: "We are on, Representative Mulligan..."

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

Speaker Mautino: "He indicates he will."

Mulligan: "Representative, can you explain to me how this
impacts annual food events when you have a community that
has maybe a one-, two-, or three-day festival over the
weekend in the summer that has multiple food booths from
local restaurants..."

Burke: "There would be..."

Mulligan: "...so someone in the suburbs, how would that impact
us?"

Burke: "They would be allowed to operate, if it's less than 14
consecutive days."

Mulligan: "All right. So, if it's just a long weekend, they're
fine?"

Burke: "They are perfectly fine."

Mulligan: "Thank you."

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

Black: "Mr. Speaker, I'm very confused. Inquiry of the Chair.
I thought you told me a while ago to turn on Representative
Mulligan."

Speaker Mautino: "Well, it is close to a weekend, however."

Black: "We'll talk. An inquiry of the Chair."

Speaker Mautino: "Yes, Sir."

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Black: "This... this preempts Home Rule. Is it the Home Rule section that requires only 60 votes or a 71-vote preemption?"

Speaker Mautino: "Allow me to check with the parliamentarian and I'll get back to you in just a moment."

Black: "Okay. That's fine. Will the Sponsor yield for a question?"

Speaker Mautino: "He indicates he will."

Black: "Thank you. Representative Burke on Floor Amendment #2 it appears that... I don't obviously have a county in my district of one million or more in population, so I assume then the church chicken and noodle supper isn't covered under this?"

Burke: "No, it is not."

Black: "All right. So, it's... it's... it only takes effect in counties of one million or more population?"

Burke: "That is correct."

Black: "Okay. Thank you very much."

Speaker Mautino: "While I await that ruling for the Gentleman from Vermilion, let's go to Representative Riley for questions."

Riley: "It's very hard to hear. Will the Sponsor please yield?"

Burke: "Mr. Speaker, he's asking for acknowledgement."

Speaker Mautino: "He indicates that he will yield."

Riley: "Thank you. It's very difficult to hear, Mr. Speaker."

Speaker Mautino: "Will the chamber please lower the volume so we can hear the debate."

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Riley: "Representative, just another point of clarification. I see that South Suburban Mayors and Managers was in opposition. Was that prior to your submitting House Amendment #2?"

Burke: "Yes."

Riley: "Thank you."

Speaker Mautino: "The Gentleman from DuPage, Representative Ramey is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Ramey: "Thank you. Representative, as I'm looking over this, you're expanding the definition of a 'retail food establishment'. Is that correct?"

Burke: "I... I wouldn't describe it as expanding the definition at all."

Ramey: "Are you adding..."

Burke: "We are defining those instances where these inspections should occur."

Ramey: "Should occur, that's my confusion. So, there's going to be a health inspection here, a food inspection, at these kiosks and other little things?"

Burke: "Well, I used the language that we use if there is a... an event that continues past 14 consecutive days then they should be inspected."

Ramey: "They're not inspected beforehand?"

Burke: "No."

Ramey: "So, if any food borne illnesses occur, what happens?"

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Burke: "That's the... that's the reason for this legislation. Cook County Department of Public Health in response to a recent salmonella outbreak..."

Ramey: "Yeah."

Burke: "...has encouraged the introduction and passage of this Bill."

Ramey: "Okay. Then why are we removing the fees then?"

Burke: "I think they were greatly opposed to all of the entities and your local municipalities wouldn't want to pay those fees."

Ramey: "But other establishments will still... I mean, like restaurants and such, still will pay a fee for this or..."

Burke: "Sure, they do. And some municipalities have their own inspection departments that would go out and do the actual inspection, so some of the entities, some of the municipalities that don't have that, Cook County has to come in and do it."

Ramey: "Oh, I understand. Okay. Thank you very much, Representative."

Burke: "Right."

Speaker Mautino: "Ladies and Gentleman of the House, the... a ruling was requested and on that ruling, the House parliamentarian."

Parliamentarian Ellis: "Representative Black, in... on behalf of the Speaker in response to your inquiry. House Bill 926 preempts Home Rule, but permits local regulation concurrently. Therefore, it falls under Section 6(i) of Article VII of the Illinois Constitution and requires 60 votes for passage."

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Speaker Mautino: "The Gentleman from DuPage, Representative Fortner is seeking recognition."

Fortner: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Fortner: "One of the things I noticed, this applies to counties of a population one million and over. Is that correct?"

Burke: "It's just Cook County."

Fortner: "Just Cook County. I guess I was a little surprised. Normally, when we want to do just Cook County we set a number like two or three million. Certainly, it's within the realm of possibility that DuPage County might cross that threshold with the next census. It's certainly on the cusp of doing so. Was it the intent to have that happen where DuPage would fall under this regulation, as well, after the next census, should that come to a million?"

Burke: "Actually, the original Sponsor, Representative Nekritz, has just advised she thought that it was going to be two million. It was certainly not the intention of the Cook County Department of Public Health to include DuPage. They are simply concerned with Cook County and the routine language for exempting all other counties in the state is to say one million, where we understand that Cook County has a population of that size."

Fortner: "But nowadays, you know, as we approach this next census, that may not be the case. Would you consider having it amended in the Senate to make it a two million or three million, just to make sure that it does not bring in DuPage?"

Burke: "I'd be delighted to do that."

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Fortner: "Thank you."

Speaker Mautino: "The Gentleman moves passage of House Bill 926. And on that question, 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... Representative Hatcher, wish to be recorded? Mr. Clerk, take the record. House Bill 926, having received 89 'yes', 26 'no', and 0 voting 'present', is declared passed. Mr. Clerk, on page 2 of the Calendar appears House Bill 26. Representative Turner. Read the Bill."

Clerk Mahoney: "House Bill 26 has been read a second time, previously. Floor Amendment #2, offered by Representative Turner, has been approved for consideration."

Speaker Mautino: "Representative Turner on Floor Amendment 2."

Turner: "Could you withdraw Amendment #2, please?"

Speaker Mautino: "Mr. Clerk, withdraw Amendment 2. Further Amendments?"

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

Speaker Mautino: "Representative Turner."

Turner: "Mr. Speaker, I... I misspoke. We want to withdraw Amendment #1 and I'd like to put Amendment #2 on the Bill. Amendment #1..."

Speaker Mautino: "The Gentleman renews his Motion to adopt Amendment 2. Is that the correct..."

Turner: "That's correct."

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Speaker Mautino: "Is that what you wish to do? Yes. Mr. Clerk, would you place Amendment 2 on the board. Representative Turner on Floor Amendment 2."

Turner: "Amendment #2 shells the Bill. We'd like to keep this Bill alive for a little while. The past time has not been posted and for that purpose, we'd like to just shell the Bill."

Speaker Mautino: "The Gentleman moves adoption of Amendment 2. All in favor say 'aye'; opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Third Reading. Read the Bill."

Clerk Mahoney: "House Bill 26, a Bill for an Act concerning gaming. Third Reading."

Speaker Mautino: "Representative Turner."

Turner: "As I said earlier, the horses are still in the paddock and I just move for the adoption of House Bill 26."

Speaker Mautino: "The Gentleman moves passage of House Bill 26. 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? Mr. Clerk, take the record. On this vote, 72 voting 'yes', 42 voting 'no', 0 voting 'present', House Bill 26 is declared passed. On page 34 of the Calendar appears House Bill 3767, Representative Coulson. Read the Bill."

Clerk Mahoney: "House Bill 3767, a Bill for an Act concerning public health. Third Reading."

Speaker Mautino: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 3767, it has the Department of Public Health implement the obesity

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prevention initiative. It starts out with some hearings and then prioritization of how we as a state can move forward in a plan to decrease obesity in the state. And I would encourage an 'aye' vote. And I can answer any questions."

Speaker Mautino: "The Lady moves passage of 3767. And on that, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. As I may have a conflict of interest on this Bill due to the fact that some people call me obese, I intend to vote 'present'."

Speaker Mautino: "The Lady has moved passage of 3767. 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 3767, having received 114 voting 'yes', 0 'no', and 1 voting 'present', is declared passed. Mr. Clerk, on page 6 of the Calendar is House Bill 628, Representative Osterman. Read the Bill."

Clerk Mahoney: "House Bill 628 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Osterman, has been approved for consideration."

Speaker Mautino: "...on Floor Amendment #2."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House... Floor Amendment #2 is an Amendment that's come about with negotiations with the school management groups further defining what access could be given to

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experts in regards to evaluations for special needs students. And I ask for its adoption."

Speaker Mautino: "The Gentleman moves adoption of Amend.. Floor Amendment #2. On that, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Speaker. Will the Sponsor yield on the Amendment for a couple questions?"

Speaker Mautino: "Indicates he will."

Eddy: "Representative, you mentioned that this Amendment attempted to address some of the issues that the School Management Alliance had with possible costs involved with expert witnesses?"

Osterman: "That cost, part of the Bill that was in the original underlying Bill, has been removed from this Amendment. And the agreement has been that we're going to deal with that cost issue and continue to talk about that in the Senate. So, the cost provision, that was a concern that was brought up in committee, has been taken out of Floor Amendment #2."

Eddy: "So, there's nothing in the Floor Amendment that assigns the cost of the expert witness to the school district, but there's..."

Osterman: "Correct."

Eddy: "Okay."

Osterman: "It's silent on that as in current law. Amendment.. Floor Amendment #2 only deals with the access for those experts and it addressed some of the concerns raised by the management groups as well as the teachers' unions about providing some assurance as with the principal about having

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them go to the school. So, it's not just showing up there, but the asking and setting up a time."

Eddy: "Okay. Well, the other questions I have regarding this, I just wanted to make the point on the Amendment that you're working on it and certainly, this isn't a totally agreed and the rest we can debate on Third Reading. Thank you."

Osterman: "Thank you."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment 2. All in favor say 'aye'; opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments."

Speaker Mautino: "Third Reading. Read the Bill on Third Reading, Mr. Clerk."

Clerk Mahoney: "House Bill 628, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Representative Osterman."

Osterman: "Thank you, Ladies and Gentlemen of the House. House Bill 628 is an issue that's brought forth by families and advocates for children with special needs to provide access for those families that have an expert witness when it comes to an evaluation process with the... with their child. And this legislation, as it is now with the Amendment, only focuses on providing access, but acknowledges that safety concerns have to be taken care of and that those people that are expert witnesses on behalf of parents have to work with the... the school principal to gain that access. The reason for this legislation is to try to help those

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families that want to have an evaluation done while with expert witnesses. This is a work in progress we want to send to the Senate. There's been some good negotiations with the school management groups and I would ask for an 'aye' vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 628. On that question, the Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "He indicates he will."

Franks: "For the purposes of legislative intent, I'd like to ask a few questions, Mr. Osterman."

Osterman: "Yes."

Franks: "When these outside experts are brought into the schools and the classrooms are their observations to remain confidential?"

Osterman: "Yes."

Franks: "So, in other words, these observations could in no way be used as a part of the evaluation process that has already been negotiated in the collective bargaining process?"

Osterman: "That is correct."

Franks: "So, is the intent of this legislation to protect the confidentiality of students and teachers in the classroom setting?"

Osterman: "Yes."

Franks: "And my final question, Is it also your intent to work with the Sponsor in the Senate to work out some of the

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issues that currently exist for some of the parties sitting at the negotiating table?"

Osterman: "That is true."

Franks: "Thank you."

Osterman: "Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Black: "Representative, if there is an expert witness... I'm not sure of the definition, but... who determines how much access the expert witness will have to the classroom or the educational facility?"

Osterman: "In the Bill, in Amendment #2, it... it would basically be the principal of the school would work with the family to provide the expert witness the ability to go into the classroom. So, the goal, Representative Black, is not to have totally unrestrained, but focused on the evaluation process. So, evaluating the child in the classroom setting if the child is in a playground setting, but to do so that would give the evaluator the ability to make an informed decision about their evaluation."

Black: "But who has the definitive say? If the expert witness wants to come to the... a particular classroom or session every day for an indeterminate period, who has the definitive answer..."

Osterman: "I would..."

Black: "...the expert witness, the parent, or the school administration or the school board?"

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Osterman: "The school administration would ultimately have that say. And they would have to work out, Representative Black, prior to visiting the school what they would want to... what they would want to evaluate and in what setting."

Black: "All right. Let me... in the legislative intent that a Representative and you went through, I found one thing very, you know, very interesting as a former classroom teacher. An expert witness is in my classroom, when it comes time for a hearing, are you telling me that the expert witness can't testify that the classroom teacher is part of the problem, is a terrible teacher?"

Osterman: "Representative Black, I want to focus in, and maybe I didn't articulate this in the... in my presentation, but what we're talking about is those evaluations for children with special needs on what classes or services that may be available. It's not focused on expert witnesses trying to cast shadows or... in regards to the teacher's ability to teach a class. So, the only goal here is to, present to the current situation, parents want to have an expert evaluator evaluate their child. So, that's kind of the purpose of this legislation, Representative."

Black: "Again, as a former classroom teacher, if an expert evaluator is in my classroom and feels strongly that I am not a very good teacher, what is to prevent that expert evaluator from demanding that the school administration place a letter from that evaluator in my file that I apparently do not have the background or the expertise or the patience to effectively teach and/or guide a special needs student?"

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Osterman: "Representative Black, I would argue that this Bill would be similar to what would be going on today. So, what we're trying to, I guess, deal with is having the parents' ability to have someone in those rare situations if they want to challenge the school, evaluate their student for special needs. I would argue that someone now... a family can have an evaluator go into those classrooms now, and I don't know if you know of the situations, but I would say that it's probably similar to what this Bill would entail. So, I don't think that this gives any additional powers or would cause any additional concerns for teachers. That's why teachers' unions are neutral at the present time."

Black: "Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Mautino: "To the Bill."

Black: "The teachers, may by legislative intent, think they're protected. In any administrative hearing or if it were to ever go to a legal hearing, that evaluator has every fundamental right; some may argue an obligation, to testify that the teacher is at the root of the problem. I've been in those hearings. I've heard those evaluations; I have seen teachers fired because of that and all the legislative intent in the world cannot tell a professional evaluator that they cannot evaluate or testify or file in writing that the teacher is the problem. I don't know why the teachers' union thinks they've gotten this solved by legislative intent. I've been through those hearings, you don't have it... you do not have it situated by legislative intent. You can't stop this. Once that evaluator's in

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that classroom that teacher and anything that the school is doing, is fair game. It has been and it will continue to be, regardless of all the legislative intent you want to enter on the record. Vote 'no'."

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

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

Speaker Mautino: "He indicates he will."

Eddy: "Representative, I want to preface the comments I'm going to make with the... that I wish I had the opportunity to discuss some of this with you other than here, because..."

Osterman: "I wish you would, too."

Eddy: "There are... and we're all kind of caught up in deadlines, but there are some real issues related to this that I... I think perhaps as far as what existing due process laws require school districts to do maybe... maybe... maybe there's some misunderstanding. In part of the Bill... the Amendment it states that... that the expert retained by or on behalf of a parent or child, and here's the key word, 'must' be afforded access of 'sufficient duration and extent' to educational personnel, et cetera, et cetera. Now, there's a lot of already in place rulings regarding if a parent isn't happy with a child's IEP evaluation and the process is that the parent can petition the school district in writing to have this done and the school district can go through a process that is a little bit lengthy, they can go to mediation, but this takes away a lot of those mediation rights that the school district has with that language that they 'must' do this. And then again..."

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Osterman: "Representative, if I may..."

Eddy: "Go ahead, I'm sorry."

Osterman: "...if I may disagree with that and say that today parents can still get these expert witnesses now. And we're trying to codify that and also have a uniform playing field because different school districts have different policies. I would refer the last seven or eight sentences in there that basically talks about the expert witnesses working with the school prior to the visit in writing trying to come up with a mutually agreeable time and the proximity and duration involved as well as the safety measures so that it's unrestrained..."

Eddy: "Well..."

Osterman: "...and I will tell you that I will... I'd be welcomed to have you come to these negotiation sessions where a lot of this was covered and it is not unrestrained people walking up and down the halls. We want to have these families have the ability to have these expert witnesses go in and do an evaluation. Ultimately, that's what we're talking about, a parent's right to have someone come in and evaluate their child. If they disagree with the school district and it's not tilting the balance of power in the decision-making process, it's simply codifying some of the policy that's going on today. And again, I welcome to work with you on this as it gets to the Senate."

Eddy: "I appreciate that and Mr. Speaker, I don't have a lot of time left, I want to go to the Bill. Look, on line 25 of the Amendment it very clearly states that prior to visiting a school, a school building, or a school facility, the

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parent, independent educational evaluator, or expert witness may be re... 'may' be required to inform the building principal. That doesn't mean they have to inform. They 'may' be required to inform the building principal. That's a concern that I have with that. That appears... and I... to the Bill. I... I..."

Osterman: "And again, for legislative intent, we can work that out. I mean, that's not the intention that they show up and that was part of the conversations we had with the school management groups."

Eddy: "Okay. Representative, let's... let's... let's end it this way. I... this Bill, in its current form to me, as a person who goes through this stuff and we have due process, it slants too far one way, just in the way it could be interpreted. Will you pledge that you will... you will bring this back after there is... are those additional meetings for some type of concurrence in the House regarding at least that point where it says that they 'may' be, so that we'll have another opportunity to work on this and this... you pledge to me that this isn't final action on... in this House."

Osterman: "I'll pledge that to you that, and I will say this, that if... we changed this because the underlying Bill had had some certain time restrictions prior to going to the school. That was inflexible on the school's side, so... because of school testing and things like that, we didn't want to have the ability. I pledge to you that this will be coming back here, but I also pledge that I'd like to work with you so that, you know, I should have invited you

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to the meetings, but I will do so and bring this back. But I would appreciate your support and understand that we've been working together with the school management groups to address this issue and it's an important issue for families."

Eddy: "Very quickly. I appreciate that and I have a great deal of respect for the Sponsor of this Bill and what his intentions are. I won't be voting for it, because I'm real concerned about it; however... however, I do appreciate what you've done. Part of the challenge had to do with the cost and the definition of 'an expert witness' and there were some other things here. I do want to work with you on this and actually, I'm going to change my mind. I'll tell you what, I... it's coming back. I'm going to vote for the Bill with the understanding that this isn't final action and you're going to continue to work on this and we get another bite of this apple before it's over with, Representative."

Osterman: "I appreciate that."

Eddy: "Okay. Thank you."

Speaker Mautino: "The Gentleman has moved passage of 628. And 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. 79 voting 'yes', 35 voting 'no', 0 voting 'present', House Bill 628 is declared passed. Mr. Clerk, on page 29 of the Calendar is House Bill 4011. Representative Colvin. Read the Bill."

Clerk Mahoney: "House Bill 4011, a Bill for an Act concerning regulation. Third Reading."

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Speaker Mautino: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. I have for the House the consideration of House Bill 4011 which amends the Residential Mortgage Licensing Act. It contains provisions concerning the application process, the application form, a number of issues dealing with the licensing. It's really an update of the 1987 legislation that created the Residential Mortgage Licensing Act in Illinois which is the larger part of the consortium of state bank councils here in the United States of America. House Amendment #1 which became the Bill is a gut and replacement that made a number of changes working with the financial mortgage industries as well as the Attorney General. I do believe that there is one more Amendment that's going to be added to this Bill that would completely erase any opposition to the Bill. I ask for its passage and happy to answer any questions. We anticipate that Amendment will be done in the Senate and come back here to the House for concurrence. I'd be happy to entertain any questions."

Speaker Mautino: "The Gentleman has moved passage of... of 4011. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. House Bill 4011, having received 115 'yes', 0 'no', 0 voting 'present', is declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 251, offered by Representative Zalewski. House Resolution 252, offered by Representative Rose. House

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Resolution 253, offered by Representative Rose. House
Resolution 254, offered by Representative Rose. House
Resolution 255, offered by Representative Black. House
Resolution 256, offered by Representative Bellock. House
Resolution 257, offered by Representative Black. House
Resolution 258, offered by Representative Jerry Mitchell.
House Resolution 259, offered by Representative Monique
Davis. House Resolution 260, offered by Representative
William Davis. And House Resolution 261, offered by
Representative Cole."

Speaker Mautino: "Representative Currie moves adoption of the
Agreed Resolutions. All in favor signify by 'yes'; opposed
'no'. The 'yeses' have it. And the Agreed Resolutions are
adopted. Mr. Clerk, committees."

Clerk Mahoney: "Committee announcements. Meeting at 10 p.m.,
these committees will meet at 10 p.m.: Executive Committee
in Room 118, Health Care Availability & Accessibility in
Room 114, Public Utilities in Room D-1, Judiciary-Criminal
Law, Jud II, in Room 115, Revenue & Finance in Room 122B,
and Transportation, Regulation, Roads & Bridges in C-1. At
10:15 p.m.: Elementary & Secondary Education will meet in
Room D-1, Vehicle Safety will meet in Room 115, Judiciary-
Civil Law, Jud I, will meet in Room C-1, and Counties &
Townships will meet in Room 122B."

Speaker Mautino: "And now allowing perfunctory time for the
Clerk, Representative Currie moves the House stand
adjourned until Friday, April 3 at 9 a.m. All in favor
signify by 'aye'; opposed 'no'. The 'ayes' have it. And
the House stands adjourned."

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Clerk Mahoney: "An announcement: the Public Utilities Committee that was to meet at 10 p.m. in room D-1 is canceled. Public Utilities is canceled. Another announcement: Jud I-Civil Law, Jud I, that was to meet at 10:15 will now meet in Room D-1 immediately at 10 p.m. Jud I-Civil Law will meet at 10 p.m. in Room D-1."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 3863. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 1471. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 2619 and Floor Amendment 1 and 2 to House Bill 2871. Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2669. Representative D'Amico,

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Chairperson from the Committee on Vehicles & Safety, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 3566. Representative Verschoore, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 1597. Representative John Bradley, Chairperson from the Committee on Revenue & Finance, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 250, Floor Amendment #1 to House Bill 1628. Representative Beiser, Chairperson from the Committee on Transportation, Regulation, Roads & Bridges, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2750. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on April 02, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 976. Referred to the House Committee on Rules is House Resolution 262, offered by Representative Flowers. Introduction and

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reading of House Bills-First Reading. House Bill 4432, a Bill for an Act concerning revenue, offered by Representative Mitchell, Bill. And House Bill 4433, offered by Representative Feigenholtz, a Bill for an Act concerning appropriations. House Bills-Second Reading. The following Bills will be read a second time and held on that order. House Bill 650, a Bill for an Act concerning insurance. House Bill 1471, a Bill for an Act concerning State Government. House Bill 21 (sic-2100), a Bill for an Act concerning employment. Second Reading of these Bills. Introduction and reading of Senate Bills-First Reading. Senate Bill 37, offered by Representative Yarbrough, a Bill for an Act concerning education. Senate Bill 43, offered by Representative Fritchey, a Bill for an Act concerning employment. Senate Bill 1601, offered by Representative Hoffman, a Bill for an Act concerning State Government. Senate Bill 1602, offered by Representative Franks, a Bill for an Act concerning State Government. Senate Bill 1609, offered by Representative Franks, a Bill for an Act concerning finance. Senate Bill 2270, offered by Representative Pihos, a Bill for an Act concerning education. Senate Bill 2271, offered by Representative Gordon, Jehan, a Bill for an Act concerning public aid. Senate Bill 2272, offered by Representative Chapa LaVia, a Bill for an Act concerning animals. Senate Bill 77, a Bill for an Act concerning State Government, offered by Representative Verschoore. Senate Bill 283, offered by Representative Froehlich, a Bill for an Act concerning elections. Senate Bill 286, offered by Representative

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Tryon, a Bill for an Act concerning local government. Senate Bill 290, offered by Representative Reitz, a Bill for an Act concerning professional regulation. Senate Bill 577, offered by Representative Nekritz, a Bill for an Act concerning local government. Senate Bill 613, offered by Representative Howard, a Bill for an Act concerning education. Senate Bill 1133, offered by Representative Currie, a Bill for an Act concerning employment. Senate Bill 1282, offered by Representative Hoffman, a Bill for an Act concerning business. Senate Bill 1357, offered by Representative Moffitt, a Bill for an Act concerning utilities. Senate Bill 1383, offered by Representative Reitz, a Bill for an Act concerning professional regulation. Senate Bill 1384, offered by Representative Miller, a Bill for an Act concerning regulation. Senate Bill 1390, offered by Representative Fritchey, a Bill for an Act concerning business. Senate Bill 1408, offered by Representative Burke, a Bill for an Act concerning safety. Senate Bill 1417, offered by Representative Hoffman, a Bill for an Act concerning business. Senate Bill 1434, offered by Representative Burke, a Bill for an Act concerning transportation. Senate Bill 1435, offered by Representative Hamos, a Bill for an Act concerning regulation. Senate Bill 1450, offered by Representative Pritchard, a Bill for an Act concerning transportation. House Bill 1466 (sic-Senate Bill 1466), offered by Representative Jackson, a Bill for an Act concerning elections. Representative Beiser, a Bill for an Act... Correction. Oh, House Bill... Correction. House Bill 1030...

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Recorrection. Senate Bill 1030, offered by Representative Beiser, a Bill for an Act concerning criminal law. Senate Bill 1332, offered by Representative Beaubien, a Bill for an Act concerning financial regulation. Senate Bill 1402, offered by Representative Yarbrough, a Bill for an Act concerning professional regulation. Senate Bill 1541, offered by Representative Froehlich, a Bill for an Act concerning transportation. Senate Bill 1642, offered by Representative Davis, Monique, a Bill for an Act concerning public employee benefits. Senate Bill 1655, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 1675, offered by Representative McAsey, a Bill for an Act concerning education. Senate Bill 1708, offered by Representative Davis, Monique, a Bill for an Act concerning criminal law. Senate Bill 1710, offered by Representative Davis, Monique, a Bill for an Act concerning criminal law. Senate Bill 1718, offered by Representative Davis, Monique, a Bill for an Act concerning education. Senate Bill 1722, offered by Representative Holbrook, a Bill for an Act concerning elevator regulation. Senate Bill 1736, offered by Representative Hannig, a Bill for an Act concerning regulation. Senate Bill 1736 (sic-1737), offered by Representative Franks, a Bill for an Act concerning finance. Senate Bill 1799, offered by Representative Myers, a Bill for an Act concerning elections. Senate Bill 1812, offered by Representative McAsey, a Bill for an Act concerning criminal law. Senate Bill 1813, offered by Representative Reboletti, a Bill for an Act concerning criminal law. House Bill 1814 (sic-

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Senate Bill 1814), offered by Representative Walker, a Bill for an Act concerning criminal law. House Bill 1818 (sic-Senate Bill 1818), offered by Representative Mendoza, a Bill for an Act concerning criminal law. Senate Bill 1825, offered by Representative Jackson, a Bill for an Act concerning revenue. Senate Bill 1837, offered by Representative Jefferson, a Bill for an Act concerning State Government. Senate Bill 1846, offered by Representative Burns, a Bill for an Act concerning State Government. Senate Bill 1936, offered by Representative Mautino, a Bill for an Act concerning revenue. Senate Bill 1957, offered by Representative Eddy, a Bill for an Act concerning education. Senate Bill 1959, offered by Representative Verschoore, a Bill for an Act concerning regulation. Senate Bill 1960, offered by Representative Holbrook, a Bill for an Act concerning public aid. Senate Bill 2022, offered by Representative Jakobsson, a Bill for an Act concerning elections. Senate Bill 2043, offered by Representative Osterman, a Bill for an Act concerning public aid. Senate Bill 2046, offered by Representative Walker, a Bill for an Act concerning revenue. Senate Bill 2051, offered by Representative Chapa LaVia, a Bill for an Act concerning education. Senate Bill 2052, offered by Representative Walker, a Bill for an Act concerning State Government. Senate Bill 2069, offered by Representative Franks, a Bill for an Act concerning aging. Senate Bill 2103, offered by Representative Jakobsson, a Bill for an Act concerning safety. Senate Bill 2112, offered by Representative Reitz, a Bill for an Act concerning civil

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law. Senate Bill 2115, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 2125, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 2145, offered by Representative Holbrook, a Bill for an Act concerning environmental safety. Senate Bill 2148, offered by Representative Hoffman, a Bill for an Act concerning State Government. Senate Bill 2150, offered by Representative Holbrook, a Bill for an Act concerning utilities. Senate Bill 2161, offered by Representative Farnham, a Bill for an Act concerning elections (sic-local government). Senate Bill 2184, offered by Representative Winters, a Bill for an Act concerning conservation. Senate Bill 21... Correction. Senate Bill 2212, offered by Representative Beaubien, a Bill for an Act concerning public employee benefits. Senate Bill 28, offered by Representative Riley, a Bill for an Act concerning civil law. Senate Bill 32, offered by Representative Bradley, a Bill for an Act concerning regulation. Senate Bill 1909, offered by Representative Holbrook, a Bill for an Act concerning economic development. Senate Bill 2091, offered by Representative Fritchey, a Bill for an Act concerning insurance. Senate Bill 2095, offered by Representative Sacia, a Bill for an Act concerning criminal law. Senate Bill 2111, offered by Representative Reitz, a Bill for an Act concerning insurance. Senate Bill 2116, offered by Representative Hamos, a Bill for an Act concerning local government. Senate Bill 2121, offered by Representative Mautino, a Bill for an Act concerning safety. Senate Bill 2338, offered by

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Representative Holbrook, a Bill for an Act concerning utilities. Senate Bill 135, offered by Representative Moffitt, a Bill for an Act concerning public aid. Senate Bill 148, offered by Representative Froehlich, a Bill for an Act concerning transportation. Senate Bill 223, offered by Representative Miller, a Bill for an Act concerning employment. Senate Bill 229, offered by Representative Reboletti, a Bill for an Act concerning financial regulation. Senate Bill 239, offered by Representative Harris, a Bill for an Act concerning business. Senate Bill 243, offered by Representative Franks, a Bill for an Act concerning vehicles. Senate Bill 254, offered by Representative Tryon, a Bill for an Act concerning professional regulation. Senate Bill 266, offered by Representative Hoffman, a Bill for an Act concerning education. Senate Bill 314, offered by Representative Beiser, a Bill for an Act concerning State Government. Senate Bill 351, offered by Representative Burke, a Bill for an Act concerning government. Senate Bill 369, offered by Representative Nekritz, a Bill for an Act concerning State Government. Senate Bill 414, offered by Representative Currie, a Bill for an Act concerning government... State Government. Senate Bill 450, offered by Representative Reitz, a Bill for an Act concerning revenue. Senate Bill 543, offered by Representative Joyce, a Bill for an Act concerning revenue. Senate Bill 600, offered by Representative Froehlich, a Bill for an Act concerning elections. Senate Bill 1140, offered by Representative Holbrook, a Bill for an Act concerning regulation. Senate

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Bill 1255, offered by Representative Beaubien, a Bill for an Act concerning local government. Senate Bill 1298, offered by Representative Turner, a Bill for an Act concerning gaming. Senate Bill 80, offered by Representative Washington, a Bill for an Act concerning elections. Senate Bill 89, offered by Representative Gordon, Careen, a Bill for an Act concerning revenue. Senate Bill 95, offered by Representative Cross, a Bill for an Act concerning education. Senate Bill 133, offered by Representative Graham, a Bill for an Act concerning local government. Senate Bill 253, offered by Representative Saviano, a Bill for an Act concerning property. Senate Bill 269, offered by Representative Pihos, a Bill for an Act concerning education. Senate Bill 275, offered by Representative Miller, a Bill for an Act concerning education. Senate Bill 315, offered by Representative Chapa LaVia, a Bill for an Act concerning education. Senate Bill 318, offered by Representative Saviano, a Bill for an Act concerning regulation. Senate Bill 321, offered by Representative Holbrook, a Bill for an Act concerning regulation. Senate Bill 327, offered by Representative Bellock, a Bill for an Act concerning finance. Senate Bill 337, offered by Representative Beiser, a Bill for an Act concerning government. Senate Bill 74, offered by Representative Smith, a Bill for an Act concerning regulation. Senate Bill 78, offered by Representative Black, a Bill for an Act concerning housing. Senate Bill 138, offered by Representative Verschoore, a Bill for an Act concerning State Government. Senate Bill 146, offered

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by Representative Mathias, a Bill for an Act concerning elections. Senate Bill 154, offered by Representative Nekritz, a Bill for an Act concerning civil law. Senate Bill 209, offered by Representative Bellock, a Bill for an Act concerning health. Senate Bill 20... I'm sorry. Senate Bill 211, offered by Representative Thapedi, a Bill for an Act concerning criminal law. Senate Bill 212, offered by Representative Feigenholtz, a Bill for an Act concerning public health. And Senate Bill 231, offered by Representative Howard, a Bill for an Act concerning public aid. This has been the First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."