

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

46th Legislative Day

4/29/2009

Speaker Miller: "The hour of 12:00 has come and gone. We shall lead... we... excuse me... We shall be led in prayer today by Sister Catherine Wellinghoff, who is with Saint Paul's Catholic Church in Johnson City, Illinois. Sister Wellinghoff is the guest of Representative Bradley. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance."

Sister Wellinghoff: "For the gift of life and the gift of work, we are grateful in this prayer. We marvel at all creation, especially human beings like you, who are a gifted with sharp minds, listening hearts, and solid relationships that call forth the best from you, lawmakers. We are grateful for the trust that people have placed in you; a trust that requires integrity, hard work, clarity of purpose and challenges that at times calls for almost endless discussion, time and effort and maybe even frustration. We are grateful for the common tasks that you must perform today and tomorrow as elected Representatives of the State of Illinois. And even though today you're quiet aware of the economy and the jobless condition of many, yet we pray that people from the womb to the tomb are a priority in your legislation. We are grateful for the spiritual help that impels you to work not only for the people of Illinois, but to stretch your minds and hearts and work to create a world which will be better because you have contributed from your corporate and personal resources of love, wisdom and authority. As I conclude this prayer, I pray that each one of you and your families and your

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constituents be blessed in every way as you continue the work of creation begun millions of years ago by a loving God who gifts each one of you to create a better world for today and for the future. May this prayer and goal be in your minds and hearts, Amen."

Speaker Miller: "We'll be led in... for the Pledge of Allegiance by Representative John Fritchey."

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

Speaker Miller: "Roll Call for Attendance. Representative Barbara Currie."

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

Speaker Miller: "Representative Michael Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present and ready to do the work of the people."

Speaker Miller: "Mr. Clerk, take the Roll, with 117 in a presence a quorum is established. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'recommends be adopted as amended' is House Joint Resolution 5 and House Joint Resolution 6; 'do pass Short Debate' is Senate Bill 1665, Senate Bill 1796, Senate Bill 1957, Senate Bill

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2014, Senate Bill 2051, Senate Bill 2071; 'do pass as amended Short Debate' is Senate Bill 1293, Senate Bill 1882, Senate Bill 1508, Senate Bill 1570, Senate Bill 1718, Senate Bill 1956, and Senate Bill 2119. Representative D'Amico, Chairperson from the Committee on Vehicles & Safety, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 236, Senate Bill 1297, Senate Bill 1958; 'do pass as amended Short Debate' is Senate Bill 1866 and Senate Bill 2217. Representative Reitz, Chairperson from the Committee on Health Care Licenses, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is Senate Bill 275, Senate Bill 290, and Senate Bill 1486; 'do pass Short Debate' is Senate Bill 1444 and Senate Bill 1830. Representative John Bradley, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is Senate Bill 266, Senate Bill 1285, Senate Bill 1417, Senate Bill 2111; 'do pass Short Debate' is Senate Bill 65, Senate Bill 239, Senate Bill 1274, Senate Bill 1586, Senate Bill 1738, Senate Bill 1970, Senate Bill 2256 and Senate Bill 2258. Referred to the House Committee on Rules is House Resolution 322, offered by Representative Leitch."

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Speaker Miller: "The Gentleman from Cook, Representative Osterman seeks recognition."

Osterman: "Speaker Mad... or Speaker Miller, did I... Did I miss the pledge of allegiance today? Point of personal privilege. Most of the Democrats have a yellow piece of paper on their desk about a... a pension briefing today and my question is an inquiry of the Chair is that there were reports yesterday in Chicago media about a billion dollars that was earmarked for public transportation in northern region of Illinois. A billion dollars that we wanted and voted for many of us on this floor, because we expected it to start going for projects to fix transit now, not come November. So, my question, and maybe you know, is that, the individuals that are going to be there from the Governor's Office that are going to talk to us about pensions, are they going to talk to us about where the billion dollars is for public transportation? And if they aren't, then I would suggest that this committee, whether it's the public Mass Transit Committee or another committee, have hearings to find out what's going on with that money, because I think all of us as we look at the next 35 days and the votes that we take and the promises we keep, there needs to be trust in this Body. So, just an inquiry of the Chair, Mr. Speaker."

Speaker Miller: "Representative Osterman, I believe you can address that in the meeting that a... that's scheduled for 12:30. The Gentleman from Cook, Representative Harris, seeks recognition."

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

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Speaker Miller: "State your point."

Harris: "Even though she has walked away from her desk, I'd like to acknowledge that yesterday was the birthday of Representative Collins."

Speaker Miller: "Happy birthday to Representative Annazette Collins. The Gentleman from Winnebago seeks recognition, Representative Jefferson."

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

Speaker Miller: "State your point."

Jefferson: "A follow up to what Representative Harris just said. Representative Collins is continuing to celebrate her birthday today. So, there is cake in the back office here for all who didn't participate yesterday, there's cake in the back today. Thank you."

Speaker Miller: "The Gentleman from Kendall, Leader Cross, seeks recognition."

Cross: "Thank you, Mr. Speaker. On a procedural Motion and a hopefully I'll have an opportunity to makes some comments in support of my Motion, but under House Rule 18(g), I move for the discharge of: House Joint Resolution Constitutional Amendment #28, House Bill 4134, House Bill 3189, and Floor Amendment #1 to House Bill 3189 from the House Rules Committee. Under House Rule 54(a)(2), all Motions are assigned Standard Debate status, and I wish to debate my Motion. Upon the conclusion of this debate or the debate, I ask for a recorded vote on the Motion to Discharge. Under Rule 59... 49 any vote shall be by re... record vote whenever five Representatives shall so request, which they

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do. There are at least five Members on my side that wish for a recorded vote on the Motion to Discharge the Amendment from the House Rules Committee."

Speaker Miller: "Representative Currie."

Currie: "Thank you, Speaker. I object to the Gentleman's Motion."

Speaker Miller: "The Gentleman from Kendall, Representative Cross."

Cross: "Well, Mr. Speaker, I guess that's not a shock. We have resigned ourselves to the fact that one person and one person only controls the State of Illinois's Government. One person on your side decides whether or not a Bill gets out of Rules. One person on your side of the aisle decides whether or not we can even have a vote on a Bill to discharge it from the Rules the Committee. In the age of a... a lot of discussion about reform, this Body, particularly the Majority Party doesn't seem to get it. These items that are time... I'm talking about today deal with reform in the area of the budget and a lot has been going on in this state and a lot of discussion about how we're going to solve our 'budget problem'. I think everybody in this chamber knows that we have a budget problem because you and the Majority the last six years passed budgets that spent more money than we brought in. Almost \$6 billion of new spending with absolutely no regard to reform, absolutely no regard to streamlining, absolutely no regard to prioritizing and ultimately, we're here today with a huge problem. And so, we have three suggestions. That is a great idea. Thank you, Mr. Speaker. It's

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entirely possible based on recent history you guys might even file these same Bills after we have a vote on them. Seems to be the thing that happened the other day on the pay raise Bill. But, Mr. Speaker, if we are going to have some real reform, and the Quinn Commission came out with some great ideas on ethics reform, these are some... these are some very good ideas on budget reform. One Bill we've filed is called PAYGO Mr. Speaker, and PAYGO is a relatively simple concept. PAYGO simply says, Representative or Senator, if you have a brand new idea that costs a dollar, we may like that idea and we may like the fact that it's going to do some good things for the State of Illinois and we acknowledge it's going to cost a dollar, but if we pass that idea on, we need to take a dollar off the table somewhere else. I can... I can wait awhile, Mr. Speaker, I'm not going anywhere."

Speaker Miller: "Ladies and Gentleman, may we have a little order in the House here."

Cross: "Thank you. We think PAYGO deserves a hearing. If you want to vote it down, please do, if that's your choice, but at a minimum, it deserves to be heard in committee. The second idea, Mr. Speaker, says, very simply, let's form a sunshine commission. Auditor General Bill Holland came back to this chamber in 2007 and said at our request upon examination of all of the state agencies came back to this House with a report and said we would love to tell you what every state agency in Illinois does, but we can't. It's so convoluted, it's so layered, it's so complicated, it is impossible to tell you what our state agencies do. The

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sunshine commission would put Republicans and Democrats, men and women, but most importantly, business people from around the state together to examine the budget to see where we can create better ways to do things, where we can eliminate duplication, where we can throw away agencies that are obsolete, where we can take advantage of technology. So, sunshine commission, again, Mr. Speaker, makes a lot of sense in the world of budget reform. The Joint Resolution or the Constitutional Amendment simply says, if you're going to pass a tax increase like the Governor has proposed and many of you have talked about, it's going to take three-fifths vote. If we're going to go to the taxpayers and take money from their pockets at a time of economic distress, when people are loosing jobs, when they can't make their mortgage payments, when gas is high, there ought to be three-fifths of the people of this chamber voting for a tax increase. It should not be a simple majority, it should be a difficult task. And accordingly, we think the Constitution should be amended. So, Mr. Speaker, we think all three of these Bills or two Bills and one Constitutional Amendment need to be released from Rules. The idea, again, that one person in all of the State of Illinois can control whether or not a Bill gets heard is absolutely absurd. Even the Quinn Commission recognized that makes no sense, and if you haven't read the Commission's report, it said if there are 16 people that are Cosponsors on a Bill, it's got to be heard. What a novel concept, a Bill being heard. It's time to end one party or not I... or one party... one person telling the people

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of the State of Illinois you can't have a concept heard. You can't even debate a Bill if one person in Illinois government, mainly the Speaker, says nope, not today, not if I say so. And accordingly, Mr. Speaker, I renew my Motion to Discharge the Bills. Thank you."

Speaker Miller: "The Gentleman's Motion fails. Leader Cross."

Cross: "If you are... first of all, are you going to give everybody an opportunity that wants to speak and debate the Motion? Mr. Speaker, at least... I know you're going to have one person kill the idea. We know you do that, but aren't you going to let the people speak on the Motion? Are we just going to eliminate debate now? People can't be heard? One person kills the Bill and now we can't even talk about it. And... I hope everybody's going to have a chance to talk, but if not... I'm going to... then we'll have problems if we don't get to talk. But I am going to move to appeal the ruling of the Chair. And after we have an opportunity to speak, I hope, Representative, or Mr. Speaker, you're going to allow us to talk. I think a few people out here have some opinions on whether or not these Bills ought to be heard. And I know, Mr. Speaker, you're familiar with Rule 54(a)(2) that allows debate. This seems pretty simple, either we get to talk about it or we don't. Are we going to be heard on this Motion, Mr. Speaker?"

Speaker Miller: "Leader Cross, your Motion has failed; however we will allow Representatives under the clock to discuss the issue. The Lady from DuPage, Representative Senger, seeks recognition. The Lady from Will, Representative

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Kosel, seeks recognition. The Gentleman from McHenry seeks recognition, Representative Tryon."

Tryon: "Mr. Speaker I would like to yield my time to Representative Black."

Speaker Miller: "The Gentleman from Vermilion, Representative Black seeks recognition."

Black: "Mr. Speaker, in all due respect to you, this has not been handled the way it's been handled for several years. I don't know what's going on here anymore. It almost sickens me to see how you want to treat the Minority Party. If we did that to you, Sir, you would be outraged and justifiably so. And let me ask you another question. When Speaker Madigan comes out here and talks, the Chair makes certain that people are in their seat and that staff retires to the back of the chamber, and Speaker Madigan is given the respect that he is due as the Speaker of the House. When the House Republican Leader speaks, he deserves the same respect, and you didn't give him any. You didn't give him even the courtesy of telling staff to retire or telling your Members to sit down. It's an outrage how you treat us. I request a Republican Caucus immediately. I'm not going to sit up here. I am not going to sit up here and put up with this anymore."

Speaker Miller: "Representative Brady."

Brady: "I'm sorry, Mr. Speaker, I... must have accidentally put my light on. I didn't ask to speak."

Speaker Miller: "Representative Brady, do you wish a Republican Caucus?"

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Brady: "A... What I will do is yield to... I'm going to yield to the caucus chairman, which is Representative Osmond, Leader. Thank you, Mr. Speaker."

Speaker Miller: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. We would like to go to caucus, please."

Speaker Miller: "Ladies and Gentlemen of the House, the Republicans will caucus in Room 118, the Democrats will meet in 114. Ladies and Gentlemen, we'll stand at recess 'til the call of the Chair. Representative Cross."

Cross: "Thank you, Mr. Speaker. Just to... I want to make sure that we are... clear on where we are. I think that the Chair acknowledges my move for a discharge on those respective Bills. I understand you're going to, based on the Majority Leader's objection, that a I now... necessitate my need to a appeal the ruling of the Chair that you are denying the... based on her move, the denying discharge of those. So, I would appeal the ruling of the Chair that there's no recorded vote to discharge HJRCA28, HB4134, HB3189 and Floor Amendment #1 to HB3189 from the House Rules Committee. I don't think there was really any debate on the need to move those. I think we cut that short for, obviously, a variety of reasons, and I would hope that people would have an opportunity to speak on those, but at the appropriate time I would like a... the opportunity to vote on the a... the appeal of the Chair."

Speaker Miller: "The Gentleman from Vermilion, Representative Black, seeks recognition."

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Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the House Republican Leader in his request. I believe in his original Motion to the Chair. He referenced House Rule 54, subsection (a)(2), that all such Motions would be assigned Standard Debate status and that he wished to debate that Motion. Now, he can, if he so desires, withdraw that Motion to debate, and I think he also asked upon conclusion of the debate he asked for a recorded vote on the Motion to Discharge. And pursuant to Rule 49, five Members on our side of the aisle have joined with him for that recorded vote on the Motion to Discharge and again, he can... he can waive that if he wants to, but he also asks for his rights under the House Rules, House Rule 57(a), if the Chair denies us as you indicated you had before we left you can go to your meeting and we to go to ours, then, obviously, Rule 57(a) would be the Motion that, a I believe, the House Republican Leader has made that we would appeal the ruling of the Chair if the House Republican Leader is not given the courtesy of... of some debate and some action on his Motion. And I would hope that you not... you gave an indication before we left that you were not going to honor that request, and I... I hope that a... that decision has been discussed since all of us left the floor and then, in fact the House Republican Leader's Motion is in order. It has been done this way for a number of years. I trust that we will not change the way we do this at this particular time. So, I simply rise to support my Leader's request, which has been objected to under the Rules, and then he let you know

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of what applicable rules we may or may not want to debate those Bills and, certainly, may ask for a Motion to overrule the Chair if that comes to that. So, I would simply rise to support Leader Cross's Motion. And, again, before we left, I would remind you we show Speaker Madigan full and complete and total respect when he's on this House Floor. We may ask him questions and we may not agree with an Amendment or a Bill, but we give him complete respect as is accorded his status as senior Member and is certainly accorded his status as the elected Speaker of the House. And I think we are not without some historical significance in the process to ask for the same courtesy anytime the House Republican Leader makes a Motion on this House Floor or chooses to speak on this House Floor."

Speaker Miller: "The Gentleman from Kane, Representative Schmitz, seeks recognition."

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

Speaker Miller: "State your inquiry."

Schmitz: "Speaker, as you are well aware, these Bills are... three Bills that were discussed earlier on the Motion are currently in Rules. Do you know why they have not been assigned out of Rules to a... a standing committee?"

Speaker Miller: "No, I don't. I do not know."

Schmitz: "Have you had the chance to become familiar with the three Bills that we're discussing here today, Mr. Speaker?"

Speaker Miller: "No, I have not."

Schmitz: "The reason I bring these points up, because these Bills aren't partisan, Speaker. They're in a committee right now that they couldn't be kicked out to another

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committee, as far as I know, they could probably be copied into another Bill with a... with a Sponsor from the other side of the aisle tomorrow, and we would be debating these. But because we have a Republican Sponsor on these Bills, they will languish in Rules. The new day has come here in Illinois, the new dawn, all the sunshine, all the ethics, all the reforms; that was a lot of talk back in January, and I was actually hopeful that is was going to be more than talk, but as we stand here today in late April, getting ready for May and hopefully, adjourning at the end of the year, we have Bills languishing in committee that are as far from partisan as they can be. These are Bills that are going to bring sunshine to the process of budgeting that every person in this chamber has talked about to their constituents. If you want to take our names off this Bill and put Democrat Sponsors on it, do it. But let's get these Bills done, let's get them out of Rules, let's get them to a committee where we can debate it. And if you want to take that a further step, think about all the time that we would save here on the House Floor if you would just look at the Bills on their merit and get them into a committee for a full debate. We wouldn't be playing these little games, should the Chair be sustained, should they not be sustained, do we have to worry about if this Bill is coming out Rules or not. Speaker, we know how to do this. We can get these Bills done, we can get them passed. These are good for the people that we represent, that's what we're sent here to do. I don't knock on doors every... every two years to get signatures to set on a ballot

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so I can come down here and have another Party tell me that oh, I'm sorry this ethical... this ethical Bill we're trying to do isn't good enough. I don't come down here every two years and take the oath of office so I can have a Majority Party walk over our rights here as a Member, that I represent the same number of people that you represent in your district. These Bills that we're talking about are simple, they're no-brainers, they are a positive step to get us moving forward here in Illinois, Speaker. I think it's appalling that they're still sitting in Rulers... in Rules. I think it's appalling that we don't understand what's in these Bills when I ask what's in the Bills. I don't know. Then let them out of Rules, let's get them into a committee, let's debate them. If they need Amendment, let's get them going. But let's stop this charade of double talk, holding out the press release and say, oh, we're for reform. We've got commissions on it, look at our commissions are meeting. We want sunshine in the budgeting an process. You know the sunshine that we're going to get in the budgeting process, I know how the sunshine's is going to be in the budgeting process, we're going to get that sun shiny, really smiley budget dropped on our desk at 10:00 at night, and we're going to vote on it at 11:30 at night. If anyone in here doubts it, let's lay the money down on the table right now and take a good bet. That's the sunshine that's been going on in this Capitol. I'm fed up with it. I've been here six terms. I take the same oath of office that every other Member in this chamber takes, I represent the same number of people. I want some

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sunshine in this process, I want everybody to be heard in the people's chamber that we're standing in here right now and listening. Speaker, you have the ability, the sole ability to get these things out of Rules. Let's not play that little game that was played last week with COLAs, You guys got a mighty fine COLA Bill now out after what we brought one up last week. Let's not do that. Let's get these Bills out now, let's debate them, get'em to committee. We'll... we'll waive the posting requirements, we'll get these things done. Speaker, these Bills are on your shoulders. These Bills don't move, nobody else in this chamber is to blame, Speaker. Have the courage. Let's talk about this, let's get them to committee, and for God's sakes, let's do the right thing."

Speaker Miller: "The Lady from Will, Representative Renée Kosel seeks recognition."

Kosel: "Yes, Mr. Speaker. Residents of this state have gone through some very, very hard times over the last year. They're dealing with mortgage crises, sky rocketing property tax, high prices for gasoline, groceries, and an unsteady economy that has caused many of them to lose their job, Mr. Speaker. At times, when things couldn't possibly get worse, we believe that the taxpayers are willing to make sacrifices over and make very difficult financial choices in their own homes. Republicans in this House have introduced several measures that are aimed at providing economic reforms, one of which is creating a sunset... shine commission as a tool to review State Government programs, eliminate waste and duplication. Before we turn to

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taxpayers' pockets, we must reform and cut current programs and decide to make the hard choices within our own House as our constituents are doing everyday. I'm calling for this commonsense Bill, House Bill 4134, to be released from Rules. There is no reason why we can't start the process now, why we can't make the hard economic decisions now. Our constituents are making them every single day at the grocery store, at Penny's, at Sears. They are saying no, they are saying it's time to do the bare necessities. They don't care about this political maneuvering down here, they want their voices heard. They do not want one-man rule. I ask that these Bills be redo... reviewed... excuse me, released from Rules now."

Speaker Miller: "The Lady from Du Page, Representative Senger, seeks recognition."

Senger: "Thank you, Mr. Speaker. House Resolution 28 is basically asking for three-fifths supermajority on any tax increase. And think about that, think about that and what that means to everybody here in this room. Today, everyone knows our companies are concerned, they're concerned about what's going to happen to them and how they're going to compete. They're concerned about increases in taxes. Every single constituent in this state is concerned about what that's... what tax increases are going to mean from Springfield on them. They're not only concerned, but they're watching us, and they're watching us very carefully. And don't think coming around the next election they're going to be putting their two cents in regards to what we do here. This is a very basic simple policy already

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initiated by 12 states, and all we're saying here is make a tax increase a nonpartisan issue where you got the supermajority now increasing it. I would think that everybody in this room would be comfortable with that and why we don't release this and get this out of committee to discuss it is way beyond me. I mean we cannot take raising taxes slightly and right now, the way we work here, that's exactly what we're doing, and if I was out there I would be watching this whole Body very closely in regards to what we're really truly doing in regard... to sunshining and exposing what Springfield is all about because we're going to get it with... without any say, whatsoever, if we're not careful. Thank you."

Speaker Miller: "The Gentleman from McHenry, Representative Tryon... Tryon, excuse me, seeks recognition."

Tryon: "Thank you, Mr. Speaker. You know in this package of Bills are several Bills that I think make good public policy for the state. House Bill 3189 for instance, the PAYGO Bill, simply involves COGFA in the budgeting process... process, requires them to certify when we're expanding a program that there's revenue there to pay for it or there's a decrease in spending to pay for it. This deserves debate, especially at this time in our history, especially after what we've done in the last six years where we've expanded spending beyond our ability to pay. But because one person on the House Floor stands up and says they object to the fact that we can discharge this from Rules, that one voice outweighs the voice of 118 of us. And I ask you in the Majority to stand with the Minority and say, no more are we

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going to empower one person over the whole chamber that we were sent here to represent. I think it's a travesty that we can't have open and honest discussion about a budgeting process and a change in public policy that would bring in the actual agency that we created to give us financial information. I think, at this point in time, it's a good idea to sit down together and look at where we're going when we expand the budget in the next four years. You see, because I think it's important to know, it isn't the under taxation in Illinois it's the over spending that created our problem when we looked to the east we looked to Indiana, they have a surplus. When we looked at Illinois, we're 11.6 billion in debt, because we didn't financially make decisions that were responsible that matched our revenue. So, when we look at House Bill 3189, all we're asking for is involve the people in the budgeting process that are giving the information to us to make decisions. We shouldn't throw that information in the trash barrel, we should use that information. We should have a vision for the State of Illinois's financial future for the next two or three years. We don't have anybody that has a vision, a strategic plan for where we need to be in 2012 and 2013. We just know we're \$11.6 billion in debt, and we're going to have to raise taxes to a... to balance the budget. Well, the tax increase is on the table in front of us today in my district is \$1500 per household. And you know what, when you go home to your district and you ask your district if each of those households have another \$1500 to cough up and give to the State of Illinois for spending that we let run

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out of control, they'll tell you no. So, if they tell you, no, we need a... a policy like House Bill 3189 that requires us to make cuts, set priorities, and look to the financial future and the security of Illinois's finances, because there's one thing I think Illinoisians want and that's a financially sound State Government. I urge you to vote to override the Chair's ruling and move on to allowing us to debate good public policy when it comes to budgeting."

Speaker Miller: "The Gentleman from Vermilion, Representative Bill Black, seeks recognition."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I don't know when things began to change down here, I've got some idea's and I've... I've seen some changes that I haven't liked, tried to change those that I didn't like, I haven't been successful, successful in some, not in others. I... I would hope that all of us in this chamber would realize it's not important what we do here as individuals or even collectively, it's what we do individually and collectively in respecting the legislative process that makes this chamber work. When I came down here, this really was the people's chamber. We debated almost every issue, sometimes for hours. It was not unusual for those of you who have been here as long as I have, it was not unusual to come in here at 9:00 in the morning and adjourn at 3 or 4 or 5 in the morning the following day. But people had an opportunity to have their ideas debated the citizens that we represent had an opportunity to have their grievances heard and... and it's a learning process, if you follow the legislative process.

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I've brought legislation to this floor that I thought was well drafted and would do what I expected it to do and would help my district and help my constituents. After questions and debate, I often had to go back and amend the Bill, which didn't hurt my feelings, it made the Bill stronger. But we used to really be the people's chamber. Ideas were often debated here hour after hour after hour. Now, it seems all we want to do is to control the flow, control the time, and one Party will make basically all of the decisions. That be your wish, Majority rules, but that's not what this chamber is about, it's not what the people of the State of Illinois sent us here to do. I would submit to you in January, I set on this House Floor and the Leader of the House, the Speaker, told all of us that all Bills would be assigned to substantive committee. Now, either he forgot that or he had no intention of keeping his word. And I've always found the Speaker to be a man of his word, but something went wrong. I read the Chicago Tribune the other day, and it said one of the things we must do to bring Illinois into the 21ST century is we must change the way we reapportion and redistrict the state. If... If memory serves me correctly, we're one of the only, if not the only, state in the country that draws something out of a hat. In other words, we use gambling and the winner, Republican or Democrat, takes all. And they draw the map and the map isn't drawn based on communities of interest quite often or contiguous boundaries. It's... It's manipulated, both Parties have done it. I saw us do it in the early nineties, I've seen the

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Democrats do it three times. The maps come out somewhat jerrymandered to where I had a district once where the middle of the street, one side of the street was in Mike Weaver's district, the other side of the street was in my district. There was an alley that divided this town, and I don't believe in 10 years former Representative Weaver and I knew for sure who... whose district the residences along that alley belonged to. The districts are drawn on a... according to political subdivisions. I filed a simple Amendment that would've addressed the Tribune's concern. It brings us in to what most states do, the Parties get x number of days, if they can't reach a map it goes to a nonpartisan committee, the census data is put into a computer, the computer draws the maps, that's it, that's the end of it. No drawing numbers from a crystal bowl, no drawing numbers from Abraham Lincoln's hat. That Constitutional Amendment was never assigned to a substantive committee, never. That's in direct violation of what we were told. And I have other Constitutional Amendments and other legislation that have never been assigned to substantive committee. What recourse do I have or the constituents who send me down here have, except to ask me to discharge..."

Speaker Miller: "Representative, please bring your remarks to a close."

Black: "Well, I will I didn't realize we were on the timer, I... I apologize, I will. I... I think it's already been said and Representative Tryon said it. When we're told that all Bills will receive a hearing and that doesn't happen,

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something is wrong with this process. You should be as upset about that as I am. Because when you abuse the process, that knife cuts both ways. I've seen some of you incensed on your side of the aisle, because you couldn't get a Bill called, late in the session. I... I don't know what it's going to take, Mr. Speaker, and I apologize for going over my time, to get back to the legislative process that used to go on here and that I think all of us down deep think should go on here. We'll never get there if we continue this charade of all Bills will have a hearing, but that's not true. And so, the only recourse you give the Minority Party, and sometimes people on your side of the aisle as well, is to file a Motion to Discharge. It's not a gimmick, it's a cry in the wilderness, if you will, that we have an idea that we think is worthy of debate. If it isn't worthy of debate, it will get defeated in committee or it will get defeated on the House Floor. That's the way this process is supposed to work, not by having one person get up and say no, I don't know what your idea is, but I know I don't like, it and we're not going to hear it. That's wrong. That is not the principle on which this state was founded, it's not the principle on which this country was founded, and it's not the principle on which any of us run for election. God help you if you run on that principle, I will make the decisions. The least government is the best government, according to some people. And what is the least government? One person rule. It's not worked very well in the history of this world, it is not working well in this chamber, and I hope

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for once we can just say, what damage does it do to hear an idea? And if the idea is well founded and well drafted and well presented, it might pass. And if it isn't, it may be defeated. That's the way this process, the thing that I hold most dear, the legislative process, that's the way it is supposed to work, and one of these days I hope you will let it work that way."

Speaker Miller: "The Lady from Cook, Representative Currie, seeks recognition."

Currie: "Thank you, Speaker and Members of the House. I'm happy to report to the Members of this chamber that it does work. If you took a moment and checked your laptop, you would discover that House Bill 4134 was assigned to the House Executive Committee as per House Rules. If you check your laptop you will discover that House Bill 3189, also the subject of the Leader's Motion, not only was assigned to the Executive Committee, in fact, that Bill went as far as Second Reading. The Constitutional Amendment was not reported to a substantive committee, nothing in the House Rules require that it be. So, set your minds at rest, set yourselves at ease, the rules we adopted in January are working, they are effective. These Bills have gone back to the Rules Committee because all Bills do when we finish the deadline for House Bills in House Committee and House Bills on Third Reading. So, today, it's too late for these Bills, but why don't we proceed to the Motion on whether or not the Chair should be sustained. Thank you, Speaker and thank you Members."

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Speaker Miller: "The Lady from Cook, Representative Monique Davis, seeks recognition."

Davis, Monique: "Thank you, Mr. Speaker. I have quick.. three quick issues. Number one, are we going to committee today?"

Speaker Miller: "Yes."

Davis, Monique: "May I ask when?"

Speaker Miller: "Once we are completed this debate and announcement on committee times will be given."

Davis, Monique: "Thank you, Sir. My second question is, did everyone give honor to what is it... Senator Specter, for changing Parties and becoming a Democrat? Can we have a hand for Senator Specter in Washington, who joined the Majority Party. Senator Specter says thank you to all Illinoisans and pay attention to the rules, 'cause we make them. My final comment is, I want to wish a wonderful happy birthday to our colleague and friend, the chairman of the Jud... what is it the Juvenile Justice Committee? She's a member of the AKAs and she's working very hard for the citizens of her district. Can we all wish a happy birthday for Annazette Collins. Annazette Collins, happy birthday. Thank you very much, Mr. Speaker. And before I close, I would just like to say I think as a new Leader on the floor your doing a wonderful magnificent job, and I know that you can withstand all of the things you have to withstand as you stand at the podium being a Leader for the Democrats, but representing the whole Party. Please hurry and adjourn, so we can go to committee. Thank you."

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Speaker Miller: "The Gentleman from Kendall, Leader Tom Cross, seeks recognition."

Cross: "Yeah, let's maybe so we get the facts straight and I a... before we all jump up and down and say these Bills were assigned. Can the Clerk tell us, for the record, when the Constitutional Amendment was assigned to committee and which committee? We'll just go down the list. So, the Constitutional Amendment, what committee was it assigned to and when?"

Speaker Miller: "Mr. Clerk."

Clerk Mahoney: "That letter should have or remains in the House of Rules Committee."

Cross: "Okay. The Bill we referred to as the sunshine committee... sunshine commission, 4134, that was, I'm told, assigned to a committee, Mr. Clerk. Can you tell us when it was posted for hearing and where it stands today?"

Speaker Miller: "Mr. Clerk."

Clerk Mahoney: "That Bill was assigned to the House Executive Committee on March 4."

Cross: "And when was it posted for a hearing, Mr. Clerk? Maybe I can help you out. It was never posted, isn't that correct? And it is now currently in the Rules Committee, is that not correct?"

Clerk Mahoney: "Based on information, it is currently in the House Rules Committee, correct."

Cross: "Okay. So a... a little contrary to what we heard a moment ago. The next Bill, House Bill 3189, what happened to that Bill and what happened specifically to the Floor Amendment, Mr. Clerk, that was the substantive Bill?"

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Clerk Mahoney: "That Bill was assigned to the House Executive Committee on March 3."

Cross: "And what happened to the rule the... what happened to the Amendment? Did that get out of... did that get out of Rules Committee?"

Clerk Mahoney: "Amendment #1 was referred to the House Rules Committee on March 9."

Cross: "And where is it today? Oh, is it still in the Rules Committee? The answer is yes. So, to sit over there or stand over there and suggest that we followed the rules and we let the Bills out of Rules, when in reality ya... for a brief moment let them out of Rules, you sent them to committee, but you wouldn't post them is a big joke. Mr. Clerk, am I wrong on any of my characterizations of the status of these bills?"

Clerk Mahoney: "That Bill was referred to the Order of Second Reading and then re-referred to the House Rules Committee."

Cross: "Okay. So, they're all in Rules. So... someone on your side of the aisle just got up and told us these had been assigned to committee, but neglected to tell us they hadn't been posted and neglected to tell us they are back in Rules. The reality is, when you say you follow rules you really don't, you make up new rules as we go along and so... so nothing, absolutely nothing, gets filed rule wise around here when you don't want it to, and what we have in State Government now in the State of Illinois is one person, one person deciding whether or not a concept, an idea, a piece of legislation can get heard. It might die, it might not get the votes, it might not even get a Motion. That's

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okay, that's the way life works, but to not let a Bill even get heard, a simple Bill, a Bill that says, let's do the budget a little different than the way we've done it. If anybody in here thinks the way we've been doing the budget makes sense, you got a problem. We have a hole, we have about a 9, 10, 11 billion dollar hole because you have spent too much money. We've come up with a small suggestion, actually a pretty big suggestion, to do things a little differently, and you won't even let it get heard. And then you have the audacity, the audacity to try to spin this and outright basically lie, that this Bill got out. I guess it got out, but there was no chance it could get heard because it never got posted. How do you explain this to anybody in this state that you're not going to let a Bill be heard? This place is starting to be run no different than the Senate used to be run under the former President. It's the same way. And we used to criticize the State Senate for being run in a dictatorial way. There's no difference right now. It is the exact same process. Mr. Speaker, I... I remove my... I renew my move to appeal the ruling of the Chair. I don't know if anybody else wants to talk on our side, but for anybody to stand up on your side of the aisle and suggest that these Bills had a... a fair hearing is just not... not telling the truth. This is not the first time that this has gone on. House Bill 2503 had a similar life. House Bill 3948 didn't have a chance to be heard on, and House Bill 365 didn't have a shot. HB 6733 didn't have a shot, HB 4438 didn't have a shot, and now, a series of Bills on a simple way to balance the budget

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didn't have a shot. So, it is a... a sad way to run government, it's a sad day to mislead the people of the State of Illinois and tell them one thing when, in reality it didn't happen and then to not even let us have a vote on a Bill. That defies logic. So, thank you, Mr. Speaker, for at least the opportunity to have a little debate on this afternoon."

Speaker Miller: "The Gentleman from Bond, Representative Stephens, seeks recognition."

Stephens: "Well, Mr. Speaker, we've got all sorts of topics going here, but I... I would be remiss if I didn't respond to the Lady from Cook, having a great deal of fun at hope... that I think her hope was that that was at our expense, those of us on this side of the aisle. One Arlen Specter, who was about to be thrown on the trash heap of the Republican Party because we were sick of him, sick of him. He was going to be defeated in a primary, and now you can have him. You know, you've taken some of our other trash, you can have Arlen Specter, too."

Speaker Miller: "The Gentleman from Winnebago, Representative Sacia, seeks recognition."

Sacia: "Thank you, Mr. Speaker. The previous Gentleman spoke to an issue that I had wished to speak to as well, but we got on a different subject. The good Senator came to Chicago a short week ago as a Republican, and solicited and received large sums of money from Republicans, obviously not all real... You just have to ask yourself what the man was thinking. How disingenuous can you be, from getting money from one party and then jumping ship? That is about

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the heighth of embarrassment for him in my opinion. What a shameful spectacle that was."

Speaker Miller: "The Gentleman from Vermilion, Representative Black, you have spoken twice in this debate."

Black: "Mr. Speaker, Mr. Speaker, if we could just have a little bit of order. Let me respond to something that's just simply not true. Just... just a measure of order. I tell you why things used to be different down here. There used to be dozens and dozens of news bureaus from newspapers all around the state. The newspaper business isn't what it used to be, and that's no longer the case. There used to be a dozen radio stations and four or five television stations, that's no longer the case. So, we couldn't get away with some of the stuff back then that you get away with today, but to stand on this House Floor and say that Bills get a fair hearing, I hope there's no electric lightening in the air, because somebody's going to get hit by lightening if there is. I go to committee as a senior Member of this House, and I am told by a Democrat staff person, your Bill will not be called. Why? Because that's my orders. Your Bill will not be called. Is there something I can do to get my Bill called? No. So, don't tell me about Bills that get called. We go to committee all the time, and we're told, your Bill cannot and will not be called. And I... in all due respect to those of you on your side of the aisle and those on my side of the aisle, what in the good grief difference does it make who changes Parties? I was here when a Member of your Party came over to my side of the aisle. Whoop de do. He had his reasons.

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Have you forgotten the last American full-blooded American Indian to serve in the United States Senate, Senate, Ben Nighthorse Campbell, from Colorado. He switched from the Democratic Party to the Republican Party. So what. So what. That was his choice; it was Arlen Specter's choice. You get up and make it sound like the end of the world is near. Good lord. Yes, Mr. Ford, if I were you, I'd apply for that, too, because in your case, the end of the world may be near."

Speaker Miller: "There being no further discussion, the question is, 'Shall the Chair be sustained?' All those in favor or supporting the Chair vote 'aye'; all those opposed vote 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On a vote of 69, 48... 69 'yeahs' and 48 'nays,' the Motion... the Chair has been sustained. Representative... the Lady from Cook, Representative Currie seeks recognition."

Currie: "Thank you Speaker, and Members of the House, I move to suspend the posting requirements so that Senate Bills 590, 591, 1477, and 1975 may be heard in the Revenue and Finance Committee tomorrow morning. I've cleared... Minority Party."

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

Black: "Mr. Speaker, just to show you how much I truly believe in the legislative process and that these Bills should be heard; if they're good, they'll survive, if they're not, they won't, I'm not going to stand on some silly rule. Yes

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indeed, we joined the Lady in waiving the posting requirements, and we hope all of these Bills, whether they're all Democrat or all Republican, I don't even know, they have a right to be heard. So, the Republican Party, contrary to what you do to us, you have every right to have your Bill heard, and we agree with the Lady's Motion."

Speaker Miller: "Is there leave? Leave is granted. The Gentleman from McHenry, Representative Franks, seeks recognition."

Franks: "Thank you, Mr. Speaker. I'd like to make a Motion to waive the posting requirements for a substantive hearing that's scheduled today in State Government Administration."

Speaker Miller: "The Gentleman from Crawford, Representative Roger Eddy, seeks recognition."

Eddy: "Mr. Speaker, could the Representative give a little description of what the legislation that he seeks posting requirement waiver? We don't have that."

Franks: "I'm sorry, I failed to say that this is not legislation, it's a substantive hearing on the audit that we had on the Pepsi/Coke contract problem that we had the audit come back. And we also have a number of state agency directors as well as the chief of staff of the Governor's Office to come to answer questions about procedures that may have changed since he's taken over."

Eddy: "Okay. If you could just give us a second here, we... basically, what you're talking about is having a subject matter hearing..."

Franks: "Right, there's no votes."

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Eddy: "...for one specific purpose, and it has to do with contracts related to Pepsi and Coke for state?"

Franks: "We had... Representative Mendoza and myself and you voted for it; was a Bill last year... was a Resolution to have an audit on the Pepsi contract. And the Auditor General's findings where... were very disturbing. So, we want to get to the bottom of how that contract came about, as well as question holdover agency directors about certain occurrences in the past administration and what's... a been done procedurally to ensure the abuses of the past are not repeated."

Eddy: "I appreciate the explanation, Representative."

Speaker Miller: "Is there any further discussion on the Gentleman's Motion? The Representative... Mr. Black."

Black: "Thank you very much, Mr. Speaker and thank Mr. Franks for enlightening us. We simply had no knowledge of... of this particular request. Now that we know what it is and now that we know it's a subject matter only and that it's aimed at a policy that are former Governor gave us about the official state soft drink in Illinois that was supposed to make us millions and millions of dollars, if there's anything that deserves a subject matter hearing, it's anything that our former Governor left us with, and I hope you come up with a good idea, Representative Franks. And if you do, I won't stand up and object, I'll vote with you."

Speaker Miller: "Is there leave for the Gentleman's Motion? Leave is granted. The Gentleman from Marion, Representative Cavaletto, seeks recognition."

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Cavaletto: "A point of personal privilege, Sir... Mr. Speaker?"

Speaker Miller: "State your point."

Cavaletto: "To honor the Kaskaskia Lady Blue Devils (sic-
Angels) basketball team."

Speaker Miller: "Mr. Clerk."

Cavaletto: "Would you read the Resolution, Clerk, please?"

Clerk Bolin: "House Resolution 314 offered by Representative
Cavaletto."

Speaker Miller: "Representative Cavaletto on House Resolution
314."

Cavaletto: "Thank you. I would... I would like to welcome and
congratulate the Kaskaskia College Blue Angels Basketball
Team on its fourth place finish in National Junior College
Athletic Association basketball tournament in the nation.
Their coach, Zach Loll, college president Doctor Jim
Underwood and his wife Roxie, trustee chairman, Mr. Bill
Hawley, vice chairman, Jim Beasley and trustees, Brian
Courtney, Jack Mays and Linda Stover. Let's give them a
warm welcome, please. Thank you."

Speaker Miller: "Congratulations. Mr. Clerk, House Resolution
320, Representative Marlow Colvin."

Clerk Mahoney: "House Resolution 320, offered by Representative
Colvin. The Members of the Illinois House of
Representatives are saddened to learn of the death of Dr.
John Hope Franklin of Duke University. Dr. Franklin was a
scholar of African-American History. He passed away on
March 25, 2009."

Speaker Miller: "Representative Colvin moves the... for the
adoption of the Resolution. Representative Colvin."

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Colvin: "Thank you, Mr. Speaker. As a... we all were over saddened to learn just about a month ago that America has lost one of it's true historians. Excuse me. Doctor John Hope Franklin who started his career at Fisk University and ended it nearly 81 years later as the head of the African-American Studies Department at Duke University. He spent 70 years in education, and he is the foremost authority on the African experience in America. One of his earliest books literally changed my life when I got to Chicago State University and his book on American experience from slavery to today. And what his works really did for me and... was really define not only the horrible experience that slavery was, but the resiliency of the Africans in America. The hard work and the struggle aside, but really focus on the great accomplishments of so many people in our communities. He served in the White House as the chairman of Bill Clinton's Committee on Human Relations for six years. He was the reason... one of the reasons we did this Resolution today is celebrating the 103rd anniversary of our fraternity where Doctor John Hope Franklin was initiated in 1933 at Alpha Chi Chapter at Fisk University in Tennessee. His works will last long beyond his 91 years on God's earth. I thank for his insight how he expanded discussion on race in our country and he'll always be remembered as an individual who has helped us heal, moving forward into the 21st century. Thank you, Mr. Speaker. And at the appropriate time, I move for the adoption of the Resolution."

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Speaker Miller: "The Gentleman from Cook, Representative Al Riley."

Riley: "Thank you, Mr. Speaker. I'd like to add to Representative Colvin's really good things that he had to say about Doctor... Doctor Franklin. I had a chance reading From Slavery the Freedom, but for me it was in high school, Representative Colvin as a sophomore in 1966, but it was a very, very enlightening book and, you know, sometimes we're sort of touched by history. I get a chance to meet Doctor Franklin, brother Franklin, Alpha Phi Alpha brother, because he also spent about 15... I think about 17 years as professor of history at the University Chicago, and that's when I got a chance to to meet him. So, we're honoring a person who a was a great historian, but also had a lot to do with the shaping of a of social and historical thought really in the 20TH century and here in the United States. So, he, as all of our Alpha Phi Alpha brothers do when they pass away, enter an Omega Chapter on March 25, of a last month and thank you for your time and your recognition of this great American."

Speaker Miller: "The Lady from Cook, Representative Monique Davis."

Davis, Monique: "Thank you, Mr. Chairman. Doctor John Hope Franklin was a historian loved and admired by many Americans both black, white or Latino. People recognized that the history of America cannot be told unless you include the history of the African Americans in America and prior to their coming. Doctor John Hope Franklin has left a legacy that requires and requests that Black History

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continue to be taught and departments be established in our universities, in our high schools. And we urge all to remember him and let that be his legacy that history is important in order that some of those things we do not repeat and we recognize the cultural beauty and differences in people. At the appropriate time, Mr. Speaker, I would ask that we all be included in this Resolution. Thank you."

Speaker Miller: "The Lady from Cook, Representative Barbara Currie."

Currie: "Thank you, Speaker and Members of the House. It was exciting for me to be able to claim as constituents, Aurelia and John Hope Franklin. Professor Franklin served as chair of the Department of History at the University of Chicago before returning to Duke, and there's no question the contributions he made to the literature, the historical literature, about the role of race and slavery in the development of American History will long, long live beyond him. But he was also a man, as was his wife, a man of grace and graciousness. They were wonderful human beings and I'm delighted that Representative Davis has already asked that all of our names be added to this Resolution."

Speaker Miller: "Mr. Clerk, there's a request that all Members be included in this Resolution. Mr. Colvin is.. Representative Colvin has a Motion for House Resolution 320 to be adopted. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. Motion is adopted. House Resolution 321, Mr. Colvin."

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Colvin: "Thank you, Mr. Speaker. Earlier today, we had assembled in the gallery the members who had come down to celebrate Alpha Phi Alpha Day in Illinois. We had a quite a civics lesson on democracy, American democracy, when we were... which all ended with both caucuses going to both caucuses going to caucus a little early this afternoon. But a most of the members who came down, about 70 altogether, are on their way back to their homes across the State of Illinois. I simply move for the adoption of the a... of the Amend... of... excuse me, the Resolution honoring today April 29, Alpha Phi Alpha Day in Illinois."

Speaker Miller: "The Gentleman moves for the adoption of House Resolution 321. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion is adopted. Representative Mike Smith for on page 11 appears Senate Joint Resolution 52, Representative Mike Smith."

Smith: "Thank... Thank you, Mr. Speaker, Ladies and Gentlemen. This is our semiannual look at the... school mandate waiver report from the State Board of Education. I'm happy to report that we're making history with this Resolution, because we actually, for the first time in many years, have an agreement between the art committee here in the House and the Senate. And so, this Resolution I would remem... remind the Members that we have to take action in order to disapprove the waivers that are sent to us from the State Board. And so, this Resolution a... spells out a few specific things with regards to the waivers that were sent to us. First of all, the only waiver that is out right

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denied is the one by MannHimes School District #83 with... which had to do to the limitations of administrative costs. One of the big issues that have been around the mandate waivers has been behind the wheel instruction for driver education and the use or allowing the use of driver's simulators as a replacement for that instruction. This Resolution would allow that waiver for the four school districts, Rock Island School District 41, Reavis Township High School District 220, Lyons Township School District... High School, district 204 and Moline School District 40 for one year only, and, again, we're hoping that the Secretary of State's Office will come to an agreement on this issue regarding driver simulators for drivers ed. And then in addition, this Resolution approves the driver education fee increase for Waukegan Community Unit School District 60 at \$350. And with that, Mr. Speaker, I believe those are the... the main details of this Resolution. I'd be happy to a try to answer any questions."

Speaker Miller: "The Gentleman from Jackson, for what... Representative Bost, for what purpose do you seek recognition?"

Bost: "Thank you, Mr. Speaker. Just a inqui... inquiry... well will the Sponsor yield?"

Speaker Miller: "Yes he did."

Bost: "I think we can do it... I think we can do it this way. Those of us who have been around here awhile, we know that every time these come up a 'yes' is actually a 'no' and 'no' is a 'yes' in this Bill and for freshman's sake, could you please explain that so they understand."

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Smith: "Yeah. Actually Representative Bost, if you vote 'yes' on this Resolution then you're approving the mod... modifications that we're making, that the committee's recommending and the denials that we're making."

Bost: "It actually... It actually denies the a waiver request to the... to the com... communites..."

Smith: "...for the ones..."

Bost: "...that have made the requests."

Smith: "There's only one that is actually outright denied."

Bost: "Okay. All right. But it actually tells them... but it is a 'no' to the... to the rest of them. Basically, if you have a school district and you agree with this school district on the waiver that they've requested, then you should vote 'no' on this. Correct?"

Smith: "Now... first of all, Representative Bost, let me make sure you understand that these are only the waivers that have come to us from the State Board. There are a bunch of waivers that the State Board..."

Bost: "...That have been approved."

Smith: "...act... that have been approved."

Bost: "Correct."

Smith: "So, yes, if you agree with what your school district is asking for..."

Bost: "You should vote 'no'."

Smith: "You should vote 'no'."

Bost: "That's right. Okay. Thank you."

Speaker Miller: "The Gentleman from Lee, Representative Mitchell, for what purpose do you seek recognition?"

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

Speaker Miller: "Indicates he will."

Mitchell, J.: "Representative Smith, the mandate waiver report basically comes to us from the Senate. It makes a recommendation of those waivers that will be denied. So, if you vote 'yes' for this Bill, you're voting 'yes' to deny those waivers that the Senate says should not be granted. If you vote 'no', then you are voting to agree that all waivers should be granted."

Smith: "That's right."

Mitchell, J.: "Okay."

Smith: "A 'no' vote would allow the waivers..."

Mitchell, J.: "So what... what... what Representative Bost wanted to know was if you had a school district that requested a waiver and the Senate said 'no' you can't have that, it's denied. Then a 'yes' vote here would be a vote against that school district..."

Smith: "That is correct."

Mitchell, J.: "...If, in fact, you believe that it should've been denied then, a 'yes' vote would uphold that waiver."

Smith: "That's right."

Mitchell, J.: "Thank you."

Speaker Miller: "The Gentleman from... The Gentleman from McHenry, Representative Franks, for what purpose do you seek recognition?"

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

Speaker Miller: "Indicates he will."

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Franks: "Representative, is this the only waiver Bill we're going to see this year? Is that why we have different districts on this Bill?"

Smith: "Yes, this is a... this is the semiannual waiver Resolution. We'll see one again in the fall."

Franks: "I'm wondering why we don't do separate ones for separate districts. Because... would you agree with me, if you vote 'yes' on this the superintendent... what we're basically doing is affirming the 20 percent increase for the superintendent in School District 83. Correct?"

Smith: "I'm sorry."

Franks: "If we vote 'yes', we are... well, no, if we vote 'no', I'm sorry, if we vote 'no', we're voting for an increase to \$350 for a driver's education fee in Waukegan. Correct?"

Smith: "Well, it... it gets rather complicated, Representative Franks."

Franks: "And if we vote 'yes', we're voting for a superintendent to get an increase to 20 percent."

Smith: "No. No, actually, if your... if you vote 'yes', you're voting to deny that request for Mannheim."

Franks: "Okay. All right. But then we're voting for the increase in the driver education fee?"

Smith: "Yes, but if you would vote 'no', then essentially you would be allowing a bunch of driver education fee increases."

Franks: "Wow."

Smith: "Twenty-nine of them in total."

Franks: "This reminds me of the scene in The Princess Bride. Remember that, when they... when they were having the battle

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of wits and determine which one had the poison and which one he had to drink, but the one guy had immunity to the poison, so they both... he put poison in both. That's how I think this Bill is written. So, I know it's not your fault, but I hope we can change this..."

Smith: "It's not a perfect process, in my opinion. It's a flawed process. The one thing that is... has been approved this year is that we we're able to come to an agreement with the Senate and at least deny those that we felt were the most egregious."

Franks: "All right. Thanks."

Speaker Miller: "The Gentleman from Crawford, Representative Eddy, for what purpose do you seek recognition?"

Eddy: "Thank you, Speaker. I wanted to just make sure that there was... there was a statement made about a 20 percent increase, that was an administrative cost cap increase that Representative Franks was referring to. It's not a... not an increase of 20 percent beyond the caps that we implied and I think... I don't want people to be confused by that, that's a cos... administrative cost increase, not an increase to the superintendent. Is that correct?"

Smith: "Yes, that is correct and that is being denied."

Eddy: "All right, thank you."

Speaker Miller: "The Gentleman from Bond, Representative Stephens, for what purpose do you seek recognition?"

Stephens: "Well, it won't confuse Members on your side of the aisle, but it sure confused me, when Representative Franks quoted some movie or was that a play? A movie? Thank you, Mr. Speaker. I move the previous question."

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Speaker Miller: "You're the last speaker. Seeing no further discuss... Representative Smith to close."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. Again, I know this gets confusing, but if you take a look at this Resolution and you agree with the... basically the work of the Elementary & Secondary Education Committee and of the Senate Education Committee, we have set out those waivers that we think are the most egregious and should either be modified or should be denied. If you agree with that then please vote 'yes' for this Resolution. If you support allowing what the school districts have requested without any intervention by the General Assembly then vote 'no'. Thank you."

Speaker Miller: "The question is, 'Shall the House adopt Senate Joint Resolution 52?' This will require a Roll Call vote. For all those in favor say 'aye'; for all those opposed, say 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Beaubien, Chapa LaVia, Franks, Sullivan. Mr. Clerk, take the record. On a count of 90 'yeas' 23 'nays' and 1 'present', the Resolution has been adopted. Mr. Clerk, Agreed Res... Excuse me... 'cause me... On page 11 of the Calendar appears House Resolution 294. Representative Barbara Currie."

Currie: "Thank you, Speaker and Members of the House. This is a congratulatory Resolution for the Illinois Council on Area Projects in this Chicago Area Project for the work they do to help our youth develop skills, learn better, and stay out of trouble. On May 7, the Chicago Area Project

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and the Illinois Council of Area Projects will be here with our young people to celebrate Youth Democracy Day. This Resolution congratulates those two councils, and I would urge your support."

Speaker Miller: "Seeing no discussion, the Lady has moved for adoption of House Resolution 294. All those in pos... all those... support say 'aye'; all those opposed say 'nay'. In the opinion of the Chair is the 'ayes' have it, House Resolution 294 has been adopted. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 323, offered by Representative Cole. House Resolution 324, offered by Representative Cole and House Resolution 325, offered by Representative Cole and House Resolution 326, offered by Representative Ramey. House Resolution 327, offered by Representative Brady. House Resolution 328, offered by Representative Lyons. House Resolution 329, offered by Representative Reitz. House Resolution 330, offered by Representative Myers."

Speaker Miller: "Mr. Clerk, Committee assignments. Representative Currie moves to adopt... for the adoption of Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair is the 'ayes' have it and the Agreed Resolutions are adopted. The Lady from Cook, Representative Feigenholtz, for what purpose do you seek recognition?"

Feigenholtz: "Thank you, Mr. Speaker. I just want to announce that the Human Services Appropriations Committee will meet at 8:30 tomorrow morning, not 8:00, 8:30."

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Speaker Miller: "Mr. Clerk."

Clerk Mahoney: "Committee Announcements. Committee schedule change. The 2:00 committees are now meeting at 4 p.m., These committees are meeting at 4 p.m. Business Occupational License in C-1, Labor in Room 118, State Government Administration in Room 114; also, in that time slot there has been a cancellation, Public Policy has been canceled that was going to meet in 115. Public Policy was canceled. At 4:30 the committees that were meeting at 3:00 p.m. are now meeting at 4:30. There has been a cancellation of Disability Services and Higher Education is meeting in Room 122B. Higher... Disability Services has been canceled. Higher Education meeting in 122B. The 4:00 p.m. committees are now meeting at 5:00 p.m., 4:00 p.m. committee's at 5:00 p.m. Appropriation General Services in Room D-1 at 5:00 p.m. Appropriation Public Safety in Room 114 at 5:00 p.m., and Environment & Energy in Room 118 at 5:00 p.m."

Speaker Miller: "Seeing no further business before the House, and now the House will stand adjourned until Thursday, April 30, at 12:30 and allow for perfunctory time for the Clerk."

Clerk Mahoney: "House Perfunctory Session will come to order. House Perfunctory Session will come to order. Committee Reports. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'do pass Standard Debate' is Senate Bill

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44; 'do pass Short Debate' is Senate Bill 134, Senate Bill 181, Senate Bill 270, Senate Bill 276, Senate Bill 316, Senate Bill 340, Senate Bill 807, Senate Bill 1449, Senate Bill 1497, Senate Bill 1703, Senate Bill 2043; 'do pass as amended Short Debate' Senate Bill 1629; 'recommends be adopted' House Resolution 274. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 99, Senate Bill 178, Senate Bill 1923, Senate Bill 1932, Senate Bill 2034, Senate Bill 2103, Senate Bill 2145, Senate Bill 2184; 'do pass as amended Short Debate' Senate Bill 1357, and Senate Bill 1489; 'recommends be adopted as amended is' House Joint Resolution 39. Representative Boland, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 74, House Resolution 239; 'recommends be adopted as amended' is House Resolution 50. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses, to which the following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 1339, and Senate Bill 1579, Senate Bill 1722 and Senate Bill 1925. Representative Osterman, Chairperson from the Committee on Labor, to which the

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following measure/s was/were referred, action taken on April 29, 2009, reported the same back with the following recommendation/s: 'be adopted as amended Standard Debate' is House Resolution 44, House Joint Resolution 26, House Joint Resolution 40; 'do pass as amended Short Debate' is Senate Bill 1770; 'recommends be adopted' is House Resolution 219. Executive Orders received by the Governor's Office on March 24, Executive Order to reorganize agencies and transfers certain programs in the Department of Healthcare and Family Services to the Department of Commerce and Economic Opportunity. Received in the Clerk's Office, April 1, and Executive Order to reorganize agencies by transfer of the functions of Division of Insurance Department of Financial and Professional Regulations and to re-established the Department of Insurance. Received in the House Clerk's Office Executive Order from the Governor on April 1, 2009, an Executive Order to transfer the functions of Illinois Racing Board and Illinois Gaming Board provided by the Department of Revenue to the Illinois Racing Board at the Illinois... in the Illinois Gaming. Received by the House Clerk's Office, April the 1, is an Executive Order to reorganize agencies by the transfer of the Illinois Historic Preservation Agency to the Department of Natural Resources. An Executive Order received April 1 in the House Clerk's Office is an Executive Order to reduce energy consumption in state facilities. Executive Order reorganizing the Illinois Main Street Program received in the House Clerk's Office on April 1. Introduction of House Bills-First Reading. House Bill 4447, offered by

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Representative Bradley, a Bill for an Act concerning revenue. Senate Bills-First Reading. Senate Bill 189, offered by Representative Franks, a Bill for an Act concerning government. Senate Joint Resolution 42, offered by Representative Watson and Senate Joint Resolution 19, offered by Representative Cavaletto, are referred to the House Committee on Rules. There being no further business, the House Perfunctory Session will stand adjourned."