

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

76th Legislative Day

10/15/2009

Speaker Lyons: "Good morning, Illinois. The House of Representatives will come to order. Members are asked please be at your desk. We shall be led in prayer today by Senior Minister Peter Schneider, who is a minister with the Living Word Omega Message Church in Mahomet, Illinois, and the Executive Director of Jesus is the Way Prison Ministry in Rantoul. Mr. Schneider is the guest of Representative Chapin Rose. Members are asked to please refrain from starting their laptops, turn off all cell phones, electronic pagers, and please rise for the invocation and the Pledge of Allegiance. Reverend Schneider."

Reverend Schneider: "Thank you, Sir. It's a distinct pleasure to be here, and I'm grateful to have the opportunity. Father, we thank You for Your goodness and mercy to every one of us. We pray for this people... this people that did not appoint themselves, nor did they elect themselves. But God, they were appointed by You. The Word of God tells us that all power is ordained of God. They weren't planted as a fountain to themselves, but Lord, they were planted as a bulwark, Father, that they might stand against the forces of darkness and wickedness that are continually trying to work against that which You have established as right and good. We are as Moses in this hour, facing the Red Sea, only our sea is red ink. God, we pray that each one of these servants, Father, might understand the principles of righteousness and holiness. Not moving on the basis of political expediency or what is going to be good for themselves. You have anointed them that they might serve a people. God, they have been planted in this place. We

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pray for wisdom, we pray for understanding, for each one, God, that they might know and understand that the foundations upon which this country and this great state have been built are biblical righteousness and holiness. Has nothing to do with political expediency or gamesmanship. Father, we pray. Anoint every man; every woman; that they might know and understand that the decisions that they make in this great house are not going to just affect them but every citizen of the State of Illinois. We pray for the covering of the blood of Jesus Christ upon each one, Father, that You would cover them and keep them, their house, and all that appertains to them. Let the blessing of God be upon them for their willingness to serve. We just bless them today. And God, we thank You for their... their determination to be excellent in righteousness and truth. Thank You for the privilege of coming here. We ask that You lead them by Your spirit. Govern their minds and their heart. Tune their ear to the voice of God, himself. We thank You, oh God. We bless them and all that appertains to them, with much gratitude, much thanksgiving for their service. In Jesus' name, Amen."

Speaker Lyons: "Representative Brandon Phelps, would you lead us in the Pledge of Allegiance?"

Phelps - 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."

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Speaker Lyons: "Roll Call for Attendance. Representative Michael Bost, status on the GOP?"

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

Speaker Lyons: "Thank you, Representative. Leader Barbara Flynn Currie, Democrats?"

Currie: "Thank you, Speaker. Please let the record reflect the excused absence of Representative Careen Gordon."

Speaker Lyons: "Mr. Clerk, we have 115 Members present, so we have a quorum. We're prepared to do the work of the people of the State of Illinois. Mr. Clerk, Committee..."

Clerk Bolin: "Introduction of Resolutions. House Resolution 670, offered by Representative Monique Davis, House Resolution 674, offered by Representative Bradley, House Resolution 678, offered by Representative Wait, and Senate Joint Resolution 65, offered by Representative Bellock. These Resolutions are referred to the House Rules Committee."

Speaker Lyons: "Chair recognizes the Gentleman from McLean, Representative Dan Brady."

Brady: "Thank you very much, Mr. Speaker. Point of personal privilege."

Speaker Lyons: "Please proceed."

Brady: "Thank you. Ladies and Gentlemen of the House, if I could have your attention for just one moment. Joining us in the Speaker's gallery is a very special young lady by the name of Rachel Thomas. Rachel is joined by her father, Jim, mother Maureen, and her sister Coleen. Rachel, as I

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said, is a very young lady... special young lady, who during her years as a special education high school student at Normal West High School, in my district, did an internship in my district office. She did an outstanding job and also worked in a special work program in a... at Avanti's Italian Restaurant in Normal that many of you are aware of, especially you ISU grads. She then graduated high school and worked in another special program at the occupational development center for individuals with disabilities. After having to close their doors due to a lack of funding, Rachel is one of the fortunate ones who was able to be hired as a fulltime employee at Avanti's Restaurant. We want to thank Avanti's for that. Today, I'm providing lunch, which is Avanti's famous gondolas, which are located in the annex rooms in back. And Rachel Thomas helped prepare those gondolas and was also presented a certificate of appreciation from the House of Representatives. So, Ladies and Gentlemen, would you please join me in thanking a young lady who meets her life's challenges head on and turns her disabilities into a positive for a business, for her family, and for herself. Ladies and Gentlemen, Rachel Thomas. Thank you, Rachel."

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

Holbrook: "Personal privilege, Speaker."

Speaker Lyons: "Please proceed, Sir."

Holbrook: "We're joined today in the gallery by a lot of my alumni... current students at SIU Edwardsville. If you're

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up, please stand up. Be recognized. Welcome to Springfield."

Speaker Lyons: "Welcome, students. Have a great day. We're glad to have you down here. On page 4 of the Calendar, Mr. Clerk, is Senate Bill 227. Bill's on Second Reading. What's the status of the Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 227, a Bill for an Act concerning local government. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

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

Mautino: "Thank you. Floor Amendment #2 is a TIF extension for the City of Bellville. All letters have been received. The taxing bodies have been contacted, and they have their agreements in place. All of our staffs have them. And I'd ask for its adoption."

Speaker Lyons: "Any discussion on the Amendment? Seeing none, all those in favor of the adoption Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment 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: "Senate Bill 227, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Mautino."

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Mautino: "The Bill in its final form carries an extension for three TIFs. One in Cahokia, Illinois; one in Mendota, Illinois; and the TIF that we had adopted for Bellville. All letters are in. Agreements have been done with... And intergovernmental agreements have been done with all taxing bodies, they're on file. Both staffs have them. And I would simply ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 227 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 Biggins, May, Reboletti, Rose? Mr. Clerk, take the records. On this Bill, there are 107 Members voting 'yes', 8 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jim Watson, on a point of personal privilege."

Watson: "Thank you, Mr. Speaker. Please help me welcome a large group of foreign exchange students from Ultzen, Germany, hosted by Pat Kennedy and a couple of Jacksonville High School students. Willkommen."

Speaker Lyons: "Welcome to our Capitol. Proud to have you. Enjoy your day. Committee Reports."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on October 15, 2009, reported the same back with the following recommendations: 'direct floor consideration' for Amendment

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#1 to House Bill 1800, Amendment #1 to House Bill 1801, Amendment #1 to House Bill 1802, Amendment #2 to Senate Bill 1894. And 'recommends be adopted' House Resolution 674."

Speaker Lyons: "On page 4 of the Calendar under Senate Bills— Second Reading, we have Senate Bill... Senate Bill 267. What's the status of the Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 267, a Bill for an Act concerning civil law. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 267, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record. Clerk, what's the status of Senate Bill 327?"

Clerk Bolin: "Senate Bill 327, a Bill for an Act concerning finance. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 327, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Lyons: "...that Bill on Third Reading... Take the Bill out of the record. Mr. Clerk, on page 10 of the Calendar, under the Order of Resolutions, we have Leader Tom Cross's House Resolution 642. Mr. Clerk."

Clerk Bolin: "House Resolution 642, offered by Representative Cross, recognizes October 15, 2009, as Drug Abuse

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Resistance Education Day and encourages all citizens to support and partake in their local D.A.R.E. programs."

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

Clerk Bolin: House Resolution 642.

WHEREAS, The State of Illinois recognizes the nationwide seriousness of drug abuse and violence by our nation's and our State's youth, and the urgent need to use and to expand school-based prevention education programs throughout the nation; and

WHEREAS, The day-to-day struggle against alcohol abuse, tobacco, drugs, and violence requires a long-term national, state, and local effort and commitment; and

WHEREAS, Since 1983, the Drug Abuse Resistance Education, or D.A.R.E, Program has taught millions of young people how to recognize and to resist the pressure to be involved in drugs, gangs, and violent activities; and

WHEREAS, The D.A.R.E. Program underscores a nationwide commitment and dedication to help our nation's youth to "just say no" to drugs and to violence; and

WHEREAS, By promoting positive youth development, D.A.R.E. Programs across our nation are helping children and young people make the right choices and build lives of purpose; and

WHEREAS, The D.A.R.E. Program allows law enforcement personnel to enter our nation's classrooms to answer difficult questions about drugs, violence and crime, teaches students how to avoid temptation, and encourages open communication between young people and local law enforcement officers; and

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WHEREAS, The D.A.R.E. Program strengthens our local communities and provides our children and young people with a strong foundation and model for success; and

WHEREAS, D.A.R.E. Instructors, along with parents, teachers, health care professionals, and all other interested parties who help our nation's youth grow into responsible, successful adults, are strengthening our country and contributing to a future of hope for everyone; and

WHEREAS, The State of Illinois recognizes the nationwide seriousness of drug abuse and violence by the youth of our nation and our State, and the urgent need to use and to expand school-based prevention education programs throughout the nation; and

WHEREAS, Illinois' D.A.R.E. Program shows a commitment by the State to never cease in its duties to fight the war on drugs and violence; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize October 15th, 2009 as D.A.R.E. Day in the State of Illinois, and encourage all citizens to support and partake in their local D.A.R.E. programs."

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

Reboletti: "Thank you, Mr.... Thank you Mr. Speaker, and.. and thank you to the Ladies and Gentlemen from the D.A.R.E. Program that have come ov... come to visit us from all over the state. As somebody who spent many years as a narcotics prosecutor, these are the folks who are on the front line. When we talk about social services and the problems that we

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have in the streets of... of our communities with gang violence and... and drug dealing, these are the people that are in our schools teaching our young people that it's okay to say 'no', it's okay to respect and... and believe in law enforcement, and that these are the good people, and that they can choose to live a... a good positive life and that these are the guys and... and gals that are there to provide them some guidance. And so, thank you for the hard work that you do. I know sometimes it's very difficult. But, working together in partnerships, we hope that we can continue to provide safe schools and safe streets for our young people to thrive. So, thank you for your coming down to Springfield and your hard work. Thank you very much."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Let me just simply add my congratulations and thanks to all of these people in the Speaker's gallery for what they do, the positive reinforcement they give to our young people, the fact that they show a very positive face to the young people because it's so popular in our culture today to glorify the drug culture and to demonize the police officer. And you... you never know where your influence is going to end, Ladies and Gentlemen. I've been to some of your graduation ceremonies. It's been a pleasure to do so. I thank you very much for everything you do. And a special welcome to two deputy sheriffs from Vermilion County. If not the

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finest county in the State of Illinois, certainly one of them."

Speaker Lyons: "Chair recognizes the Gentleman from Kendall, Leader Tom Cross."

Cross: "Thank you, Mr. Speaker. I think just about anything that could be said about this has. I think Representative Black and Representative Reboletti hit... hit it on the head. And I want to say thanks to them, and I know Representative Moffitt tends to say something. I have the privilege of having some officers from Plainfield here, a town I represent. And Mark Siegel's here, who's the statewide officer for the D.A.R.E. Program. And one of the things that we want to do with this Resolution and also they want to do on behalf of D.A.R.E. is to reinvigorate this program and remind people of the success it's had over the many number of years that D.A.R.E. has been in the schools and implemented in the state, and in fact, around the country. So, it's an excellent program. It is a component of many other things that we utilize to have an effect on kids. And we always react in this country and in this world, but this is one of those times where we don't react. We're actually ahead of the curve. And that's the goal of D.A.R.E. So, thank you all. Today is D.A.R.E. day of the year. And they are going to be around the Capitol and around your offices with D.A.R.E. pins. And I think we all owe them, as it's been said, a great, great big round of applause. So, thank you all for all that you do. Have a great day."

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Speaker Lyons: "Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker. And I just join my colleagues in... in thanking the officers and the officers up in the balcony that really represent officers across the State of Illinois. You represent the best and bravest in our communities, along with our other emergency responders. And you're really the first line of defense for freedom. We talk a lot of times here about social problems, society problems, drug abuse. You're the ones really doing something about it, and we really appreciate that. I know sometimes it doesn't appear so, but your efforts are genuinely appreciated. So, to you, we say, welcome to the Illinois House, and thank you for what you're doing. Thank you."

Speaker Lyons: "Leader Tom Cross moves for the adoption of House Resolution 642. All those in favor. Representative Cross. Oh... Oh, okay. All those in favor, signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And by unanimous consent, House Resolution 642 is hereby declared adopted. Thank you, D.A.R.E. participants, and God love you for all your hard work on behalf of all of us in Illinois. Representative Chapin Rose, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed."

Rose: "Ladies and Gentlemen, I would ask that we all give the Arcola High School civics class... there is an independent

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studies civics class that's joined us today. They're right behind me here in the gallery, and I ask that we give them a big Springfield welcome. And welcome to Springfield."

Speaker Lyons: "Welcome to the Capitol. Enjoy your day. Ladies and Gentlemen, on page 4 of the Calendar, under Senate Bills—Second Reading is Senate Bill 1180. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1180, a Bill for an Act concerning appropriations. The Bill has been read a second time, previously. No committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Lyons: "Chair recognizes the Lady from Cook, Representative Cynthia Soto."

Soto: "Thank you, Speaker and Members of the House. I move that the House adopt House Amendment #1 to Senate Bill 1180. Thank you, Speaker."

Speaker Lyons: "Are there any... Little information on the Amendment, Representative?"

Soto: "Yes. This is to Bill... The... the Governor had the discretion to fund the MAP... the MAP program with his discretionary funding and did not. So, what we're doing now is we're going to be... This Bill will find supp... in the supplemental, the funding to fill up... fill the... the gap in the MAP award... the authority in the MAP program."

Speaker Lyons: "Lady's made a Motion to adopt the Amendment. We have people seeking recognition. Representative Black, do you want to ask questions on the Amendment, or do you wait 'til Third Reading? What's your pleasure?"

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Black: "No, I'd like to ask a question while we're on Second, if I could, thank..."

Speaker Lyons: "On the Amendment, Representative Bill Black."

Black: "Yeah, thank you very much, Mr. Speaker. Representative, does Floor Amendment #1 become the Bill?"

Soto: "I'm sorry?"

Black: "Does Floor Amendment #1 become the Bill?"

Soto: "Yes, it does."

Black: "Okay. And so you are providing an additional \$205 million for the Monetary Award Program, correct?"

Soto: "That is correct."

Black: "And where is the \$205 million coming from?"

Soto: "Right now, we don't know. This is just... We're trying to find it in the supplemental."

Black: "A supplemental what? Supplemental appropriation?"

Soto: "I... I'm sorry, Representative Black. The Governor, right now, has the funding in the discretionary fund that he has. And this is just funding authority... giving authority for the funding."

Black: "And... and where... where did the Governor find \$205 million in discretionary funding?"

Soto: "We have... we have prioritized this and the last... of the last several months. So, now the Governor knows that this is a priority, and now he's going to be looking to fund..."

Black: "Well, I'm going to assume the Governor always knew it was a priority. A priority he didn't fund. Right?"

Soto: "But now he is."

Black: "So... But now he's going to fund it? And where does he find the money? He just was in my district lambasting you

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and me for not funding this. Did you vote against the re...
Did you reduce funding for MAP by any vote you made?"

Soto: "Not at all. I've been support..."

Black: "Did anybody in this chamber specifically vote to
eliminate half of the funding for the Monetary Award
Program?"

Soto: "No, they didn't. Everybody was in support of MAP
funding."

Black: "Yeah... I... I don't remember that, either. So, just a
week ago, he did a rally around the state, blaming us for
refusing or failure or whatever word you want to say, to
fund the Monetary Award Program. So, I come to
Springfield, and you now tell me he has found the money?
Where did he find it?"

Soto: "I... I think that it's going to come out of discretionary
funding. That's... He's always had that authority, but now
he is going to take it out of that fund. And... and why now?
Because we're hearing it... We're all hearing it in our
district that it's very important. We know it's important
as Legislators. But our... Now our district is reaching out
to us. And when they call us, we tell them to call him,
because he has discretion over that funding."

Black: "So, if I hear you correctly, he is suddenly aware of
the priority? I find that somewhat incredulous. And when
we give him this authority, should your Bill pass, then he
is going to take it out of discretionary money. Why didn't
he take it out of discretionary money when he signed the
budget? Why didn't he take the money out of the
discretionary budget two months ago? Why didn't he say two

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weeks ago that if we gave him authority, he would take it out of discretionary money? I don't remember him every saying that he had discretionary funds in the amount to fund the Monetary Award Program."

Soto: "Representative Black, you know what, we, in this General Assembly, have supported this program and the funding for it. We would... you would have to ask the Governor that question. I know that we have been in support of it. But now we need to have... We need to put that back in place so that we can get it funded. I know where you're coming from, and... and yes, it breaks my heart that this is going to affect a lot of students throughout the state. I mean, I'm getting those phone calls like you are and those letters. So, yes, we need... Right now, this Bill will be a big help to get that funding back in place. And I urge your support."

Black: "Well, Representative, I... I'm sure that I at... at some point will support the additional funding. But I... I find this just a little bit disingenuous."

Soto: "I... I know you... I know you do."

Black: "I... I don't understand..."

Soto: "But... but... I don't know what... I... I can't speak for the Governor. And you're saying you don't know, why is he making that decision now. That's something I can't answer. That's something that has to be referred to him. And I can go with you to talk to him, if you want."

Black: "All right... Well, thank you very much, Representative. Mr. Speaker, and Ladies and Gentlemen of the House, to the... to the Amendment. There isn't any question that the

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Amendment will pass, and it probably... not probably, it should pass. But I don't know why we have to come to this point after some disingenuous comments, after creating a crisis that if... if we now have discretionary funding, this crisis didn't have to occur. I... I don't know why we do some of the things that we do here. It's no wonder we're held in such low regard by the people of the State of Illinois. If, in fact, discretionary dollars were there to fund the second semester of MAP, then that should have been announced months ago. We have put college students and their parents under a great deal of stress. Some of them may have already decided not to re... not to enroll for the second semester. I... I don't understand why the administration did what they did back in July. They... they signed... The Governor signed a budget that was clearly not in balance, and then made a decision to only fund the fall semester of the Monetary Award Program with no plan, nor any constructive notice to anybody, that they even had a plan, to fund the spring semester. This has not been handled in... in the best practice of government. I can't help but think... and... and I'll vote 'yes'... but I can't help but think this is what we do so well in Springfield lately. We... we pander. We react to crisis. Your side of the aisle has run this place for seven years. You ought to really be proud of what you've done."

Speaker Lyons: "Chair recognizes the Gentleman from Jackson, Representative Michael Bost."

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

Speaker Lyons: "Sponsor yields."

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Bost: "Representative, you know, I've been on... on Higher Ed Committee for 15 years, now. MAP grants have always been very important. And I can truly say that... that I've stood for them in the past and will be voting for this today. That being said... As the previous speaker spoke, in... in my district, the Governor showed up and... and said we had to provide some source of revenue. Now this Bill actually provides the revenue?"

Soto: "This Bill just has the authority component in it."

Bost: "That's... that's what I asked. Does this Bill actually provide revenue? Does it give us more money?"

Soto: "No... no, it doesn't. It doesn't have a dollar amount on here."

Bost: "Okay. So, since last week, when the Governor said we didn't have the money to fund this, now... Is this like writing a check when there's no money in the account? Is that what we're doing?"

Soto: "What we're doing is showing the will of the Legislature to fully fund the MAP program."

Bost: "All right. Then... then let me ask this. Did we not, as the Legislature... And let me tell you, I did not vote for the budget. But... but you did. Did... did we not have that authority already in the Governor's hands?"

Soto: "We... we did. We did."

Bost: "All right. So... so... And we're doing this so that, what? Oh... Wait... wait... no wait..."

Soto: "Okay..."

Bost: "...I'll answer that for you. We're doing this so that all the college students that have been put into a... a scared

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situation and a frustrated situation at the operation of the state because the Governor has went around and said we don't have the money, and unless the Legislature actually passes legislation to provide the money, I can't... we can't fund it. But now we're going to pass legislation that really doesn't fund it. It just gives the Governor authority, which we already had anyway. Am I right?"

Soto: "No, you're not. You're not right because the original budget gave 50 percent of MAP funding. Now, we're filling the whole gap, and we're bringing it back to its original..."

Bost: "All right... let me... let me..."

Soto: "...hundred percent."

Bost: "...let me re... restate my question. Did he have discretionary funds that he could have used under the existing language of the budget?"

Soto: "Yes, he did."

Bost: "And he chose not to use that. He chose to go around and say that we did not have the funds. And because of that, scare these people and their parents, and... and not provide this revenue."

Soto: "Representative, I don't think this is a tactic to scare anyone. And I don't think that..."

Bost: "I... I'm not asking you... I... I'm not saying..."

Soto: "No, no, I know."

Bost: "...that you did."

Soto: "I know."

Bost: "I'm saying the Governor did by going around. Because that's the way the political process works."

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Soto: "But... but Representative, we've been in a deficit. We're... I mean, everything needs to be filled. We... There's been a lot of... there's been a lot of budgets have... that have been cut in all our districts..."

Bost: "Okay..."

Soto: "...Right now... it... I mean the econ... I mean, just look at the economic time right now..."

Bost: "Mr.... M... Mr. Speaker..."

Soto: "...It's... it's never going to be a good time. But you know what, we need to do this, and..."

Bost: "Thank... thank you, Representative. M... Mr. Speaker, to the Bill. Let's be honest about what we're doing here. You know and I know this doesn't put any more money into our budget or into our state accounts and we're broke. But it does give Governor cover to say, okay, well we've done something. Now we've passed legislation that said we're funding MAP grants, which we could have already funded anyway under the power that he had. But instead, what we want to do is, we want to make sure we bring these students down and the presidents of these universities, and the people involved with these universities, so that we can stand here today and tell you what a wonderful job we're doing for you. When the reality is, it was already done. It was already done. And now you've been scared and stirred and bothered. Now, is there a real problem on the state budget? You bet there is. Now, does this cure the problem if the Governor said we didn't have money last week, we still don't have it today. Now, go ahead and say, well, thank you to the Legislature. Because what we did

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here, we passed a new piece of legislation that really doesn't do anything. But, we'll be able to go out and we'll... we'll shift some money around and we will fund the MAP grants, which are very important, and I have always supported, but it's still a farce. It's a way to lie to the public again. You're important this week. Somebody else will be important next week. But we've never cured the problem. We're broke. We're broke. We're broke because people keep passing Bills that we can't..."

Speaker Lyons: "Representative Bost, your five minutes are up. If you could conclude your remarks."

Bost: "...my remarks to a close. Ladies and Gentlemen, once again, six years plus of ridiculous legislation to convince the people you're doing something right, and it's still not being straightened out. Am I going to vote for this? Yes, I am. But the reality is, we could have done this same thing without passing this piece of legislation."

Speaker Lyons: "Ladies and Gentlemen, we have four speakers requesting to speak on the Bill. We are... We haven't yet adopted the Amendment. I would suggest maybe we adopt the Amendment and discuss it fully on Third Reading. If that'd be agreeable, let those who have lights on, if you want me to proceed with Thir... before we adopt, it's your pleasure. Representative Pritchard, Rose, Washington, can we wait 'til Third Reading? All right, we will. And I'll get right back to you. Those in favor of the adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it."

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And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Pritchard."

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

Speaker Lyons: "Sponsor yields."

Pritchard: "Representative, I may not have heard correctly.

You said that the Governor agreed to use \$204 billion (sic - \$204 million) for this program?"

Soto: "Okay... okay. The Governor has gone throughout the state and said that he's in support of bringing the MAP program back up to 100 percent funding."

Pritchard: "So, that doesn't say that he's willing to take \$204 million out of his discretionary funding for this program?"

Soto: "And I don't know the answer to that because that's a question that we would have to ask the Governor."

Pritchard: "Well, he was in my district two weeks ago pleading for additional money for this program. He had the same discretionary funds two weeks ago that he has today. He has shared his budget needs for the rest of this fiscal year with us, and it looks like a laundry list of billions of dollars that he doesn't have. So, how is he going to come up with \$204 billion (sic - \$204 million), just because he has the authorization?"

Soto: "He does have those discretionary monies now... the funding right now. So, this is one of his priorities."

Pritchard: "Ladies and Gentlemen of the House, this is a good Bill. There is no doubt we need to continue the MAP funding program. But I'm sick and tired of passing

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appropriations here without money. We've gotten into a terrible fiscal situation without any fiscal accountability. And it's time if we're going to authorize that we also appropriate. And I think we need to change our policy and Representative, I would ask for your support in reconsidering this Bill because it doesn't provide the money, and you don't have the commitment from the Governor. And until we have those two things, we have not solved this problem."

Speaker Lyons: "Mr. Clerk, I put the Bill on the Order of Third Reading. I need you to read the Bill for a third time, and then we'll proceed with the debate. Mr. Clerk."

Clerk Bolin: "Senate Bill 1180, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Thank you. Will the Lady yield for some questions?"

Speaker Lyons: "Sponsor yields."

Rose: "Morning, Representative. Was this a known issue when the budget was passed in July? Do they know... Was this a known issue in July, when the budget was passed? The answer is yes, Representative..."

Soto: "Ye... Yes, Yes. Because we passed it at..."

Rose: "Article 72, the Legislature and the Governor signed appropriating half of what was necessary to the Illinois Student Assistance Commission. Article 72, Public Act 9642. Known issue in July. Half. Some of us didn't vote for it. But it passed. Months then passed. Nary a peep out of the administration. Then all of a sudden, in the last three weeks, holy cow, we're going to barnstorm the

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state. We're going to have rallies. Save it. How come you just didn't veto it? How come you didn't veto it in July? Now, Representative, here we are, faced with, last week, the Governor saying, 'Oh, no, no, there's no money.' This week, he says there is money. Which is it, Representative?"

Soto: "Well, you know what, I know what I... I know it was 50 percent back when we passed the Bill. We all knew... nobody... I don't remember... I don't re..."

Rose: "And some of us voted 'no'..."

Soto: "...Excuse me?"

Rose: "And some of us voted 'no'..."

Soto: "Well, I voted 'yes'. So, you know what. We're going... if we have a Bill, and we only have 50 percent of the funding, I'm going to support what's there... do I just not vote for it? How about if all of us didn't vote for it, then there wouldn't be..."

Rose: "Well, I guess... I guess my question, Representative, was..."

Soto: "...not even 50 percent..."

Rose: "...My question is, Representative, the Governor last week told us there was no funds. Now this week, there are funds. And I guess my question to you is, which is it? Do you believe that there are funds? He said there were this... yesterday."

Soto: "Well, he's got discretionary funding. And he's got what it takes to... to cover this 50 percent."

Rose: "So now... now he's using the discretionary funding, which, hey, I want to see this passed. I want to see these students restore their MAP grants. But now, suddenly, he's

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got discretionary funding, which he didn't have in the last two months. And this brings me to my last point, and then I'm going to sit down and... Representative, I... I think the students who are here today deserve all the applause, deserve all the aplomb, because if they hadn't raised their voices in outrage, the people who passed this Bill and signed this Bill would have let 50 percent stand, Representative. And that is a disgrace and a big thank you to the students of Illinois."

Speaker Lyons: "Chair recognizes the Gentleman from Lake, Representative Eddy Washington."

Washington: "Thank you, Mr. Speaker. To the Bill. Mr. Speaker, I just want to make some comments on some things I'm hearing. Number one, this program, dealing with the education of our young people, is much too important to make it a political issue, to point fingers. I think that is totally out of place here. The ramping and the raging, and then saying, yes, but I'm going to vote for it anyway. I think that is totally wrong. And when we start talking about the... the longevity of time, about six years... it's been funded six years. As one entity called, the many problem that we face. I think that's a falsity in and of itself. And when I look at this Federal Government, and... and if we're going to play that game, then we might well lean back to the east and the west and say that it's enough blame. But I am glad to be a part of this particular legislation because there are so many students and parents who depend on it, and I we all know that. But I think as we try to stumble through the problems of the state, and

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they're many, there are some people losing their businesses because they don't have the states' support. I think all of us feel bad about it. It's going to be some casualties. We're going to avoid as many as we can. But I think we shouldn't say that this week it's going to be this, this week it's going to be that. If it be that, so be it. But the thing is for us to resolve the problem and not continue to restate the problem. And I urge that we support the Representative in this initiative."

Speaker Lyons: "The Gentleman from McLean, Representative Dan Brady."

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

Speaker Lyons: "Sponsor yields."

Brady: "Really, it's... it's a... Representative, more than just a question. I... I just want to see if I can get clarified that... Where... where is the... the revenue side of this, now, on this legislation? Where's the revenue side coming in on the... on Senate Bill 1180?"

Soto: "You mean, where are we going to get the other 50 additional percent of the funding? Okay..."

Brady: "That. And where we're going to get any of it?"

Soto: "Well, that's going to be in the discretion of the... It's going... Well, the funding is in the Governor's discretionary funding. So... I... That's where it's coming from..."

Brady: "Okay..."

Soto: "...I mean, we have no other funding to get it from, so I expect that that's where it's coming from. But I think the Governor is a better person that you should ask that question to."

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Brady: "Okay. Thank you. And I... And to the Bill, Mr. Speaker. You know, I think everyone in this chamber understands the need for the MAP program, the necessity of providing for college education for any student. And being in a district of higher education, as... as my district is, I certainly am very keenly aware of that. But, you know, the House Republicans have a piece of legislation that, even though it's not funding entirely, at least advancing the legislation for a fair hearing for an amnesty program might not provide enough of them money, but it's worth at least consideration. So, I would simply ask that we have the opportunity to hear that Bill as well. And I thank you for your comments, Representative. Thank you, Mr. Speaker."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative André Thapedi."

Thapedi: "Thank you, Mr. Speaker. To the Bill. I'd like to commend the Sponsor for her tireless effort in coming to a solution on this problem. And I think that we've heard a lot of debate this morning that some of the blame is being put on you for some reason, Representative, which I, quite frankly, don't understand. You have found a solution to resolving this problem with students. There's been no issue, Mr. Speaker, that has been more prevalent in my district office other than this particular issue that we're talking about here this morning. And again, I want to commend the... the Sponsor for finding a solution. Again, we're talking about a scenario in which students, who are attempting to continue in their collegiate careers, do not have the ability to continue in their careers because of

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lack of funds. They've been able to do that. So, again, I want to thank you, Sponsor, for doing this today. Something that I didn't have the ability to do. All I could do was just respond back to those students, who had so many concerns about how would they continue with their college careers. You, Sponsor, were not the problem. You are the solution. And I thank you for that, and I'm sure that all of the students in the gallery here this morning are thankful as well. Thank you, and I support you full heartedly."

Speaker Lyons: "The Lady from DuPage, Representative Patricia Bellock."

Bellock: "Thank you very much, Mr. Speaker. Just to the Bill."

Speaker Lyons: "To the Bill."

Bellock: "I think everybody on this floor probably wants to wholeheartedly support the MAP grants. I just want to make a point about the discretionary funds. Those of us especially that are involved in social services voted last June or July, whenever that was, on this Bill for the borrowing of the money to reinstate the funds, what we thought they were going for. I'm not sure if this \$180 million that's been talked about is the discretionary funds from the \$1.2 billion that we allowed the Governor for discretionary funds. I got a breakdown in that.. It looked like the breakdown that the money had already been spent, a billion dollars on Medicaid and the health issues. There was money towards AIDS, there was money towards Amtrak. But our point... my point right now is, with the problem that we're having, when we give discretionary funds, we are

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going to have to have more discussion on exactly where that funding is going. Those that were supposed to be reinstated, the 86 percent, were not reinstated at 86 percent. The Center for Independent Living, which we all know does a wonderful job throughout the entire state, was not restored their funding. In fact, they were cut more funding. The Centers for Alcohol and Substance Abuse throughout the state were not restored. Domestic violence groups went under because they were not restored. So, this is an issue. And the MAP grants also were not restored. But if we're looking in the future, and there's talk already of bonding out in discretionary, this issue will pop up again. And we need to know when we vote on something exactly where that money is going. Thank you."

Speaker Lyons: "Representative Soto to close."

Soto: "Thank you, Speaker, and Members of the House. The Illinois Monetary Award Program helps financially needy students obtain valuable post secondary training and skills. It is very important that we support this piece of legislation. I just want to tell my colleagues here, you know what, these are bad times, but we have to do what we have to do. We don't know why things have come out a certain way, but you know what... but there's a way to make them better. And this is the way to do it. This is the vehicle to make things better. So, you know, we'll put it in God's hands. I think that next year, hopefully, we will have the funding to fund everybody to the fullest. So, I urge an 'aye' vote, and I thank you for your support."

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Speaker Lyons: "The question is, 'Shall Senate Bill 1180 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? Thank you. Have all voted who wish? Lonely up here, sometimes. Mr. Clerk, take the record. On this Bill, there're 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Black, for what purpose do you seek recognition, Sir?"

Black: "Thank you very much, Mr. Speaker. On behalf of Members on my side of aisle, I have fi... I have filed appropriate written Motion, and at this time, under House Rule 18(g), I would move for the discharge of House Bill 4622 from the House Rules Committee. Under House Rule 54(a), subsection (2), all Motions would be assigned standard debate status, and I wish to debate my Motion. And upon the conclusion of the debate, I would ask for a recorded vote on the Motion to Discharge. Under House Rule 49 and Article IV, Section 8(c) of the Illinois Constitution, any vote shall be by a recorded vote whenever five Representatives so shall request. There are at least five Members on my side of the aisle that desire a recorded vote on this Motion to Discharge. And if you'll hold up your hands on the Republican side of the aisle, I believe we have at least five. That is my Motion, Mr. Chairman... or excuse me, Mr. Speaker. And we wish to debate the Motion."

Speaker Lyons: "Representative Barbara Flynn Currie."

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

Speaker Lyons: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I... I'm shocked and appalled at the Majority Leader's response. Mr. Speaker and Ladies and Gentlemen of the House, if you'll just bear with us. We just went through a vote that I'm not certain we would have had to have gone through if we had paid a little more attention and applied ourselves a little more diligently last July. House Bill 4622 is a tax amnesty program. It has been derided and ridiculed by the spokesman on your side of the aisle. What... what are you afraid of? Why don't you let the Bill have a vote? Are you going to tell me you're not for tax amnesty that would bring in experts, COGFA says at least \$100 million. Now, I don't mind... you know, I... I'm a... a big boy, I'm an old man. I've been here a long time. I've heard all of the derogatory comments. I've been called everything and up to including some things I can't even say on the House Floor by Members of your side of the aisle and by various spokespeople throughout the years. But, you know, let me tell you what... what I think is the height of hypocrisy on your objection to even allowing a vote on a tax amnesty program. Let me quote from House transcript on May 29, 2003. May 29, 2003, the esteemed Majority Leader: 'Thank you very much, Mr. Speaker and Members of the House. The Amendment I'm sponsoring would give us a tax delinquency amnesty period in the State of Illinois to help us fund the budget that we approved last week. We're all familiar with

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concept. We've done this before in the State of Illinois. More than twenty years ago, which would be back in 1983, and it is hopeful that this would bring in some substantial sum of dollars that would be available to help us meet our obligations during the coming fiscal year.' Now, that was Majority Leader Currie in 2003, saying that a tax amnesty program was not only a good idea, but it had been tried before, and I think is somewhere in this transcript, she estimated that we're... we're getting more \$200 million. I think we probably ended up with more than that. So, what I fail to understand here, and I don't know how some of you can justify just doing whatever your Leaders tell you to do, when your side of the aisle sponsored and passed, and I might add, unanimously, on May 29 of 2003, a tax amnesty program that brought in more than \$200 million at a time when we needed the money. We desperately need additional revenue now. And what... what are we subjected to in the newspaper? The Republicans just want to help out deadbeats. What... what were you doing? If that's all there is to this, then why did you all sponsor this in 2003 and both sides of the aisle voted unanimously for it? Were you helping out a better class of deadbeats? You weren't... you weren't helping out deadbeats. You were telling people that if they paid their past due taxes, they would escape penalties and interest. It isn't... it isn't helping out deadbeats. It's trying to get a reasonable return on money that is owed to the State of Illinois by taxpayers who choose, for whatever reason, not to pay their taxes. It was fine for you to do it in 2003, but you won't even allow

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us the ability to bring it to the committee or to the floor and have a reasonable and rational debate on something that your side of the aisle sponsored, and that the Republican side of the aisle joined with you, passed unanimously out of the House, unanimously out of the Senate, and did bring in a considerable amount of money. So, what's wrong when we want to try it in 2009? I mean, if you can explain that to me, I wish somebody would. Is it because you didn't revise your... or revive your tax amnesty period? Is that all this is? Has somebody said over there, it isn't about who gets the credit, it's whether the idea is a good one. Well, prove it to me. Prove it to me. This is a good idea. It was a good idea when the Democrats proposed it in 2003. And we all supported it. It's a good idea now when we are literally desperate for cash flow. You spin it any way you want to, but the bottom line is, this is a relatively quick and relatively painless way to go after money that we are not receiving that is due to the State Treasury. And if you vote against it, or don't even let it have a debate, then I guess what you're saying is that you want to protect the deadbeats. Are we going to collect it any other way? You think they're suddenly going to be moved by the fact that the State of Illinois is one of the biggest deadbeat states in country and will just send us a check? Don't kid yourself. And some of you may not have gotten the news yet, but let me tell you how serious this problem is. All of the employee group health insurance programs today were told that they would not receive any payment for state employee premiums and state retiree

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premiums for health care. The largest health care program in my district, Health Alliance, will not be paid \$33 million a month for health insurance premiums for state employees or retirees. Now, you tell me how we're going to make that up? You think we have a guarantee that nobody's going to go without health care? Come on. It's time to get serious. It's time to stop. It's time to work together. This Bill was a good idea in 2003. It was a good idea in 1983. It's a good idea in 2009."

Speaker Lyons: "Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, every day that we're in Session, we set examples for the people of our state. For the college students that may be in the balcony or out in the lobby rotunda, they're learning a lesson today. It's called, smoke and mirrors. We approve funding for a program that we know we don't have funding for. There's no chance that we're going to be able to come up with \$205 million to fund the MAP program, given the kinds of back payments and bills and the other priorities that have been cut in the Governor's budget. What we have tried to do in this tax amnesty Bill is to add some money, real money, to this discussion. We're open for other ideas. Speaker Cross sent a letter to all the Leaders talking about this Bill and indicating if there are better ideas, we would like to hear them because we want to support funding for MAP with real dollars. This Legislature has been backing away from the value of higher education for over 10 years. If you look at our appropriations for higher educational institutions, we tend

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to keep lowering the amount of state dollars. As a result, tuition and fees have had to go up. The burden on students has become greater. The one shining star we had was the MAP program, where the state put some money into helping fund the most at need students. And figures from the ISAC commission point to the fact that the average family income of MAP recipients is less than \$24 thousand. These are families in need. Many of the MAP recipients in my district have spoken to me and indicated they're first generation college students. Their families have often lost income. They didn't have the income to save ahead. They really need some kind of state assistance to help their child get ahead. We need to seriously fund this program. We need to look for real ways to generate revenue. Ladies and Gentlemen of the House, if this Bill can't be debated now, come forward with your ideas. Before we leave here, let's not shift the burden even more to our state universities. Let's come up with some funding for students and for the MAP program."

Speaker Lyons: "Representative Chapin Rose."

Rose: "To... to the Motion, Mr. Speaker. Ladies and Gentlemen, in July, when the budget passed, this was a known issue. Nothing in the... in the interim from the folks who voted for it and the Governor signed it until three weeks ago. This Bill... this Bill is an attempt to actually provide real concrete funding to match the vote that was just taken. Rather than... Well, last week we didn't have it. This year, we think we have it... Today we think we have it. Last week, we don't know. Today, we think. This is concrete. This

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is real. And Ladies and Gentlemen, all I'm going to say to... to those on the other side... The spokesman's comments attribute those of us who are trying to solve a real problem in a real way with real dollars, not fake dollars, should be attributed to every one on the other side of the aisle who, in 2003, voted to do the exact same thing. Representative Black didn't finish the statement of the Majority Leader Currie, who said, and I quote, 'I would be happy to answer your questions then and appreciate your support.' Here's the roll call. Unanimous. Every one on that side of the aisle voted for it then. What's good is g... What is good for the goose is good for the gander. And perhaps your spokesman would like to append his comments to add you all into the mix. Forget that point. How about we just fix the problem? Let's fix it with real funds. This does it. Thank you, Mr. Speaker."

Speaker Lyons: "Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you, Speaker. To the Motion. Ladies and Gentlemen of the House, is there anyone in here that is seriously going to vote against a Motion that will require us to debate legislation that will provide \$105 million to the state during a time that we cannot fund programs for our college students, who are the most needy in the state? You mean to tell me that this follow the leader, lemmings over the cliff, mentality that we have at the State House is going to allow you to support Leadership that is going to deny this state \$105 million right now, today? All of you talk about the need for funding. Every single one of

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you talk about how some program isn't being funded. But you're going to sit over there today, and you're going to deny this Body the opportunity to provide \$105 million for our college students because you've got to follow the Leader? What have you become? What have you become? Is it so important to be reelected, that you get the Party money, that you get backing of a Leader, that you can't vote your conscience and provide our college students with MAP funding? Shame on you. This is about funding. Think about it, \$105 million real dollars. Dollars that it's okay for us to pursue if it's part of a program that's supported by your side of the aisle. You know, let's... let's do what we were chastised for yesterday. Let's grow up. Let's put something ahead of threats and... and political power and... and unethical contributions that, at some point or another, just hold this hammer over your head so you can't even vote to do the right thing. That's what this is about today. This is \$105 million real dollars. Representative Pritchard's brought an idea that's a good idea. All we're asking to do is get a vote on it. We're asking to have it come out to the floor. If we can't do this, if we can't find the will to vote to override that type of Leadership, we're in more trouble... we are in more trouble than we could even imagine."

Speaker Lyons: "Representative Cross, do you wish to go? And then Representative Black."

Cross: "Just quickly, Mr. Speaker. I... A lot has been said on this issue and I... You know, we're at a tough time in this state and around this country, and too often, we see

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government really doing nothing to solve problems. And finding people that don't want to solve problems, that only want to say no and not offer solutions to some of the problems that we face as a state. And that's a shame. And unfortunately, I feel like time and time again, this caucus offers solutions to real problems, and either they get ignored, or they are stolen. And I don't know, if they're stolen, and you want to take those ideas, that's fine. But I think the key is, we don't want to be a Party, or we don't want to be a state that does nothing and stands for nothing and does nothing to solve problems. And I think about some of the things over the last few years where we have had some great ideas that you've embraced. It sometimes takes you a little longer to get there than we would like, and that's your prerogative. But I think about the pay raise idea, of stopping pay raises this Session because of the dire circumstances we face as a state, economically speaking. We were in a similar situation, where we moved to discharge a Bill. You denied it. You killed it. You didn't seem to want to do anything, and then, lo and behold, a few days later, maybe a few hours later, you came up with your own Bill. Real time reporting. A concept of hours when it comes to ethics. Where you have a contribution, and right now it takes months before we have to report it. We said many months ago, why don't we require reporting of those contributions immediately? Lo and behold, you've embraced that idea. We appreciate that. An idea that was passed yesterday dealing with taking away or diminishing the ability to override the Cook County

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Board President. Representative Mathias had a great idea, a great idea many months ago..."

Speaker Lyons: "Please continue."

Cross: "No, that's all right. Can I... Am I done?"

Speaker Lyons: "All the time you want, Tom."

Cross: "No, I just want to make... I'm sorry, I just want to make sure that this is a Body with ideas and solves problems. Can I continue?"

Speaker Lyons: "Please."

Cross: "My point is, this is an idea that is concrete. It's an idea that will solve a problem. It's an idea that doesn't involve funny money. It's idea that doesn't exacerbate an already significant problem we have. And I think, for you on the other side of the aisle, to do nothing, to not offer an alternative or a better solution to a real problem, is sad. And it's tragic, and it's unfortunately not the way we improve government. So, Mr. Speaker, thanks for the opportunity to speak. And I'm hopeful that we can work together to solve problems and stop this do nothing approach to Illinois government."

Speaker Lyons: "Representative Black."

Black: "Sorry, Mr. Speaker. Have you made your ruling as to the objection? Or you... you have that under advisement?"

Speaker Lyons: "There was an objection made by the Majority Leader, and your Motion to Discharge is denied."

Black: "Thank you, Mr.... Mr. Speaker. If I could... I can't help but notice that you're wearing a restore MAP funding button, a... as you should. But I find it somewhat ironic that you're wearing it, and you just made a ruling that

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will not even allow a potential funding source to restore MAP funding... cannot be heard. Under House Rule 57(a), I move to appeal the ruling of the Chair, that there... that there be a recorded vote on House Bill 4622. And in conclusion, Mr. Speaker, I would just like to remind my friends and colleagues on the other side of the aisle... Some of you came to us to ask you... ask us to help you reduce the Veto power authority by the President of the Cook County Board from the current four-fifths down to a three-fifths. And some of us voted with you. And now all we ask you for a chance is to just hear a Bill. If you don't like the Bill after you hear it, you're free to vote 'no'. But you won't even give us an opportunity. I... I think this is a grievous error. I don't have much time left in this chamber, Mr. Speaker. I'd certainly like to win a discharge Motion before I leave."

Speaker Lyons: "Ladies and Gentlemen, you've heard Mr. Black's Motion. And the question becomes, 'Shall the Chair be sustained?' All those in favor of sustaining the Chair should vote 'yes'; those opposed vote 'no'. The voting is open. Shall the Chair be sustained? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this, there are 68 Members voting in the affirmative, 47 Members voting 'no'. And the Chair is sustained. Representative Black."

Black: "Mr. Speaker, I am so disappointed and so disgusted. My... my ability to show my displeasure is very limited. I think the only thing that would upset your Chief of Staff

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and maybe the equilibrium of the House... I'm going to eat my sandwich on the House Floor."

Speaker Lyons: "Mr. Clerk, on page 5 of the Calendar, under Senate Bills—Second Reading is Senate Bill 1894. Representative McCarthy. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1894, a Bill for an Act concerning professional regulation. The Bill was read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative McCarthy, has been approved for consideration."

Speaker Lyons: "Representative McCarthy, on Amendment #2."

McCarthy: "Thank you, Mr. Chairman... or Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 is a technical cleanup Amendment to a drafting error. So, I'd ask for it to be added to the underlying Bill."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Amendment #2 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "Senate Bill 1894, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am happy to present Senate Bill 1894 as amended."

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Amendment #1 in the House did become the Bill. The Bill is... The main text of the Bill, about 140 of the 150 pages, has to do with the continuation of the Real Estate Licensing Act. We've already voted on this at least twice, and both times had 98 votes. The Bill extends many of the requirements for the brokers and the managing brokers across our state. It also adds three additional counties to the predatory lending database. This is a Bill that we voted on individually. Received 98 votes when we... we passed it out of the House. It's been added into this Bill. It also has a requirement that amends the Illinois Banking Act, that allows what they call bankers' banks to buy a little bit more as far as the percentage of the stock of our community bankers. This was an attempt by the Illinois Banking Association to alleviate some of the pressures and make more money available for those community bankers, so that they could lend it to other people. And the fourth part of the Bill was a Bill that we also passed that allows municipalities to impose liens, which will become superior liens when they're cleaning up foreclosed or abandoned property. This is a very, very important initiative of the Illinois Municipal League and other individual towns, where they are having many foreclosures. And the state of the property gets in such disrepair that it affects all of the other properties around it. So, I appreciate the... the votes that we've made in past. One thing that is different from Senate Bill 268, which did pass on May 31 with 98 votes, is that the rulemaking language that was added to a lot of Bill under the previous

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Governor was taken out. There was an agreement made, and it was erroneously left in the Bill 268. And that's why we... we took the Amendment and placed it on 1894, so we could have a clean vehicle that could go over to the Senate hopefully... if it's successful here, go over to the Senate, be successful there, and then have the Governor sign it. It has become... Because of the tardiness in doing this, there is some emergency to the situation, because if we don't pass these Bills, we could wake up on January 1 with no licensed realtors in our state. And I don't think anyone wants to do. So, I'd appreciate any questions. And I would ask for your support of this Bill."

Speaker Lyons: "Questions on Senate Bill 1894. The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

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

Speaker Lyons: "Sponsor yields."

Fritchey: "So, quickly... This legislation has an expansion of the date... of that predatory lending database as well, doesn't it?"

McCarthy: "Yes, it does. Three counties, Peoria County, Will County, and Kane County."

Fritchey: "How were those three counties selected?"

McCarthy: "Those were... It was an earlier piece of legislation that Representative Farnham had. And I believe that these counties actually came to him and said that they have... they have many foreclosures in their area, and they would like to be added to the database. I will tell you that, when Representative Farnham first presented this Bill, there was

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a lot of consternation because I represent one of those counties, a small part of it. Representative Leitch represents Peoria County. So, we had asked him to delay the Bill. He did that. After the delay of two weeks, we came back to the Bill, and I'm happy to tell you that all the counties signed off on the Bill, and 10 of the 11 Representatives, who represent any part of those counties, voted for the Bill after we had the two-week layoff, including the Republicans and Democrats."

Fritchey: "Thank you."

Speaker Lyons: "Gentleman from Jasper, Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Just real briefly, Representative, so we know exactly what we're voting on. We've... we voted on Bills this year that sometimes I don't think anybody on the floor knows what we're voting for. But you have four parts in your Amendment?"

McCarthy: "Four parts in what is now the Bill."

Reis: "So, does your Amendment become the Bill?..."

McCarthy: "...But it... there was three other separate Bills in addition to the original Real Estate Licensing Act that we rolled it into one Bill right on May 31. We passed it with 98 votes. Because of that rulemaking language that was in the Bill, inadvertently, the Governor felt that he was going to have veto the Bill, even it would have passed out of the Senate this week. And we were nervous because it's such an important issue, these real estate licensings, that

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if we did it that way... allow 268 to go to the Governor, get vetoed, come back here, we'd be under pressure to get it through both Houses in the second week, or else, as I said earlier, we could wake up on January 1 with no licensed realtors in our state."

Reis: "Okay. The underlying Bill, Senate Bill 1894, is there anything left of what was introduced, or does your Amendment become the Bill?"

McCarthy: "My Amendment becomes the Bill, but the... the underlying Bill was the... the Real Estate Licensing Bill, Senate Bill 1894. When it came over..."

Reis: "So, it it's included..."

McCarthy: "...When it came over to the Senate, it only had one of those four parts. It had the Real Estate Licensing Act part."

Reis: "Okay..."

McCarthy: "And it passed unanimously out of the Senate."

Reis: "Now, your Amendment, did it go through committee? I mean, did people have time to slip in, in opposition or support?"

McCarthy: "Yes, they did. And, of course, the Bill's been around since February. But we did go to the Executive Committee. We had some questions yesterday, and I was very happy that we got strong bipartisan support in the Executive Committee to bring the Bill forward. There was found by staff a small technical change that needed to be made. And that's why we added on that Amendment 2 right before we went to Third Reading today."

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Reis: "Okay. Our analysis still shows that the Home Builders and the Association of Mortgage Professionals still oppose. Do we have a status on that?"

McCarthy: "I... I believe they... they still oppose. The Home Builders asked for one simple paragraph to be taken out of the Bill, which was the description of what an 'employee' stands for. However, I told them when they came to me yesterday... They called the day before... But yesterday was the first day I got to speak to them... that it was too late in the process, that we could entertain this in the spring. They admitted that it was an oversight on their part that they should have seen this. It was in both versions, the House and the Senate version, going all the way back to February. It was in... in the Bill that passed out of the Senate. It was in the Bill that passed out of the House here on May 31. So, I... I think it's an issue that they may bring forward and ask Representatives who would support their change to have rider language in the spring Session. But I did tell them it was too late in the process, and plus, I... I really don't know if I would support the merits of what they said. It has to do with employees having exemption. That they don't have to have a licensing Act when they sit in this house, that if they're an employee of the builder, as long as they work for the builder at least 20 hours a week, they can have an exemption. They don't have to be licensed in order to show and sell the house. So, it... it mirrored the IRS employee definition. So, that's why we put it into the Bill."

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Reis: "Okay. Two more questions. Your Bill has an effective immediate date or January 1?"

McCarthy: "December 31, 2009. We have to do it because the real estate part of it expires on the same day if we don't, you know..."

Reis: "Okay..."

McCarthy: "...put this Bill forward for the 10 years that it would expire."

Reis: "And my last question. Is there any tax or fee increases in this Bill?"

McCarthy: "There are not. There's many requirement increases as far as time, especially on behalf of the realtors. A lot of their requirements to... to obtain a license or renew a license have been increased greatly. But there are no fee increases in this Bill as it stands."

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

McCarthy: "Thank you, Representative."

Speaker Lyons: "Mr. Black, I don't know if I should call on you if you're eating your sandwich. Representative Black, you've got a mouth full, here... Mr. Black."

Black: "Thank you very much, Mr..."

Speaker Lyons: "How was the sandwich, Mr. Black?"

Black: "...Probably the best sandwich I ever had."

Speaker Lyons: "Wow..."

Black: "...You know. And I apologize for the mayonnaise stain on the carpet. I've called Stanley Steamer, and he said he'd be right over."

Speaker Lyons: "Representative Black."

Black: "Mr. Speaker, inquiry of the Chair."

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Speaker Lyons: "State your inquiry."

Black: "Can you tell me when Floor Amendment #2 was filed on the Bill?"

Speaker Lyons: "Mr. Clerk, Floor Amendment #2, filing?"

Clerk Bolin: "Floor Amendment #2 was filed October 15."

Black: "Thank you very much. Mr. Speaker... Excuse me, let me address this to the Sponsor."

Speaker Lyons: "Sponsor yields."

Black: "Representative McCarthy, would you pull this Bill out of the record for 5 or 10 minutes? Our... our staff person was never given the courtesy of even obtaining a copy of Floor Amendment #2. It's been explained to him that it's kind of a cut and paste normal Amendment. But could we at least have the courtesy to let our staffer take..."

McCarthy: "Mr. Speaker, please take this out of the record, and we'll come back to it, hopefully in a very short time..."

Black: "...5 or 10 minutes to look at it?"

Speaker Lyons: "Mr. Clerk, we'll take that Bill out of the record on the request of the Sponsor."

Black: "Thank you very much."

Speaker Lyons: "Mr. Clerk, what's the status of Senate Bill 1812?"

Clerk Bolin: "Senate Bill 1812, a Bill for an Act concerning criminal law. The Bill was read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons, J.: "Mr. Clerk, hold that Bill on Second Reading. Representative Monique Davis, for what purpose do you seek recognition, Ma'am?"

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Davis, M.: "Thank you, Mr. Speaker, a point of personal privilege."

Speaker Lyons, J.: "Please precede, Representative."

Davis, M.: "Approximately 18 years ago, Representative Mary Flowers was in the Illinois Legislature and she had gained about 20 pounds or 30 pounds. Here's that weight she had gained. She was bringing to the House Floor her only child, Makeda Flowers. Makeda today is 18 years old, she's a freshman at Southern Illinois University and we're so proud of what the State of Illinois in the Illinois General Assembly can produce. Give yourselves a round of applause."

Speaker Lyons, J.: "Welcome home Makeda. Representative Rose for what purpose do you seek recognition, Sir? Your light was on Chapan... Representative Stephens, do you seek recognition, Representative?"

Stephens: "Thank you, Mr. Speaker. I was here 18 years ago and I remember that... young lady, the first time I met you on the... on the elevator in the Hilton. Your mother was carrying you in one arm, she had three bags of all those things that women carry and I had to hold the door open. I am glad, Representative Flowers... Representative Flowers, Representative Flowers, I am so happy that 18 years after we... I met your daughter on that elevator in the Hilton, when you had three bags under one arm, and a child under another, young lady, I am more than pleased that you came home to our part of the state to get a real good Southern Illinois education. God bless you and best wishes."

Speaker Lyons: "Thank you, Ron. On page 5 of the Calendar under Senate Bills—Second Reading, Mr. Clerk, is Senate

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Bill 2106. Representative Froehlich. Read the Bill, Mr. Clerk. What's the status of that Bill?"

Clerk Bolin: "Senate Bill 2106, a Bill for an Act concerning local government. The Bill was read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 2106, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Paul Froehlich. The Chair recognizes the Gentleman from White, Representative Brandon Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2106 creates the Massac-Metropolis Port District. And the reason why we're doing this... try to promote economic development... six of the seven largest employers in Massac County are river-based, and we just feel like this is a good economic tool. And I just ask for your 'aye' vote."

Speaker Lyons: "You've heard the testimony on Senate Bill 2106. Is there any question? The Chair recognizes the Representative from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative Phelps, just very quickly, what is a... a port district authority? What... what's the purpose of the... the economic development?"

Phelps: "They're usually established to maintain harbor, Representative Eddy. They also... There's 14 existing in the

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other... in the state currently. Like I said, Massac County is blessed to be on the river. There's a lot of river traffic there. And we just feel like that there's some investors that are wanting to do some things there on the river. And like I said, the biggest employers down there, six of the seven are river based anyway, so..."

Eddy: "Okay. The... Our analysis show that this bas... this amends the Eminent Domain Act and... and allows for provisions that... that would allow this entity to acquire property by condemnation or eminent domain. Is that... is that one of the major provisions that... that gives it that power?"

Phelps: "It... This simply... Representative Eddy, this just kind of does the same thing we've done in 14 other ones. Nothing different, just the same deal. Get the same authority, that's it."

Eddy: "Has... has it been successful in those other areas and that this is basically a model that you're... you're trying to do?"

Phelps: "Right... right. I have one in Shawneetown in Gallatin County that's been... done very well and brought in a lot employers and created a lot of jobs... as you know, is what we need in all of Illinois, especially in southeastern Illinois."

Eddy: "Sure. Okay. Well, I just... I just wanted to especially to make sure Members understood the eminent domain powers that might be in this Act, but certainly wish you well in... in the economic development of... of that area. We all need it, you're right."

Phelps: "Thank you very much, Thank you."

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Speaker Lyons: "Seeing no further questions, the qu... the question should be, 'Should Senate Bill 2106 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 Ramey, Coladipietro. Mr. Clerk, take the record. On this Bill, there are 75 Members voting 'yes', 40 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 9... 1894. Status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1894 is on the Order of Senate Bills—Third Reading."

Speaker Lyons: "Representative McCarthy."

McCarthy: "Thank you for your indulgence, Mr. Speaker. We just took this Bill out of the record. We had one or two questions to clear up. I did meet with Leader Black and... and his staff. And I think that they do understand that it is... it was a technical Amendment. He did have one other concern, but we've talked about that as well. So, I think we're ready to proceed."

Speaker Lyons: "Anything further... questions on Senate Bill 1894?" Seeing none, the question is, 'Should Senate Bill 1894...' Representative Black."

Black: "Thank you very much, Mr. Speaker. I appreciate the kindness and cooperation from Representative McCarthy. I do have two questions that I'd like to put on the record. Will... will the Gentleman yield?"

Speaker Lyons: "Sponsor yields."

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McCarthy: "Yes."

Black: "Representative, there... there're two parts of this Bill. And I understand the Bill needs to pass, or by January 1, technically there would be no realtors in the State of Illinois. The... the two questions I have, and maybe you can enlighten me. There's language in this Bill that says, by a... a specific time, all realtors shall be brokers. Now, does that mean they... To... to be a licensed real estate broker today means that you have to have a considerable hours of additional training, pass a... a different examination, and then you are considered to be a licensed real estate broker. It appears to me that this language in the Bill just says all realtors must be brokers. Do they... does that mean they have to take the broker's license or they just going to be called brokers rather than realtors?"

McCarthy: "They're going to be called brokers instead of salespersons. You're right, it's just basically a name change. I questioned them extensively on that, and I think that's the way it's going across the country. And they want to bring it more in agreement with that. And plus, they thought that the nature of their business... There was, you know... even at the individual salesperson level... which, right now, a salesperson has to be under the direction of a broker. In the new Bill, a broker will have to be under the direction of a managing broker. It really is... is, like you say, basically a name change. There are some increases. But right now, to be a broker, you have to have 120 hours of either on-the-job training or education. And salesperson has to have 45. To go to what will be the new

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salesperson, a broker, you have to have 90. So, you don't go quite as high as where the broker is today. And the broker of today... although the current ones can't take the test and be exempted in... but the... To become a manage broker, it's going to go from 120, where it currently is, up to 165, which money... with many more hours of what they call, situational or on-the-job training, because they want to have people that actually... They... they... I mean, they have brokers out there, they admit it, today that become a broker before they ever sold a house. And that doesn't seem to really make a sense. So, these managing brokers will have to have some on-the-job training before they can go forward and help work with the... the lower level sales people, which will now be called brokers..."

Black: "I... I..."

McCarthy: "But I... I really understand..."

Black: "...And I appreciate that..."

McCarthy: "...your question..."

Black: "...But if... if I heard you correctly, I am a licensed real estate sales person."

McCarthy: "Correct."

Black: "I... I'm eligible to wear the realtor button. So, it would appear to me that, upon retirement from this Body, if I want to then sell perhaps, or try to sell... it's a very difficult market out there, I understand that... to try and sell real estate, then I'm going to have to go back and get an additional, if I heard you correctly, 45 hours of training to become a broker salesman. So..."

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McCarthy: "Well, you... you... If you're an existing one today, would be able to take the test without taking those 45 hours. If you don't pass the test, then you'd have to go take the 45... I... I think you get two attempts at the test... the existing people, just to change their... their title... Then, when they renew... then they have the... the additional continue education hours and stuff. But as an existing person, you could take the test, and then you change your title to broker without taking the courses. But if you fail the test, then you do have to go back and take the courses. 'Cause they will not issue any new salesperson's license after April 30, 2011."

Black: "Okay... But if... if you come into the real estate sales business, you're 75 years old, you're going to renew your license when you're on your 76 birthday. Then, you're going to go back and take those classes or, perhaps, be lucky enough to pass it without the classes, correct?"

McCarthy: "Right. If... and if you do pass it, then you get the chance in the... the title, and then you still have the additional continue education hours, you know..."

Black: "Okay."

McCarthy: "So... Which I think is good, because... I mean, there's many of these people in the profession who do... do admit that many people do need a little more on-the-job training, especially."

Black: "Okay. Thank you, Representative. One... one more question. There's language in the Bill that changes the historic relationship between a home builder and how that home builder may sell the house that he or she built. In

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the past, a home builder's been able to use an independent contractor, who will sell the house for commission. You have..."

Speaker Lyons: "Mr. Black, we'll let you finish your question. We'll give you another minute."

Black: "Thank you very much. So, a home builder has an open house on a weekend. The independent contractor's there to show the house, work with the home builder. And if... if the independent contractor sells the house, obviously gets a commission that they agreed to with the home builder. Now, this has been changed in this law, that if you're going to do that, and many, many home builders in... in my area do that, now, the person that has been an independent contractor must be an employee of the home builder, working no less than 20 hours a week. That's a significant change that I don't think I... I know the home builders don't like. Why was that put in there?"

McCarthy: "I... I would agree. And... and as I did mention earlier that I spoke to the Home Builders. Their first contact on this, on a Bill that had been out there for close to seven or eight months... It was in the Bill that passed out of the Senate, it was in the Bill that passed out of the House. And until Monday... or... or Tuesday, there was no contact made with me. I wish I could sit here and tell you that we really vetted this thing... you know... every different look of it. But we... we haven't. I did tell the home builders I'd be happy to work with them... Talk more about the... the merits of the change. And follow up in a trailer Bill in the spring. But I did tell them, because of the lateness of

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the hour, and because... And... and they admitted, they should have caught this themselves, you know..."

Black: "Yeah, I..."

McCarthy: "...But I... I have a good relationship with Mr. Ward, and I hope to continue that. And I said, we can look at that as part of the trailer Bill in the spring. But as I expressed to you earlier, you know, holding this up at this point, I think would put us in jeopardy that we don't want to do."

Black: "Representative, as always, I thank your willingness to cooperate. It's... it's always appreciated. You're... you're one of the fine Members of this House that will talk and let... let people ask questions. Mr. Speaker, to the Bill. I... I realize the Bill has to pass. But there are two provisions of this Bill that I hope you're familiar with, and... and you'll be very careful of. The Realtor's Association favors the Bill. I don't know if you talked to a real estate salespersons in your district, whether or not they're fully aware that they have to then pass the broker's exam the next time their license is up for renewal. Now, some can pass it and will do so easily. Others are going to have to go back and take 45 hours of continuing education to obtain a new title of broker salesperson. Now the Realtor's Association says that's no problem. I've had a couple of realtors sales people in my district say, 'Oh wait a minute. I didn't understand that.' And then the... the situation with the home builders, again, it's one size does not fit all in Illinois. Historically, a home builder can hire an independent

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contractor to sell houses that they, the home builder, builds. And it has worked well. And if there are no home builders building homes, then realtors have nothing to sell when the market turns over. I... again, I have no doubt that this Bill will pass, but given the fact that I've heard from two or three realtor salespeople in my district, and I can tell you, the home builders aren't happy with it. I intend to vote 'no'."

Speaker Lyons: "Representative Chapin Rose."

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

Speaker Lyons: "Sponsor yields."

Rose: "Kevin... Representative McCarthy, sorry. Explain to me this municipal powers concerning abandoned property. And... and the... the changes in the lien law."

McCarthy: "The change in the le... lien law, that was the Bill originally sponsored by Representative Yarbrough, but it basically gives the municipality the right to have a superior lien over other liens in cleaning up and removal of the debris around an abandoned or foreclosed home. Does that answer your question?"

Rose: "Debris? What about if it's... is it just... I mean, what do you mean by debris? Is it like a... like a... They haven't mowed their lawn or is it..."

McCarthy: "Thank you, Representative. We just have a hard time with this one. People are talking in my ear, and I'm trying to listen to you. But we do have, already, statutes about de... debris and things like that, but this is more geared toward abandoned properties and because of foreclosure crisis."

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Rose: "But someone still has a security... I mean, a secured interest in that property, right?"

McCarthy: "Yes."

Rose: "I mean... So... so, whatever the security was that was advanced that's... then a mortgage was used to securitize the property, we're now giving a preference in advance of that private... that private transaction?"

McCarthy: "To our local municipality, correct."

Rose: "I... I guess I... I have a little bit of concern coming in after something securitized in a private... I mean, that's a private contract, and you're coming in after the... the money's been advanced in... you know, the... the property's been mortgaged and the secure... the security's been perfected, so that contract's in place. And now we're voiding the contract. I... I think there's a little bit of a constitution problem, there."

McCarthy: "Well, I just think it adds an additional layer, and it gives those municipalities a tool by which to help clean up these houses so that the people that have been able to make it through these crises and still own their homes on that street..."

Rose: "Ri... Right... But... but..."

McCarthy: "...are not going to have their property values completely diminished because this abandoned property is there. And... and I mean... the municip..."

Rose: "...I... I understand your... your point. And I... I'm saying forward prospectively..."

McCarthy: "...I mean the bankers who hold mot of the mortgages on these things, you know, raised no objection to this, so... I

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mean, I think in the long run, they probably have a vested interest in making sure that these homes at least are presentable enough not to affect the other properties around them."

Rose: "I... I guess... I think going forward... I... I think you... you have a valid point. But for obligations and security that's already been issued, I'm not sure how you go in in advance of that and just say, hey, we're going to go in... I mean, ever... real property has intrinsic value. I mean, it's got to be worth something. It could never be worth zero. So, that first priority lienholder has some amount of money at stake in that property. If you put someone else in the front of them, you've diminished their... that contract holder's rights under the mortgage. I... I just... I don't know how you could do that."

McCarthy: "Yeah. Well..."

Rose: "...I mean, I understand you're about to do it, but..."

McCarthy: "...Right, and... and..."

Rose: "...I... I think that that you got some..."

McCarthy: "...Of course, you understand like... like with property taxes... unpaid property taxes, they have a superior status, too... So... I mean... this is... but the..."

Rose: "Right... but was know before the iss... that was known when the contract was issued and the... the mortgage... the money was lended, and the mortgage went in place..."

McCarthy: "...Right."

Rose: "...And I'm saying, prospectively, I think, yeah, you're right. That's a known commodity, it's a known issue. But for... for properties that are already out there, I don't

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know how you can come in and take a... a spot in line... in the
lien line. But..."

McCarthy: "But, you know, the... the local mayor said that this
is something that... was a necessity for them in order to
pursue these properties. And, you know, to... to..."

Rose: "...Right. But... but somebody..."

McCarthy: "...to be fiduciary responsible to their own citizens
that... that they're going to get this money back."

Rose: "...Yeah, but... I... I mean... I..."

McCarthy: "And in the long run, hopefully, it's a good
investment for everyone."

Rose: "Well, I... I appreciate what you're trying to do here. I
just... I have a real problem jumping line on a lien when
someone else, a private citizen, has advanced cash up front
and is already in the position of not recouping, if it's a
distressed property, they're already in the position of not
recouping probably what they got in it. And now we just
put government in front of them. I... I just don't..."

McCarthy: "Yeah..."

Rose: "...think that's right. So..."

McCarthy: "Well..."

Rose: "...thanks for taking my questions, though..."

McCarthy: "...I think your concerns are genuine."

Rose: "...Yeah, thank you for taking my questions, Kevin."

Speaker Lyons: "Representative Watson."

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

Speaker Lyons: "Sponsor yields."

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Watson: "Kevin, is there a... it is in... in the Bill that you can
clep out... you can take a test to... to clep out of and be
grandfathered into becoming a broker?"

McCarthy: "Yes. Yes, it is."

Watson: "Okay..."

McCarthy: "You... you can... I... I'm almost positive, Jim, that
it's... you get to take the test twice before it kicks in
that you'd need to have to take additional hours and then
take the test..."

Watson: "And..."

McCarthy: "...But there is a... there's a period I... and I'll tell...
April 30, 2011 that you can opt into the... that broker
license from a sales person..."

Watson: "...And so you have..."

McCarthy: "...or managing broker from broker."

Watson: "...And so... so for clarification, you would have to take
and pass that test...'

McCarthy: "Correct."

Watson: "...prior to April 30, 2011."

McCarthy: "Right. Or, unless your license expires before then...
then you'd have to take it before your license would
expire."

Watson: "You checked. Okay, thanks."

McCarthy: "Okay. Thank you."

Speaker Lyons: "Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask the Gentleman a
question if he would yield."

McCarthy: "Ha ha. Yes."

Speaker Lyons: "Gentleman yields."

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Tryon: "Okay. Representative McCarthy, you know, I... I listened to the debate in committee yesterday on this, and I've since talked to home builders and realtors, and... and while... you know, you say you're willing to come back and work on this... I'm... I'm not so sure that home builders and... or the realtors were thinking that they're willing to come back and... and work on the language the home builders is concerned about and kind of the conversations that I had. And if I get this understanding right... If... if I'm a home builder under the... under this law, if this passes, and I... and I have maybe only a couple employees because I've down sized, and I'm... and I want to put a model home on the Parade of Homes or the Walk of Homes, and I want to pay somebody just for the day, eight hours, to come in and sit in the home and greet people when they walk in, and hand them a brochure. I don't want them to give a contract. I don't want them to try to sell the house. I just want them to sit there and show the house. My understanding under this Bill is I would need to have a realtor do that, is that correct?"

McCarthy: "If you did not have an employee... Remember the IRS def... definition of 'employee' is 20 hour... part-time employee, 20 hours or more per week... You would then have to have a... realtor in the open house, correct."

Tryon: "Well, here... here's what... I... I mean, I don't know where that 20 hour a week thing comes with the IRS. I... I've got part-time employees that work less than 20 hours a week, and we call them part-time employees, and we tax them, and we take deductions out of their payroll just like any other

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employee. So, where does that come from? I mean, what kind of employee is considered... I mean, I... I can tell you under ERISA, it's anybody 30 hours has to be given the same benefits as somebody that's full time, but they're not full time, you know. So, where does the 20 hour a week definition come from?"

McCarthy: "As I told you, and I think I admitted to Representative Black, I wish this entire issue would have been more vetted out. And had this group come to us at any time during the process, except for 24 hours before the... the Bill was going committee, we probably would have taken time and gone all through it. But they... they did get the definition from the IRS Code, according to both staff and... and I understand that to be correct. There was no... there was no question about that. As far as your earlier thing about like if... if they wanted to have someone sit in a Parade of Homes where the... where the main purpose of that was just to show off the home and... and not the sale of the home, well then they would not have... be under this restriction. When they have... when they an open house where the... the main goal of that open house is to sell the home, well, then they would have to have either a part-time employee or a realtor there to answer the questions or themselves. Of course, the builder could do it himself. But the... most of the builders... and I've only talked to a couple because it's only been 24 hours, but most of them have relationships with local realtors because when these people come through these homes... And I think that was kind of the gist behind the original idea, you know, nine months

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ago. When people come to those homes, if they're serious about purchasing it, there's a lot of questions they have that could best be handled by a... a real estate professional."

Tryon: "Well, I mean, I... I can actually see if this is a... a person that's going to be engaged and... and accepting or offering a contract. I think that probably should be somebody that's a realtor or somebody that... that's owns the property. But I... I can't see that if I just have somebody sitting in that house... and especially in this market where you don't have a lot of traffic coming in... Maybe I got a secretary sitting there just so nobody comes in and... and cleans out the furniture, you know. I mean, I... I just don't see that necessarily being a real estate salesperson as much as somebody that's just saying, come in and look around, and if you're interested, I'll get the owner or we'll get a realtor over here. And... and that's what I'm concerned about, and I haven't got that question answered. And I... and... and I need to get that question answered before..."

McCarthy: "Well, I wish I had a better answer for you, but I... I..."

Tryon: "...be... before I..."

McCarthy: "...And I'm sure just from this discussion here that when that association reaches out to some of us in the General Assembly for a follow-up language, you would be one of the people they'd speak to first. I... I wish it was earlier in the process..."

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Tryon: "...I... I mean... I would... I would really like to get this worked out..."

McCarthy: "...but unfortunately, just due to the way things sometimes work or don't work around here, we are at the eleventh hour, I think we've worked very, very hard on this Bill. This was a... this was a provision that was not put in at the last second. This was not put in in this Amendment, this was put in in both of the original Bills when they were entered back in February."

Tryon: "Well, it makes me uncomfortable. I... I... you know, I... I can see part of the realtors' concern. Certainly, I don't think there should be just somebody shows up and has a contract and... and starts writing contracts. I... I totally agree with them on that. But where I ha... where I'm not sure I'm understanding it right or where my biggest concern is, I just don't think somebody sitting in a home is..."

McCarthy: "What you just stated, I think, sounds like the gist for probably good legislation that, just on the original..."

Speaker Lyons: "Representative Tryon, your time has expired. Kevin, if you want to finish your response, and we'll end debate."

McCarthy: "Well, the only thing I'd finish up with then it would be legislation that... that if Mr. Tryon pursued it, it would be something that I would probably support."

Speaker Lyons: "Representative McCarthy, to close."

McCarthy: "Thank you for the... all the discussion on the issue. I think this is a very, very important issue. There's a couple loose ends that we did talk to associations about tying up. But I think as far as the four parts of the Bill

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are something we need for this state. We certainly need realtors when we wake up on January 1. As bad as the market is, we don't want to go down to zero, and I would appreciate your support and know that there is a willingness in the chamber to work on anything that needs to be corrected in follow-up legislation."

Speaker Lyons: "Question is, 'Should Senate Bill 1894 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 80 Members voting 'yes', 31 Members voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 9 of the Calendar, Representative Frank Mautino has a Motion on House Bill 1994."

Mautino: "Thank you, Speaker..."

Speaker Lyons: "...House... Representative Mautino."

Mautino: "...I would move to accept the Governor's recommended changes to House Bill 1994. This moves the effective date back."

Speaker Lyons: "Is there any discussion? Seeing none, the question is... Representative Mautino moves to accept the specific recommendations of the Governor to House Bill 1994. All those in favor vote 'yes'; those opposed vote 'no'. The vote is open. Have all voted who wish? Have all voted who wish? Representative Will Burns. Mr. Clerk, take the record. On this Bill, there are 115 voting 'yes', 0 voting, 0 voting 'present'. The Motion received a

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Supermajority. The House Bill 1994 has passed, notwithstanding the Governor's recommendations for change. Representative Frank Mautino in the Chair."

Speaker Mautino: "Mautino in the Chair. On page 5 of the Calendar appears Senate Bill 1812. Representative Acevedo. Representative Black"

Black: "Mr. Speaker, with permission of the Chair, I rise to a point of personal privilege to with... My apologies to Representative Acevedo."

Speaker Mautino: "Certainly."

Black: "Take just a few seconds. Ladies and Gentlemen, I want you to give a fond farewell to one of our good staffers, Mr. Dave Sinclair. Dave is with me here on the floor. He is... he's moving on. As so many of our good staffers do on both sides of the aisle, he's moving on to bigger and better things. It was a job offer he couldn't refuse, personal assistant and assistant defense counsel for former Governor Rod Blagojevich. Wish him well."

Speaker Mautino: "Mr. Sinclair, good luck to you. And thank you for your service. Representative Acevedo on Senate Bill 1812. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "Senate Bill 1812, a Bill for an Act concerning criminal law. The Bill was read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Bolin: "Senate Bill 1812, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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Speaker Mautino: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1812 will provide a higher class felony and harsher sentences for gang members possessing firearms and ammunition in public places. Ladies and Gentlemen, gang members and violence are plaguing our communities. The Chicago Crime Commission estimates there are between 70 and 100 street gangs in Chicago alone. Those 70 to 100 street gangs have between 70,000 to 125,000 members. Currently, there are approximately 13,000 Chicago police officers. This legislation will punish more severely gang members who possess firearms and ammunition in areas where gang violence is most likely to erupt, the streets, sidewalks, alleys, gang ways, roadways of urban areas throughout Illinois. The purpose of this legislation is to protect innocent citizens in public areas by severely and justly punishing those individuals who are most prone to cause violence in public areas, mainly gang members. On June 1, 2009, at approximately 12:12 a.m., Chicago Police Officer Alejandro Valadez and Tom Vargas responded to a call of shots fired in the area of 6000 South Hermitage. Unfortunately, shots fired is a routine call for police officers to respond to, and they respond to this on a daily basis. But on this day, when Chicago Police Officer Alex Valadez arrived at the scene, a tragedy unfolded. Officer Valadez, dressed in plain clothes, approached an individual to conduct a field interview. As he conducted his interview, a car with two individuals drives by, and the passengers begin shooting at the officer. Officer Valadez

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was shot in the head and in the thigh. These gun shots wounds killed the officer. The two individuals in the car were apprehended. The gun was recovered and both gave statements to police. At the time of this trag... tragic incident, both defendants were on probation. The shooter was on the felony probation for an aggravated unlawful use of a weapon. Both defendants are gang members. Ladies and Gentlemen, you read so many... about so many tragedies in the paper, but this tragedy hit home because, on that day, I awoke at 5 AM in the morning to uncontrollable sobs, and it was my son. Not only was Officer Valadez a fraternity brother of his, but he was also a dear friend of his. Ladies and Gentlemen, this Bill was first introduced in the beginning of the Session, but was sent to subcommittee. This Bill was important, but now the untimely and tragic death of Officer Valadez illustrates how important this measure is to the safety of police officers, the citizens in every community in Illinois. Our neighborhoods need to be safe from gang members and their weapons. Ladies and Gentlemen, it's a great honor for me to present this Bill, which I call the Chicago Police Officer Alejandro Valadez Law. Please join me in supporting this important legislation measure. I'll be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1812. And on that question, Representative Collins is seeking recognition."

Collins: "Thank you, Mr. Speaker. To the Bill. I know that we have a lot of concern about the gun violence that has

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happened in the City of Chicago and all around the country in our urban cities, but I think... And I know this may address parts of the issue... but the real issue is still at large. What we're doing is enhancing the penalties for someone with a gun, which is already a crime. So, we enhance the penalties, so they can stay in jail longer. But what happens in our institutions, as we still take money away from our juvenile justice system, we take money away from our adult criminal justice system, and we don't put any services in our schools... our schools don't have enough money to address our children's needs. Our children are hurting. They don't feel valued. What I'm concerned about this Bill is the same thing that's going to happen with crack... the difference between crack and cocaine. And then, what about the innocent kids that are on... on... One of the kids that were beat in that beat... in that brutal beating last week was a kid in the paper who said, 'How many times do I have to turn my cheek because I'm being beat everyday or threatened everyday?' Now, this is a kid who's not in a gang, who may bring a gun to school to protect themselves. What about those kids? So, I want us to raise the issue and try to dig a little deeper and think about, how are we going to address the needs of our children, what programs are we going to be... that we're going to put in the school? We need to address the issues that our kids are not valued, our kids are not loved, and we can't keep punishing them. Well, we need to punish them. I'm not saying we should not punish them. But we can't keep just erasing the problems and keeping them in

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our institutions, unless we're going to keep them in jail for the rest of their lives or unless we're going to kill them. We have to address... address their issues. And we're just simply not doing that by keeping them in jail a little longer."

Speaker Mautino: "Further discussion? Representative Bost."

Bost: "Thank you, Mr. Speaker. Will the Sponsor yield? First off, Representative, I... I think you're heading right down the path that... for int... for intensifying the... the penalties. I don't have any problem with that. What I'm wanting to find out... and... and just because, as I read the Bill... How do you identify a person as a gang member? I mean, we... we know that... that the police officers can identify them that way, but... but can you explain that to me, how that's done?"

Acevedo: "Well, Representative, when... Currently it's a Class IV felony... When this go... goes to a Class II felony, it's... You have to prove beyond a reasonable doubt. Now, they have to prove that individual is a gang member. And how they do that, the Chicago Police Department has a list. And actually, if you go up to an individual who's a gang member, he's proud to... of his affiliation. He'll tell you himself..."

Bost: "Okay... Okay."

Acevedo: "But this is something that the State's Attorney needs to prove, that this individual was in a gang and did possess a firearm."

Bost: "Okay. That... that was what I was just trying to find out. I... I didn't know how the City of Chicago handles, you

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know, proving that they're in a gang. And.. and without an.. an admission that they're in the gang. I mean, can.. Is there somebody that can be.. be.. have this intent.. increased penalty.. and I was just trying to figure that out."

Acevedo: "U.. Usually you can tell by.. by their own words or by tattoos."

Bost: "Okay. Thank you."

Speaker Mautino: "Further questions? Representative Davis, the Lady from Cook."

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

Speaker Mautino: "Yes."

Davis, M.: "Representative, this Bill enhances the penalty for, and I quote, 'gang member carrying a weapon.' Is that correct?"

Acevedo: "A.. a weapon or ammunition."

Davis, M.: "What about the members of the Calabrese organization? The Calabrese organization is one of our notable crime syndicate groups. They're not in this legislation."

Acevedo: "If they belong to a gang, they are."

Davis, M.: "Well, you see, here's the problem I'm having, Representative. Maybe you can help me with this. Gang members are bad people. The Calabrese organization, bad people. KKK members, bad people. Why are we singling out one group of bad people?"

Acevedo: "Well, Representative.."

Davis, M.: "Mafia people, mafia members who go to jail and come out. Why aren't we including them in this legislation?"

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Acevedo: "Representative, right now, currently, gang violence is way out of control. I don't see the Calabrese coming around shooting each other left and right on the south side of Chicago, north side of Chicago, west side, and east side."

Davis, M.: "So, your hypothesis is that, if we enhance the penalty of a ga... so-called, gang member, he's going to have a 'G' on his forehead? Maybe he'll have a big tattoo."

Acevedo: "That's a possibility. That's how we identify... a Chicago police officer identified two gang members..."

Davis, M.: "How will you identify a gang member?"

Acevedo: "Representative, I just finished telling you, most of the gang members are proud of their affiliation. They'll tell you themselves. Either that, or they have tattoo markings."

Davis, M.: "Well, we could get some people who choose to be the people in charge of the gangs, who don't identify themselves as gang members. They may go to work to their offices everyday downtown in Chicago."

Acevedo: "Well, in this legislation, Representative, it's up to the State's Attorney to prove beyond a reasonable doubt."

Davis, M.: "I have... You know, I have the greatest respect for you, Representative Acevedo..."

Acevedo: "I wonder that sometimes."

Davis, M.: "Ha ha. I have great respect for you. However, on this issue, I believe it is grossly discriminatory. No one better than I or greater than I would like to stop the mayhem and murder on Chicago's south side. Most of these children who are shooting each other are Chicago public

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school children. They come out of Chicago public schools and, for some reason, when they leave those buildings, they're full of hatred and hostility. I wonder what we'd say if all the people... or most of the people coming out of Chicago post office, was killing each other. I think we'd want to know what's going on inside. My real concern is, if you have a person, perhaps, who is being threatened, who feels a great threat, who doesn't feel he's receiving the needed police protection... I'm not saying he should be out there carrying a gun, but I think to blanketly state... to blanketly state, that if you're a member of this organization, and you commit this particular offense, then your penalty will be increased. Tell me, what is the increase in penalty? What is it going to increase to?"

Acevedo: "It goes from a Class IV to a Class II felony."

Davis, M.: "A Class II from a Class IV. And a Class II requires what kind of sentencing?"

Acevedo: "I believe it's up to three years."

Davis, M.: "So, in or... because you carried... because you had a loaded weapon, you could be in prison for three years. Is that correct?"

Acevedo: "If you are a gang member on probation, yes."

Davis, M.: "Suppose you weren't on probation. Suppose you're just a gang member."

Acevedo: "Well, then you're going to be charged with a Class IV felony."

Davis, M.: "And you... How many years for that? How many years?"

Acevedo: "I'm trying to find out, Representative."

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Davis, M.: "I appreciate your support in trying to find the answer."

Acevedo: "A Class IV is one to three. And a Class II is three to seven years."

Davis, M.: "What is a IV?"

Acevedo: "I just told you, Representative..."

Davis, M.: "Three to seven years?"

Acevedo: "...No, I said one to three years."

Davis, M.: "One to three. And then the Class II is three years?"

Acevedo: "Three to seven."

Davis, M.: "Three to seven. Okay. So, I'm just wondering exactly, if you're carrying a gun and you're a gang member, and I keep you in prison or jail for three years, and I say well, that's really not enough time, I need to keep you a little longer. So, you're... you're going to be a better person if I keep you for six years or seven years? Or, is the taxpayer just going to be out a little more cash?"

Acevedo: "A Class IV felony is also probational."

Davis, M.: "A Class IV is nonprobationable. How about a Class II?"

Acevedo: "A... Also. Also. I apologize."

Davis, M.: "Is a Class II nonprobationable?"

Acevedo: "With this legislation, no, it won't be."

Davis, M.: "You mean, for the harsher sentence, you can receive a probation?"

Acevedo: "Not true. That's not what I said."

Davis, M.: "Hm?"

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Acevedo: "That's not what I said. I said, a Class IV is probationable. A Class II, according to this legislation, will not be probationable."

Davis, M.: "Okay, so, the first offense, if you just... IV... Class IV, you can get probation after so many years?"

Acevedo: "A... a Class II..."

Davis, M.: "But a..."

Acevedo: "...a Class II..."

Davis, M.: "...but a Class II, you can't get probation?"

Acevedo: "No, I... I think you're confusing, Representative. A Class II felony is a higher..."

Davis, M.: "I know. I know that. The lower the number the higher the sentence..."

Acevedo: "Yes, yes."

Davis, M.: "...I know. You know..."

Speaker Mautino: "Please bring your remarks to a close."

Davis, M.: "I would just say that I would gladly support this legislation if it included the Calabrese organization, Mafia members, Klu Klux Klan members, and all of those who have a reputation for criminal behavior. But because we're singling out one group of criminals, I find it discriminatory, and I'm going to vote 'no'. It'll probably get 118 or 17 votes, which is okay. It's discriminatory legislation, and it doesn't solve any problem, it just goes deeper into the taxpayer prob... pocket. Deeper. Pay more and get less."

Speaker Mautino: "Further questions? Representative Reboletti, the Gentleman from DuPage."

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Reboletti: "I... I am truly amazed by what I've just heard on this House Floor. I... I'm looking at a story in the Chicago Tribune about one of the shooters talking about the fact that he was already on probation for UUC, which means he already was a felon with a gun. And he violated his probation three times. And he was still on the street, and he shot a Chicago police officer. But we're going to worry now if we haven't made sure that every person in the world will fall under this Act. We see senseless killings in Chicago day after day. And what shall we do? I know, we'll give people more probation. We won't lock them up. We're cutting funding for probation officers. But that's okay. We don't want to waste taxpayer money. So, three times, this guy had a chance to put his life in the right direction, and you know what he did? He shot a cop instead. That's what's happened here. Had he been in prison, he couldn't have killed a Chicago police officer. But we'll worry about the Calabrese family is included in this Bill. I would direct the Representative to the Criminal Code that discusses organized crime and gangs. The fact of the matter is, we're not harsh enough on people who carry firearms illegally in the State of Illinois. Maybe if there wasn't probation and people were locked up, they would think twice about this and about killing kids in Chicago public schools. I'm tired of hearing about this, we're discriminating against bad people. We're discriminating against no one here. This law applies equally to the thirteen and a half million citizens in this state. If you don't shoot anybody... if you don't... if you

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have a FOID card and you're on your property or you're hunting, you're okay. But when you're on the streets of Chicago, and you're an affiliated gang member, and you're carrying a loaded firearm or ammunition, you should go to prison. That's what this Bill says. It's as simple as that. Representative Acevedo, I appreciate the fact that you've brought this Bill. We need to look at the fact that more people should be locked up when they are out carrying firearms illegally. And maybe we wouldn't have so many senseless killings in this state. So, Representative, thank you. And I look forward to working with you on legislation that makes this state safer. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Durkin."

Durkin: "Thank you, Mr. Speaker. To the Bill. The Lady from Chicago couldn't be more wrong with her analysis of the... of the way that this Bill is going to be applied. Looking at definitions... Every now and then, it's... it's... it would be worth our while to take a look at the Bill before we opine on it. Street gang or gang means any combination, confederation, alliance, network, conspiracy, in law or in fact, of three or more persons with an established hierarchy that, through its membership or the agency of any member, engages in the course or pattern of criminal activity. There's nothing in there that says it excludes the Calabreses, the Bonanno family, or the Corleone family, or any other outlaw street gang. The fact is, these are street gangs, whether it's a mafia, whether it's an Asian mafia, whether it's any type of organization that is bent

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on criminal activity. They're going to be applied.. this law is going to be applied to them. There's no discrimination in it. It's not going to be applied just to minority street gang members in the city of Chicago, but it's going to be to... it's going to be to street gangs that have now polluted the suburbs and also in the collar counties and downstate Illinois. So, I... I'm not quite sure why there is so much opposition, at least what I'm hearing from one individual. Yes, there'll be a little price to pay for the Department of Corrections, but the fact is, these street gangs have destroyed neighborhoods. They've been doing that for decade after decade. As I said earlier, it's not just the City of Chicago but also through the suburbs and the collar counties and also downstate Illinois. And I'm willing to make that investment to make sure that these people are sent away to prison so they're taught a lesson, that if you are going to carry a firearm, there is zero tolerance in the State of Illinois. And the fact is, if that's what we have to do to make our neighborhoods safer, sobeit. I'm with you, Representative Acevedo. And I encourage a very strong 'aye' vote."

Speaker Mautino: "Further discussion? Representative Eddy."

Eddy: "Will the Sponsor yield? Representative, I... I couldn't agree more with Representative Durkin on... on the fact that it would help every once in awhile for people to read a Bill. Your legislation's crafted to protect law-abiding citizens. It protects them because if they have... On... on line... line four of page three it says that if the person

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basically... if they have a valid FOID card, they're not culpable under this."

Acevedo: "That's correct."

Eddy: "You're protecting law-abiding citizens. We have, on many occasions in the downstate perspective, discussed the fact that we would be there and we would be supportive when legislation was brought forward that would enhance the penalties for criminals, while protecting law-abiding citizens. You've done that. As Representative Durkin pointed out, there's a definition in here that's universal. It's got nothing to do with... with any... any type of discrimination whatsoever. I just want to add my... my support to your Bill. And I want to thank you for listening. Sometimes we don't do that here. We've had discussions about this... This isn't about gun control, this is about crime control. And that's, I think, the type of common ground we can find between different parts of the state. I appreciate the fact that you brought this. I, also, would urge an 'aye' vote and look forward to continuing working with you in this manner to help solve these problems."

Speaker Mautino: "The Gentleman from Cook, Representative Burns."

Burns: "Thank you, Speaker. To the Bill. I've heard a number of my colleagues and previous speakers discuss this issue, and I think it's important to note a couple of things. One is that, because of our work on both sides of the aisle, and some of the previous speakers, and the Cook County State's Attorneys office, we've worked to find ways to

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remove and keep eligible nonviolent offenders out of the Department of Corrections. And if you look at what's driving the Department of Corrections' budget, it's not the folks who are shooting and killing people or maiming people in our community. It's nonviolent offenders who have drug and substance abuse problems and issues. And so, we've worked on some solutions like the Illinois Crime Reduction Act of 2009 that will hopefully divert more of those people to community-based alternatives to incarceration. Now, having said that, we have to draw a distinction between nonviolent offenders who have mental health or substance abuse issues and those who intend to cause death and murder on our streets. And I think that folks who are going around in our communities who are members of street gangs, who are carrying ammunition, who are carrying firearms, pose a threat to public safety. And those people have only one place to go. And if they're found guilty by a jury of their peers, they belong in prison. And while they're in prison, we need to work to figure out ways to rehabilitate them, to train them, to work at some of the root causes and issues. And I think that's bona fide, but if you're posing a threat to public safety, you need to be in prison. And I think that this Bill, Representative Acevedo, does that. This Bill deals with people who are a threat to public safety. So, I plan to vote for this Bill, and I encourage my colleagues to do the same."

Speaker Mautino: "Further discussion? The Gentleman from Winnebago, Representative Sacia."

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

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Speaker Mautino: "Indicates he will."

Sacia: "Representative, it's fair to say that you are a sworn Chicago police officer, is that correct?"

Acevedo: "Yes, I am."

Sacia: "And it's fair to say that you were a personal friend as well as your son was a fraternity brother and a personal friend of Officer Valadez?"

Acevedo: "Yes."

Sacia: "In committee yesterday, testimony from Chicago police officers, those affiliated and knowledgeable of crime in this great State of Illinois pointed out that there are 79 known street gangs in the City of Chicago with over 80 thousand identified members, and one gentleman estimated as many as 130 members of Chicago street gangs. Is that basically correct?"

Acevedo: "That's correct, Representative."

Sacia: "Representative Acevedo, I truly applaud you and... and had no intention of speaking with the initial introduction of this Bill because it seemed to me to be such a total no-brainer, where we are trying to protect our sworn police officers. And... and I must confess, the area that I live, though we are plagued with gangs, nowhere near to the intensity that those of you in the City of Chicago and certainly you sworn police officers deal with and must have adequate tools to take these people off the street. And we are now advocating a penalty with a minimum of three years. A minimum of three years for a gang banger with a gun and ammunition. And as pointed out so eloquently by Representative Eddy and others, if they are not in the

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public way, if they do, in fact, have an FOID car, if they, by some chance, would happen to have the gun unloaded and encased in a weapon, they could not be charged.. encased in an automobile, they could not be charged with a Class II. Am I right in that statement?"

Acevedo: "You're correct."

Sacia: "The bottom line, Ladies and Gentlemen, is the City of Chicago, to many of the sworn officers and certainly to Officer Valadez, who chose to work one of the more difficult areas of Chicago, these men and women are in a war zone. We have an obligation, as Members of the General Assembly, to give them the tools that they so desperately need to take those off the streets that would inflict harm on not only police officers, but randomly shoot for the sake of shooting. I applaud you, Representative. I think this is excellent legislation, and I think if there ever was a time for 118 'yes' votes to go on the board, this would be a time. Thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? Representative Mendoza. And there are five people seeking recognition."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen in the House, I rise in strong support of this legislation. I'm sure it's no surprise to any of you, but, you know, I've hear all the testimony. I... I appreciate the vast majority of it, but I can tell you that, as a Representative of a community that is long gone in terms of being victims to, what I would categorize as nothing other than street terrorism in our neighborhoods, it's important that we do something and that we do it now. Every day, we read a new

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story or we turn on the TV and hear a new tragedy that occurred as a result, 99 percent of the time, from gun violence committed by members of street gangs. As Representative Acevedo said, these aren't individuals that we think might be in a gang, that we can say kind of look like they might be gang members, but people who have, at this point, no longer any fear of the law or of the police. They will look a police officer in the eye before they pull the trigger and tell them that they're a proud member of a gang. This is something that needs attention now. We've heard about Officer Valadez, his sacrifice that he made for all of us. But let me remind you, not just about the sworn officers who risk their lives, day in and day out, but about regular people, people like all of you, moms, dads... In my district, last year, Mrs. Barrera, who was trick or treating with her three little kids on Halloween at 6:30 in the afternoon, right in front of her house, opening the gate to her home when she was seven months pregnant, and the victim of a gang fight that resulted in her getting shot in the head as she was holding the hand of her four year old daughter dressed as a princess. This happens all the time. It should never happen. Mrs. Barrera lost that child, obviously. But more importantly, those three kids lost a loving mother at 6:30 in the afternoon, broad daylight, by none other than street thugs, animals. Call them what you will, but these are people with no value for hu... they... they have no value or no respect for human life. We talk about the wars in Afghanistan, we talk about the warzones in Iraq. We're living in warzones in the inner

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City of Chicago. And if we don't pay attention to this issue now and actually do something rather than just talk about it, every community area in Illinois is going to start to see an increased prevalence of this violence. So, I commend Representative Acevedo. I commend State's Attorney Anita Alvarez, and I thank them for their work on this initiative. Certainly give my support, and I would ask the rest of this Body to do the right thing. I'm sure we will. And vote 'aye'."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker. To the Bill. This legislation is some bittersweet legislation. Of course, I live in the City of Chicago, where our streets are plagued with gang violence. Innocent people have been shot by stray bullets. And day after day, we see young people who have died and been victim of gang violence. I agree with my colleagues that we have to do something, and we're trying to work towards that. But I would also ask that this Body take under consideration and really get to some of the root causes. Every day, young people are being coerced into gangs. Young men and young women. Every single day. There're rumors of gang initiation, and the kids feel like they're stuck between a rock and a hard place. Either do what they say do or get beat up or get tormented. And they're very fearful of the gangs. This legislation doesn't address first-time offenses. This legislation doesn't address a number of things. I'm going to support it, but oftentimes, we do things that make us

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feel good, but we really don't address what the real problem is. Half those people don't want to be gang members. They want to find jobs, they want to support themselves, they want to buy themselves shoes and things of that nature. But because honest jobs are not available for a lot of them, they have resulted to do negative things, which is not... which isn't something that they should do. But when you are faced with hopelessness, your communities have not been developed, all of your schools in your communities are on the failing list, they're closing and they're sending kids to schools that are already overcrowded. Good schools have no placement for them. Their families are dealing with issues that people can't understand that they're dealing with. They're trying to maintain their houses. They're trying to get out of foreclosure. They're trying to take care of their brothers and sisters. Mothers and fathers having latchkey kids and not having places to take their children to. There are a lot of issues that are driving kids to violence. And we need to address those issues. I'm all for trying to get every single gun off the street that shouldn't be there. I'm... I'm all for that. And I'm all for punishing people who should know better and do better. But I think this Body should be all for correcting some of the problems that plague our community and stop turning a blind eye to when we come down and we ask for a certain programs that our community needs and understand where we're coming from. Everybody wants to do the right thing, but this feel-good legislation don't feel good when you come home to people

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who say they want a job and can't find one. This feel-good legislation doesn't do any good when we have to send our kids across town to go to school. This feel-good legislation doesn't do anything for the families who are focusing... facing foreclosure. So, let's address some of these other problems. Let's address some of these other problems, so that when I take this vote on this legislation, I yet again don't go home feeling sick because I've done something to correct one issue, but I leave a hundred other... 15 other issues that have no been addressed. Why we do this? Let's... let's work on some other issues that we know that are needed in our community that we consistently turn a blind eye to."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Davis, W."

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

Speaker Mautino: "Indicates that he will."

Davis, W.: "Representative, as I'm looking on my computer at this, I notice that the offense that created... that's created emphasizes street gang. Why does it emphasize street gang?"

Acevedo: "Well, as I said before, Representative, just because it says street gang, doesn't mean it's going... it doesn't... it includes syndicate and all other organizations that... I don't have the Bill up on me, but I believe it's three or more are gathered."

Davis, W.: "I... I read the definition and... but... but therein lies some of my... my challenge with this, is because when we say it in that vein, it kind of... kind... maybe not... maybe not

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quite use the discriminate, but it kind of focuses the attention in one area. And... and even though the definition goes into and talks about other things that may indicate organized crimes, syndicate families, and all of those kinds of things, I'm... I'm just concerned that the offense that's created kind of emphasizes one particular thing. And I, like my colleague that just spoke, will probably support this because, again, it's trying to get at one problem, but we know that there are number of other problems that exist. But... but just for the fact that it emphasizes that, just gives me... gives me some pause moving forward with that. And... and I'm not necessarily asking you to change the definition or that it needs to be changed, but I just think that we need to be mindful of the way in which we word things here in the Legislature because obviously you say it in a definition is broader in context, but when this goes before or... or when the officers are out there or... and the State's Attorneys that are out there charging people with this crime, it appears that they're just going to be focused in one particular area. So, I... I just wanted to... to make that particular point. And to the Bill. You know, it's amazing how contradictory we can be in this chamber. And sometimes how hypocritical we can be in this chamber, because not too long ago, one of our colleagues tried to put forth a measure to increase the amount of MAP funding. And I can't even begin the conversation that took place that, where's the money coming from? Why are we doing this? How come we didn't do this before? And yet, Gentleman from the other side of the

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aisle said, well, Corrections will have to take a hit, like it's no big deal. Well, where's that money going to come from? When we try to put forth measures to reduce the rolls in prisons, to try to deal with nonviolent offenders, we always get... get sidetracked with that because we don't want to be soft on crime. But nevertheless, that stuff costs money. So, when we're trying to put forth money to give young people an opportunity, give them a... chance, help them to fund college in some kind of way, that seemed to be a problem. Now, we all voted for it, but... but why did it have to go in that way, as it should have been something that we all said yes, we need to do, and we should have just voted for it and allow it to move. But yet, when it comes to increase the prison rolls, don't have a problem spending that money. And I wonder why. Could it be because most of the prisons are not located in communities like mine, and that where they are located, they're used as economic engines, so you don't have a problem increasing the prison rolls because that means that people in your communities are going to have jobs, they're going to open restaurants, they're going to open hotels? Is that what that really mean? Is that what that really means? So, when we talk about really trying to fix some of these problems, I hope that this Bill is the impetus to really trying to fix some of those problems, to try to get people out of prison who really don't need to be there, first-time offenders. And make room for the people who are violent offenders, who need to be there. My colleague said that, yes, some people need to go to jail. That's just a fact.

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And we all know it. But there are some people, because of circumstances in their lives... and maybe that's a little bit too much for some of you to understand because you've never dealt with those circumstances. But we do, every day, whether they're in our communities or sometimes in our families. We deal with those circumstances. So, here in this Legislature, I'm encouraging you just to be mindful of some of the decisions that we have to make and the reasons we have to make them and why we want to create programs to try to deal with some of the nonviolent offenders and make room for the people who are... maybe fit under this category, maybe are carrying weapons, maybe who are felons like my colleague mentioned earlier, who are violating their parole and who need to be put back in those prisons. Be mindful of these kinds of decisions as we are moving forward s..."

Speaker Mautino: "Please... please bring your remarks to a close, Sir."

Davis, W.: "Absolutely. So, I'm going to support the Gentlemen's legislation because... and again, it's trying to get at maybe one problem that we have. But there are so many other problems, and I hope that this will be the beginning of us all working together to deal with problems throughout the entire State of Illinois that exist in our communities as well as in your communities. Thank you."

Speaker Mautino: "The Lady from Cook has spoke in debate. She is seeking recognition. Representative Davis."

Davis, M.: "There's a point of personal privilege because someone mentioned the speech that I gave. And I think it's important to realize that street gang and family are two

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different entities, and family should be included in this legislation."

Speaker Mautino: "No one else seeking recognition. Representative Acevedo, to close."

Acevedo: "Thank you, Mr. Speaker. I want to thank my colleagues who rose in support of this legislation. This City of Chicago is a war zone. What does it... what does it tell you... what does it tell us, when gang members start doing drive bys on Chicago police officers? Why don't we just throw up our hands and give the streets to the gangs? We all get locked up in our homes, stay there. This is not going to solve the problem, I understand that. But it's a beginning. And I, for one, will work with each and every one of you to make sure we solve this problem. It's not about the past. It's about where... where we're going. I mean, it's not about the past, it's about the future. It's not about where we're at, but where we want to go. And I, for one, want to move forward and work with each and every one of you to make sure this state and our communities are a safer place for every one of us who live in this state. Thank you so much."

Speaker Mautino: "Representative Acevedo has moved passage of Senate Bill 1812. All those in favor say... vote 'yes'; opposed 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. 112 voting 'yes', 3 voting 'no', 0 voting presents. This Bill has achieved a Constitutional Majority. It is hereby declared passed. Representative Flider is seeking recognition."

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Flider: "Yes, Mr. Speaker. On Senate Bill 1894 which we voted on a few minutes back, I would like to be recorded as 'aye'."

Speaker Mautino: "Journal shall so reflect your wishes. On page 4 of the Calendar appears Senate Bill 1371. Representative Burke. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "Senate Bill 1371 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Read the Bill a third time."

Clerk Bolin: "Senate Bill 1371, a Bill for an Act concerning regulation. Third Reading."

Speaker Mautino: "On Senate Bill 1371, Representative Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This initiative is a comprehensive approach to offer exemptions for placement of AEDs in our society. It has been for the last several years the custom of this Body to offer recommendations to exempt AED placements. We have, for the last summer, worked together with all stakeholders to try to nail down exactly every potential exemption that could occur. We believe that we have, again, comprehensive offer in terms of what entities should be exempted from placement of AEDs. I'd be happy to answer any questions."

Speaker Mautino: "Gentlemen has moved passage of Senate Bill 1371. And on that question, Representative Osmond is seeking recognition."

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Osmond: "Thank you, Mr. Speaker. I... To the Bill. Representative Burke and the Heart Association, the park district's municipalities, have spent a great deal of time and effort trying to address the issues that the AED legislation, which we brought forth a few years ago, to correct any problem that we were having. We're not trying to discourage the use of AEDs. We're trying to promote the use of AEDs, and I would like to stand in support... strong support of this legislation 'cause I think that it answers a lot of questions that were out there with school districts and football leagues and baseball leagues. And I do thank Representative Burke for all the time and effort that he's devoted to this, and I stand in strong support and urge your support also. Thank you."

Speaker Mautino: No one else seeking recognition, the Gentleman moves passage of Senate Bill 1371. And on that question, '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 Verschoore, Representative Riley, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar appears Senate Bill 327. Representative Davis. Mr. Clerk, what's the status of this Bill?"

Clerk Mahoney: "Senate Bill 327, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Davis."

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Davis, W.: "Thank you, Mr. Speaker. This Bill simply adds to language already in statute that would allow agencies like the Department of Transportation, who appoint public members to selection committees that represent geographic, ethnic, and cultural diversity of the population of the state. It allows them to include individuals in addition to being licensed in a particular area. It includes that they... that an individual can be appointed if they have received a degree from an accredited college or university in one of those professions as well. Be more than happy to answer any questions."

Speaker Mautino: "And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Will the Sponsor yield?"

Speaker Mautino: "Indicates that he will."

Eddy: "Representative Davis., just a quick clarification. This doesn't require the degree, it... it allows for it, correct?"

Davis, W.: "It allows for it, yes."

Eddy: "Okay, so, doesn't mandate the degree? Thank you..."

Davis, W.: "No..."

Eddy: "Just wanted to make sure that was the case."

Speaker Mautino: "No one else seeking recognition. Representative Davis. now moves passages of Senate Bill 327. 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... Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. It's

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the intent now to move to House Bills on Second Reading. On page 2 of the Calendar is House Bill 1580. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "House Bill 1580 has been read a second time, previously. Floor Amendment #1, offered by Representative McCarthy has been approved for consideration."

Speaker Mautino: "On Floor Amendment #1 to House Bill 1580, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. The reason Floor Amendment #1, which is an extensive Amendment, was sent right to the floor of the House, is that it is an exact duplicate of House Bill 1098, which passed the House on April 3. The Governor made an Amendatory Veto of House Bill 1098. He wanted to delay the effective date from July 1 of 2009, to July 1 of 2010. I agreed to go along with the Amendatory Veto in order to move this cost into the next fiscal year. However, staff determined that this Amendatory Veto would be noncompliant. So, rather than fight that fight with the Governor, we decided to take everything on 1098, move it over to House Bill 1580, and then change the effective date so it agrees completely with the Governor's amendatory Veto. This is a Bill that passed out of the House, as I said, 114 to 0 to 0. I do understand that, about two hours ago, a group now is opposed to this, and I would have loved to have had the chance to debate them in committee. But unfortunately, they waited... After being involved in very pension discussion we've had, they waited 'til two hours before the Bill. And I think there's got to be some other reasons going on here, but they have decided now that they

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will oppose this. I think some of the pension reforms that have been alleged and attributed to me may have brought this action forward. I don't know, I just know that about an hour and a half ago, they told me that they wished to do this. It's directly in conflict with something that is a great benefit for a small, small number of their members, I understand that. But it's up to them, and I told them that an hour and a half ago, whatever. If they want to opposed it at this time, please go ahead. But I think it's a Bill that deserved merit. Hundred and fourteen of you agreed with me on April 3. I hope that at least 71 of you will agree with me today. Thank you."

Speaker Mautino: "Questions on the Amendment? The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates he will."

Eddy: "Representative, do... would... would you agree that this proposal would have an adverse effect on the finances of the Teachers' Retirement Insurance Plan?"

McCarthy: "Well, if nothing else has changed, yes. 'Cause it will reduce the... the fund by about a half a million dollars..."

Eddy: "Okay, so..."

McCarthy: "...That's why we delayed into the following year. We know that there's a... a study group out there that's supposed to be looking at TRIP. Everyone would like to see the Governor appoint the Members that aren't appointed and have this group move forward. I don't think this will be the difference between solvency and insolvency, but any

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expenditure, of course, would make the... the fund have less money."

Eddy: "So... but... but what it would do, is it would, according to the 2004 TRIP agreement, this would be an expansion of benefits with that agreement being reviewed very soon. It... it seems... seems to me that we're adding \$500 thousand in permanent changes, or at least endorsing that, before that... that meeting takes place, at a time when that fund is already in some difficult shape. They may have the money now, but it's clear that they're going to go into insolvency. And this just adds to that problem, it seems to me."

McCarthy: "Well, this Bill... All it does different from House Bill 1098 is it extends this cost into Fiscal Year 2011. It will... we will not incur the cost during 2010. The new effective date will be July 1, 2010, as opposed to 2009. So, if anything, it pushes that... the 1580 compared to 1098, it makes it one year farther into the future. Hopefully, we will address the TRIP needs, because I think we're going to have to address them before July 1 of next year. I don't think there's a Member of this chamber who has ever studied that issue that doesn't agree that it's a very serious issue that we better look at in the very near future. I don't think that this... I mean, I reduced it to a half a million dollars. The original cost of the Bill would have been about ten times that amount. But because of our strict financial conditions that the state finds itself in, I agreed to give these people very small relief, but it's very meaningful relief to many of these retirees,

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who are on a very small annuity. And this close to \$700 a month premium they pay takes up a good percentage of that annuity."

Eddy: "Well, let... let me make sure we... we characterize this at least the way I... I read it. These folks willingly chose not to participate in an HMO. They willingly chose to do that..."

McCarthy: "Correct."

Eddy: "...even though they would receive increased benefits for participating in the HMO."

McCarthy: "Right."

Eddy: "That was their choice. And... and now, we... we want to change that to the tune of about \$500 thousand in cost."

McCarthy: "That... that was their... that was their choice. These... these are a small group of retirees who, for one reason or another, do not have Social Security Medicare coverage. They did not get their 40 quarters during... They taught during years when we did not have them as part of the Medicare package. After 1986, every one of our new teachers has that, and some people in 1986 who didn't have it opted into the program. So, this is a small group of about a thousand people. As I explained to you during the discussion of 1098, 300 of these people live outside the State of Illinois. They have taken their retirement and gone to Arizona, Florida, many other states. One went out of the country. Every single one of those people who live out of the state gets the double bonus as far as the premium. They pay half of what these people in 89 counties in the State of Illinois. So, this... Whatever the... the

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process was started, we looked at it and said, there seems to be some basic unfairness that the only people paying the... the \$700 premium are people who reside in the 89 counties in the State of Illinois..."

Eddy: "I... I understand that... I understand that..."

McCarthy: "...As I said, on April 3... on April... I mean, so they agreed. TRIP agreed..."

Eddy: "...Rep... Representative, I'm not going to have a quarrel with... with the... the possibility that this will make sense when we do TRIP. My real problem with this right now... And it's different for me than in the spring. I mean, we've gone through a summer where you and I both have served on a pension taskforce that, because of changes in benefits, it made sense. Over a period of time, we've ended up with a system that, I think we both would agree, is in some trouble. That 2004 agreement is... is going to receive some attention soon. And, very quickly, to the... to the Bill. Ladies and Gentlemen of the House, I... I think we... we have to realize at some point or another that, before we begin to fill the holes we've created, we have to stop digging. And whether or not you... you can argue the merits of... of anything is a good idea, or this... this does involve about 600 individuals, who made a choice, and now we're going to add about \$500 thousand in liability to a system that is clearly not able to take that liability on before we have a new TRIP agreement. Reluctantly, I would urge this Body to reject this at this time. We are... we are in a difficult situation, and it's going to require some difficult votes. This is one of those, but we have to come to the

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realization, at some point or another, that we just cannot continue to dig this hole deeper. Thank you."

Speaker Mautino: "Further discussion? The Lady from Lake, Representative May."

May: "Yes, thank you. Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

May: "Yes, Representative, I... I truly appreciate and applaud all the work that you've done on pension reform. And I... I'm troubled by your comments that you think that this might be in retribution for that, because I stand with you in working for pension reform. In fact, I've made a pledge to my constituents to not expand pension benefits until we really realize the... the cost implication of them. And as I understand, perhaps people voted for this because we didn't realize the cost implication when we voted for 1098, or whatever the Bill was."

McCarthy: "I... I would completely disagree with that. It was very... you go back and look at whatever the debate was. It was talked about that there was a \$500 thousand cost. It was also talked about that these people now pay 100 percent more than the people that are in the exact same position, expect for these... those other people live outside the State of Illinois our outside the country. This provision would allow them to pay 80 percent more than those out of state people. I didn't go back to the original, you know, intent of the Bill, and the people who asked for the Bill, they wanted to go back and pay what the out of state people paid. I told them, these were decisions they made. You know, they were career decisions at one point that made

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them where they didn't get their Social Security quarter... quarters enough to get Medicare. But I said, I'll try to massage it a little bit for you. But at the end of the day, working with TRIP... TRIP did not oppose this in committee or on the floor because of the fact that we were willing to be very responsible in saying, we're only cutting their premium by 10 percent. By cutting their premium by 10 percent, they still pay 80 percent more than every person who's in the same position but lives outside of our state. These are people who pay sales tax in our state. These are people who pay income tax on income that's not earned from, you know, their pension system in our state. These are people who pay property taxes in this state, and they will, after this Bill, if it was fortunate enough to become law, in 2011... FY 2011, they will still pay 80 percent more than the same teachers who live in Indiana or Florida, or... or Scottsdale, Arizona. I don't think that's that gigantic of a move forward. As I said, when I reduced it to that amount, TRIP said they would stay out of it. They weren't a proponent, but they weren't an opponent either. When the Governor asked me to delay it a year so we wouldn't have this cost during this fiscal year, I said I would agree to do that. And this is the... the measure that would do that."

May: "Would you agree that these people though willingly opted... They did not want to be in an HMO, is that correct?"

McCarthy: "Yeah, but many of them had insurance before they turned 65, before the penalty wasn't that great, okay. When they got out... We do penalize people. We expect

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everyone to have Medicare. In the near future, hopefully, all of our retirees that were responsible for their health insurance will have Medicare. These people, for... but many times for medical decisions... You may be in an area where the only HMO that's available to you doesn't have the brain doctor that you went to eight years ago when you were on the regular insurance, and you want to stay with that... that brain surgeon or whatever your ailment might be. They look at it... none of the people in that HMO... none of those docs... they won't accept HMO status. So, many of these people say, well, they just opt out because they want to have it easier on themselves. Well, many times, it was a medical decision, because the professional that they had dealt with was not available in an HMO in their area. Others... their times some people did do it because of preference."

May: "No, I can understand that, that you would want to stay with the doctor, but don't you think we're... I mean, we're giving them a benefit of the... of the lower price when they've opted out of an HMO, for whatever reason. I think we can all understand..."

McCarthy: "You know, let me tell you, I think the TRIP people... The reason they... they weren't supportive, as I said, but they chose not to speak out about it, because they admitted to me in discussions. Many of the people that are paying the lower premium only stay in Florida like three or four months a year. But they... they change their address down to Florida, so then they can get the, you know, the 50 percent off of their health premium. So, they know there's... they

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don't know how to follow up on that, but they know anecdotally that that's happening. But..."

Speaker Mautino: "Please bring your remarks to a close."

McCarthy: "I... I think it would be fair to give Representative May a couple extra seconds, because I certainly took up a lot of her time, but I think that..."

Speaker Mautino: "One minute..."

May: "I... Well... No, I was just interested in your answers. I... I guess, Representative, I do appreciate your leadership on pension reform and all, but I... I'm afraid I see this as an expansion of benec... that it troubles me. So, I've got to take that into account. Thank you for your answers."

Speaker Mautino: "Further discussion? Representative Jerry Mitchell. The Gentleman from Lee."

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

Speaker Mautino: "Yes."

Mitchell, J.: "Representative McCarthy, I... you and I discussed this whole issue, gosh, almost seven or eight months ago..."

McCarthy: "Correct..."

Mitchell, J.: "...when there was some confusion from TRIP people living out-of-state, thought your Bill was going to penalize them, and you told me, at that time, no, it's just the opposite, which this is. But the problem I have with... at this point... and I just had a discussion with retired teachers that TRIP is on the verge of becoming insolvent. In fact, it'll probably hit insolvency about the same time the State of Illinois does if we don't do something and... and do something fast. At this point, it's almost

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impossible to vote for something that's going to add more of a burden to TRIP. And every teacher in the State of Illinois, when these folks, granted, you've given good reasons why they didn't chose that HMO, but if had they chosen that HMO, they would have gotten 10 percent more than what you're even giving them here and lowered the premium cost 10 percent more than what you would do with your Bill..."

McCarthy: "No, it would re... it would reduce 90 percent if they felt comfortable joining an HMO..."

Mitchell, J.: "And so..."

McCarthy: "...from what this Bill would say. This Bill is only reducing their premium by 10 percent... No, it'd be... it would be at 80 percent, I'm sorry. Eighty percent deduction. They would go down to approximately 350 from 700, if they chose the HMO, and they still have that option..."

Mitchell, J.: "But... but Kevin, it... it's adding a burden to TRIP that didn't have to be done if they'd chosen the HMO..."

McCarthy: "Correct. Correct."

Mitchell, J.: "...That was a choice they made, period..."

McCarthy: "Correct."

Mitchell, J.: "You can't do anything about it. I can't do anything about that, but since they made that choice, they're coming to you and asking, hey, lower my... lower my cost, even though I won't do what the entire committee that reformed TRIP not too long ago agreed to do. So, at this point, I think we have to wait, get the committee back together, and let them work this out, rather than try to change something that's going to bring insolvency even

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faster. There's got to be some things done, definitely. And you know that, and I know that. But to do something that's even going to push it further toward bankruptcy is not a good thing, especially with the state the State of Illinois's in. With that, I'm regretfully going to vote 'no', although I respect everything you've done to try to make this better. Thank you."

Speaker Mautino: "Representative McCarth... No one else seeking recognition. Representative... Excuse me, Representative Eddy."

Eddy: "I have an inquiry of the Chair."

Speaker Mautino: "Yes, Sir."

Eddy: "The... This... My understand is, this Bill, related to House Bill 1098, and that there was a Motion made to accept delaying the effective date of the original intention. Is that correct?"

McCarthy: "Originally, when the Governor's Office contacted me, asking me to delay it for a year, I said I would do that. Then, the staff, both Senate and House staff, in reviewing the Amendatory Veto, told me it was noncompliant. Then, I said, well, then I'll have to try to override the... the Veto. In the meantime, because I did want to go along with the Governor's request, we found another vehicle and took all of 1098 with the later effective date and put it on to 1580."

Eddy: "So, your... your Motion to accept that was... that was filed was done because of the advice on the noncompliance?"

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McCarthy: "I... I wanted to go along with the Governor with my first Motion to say accept the Amendatory Veto. When I told it was noncompliant..."

Eddy: "Which was to delay... which was to delay?"

McCarthy: "...I was going to not... not accept the Veto, at that point. But then we thought it'd be a cleaner way..."

Speaker Mautino: "Continue."

Eddy: "Does... does it have to do with just kind of a general opposition regarding the delaying the effective date of... of some of the legislation where Vetoes have been made? Is... is that..."

McCarthy: "Any... an... What I believe, I'm not an expert on noncompliance, but I've been told the reason it was ruled noncompliance is that we made the law to be effective in this fiscal year, and the Governor's Veto... that he does not have the power through an AV to change it into another fiscal year. Therefore, the Amendatory Veto and many others that he tried to extend into a different fiscal year than it was originally intended for, would be noncompliant. So, I came down thinking we were going to run the Bill and try to override the... the Amendatory Veto. Instead, this option came available, and I thought this was the easier of the two."

Eddy: "Well, I appreciate the explanation on the... on the procedure, because it was kind of confusing to me. I'm trying to figure that out. Thank you for that. Obviously, we... we differ on... on what to do in this case, but I do appreciate you... you making that clear. Thank you."

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

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

Speaker Mautino: "Yes, Sir."

Black: "Could you have the parliamentarian and legal counsel... I want to follow up on what my good friend Representative Eddy was talking about. And it's the question that I had put my light on some time ago, to try and see that we can get a clear explanation. I don't want to delay the vote. I don't understand gubernatorial noncompliance. You had a Bill just a few minutes ago that changed the effective date of a Bill. And that, evidently, was in compliance with the Amendatory Veto. There have been other Bill that have had a change by... by the gubernatorial action that changed the effective date of the Bill that was not in gubernatorial compliance. And now we're faced with this particular Bill that is a difficult Bill, given the situation that we're not... that we're now in. And I... while I appreciate Representative McCarthy's explanation about changing the budget years, I go back to the question I asked yesterday. Has there ever been a court case that clearly decides and explains what gubernatorial compliance and noncompliance is? Because it's my understanding that this ruling is simply made by the Speaker of the House. I assume that's within the Speaker's power, but I don't think there's ever been a court case. So, I... I just don't understand why some of these Vetoes and Amendatory Vetoes are ruled not in compliance and some are. What... what's the guideline?"

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Staff... Our staff doesn't always know. I don't... I certainly don't understand this one at all, expect what... what the Rep... Representative McCarthy just said, that he changed fiscal years. Well, could legal counsel give us some idea of what... why that's a noncompliance? I wouldn't think changing a fiscal year, given the Governor's constitutional authority to manage the budget, would make the Bill noncompliant. I... I think it would help, and in the past, we've done this before we started Veto Session. But we... we've gotten away from it the last two or three Sessions. I'm just asking for some kind of legal explanation as to what all this compliance and noncompliance is."

Speaker Mautino: "Representative Black, I will... I will consult with our parliamentarians and attorneys as to a broad definition of how that's determined. Now, my understanding is, in this situation, the Gentleman chose to run a second Bill as the most expeditious way to... to achieve his goal from his... from his statement in there. But I understand your... the overreaching question, and I will check into that with our parliamentarian and get back to you with an answer."

Black: "Speaker, I appreciate that, I really do. But my interpretation, or my perception, of what Representative McCarthy said was that somebody on staff told him it was not in compliance, therefore, it would not be called. So, I'm not sure this is Representative... It may very well be Representative McCarthy's decision. But in my perception, and I think many people on both sides of the aisle share the perception, that staff comes to somebody and says, it

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has come from on high that this Bill is... that this Veto is not in compliance, therefore, it will not be called. And in this case, evidently, Representative McCarthy had little choice but to move a different Bill. And I think, therein, lies the conundrum that many of us now find ourselves in. Maybe an override of a Veto is a... is an easier vote than... or more clearly explained vote than voting for a different Bill this late in the Session just completed. And I think that's where some of the confusion rests."

Speaker Mautino: "Representative McCarthy."

McCarthy: "Just... just one clarification for Representative Black. In the... When they told me my acceptance of the Amendatory Veto, had noncompliance affected that, at that point, they told me to put in a Motion to override. So, I could have got it called as a Motion to override, and then I made the decision, when they offered me this third option, to go to a separate Bill, I took that, rather than override my friend, the Governor."

Speaker Mautino: "At this time, Representative McCarthy moves that the House do adopt Floor Amendment #1. All in favor, say 'aye'; opposed 'no'. Okay. In the opinion of the Chair, the 'ayes' have it. Amendment is adopted. Mr. Clerk, place... are there any further Amendments."

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

Speaker Mautino: "Third Reading. Mr. Clerk, read that Bill for a third time."

Clerk Mahoney: "House Bill 1580, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Mautino: "Representative McCarthy."

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McCarthy: "Thank you, Mr. Speaker. I do believe that most people would say that that was actually more of a Third Reading than it was for the Amendment to be adopted. If there are more questions, I certainly would entertain them. However, I do want to remind everybody that first off... and Representative Mitchell was correct, we did talk about this... we do have a very serious problem with TRIP that we better address. And I can tell you that the problem with TRIP, while the \$500 thousand makes it \$500 thousand more of a problem, the \$500 thousand is probably not going to eliminate the problem that TRIP has. I do want to tell you that the organization that is opposed to this, I might have been wrong in... in asserting that some of my other reforms might have had some reason for their opposition at this time, so I do want to take that back. But I do want to tell you, they had a... they had a strong chance to be opposed to it in committee. They had a strong chance to come to you when it was on the floor to be opposed to it. All of you, even some of those who spoke about the fact that we talked much about this before, you know, all voted 'yes' except for the three or four people that were absent on April 3. The only, only difference in the language is that this becomes effective July 1, 2010. The original Bill that you voted 'yes' on became effective July 1, 2009. So, it is the exact same Bill, it just delays it. And as I said earlier, these people... it's a small number, a small number that will die off eventually... these are the people without Medicare coverage, retired teachers, and they will still, if they live in Illinois where an HMO is present

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that has a contract with the State of Illinois, if they still choose the PPO coverage, they will still pay 80 percent more than they would have, had they chose the HMO, and they will pay 80 percent more than all of those retired teachers, who chose the PPO and live outside of our state. So, it's a, I think, a benefit that they.. they do deserve, I said that on April 3. All of you supported me at that time, and I would hope that you would support these small group of retired teachers. They don't have a lot of power in their association. If they did, their association would not be against a 10 percent reduction in their benefit today. But it's a small group of people dying off, have small annuities. This \$700 deduction that they pay for their insurance now would go down to \$630 approximately with this Bill. And I think it's justified that we move forward on this. And I would appreciate that you stand up for these retired teachers or a small group of people, but I think they do deserve this recognition at this time. Thank you."

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

Eddy: "Thank you, Speaker. Very briefly, this was debated on... on the Amendment. I just want to remind individuals in here, I... I enjoy working with Representative McCarthy on the pension task force, and I think we know a lot of the problems that have to do with... with the pension systems and with benefits for retired teachers, et cetera, et cetera, have to do with what we do on this floor regarding benefits, especially those folks who chose what they chose.

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Now, if you're going to call and you're going to complain and you're going to talk about public benefits and pensions and sweeteners, and whatever, and we're going to stand here on the House Floor, and every time there's an issue related to pensions, we're going to somehow enhance and add costs, whether it's \$500 thousand or 5 or 5 million, we're going to defeat the very purpose of that... that task force in looking at how we can first stop digging this hole. Things have changed, we've had task force meetings all summer. The IEA actually opposes this because they did make some commitment to a philosophy to look at these things before we came to the floor with them. I just think if... if you believe in what has been preached, your vote will reflect that belief, and that is, this is not the time for an expansion. Thank you."

Speaker Mautino: "The Gentleman from Lee, Representative Mitchell, J."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill. I certainly concur with Representative Eddy. But secondly, you've got to remember that, even though I agree with... with Representative McCarthy that this does help an injustice for a very few, it jeopardizes TRIP for the entire group of retired teachers that depend upon that for their insurance coverage. It hastens the insolvency of a program that we really don't have an answer for right now, and maybe, maybe in that extra time we get, if we don't change the benefits at this point, we can come up with a solution, and the economy can recover enough that maybe we can continue with TRIP. I worked on TRIP back 15 years ago with Senator

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Brady to get this started. I would hate to see it become insolvent and jeopardize the insurance program for all retired teachers. Thank you, Mr. Speaker."

Speaker Mautino: "Gentleman from Cook, Representative Acevedo.

We'll return to you, Representative McCarthy, to close."

McCarthy: "Thank you, Mr. Speaker. I... you know, there's certain people on every different issue that comes to this floor that talk... and I... I recognize them for that expertise. Representative Mitchell, Representative Eddy, are certainly, anything that has to do with educational matters, are people that are going to affect the teachers of our state. I listen to what they have to say, maybe a little closer than I do to some others. However, let's go back to April 3. Did the IEA not know anything about this on April 3? Is the IEA shocked today that TRIP is in trouble, they didn't know this four or five months ago? If they did, I would have a great fear for their members. We knew that that was a problem when this passed. That's why we massaged it down to the size we did. That's why we only gave these people a 10 percent deduction. We didn't give them 50 percent off and match the out of state people's premium. So, don't... I mean, I don't know why they chose to do this at the last minute. I thought that they were agreeing with me by not opposing the Bill in committee, not opposing it for the four months that this Bill sat around after they saw the Amendatory Veto. And it would shock me if they were going to stand up today and say, on April 3, when 114 voted for this out of 118, every single person who was here voted 'yes', that they had no idea that the TRIP

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fund was in... in danger. We've know that for a couple of years around here. We know that that TRIP group has to get back together and has to propose some meaningful legislation next year, but standing up here today and saying, all of a sudden they realized that the TRIP fund is in danger makes them look like it's a mockery of the process. These people... if they didn't know the TRIP fund was in danger in April, they ought to resign their jobs today. I think this is a nice bene... a small benefit for people who've taught in our schools, who are trying to pay their insurance premiums every month. They see that insurance premium becoming a larger and larger percentage of their total annuity. As I said before, it's a small deduction. These are people who pay their taxes in Illinois, and I think we can at least get them within 80 percent of what these out of state people pay. And there is no extra increase for anybody out-of-state. That was a mistake in drafting the original... original proposal. All the teachers who live out of state that this, in no way, affects them, whatsoever. Their premium will stay... without the leg... legislation, 50 percent less than that. So, I'd appreciate an 'aye' vote. And we'll respect the wishes of the chamber."

Speaker Mautino: "Representative McCarthy moves passage of House Bill 1580. 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, take the record. 33 voting 'yes', 79 voting 'no', 3 voting 'present'. House Bill 1580 is

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declared 'lost'. The Gentleman from Cook, Representative Acevedo is seeking recognition."

Acevedo: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Mautino: "State your point."

Acevedo: "A very good friend of mine, Christian Bolgin is here with her class visiting from LaGrange and St. Cletus Elementary School. Please help me welcome them to Springfield. They're up with the red sweatshirts up there."

Speaker Mautino: "Burns in his seat? Yes, as always. Mr. Clerk, what's the status of House Bill 1800? Representative Burns, the Gentleman from Chicago."

Clerk Mahoney: "House Bill 1800 has been read a second time, previously. Floor Amendment #1, offered by Representative Burns, has been approved for consideration."

Speaker Mautino: "The Gentleman from Cook on Floor Amendment #1."

Burns: "Thank you very much, Mr. Speaker. I move to adopt Floor Amendment #1 to House Bill 1800. Floor Amendment #1 is identical to House Bill 2383, which we passed earlier this Session. The Bill was Amendatorily vetoed by the Governor. The Governor changed the effective date to July, 2010. Because of our rules in this chamber, we weren't able to deal with that AV, so we're dealing with the AV through a... a fresh Bill. I look forward to answering questions about the Bill on Third Reading."

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

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Black: "Thank you very much, Mr. Speaker. Still waiting for a clarification from your legal counsel, because this is another situation where the original Bill was ruled in... in gubernatorial noncompliance, and so we have a... a Bill here. But given that that's the only Bill right now on the... on the Calendar, would the Gentleman yield for a question?"

Speaker Mautino: "Yes, he will."

Black: "Representative, I... I understand... believe me, I understand what you're doing. I... I come from a district, certainly a higher than state average unemployment rate. My hometown has the second highest unemployment currently in the Sta... in the State of Illinois. And I have people who need public assistance who, in their worst nightmare, would have never, ever thought they'd be there. But I guess my concern is, if you can perhaps educate me, it would appear to me that what the Governor did was what the Governor felt... and I'm sure he took no satisfaction in it... but I think the Governor probably looked at the budget and said, I can't expand the TANF Program in this... Fiscal 10. I don't have the money nor the financial resources to do it. So, when we don't follow his Veto, are you creating a... and I know it's not your intent, but are you creating a hope that people can go to the Human Services Office and say, you're going to get some help, you qualify and you need the help, but I don't know if we're going to be able to actually give you the money on... whether it's a LINK card or temporary assistance. We're... we're just... we're... we're not meeting our needs now, how can we meet this need?"

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Burns: "Well, thank you very much for the... for the question, Representative. And I think the reason why the Governor changed the effective date to July 1, 2010, because the Governor expects that we will be able to handle the additional caseload pressures by July 1, 2010, of next year. Look, it would not meet... it was not my preference for this new effective date. I would have preferred that the Bill went into effect immediately, but we have to work with the Governor. We've got to work with the Department of Human Services. And I think this is a way to accomplish an end in a responsible fashion."

Black: "Let... let me ma... perhaps I'm not understanding this correctly. So, you're not asking for an immediate effective date, you're asking for an effective date of July 1, 2010."

Burns: "That's correct."

Black: "All right. I... I appreciate that, because that... I did not... obviously, I miss interpreted the Bill. Now, the... the effective date of July 1, 2010, then, I think is based on an assumption that a tax increase will be passed sometime after the February Primary. I... I don't agree with that. I don't know why we don't vote on it now, but that's... that's above my pay grade, I guess. But is that assumption one that we can accurately make at this time?"

Burns: "No, Representative, it's not. The change in the effective date, from my conversations with the Governor's Office and the Department of Human Services was to allow the Department to be in a position to accomplish the Act. I mean, one of the... one of the things that we do sometimes

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is we pass Bills, and agencies don't have the time or capacity to deliver against what we've directed them to do through legislation. And so the change in the effective date would be to allow the Department of Human Services to have the systems in place, personnel, et cetera, to effectuate the Act."

Black: "And I... and I appreciate your clarification. But there is no language in here... and I... and I do appreciate... this is one of the... you're one of the few people that have ever said, let's give an agency time to prepare. I mean, look what we did with video gaming. We didn't all have our heads on straight at that time, because they need months to prepare to initiate video gaming, which we, unfortunately, didn't give them. But is there anything in the Bill that would tell the Department, if they don't get significant new revenue, that they... they don't have to implement this or... because my fear is they will our local offices, yes, this Bill goes into effect July of 2010, and we want you to be prepared, and we want you to get your people signed up. And then on July 2, 3, whatever, we have to start letting people know, yes, you qualify, but no, we don't have the money."

Burns: "You know, you mentioned in your previous question, or in the introduction to one of your questions, that the Governor shares our concerns about people who've been hurt in this difficult economy. And I've been... I've been guaranteed by the Governor that, by changing the effective date, the Department of Human Services will be able to implement the Act. Now, I'm willing to work with anybody

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in this chamber if that doesn't happen. Because, as you know, many people who have been working don't necessarily qualify for unemployment insurance. So, in many instances, TANF becomes the unemployment insurance of last resort. And so, if we don't want people to remain in deep poverty, we want to make sure that children have enough to eat and that people have some support, we have to do this, and we have do it right."

Black: "Thank you very much, Representative. Let me say in all sincerity, I... I appreciate your reasoned and very rational answers. You're wise beyond your years, Sir. Thank you very much."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #1 to House Bill 1800. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

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

Clerk Mahoney: "House Bill 1800, a Bill for an Act concerning public aid. Third Reading."

Speaker Mautino: "Representative Burns."

Burns: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I present House Bill 1800. We had some debate earlier on the Amendment as we moved for its adoption. I appreciate the compliments of the previous speaker. Just for those who may be late to the discussion, this Bill is effectively... is the same Bill that we passed earlier in the spring. It's the same as House Bill 2383. There're a number of provisions in here that will make sure

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that the Department of Human Services expedites TANF payments to qualified person... qualified applicants. It also includes provisions that will reward work, so TANF recipients who are working will get... be able to keep a little bit more money in their pocket, which would move more people out of poverty. And it also recogn... recognizes some of the difficulties faced by women who are victims of sexual violence. I urge passage of the Bill and look forward to answering any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 1800. No one seeking recognition. 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... Representative Beaubien, Brady, Cole, Stephens, do you wish to be recorded? Mr. Clerk, take the record. 76 'yes', 38 'no', 0 voting 'present'. This Bill is declared passed, having received a Constitutional Majority. Representative Feigenholtz. House Bill 1801. Mr. Clerk, what's the status of this Bill?"

Clerk Bolin: "House Bill 1801, a Bill for an Act concerning public aid. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Mautino: "Representative Feigenholtz, on Floor Amendment #1."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 1801, like the two previous Bills, is a Bill that had an effective

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date change on it by the Governor's Office that our staff determined to be overreaching. I have requested that we change the effective date according to the wishes of the Governor and have put the body of the Bill into House Bill 1801 and would appreciate this Amendment be voted in the affirmative."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #1 to House Bill 1801. No one seeking recognition. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it, and the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Mr. Clerk, read House Bill 1801."

Clerk Bolin: "House Bill 1801, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Mautino: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. This is an initiative of the Heartland Alliance and many advocates for Human Services that essentially creates a no wrong door for Human Services Office. We are indulging the Governor in changing the effective date so that we can actually implement it. And I'd appreciate an 'aye' vote."

Speaker Mautino: "On House Bill 1801, Representative Eddy is seeking recognition. The Gentleman from Crawford."

Eddy: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, could you explain why the Governor was interested in... in changing the effective date?"

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Feigenholtz: "You know, Representative Eddy, I think that the Governor just needed a little more time and... on... and there's some infrastructure changes that were needed to actually realize and accomplish what we're attempting to do in this legislation."

Eddy: "And... and basically, that attempt is... excuse me... to allow those eligible for aid to request it to a different office of the Department of Human Services..."

Feigenholtz: "That's correct."

Eddy: "...convenience issue? So, there wasn't a... a cost factor involved with it? It was more of an alignment, making sure that offices were ready to take on additional... or that flexibility?"

Feigenholtz: "I believe that the cost would've probably been in IT changes and nothing more than that. They were minimal."

Eddy: "Okay. And I think the legislation at... at the end, the very last lines deals with food stamp cases. What... what does that do for cases regarding food stamps and earned income? Or, let me just ask it a different way. It doesn't change or expand the... the program based on any income guidelines, does it? Is it... is it, just again, something proce..."

Feigenholtz: "No, a... actually, what it does, Representative Eddy, is it allows the applicant to stay at work."

Eddy: "Okay."

Feigenholtz: "And... and typically, I think there's a fear that if a person takes a day off to travel far to get to an office because of the closures and the consolidations that the Department is beginning to consider, this gives a

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person an opportunity to prove employment more conveniently without leaving the workplace."

Eddy: "Okay. That's... that's... I just wanted to make sure we had that on record, cause there isn't an expansion, it's not a cost, this is simply giving the Governor time, which is a little different than some of these we've been looking at. I... I appreciate your responses. Thank you."

Feigenholtz: "Thank you, Representative."

Speaker Mautino: "Further questions? The Gentleman from Jasper, Representative Reis. Out of the record. The Gentleman from Dekalb, Representative Pritchard."

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

Speaker Mautino: "Indicates that she will."

Pritchard: "I compliment you, Representative, for what looks to be an efficiency in some of our state agencies. Is it your understanding that, by applying at one office rather than at the home office for the applicant, this is going to present any insurmountable problems to DHS?"

Feigenholtz: "The... the objective is to make... make it more convenient for both the Department and the applicant."

Pritchard: "So, is the DHS computer system able to call up records from any office?"

Feigenholtz: "Part of the reason we are working on delaying this Bill is so it would work... so that their IT systems are up to speed."

Pritchard: "So, you're suggesting that it's not up to speed now?"

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Feigenholtz: "Curr... Currently, they're working on getting the infrastructure in place to do this so that when this Bill becomes law and it's actually enacted that they're ready for it."

Pritchard: "So that I understand the process a little bit, once an application has been approved, you're suggesting that the person has to renew that authorization at some frequency?"

Feigenholtz: "Yes."

Pritchard: "And that's, what, annually or more frequently?"

Feigenholtz: "That's current law right now."

Pritchard: "Okay. Well, I... as I said at the beginning, I certainly compliment your nudging here that State Government become a little bit more customer friendly and update our communer... computer systems, so that we're able, from any office, to deal with particular customers and clients. And I think it's not just a concern of DHS but certainly the Secretary of State's Office and other agencies could stand a little bit of encouragement to bring their computer systems to the field and... and make this more efficient for everyone. Thank you."

Speaker Mautino: "No one else seeking recognition? Representative Feigenholtz moves passage of House Bill 1801. 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 Riley, Representative Wait, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1801,

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having received a Constitutional Majority, is declared passed. Mr. Clerk, House Bill 1802, what is the status of that Bill?"

Clerk Bolin: "House Bill 1802, a Bill for an Act concerning public aid. The Bill has been read a second time, previously. No committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz has been approved for consideration."

Speaker Mautino: "Representative Feigenholtz, on Floor Amendment #1."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 1802 is, again, a Bill that the Governor felt compelled to change the effective date on to July 1, 2012. It was originally House Bill 758, sponsored by former State Representative Kathy Ryg. It came before the Developmental Disabilities and Mental Health Committee. And I'd appreciate adoption of the Amendment."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #1. All in favor say 'yes'; opposed say 'no'. The 'yeses' have it. And the Amendment is adopted. The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, why don't you move the Bill to Third and we'll ask a clarification question on the Amendment."

Speaker Mautino: "Absolutely. Mr. Clerk, are there any further Amendments?"

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

Speaker Mautino: "Third Reading. Read the Bill a third time."

Clerk Bolin: "House Bill 1802, a Bill for an Act concerning public aid. Third Reading of this House Bill."

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Speaker Mautino: "The Lady from Cook, Representative Feigenholtz on House Bill 1802."

Feigenholtz: "Thank you very much, Mr. Speaker. For quite some time, people who are working in the developmentally disabled and mental health arenas have worked very, very hard at going from grants in aid to Medicaid match. It's been challenging for them, but they've risen to the occasion. And one of the incentives that we've given them is we've established a trust fund for monies to go into a fund to continue to fund these programs. This Bill essentially increases what goes into those trust funds. It is essentially a commitment to our providers that all of the work they have done will stay in DD and MH. I'd be glad to answer any questions."

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

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

Speaker Mautino: "Yes, she will."

Black: "Representative, the idea is long overdue, and I commend you for that. The question I have is this ongoing confusion about effective dates and Governor's Vetoes and all of that. So, House Bill 1802, what is the effective date now of... of House Bill 1802 as... as amended?"

Feigenholtz: "It would go from immediately to July 1, 2012. So, it's really pushing it out quite a bit."

Black: "I... I guess. You're really pushing it out quite a bit. At my age, I don't even buy green bananas, and you're

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asking me to vote for a Bill. I may not... Well, I know I won't be here, but I don't know if I'll be anywhere."

Feigenholtz: "Well, you'll be somewhere."

Black: "Well, hopefully watching the Cubs in the World Series, but I'm beginning to wonder about that, too."

Feigenholtz: "I don't even want to talk about that, Representative Black."

Black: "Ha ha..."

Feigenholtz: "That's a real sore subject."

Black: "Mr. Speaker..."

Speaker Mautino: "Yes, Sir."

Black: "...Would you... would you mind, admonish Representative Stephens?"

Speaker Mautino: "I think you've done so."

Black: "Okay, good. That outburst was uncalled for. So, Representative, then... then the Bill does what many of us have tried to do over the years. Those... those dollars wrought into services for, particularly, developmental disabilities and... and MI... when you get matching funds or federal funds, they're going to go into a dedicated account to serve that population not into the General Revenue Fund, where you take pot luck?"

Feigenholtz: "Correct."

Black: "Very good. Outstanding. Thank you."

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

Mathias: "Thank you, Mr. Speaker. Representative, obviously, this is a... this is a good Bill. This is from Senate Bill 758. I was a cosponsor of that Bill. But I did get an e-

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mail today from a constituent, who basically said that I should over... move to override the Ve... the original Veto, because people with disabilities and their families and agencies need the money now to deal with the... the payment backlog. How do I answer that we are going to put it off another three years instead of trying to make these payments now?"

Feigenholtz: "Representative Mathias, your constituent and you bring up a very good point. I think that if, you know... if we had it our way, we would be able to do this immediately, but I, unfortunately, didn't have the option of the override. We, unfortunately, are not able to realize putting all that money right now into those... into that trust fund, although many of us wish it would have happened years ago, but this is where we are, and this is the agreement we've come to."

Mathias: "And I understand that. And I'm... I'm going to be at a loss for words, what to... to tell my constituents who need... again, who need the money now or maybe next year. But to put it off for three years is a very long time for them to wait. Thank you."

Feigenholtz: "I... I agree. But y... Representative Mathias, this is... this is what the Parties agreed on. This is what the Governor's Office feels that we can do. If the state hits the jackpot, the economy turns around, we can come back and maybe change the date, we can consider that. But until then, I think the spirit of what this Bill does, to tell our providers of DD and MI services that they deserve the money that they generate and that they can churn this

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Medicaid money and create incentives for themselves to continue to build Medicaid, is what we should be doing. Maybe if things change sooner, if things turn around in this state, if new revenues are available, I will cosponsor a Bill with you to move that effective date to 2011. You have my commitment."

Mathias: "Thank you. Thank you."

Speaker Mautino: "The Lady has moved passage of House Bill 1802. 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. 115 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1802, has received a Constitutional Majority, and is declared passed. The Lady from DuPage, Representative Bellock is seeking recognition."

Bellock: "Thank you very much, Mr. Speaker. I'd like to be recorded as a no on Senate Bill 2106."

Speaker Mautino: "The Journal will reflect your intentions. Thank you. On page 2 of the Calendar appears House Bill 1995. Representative Yarbrough. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "House Bill 1995, a Bill for an Act concerning criminal law. The Bill's been read a second time, previously. No committee Amendments. Floor Amendment #1, offered by Representative Yarbrough, has been approved for consideration."

Speaker Mautino: "Represent... Representative Yarbrough, on Floor Amendment #1 to House Bill 1995."

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Yarbrough: "Thank you, Mr. Speaker. I move for the adoption of House Amendment #1 to House Bill 1995, which is a gut a replace. It requires the Illinois Department of Correction to establish a pilot program in which incarcerated individuals may communicate with family members through interactive video conferences."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #1 to House Bill 1995. All in favor say 'yes'; opposed say 'no'. The 'yeses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Mr. Clerk, read House Bill 1995 for a third time."

Clerk Bolin: "House Bill 1995, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "Representative Yarbrough."

Yarbrough: "Thank you again, Mr. Speaker. This measure... First of all, I want to thank Director Randle, Tim McClean and Deanne Benos for helping me to develop this commonsense approach to providing yet another means to help people who are trying to visit with their loved ones. This measure... and I worked very closely with the Department... will establish and operate these video conferencing facilities throughout the prisons as they see fit and will determine where and when the conferences are to take place, as well as, who is eligible to participate in such conferences. This measure is revenue neutral, since the equipment is currently in 20 prisons throughout the State of Illinois, and they will be operated out of community service

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agencies, who also possess the equipment. Currently, the Department has a video conferencing in place at one of the women's prisons, where the children visit with their moms. While it won't replace a face to face visit, it's possible that it may impact the recidivism rate in Illinois by allowing committed members to maybe make a better decision as they can visit more with their families. I'd be happy to answer any questions."

Speaker Mautino: "The Lady has moved passage of House Bill 1995, and on that question, Representative Mendoza."

Mendoza: "Thank you. Does the Sponsor yield?"

Speaker Mautino: "Indicates that she will."

Mendoza: "Representative Yarbrough, do we know what this would cost? Is there a cost associated with this?"

Yarbrough: "There's no cost for this measure, because the video conferencing equipment is already contained in many of the prisons throughout the state as well as the... this is a pilot program, and the social service agencies that are in many of our communities also have access to this equipment."

Mendoza: "So, right now, if you could just walk me through this, if... if I were talking about a constituent who has a family member who is incarcerated in one of Illinois's prisons right now, they would then go to a community agency or a social service provider that has a computer set up that links in with that specific correctional department or facility, and then they could avoid then having to travel a long distance or, in the case of children, perhaps, avoid

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the trauma of having to actually walk into a correctional facility to see their loved one, is that right?"

Yarbrough: "That's correct."

Mendoza: "I want to just commend Representative Yarbrough for this initiative. I think this is a really great piece of legislation. To me, it sounds like a... just a first step of what could potentially be a really great, even... if not cost-saving mechanism, perhaps a revenue generating potential in terms of visitations and things of that nature in the correctional facilities. On multiple levels, this makes good sense. On one end, avoiding the cost and expense of traveling long distances to see loved ones. As Legislators, we probably each received petitions over the years asking for inmates to be transferred from one facility to another, many times because of the hardship involved in having family members go visit them. So, on that end, I think it's very beneficial to the families. Certainly, when talking about children, it's not always the best idea to have them go to the actual correctional facility to have to see their mom or dad. Very traumatic. So this helps avoid that. And also, the ability to do it more often and maintain closer family ties, which I think also that support network is very, very important in helping the prisoner through that transition phase, which is hopefully not just punishment, but rehabilitation. So, I want to thank Representative Yarbrough, and I would ask the Members to strongly support this measure."

Speaker Mautino: "The Gentleman from Cook, Representative Osterman, is seeking recognition."

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Osterman: "Thank you. Will the Sponsor yield? Just a quest..."

Speaker Mautino: "Indicates she will."

Osterman: "...a question of the Sponsor. Representative, you and I talked about the legislation earlier, and I... I just wanted to ask a question. Will the Department of Corrections pick the social service agencies or authorize which social service agencies will be able to have the video conferences?"

Yarbrough: "Yes. The... they will be in total control of that. This is a pilot program, and so they want to roll it out as a pilot, see how it works, and they'll probably choose agencies that are already equipped, you know, with the video conferencing equipment already."

Osterman: "Okay. And the security issues that I talk to, as the pilot moves forward, you're going to work with Corrections to make sure that the system's not abused in any way, shape, or form?"

Yarbrough: "Yes. They're... they're the ones that... First of all, they helped big time with the language, and they're going to be very involved in who gets what and when."

Osterman: "Great. Thank you."

Speaker Mautino: "Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "Indicates that she will."

Eddy: "Representative, I... I really commend you. I think this is a great idea. I just have some questions about your intent related to this. Is... is it your understanding or

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intent that this could be recorded or this will be recorded video?"

Yarbrough: "Yes. I... I would think so, yes."

Eddy: "Okay. Then... then probably there would be an inventory of this so that, as a pilot program, individuals would be able to see how it went, what kind of... what kind of issues there might have been. You think it'll be, like, a... a library or catalog of those?"

Yarbrough: "I'm not sure how they're going to do it. That's why we're doing a pilot. So, I'm sure, they're going to be on their p's and q's in terms of making sure the appropriate people are, you know, being allowed to do this in the first place. And I know they're going to monitor this very closely."

Eddy: "Right now, there are limitations on visits, how many visits can take place in a s... Do... do you anticipate this replacing a visit or video conferencing being an addition? So, if they're limited to five visits per months in person right now, would this add to this, or... or would you envision this..."

Yarbrough: "I can't really answer that question. That'll be up to the Department."

Eddy: "Okay. That... that makes sense. I think they've got to work through this. But... but I think it... it offers a lot of possibilities, and it sounds as if there's not going to be a cost. Now, for that to happen, obviously they already have at the DOC end some type of video conferencing capabilities, probably through streaming video, the Internet type..."

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Yarbrough: "Yes."

Eddy: "...And even individuals who, perhaps, don't have the kind of equipment necessary to do this from their home, most public libraries or... or some other places might have the... the capability and the... the bandwidth necessary to do the... the streaming video. And so, the cost could be kind of absorbed through an existing public system?"

Yarbrough: "Yes. I'm... I'm thinking that's probably don't the road. Currently, we're just talking about working with existing... probably agencies that have this capability. And this will be a controlled situation. I mean, we want to make sure we work the kinks out of this. The Department also will be issuing a report at the end of the time, so that we can know, here in the General Assembly, how this has worked out over the year."

Eddy: "How long is the pilot period?"

Yarbrough: "I believe a year."

Eddy: "One year. Okay, I look forward to the report. I... I think..."

Yarbrough: "Thank you."

Eddy: "...this has some real possibilities. Thank you."

Yarbrough: "Thank you."

Speaker Mautino: "The Lady from Cook, Representative Davis, M. is seeking recognition."

Davis, M.: "Thank you, Mr. Speaker. To the Bill. I just want to commend Representative Yarbrough. I think this is an excellent use of technology. When we look at all the technical advances that man has made, too frequently they're not used perhaps to enhance communication, because

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you... you... you're going through a circuitous route of trying to reach someone. But this is an excellent use of modern technology, and I think it will advance the relationship and communication between families and prison inmates. Thank you, Representative."

Speaker Mautino: "The Lady has moved passage of House Bill 1995. And on that question, 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. With 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1995, having received a Constitutional Majority, is declared passed. Gentleman from Jasper, Representative Reis, seeking recognition."

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

Speaker Mautino: "Yes, Sir."

Reis: "I'm sure it's just an oversight, but I think it's been, like, July since the last time a Republican Bill has been called. Just wondering if we had any Bills this afternoon..."

Speaker Mautino: "So glad you asked. Actually, Mr. Clerk, what's the status of House Bill 4628?"

Reis: "All right. Thank..."

Clerk Bolin: "House Bill 4628, a Bill for an Act concerning business. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Place that Bill on Third Reading. Mr. Clerk, read House Bill 4628 for a third time."

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Clerk Bolin: "House Bill 4628, a Bill for an Act concerning business. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker. And a special thank you to my good friend, Representative Reis, for letting me call this Bill, with the consent of the Speaker. Ladies and Gentlemen of the House, House Bill 4628 was brought to me by a constituent of mine, who was a Chrysler dealer, and as you'll recall in the bankruptcy of General Motors and Chrysler, he had his Chrysler dealership revoked. He's never been given a reason why. He was a Chrysler dealer for many, many years. As Chrysler and General Motors emerged from bankruptcy, some of these people who lost their franchise would like for a period of four years, if the revived Chrysler and General Motors want to estab... reestablish a dealership in that service area, they would simply like the ability to have Chrysler come to them and say, would you like to reinstate your dealership. Some of those dealers are going to say, yes, we would. Some will say, no, I've sold the building, I've sold the tools, I'm out of the car business. I think it's just a matter of... of fairness to let the dealers, who sometimes spent their entire life in that automobile dealership, as these companies are reinst... reconstituted, that they be given an opportunity to rejoin that reconstituted dealer and, perhaps, reopen their dealership. Be glad to answer any questions you have."

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Speaker Mautino: "The Gentleman has moved passage of House Bill 4628. And on that, the Gentleman from Cook, Representative Lang."

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

Speaker Mautino: "He indicates that he will."

Lang: "Thank you. Representative, when you had this Bill in committee yesterday, I raised an issue that, I guess, no one had contemplated before. And that was the issue as to what happens if, in a given geographic area, there's more than one dealership, who gets the first right of first refusal? And you said, at that time, well, good question. And no one was really sure, and you indicated to me today that you're still not quite sure how to handle this. But it's your intention, when this Bill goes to the Senate, to draft an Amendment that will deal with this in some way, at least some sort of dispute resolution so we don't have Chrysler dealers suing each other and suing Chrysler, et cetera, et cetera. Is that right?"

Black: "Representative, that's... and I'm glad you raised the question now. The Automobile Dealers Association do not see that this would be a problem, because all dealerships are in a protected site. However, I think the question in an urbanized area is certainly more valid than in... in my rural area. And I will talk with Joel McMahon and... and Peter Sander and my constituent, Gary knight, that we make sure that the Senate addresses the potential for three dealers in the Chicago metro area saying, well, wait a minute, I wanted the right of first refusal, but you gave it to Dealer A. We want to make sure that we either have a

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dispute resolution in the Bill or that we have a clear understanding as to how that will be addressed or whether it is going to be addressed.. I mean, whether that will be a serious problem. The dealers don't think it will be, because of their protected site. But I think your question is one that we definitely have to get answered before the Bill would leave the Senate."

Lang: "Thank you. I do think, at a time where... you know, in some places you see four or five different brands of vehicle now sold under one roof, and therefore, there could be all kinds of conflicts, particularly in the... in Chicago or Rockford or the larger cities. So, I... I appreciate your willingness to address that in the Senate. With that, I certainly support your Bill. It's a very good one, and I would urge the Body to vote for the Bill."

Black: "Thank you."

Speaker Mautino: "Further questions. The Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "He indicates that he will."

Franks: "Representative, I like the idea. I understand what you're trying to do, and... and I have our analysis here. But what I can't tell is if a dealership was terminated for cause, whether they would be able to still then get a new dealership within that four-year time frame?"

Black: "No, there is language in the Bill that makes it very clear that if the reconstituted Chrysler General Motors comes to that dealer and can show the franchise committee at the Secretary of State, this dealer was not a good

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dealer, did not sell the required number of cars, had all kinds of service complaints, they do not have to grant that dealer the right of first refusal."

Franks: "Would this affect the bankruptcy laws? Let's assume, for the sake of argument, that if Saturn would be somehow reconstituted or let's assume that after the Hummer sale to the Chinese conglomerate that they may take them bankrupt to get rid of their obligations. Would... wouldn't the bankruptcy rules trump this?"

Black: "Representative, that's a question that... that came up in committee, and I... I defer to your legal expertise, not being an attorney. I don't think it does, because this simply goes forward rather than backward. It... it could very well end up being litigated, I... I understand that. I would hope that the reconstituted companies and their old dealer network would see the futility of entering into three, four, five years of litigation. But that is certainly... you raise a possibility that may very well come to pass."

Franks: "Well, that's what worries me. I was thinking about, like the Cubs sale the other day, and they had to take the Cubs into bankruptcy for one day just to make sure there was no creditors. And that changes the whole deal. So, I'm concerned that the way it's written... the it could be a constitutional issue, simply because of the federal bankruptcy laws. So, perhaps, when you're doing the Amendment over in the Senate, you exempt any... any entity that had gone bankrupt. Because otherwise, I think, what you're trying to do may not occur. And I would do it from

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bankruptcy in the future, not the past ones, because they've already been cleansed."

Black: "Yeah. I... I can certainly understand your point, and we did discuss that. But one of the things I found fascinating about the Chicago Cubs bankruptcy... I... I was about to celebrate that we had gotten out from underneath a certain player's \$30 million contract, but it's my understanding that it didn't abrogate those kind of contracts."

Franks: "Yeah, unfortunately. But, you know, maybe the... the clock started over since this is the new Chicago Cubs, so maybe it hasn't been a... a hundred and two years of futility now. Maybe we can start at zero."

Black: "As somebody told me once, who had been a Chrysler dealer for 70 some years, if the Cubs can have a bad century, Chrysler can have a bad couple of years."

Franks: "Let's try to help them. I like the Bill, but I... let's... if we can hold it in the Senate and try to get this fixed."

Black: "We... I... I will talk to the Illinois Automobile Dealers Association, and we would like to get as clear an answer as we can. I don't know that we'll ever get an answer that will satisfy everybody until there's potential litigation, but we'll certainly do our best."

Franks: "Thank you."

Speaker Mautino: "The Gentleman from Champaign, Representative Rose."

Rose: "Thank you. To the Bill, Mr. Speaker. Ladies and Gentlemen, I rise in strong support of this. Government

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Motors put 21 people out of work in my district. Four Seasons Auto Park, Tuscola, Illinois, profitable dealership, employed 21 people... 21 people... little tiny town of Tuscola, Illinois. Boom. Out of work. No job. Gone. Just like that. They didn't even get the common courtesy of an explanation. Wasn't that they weren't profitable. They employed 21 people. Clearly profitable. Selling cars, no explanation. The government put them out of business. That's not a stimulus. What do you call it when the government takes over the car company, puts you out of work? You sure as heck don't call it stimulus. I talked to Phil Lamb this morning the owner of it, on the way over here. He was stuck with hundreds of thousands of dollars worth of spare parts that he can't do anything with now. He'd sell them for a quarter... a quarter of what it cost him. Hundreds of thousands of dollars. Where's his relief? Where's his stimulus? He's out. He didn't even know why. This Bill... this Bill... and I respect the last speaker immensely and I respect the... the issues he's raised. But Ladies and Gentlemen, this wasn't about the bankruptcy of two companies. Thi... the contract between the own... the dealer and the... the car manufacturer went out the window the day the government took over. It's now a contract between the dealer and the government. And our government put them out of work, laying them off. This is about fundamental fairness for these citizens. They deserve... they deserve an answer from the United States Government, from the administration, as to why 21 people in Tuscola, Illinois don't have a job anymore. All we're

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asking for is a little bit of fundamental fairness. If you're going to come back out, come out. They get a right of first refusal, or at least the damn common courtesy of the explanation of why they were terminated to begin with, because they sure as heck weren't terminated for not being profitable when they've got 21 people out there, 21 people. That dealership had been operating for years. Completely profitable. It's a disgrace when Government Motors is putting United States citizens out of work. I'd urge everyone in this Body to vote 'aye'. Thank you, Mr. Speaker."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4628. 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. 115 'yes', 0 voting 'no', 0 voting 'present'. The House Bill 4628, having received a Constitutional Majority, is declared passed. Mr. Clerk, what's the status of House Bill 4638?"

Clerk Bolin: "House Bill 4638, a Bill for an Act concerning professional regulation. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Place that Bill on Third Reading. Read the Bill."

Clerk Bolin: "House Bill 4638, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Mautino: "The Gentleman from Cook, Leader Lyons."

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Lyons: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I present House Bill 4638, which is actually identical to House Bill 40... 3874, with one exclusion that I'll explain in a minute, which we passed in the closing hours of the Spring Session on the 31st of May. The underlying Bill merely allowed the private alarm contractor test to be extended to those who work in government or in the military to be the same as people who are in the private industry. Same qualifications, but military or governmental experience would qualify for taking the test. The Amendment that was put on in the Senate added the emergency communication and mass notification systems to the definition of the alarm system under the Act. Through a procedural error, there was also a change... the issue that caused the Bill to come back in this form is the quorum call issue, which was taken out of the redrafted language. So, I mean, this is a result of some good thought put in and the results of some, you know, terrorist attacks, school shootings, natural disasters, all those things that emergency communication systems and mass notification systems should be included under the Act. But just for the record, this is certainly not intended to have any affect on people who install regular public address systems or wiring for stereo systems or those types of things. So, there's no intention to hurt the... that entity of people, who may be involved in electronic business. So... but it does have a... serve a purpose in doing... bringing this stuff to Bill... up to snuff and covering some additional things

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that need covering. I'd be happy to answer any ans... any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4638. No one seeking recognition. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Crespo, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 1 voting 'no', 0 voting 'present'. House Bill 4638, having received a Constitutional Majority, is declared passed. It's the Chair's intent now to go to Amendatory Vetoes. On page 8 of your Calendar, Representative Tryon, House Bill 1322 appears. Out of the record. On page 8 of the Calendar appears House Bill 2445. Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Yeah, I want... I'd like support on Amendatory Veto override of House Bill 2445. The Governor's Veto of this legislation made the staffing levels for Public Labor Relations Board and Educational Labor Relations Board subject to appropriation. However, the General Assembly already funds these agencies in lump sums, and those agencies decide how to spend the money. I feel that the Veto is unnecessary for the legislation and that these two agencies deserve minimum staffing levels. I'd urge an override to the Amendatory Veto. Thank you."

Speaker Mautino: "Representative Chapa LaVia moves that House Bill... Representative Chapa LaVia moves that House Bill 2445 do pass, notwithstanding the specific recommendations for

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change of the Governor. On that question, Representative Black, the Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Veto Override Motion. Certainly, it's not based on the Sponsor. Let me tell you, it was refreshing in this case to read Governor Quinn's Amendatory Veto. Imagine, after the six and a half years of profligate spending by a impeached Governor, putting money into programs that we had never approved, spending money that had never been appropriated, and we're all paying a price for that now, it's refreshing to see Governor Quinn's Amendatory Veto language. All the Governor did to this Bill is say that the staffing levels, in other words, people that are hired to work for the Public Labor Relations Board and the Educational Labor Relations Board, will be subject to appropriation. I commend Governor Quinn for that. He's actually asking the General Assembly, if you want to staff these agencies at the optimum level, then pay for it. Imagine that. We haven't had any message from an Illinois Governor like that in more than eight years. I think Governor Quinn is right on on this Amendatory language. He didn't go after the Bill or the substance of the Bill. He simply said, and look... look what this requires. If you override the Governor's Amendatory Veto, the underlying Bill says that the Labor Relations Board shall employ 16 attorneys and 6 investigators. And the Educational Labor Relations Board has to employ 8 attorneys and 5 investigators. Now, Ladies and Gentlemen, those... those 24 attorneys are not going to

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work for \$20 thousand a year. They will get full benefits, be members of the State Employees Retirement System, and on this particular Amendatory Veto, I commend Governor Quinn for saying, I don't have a problem with that, but if you're going to mandate staffing levels, then appropriate the money so that Governor Quinn can pay the salaries and benefits of those employees. You know, if we'd had a Governor that started doing this eight or nine years ago, we wouldn't not be billions of dollars in debt today. This is an Amendatory Veto... I commend Governor Quinn, I intended to vote with Governor Quinn. I would suggest, if you look at this carefully, the correct vote, the fiscally responsible vote, and a vote to give a congratulatory message to Governor Quinn, this makes sense. And I intend to vote 'no' on the Motion to override and back up Governor Quinn's courage in saying, if you want to mandate staffing levels and people that I have to hire, then you send me the money to pay for them. Excellent idea, Governor. Deserves a 'no' vote."

Speaker Mautino: "No one else speaking? Representative Chapa LaVia to close."

Chapa LaVia: "Thank you Members of the House, Speaker, and the last speaker. They... General Assembly... we don't... we don't give money per staff of office. What we do is we appropriate funds for each department, and they allocate the way which they see fit. So, the... the Amendatory Veto that the Governor... it was a little ambiguous. It wasn't specific enough, and we feel that we already appropriate

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the money, and I would like a 'yes' vote on the Amendatory override. Thanks... Veto override. Thank you."

Speaker Mautino: "Representative Chapa LaVia has moved that House Bill 2445 do pass notwithstanding the specific recommendation for change of the Governor. All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representatives Biggins, Reboletti, and Rose, do you wish to be recorded? Mr. Clerk, take the record. 79 voting 'yes', 36 voting 'no', 0 voting 'present'. The Motion, having received a supermajority, House Bill 2445 is hereby declared passed, notwithstanding the specific recommendations for change of the Governor. Representative Bassi, House Bill 3325 appears on the Calendar."

Bassi: "Th... Thank you, Mr. Speaker. This is a Bill that passed the House 117 to 0. It's a... it's the window tinting Bill that deals with about 700 jobs, about 20... about 250 small businesses. It has a huge economic impact. We have already drafted and... and have ready to go a... a Bill that will address the Governor's concerns, since, apparently the staff decided that that was not acceptable. So, we are ready to go with the Governor's concerns, but I would ask for an override of the Governor's Veto to save those 700 jobs and those 250 small businesses."

Speaker Mautino: "Representative Bassi moves that House Bill 3325 do pass, notwithstanding the specific recommendations for change of the Governor. And on that question, the Gentleman from Vermilion is seeking recognition."

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Black: "Mr. Speaker and Ladies and Gentlemen of the House, just to give you some legislative history of the tinted window law that I sponsored a long time ago. And it has been, more or less, gutted. It... it no longer is the Bill that we passed years ago. I'd just like to remind you why we did that 15, 18 years ago. There was a case where a police officer stopped a car at dusk, and as he walks up to the car, the back window is tinted, the passenger side windows in the back were tinted, and the driver's side and passenger side windows were tinted that he could not see in the car. So, when he went up and asked the driver to roll down the window so he could talk to the driver about a moving violation, he could not see a person in the back seat of the car with a shotgun. The person in the back seat of the car shot out the window and killed this 32-year-old police officer. Now, that's why we outlawed window tinting 18 years ago. We said, you had to keep the passenger and driver's side window clear, and you must have a rearview mirror, so as the police officer approaches, he could look in that rearview mirror or side... passenger side or driver's side mirror and see if there was anybody in the back seat. Now, over the years, that law has been pretty much abolished. There were concerns about lupus and there were concerns about this and concerns about that. I have no doubt that this Bill will pass. I do not intend to vote for it, as I've not voted for any Bill that eventually has rolled back. Why we did the antitint Bill in the first place and all things that were good 18 years ago... I know times change, and I know things change, but I've talked to

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a lot of police officers that say we made a mistake when we started to roll back the antitint law. But Representative Bassi is well intentioned. This Bill has passed before. We're not going to go back to the way it was 18 years from now... or 18 years ago, and I understand that. But I'm going to at least be consistent on the issue of tinted windows, and I intend to vote 'no'."

Speaker Mautino: "There's no one else seeking recognition. Representative Bassi to close."

Bassi: "Thank you, Mr. Chairm... Mr. Speaker. In fact, window film tinting is allowed in 38 states. The State Police spent hours and house and hours doing studies with this. We were in the bowels of the... one of the buildings next door. They were doing checking to be sure that it was safe. Their assessment at this stage of the game is that it will be very safe, it's something that is very workable. We will be addressing the issue of multi-passenger vehicles with the trailer Bill that will be coming, and I would request an 'aye' vote."

Speaker Mautino: "Representative Bassi moves that House Bill 3325 do pass notwithstanding the specific recommendations for change of the Governor'. All those 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? Representatives Davis... Mr. Clerk, please take the record. 107 voting 'yes', 8 voting 'no', 0 voting 'present'. The Motion, having received a supermajority, House Bill 3325 is hereby declared passed, notwithstanding the specific recommendations for change of the Governor."

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Mr. Clerk, House Bill 4096, Representative Chapin Rose. Place this Bill on the Calendar... on the board. Representative Beiser is seeking recognition, the Gentleman from Madison."

Beiser: "Thank you, Mr. Speaker. I'd like the record to reflect on previous Bill... House Bill 2445, that my vote should be recorded as a 'no'."

Speaker Mautino: "The record shall so reflect. On House Bill 4096, the Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. House Bill 4096 is at its heart, a transparency Bill that would bring more information out in the open, particularly as regards to the budget process. I wanted to clear... Many of the provisions of this Bill were subsumed into Senate Bill 54, which previously passed. There are, however, a couple of items in here that, I believe, are very necessary that were not included in that. In... among those were a requirement for the Governor's Office of Management and Budget to publish reports on the revenue and fiscal condition of the State of Illinois. Those published reports would then be available to those in this Body and to the general public at large, and I think the... the point of this... very often, we're... we're arguing against an unknown. The Governor's Office says... says... and not necessarily this particular Governor, but any Governor would say, the dollars are 'x'. Well, how do you disprove that because you don't know where they got their numbers. This would be the data, this would be production of that information in a timely fashion so that everyone would have it in front of them. The... the

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Governor's Office has raised in... in their... their Veto was, quite frankly, noncompliant, so it was sort of ridiculous to file a Motion to accept. But I think, more importantly, there's some underlying issues that need to be brought into the ocean... into the open. They have contacted me with some additional concerns. I think what I'd like to do is move the override today and then meet with them over the intervening week, here, to see if we might be able to address their concerns maybe through either a trailer Bill or... or subsequent legislation. So, I'd ask for the override at this time."

Speaker Mautino: "Representative Rose moves that House Bill 4096, do pass notwithstanding the specific recommendations for change of the Governor. No one seeking recognition. All those 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 Flowers, Representative Durkin, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting present. The Motion, having received a Supermajority, House Bill 4096 is declared passed, notwithstanding specific recommendations for change of the Governor. On page 9 of the Calendar appears House Bill 70. Representative Colvin."

Colvin: "Thank you, Mr. Speaker. We move to accept the Governor's Amendatory Veto. This Bill passed in the spring unanimously in both Houses, the only changes in the Bill is a change of the effective date to January 1, 2010, and it

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removes the rulemaking language. So, we move to accept the Governor's Amendatory Veto."

Speaker Mautino: "The Gentleman has... moves the House accept the specific recommendations of the Governor as to House Bill 70. No one seeking recognition. All those 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. 115 voting 'yes', 0 voting 'no', 0 voting 'present'. The Motion, having receiving... having received a Constitutional Majority, the specific recommendations of the Governor are accepted and the Bill is declared passed in that form. Mr. Clerk, place House Bill 2444, Representative Reitz, on the board."

Reitz: "Thank you, Mr. Speaker. Whoa. House Bill 2444... I'd move to accept the Governor's Amendatory Veto. It was a... a good addition to the Bill. I'd be happy to answer any questions."

Speaker Mautino: "Representative Reitz moves that the House accept the specific recommendations of the Governor as to House Bill 2444. And on that question the Gentleman from Vermilion, Representative Black."

Black: "Thank you, Mr. Speaker. The Gentleman yield?"

Speaker Mautino: "He indicates he will."

Black: "Representative, two questions. What was the Governor's Amendatory Veto? What... what specifically did he remove from the Bill?"

Reitz: "He... he didn't remove, he actually just kind of added... basically said that the Department would be able to collect a fee for hearing instruments."

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Black: "Okay. That... that was my second question. I'm looking on my laptop... a hearing instrument dispenser? Is that a person or a machine..."

Reitz: "Person..."

Black: "...I mean, do you put a dollar in the thing, and the hearing instrument comes out, or what is a hearing instrument dispenser?"

Reitz: "It's a person who dispenses hearing aids."

Black: "Why don't we... why don't... ha ha... why can't we just say that? A person who dispenses hearing aids."

Reitz: "I will talk to the hearing aid dispenser association about that."

Black: "Wha... I'm sorry, what did you say?"

Reitz: "I will talk to the hearing aid dispenser association about that. That... that's the term that they used. That's the term the Department used to set up this... this section of the law. And... and it had... we actually had companion Bill, the Bill before this, which had the ability for them to collect the fee increase. That's why we didn't see much problem with this Veto... Amendatory Veto."

Black: "Well, the last time I looked into a hearing aid, I... I was somewhat excited to learn how much they cost. So, a fee... How much is the fee? Do we limit the fee or explain the fee or..."

Reitz: "I don't... That's what they're going to set. That's what the... that's what the Amendatory Veto does, is say that they will be able to assess a fee, and the Department will do that by rule."

Black: "So, we have no idea what the fee may be?"

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Reitz: "No."

Black: "A hundred dollars, two hundred dollars, I mean, what... what would... in your opinion, since you worked with these dispensers, what would a reasonable fee be?"

Reitz: "I'm sure it will be in line with the people that are doing the similar duties throughout the state. A lot of this is already in current law. It will be somewhere between \$2 and 3 thousand."

Black: "Representative, your... your talents are wasted in the Illinois General Assembly. Your ability to not answer a question really deserves promotion to the Federal Government."

Reitz: "Well, I appreciate that..."

Black: "I mean, I... I... ha ha... Well, whatever the fee is, I hope it's reasonable. And if it isn't, I'm telling my constituents to call you."

Reitz: "It will come back... If it's not reasonable, I'll guarantee you, we'll be back here."

Black: "I'll hold you to that."

Reitz: "Yeah."

Speaker Mautino: "No other speakers seeking recognition. Representative Reitz moves to accept the specific recommendations of the Governor as to House Bill 2444. And all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. The Motion, having received a Constitutional Majority, and specific recommendations of the Governor as to House Bill 2444 are accepted and the Bill is declared passed in that

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form. On page 9 of the Calendar appears House Bill 3642.
Representative Brauer."

Brauer: "Thank you, Mr. Speaker. I move to accept the AV and
will answer any questions."

Speaker Mautino: "Just delighted. Representative Brauer moves
to accept the specific recommendations of the Governor as
to House Bill 3642. No Members seeking recognition. 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. 115
voting 'yes', 0 voting 'no', 0 voting 'present'. The
Motion, having received a Constitutional Majority, the
specific recommendation of the Governor as to House Bill
3642 are accepted, and the Bill is declared passed in that
form. It's the intent of the Chair to go to the Order of
Resolutions, on page 10 of the Calendar. Representative
Lyons in the Chair."

Speaker Lyons: "On page 10 of the Calendar, we have House Joint
Resolution 72. Chair recognizes the Lady from Cook, Mary
Flowers, on House Resolution... Joint Resolution 72. Mr.
Clerk, what's the status of that Floor... of the Joint
Resolution?"

Clerk Bolin: "Floor Amendment #1 for House Joint Resolution 72
has been approved for consideration."

Speaker Lyons: "Representative Flowers on the Amendment to the
Resolution."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. I move for the Amendment to House Joint
Resolution #7... 72. And what the Amendment does, it just

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merely changes the date to 2010. And the Resolution, as amended, would... whereas osteoporosis is characterized by low bone mass and deterioration of the bone tissue, which increases the risk of bone fractures. Osteoporosis is primarily affect older women due to the signif... significant physical change that affects the bone health during menopause. And we are asking that the month of May is the National Osteoporosis Awareness and Prevention Month, and that the date of October 20 is World Osteoporosis Day. And therefore, be it resolved that the 96th General Assembly of the State of Illinois and the Senate concurs that we designate the date of May 10, 2010, and every May 10 thereafter, as Osteoporosis Day. And I move for the adoption. Thank you."

Speaker Lyons: "Is there any questions on the Amendment? Seeing none, all those in favor of this adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment to House Joint Resolution 72 is adopted. Anything further, Mr. Clerk."

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

Lyons: "All those in favor of the House Joint Resolution 72 as amended signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and House Joint Resolution 72 is hereby declared adopted. Mr. Clerk, Representative McCarthy has House Joint Resolution 75. Take that Resolution out of the record. Representative Mendoza, on page 10 of the Calendar, under Joint

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Resolutions, you have House Joint Resolution 76.
Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Joint Resolution 76 resolves that the General Assembly expressly reaffirms the state's obligation for economic development, including job creation in Illinois and the attraction of job creating businesses to the state, including the iBIO Institute and other not-for-profits that wish to lessen the economic burdens of State Government. The primary purpose of this Resolution is to support iBIO's wish to consolidate with the iBIO Institute and be defined as a charitable organization under IRS tax law. The Resolution would assist in creating and attracting jobs to Illinois, because it would allow iBIO to have more sources of funding, including more funding from the Federal Government, and these funding sources would contribute to iBIO's objective of expanding its activities to include economic development programs that assist in the creation, the growth, and retention of job creating tech start up companies and that aid the state in the attraction of job providing businesses. I think we need to do everything we can, given our economic climate right now, to stop the bleeding of jobs, in particular, the bio sector jobs, start-up companies, that we see going on neighboring states. This is just one small step in that direction, and I would ask for your support."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption of House Joint Resolution 76 signify by saying 'yes'; those opposed say 'no'. In the

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opinion of the Chair, the 'ayes' have it, and House Joint Resolution 76 is hereby declared adopted. House Resolution 572 on page 10, Representative Chapa LaVia. That Resolution out of the record. Representative John Bradley, you have House Resolution 650. Is Representative Bradley on the floor? Out of the record. Mr. Clerk, on page 10 of the Calendar, on the Order of Resolutions, Representative McCarthy has House Joint Resolution 75. The Gentleman from Cook, Representative Kevin McCarthy on the Resolution."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 75 is an initiative to look at our MAP program, the Monetary Assistance Program. We've worked with the Board of Higher Ed and a few other organizations, all the universities in the state. We've absolutely no opposition to the Resolution after it was amended in committee yesterday. Basically, we all are very strong supporters of MAP. I've said that in public forums across our state. And... but out of the 118 of us that support the MAP program, I think all of us would probably admit that we'd have a hard time question... or answering the question, what percent of that money actually ends up bearing fruit at the end. So, we've asked the Board of Higher Ed to look into that to see the recipients of MAP, how far they go in their academic career after... after receiving these MAP awards, and the Board of Higher Ed said they would be able to do this in conjunction with ISAC and the Illinois Community College Board. And they were both more than willing to do this, and I appreciate their

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support. I would appreciate your support of the Resolution."

Speaker Lyons: "Any discussion? We'll do a recorded vote on this thing. All those in favor of the adoption of House Joint Resolution 75 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 Resolution, 115 Members voting 'yes', 0 voted 'no', 0 voted 'present'. And House Joint Resolution 75 is adopted. Representative Bost, for what purpose do you seek recognition, Sir?"

Bost: "Inquiry of the Chair."

Speaker Lyons: "State your inquiry."

Bost: "You know, I... I know we're just lowly Members out here, and I... I know that earlier in the year, we passed the budget, so we're not waiting on that to be printed. I'm just kind of wondering, you know, what... what our plans are for the day. No... I... I think other people were wondering, they just were afraid to ask, maybe. I don't know."

Speaker Lyons: "Should never be afraid to ask, Mr. Bost..."

Bost: "See, I... I know that..."

Speaker Lyons: "...We're happy to give you a little guidance on your inquiry. We're... we're dotting the Is, we're crossing the Ts, we're making a list, and we're checking it twice."

Bost: "Oh. Well, don't... don't let me go into who's naughty and nice, I can tell you that."

Speaker Lyons: "We're... we'll be... we'll be back to you momentarily."

Bost: "Okay, thank you."

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Speaker Lyons: "And lo and behold, one of the people we were looking for, Representative John Bradley, Mr. Clerk, is back in the chamber. On page 10, he has House Resolution 650. The Chair recognizes the Gentleman from Williamson, Representative John Bradley."

Bradley: "Thank you. I... I'd like to thank Representative to my direct right for his snide remarks as well. This is basically just to recognize food service workers throughout the state. There are hundreds of thousands of people that work in the food industry, whether it be waiters, it would be bus boys, people that work in the kitchen, and this opportunity to recognize them and create a day for the next two years under this Resolution. So, I'd ask for an 'aye' vote."

Speaker Lyons: "Heard the Gentleman's Motion. All those in favor of the adoption of House Resolution 650 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and House Resolution 650 is adopted. Mr. Clerk, on page 4 of the Calendar, under Senate Bills—Second Reading is Senate Bill 600. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 600, a Bill for an Act concerning elections. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 600, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

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Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is an election Bill about fundamental fairness. As we all know, earlier in the Session, there was a lot of interest in the appointment of a new United States Senator. We had quite a few people in this chamber, I would call them on the other side of the aisle mostly, who felt that we should have an election... a special election to determine who our new United States Senator would be. Well, under the law of Illinois, that did not prevail, but it seems to me that, given the state of the law in Illinois regarding how the Democratic State Central Committee is chosen, how the Republican State Central Committee is chosen, there's a big gap. In the Democratic Party, State Central Committee are chosen by election. In the Democratic Party, there's one Democratic State Central Committeeman who's male from each district, one that's female from each district, chosen by voters. In the Republican Party, that's not the case. They're chosen by Party Leaders in sort of an elitist fashion, and it seems to me that a Party that's interested in elections and turning everything over to the people ought to be interested in turning their Party's elections over to the people, so that we can have fairer elections, a fairer choice in both political Parties. And I can't imagine there'd be anyone on the other side of the aisle who was for a special election for United States Senate and was always talking elections, elections, elections, who would oppose an election for their own State Central

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Committee. So, Mr. Speaker, I move passage of Senate Bill 600."

Speaker Lyons: "You've heard the Gentleman's Motion for the passage of Senate Bill 600, and the response, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. My good friend on the other side of the aisle who just made that stirring introduction... I'm surprised he isn't blushing. Mr... Mr. Speaker and Ladies and Gentlemen of the House, it was not the Republicans' idea to come back here and take up the special election for a Senator to replace President Obama. We didn't call the Special Session, you did. We didn't set the agenda to move a Bill to elect a United States Senator by popular vote, you did. So we came down here willing to listen to your proposal, but as usual in the Illinois Democrat Party, certain Democrat officials told the Leader of the Illinois Democrat Party, wait a minute, we don't want any popular election of a Senator to replace President Obama. Good Lord, a Republican might win the thing. So, in true Illinois Democrat fashion, and those of you who stand up, how... how dare you? How dare you? Your Party Leaders, including a sitting United States Senator, made phone calls... I don't know if any of the phone calls came from the... the Democrat National Committee, but I wouldn't be at all surprised... saying a popular election, are you guys crazy? This is a... a Republican might win that election with all of the trouble going on with Governor Blagojevich. So, it wasn't our idea to have a special election. You

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called us into Special Session, you said we were going to vote on a special election popular election Bill. When we got down here, you had changed your mind. All we did was to point out, oh, wait a minute, this was your idea, what happened? And, as usual, you had a whole bunch of good reasons why we couldn't have a popular election, including the one I really like, especially from an Illinois Democrat, well, we can't afford it, it'll cost too much money. This, from a Party that has put us \$12 billion in the hole. You never did give us the real reason, and the real reason was, we might lose the election. Now, the Democrat Party in Massachusetts just borrowed a page from your playbook. Upon the death of Senator Kennedy, the law... the law in Massachusetts, passed by a Democrat-controlled Legislature, when the State of Massachusetts had a Republican Governor, said that there had to be a special election to replace any Member of the Senate, because they didn't trust Governor Romney to appoint somebody that the Democrat Party in Massachusetts would want. Now that President Kennedy... or excuse me, Senator Kennedy passed away, the Democrats have a Democrat Governor in Massachusetts, so they quickly repealed the popular election Bill and appointed a United States Senator to fill out the balance of the late Senator Kennedy's term. So, you have a lot more... you have a lot more experience in manipulating these things than we do. And Ladies and Gentlemen, in all due respect to my good friend, there is a considerable difference in how you choose a United States Senator and in how you choose a Member of a political

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Party. If you elect, as you do, your Central Committee Members, fine, that's a decision that you made, as Democrats, under the policies and procedures of internal Democrat Party decisions. I don't think that was forced on you by any legislative Body. Our Party sometime ago, and just reaffirmed it two or four years ago by vote of the delegates at the state Republican Party Convention, that we would continue to elect Members of the Central Committee by a vote of the Members of the Party of that particular district. Please... please don't let anybody confuse you. Your refusal to let the voters choose a United States Senator was a dis..."

Speaker Lyons: "Mr. Black, your five minutes are up. If you could conclude your remarks in the next moment or so, we would appreciate it..."

Black: "Mr. Speaker, I'll... I'll be more than happy to try and oblige, but I... I truly would... would think that on this kind of blatant political shenanigan that you at least give us an unlimited debate authority, but I'll... I'll do the best I can to bring my remarks to a conclusion. Ladies and Gentlemen, you're all reasonably intelligent people. Don't... you can't sell this to anybody. There is a tremendous difference in how you elect a United States Senator or select a United States Senator who represents all the people in Illinois. Don't equate that and what you did several months ago with how Members of a political Party choose their internal administrative positions. If you can do this to the Illinois Republican Party, then I don't know why we don't get into how members of Rotary

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Clubs elect their members, how members of the American Business Club elect their members, how members of any private, quasi-political or civic organization elect their members. I... I've been here a long time, and I can understand why certain things are called and when they're called. The Republicans today have been bad boys and girls. We've been bad. We had the absolute audacity to try and get a hearing on a tax amnesty program modeled after one that you did in 2003. Your program was good, ours was bad. Then we had the timidity not to agree with certain things that you were doing on the Monetary Award Program. You're allocating money. If you've been here more than one term, you'd better learn the difference between allocating money and appropriating money. And allocation just means, if we have the money, we're going to give it to you. But nine times out of ten, an allocation has no money. So, we've been bad, bad boys and girls today on our side of aisle, and so now it's a... an attempt to punish us by trying to embarrass us, because our Party isn't as open and honest as your Party. What a load of you know what. You have slated candidates for years when we've had open primaries. If you want to be a judge in Cook County, you don't throw your name out and have all the Central Committee Members on who gets to run as a Cook County judge, you're slated. I don't think you want to go down this road. I just don't think you want to do this. I'm... I'm really surprised that you would decide to do this and at this time and for the very reason that you're doing it. You all know the reason as well as I do. If you want

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to discuss this with us, we'll discuss it with you. We'll tell you why we do one thing, you do another. I've never questioned the way you do things, but if you want to bring this open... out in the open, the difference is, there's all kinds of things we could discuss the way the Illinois Democratic Party does its internal business. I try to stay out of your internal business. You ought to respect the fact that you need to stay out of our Party's internal business."

Speaker Lyons: "Chair recognizes the Gentleman from Kendall, Leader Tom Cross."

Cross: "Thank you, Mr. Speaker. I won't be long. I... Representative Black did about as good a job as anybody on this side could do, as he usually does. I... I would suggest, though, that maybe we go a bit further than questioning your approach or your method that it was over the MAP funding, that very well may have been. And there are some people in our Party that are for this, and I respect that. And... and we all have differing views, but clearly, your side of the aisle and your Leadership knows there's a bit of division in our Party, and I find it strange that we're in a Veto Session with a four billion dollar... four billion dollars of unpaid bills, a MAP program in trouble, human services in trouble, the list goes on and on, a capital Bill questionable, and all of a sudden, we find Senate Bill 600 being called. I... I don't think it's about MAP. I don't think it's about the funding of MAP. That may be a key to it. I think the real problem is, you guys are afraid to address the ethics issue in a real

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substantive way. And we dared to question you about your approach to ethics. You look at how Representative Sullivan handled the committee yesterday. He had the gall to suggest that the Speaker was going backwards on ethics. Oh my God, Representative Sullivan dare question the Speaker about ethics. Well, you know what? He was right to question the Speaker about ethics, because your approach to the ethics Bill fails miserably. And what's fascinating about it is today you filed an Amendment... I don't know that all of you know yet on the... your side of the aisle... put a little more pressure on you... changed the effective date. So, instead of needing 71 votes, the ethics Bill only needs 60 votes. The ethics Bill that does nothing to change the power structure in the Illinois General Assembly. The four legislative Leaders, including me, will have all of the power. They will raise all of the money like they have. They will disperse the money in all of the legislative races, which means that Members, particularly on your side of the aisle and potentially on all sides... both sides, will be beholden to the Speaker and the Leaders. We have an opportunity to change that. Every media outlet in the state believes we should change it. Every good government group that's outside this process knows we should change it. We cannot police ourselves, obviously. Every other group outside of us says, in an independent voice, you need to break that system down. So, we have resisted your ethics Bill, and we are going to resist it in its present form. And you realize... I think many of you on your side the aisle realize the approach that you're taking is wrong,

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because every one of you, at some time in your career, has come over to us or somebody on this side of the aisle and said, Speaker has too much power, I'd like to be with you, I would really like to vote with you on this issue, you're right, you know. But you're afraid to speak against the Speaker, because he's got too much power, he's got too much money. And we've all said in the last year, since our Governor was indicted or charged and arrested on December 9, we've got to change government, we've got to clean up government. Well, you know what, we did a FOIA Bill to police municipal government. We did a procurement Bill to police the Executive branch. We've done recall to police the Executive branch. What have we done to police this branch? Nothing. And you are not willing to stand up to your Speaker and say, it's time to police the Legislative branch. And because we dared to question that, you are going to now delve into Republican politics. We're fine with that. We'll play that game, if that's what you want to do. Don't think, for one minute, we're going to cave on ethics. We'll take the internal fight, we'll deal with that in our Party. We've had enough of those, we'll continue to have them. But we're not going to back down on ethics. This is the time in Illinois when we need to change Illinois government. House Bill 24, sponsored by a Member on your side of the aisle, does that. Let's move forward with House Bill 24. We're ready to join you. Let's amend your current ethics Bill. Let's quit talking about changing Illinois government. Let's quit talking about the need for reform. If we don't do this now, we'll

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never do it. This is your opportunity... this is your opportunity. You can blame it on the media. You can blame it on the other groups. You can actually say to the guy that tells you what to do, I really want to be with you, Mr. Speaker, but now's the time, I'm kind of nervous about my next election, we'd better do the right thing. This is your excuse. This is your opportunity. Everybody around here wants to be a statesperson. Everybody around here wants to do the right thing. Everybody around here tells people at home that they're re... for reform. Now's your chance to do that. Now's your chance to not be beholden to one man... one man who has a grip on all of you and this institution and in many ways, the one across the aisle. So, Mr. Speaker, we'll deal with this in the right way, but first of all, before we go further, we request an immediate Republican Caucus. We're going to go downstairs. We're going to talk about this. We'll talk about ethics, we'll talk about reform, we'll talk about changing the primary date, we'll talk about redistricting, we'll talk about maybe a recall Bill that actually does more than just the Governor's Office, because now's the time to talk about reform. Real reform. So, go ahead and try to punish us. We're big boys and girls. But we're going to go to caucus. Not sure how long we're going to be, Mr. Speaker. We may be awhile, because this is a fairly important issue. So, we'll let you know when we're done. We're going to go downstairs now, and we appreciate the opportunity to go to caucus, and we'll talk to you a little later. We'll see you in a little while."

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Speaker Lyons: "Ladies and Gentlemen, before anybody goes anywhere, we'll have... the Republicans have chosen to have a caucus in Room 118, so they will be caucusing in Room 118. Representative Currie moves that the House will stand adjourned and, allowing perfunctory time for the Clerk, we will stand adjourned to the hour of 9:30 a.m. on Friday, October 16. Now, there is also a committee schedule that we will go through that the Clerk will read through the committees scheduled prior to us adjourning. Mr. Clerk, on the committee schedule."

Clerk Bolin: "The following committee will meet at 4:30 today or immediately following caucus, the Appropriation Higher Education and Higher Education Joint Committee will meet in Room 114. Tomorrow morning at 9:00 the Executive Committee will meet in Room 118. The Elementary and Secondary Education Committee will meet in Room 114, and the Revenue and Finance Committee will meet in Room 122-B."

Speaker Lyons: "Representative Ramey, what purpose do you seek recognition? R... Randy..."

Ramey: "Thank you, Mr. Speaker. It was pertaining to the Bill. Since we're going to caucus, there's not need, I guess..."

Speaker Lyons: "Thank you. Representative Dav... Stephens, what purpose do you seek recognition, Representative?"

Stephens: "Well, thank you, Mr. Speaker. First of all, the... immediately following our caucus, will that be the Appropriations Higher Ed Joint Committee in Room 114... it'll be after our caucus... who do we notify?"

Speaker Lyons: "The Clerk's Office, Mr. Stephens, the Clerk's Office."

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Stephens: "All right. Mr. Speaker... Mr. Speaker, well, I... I would beg that the Speaker would just move that meeting to tomorrow morning, and on behalf of our caucus, we will reserve the right to continue our caucus meeting at 9:30 tomorrow morning."

Speaker Lyons: "Will Davis, what purpose do you seek recognition, Representative Davis, W.?"

Davis, W.: "Thank you, Mr. Speaker. I was actually just trying to get clarification. So, our subject matter hearing is going to take place at 4:30, or... or what time is that going to take place, Mr. Speaker?"

Speaker Lyons: "Will, after the Republican caucus. So, we'll wait until they conclude their Caucus for this evening, and then the meeting will be held in Room 114..."

Davis, W.: "And we have no..."

Speaker Lyons: "...They'll be caucusing in Room 118."

Davis, W.: "...And we have no idea how long they're going to caucus this evening?"

Speaker Lyons: "No, we don't."

Davis, W.: "So, they've decided to take their ball and go home and not tell us when they're going to come back to play?"

Speaker Lyons: "They'll be caucusing until the Republican Leadership decides it's time to adjourn, and then they will... we will have our meeting in Room 114."

Davis, W.: "Thank you, Mr. Speaker."

Speaker Lyons: "Once again, allowing perfunctory time for the Clerk, Barbara Flynn Currie moves that the House stand adjourned to the hour of 9:30 a.m. on Friday, October 16, 2009. All those in favor signify by saying 'yes'; those

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opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills—First Reading. House Bill 4652, offered by Representative Bradley. House Bill 4653, a Bill for an Act concerning revenue. House Bill 4653 offered by Representative Bassi, a Bill for an Act concerned transportation. House Bill 4654, offered by Representative Bassi, a Bill for an Act concerning local government. House Bill 4655, offered by Representative Brady, a Bill for an Act concerning public employee benefits. House Bill 4656, offered by Representative Saviano, a Bill for an Act concerning transportation. Correction on House Bill 4652. House Bill 4652 is offered by Representative Bradley, a Bill for an Act concerning revenue."